

Local Planning Panel

10 June 2019

40 Princess Avenue, Rosebery

D/2019/996

Applicant/Architect: Bureau SRH Architecture

Owner: Mr N Dolan & Ms J Murphy

proposal

- partial demolition of existing structures
- construction of a laneway building comprising a garage and a secondary dwelling in attic above
- decking and paving in rear yard
- public benefit offer for monetary contribution toward community infrastructure provision in Green Square

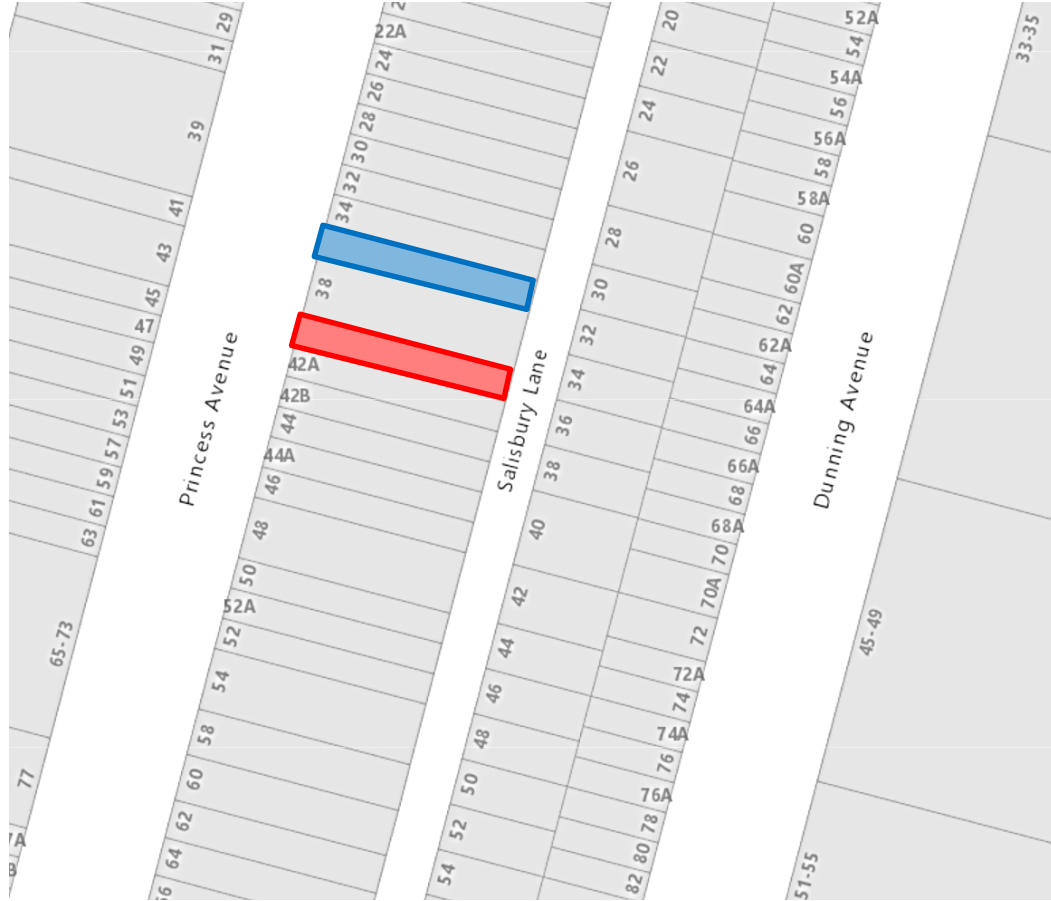
recommendation

deferred commencement approval subject to conditions

notification information

- exhibition period 30 September to 15 October 2019
- 37 owners and occupiers notified
- 1 submission received in support of proposal

