

**1.2 428 & 430 HAUGHTON ROAD, CLAYTON
CONSTRUCTION OF A 4 STOREY RESIDENTIAL BUILDING
(TPA/50934)**

EXECUTIVE SUMMARY:

This application proposes the construction of a 4 storey building containing 40 apartments above a basement car park.

The application was subject to public notification. Four (4) objections to the proposal have been received.

Key issues to be considered relate to the scale and massing of the design, presentation of the building to Haughton Road and adjoining properties, internal amenity for future residents, the availability of landscaping, amenity impacts on adjoining properties and potential traffic generation from the site.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework, Clause 55 and issues raised by objectors

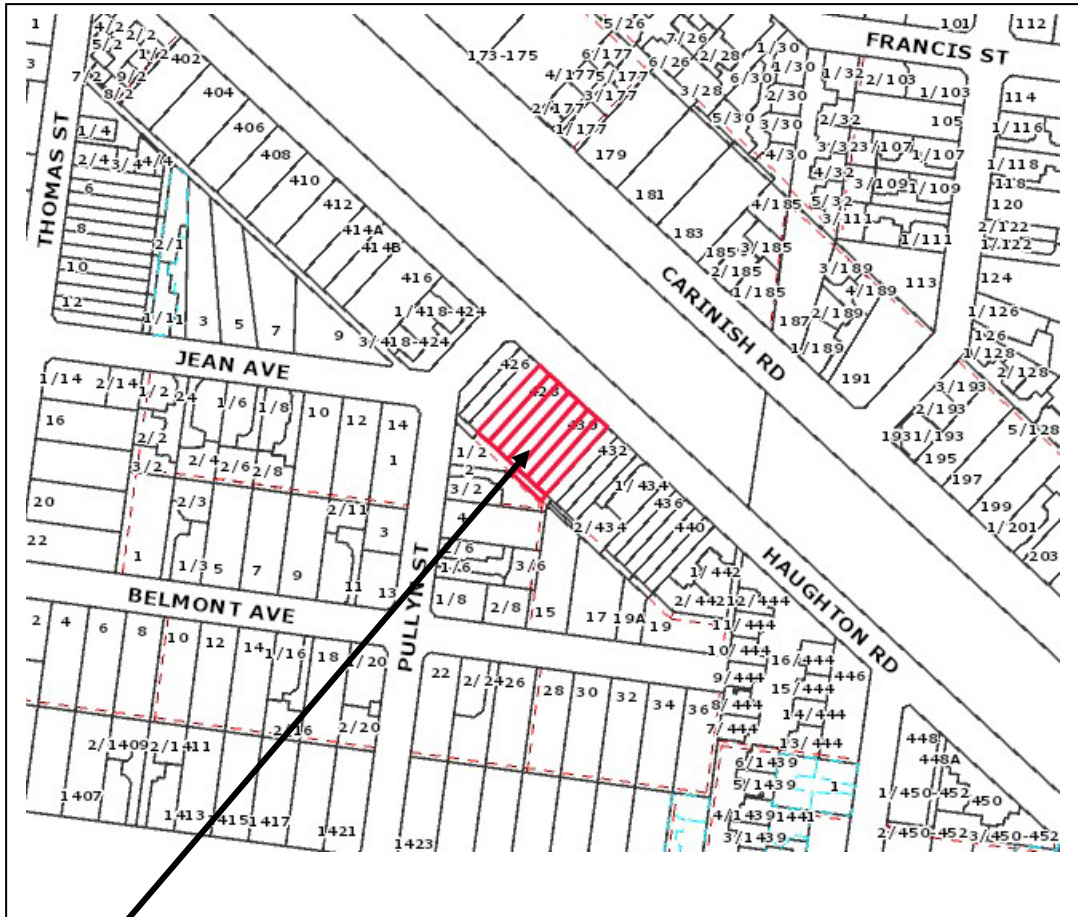
The reason for presenting this report to Council is the proposed development cost of \$9,114,000 Million.

The proposal is considered inconsistent with the relevant provisions of the Monash Planning Scheme and it is recommended that the application be refused.

RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Natasha Swan
RESPONSIBLE PLANNER:	Alexandra Wade
WARD:	Oakleigh
PROPERTY ADDRESS:	428 & 430 Haughton Road, Clayton
EXISTING LAND USE:	Two single dwellings
PRE-APPLICATION MEETING:	No
NUMBER OF OBJECTIONS:	Four (4)
ZONING:	Residential Growth Zone, Schedule 3
OVERLAY:	Nil
RELEVANT CLAUSES:	
<u>State Planning Policy Framework</u>	<u>Local Planning Policy Framework</u>
Clause 11.01-1R- Settlement – Metropolitan Melbourne	Clause 21- Municipal Strategic Statement
Clause 11.02-1S – Supply of Urban Land	Clause 21.04- Residential Development
	Clause 21.06 – Major Activity and Neighbourhood Centres

