

Local Planning Panel

20 September 2023

Application details

50 Bray Street, Erskineville

D/2022/1278

Applicant: PELK Pty Ltd

Owner: PELK Pty Ltd

Architect: Katris Architects

Proposal

- demolition of existing buildings
- construction of three dwellings, each with three bedrooms
- subdivision of land into three lots
- landscaping and planting of two trees

Recommendation

approval subject to conditions

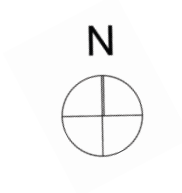
Notification



- exhibited between 3 January and 26 January 2023
- 432 owners and occupiers notified
- 15 submissions received
- re-exhibited between 8 June and 7 July 2023
- 5 submissions received during re-exhibition

Submissions

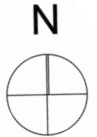
- amenity impacts to adjoining properties
- privacy
- loss of daylight
- height and bulk
- streetscape
- heritage
- rear building line
- floor space ratio
- tree impacts
- traffic and parking impacts
- stormwater and flooding
- impact to retaining walls
- construction impacts

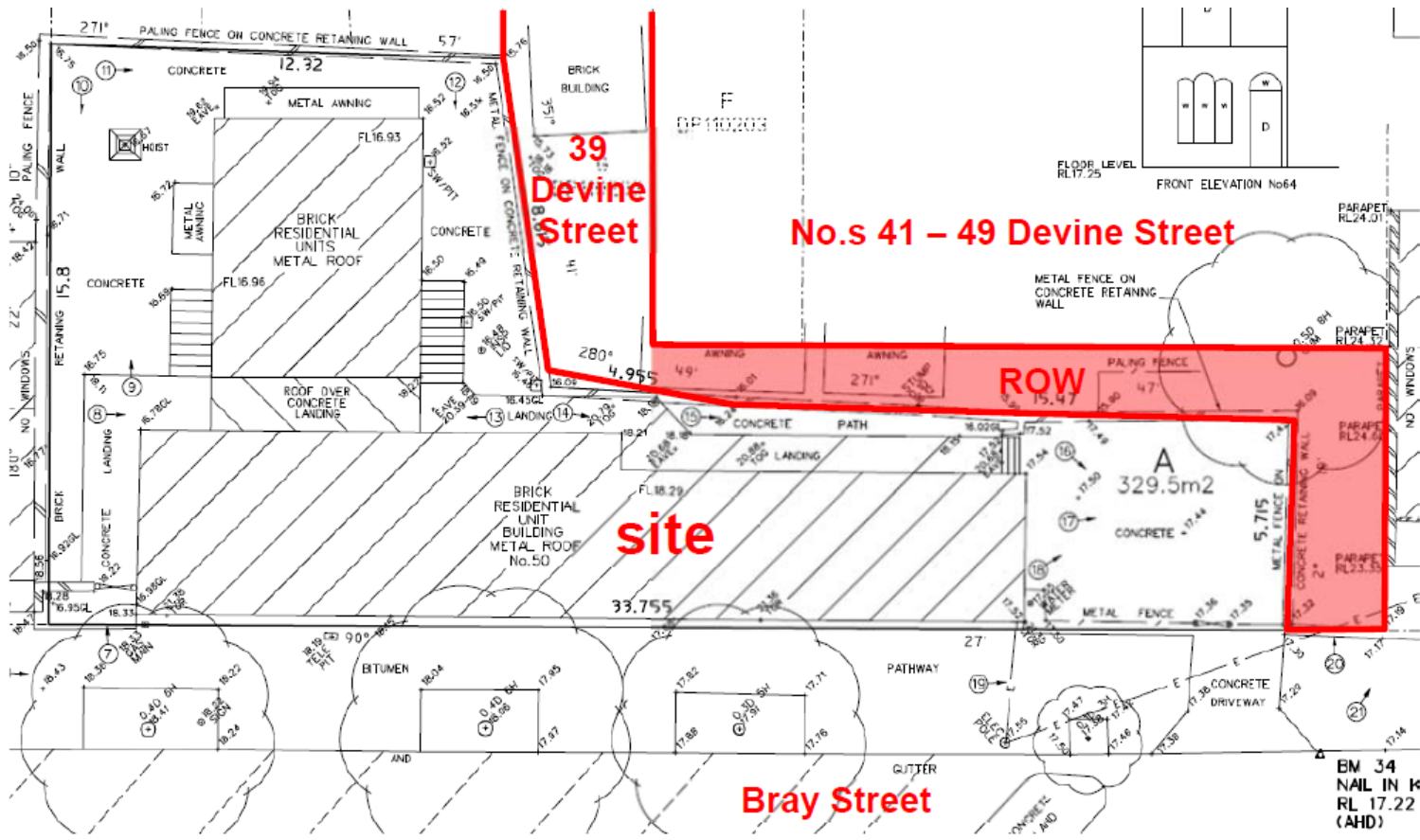
Submissions



-  subject site
-  submitters

Site





right of way of 39 Devine Street



site viewed from Bray Street



site viewed from Bray Street



30 - 40 Bray Street

neighbouring dwellings to west on Bray Street



site

right of
way

64

66

68

neighbouring dwellings to east on Bray Street



side passage adjacent to 30-40 Bray Street (west side of building)



Bray Street ground level

looking towards Bray Street



rear of site



relationship with rear boundary



neighbours to rear



neighbours to rear



view from existing hardstand (east side of building)



49 Devine St

64 Bray St

site

view from existing hardstand space



right of way viewed from Bray Street



site

right of way

right of way to rear of site

Background



D/2015/56 – demolition of existing building and construction of a boarding house with 13 rooms approved

