

GRAVESTEIN – ERECTION OF A DWELLING WITH ATTACHED GARAGE at LOT 14, DP 1267775, No. 19 SEA LACE PLACE, BEGA.

EXISTING DEVELOPMENT

Lot 14 is a 904m.sq. residential allotment on the north-eastern side and at the southern end of Sea Lace Place, which is in a recently developed 25 lot subdivision, south-east of the Bega town centre.

The allotment is vacant and is surrounded by residential development (dwellings).

The block has a slight grade to the north-west side, is vegetated with a mix of exotic grasses and has a large eucalypt located in the centre towards the north-west side.

OVERALL PROPOSAL

Erection of a dwelling with an attached garage

The proposal generally meets with planning controls, except for the dwelling rear boundary setback and the garage location, which are both, the subject of this variation statement.

The site is mapped as R2 Low Density Residential zone in the Bega Valley Development Control Plan (DCP) 2013 and Bega Valley Local Environmental Plan (LEP) 2013.

REAR SETBACK VARIATION

- The proposal generally meets with planning controls, except for the proposed dwelling rear setback.
- Bega Valley DCP 2013 Table 3.2 states the minimum front setback to public roads or front boundary as 5m or the average distance between the two nearest dwellings.
- Bega Valley DCP 2013 Table 3.2 states the side boundary setbacks to be minimum 0.9m for single storey structures and 1.8m for 2 storey structures.
- Bega Valley DCP 2013 Table 3.2 states the rear boundary setbacks to be minimum 4m for structures up to 4.5m high.
- The proposal requests that the rear of the dwelling be setback minimum 2m from the rear boundary.

BVDCP 2013 Clause 3.2.2.7 Setbacks

Objectives:

- To specify the minimum setback for buildings, carports and garages
- To ensure development is designed to have minimal impact on neighbouring properties in terms of building dominance (bulk and scale), sunlight access, visual and acoustic privacy, views and streetscape
- To ensure development provides adequate space for landscaping and parking, and quality private open space
- To consider the position of adjacent buildings, their character, and the location of existing vegetation
- To ensure adequate sightlines and visibility for pedestrians and vehicles
- To be suitable to the size, shape and orientation of the lot
- To ensure compliance with the Building Code of Australia

Requirements:

- The minimum setback for buildings/structures (including carports and garages) from public roads and front, rear and side property boundaries are outlined in Table 3.2.
- An additional setback may be required where Council is aware of relevant matters such as possible road widening or frontage to a main road.
- New development must complement the existing setback pattern in the street, be it uniform or varied.
- Existing setback distances must be maintained where view lines could be affected.
- Where neighbouring developments are not consistent in their front and side setback line, the development in the vicinity of the development must be used as the benchmark.
- A variation from the minimum side and rear boundary setback may be considered for minor building elements such as garages and outbuildings based on:
 - The quality of the design
 - Impact on adjoining properties
 - Building Code of Australia requirements.

GARAGE LOCATION VARIATION

- The proposal generally meets with planning controls, except for the rear setback previously described and the proposed garage location.
- Bega Valley DCP 2013 clause 3.2.1.4-part states 'carports and garage doors must be recessed behind the main face of the building and occupy not more than 40% of the front elevation'.

BVSC DCP 2013 Clause 3.2.1.4 Context and Articulation**Objectives:**

- To ensure development is not visually overwhelming within the streetscape and allows for relief between buildings.
- To provide street edges which reinforce the desired future street character with a clear transition between public and private space. Development must be oriented towards the street.
- To facilitate active and casual surveillance between the street and the development.

Requirements:

- Each dwelling will have a sense of address with a clearly defined entry. Fencing and front walls must be compatible with the character of the locality and the interface with public spaces will be adequately considered.
- The maximum unbroken length of any external wall will not exceed 10m. Walls proposed to be longer than 10m in the same material and colour must be broken with an indentation of at least 1 metre in depth for a distance of 2.5m.
- Front fences must have a maximum height of 1.2m if solid or 1.8m if the fence has openings which make it at least 50% transparent. Solid fences to a height of 1.8m may be permitted to a street frontage where noise from high traffic or other amenity impacts may justify a greater height.
- A fence and any associated retaining wall located behind the setback area from a primary road or any side or rear boundary fence must not be more than 1.8m above existing ground level.
- Carports and garage doors must be recessed behind the main face of the building and occupy not more than 40% of the front elevation.

Explanation:

Any development needs to be articulated with reference to the street and take into consideration its relationship to neighbouring properties.

Note: The applicant is required to demonstrate to Council that the visual impact is minimised by providing a façade treatment that is considered to be of high architectural merit.

- **The following points are raised to assist council in assessing the request for the variation to the rear setback and the garage location:**
 - The variation for both the rear boundary setback and the garage location are a result of designing the proposed structures around an existing eucalypt (large mature redgum). The tree is in the middle of the block, with the drip line taking up 50% of the block. The dwelling has been designed to limit effect on the tree root system and as such the dwelling is proposed to be in the rear, south-east corner of the block, close to the rear boundary, which should enable the structure to access solar gain while providing some private open space connected to the living areas. Due to the dwelling location, the garage is positioned forward of the living/habitable spaces, towards the front boundary and to the side of the tree. Also proposed, is a 1.8m high masonry 'privacy' fence/wall, located forward of the dwelling, positioned a minimum 5m from the front boundary, enabling the occupants to make use of the area under and around the tree, which will provide additional private open space. The fence/wall is proposed to be softened by landscaping on the front roadway side of the wall.
 - To keep the mature tree, the variations to the DCP are considered worthwhile.
 - The variation request should have minimal effect on neighbouring properties, in terms of building dominance (bulk and scale), sunlight access, visual and acoustic privacy, views and streetscape.
 - Existing minimum setback distances to Sea Lace Place are maintained, so effect from the public domain is limited.
 - The proposal, with the addition of the privacy fence/wall, should allow adequate space for landscaping and quality private open space on the lot and is considered appropriate considering the size, shape, orientation, grade of the block and the location of the mature eucalypt.
 - The proposed garage is a single vehicle structure, so should not dominate the front (roadside) elevation, with the privacy wall and landscaping providing articulation and reducing the bulk presented to the public domain.
 - The proposed structures and their location comply with the National Construction Code (NCC).



Photo of site showing existing tree.