submissions



site





Princess Avenue



existing roller door and gate to Salisbury Lane



view to north along Salisbury Lane



view south along Salisbury Lane



opposite side of Salisbury Lane



view to roller door from within rear yard of site



fence on southern boundary viewed from rear yard of site



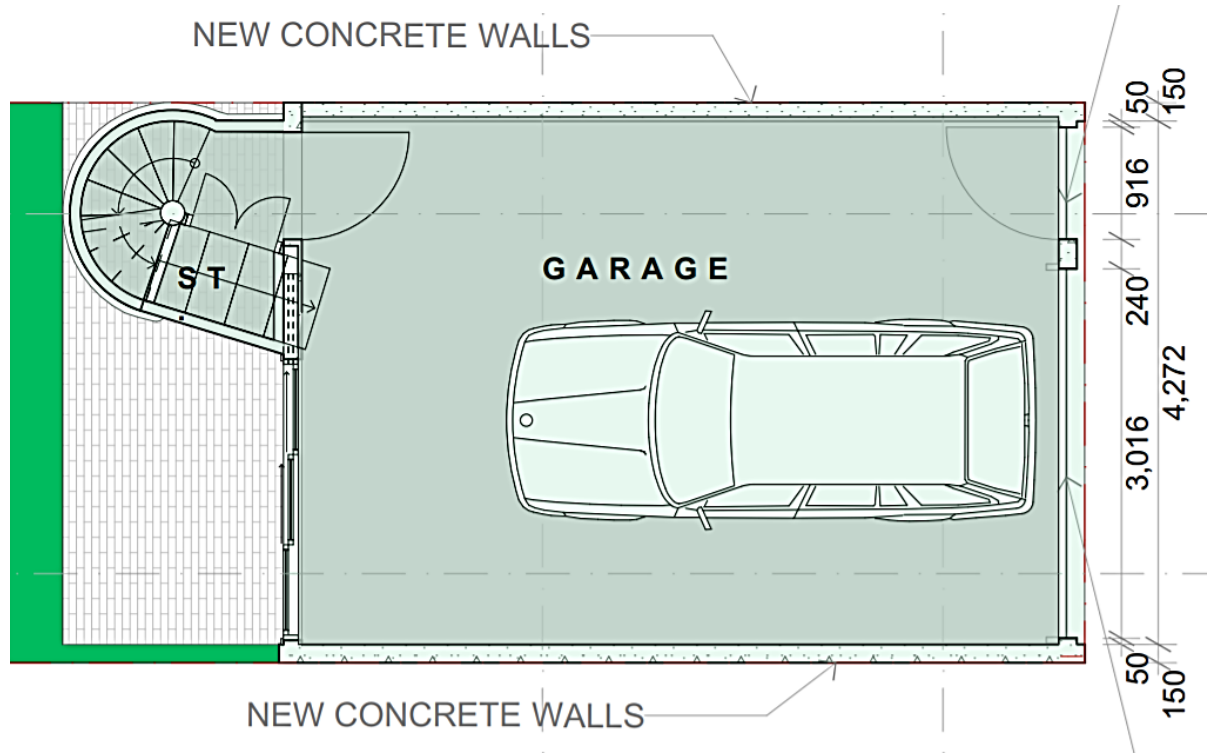