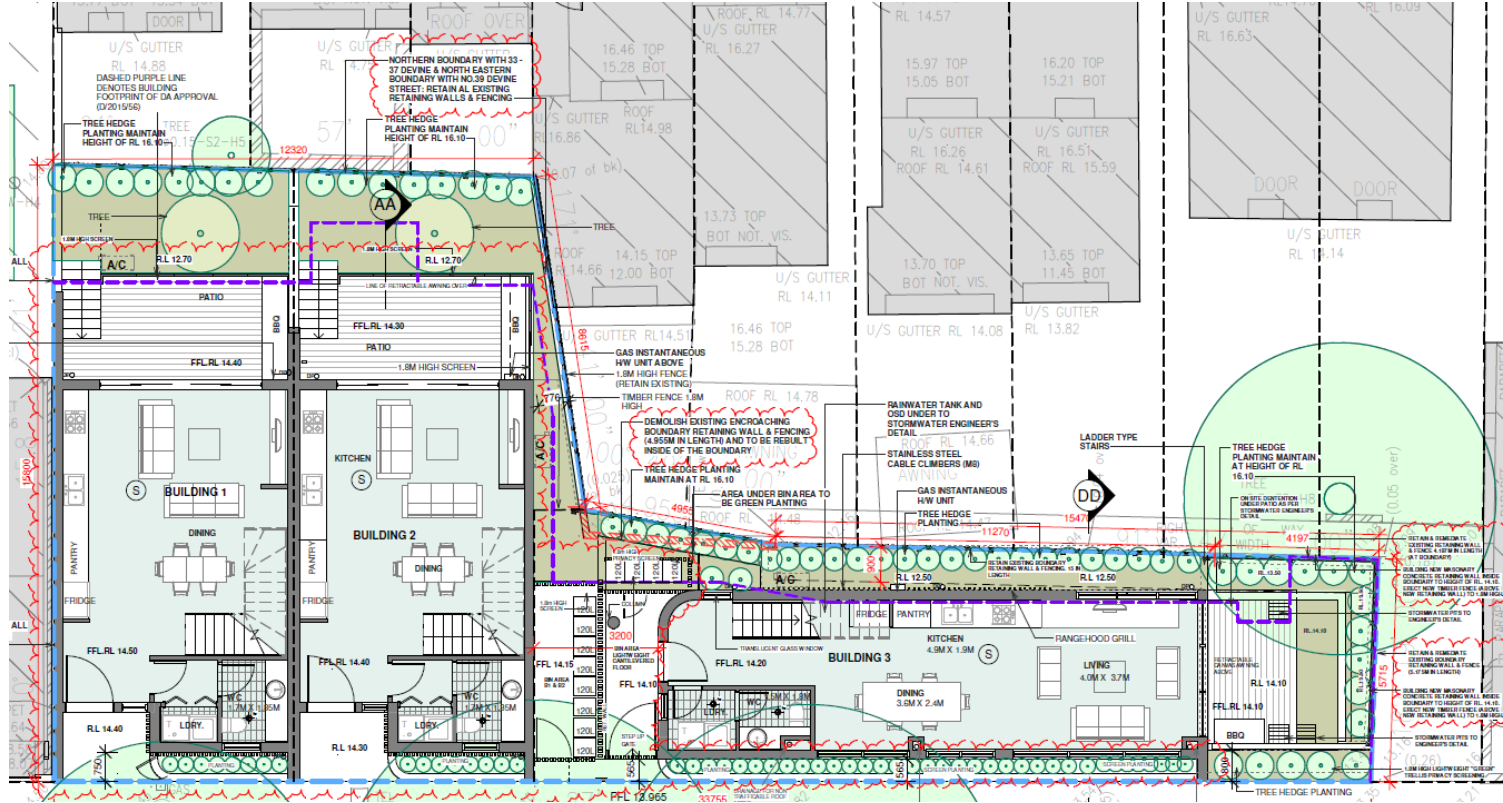


boarding house site plan

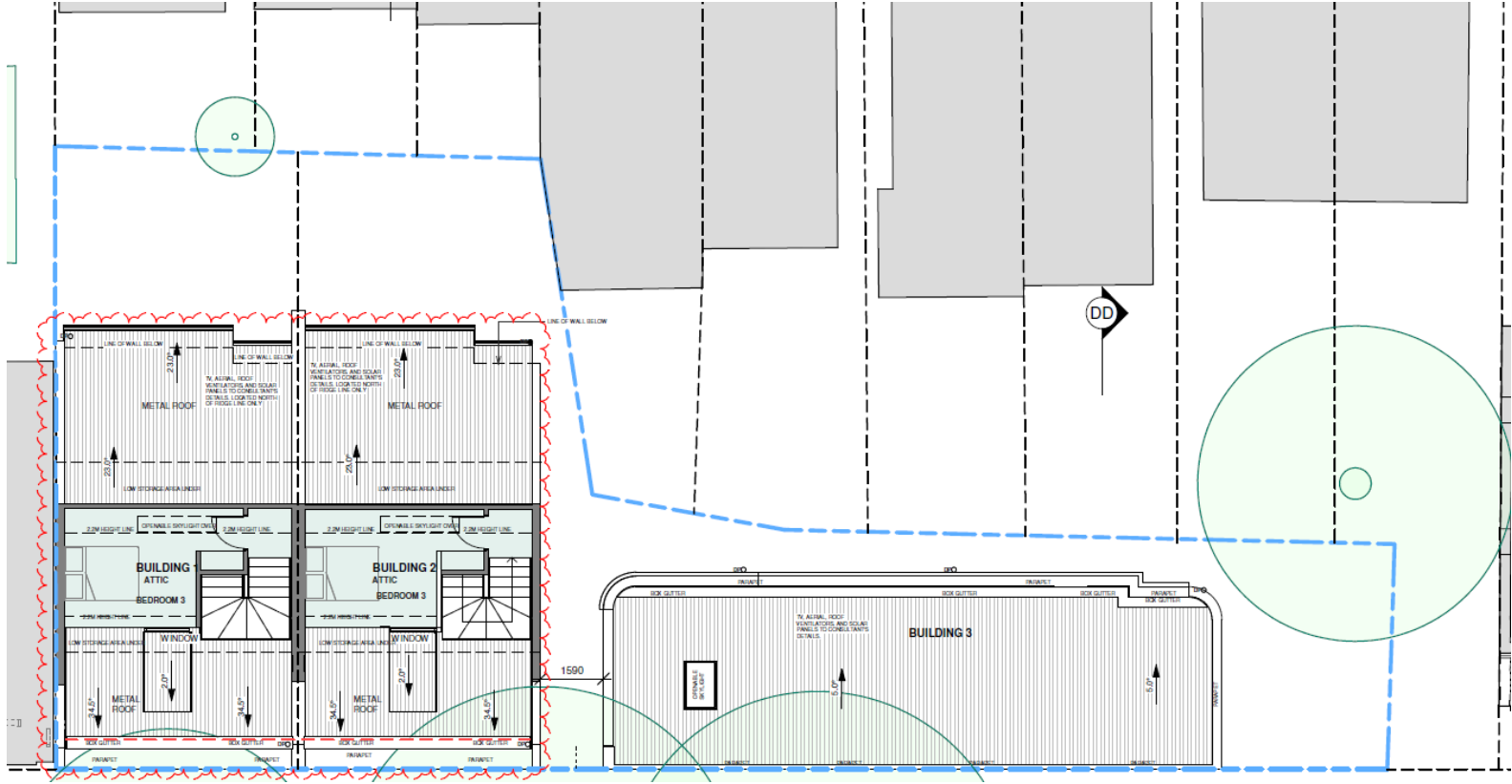
