

LOCAL PLANNING POLICY

LPP19: RESIDENTIAL DESIGN GUIDELINES FOR THE RURAL RESIDENTIAL & RURAL SMALLHOLDING ZONES

<i>Responsible Department</i>	Development Services
<i>Resolution Number</i>	C.2949
<i>Resolution Date</i>	15/03/2017
<i>Next Scheduled Review</i>	2021
<i>Related Shire Documents</i>	Local Planning Scheme No. 6
<i>Related Legislation</i>	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015

OBJECTIVES

The primary objectives of this Policy are to:

1. Achieve a level of integration and consistency with the surrounding landscape and environment in architectural design;
2. Ensure appropriate standards of amenity for all dwellings;
3. Protect the amenity of adjoining properties; and
4. Provide a procedure for considering variations to building envelopes.

PRELIMINARY

Authority to prepare and adopt a Local Planning Policy

Schedule 2, Part 2, clause 3(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) allows Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Shire's Local Planning Scheme No.6 (the Scheme) area.

This policy will be made effective once Council has completed the process stipulated in clause 4(1) up to and including clause 4(4) of the Regulations.

Relationship of this Policy to the Scheme

If a provision of this Policy is inconsistent with the Scheme, the Scheme prevails. This Local Planning Policy is not part of the Scheme and does not bind Council in respect of any application for development approval. However, Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

APPLICATION OF THE POLICY

Purpose

The purpose of this Local Planning Policy is to provide design guidelines that achieve both sustainable housing design and high quality aesthetics within the Rural Residential and Rural Smallholding Zones as identified by the Scheme.

Application

This Policy applies to new housing in the Rural Residential and Rural Smallholding Zones as identified by the Scheme.

Exemptions

This Policy does not affect new housing outside of the Rural Residential and Rural Smallholding Zones as identified by the Scheme.

Relationship of this Policy to other Local Planning Policies

This Policy is to be read in conjunction with the following Local Planning Policies:

- Local Planning Policy No.1 'Outbuildings';
- Local Planning Policy No.2 'Site Construction, General Development and Subdivision Guidelines';
- Local Planning Policy No.3 'New Transportable, Relocated and Second Hand Dwellings';
- Local Planning Policy No.5 'Use of Sea Containers & Other Similar Storage Structures'; and
- Local Planning Policy No.13 'Ancillary Accommodation'.

APPROVAL REQUIREMENTS

Exemptions under the deemed provisions for local planning schemes

Under Clause 61(1)(i) of the *deemed provisions for local planning schemes*, the Development Approval of the Shire is not required for a single house that complies with the mandatory requirements ('Development Controls') listed under section 5.1 up to and including 5.13 of this Policy.

The abovementioned exemption does not apply if the single house is located in a place that is:

- listed under Schedule A (Supplemental Provisions to the Deemed Provisions), clause 61(1)(k)(i) – (ix) of the Scheme;
- within a Special Control Area under the Scheme; and / or
- within a designated Bushfire Prone Area as identified by the Fire and Emergency Services Commissioner.

Variations to the mandatory requirements ('Development Controls') of this Policy

Where a single house is proposed that does not meet one or more of the mandatory requirements ('Development Controls') of this Policy, the application will require the approval of full Council. An Application for Development Approval is required to be lodged in accordance with Council's requirements and the scheduled fee paid. A written justification of the variation to the Policy sought is required to be lodged for consideration together with the Application.

Council will take into account the likely impact on the amenity of the locality and adjoining properties when considering granting approval to a development that varies a provision of this Policy. Where Council considers the proposed variation will adversely impact on the amenity of the locality and adjoining properties, it may place conditions on the approval to ensure the development complies with this Policy or refuse the application outright.

Approval of the application by full Council will be required prior to issue of a Building Permit and on-site works commencing.

Need for a Building Permit

A Building Permit is required to be sought and issued for any structures prior to on-site works commencing. Building Permit fees and levies are payable in accordance with the current Shire of Northam Fees and Charges.

Variations to Building Envelopes

In some Zone Areas the Scheme requires Building Envelopes (or building exclusion areas) to be approved for each property. In most cases, the envelopes were identified and approved at the subdivision stage.