north



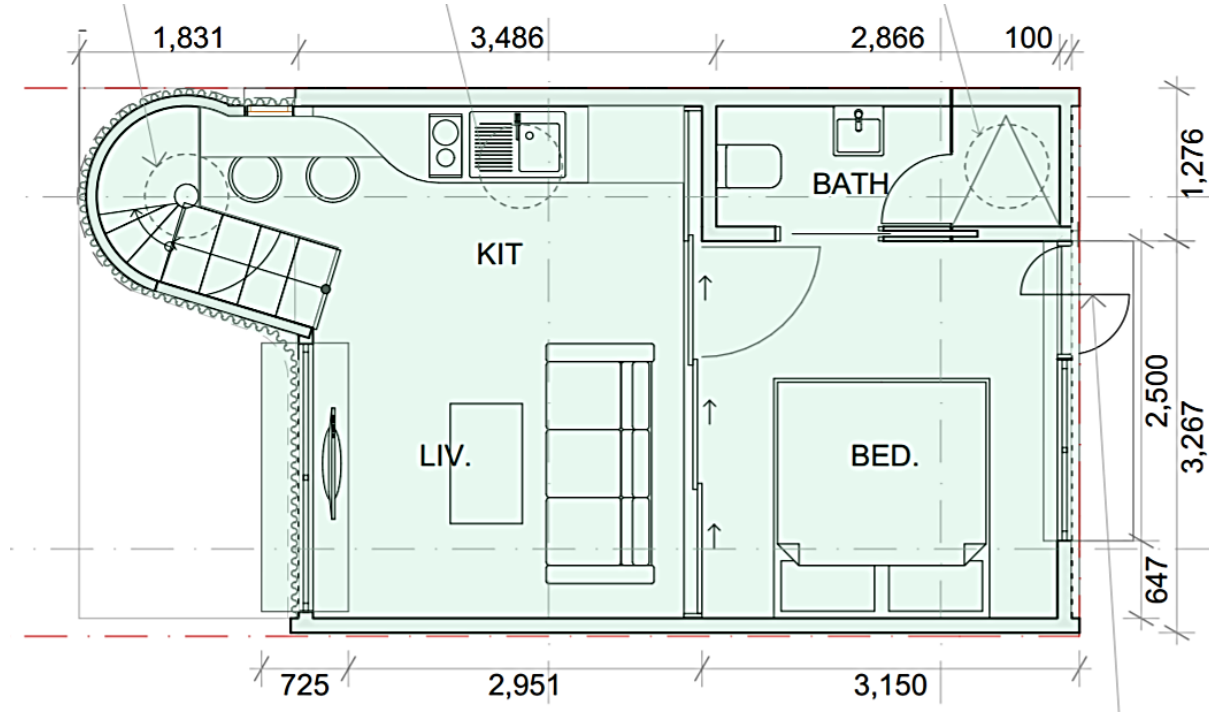
south

north and south boundaries of rear yard

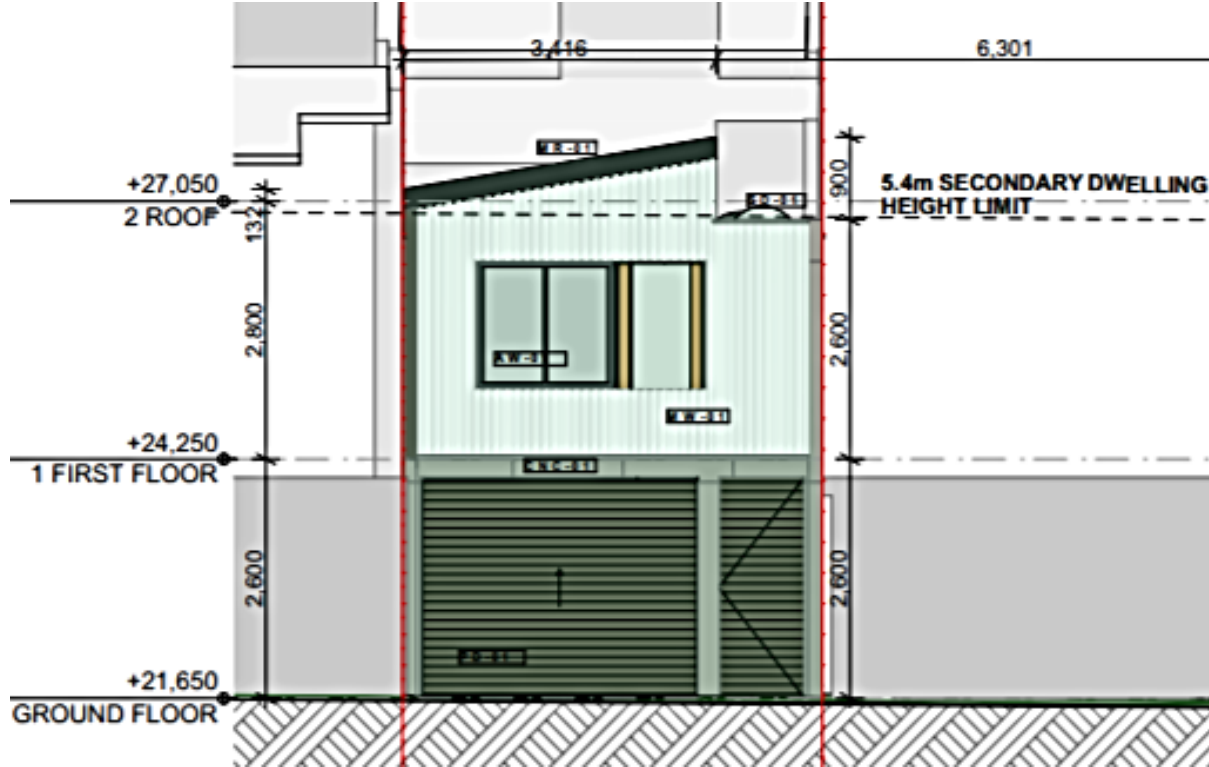
original proposal



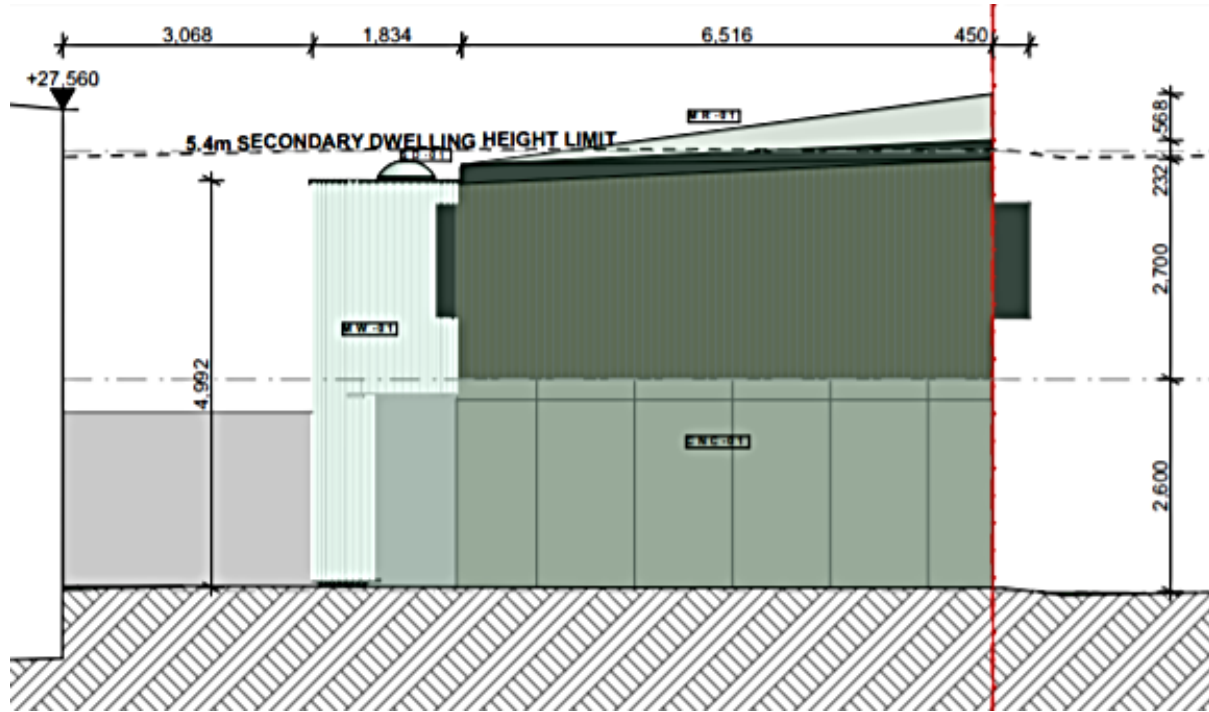
ground level plan of original proposal



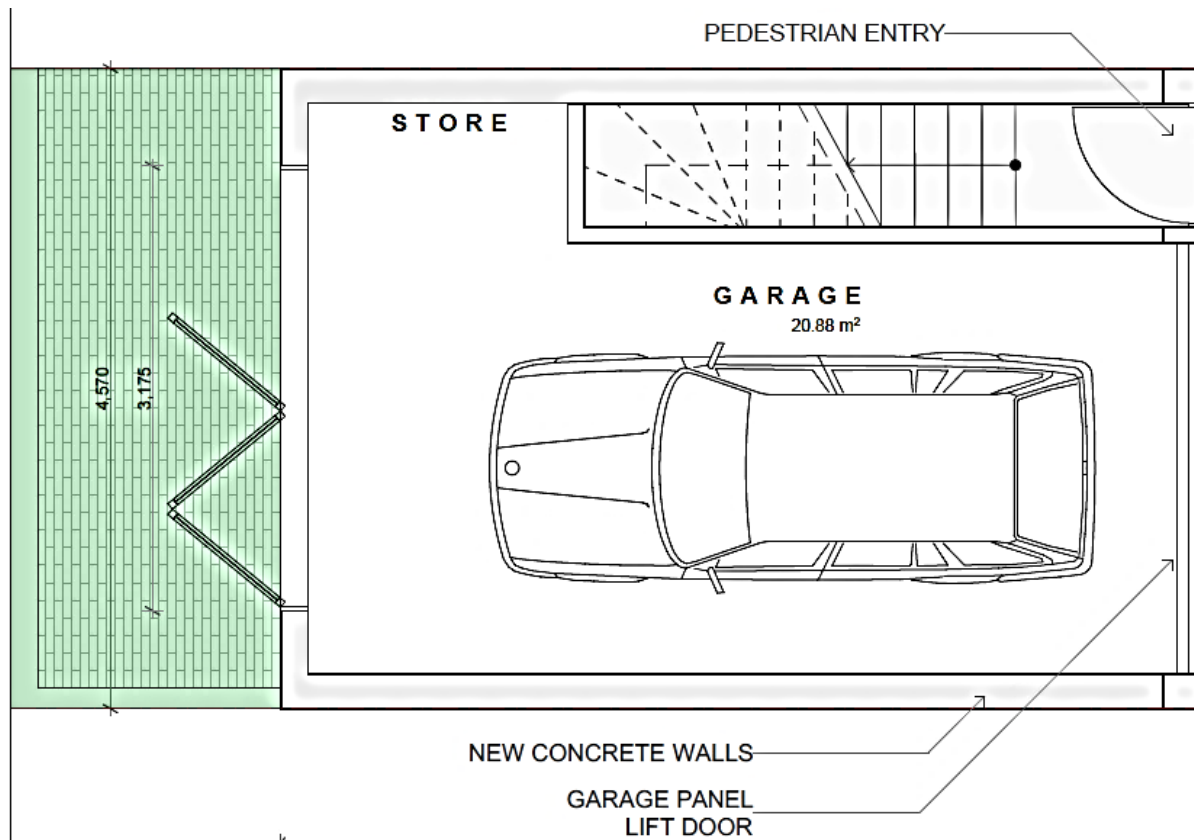
first floor level plan of original proposal