Proposal



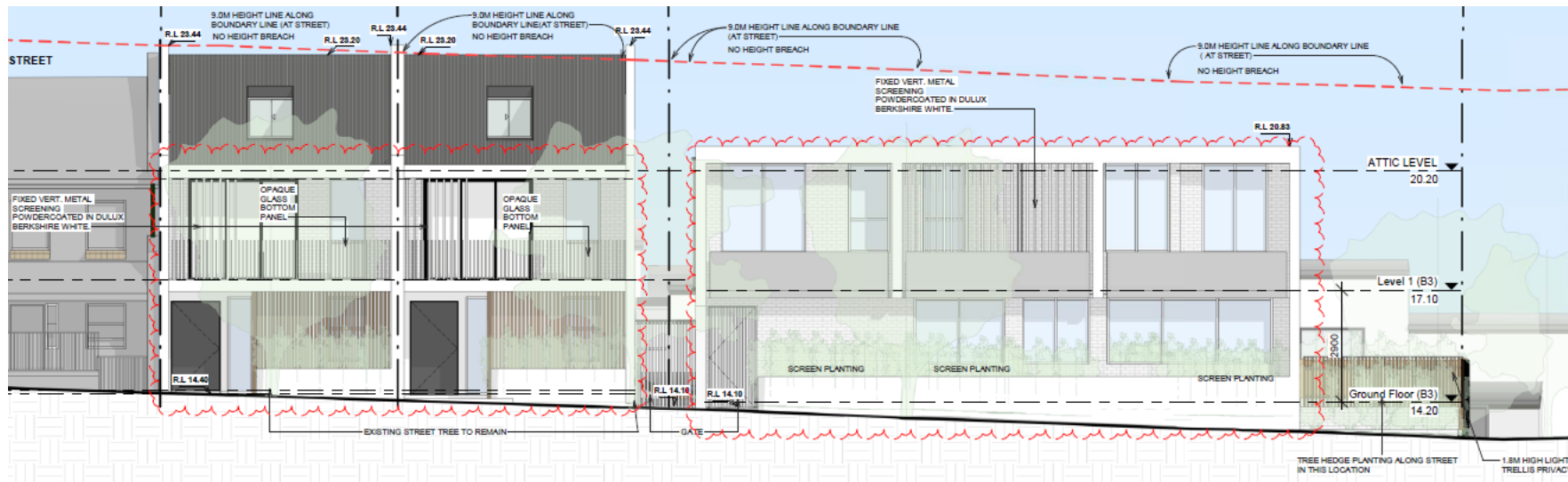
3 dwellings - perspective viewed from Bray Street