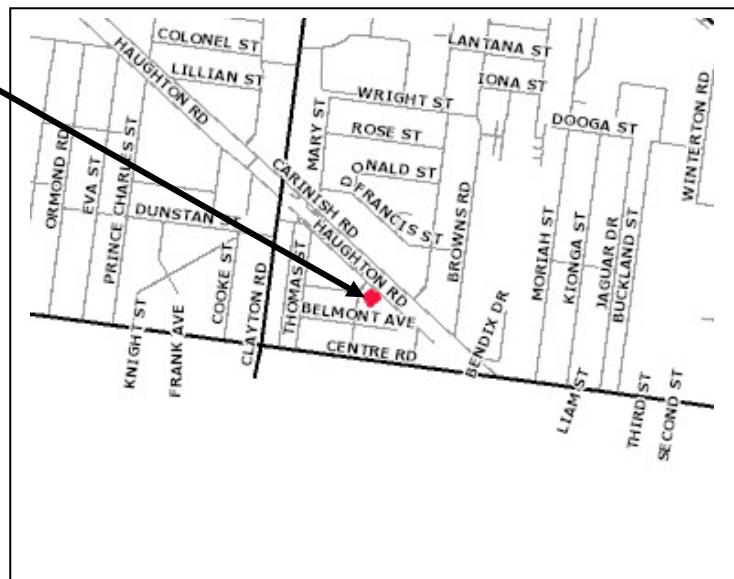
<p> Clause 11.03-1S & R – Activity Centres Clause 15- Built Environment and Heritage Clause 15.01-1S R- Urban Design Clause 15.01-2S- Building Design Clause 15.01-4S & R- Healthy Neighbourhoods Clause 15.01-5S- Neighbourhood Character Clause 15.02-1S- Energy and Resource Efficiency Clause 16- Housing Clause 18.01-1S- Land Use and Transport Planning Clause 18.02-1S & R- Sustainable Personal Transport Clause 18.02-2R– Principal Public Transport Network Clause 18.02-4S- Car Parking Clause 19.03-3S- Integrated Water Management </p>	<p> Clause 21.08- Transport and Traffic Clause 21.13- Sustainability and Environment Clause 22.01- Residential Development and Character Policy Clause 22.04- Stormwater Management Policy Clause 22.13- Environmentally Sustainable Development Policy </p> <p><u>Particular Provisions</u></p> <p> Clause 52.06- Car Parking Clause 52.34 – Bicycle Facilities Clause 53.18- Stormwater Management in Urban Development Clause 55- Two or more dwellings on a lot and residential buildings </p>
<p>STATUTORY PROCESSING DATE:</p>	<p>19 March 2020</p>
<p>DEVELOPMENT COST:</p>	<p>\$9,114,000</p>

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



RECOMMENDATION:

That Council resolves to issue a **Notice of Decision to Refuse to Grant a Planning Permit (TPA/50934)** for the construction of a 4 storey residential building at 428-430 Haughton Road, Clayton subject to the following grounds:

1. The proposal fails to be in keeping with the surrounding neighbourhood character and will result in a poor quality outcome.
2. The proposal fails to provide for sufficient landscaping opportunities to allow the building to sit in an open garden setting in accordance with the Residential Growth Zone, Schedule 3, Clause 21.04 and 22.01 of the Monash Planning Scheme.
3. The proposal will result in unreasonable bulk impacts to adjoining properties to the north-west and south-east.
4. The proposal fails to ensure equitable development opportunities for adjoining properties to the north-west and south-east.
5. The proposal will result in a poor level of internal amenity for future residents.
6. The proposal fails to provide an appropriate level of natural surveillance, activation and sense of address to Haughton Road.
7. The proposal results in unreasonable overlooking to adjoining habitable room windows and secluded private open space.
8. The proposal will result in unreasonable overshadowing to the secluded private open space of 1/2 Pullyn Street.
9. The proposal does not provide for an efficient car parking layout.

BACKGROUND:**The Site and Surrounds**

The Subject Site is located on the south-western side of Haughton Road, approximately 20 metres south-east of Pullyn Street, Clayton. The site comprises two parcels of land being 428 and 430 Haughton Road.

The site is generally rectangular in shape with a frontage of 38.41 metres to Haughton Road with a depth of 38.10 metres. In 2018, a laneway to the rear of the site was discontinued and therefore an additional parcel of land is located to

the rear of 430 Haughton Road which measures 3.05 metres x 16.46 metres. The site has a combined area of 1513.47 square metres.

The land has a slope of approximately 1.1 metres from the northern corner to the southern corner of the site. It is noted that No. 428 Haughton Road is wider than traditional sites along Haughton Road, being 21.95 metres in width.

Three street trees are located along the frontage of the site.

The site is located within the residential component of the Clayton Metropolitan Activity Centre (MAC). The site is also located within the Monash National Employment and Innovation Cluster.

North-east of the site is a public car park associated with Clayton Train Station, and the newly constructed sky rail.

South-east of the site is a single storey detached brick dwelling with a pitched roof form. A driveway and garage are located along the north-west interface abutting the subject site. A brick and iron fence is located along the frontage of the site. An area of secluded private open space is located to the rear of the dwelling.

South-west of the site are three double storey dwellings which front Pullyn Street. The dwellings were constructed in 2017. Two of the dwellings (Unit 1 and 2) have secluded private open space located along the rear boundary of the site which abuts the subject site.

