

Item 3.**Development Application: 397 Glebe Point Road, Glebe - D/2019/1325**

File No.: D/2019/1325

Summary**Date of Submission:** 20 November 2019**Applicant:** Mrs Alison Olivia McKeown**Architect/Designer:** Long Blackledge**Developer:** N/A**Owner:** Mrs Alison Olivia McKeown**Cost of Works:** \$10,000**Zoning:** R1 General Residential Zone

Proposal Summary: The subject application seeks consent for alterations and additions to an existing dwelling house at 397 Glebe Point Road, Glebe. The proposal seeks consent for the construction of a new brick rear wall to the rear lane (Charlton Way) and installation of new vehicular access roller door.

The application is reported to the Local Planning Panel for determination as the applicant/land owner of the site is a relative of a member of council staff who is principally involved in the exercise of council's functions under the Environmental Planning and Assessment Act 1979.

The application was notified for a 14 day period between 3 December 2019 and 18 January 2020. As a result, no submissions were received.

The proposal has been assessed as being generally consistent with the planning controls applicable to the site and is recommended for approval, subject to the imposition of conditions.

Summary Recommendation: The development application is recommended for approval, subject to conditions.

Development Controls:

- (i) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEP)
- (ii) Sydney Local Environmental Plan 2012
- (iii) Sydney Development Control Plan 2012

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings

Recommendation

It is resolved that consent be granted to Development Application No. D/2019/1325 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The proposed development is consistent with Section 4.15 of the Environmental Planning and Assessment Act 1979, in that it achieves the objectives of the planning controls for the site and does not result in adverse environmental impacts for the reasons outlined in this report.
- (B) The proposal is consistent with the objectives of the R1 General residential zone, and will have an acceptable impact on neighbouring amenity.
- (C) The proposal complies with Sydney Local Environmental Plan 2012 Clause 4.3 Height of Buildings control.
- (D) The proposal does not adversely impact on the heritage significance of the conservation area and nearby heritage items.
- (E) For the reasons above and as outlined in this report, the proposed development is in the public interest.

Background

The Site and Surrounding Development

1. A site visit was carried out by staff on 15 January 2020.
2. The site has a legal description of Lot 1 in DP 939937, and is known as 397 Glebe Point Road, Glebe.
3. The site is rectangular in shape with area of approximately 468m². It has a primary street frontage to Glebe Point Road and a secondary street frontage to Charlton Way. A single storey freestanding house is contained within the site, with a two storey extension to the rear. There is an existing 2.28m high rear wall to the rear lane (Charlton Way), with a roller door providing access to a vehicle parking space in the rear yard.
4. Surrounding land uses are predominantly residential, to the north, west and east. A commercial premises lies directly to the south.
5. The site is a heritage item, known as House Group "Ilfracombe" and "Penzance" including interiors and front fencing (I768). The site is located within the Glebe Point Road Conservation Area (CA29).
6. Photos of the site and surrounds are provided below:

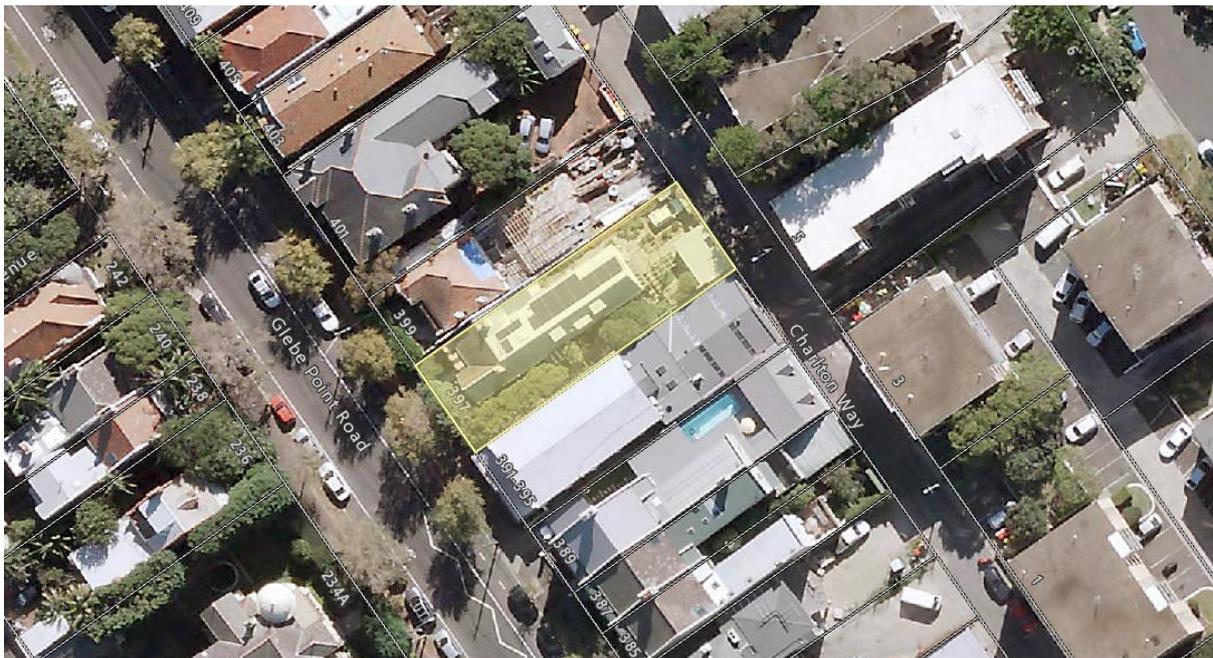


Figure 1: Aerial image of subject site and surrounding area



Figure 2: Site viewed from Glebe Point Road at the front



Figure 3: Site viewed from Charlton Way at the rear, looking south west



Figure 4: Street scene and site viewed from Charlton Way at the rear, looking south west



Figure 5: Street scene and site viewed from Charlton Way at the rear, looking north west

Proposal

7. The application seeks consent for:
- (i) Demolition of part of the existing rear wall and roller door to Charlton Way.
 - (ii) Construction of a new brick rear boundary wall to Charlton Way. The height of the wall will remain the same, at 2.28m, and will be painted Resene 'Drab' to match the existing wall.
 - (iii) Replacement of the roller door with a new Colorbond roller door with an increased clearance height. The roller door head unit will have a maximum height of 2.7m, raised from the existing height of 2.28m. The clearance height for vehicles will be 2.2m. The roller door will be coloured 'Pale Eucalypt' to match the existing roller door.
8. Drawings of the proposed development are provided below.