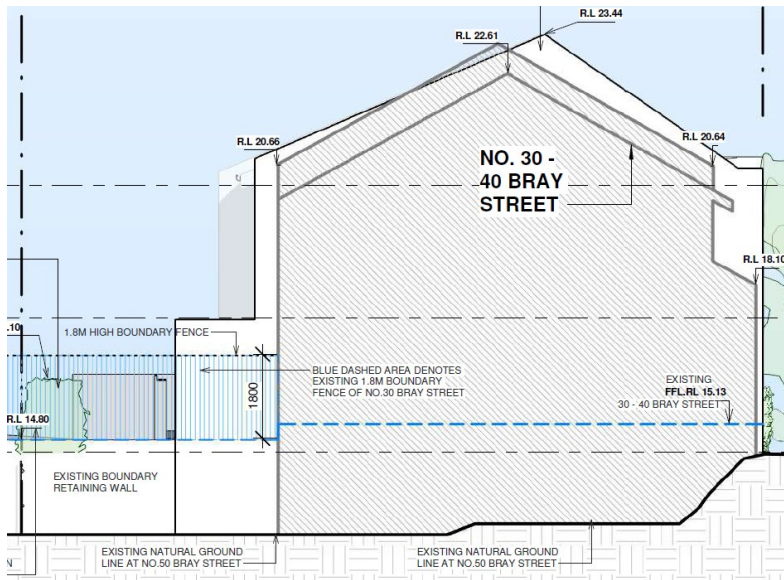
ground floor plan



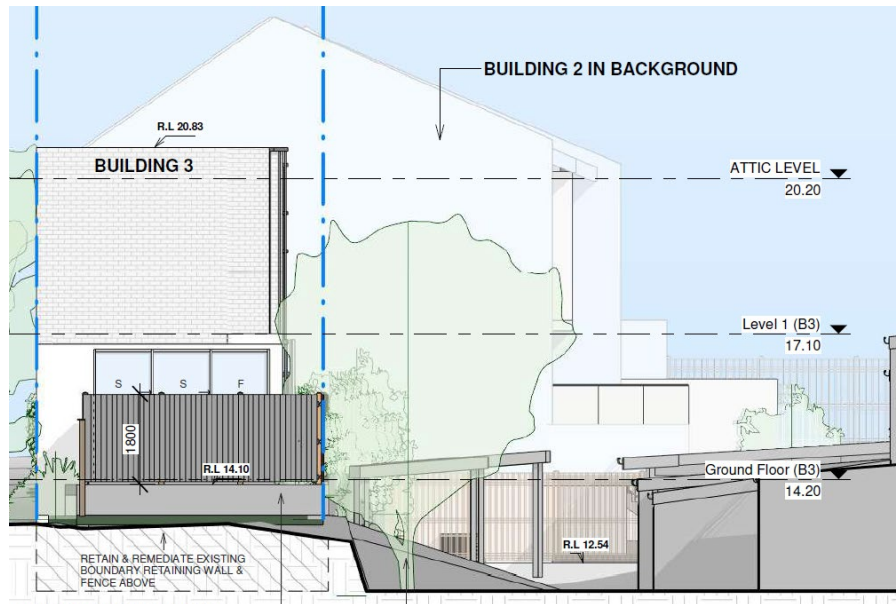
attic floor plan



street elevation