Salisbury Lane elevation of original proposal

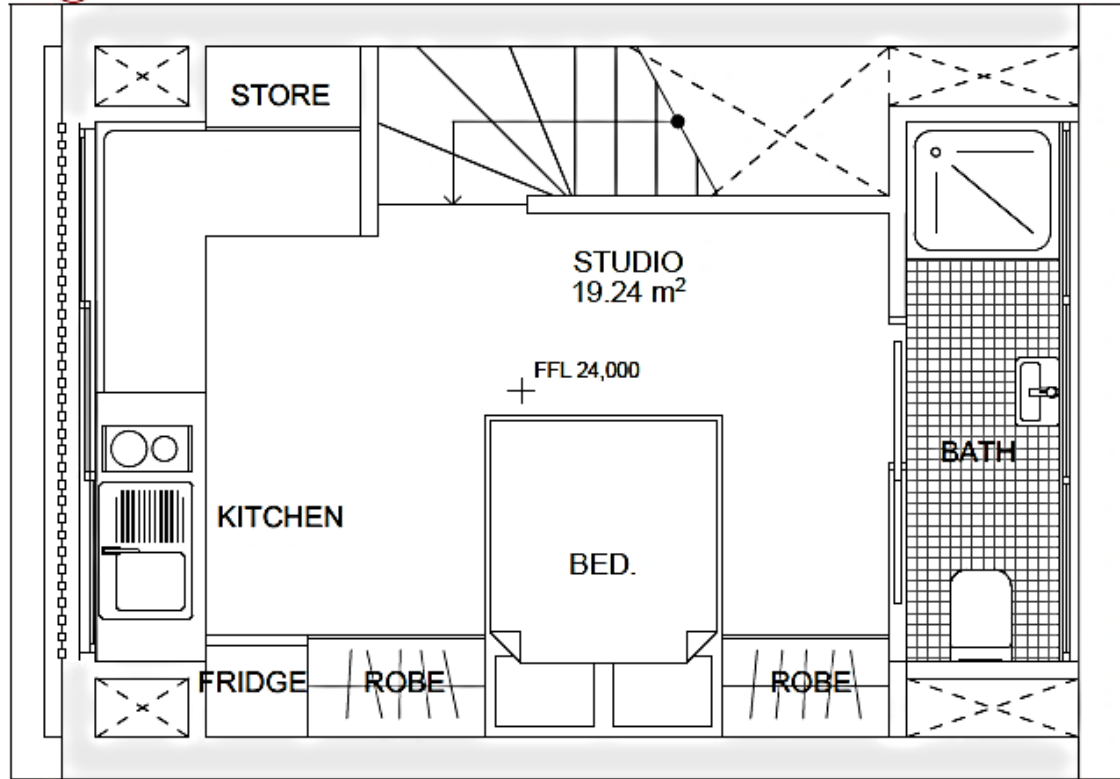


south elevation of original proposal

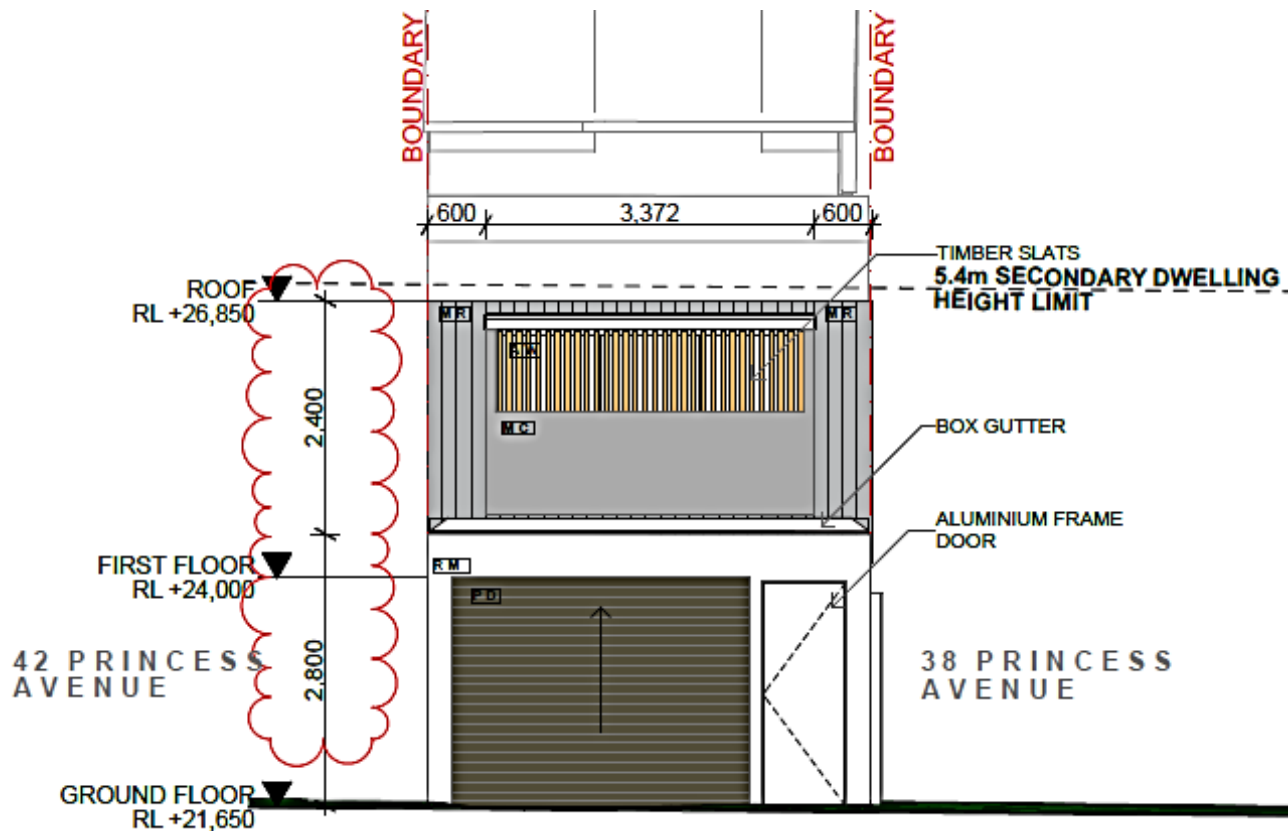


ground level plan

proposal



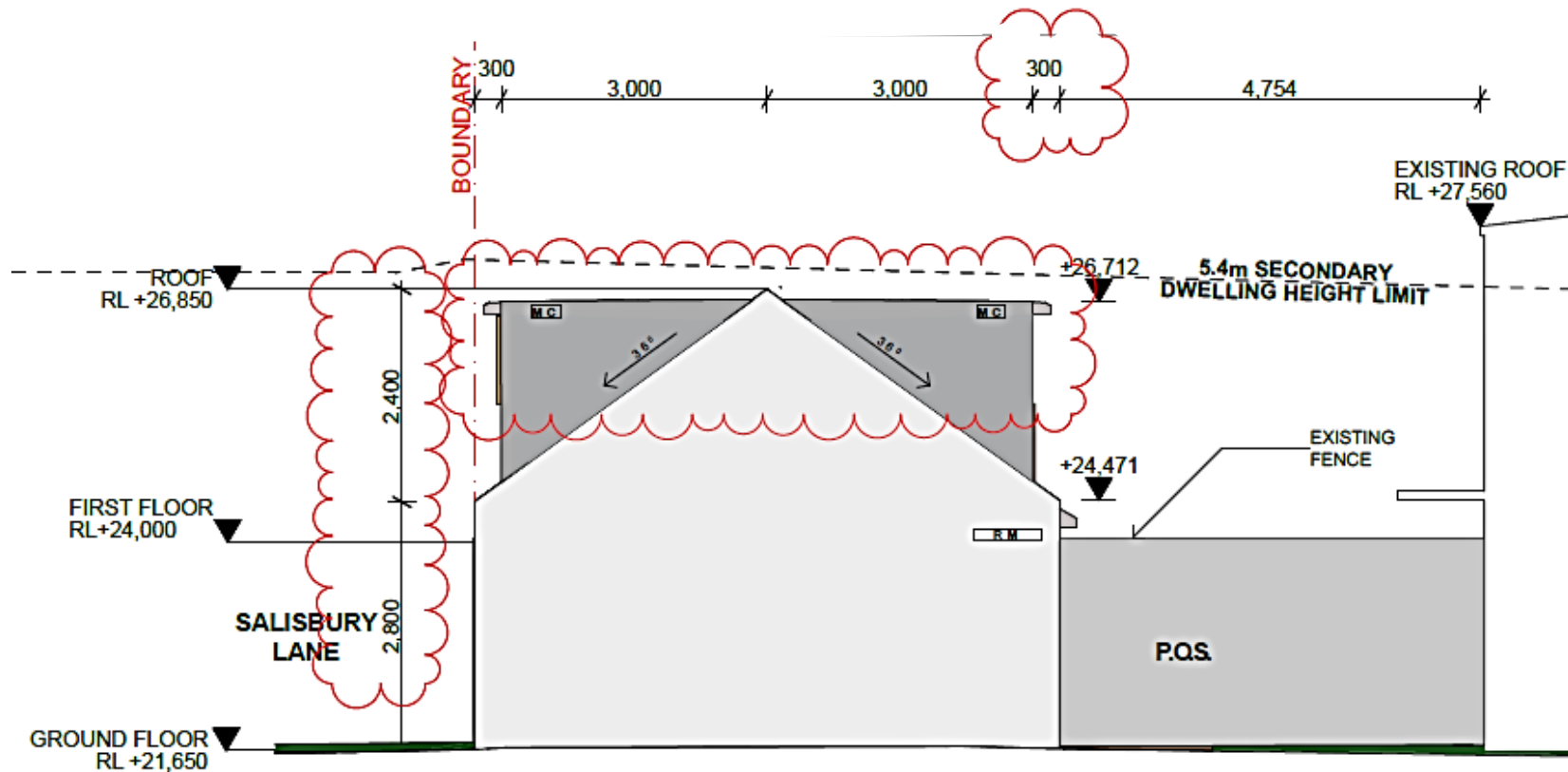
first floor level plan



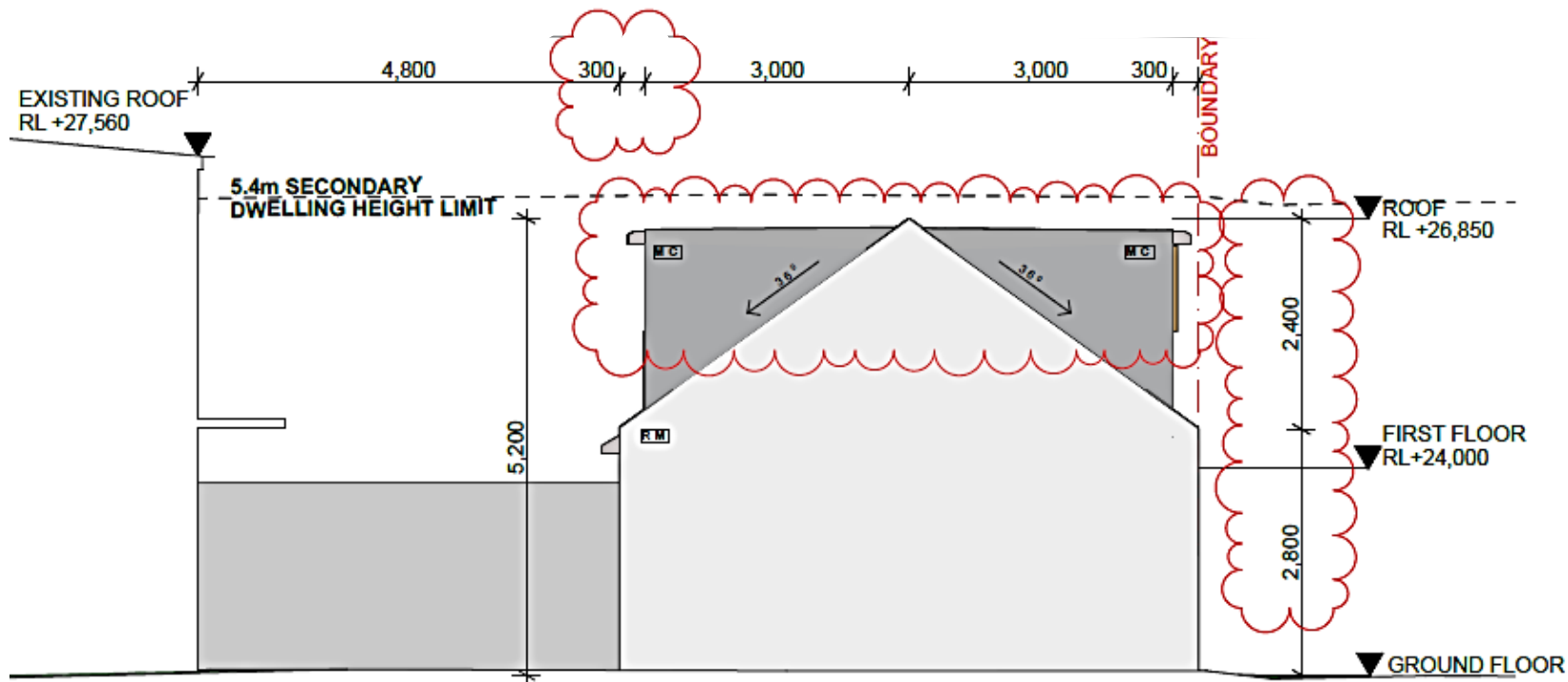
Salisbury Lane elevation



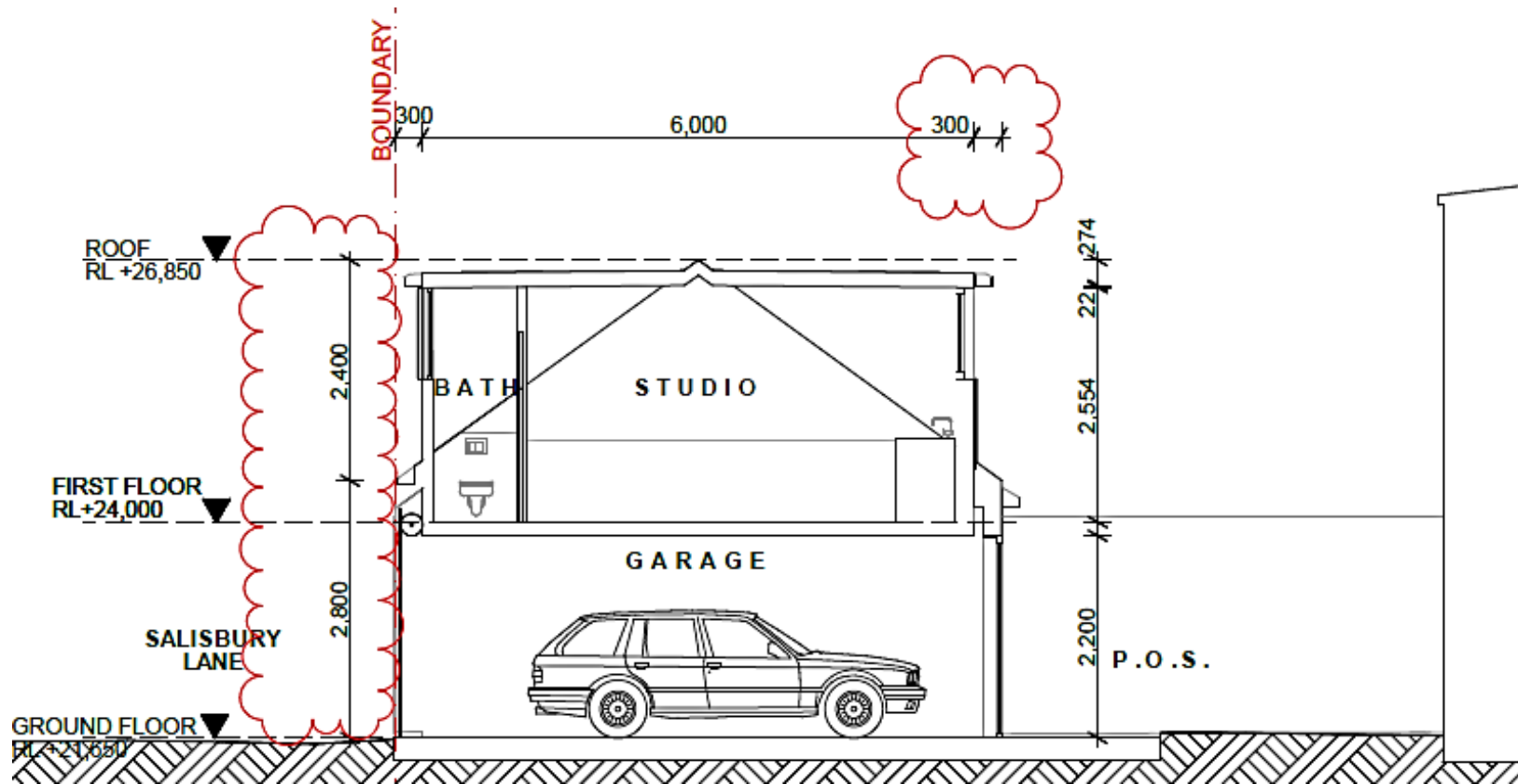