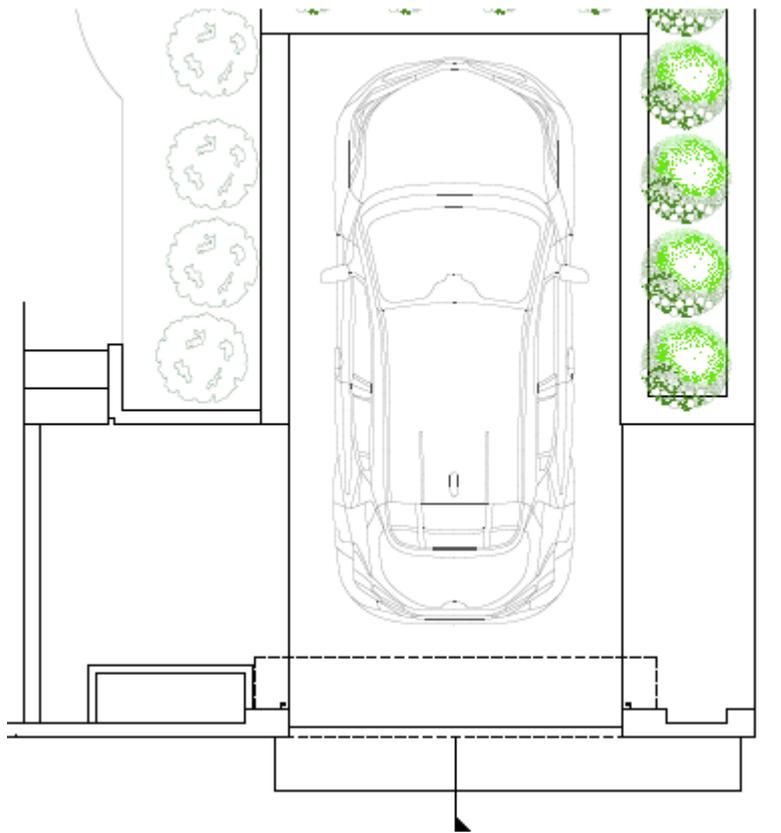


Figure 6: Existing plan

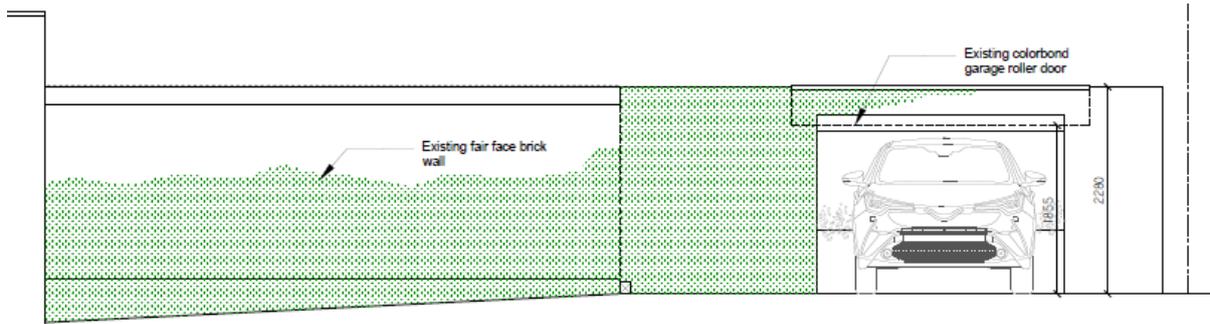


Figure 7: Existing rear wall elevation (Charlton Way)