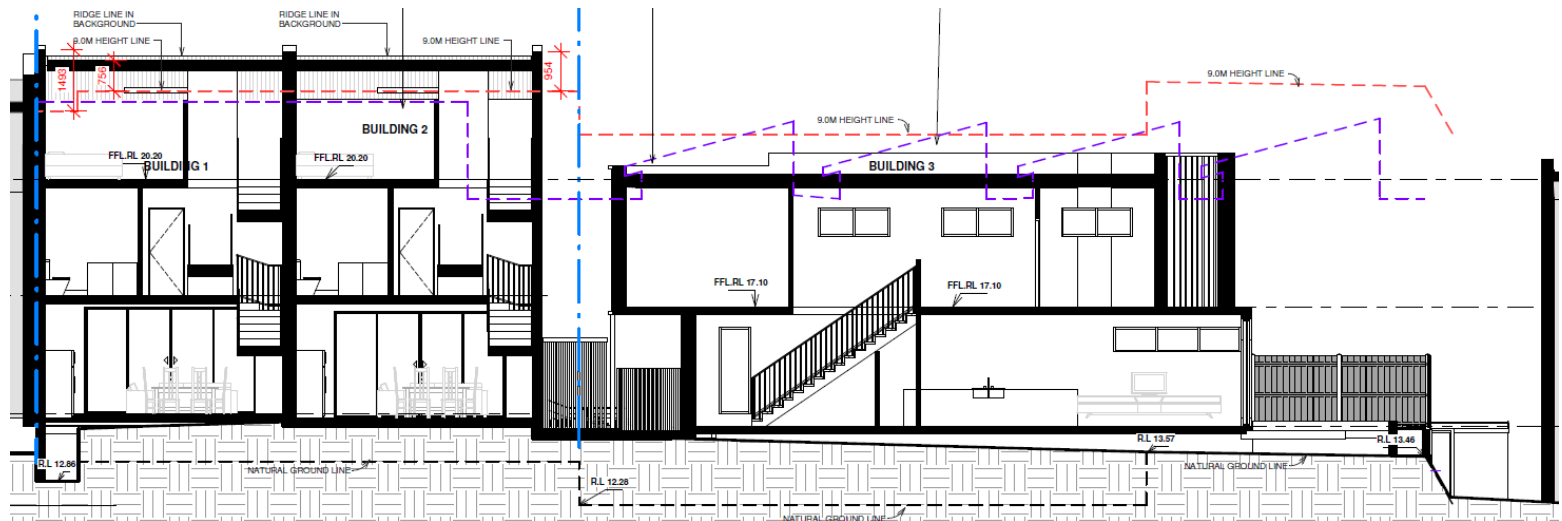


west

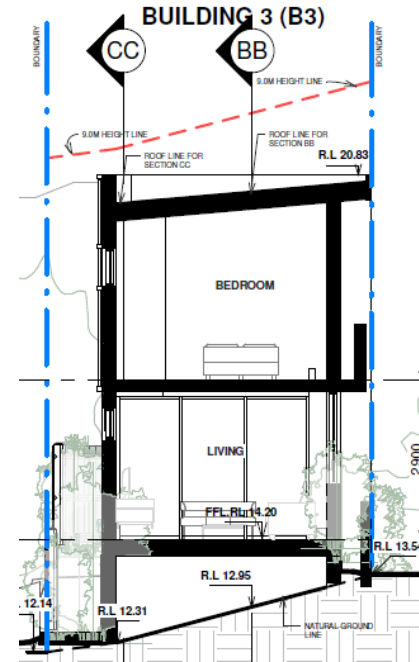
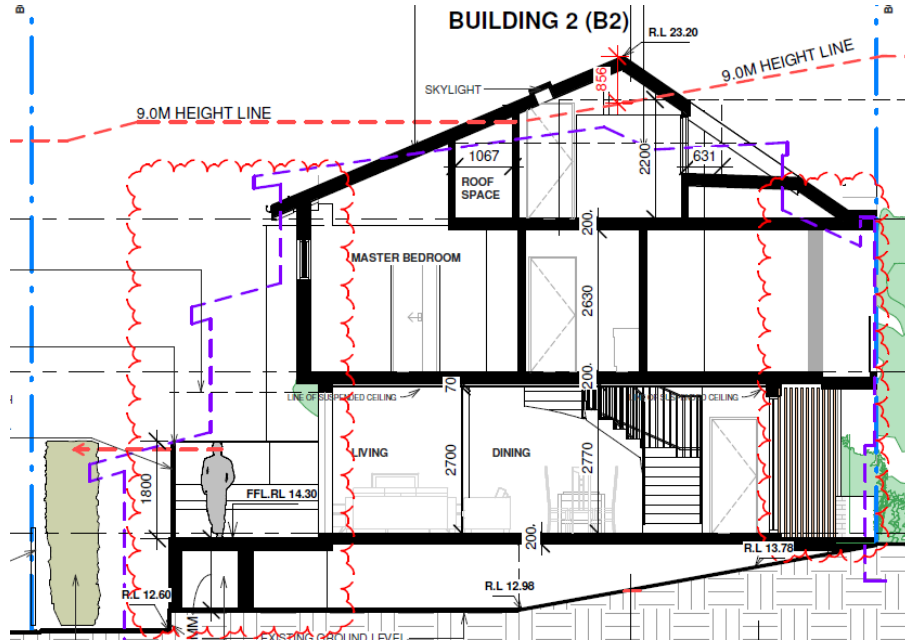