North-west of the site is No. 426 Haughton Road which supports a single storey brick dwelling located on the corner of Haughton Road and Pullyn Street. A low brick with iron fencing above is located along the frontage of the site, with a timber paling fence located towards the rear of the site facing Pullyn Street. Vehicle access to the site is via Pullyn Street to the rear of the site leading to a garage towards the rear of the dwelling. The primary area of secluded private open space is also located to the rear of the dwelling.

An aerial photograph of the subject site and surrounding land can be found attached to this report (Attachment 2).

PROPOSAL:

The proposal seeks the construction of a four storey residential apartment building (comprising 40 dwellings) above a basement car park.

More specifically, the application is detailed as follows:

- A total of 40 apartments are proposed (comprising of 4 x 1-bedroom apartments, 32 x 2-bedroom apartments and 4 x 3-bedroom apartments).
- The basement is to be accessed via a new crossover located adjacent to the north-east corner of the site. The proposed basement is to be 1.5 levels,

with a total of 44 car spaces proposed for residents. No visitor car parking is proposed.

- Four (4) visitor bicycle spaces are proposed within the frontage of the site with 8 spaces located in the basement for residents.
- The building has a maximum height of 14.35 metres (including the lift overrun or mechanical plant screen). The building has an overall height of 12.75 metres.
- The building is set back a minimum of 4 metres from Houghton Road with the fourth floor set back further at 6 metres.
- The building is proposed to be finished with a mixture of materials including metal cladding and cement sheeting.
- A 0.9 metre high metal fence is located along the frontage of the site, with a 1.8 metre high wall enclosing service cabinets located on the frontage adjacent to the entrance of the building.
- The proposed site coverage is 60% and permeability of 20%.

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:

Zoning

The site is located within the Residential Growth Zone, Schedule 3.

The use of the land for a dwelling is a Section 1 Use – No Permit required.

Pursuant to Clause 32.07-5, a Permit is required to construct two or more dwellings on a lot.

Pursuant to Clause 32.07-9, the height of a residential building should not exceed 14.5 metres (given the land has a slope across the site of greater than 2.5 degrees). It is noted that the maximum overall height proposed is 14.35 metres.

A development must meet the requirements of Clause 55.

Particular & General Provisions

Clause 52.06-3 (Car Parking) & Clause 52.34 (Bicycle Facilities)

The proposal is located within the Principal Public Transport Network (PPTN). As the required car parking and bicycle spaces are provided, no Permit is required under this provision.

Attachment 3 details the zoning and overlays applicable to the subject site and surrounding land.

CONSULTATION:

Further information was requested of the Permit Applicant on 23 October 2019. In this letter, officers raised a number of preliminary concerns:

- Reduction of car parking (8 car spaces).
- Protrusion of basement car park above natural ground level raising building height and increasing need for screening at the ground floor.
- Lack of clear identifiable entrance.
- Commercial appearance to building due to fenestration, architectural details and materials.
- Set back of the fourth floor from the street.
- Reduced side and rear setbacks to adjoining properties.
- Overlooking impacts to adjoining properties and internally between apartments.
- Lack of light and ventilation to the communal corridor areas.
- Failure to provide appropriate communal open space.
- Internal amenity concerns.
- Overshadowing to 1/2 Pullyn Street.
- Set back of crossover from street tree.

Officers advised the Applicant in writing that should these concerns not be addressed, that this application was unlikely to be supported and that the application would be refused.

The Permit Applicant responded to this letter on 9 January 2020 by providing all of the requested information. In relation to the preliminary concerns, the application was revised as follows:

- Reduction in the number of Apartments from 44 to 40 allowing for compliance with the car parking requirement, avoidance of requirement for communal open space and improved internal layouts.
- Revision of materials and fenestration.
- Redesign of basement car park layout and entry.
- Revision of setbacks, including third floor from street.
- Basement lowered and subsequent floors also lowered.
- Light court provided to communal corridor space.

The Applicant has been advised that this application is recommended for refusal by officers. The applicant advised that they did not wish to make any further changes to the plans.

The Applicant was advised that this application was coming to the March Council meeting. A letter was also sent to the Applicant formally informing them of the details of the Council meeting.

Public Notice

The application was advertised in accordance with section 52 of the *Planning and Environment Act 1987* by way of letters sent to the surrounding property owners/occupiers, and two (2) signs displayed on the frontage of the site.

Four (4) objections were received to the application which included the following:

- Height;
- Not in keeping with the character of the neighbourhood;
- Excess traffic generation and car parking overflow;
- Overlooking;
- Noise from future residents;
- Structural damage to adjoining properties;
- Overshadowing and impact to daylight; and
- Devalue property.

Attachment 4 details the location of objector properties.

Referrals**Horticulture Services**

The tree closest to the proposed vehicle crossover is a non-council planted or preferred street tree. This mature specimen does show good visual amenity for the street. If removed, would charge for removal, replacement and establishment costs. If retained, no excavation within 2.5m of tree measured from trunk face at ground level. Any pruning must be assessed and completed by Council at applicants cost.