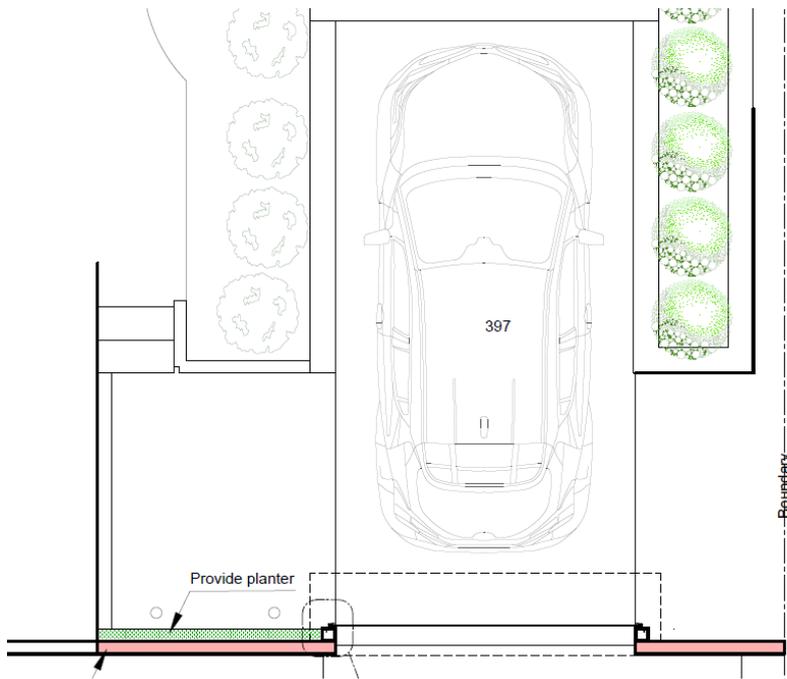


Figure 8: Proposed plan

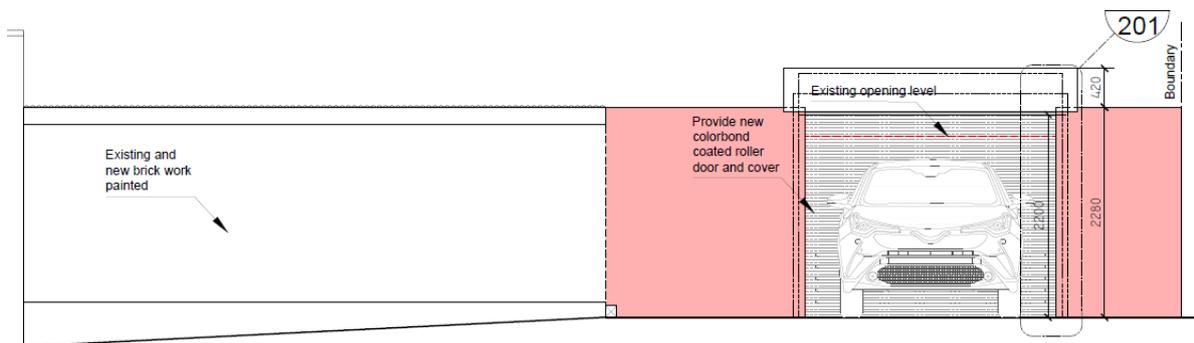


Figure 9: Proposed rear wall elevation (Charlton Way)

History Relevant to the Development Application

9. On 23 July 2019, a heritage works application for the replacement of the wall and roller door was refused as the works were not considered to be minor works as required under the provisions of Clause 5.10 of the Sydney Local Environmental Plan 2012.
10. The applicant was advised to submit a development application.

Economic/Social/Environmental Impacts

11. The application has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979, including consideration of the following matters:
 - (a) Environmental Planning Instruments and DCPs.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)

12. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP.
13. The Sydney Harbour Catchment Planning Principles must be considered in the carrying out of development within the catchment. The key relevant principles include:
 - (a) protect and improve hydrological, ecological and geomorphologic processes;
 - (b) consider cumulative impacts of development within the catchment;
 - (c) improve water quality of urban runoff and reduce quantity and frequency of urban run-off; and
 - (d) protect and rehabilitate riparian corridors and remnant vegetation.
14. The site is within the Sydney Harbour Catchment and eventually drains into the Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development. The development is consistent with the controls contained within the deemed SEPP.

Sydney Local Environmental Plan 2012

15. The site is located within the R1 General Residential zone. The proposed use is defined as alterations and additions to a 'dwelling house', which is permissible with consent. The proposal is consistent with the objectives of the zone.
16. The relevant matters to be considered under Sydney Local Environmental Plan 2012 for the proposed development are outlined below.

Compliance Tables

Development Control	Compliance	Comment
4.3 Height of Buildings	Yes	A maximum height of 9m is permitted. A height of 2.7m is proposed.
4.4 Floor Space Ratio	Yes	A maximum FSR of 1:1 is permitted. The proposal does not alter the FSR of the site.
5.10 Heritage conservation	Yes	The subject site is part of a group listing for 397-399 Glebe Point Road (Item No. I768), which is a local heritage item within the Glebe Point Road heritage conservation area. The existing rear wall and roller door is not included as part of the group listing's significance. The rear wall is not an original feature, and the demolition, rebuilding, and installation of new taller roller door will not negatively impact on the setting of the host building or the character of the conservation area.

Part 6 Local Provisions - Height and Floor Space	Compliance	Comment
6.21 Design excellence	Yes	The proposed development satisfies the requirements of this provision. The works are consistent with the character and appearance of the laneway and do not adversely impact on the heritage significance of the dwelling or the conservation area.

Part 7 Local Provisions - General	Compliance	Comment
Division 1 Car parking ancillary to other development 7.4 Dwelling houses, attached dwellings and semi-detached dwellings	Yes	The site is located within Category C area for car parking. As such, a maximum of 2 car parking spaces are permitted for each dwelling. One car parking space is proposed.
7.14 Acid Sulphate Soils	Yes	The site is identified as containing Class 5 acid sulfate soil. Whilst the site is located within 500m of Class 1 and 2 acid sulfate soils, the proposal does not involve significant excavation that would lower the water table. No special measures are required.
7.15 Flood planning	Yes	The site is not identified as being affected by flooding.

Sydney Development Control Plan 2012

17. The relevant matters to be considered under Sydney Development Control Plan 2012 for the proposed development are outlined below.