east

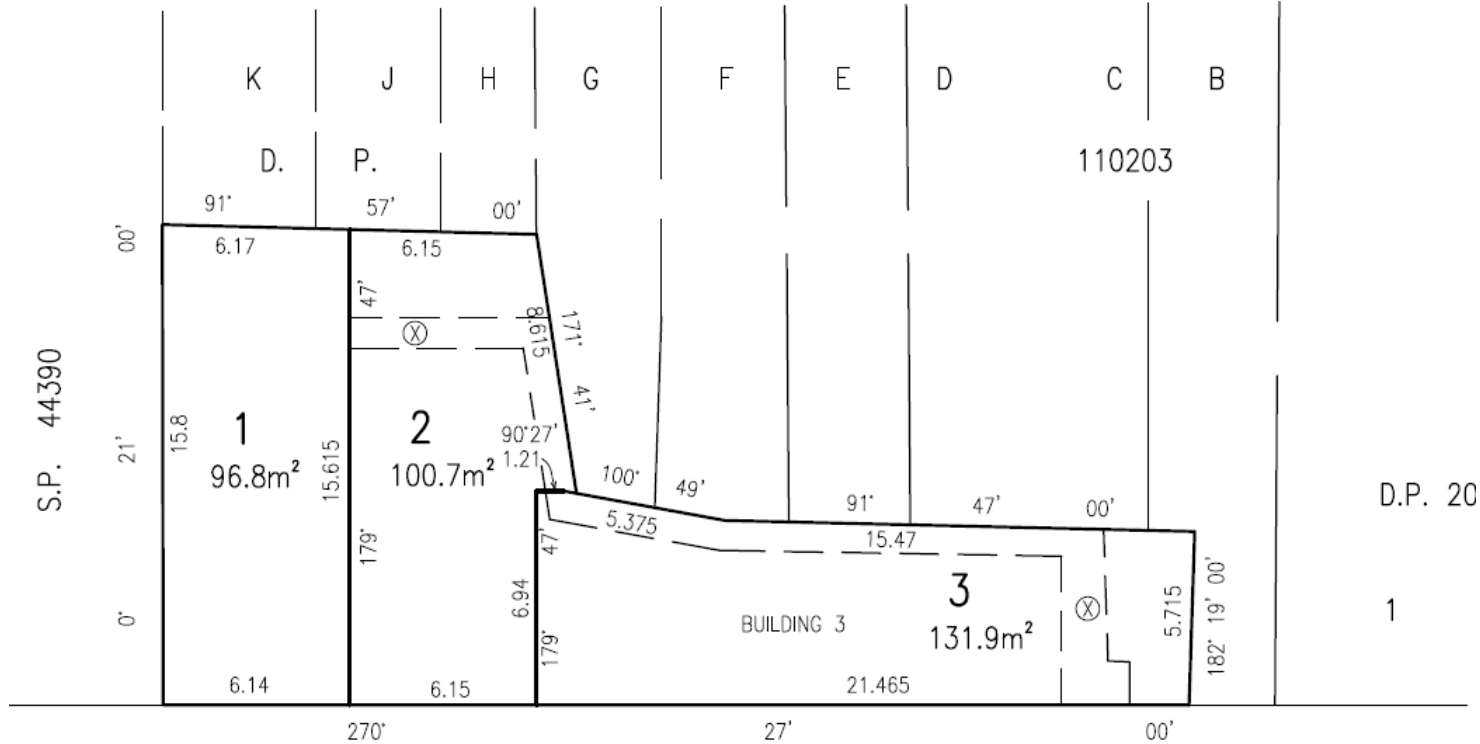
side elevations



long section



short sections



D.P. 20
1

plan of subdivision

Compliance with key LEP standards

	control	proposed	compliance
height	9m	10.43m	no
floor space ratio	1:1	0.99:1m	yes

Compliance with DCP controls

	control	proposed	compliance
height in storeys	2	2	yes

Design Advisory Panel Residential Subcommittee

- panel reviewed the application on 7 March 2023
- generally supported the proposal but made the following comments:
 - the footprint of Building 1 and 2 should align with the neighbours to the west
 - create more space to the street and better consider bin areas
 - increase width of attic rooms
 - improve planning of mid-level of Buildings 1 and 2

Design Advisory Panel Residential Subcommittee

- architectural expression of Building 3 as three narrow terraces is not necessary
- neighbouring and street trees to be protected
- deep soil to be increased and tree planting provided
- viability of planting climbers is questionable
- balcony balustrades are to achieve privacy from the street