Clause 5.30.7 of the Scheme allows Council to vary a previously approved building envelope where the relocated envelope will not be detrimental to the

residential amenity and landscape and/or environmental qualities of the land and other adjoining properties.

Should a property owner require the approved building envelope to be varied, Council's approval is required prior to issue of a Building Permit.

Variation Procedure

Council will use the following procedure to consider Applications for Building Envelope Variation:

1. The Application is to be in the form as prescribed in *Schedule 1* of this Policy;
2. The completed form is to be lodged with Council together with two (2) copies of a scaled site plan for the property showing the location of existing (approved) and proposed building envelopes;
3. The plan is to show dimensions of the property, building envelopes and distances between the proposed envelope and property boundaries. Where known, the location of proposed buildings inside the envelope is to be shown;
4. Council will consider the impact of the Building Envelope Variation against the criteria contained in section 5.1 of this Policy as well as the following criteria:
 - The modified building envelope has regard to the placement of a dwelling and outbuildings on a lot relative to adjoining lots and buildings contained thereon (for the purpose of maintaining separation and protection of amenity in a rural setting);
 - the area of the modified building envelope is similar in size to the original building envelope; and
 - the modified building envelope accords with the setback distances prescribed in *Table 2: Site and Development Requirements Table* of the Scheme.
5. Council's determination of the application will be made in the form as Prescribed in *Schedule 2* of this Policy.

DEVELOPMENT GUIDELINES

1. House Orientation and Location

Siting of a house on a lot should demonstrate the following:

Development Controls (Mandatory)	Design Guidance (‘Best Practice’ outcomes)
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<ul style="list-style-type: none"> Location within the approved building envelope for the property (where required by the Scheme for a particular Zone Area) 	<ul style="list-style-type: none"> Orientation of the house so that it maximises northern light into living areas
<ul style="list-style-type: none"> Minimise the removal of vegetation and significant trees on the property 	<ul style="list-style-type: none"> Providing adequate cross ventilation from summer breezes
	<ul style="list-style-type: none"> Maximising enjoyment of views to inland ranges
	<ul style="list-style-type: none"> Avoid, where practicable, blocking of the views or potential views of surrounding properties
	<ul style="list-style-type: none"> Minimising the overlooking and loss of privacy into adjoining properties by utilising existing vegetation as a buffer or by increased boundary setbacks

2. Setbacks

Development Controls (Mandatory)	Design Guidance (‘Best Practice’ outcomes)
<ul style="list-style-type: none"> Minimum setbacks to property boundaries are as stipulated for the relevant Zone Area contained in <i>Table 2: Site and Development Requirements Table</i> of the Scheme. 	
<ul style="list-style-type: none"> Notwithstanding the minima applicable, a house should be sited to achieve the mandatory requirements of section 5.1 of this Policy. 	

3. Materials and Colours

Development Controls (Mandatory)	Design Guidance (‘Best Practice’ outcomes)
	<ul style="list-style-type: none"> The materials and colours used on exterior surfaces of all buildings are to blend in with the surrounding landscape and environment.
	<ul style="list-style-type: none"> The use of ‘Zincalume’ roof sheeting is permitted, however, care must be taken to ensure the location of the

house and the roof pitch used does not produce a glare nuisance to surrounding properties or passing traffic.

4. Streetscape

Development Controls (Mandatory)	Design Guidance (‘Best Practice’ outcomes)
<ul style="list-style-type: none"> In order to achieve an attractive streetscape that is in keeping with the surrounding rural landscape, all houses are to provide verandahs, porches, porticos or other architectural relief on the elevations that are viewed from the street. 	