Traffic Engineering

Concern raised by Council's Traffic Engineers as multiple manoeuvres are required for a number of car spaces both in and out of the spaces and the width of the proposed accessway limits access to single width vehicle movement (no passing area). These matters are further discussed in the Assessment section of this report.

Waste Management

Minor revisions required to Waste Management Plan including further provision for food waste and additional details to be provided regarding waste storage and management. These comments were provided to the applicant and the Waste Management Plan was subsequently revised to address these matters.

Drainage Engineer

No objection subject to standard conditions.

DISCUSSION:**Planning Policy Framework (PPF)**

A key element of the Planning Policy Framework is the encouragement of growth in and around Activity Centres. Specifically:

- Clause 11.03-1S & 1R seeks to provide for different types of housing, including forms of higher density housing located within close proximity to public transport and is within walking distance to shopping, working, leisure and community facilities, and to support development and growth of Metropolitan Activity Centres by ensuring they accommodate significant growth and provide high levels of amenity.
- Clause 11.01-1R-1MM identifies the development of the Suburban Rail Loop through Melbourne's middle suburbs to facilitate substantial growth and address the needs to Melbourne's rapidly growing population.
- Clause 15.01-4R seeks to create a city of 20 minute neighbourhoods that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.
- Clause 16.01-2S seeks to locate new housing in designated locations that offer good access to jobs, services and transport.
- Clause 16.01-2R seeks to identify areas for housing growth which are located within Major Activity Centres, areas near existing railway stations and areas designated for residential growth.
- Clause 16.01-3S & R seeks to provide for a range of housing types to meet diverse needs and varying densities that offer more choice in housing.

Plan Melbourne 2017-2050, a reference document to the Monash Planning Scheme also encourages these initiatives by seeking housing growth in and around activity centres. This plan identifies the Clayton Activity Centre as a Major Activity Centre (MAC).

The proposed development being four storeys in height with a mixture of 1, 2 and 3 bedroom dwellings, located within the Clayton Major Activity Centre satisfies the objectives of the Planning Policy Framework.

Local Planning Policy Framework (LPPF)

Clause 21.04 (Residential Development) identifies the site as being located within the Clayton Activity Centre, located within the residential land within the Monash National Employment and Innovation Cluster and within an accessible area. This policy clearly notes that residential growth should be located within neighbourhood and activity centres, the MNEIC and the boulevards to increase proximity to employment, public transport, shops and services. This will assist to preserve and enhance the garden city character and special character in the balance of the Municipality. However, in doing this buildings should be designed with high architectural quality, environmentally sustainable design and providing a diversity of housing needs whilst complementing and enhancing the garden city character of the area.

Clause 21.04 (Residential Development) & Clause 22.01 (Residential Development and Character Policy) identifies the five different character types within the Municipality. The site is identified as being located within the Monash National Employment Cluster and Clayton Activity Centre – Housing Diversity Area. The desired future character statement seeks (in summary):

- Expected to experience major redevelopment which is anticipated to accommodate growth and more diverse housing needs;
- New development to form a transition between the surrounding garden city suburbs;
- New housing to comprise of multi dwelling developments such as units and where appropriate, low rise apartments;
- Front and rear setbacks less than those in garden city areas, however will still provide opportunity for landscaping;
- Landscaping, open space and canopy tree planting will remain as an important feature of this area;
- New developments constructed to a high standard, ensuring they provide a positive architectural impact; and
- On larger sites, multi- level development will be set in open gardens with well-maintained landscaping to address the garden city character, albeit in a more urban form.

Clause 21.06 (Major Activity and Neighbourhood Centres) identifies Clayton Activity Centre as a Major Centre. Strategic directions for the centre include (as relevant) encouraging medium rise residential development within the centre, encouraging redevelopment and concentration of activity as well as maintaining the existing historical / cultural resources of the centre and to ensure parking is provided to meet the needs of the centre.

The proposed development being four storeys in height with a mixture of 1, 2 and 3 bedroom dwellings, located within the Clayton Major Activity Centre satisfies the objectives of the Local Planning Policy Framework, subject to an appropriate design response. A built form and character assessment is provided within the Assessment section of this report.

Clause 22.13 (Environmentally Sustainable Development Policy) provides a framework for early consideration of environmental sustainability at the building design stage. For a development of 10 or more dwellings, a Sustainability Management Plan is required to be prepared and submitted. A Sustainability Management Plan was prepared by Green Rate which included a BESS assessment. The report indicates that the proposal achieves best practice. The plans include the recommendations of this report including the provision of a 25,000L water tank located in the basement.

Residential Growth Zone

The site is located in the Residential Growth Zone, Schedule 3 which has the following objectives (among other things):

- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.*
- *To ensure residential development achieves design objectives specified in a schedule to this zone*

The schedule to the zone identifies the following Design Objectives:

- *To facilitate housing growth in the form of apartment developments of a high quality design and finish.*
- *To ensure developments are constructed within an open garden setting through the retention and planting of vegetation, including canopy trees.*
- *To ensure that the height, scale and form of development respects any sensitive residential interfaces and minimises the appearance of visual bulk.*

The schedule to the zone provides variations to Clause 55 with respect to front setback, landscaping, side and rear setbacks, private open space and front fence height.