internal rear yard elevation



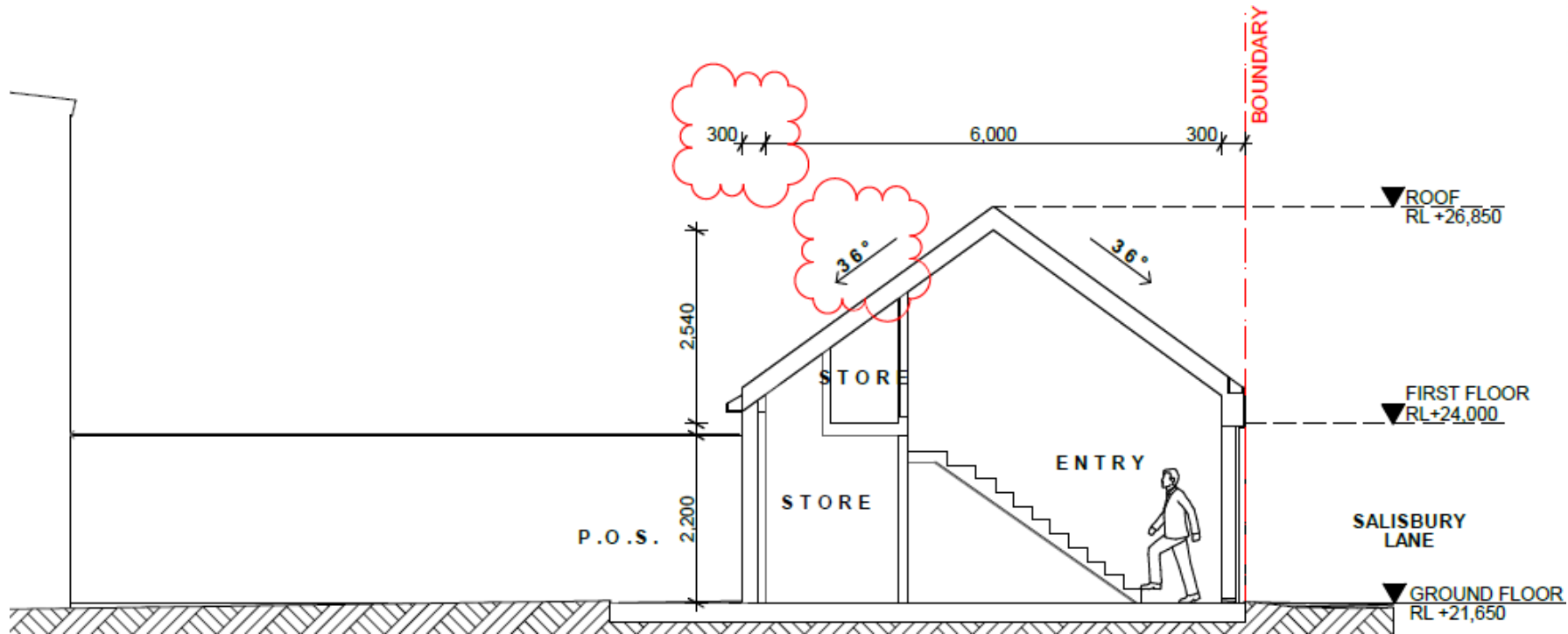
north elevation



south elevation



section



section

Sydney LEP 2012

	control	proposed	compliance
height	9m	5.2m	yes
floor space ratio	1.25:1	1.13:1	yes
miscellaneous uses	60sqm max. floor area for secondary dwellings	18.6sqm	yes
car parking	2 spaces max.	1 space	yes