5. Private Open Space

Each house is to be provided with a private open space area that meets the following criteria:

Development Controls (Mandatory)	Design Guidance (‘Best Practice’ outcomes)
<ul style="list-style-type: none"> Located behind the house and screened from public view from the street 	<ul style="list-style-type: none"> Directly accessible from a habitable room, such as a living room or dining room
	<ul style="list-style-type: none"> Provides sufficient space for utilities, such as clothes drying, in a location that maximises winter sun access and screened from public view.
	<ul style="list-style-type: none"> Private open space areas can incorporate covered outdoor living areas, such as patios, pergolas and verandahs

6. Fencing

Where boundary fencing is proposed, the following minimum requirements will apply:

Development Controls (Mandatory)	Design Guidance (‘Best Practice’ outcomes)
<ul style="list-style-type: none"> Boundary fencing, where permitted by the Scheme for a particular Zone 	

<p>Area, is to be standard 5-strand 'Ringlock' type farm fencing with steel pickets and timber or steel strainer posts as a minimum specification. The use of barbed wire is not permitted.</p>
<ul style="list-style-type: none"> • Solid panel fencing is not permissible on property boundaries.
<ul style="list-style-type: none"> • Solid panel fencing around private areas of the house and immediate yard is permitted. Fencing between the house and the street is to be visually permeable (i.e. not solid panels) so as not to detract from the streetscape and to allow surveillance of the street and approaches to the house.

7. Driveways

Driveways are to meet the following criteria:

Development Controls (Mandatory)	Design Guidance (‘Best Practice’ outcomes)
<ul style="list-style-type: none"> • Constructed to a standard that allows for wet weather access and emergency vehicles. 	<ul style="list-style-type: none"> • Allow for both entry to and exit from the property in forward gear.
<ul style="list-style-type: none"> • A minimum width of 3.0m. 	<ul style="list-style-type: none"> • Located to ensure noise and dust generated by traffic on the driveway does not adversely affect neighbouring properties.
<ul style="list-style-type: none"> • Verge crossover to be constructed to the specification of Council, including the use of pipe culverts if required to facilitate road drainage. 	<ul style="list-style-type: none"> • One (1) driveway access is permitted per property.
<ul style="list-style-type: none"> • Located to minimise the impact on vegetation and to avoid removal of significant trees. 	

8. Car Parking

Development Controls (Mandatory)	Design Guidance (‘Best Practice’ outcomes)
<ul style="list-style-type: none"> • A car parking area is to be provided for each house. This area is to be a 	

gravel hardstand area in close proximity to an entry to the dwelling as a minimum standard.
<ul style="list-style-type: none"> The construction of detached carports and garages is to comply with Council's Local Planning Policy No. 1 'Outbuildings'.
<ul style="list-style-type: none"> Garages and carports attached to the house are to be constructed of similar materials and colours as the main dwelling.

9. Rural Street Numbers

Development Controls (Mandatory)	Design Guidance (‘Best Practice’ outcomes)
	<ul style="list-style-type: none"> To assist emergency services and service providers, it is recommended that the formal property street address be prominently displayed at the front of the property. Property street addresses are not the Lot Number for the property and can be obtained by contacting the Shire of Northam.

10. New Transportable and Relocated Second-hand Dwellings

The relocation and use of Second-hand Dwellings is controlled by Local Planning Policy No. 3 ‘New Transportable, Relocated and Second Hand Dwellings’.

All relevant provisions of this Policy are to be read in conjunction with Local Planning Policy No. 3.

11. Outbuildings

The development of outbuildings on a property in a particular Zone Area is controlled by Local Planning Policy No.1 ‘Outbuildings’.

All relevant provisions of this Policy are to be read in conjunction with Local Planning Policy No.1.

12. Ancillary Accommodation

The development of ancillary accommodation, where permitted on a property in a particular Zone Area, is controlled by Local Planning Policy No. 13 'Ancillary Accommodation'.

All relevant provisions of this Policy are to be read in conjunction with Local Planning Policy No.13.

13. Structures located in bushfire-prone areas

Development Controls (Mandatory)	Design Guidance (‘Best Practice’ outcomes)
<ul style="list-style-type: none"> Dwellings including ancillary accommodation units located in identified bushfire-prone areas shall be constructed to AS3959. 	
<ul style="list-style-type: none"> An application for development approval within an identified bushfire-prone area must be accompanied by a bushfire attack level assessment, which informs how development must respond to bushfire risk. 	