Draft Clayton Structure Plan

At its meeting on 28 January 2020, Council adopted the Clayton Activity Centre Precinct Plan (May 2019) in accordance with the recommendations.

The site is identified as being located within Precinct 3, earmarked for residential intensification with a preferred height of 3-5 storeys. Haughton Road is also identified as allowing for an active frontage with a landscaped front setback. The plan anticipates that the character of built form will change across the Activity Centre to accommodate for future development and land use.

Precinct 3 envisages low scale apartment buildings and townhouses with landscaped front gardens that sit comfortably next to detached dwellings and define a high quality and contemporary character for the precinct.

It is anticipated that development will have a 4 metre front setback from the street up to 9.9 metres, with an additional 3 metre setback for levels above. Development outcomes seek to avoid unarticulated façades that give a bulky appearance, especially from oblique views and avoiding repetitive stepped / 'wedding cake' profile. Rear setbacks are proposed to be 3 metres up to a height

of 9.9 metres with an additional 1 metre setback for every metre of height over 9.9 metres up to 16.5 metres.

ASSESSMENT

Neighbourhood Character and Built Form

Whilst local policy suggests that the site is earmarked for higher densities, the future character statement (Clause 22.01) identifies that front setbacks should continue to be well landscaped to ensure that ‘garden character’ of the area is maintained. Walls and fencing within the front setbacks are encouraged to be low or non-existent, allowing views to planting within these spaces.

Whilst the front setback dimension proposed meets the prescriptive measure in the schedule, the proposal fails to provide a comprehensive streetscape presentation with respect to fencing, services and provision of landscaping. In particular, the location of bicycle spaces and service cabinets have not been designed in a manner which responds appropriately with this minimal front setback. Whilst the plans suggest a uniform rendered wall is to be provided to the street with services, the detail including the location and materials of access doors have not been provided. It is likely that the location of the service cabinets central to the site, facing the street and encompassed within a 2 metre high wall will result in a poor outcome when the detail of this is eventuated.

The proposed bicycle spaces, whilst practical in location are located poorly with respect to the amenity of the open space of Apartment G.01, and the impact that these spaces will have on the availability for landscaping. It would be more appropriate if the entry space above the basement was widened and bicycle spaces be creatively designed to be located in this area.

A 900mm high metal fence is proposed along the frontage of the site. Whilst this complies with the technical height requirement of the schedule to the zone, it is considered that the fencing does not appropriately respond to the development itself in terms of materials. It is also noted that 1.8 metre high side privacy screens are proposed between apartments with open space located within the front setback of the site which would fail to achieve an open landscaped character.

Whilst separate entry points for three apartments from Haughton Road will allow for an activated frontage in accordance with the draft structure plan, the manner of which this has been designed will impact landscaping opportunities within the front setback of the site. It is also considered that the landscaping could be designed in a manner which provides additional levels of privacy for apartments with terraces fronting the street.

The landscape plan prepared also suggests that clothes lines will be located within the terraces associated with Apartment G.01 and G.11 which have a direct interface with the street which will result in a poor outcome.

With respect to the Haughton Road interface, it is also noted that there are missed opportunities of apartments facing Haughton Road which fail to provide living spaces and balconies facing the street which would allow for improved natural surveillance to the street. This also results in some segments of the front façade presenting as flat. In some cases, windows are positioned at either sides of bed heads, meaning that glazed areas will be largely occupied by bedroom furniture.

Whilst the central break in the building facing the street is effective in the street elevation, it is difficult to decipher at the ground floor where the entrance is. It is recommended that a stronger entrance gesture is provided that more prominently frames the entrance and draws the eye to the street elevation.

The setbacks proposed and architectural detailing results in a three storey presentation to the street with a more recessed upper level.

The upper level is set back 6 metres from the street, which is 1 metre less than that anticipated by the Draft Structure Plan. It is considered that if the upper level was set back an additional metre, the presentation to Haughton Road would be better articulated in its presentation to the street and would present more clearly as a three storey presentation to the street with a recessed upper level.

The use of materials including metal cladding on the upper level, and painted cement sheeting on the lower levels suggest low quality construction materials and presentation. This also results in a commercial appearance to the building. It is considered that the built form would need to introduce some softer architectural treatments and higher quality and array of materials (such as timber look cladding or brick) to improve the presentation of the building to both the street and adjoining properties. It is not considered that the proposal is of a high quality design which is envisaged by both the schedule to the zone and local policy.

Overall, it is considered that the development does not respond to its sensitive interface to residential land through its setbacks, façade detailing and overall building scale. The development does not provide a “*high quality design and finish*” and “*open garden setting*” as required by the objectives of the zone.

External Amenity Impacts

Building Bulk

Whilst the proposal generally complies with side and rear setbacks (with the exception of a minor non-compliance of 0.29m at the third floor adjacent to the south-east boundary of the site - Apartment 3.05), the proposal will result in unreasonable bulk impacts to the adjoining properties to the south-east (432 Haughton Road) and north west (426 Haughton Road).