These issues have been addressed in amended plans

Issues

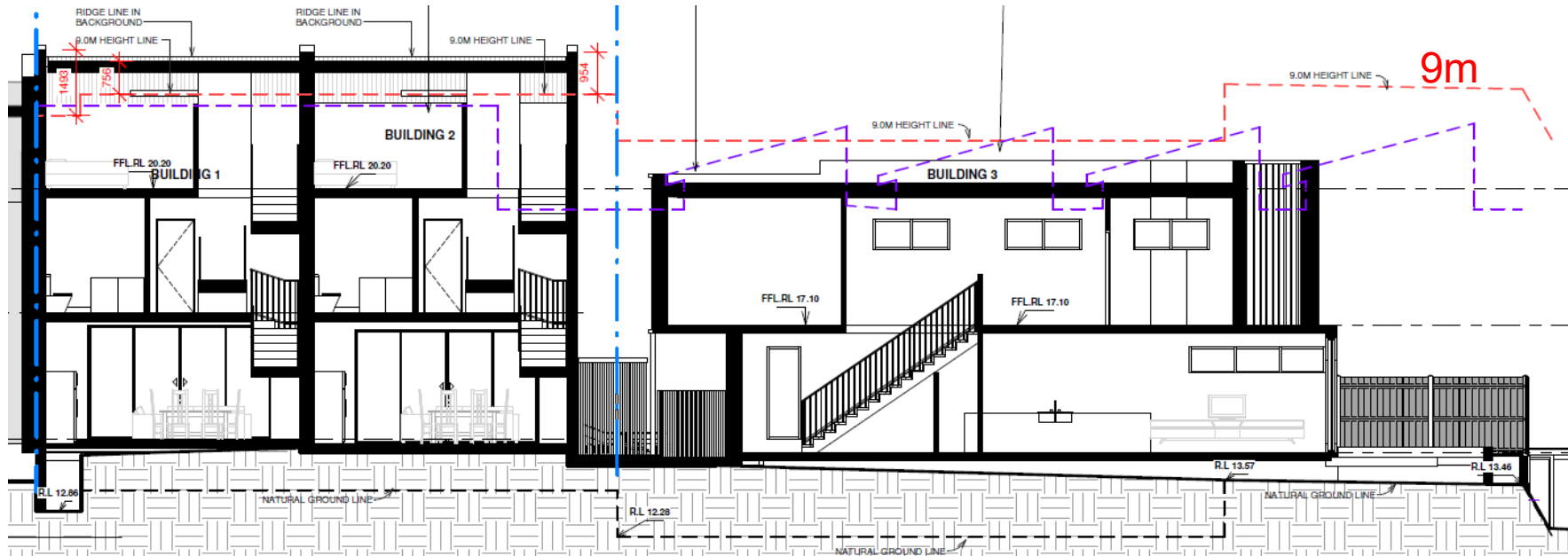
- height
- visual privacy

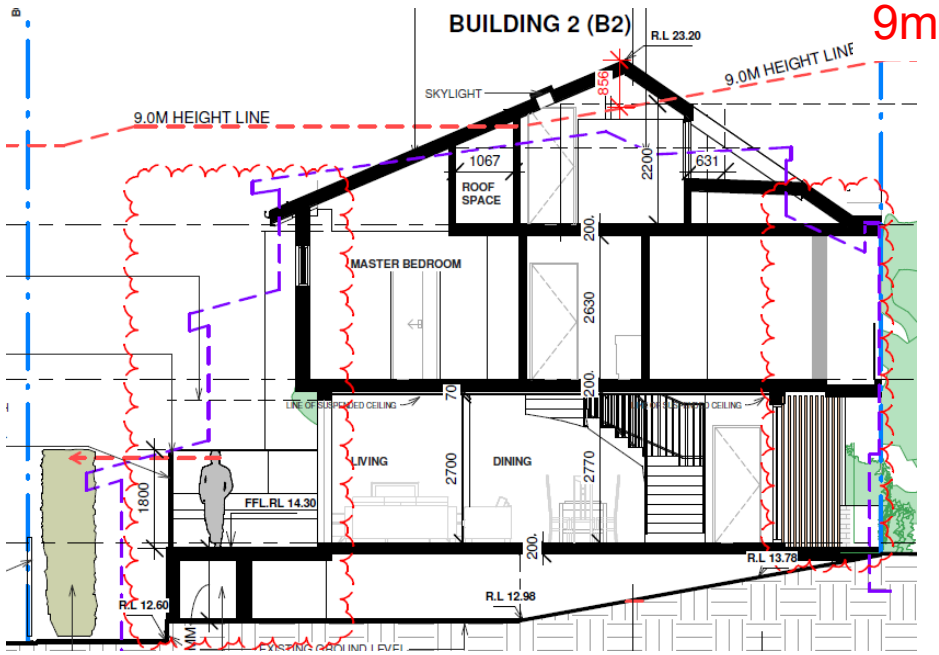
Height

- levels fall by 1.5 metres from front to rear and vary across the site
- the application was amended to correctly measure existing ground level
- Building 1 and 2 exceeds 9m height control - 9.86m to roof ridge, 9.95m to parapet, 10.49m along western boundary
- Building 1 and 2 are two storeys with an attic - consistent with the DCP
- Building 3 is under the height control
- Clause 4.6 request is supported

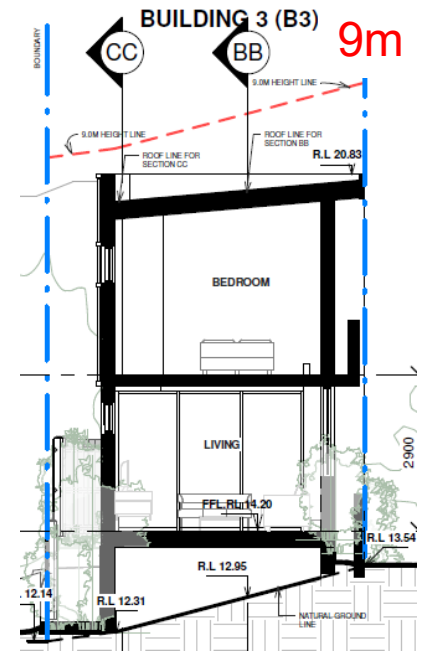


greatest extent of non-compliance is from part of the site that has been excavated below street level (in red)





Building 1 & 2



Building 3

9m height control

Clause 4.6 request

- development consistent with objectives of:
 - R1 General residential zone
 - height of buildings development standard
- compliance unreasonable and unnecessary in the circumstances of the case
- no significant impacts arise from non-compliance

Visual privacy

- DCP requires visual privacy measures to side and rear boundaries
- privacy has been addressed through:
 - 1.8m high privacy screen to Building 1 and 2 terraces
 - 1.8m high fence to Building 3 private open space
 - sill heights of 1.7m above finished floor level to rear windows
 - Lilly Pilly planting on the rear boundary

Recommendation

Approval subject to conditions