2. Locality Statements – Glebe Point

The subject site is situated in the Glebe Point locality. The proposed alteration to the rear wall is considered to be in keeping with the unique character of the area and design principles in that it maintains the heritage character of the area.

3. General Provisions	Compliance	Comment
3.5 Urban Ecology	Yes	The proposed development does not involve the removal of any trees and will not adversely impact on the local urban ecology.
3.9 Heritage 3.9.1 Heritage impact statements 3.9.5 Heritage items 3.9.6 Heritage conservation areas	Yes	The subject site is a heritage item within a heritage conservation area. The rear wall is not an original feature, and the demolition, rebuilding, and installation of a new taller roller door will not negatively impact on the setting of the host building or the character of the conservation area.

3. General Provisions	Compliance	Comment
		<p>The proposed wall height, materials and colours are appropriate to the subject site and the character of the laneway.</p> <p>The level of documentation submitted with the application is commensurate with the scale of the works proposed. The application can be determined without the submission of a heritage impact statement in this instance, as the works meet the objectives of section 3.9 Heritage of the DCP, do not affect heritage fabric, and do not materially alter the setting of the heritage item.</p>

4. Development Types 4.1 Single dwellings, terraces and dual occupancies	Compliance	Comment
4.1.1 Building height	Yes	<p>A maximum of two storeys is permitted.</p> <p>The proposed development does not alter the number of stories on site.</p>
4.1.3 Residential amenity	Yes	<p>4.1.3.1 Solar Access</p> <p>The minor increase in the height of the roller door head unit in combination with the orientation of the site results in no overshadowing impacts on neighbouring properties.</p> <p>The proposal will not impact on neighbouring residential amenity, or on the amenity of the subject site.</p>

4. Development Types 4.1 Single dwellings, terraces and dual occupancies	Compliance	Comment
4.1.7 Fences 4.1.7.2 Side and rear fences 4.1.7.3 Heritage items and within heritage conservation areas	Yes	The height and design of the rear wall maintains the character of the street and conserves the setting of the heritage item. The proposed wall height of 2.28m is above the 1.8m height recommended by DCP provision 4.1.7.2. The wall height is acceptable in this instance as it responds to the character of the street, which contains walls and buildings consistently over 1.8m in height, and will have no amenity impacts.
4.1.9 Car parking	Yes	The proposal does not change the size or location of the car parking space. The size, and location at the rear of the property accessed by Charlton Way, are appropriate to the site.

Other Impacts of the Development

18. The proposed development is capable of complying with the BCA.
19. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

Suitability of the site for the Development

20. The proposal is of a nature in keeping with the overall function of the site. The premises are in a residential surrounding and amongst similar uses to that proposed.

Internal Referrals

The application was discussed with the Heritage Specialists; who advised that the proposal is acceptable subject to the recommended conditions.

External Referrals

Notification, Advertising and Delegation

21. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development is required to be notified. As such the application was notified for a period of 14 days between 3 December 2019 and 18 January 2020. As a result of this notification a total of 103 properties were notified and no submissions were received.

Public Interest

22. It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

S7.11 Contribution

23. The development is not subject to a S7.11 development contribution as it is for alterations and additions to an existing dwelling house which is a type of development listed in Table 2 of the City of Sydney Development Contributions Plan 2015 and is excluded from the need to pay a contribution. A contribution is therefore not payable.

Relevant Legislation

24. Environmental Planning and Assessment Act 1979.

Conclusion

25. The applicant seeks consent for alterations and additions to dwelling house comprising of the rebuilding of the rear boundary wall of the site and the provision of a new vehicle access roller door.
26. The application was notified in accordance with the Sydney DCP 2012, and no submissions were received.
27. The proposed rebuilding of the wall and replacement of the roller door are appropriate to the character of the laneway. The works will not adversely impact on the heritage significance of the existing dwelling or the conservation area. The works will not have any adverse amenity impacts, and retains access to the existing on-site car parking space on the site.

28. The proposal has been assessed as being consistent with the relevant planning legislation and policies applicable to the site and type of development.
29. The application is recommended for approval, subject to the imposition of conditions.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

David Knight, Planner