The proposal seeks walls and balconies set back 2 metres from each boundary at the first floor and 2.7 metres at the second floor adjacent to existing areas of secluded private open space. These areas also provide for limited articulation in the built form which will result in unreasonable bulk impacts to these spaces.

The side elevations of the building results in a large span of built form with limited articulation in the built form due to the lack of thoughtful planning of materials, fenestration and setbacks along these boundaries. The design of the building also provides for a mirrored image with setbacks on the south-east and north-western boundaries being identical, and limited setback variations from the front to the rear of the site along these elevations.

Given the setbacks provided to the rear of the site (which meet or exceed the variation in the schedule to the zone), it is considered that the proposal will not cause unreasonable bulk impacts to these properties, particularly given the opportunity for landscaping along this interface. However the use of higher quality materials and architectural features would assist in softening this building's presentation to this interface.

Equitable Development

Given the site is located within the Residential Growth Zone, it is anticipated that over time many of the single dwellings will be redeveloped in the area and particularly along Houghton Road. If this is the case, it is important to ensure that this development will not prejudice the future development of adjoining properties.

At the first floor, the building (including a number of habitable room windows) and balconies are set back 2 metres from each of these side boundaries. At the second floor, balconies are set back 2.7 metres with habitable room windows set back a minimum of 4.7 metres. At the third floor, setbacks are increased being a minimum of 5 metres.

It is considered that these setbacks are not sufficient to ensure equitable development of the adjoining properties, particularly No. 426 Houghton Road which will remain as a single block site and will therefore not be able to absorb similar setbacks as the subject site which is close to 3 times the size of this property.

Daylight to Windows

The proposal complies with ResCode with respect to maintaining sufficient daylight to windows on adjoining properties.

Overshadowing of Secluded Private Open Space

Given the orientation of the site, shadows are cast from the development into the secluded private open space of No. 426 and 432 Houghton Road, and 1/2 and 2/2 Pullyn Street.

Additional shadows cast into the secluded private open space of 426 Houghton Road is limited from 9am to 10am, and this area will receive ample sunlight throughout the remainder of the day at the equinox. Similarly with No. 432 Houghton Road, additional shadows cast are limited from 12 noon to 3pm and

given the size and location of open space will receive sufficient sunlight on the equinox.

Given the smaller areas of secluded private open space associated with 1/2 and 2/2 Pullyn Street, these areas require further consideration.

The shadow diagrams prepared show that additional shadows will be cast into these areas of secluded private open space from 9am through to 11am. By 12 noon, the only shadowing into this space is from the boundary fencing or existing dwelling to be retained.

The plans provided suggest that these dwellings have 40sqm of unshadowed open space (with a minimum dimension of 3 metres) at each time of the day, however shadowing from fencing and the existing dwelling encroaches into this 40sqm shown. Therefore from the information provided, it does not appear that the proposal complies with the requirements surrounding overshadowing to secluded private open space in relation to these properties.

It is also important to note that the primary area of secluded private open space associated with 1/2 Pullyn Street is the area which has a width of 3 metres, located directly to the rear of the dwelling which is further shadowed from 9am to 12 noon by the existing fencing and proposed development.

Overlooking

The proposal will result in unreasonable overlooking to the north-west and south-east of the site.

No. 426 Houghton Road has two habitable room windows facing the subject site which are set back 1.8 metres from the boundary. The proposal seeks a number of habitable room windows and balconies at the first, second and third floors which will have a direct view into these windows. These include the balconies and windows associated with Apartments 1.02, 1.03, 1.04, 2.02, 2.03, 3.02 and 3.03.

The survey plan provided with the application indicates that No. 432 Houghton Road has no windows facing the subject site. A covered area adjacent to the garage is shown, however it is not indicated how this space is used. The objection received from No. 432 Houghton Road provides detail that this space is an alfresco area, with sliding doors / windows from the main living room opening to this area facing towards the subject site. Whilst this area is covered, there may be some opportunity for overlooking into this space however sufficient information has not been provided by the applicant to suggest that there will be no unreasonable overlooking.

To the south-west (rear), the floor level is raised 350mm above natural ground level, and boundary fencing proposed is 1.9m in height. Whilst the proposal complies with the technical overlooking requirements, it is suggested that the fence height be increased to 2 metres with trellis above to allow for the fence to sit 1.7 metres above the floor level of the ground floor.

First, second and third floor windows and balconies to the south-west which are within 9 metres of an adjoining property have been screened to limit overlooking. Further detail would be required to any screening located on the southern side of the balcony associated with Apartment 1.05 to ensure views are limited to 1/2 Pullyn Street. Windows and balconies proposed at the third floor located greater than 9 metres from the rear boundary have not been screened as comply with overlooking requirements due to their setback.