Sydney DCP 2012

	control	proposed	compliance
secondary dwellings	1 storey with attic	1 storey with attic	yes
	5.4m max. height	5.2m	yes
private open space (POS)	16sqm min.	21.65sqm	yes
	4m min. dimension	4.57m min. dimension	yes

Sydney DCP 2012

	control	proposed	compliance
solar access(to neighbouring dwellings)	min. 2hrs sunlight to living rooms and POS on 21 June	<2hrs sun to POS of adjacent dwellings to south	no, but acceptable
	no additional overshadowing where <2hrs sunlight is received on 21 June	increased overshadowing of POS of adjacent dwellings to south	no, but acceptable

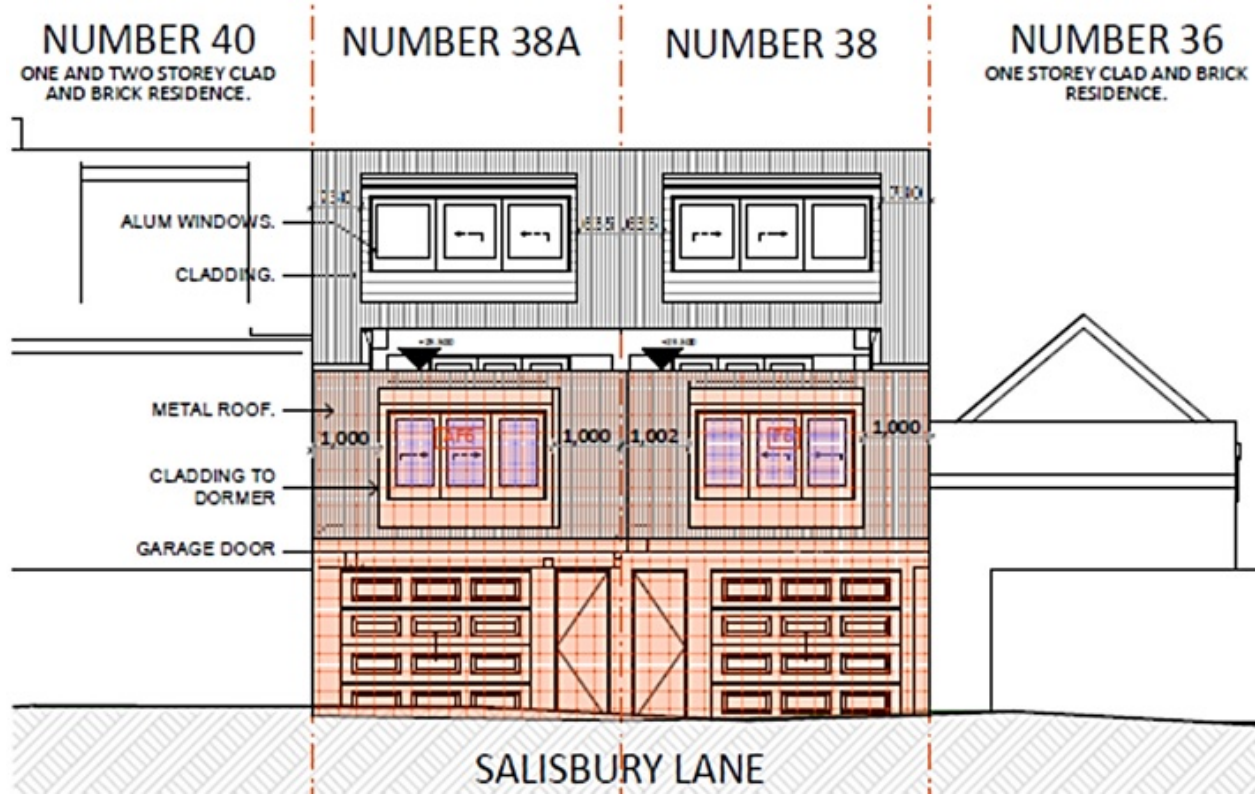
issues

- submission by landowner expressing:
 - preference for 2-storey form of original proposal
 - pointing out other 2-storey laneway buildings in the area
- recently approved laneway building on adjacent property
- other 2-storey buildings on Salisbury Lane
- the originally proposed design
- overshadowing

recently approved laneway buildings

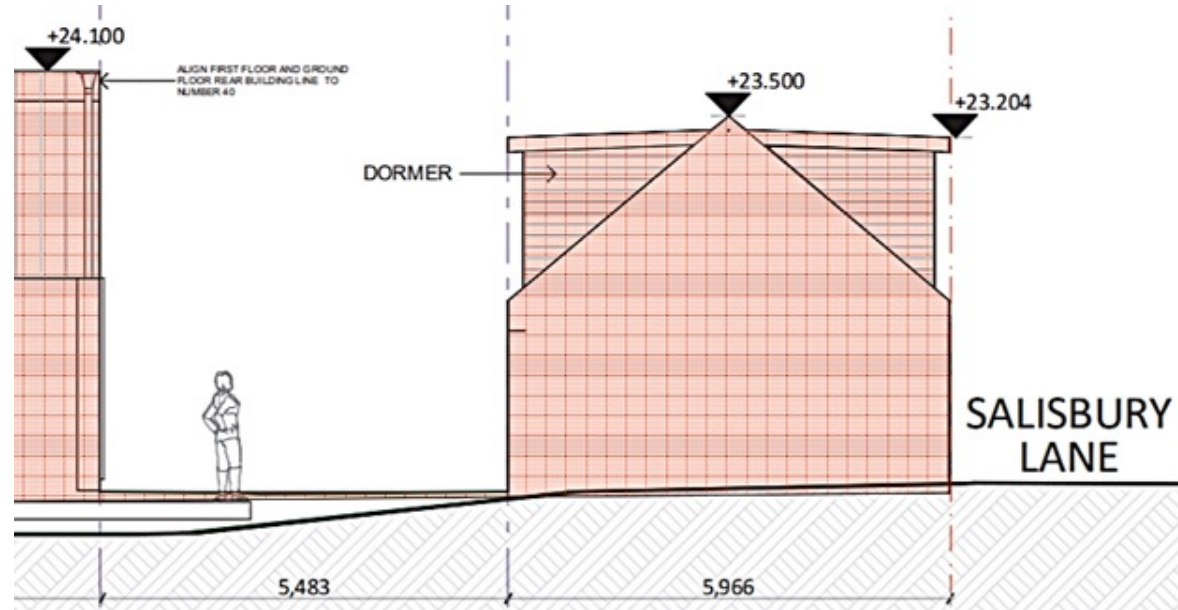
- 18 March 2020 - LPP approved D/2019/1168 for development at 38 Princess Avenue comprising:
 - construction of 2 x 2-storey dwellings
 - construction of 2 x laneway dwellings fronting Salisbury Lane
- proposed development is similar built form to that approved at 38 Princess Avenue