Internal Amenity

It is considered that the proposed development will result in poor internal amenity. This is exemplified by the following:

Internal Layouts

- Poor internal layouts resulting in zig-zagged corridors (for example Apartment G.02, 1.02, 1.05m 1.08, 1.11, 2.09 and 2.22).
- Internal layouts are poor which is signified with couches located across glazed doorways leading to balconies (for example Apartment G.04, 1.06, 1.07, 2.04, 2.07, 2.03, 2.08 and 305).
- Poor internal layouts resulting in dining area tucked around corner from light source (Including Apartment G.03, G.04, G.09, 1.03, 1.04, 1.09 and 1.10).
- The width of the living spaces associated with Apartment 3.04 and 3.07 do not meet the minimum width requirements of Standard B46.
- Common areas for residents are limited to hallways and circulation space. Given the width of the entry corridor. Better functionality could be introduced such as a seating area for residents or waiting guests to provide an additional level of activity.

Access to Daylight & Ventilation

- Poor access to daylight for kitchen areas associated with Apartments G.03, G.04, G.09, 1.03, 1.04, 1.09 and 1.10 given the kitchen area does not have direct connection with an external light source (ie located around corner from light source).
- Poor access to daylight for living spaces associated with Apartment G.08, G.10, 1.05 and 1.08 failing to comply with Standard B47 due to the distance of the rear wall of the kitchen from the light source which is clear to the sky.
- Heavy reliance on 'snorkel' / 'battle-axe' bedroom windows (where windows are located at the end of a corridor space adjacent to the bedroom).
- Lack of sufficient daylight and ventilation to communal corridor areas. The size of the light court provided is not sufficient.
- It is not considered that the proposal meets the objective of Standard B49 which relates to natural ventilation through dwellings.
- The internal layout of Apartment 3.04 is poor, with the balcony located on the southern side of the building, being narrow and pokey and will not allow

for maximum opportunity for cross ventilation given only a highlight window associated with a bathroom and a window above a kitchen cabinet located on the north-western side of the apartment.

- Window configurations for apartments results in many bedrooms being provided with a single, highlight window when a full height unscreened window facing the balcony could be provided in addition to the highlight window (for example Apartment 1.03, 1.04, 1.05, 1.10).

Open Space

- Whilst balcony area figures (sqm) have been provided, when scaling and measuring the balconies it appears that many of these balconies are less than the 8 square metres identified (including apartments 1.06, 1.07, 1.09, 1.10, 1.11, 2.08 and 2.09).
- Apartments G.03, G.04, G.09 and G.10 located at the ground floor fail to meet the minimum 35 square metres of secluded private open space requirement.
- The open space associated with Apartment G.01 is poorly laid out with service cabinets, bicycle racks and a planter above the basement encroaching into the space.
- Apartments at the ground floor with larger areas of open space located to the rear of the site (Apartments G.05, G.06, G.07 and G.08) have a poor connection with this space, with balconies particularly associated with Apartment G.05 and G.08 turning their back on this space. These large open space areas are also disproportionate to the areas provided for the remaining ground floor apartments.
- The primary area of open space for Apartment G.02 has a width of 2.4 metres, located on the boundary with no potential for landscaping opportunities.
- Clothes lines are proposed in unsuitable locations at the ground floor (as shown on the landscaping plan prepared). Clothes lines should not be located in the primary terraced areas and should be located in service areas away from main living areas where possible.

An Acoustic Report was provided with the application, prepared by Cogent Acoustics due to the location of the site opposite the railway line. The report concludes that the proposed design will satisfy noise requirements based on single glazing with 6mm glass or double glazing with 6mm glass. The recommendations of this report could be introduced as a condition if a Permit were to be issued.

Car Parking, traffic and access

Car Parking

The car parking requirements for the proposal are outlined in the table below:

Use	Number of Dwellings	Clause 52.06 Requirement	Car spaces required	Car spaces provided
One and Two bedroom dwelling	36 dwellings	1 space	36 spaces	36 spaces
Three bedroom dwelling	4 dwellings	2 spaces	8 spaces	8 spaces
Visitor Parking		Nil (Located in PPTN)	0 spaces	0 spaces
Total			44 spaces	44 spaces

The proposal therefore meets the car parking requirements pursuant to Clause 52.06.

The location of the proposed vehicle crossover is considered acceptable. Council's engineers have requested that given the proximity of this crossover to the crossover on the adjoining property, that these crossovers be combined. The setback of the street tree from the proposed crossover is approximately 2.3 metres (noting that the dimension provided on the development plan is measured from the centre of the trunk) and is therefore not sufficient to retain the tree. However, Council's Horticulture Department have no objection to the removal of the tree given it has been self-sewn and is not a preferred Council species.

Council's Traffic Engineers have noted that the accessway width of the two ramps and the access aisle (south-west of parking space G.09) is currently insufficient and is required to be a minimum of 5.5 metres with a 300mm clearance on each side of the wall (a total of 6.1 metres wide) to accommodate a two-way traffic. The plans currently provide a single width (3.6 metres) accessway measured from wall to wall. Whilst Clause 52.06 does not specifically require a passing bay, given the number of vehicles that will be utilising this accessway it will be common to have vehicles coming in and out at the same time causing conflict.

The car parking layout will not result in efficient vehicle movements on the site. More specifically, the following spaces require a corrective manoeuvre to access the following car spaces (being 12 out of 44 spaces):

- G.01, G.02, G.04, G.05, G.06, G.07, G.08, G.09, G.11 (both spaces), 2.01 and 2.02

The following spaces require a corrective manoeuvre to exit the space:

- G.04, G.06, G.07, G.08, 1.11 and 3.06 (7 out of 44 spaces).

Vehicles from car spaces 1.12 and 3.07 require multiple corrective movements to be able to exit the site in a forwards direction.

Therefore vehicles associated with Apartment G.04, G.06, G.07 and G.08 require corrective movements to both enter and exit their car spaces. Whilst some

corrective manoeuvres may be appropriate, it is considered in this instance the reliance is too high.

Waste collection is proposed within the basement, with the waste truck propping within the basement and undertaking collection. Swept path diagrams have been prepared which show that the waste vehicle (6.41 metres in length) can turn around within the basement and exit the site in a forwards direction adjacent to the waste storage point. The height of the waste vehicle, and the clearance required for collection is not specified in the Waste Management Plan or Traffic Report, and therefore it is not clear if sufficient clearance is provided. Development plans also fail to provide detail of clearance heights provided in the basement. If a Permit were to issue, a condition could be added to require this detail.

Based on a total of 5 vehicle movements per dwelling per day, the application for 40 dwellings will generate a total of 200 movements per day, inclusive of 20 vehicle movements in the morning and afternoon peak hours. This equates to one movement every 3 minutes during peak hours.

Council's Traffic Department are satisfied that the surrounding road network can accommodate the additional generation of vehicles. They have noted that the predicted traffic generation is relatively low, residential in nature and is expected to have a negligible impact on the local traffic network in terms of the overall traffic in the area.

Bicycle Parking

Clause 52.34 of the Planning Scheme specifies bicycle parking requirements for the development as follows:

Use	Number of Apartments	Statutory bicycle parking requirement	No. of spaces required	No. of spaces provided
Dwellings (four or more storeys)	40 Dwellings	1 space per 5 dwellings, for dwellings of 4 or more storeys	8 resident spaces	8 resident spaces (located within basement)
Dwellings (Visitor)	40 Dwellings	1 space per 10 dwellings, for dwellings of 4 or more storeys high	4 visitor spaces	4 visitor spaces (located at the ground floor)

The proposal therefore provides bicycle parking in accordance with Clause 52.34.

Landscaping

There are no canopy trees located on the site which require removal. A canopy tree is located within the secluded private open space of No. 426 Haughton Road (European Plum Tree), to the rear of the dwelling. The Arborist Report prepared with the application suggests that the tree is incorrectly located on the plans, and is in fact set 1 metre from the boundary. The Arborist Report suggests that the

proposed development will have no impact to this tree given the limited Tree Protection Zone for the tree. However, concern is raised that the location of supporting bollards for the construction of the basement have not been shown on the basement plan, and therefore the impact may be greater as excavation is required within the 2 metre setback of the basement.

Whilst landscaping can be provided to the front and rear of the site, there is no opportunity for significant planting along each of the side boundaries of the site.

The basement is proposed along the south-east boundary of the site and therefore reliance is made on planter boxes for planting in each of the open spaces located along this interface.

There is also limited opportunity provided for landscape softening to occur between the property boundary and the basement ramp, noting that a 1.9m concrete paling fence is located along this boundary. This fails to respond to the garden setting character outlined in local policy within the Monash Planning Scheme.

Whilst the basement is set back 2 metres from the north-west boundary of the site, the ground floor has not been designed in a manner which will allow for any substantial planting along this interface. This is due to paved areas being located within this 2 metre setback, and larger setbacks showing green areas which will in fact be located above the basement. As noted above, it is also expected that the deep root planting area will be less than the 2 metres shown on the plan, given location of supporting bollards have not been shown on the plan.

The proposal also poorly considers the location of the basement and corresponding ground floor and open space areas with respect to planting. This is also reflective to the rear of Apartment G.06 which has a protruding area of basement located within the area of secluded private open space.

Landscaping within the front setback of the site is also limited due to the wide, hard paved pedestrian pathways, main pedestrian entrance, visitor bike spaces and service cabinets.

Objections not previously addressed

- Noise from future residents – The use of the land for residential apartments is a Section 1 Use – No Permit required. Therefore there is no control of noise generated from proposed residential dwellings within the Planning Scheme. However, the acoustic treatment required for the building would assist with the transfer of noise.
- Structural integrity of adjoining properties – A building Permit will be required to be obtained prior to the commencement of works, and would check this detail.
- Devaluation of surrounding properties – This is not a relevant planning consideration.

CONCLUSION:

The development of the land for a multi-storey residential building is consistent with relevant urban consolidation and increased density objectives as envisaged by relevant elements of the State and Local Planning Policy Framework. The general height and scale of the building is also consistent with the objectives of the Residential Growth Zone which encourages increased densities and change to the area.

Whilst this may be the case, the proposal fails to provide an appropriate site responsive design which provides for a high level of internal amenity for future residents. The proposed architectural design and choice of materials does not represent a high quality design which is envisaged for the area.

Accordingly, the application should be refused.

LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (January 2019).

Attachment 3 – Zoning and Overlays Map.

Attachment 4 – Objector Properties Location Map.