recently approved laneway buildings



Salisbury Lane elevation of approved development at 38 Princess Ave

recently approved laneway buildings



southern elevation of approved development at 38 Princess Ave

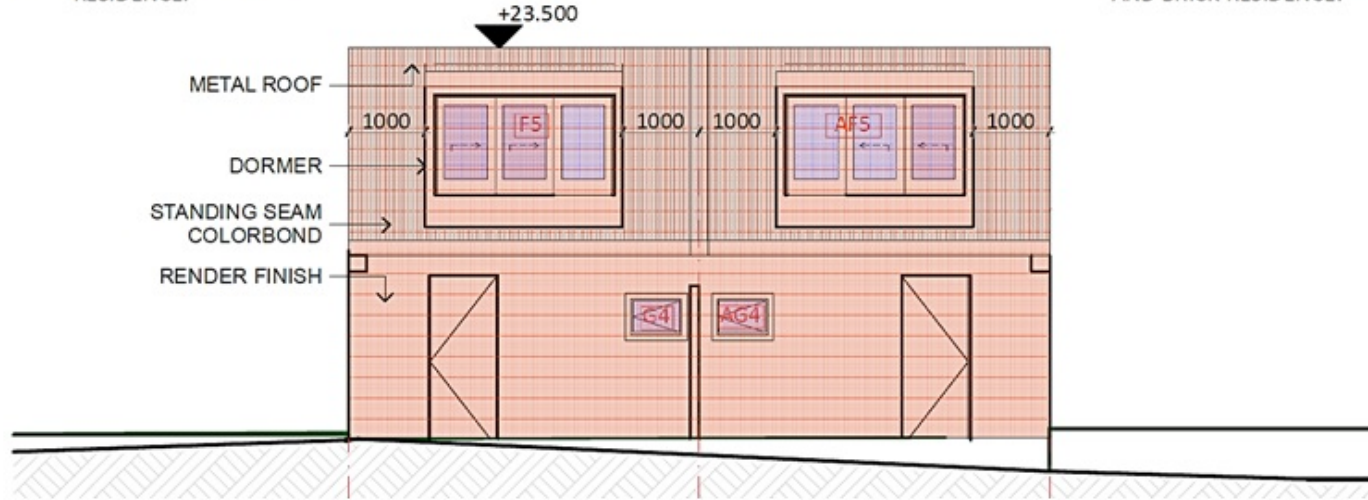
recently approved laneway buildings

NUMBER 36
ONE STOREY CLAD AND BRICK
RESIDENCE.

NUMBER 38

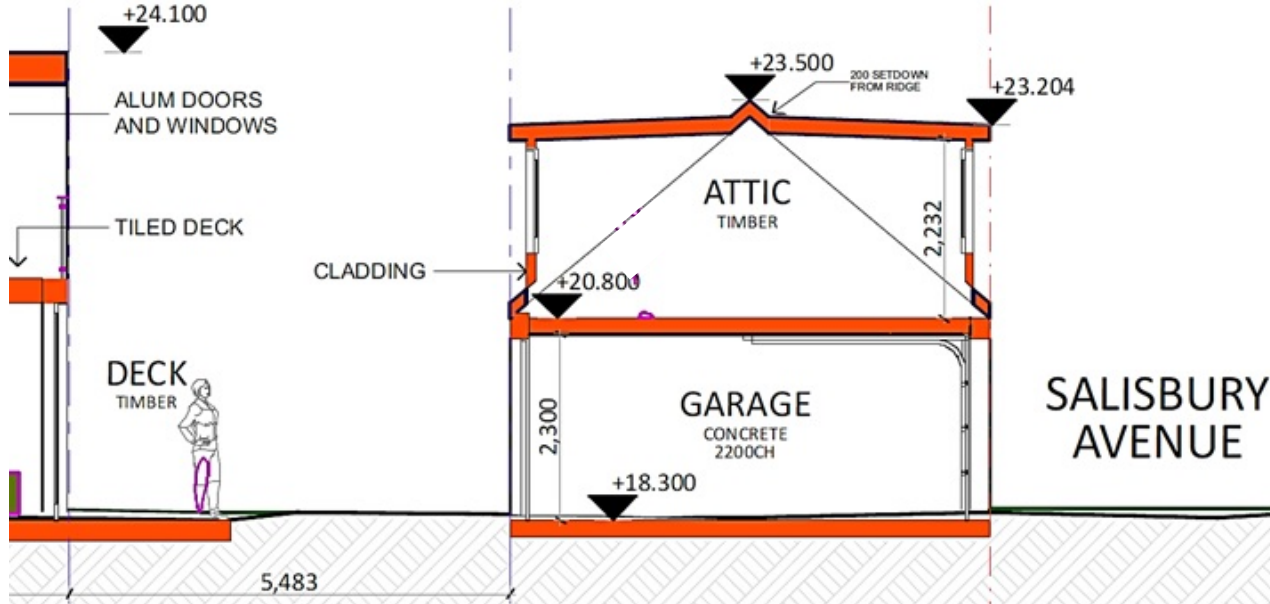
NUMBER 38A

NUMBER 40
ONE AND TWO STOREY CLAD
AND BRICK RESIDENCE.



internal elevation of approved development at 38 Princess Ave

recently approved laneway buildings



section

other buildings on Salisbury Lane

50-86 Dunning Avenue

- 51 x 3 storey townhouses fronting lane and Dunning Avenue
- B4 mixed use zone and 12m height control
- building type not subject to DCP laneway dwelling controls



other buildings on Salisbury Lane

46 Princess Avenue

- five properties to the south - secondary dwelling approved February 2018 - no overshadowing impacts to larger warehouse adjacent

48 Princess Avenue

- constructed prior to 1975
- accommodates a commercial warehouse use



commercial warehouse and secondary dwelling to south

other buildings on Salisbury Lane

16 Princess Avenue

- approx 60m north of site
- building constructed prior to 1975 - conversion to dwelling/studio approved December 2007

18 Princess Avenue

- approx 55m north of site
- studio addition to garage approved December 1998 – within shadows cast by larger warehouse at 16 Princess Avenue

other buildings on Salisbury Lane



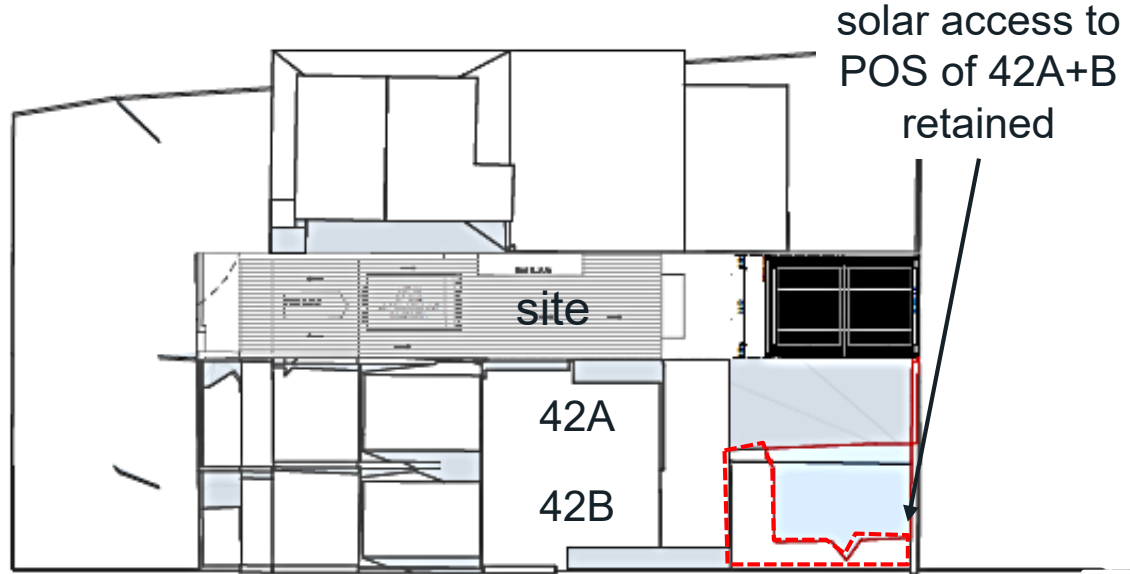
warehouse type building and secondary dwelling to the north

original proposal

LEP and DCP non-compliances:

- exceeded 5.4m height control
- exceeded single storey built form control
- reduced private open space to less than 16sqm
- exceeded 1:1 base FSR control - no public benefit offer - community infrastructure floor space

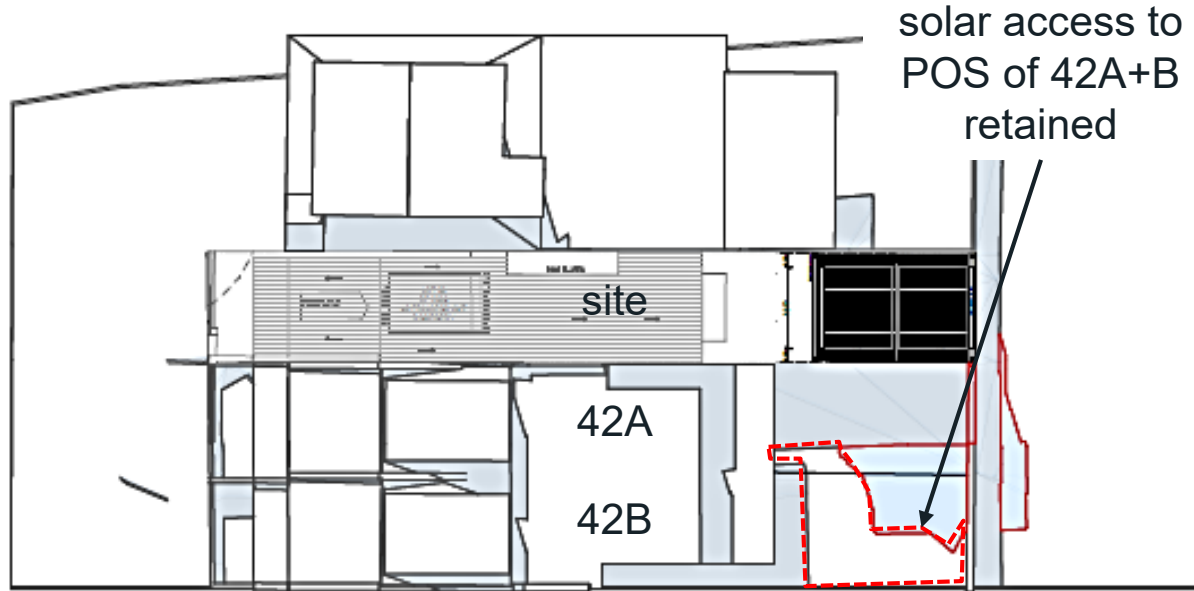
overshadowing



11.00am June 2st shadows

EXISTING SHADOW OVERSHADOWING OF PROPOSAL

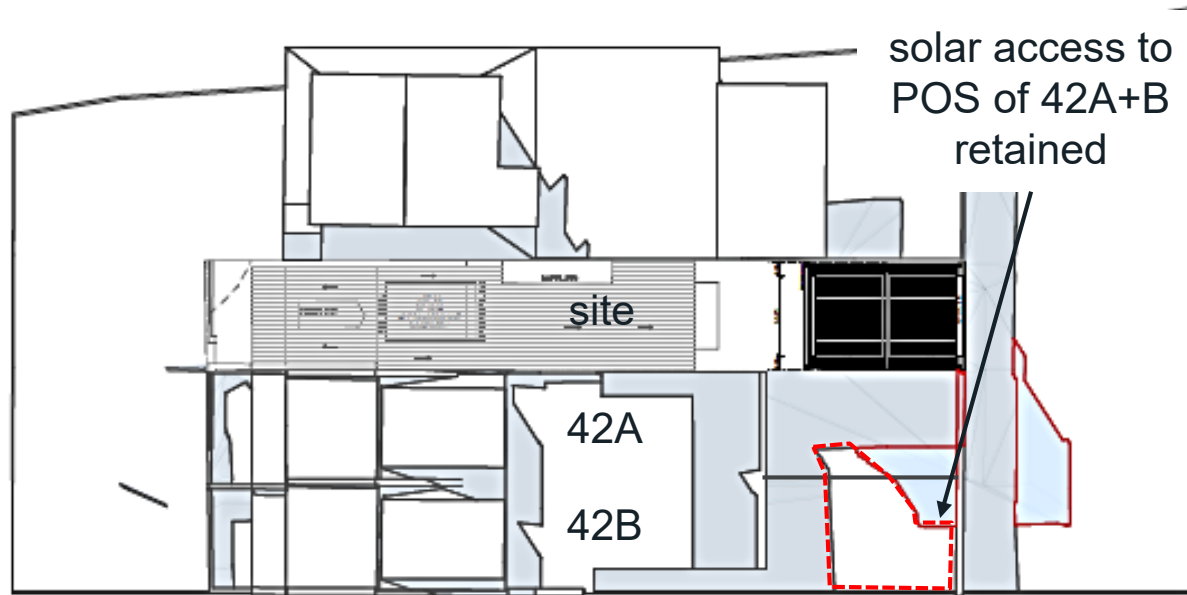
overshadowing



12.00pm June 21st shadows

■ EXISTING SHADOW □ OVERSHADOWING OF PROPOSAL

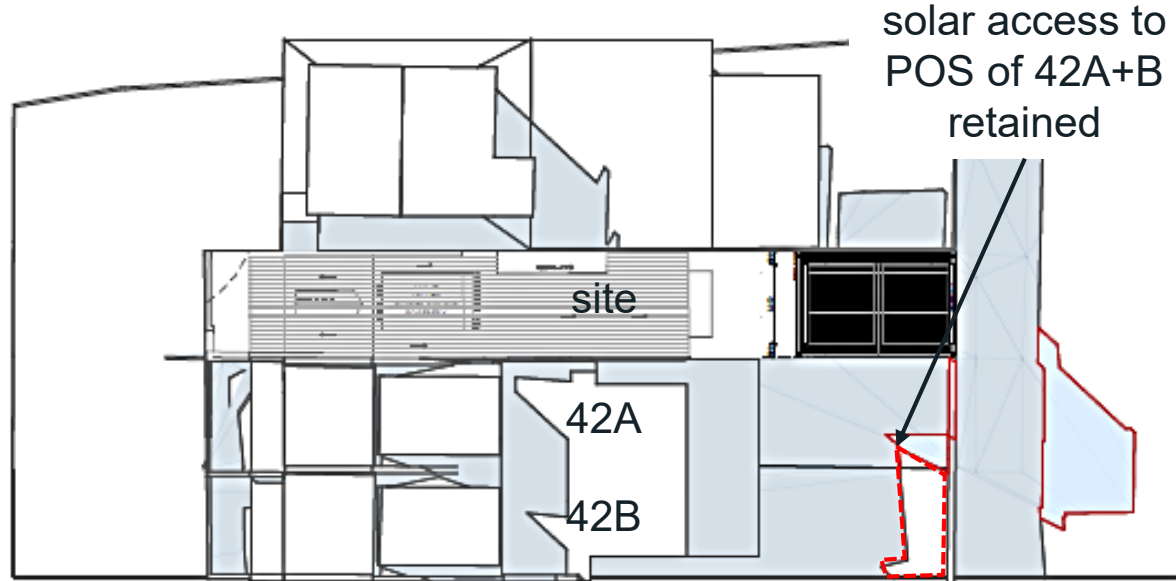
overshadowing



01.00pm June 21st shadows

■ EXISTING SHADOW □ OVERSHADOWING OF PROPOSAL

overshadowing



02.00pm June 21st shadows

■ EXISTING SHADOW ■ OVERSHADOWING OF PROPOSAL

overshadowing

42A Princess Avenue

- does not receive minimum amount of sunlight to POS
- proposed development results in minor increase in overshadowing
- solar access to small area of POS will be retained

42B Princess Avenue

- does not receive minimum amount of sunlight to POS
- proposed development results in increase in overshadowing
- solar access to useable area of POS will be retained

nb: original proposal would have greater impact

recommendation

- deferred commencement consent subject to execution of the VPA