

TO: **COUNCIL ASSESSMENT PANEL**
 DATE: **27 APRIL 2022**
 SUBJECT: **COUNCIL ASSESSMENT REPORT**
 AUTHOR: **DEAN SPASIC**
DEVELOPMENT OFFICER PLANNING

ATTACHMENTS: **1. PROPOSED PLANS**

DA NO.	:	<u>110/00198/21</u>
APPLICANT	:	<u>BRENT AND KIM BUNTING</u>
LOCATION	:	<u>10 PORTLAND STREET SEACLIFF</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL CHARACTER ZONE – SEACLIFF POLICY AREA 12</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>THREE STOREY DETACHED DWELLING</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
CATEGORY	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

1. Site and Locality

The subject site is located in the Residential Character Zone, Seacliff Policy Area 12, which anticipates single storey built form. Immediately west is the Residential Zone, Central West Policy Area 3, which accommodates three storey built form.



The immediate locality contains a mix of building styles, with levels ranging from single to three storey. The streetscape directly adjacent to the subject site is defined as single storey, however there are two storey buildings in close proximity.



2. Proposed Development

The proposal comprises the construction of a three storey detached dwelling, however it presents as a conventional two storey when viewed from the street. The three storey built form is visible from the western-rear of the site, as it steps downwards towards the rear of the site, which slopes downwards.



3. Development Assessment

CONSOLIDATED 2 JUNE 2016

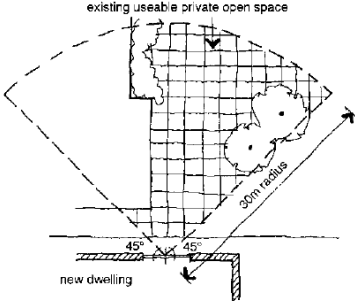
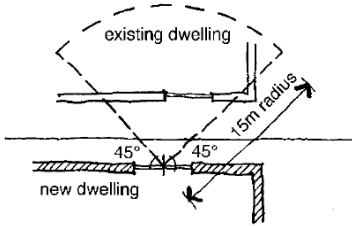
ZONE SECTION – SEACLIFF POLICY AREA 12	
OBJECTIVES	Assessment
1 Development that contributes to the desired character of the policy area. DESIRED CHARACTER The policy area includes the area between Young Street and Pine Avenue, and extends from the allotments behind the Esplanade eastwards to Brighton Road. The railway line is a significant feature within the policy area, creating a significant north-south movement and landscape corridor but restricting east-west access and movement.	Does not comply with building height

ZONE SECTION – SEACLIFF POLICY AREA 12 (Cont)	
OBJECTIVES	Assessment
<p>The policy area has unique characteristics, having been subdivided and first settled earlier than the adjoining precincts. It is characterised by a sloping landform overlaid with a rectilinear 19th Century pattern of roads resulting in smaller allotment sizes, narrow streets, reduced setbacks, limited street trees and limited stormwater infrastructure. While there is a diversity of architectural eras and styles evident, the policy area is characterised by small to medium scale detached dwellings constructed in the 1880s to 1920s west of the railway line, and a similar development scale constructed during the later 1930s to 1960s east of the railway line. These dwelling forms typically vary between one and two storeys in height throughout the policy area.</p>	
<p>Further infill development will be limited in response to the constraints of the existing road and stormwater infrastructure, and the need to preserve public coastal views and open space. Development will reinforce the existing historic street pattern, urban form and have regard to the slope of the land. With respect to the sloping topography of the policy area, buildings will be designed and sited to limit extensive cut and fill and be sited (and of a form and scale) to protect significant views and vistas. Development will also include landscape buffers and noise attenuation features for development on sites that abut the railway line.</p> <p>Development will incorporate side, front and rear building setbacks that provide landscaping opportunities, on-site stormwater retention/detention, complement the predominant setbacks within the locality and limit overlooking into neighbouring property. Notwithstanding, development may achieve coastal views through the utilisation of the sloping topography and may require horizontal views over (but not necessarily into) lower sites. Likewise, site topography may allow for overlooking into neighbouring properties more than normally tolerated in other zones and policy areas.</p>	
PRINCIPLES OF DEVELOPMENT CONTROL	Assessment
<p>Land Use</p> <p>1 The following forms of development are envisaged in the policy area:</p> <ul style="list-style-type: none"> ▪ domestic outbuilding in association with a dwelling ▪ domestic structure ▪ dwelling ▪ dwelling addition ▪ residential flat building. 	Complies
<p>Form and Character</p> <p>2 Development should not be undertaken unless it is consistent with the desired character for the policy area.</p>	Does not comply Building height.
<p>5 Development should be limited to single storey and in any case the vertical wall height at any point, excluding gables, should not exceed 3.5 metres above natural ground level.</p>	Does not comply
<p>6 Two storey development should only occur where the second storey is incorporated within the roof space and the floor area of the second storey does not exceed 40 per cent of the ground floor footprint of the dwelling and attached garage and/or carport.</p>	Does not comply
<p>12 Development should not incorporate the establishment of undercroft areas for the garaging of vehicles</p>	Complies
GENERAL SECTION – DESIGN AND APPEARANCE	
OBJECTIVES	Assessment
<p>1 Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.</p>	Complies
PRINCIPLES OF DEVELOPMENT CONTROL	Assessment
<p>1 Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:</p> <ul style="list-style-type: none"> (a) building height, mass and proportion (b) external materials, patterns, colours and decorative elements (c) roof form and pitch (d) façade articulation and detailing (e) verandahs, eaves, parapets and window screens. 	Does not comply. Building height exceeds maximum seen in locality
<p>2 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise:</p> <ul style="list-style-type: none"> (a) the visual impact of the building as viewed from adjoining properties (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings. 	Complies
<p>3 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.</p>	Complies

GENERAL SECTION – DESIGN AND APPEARANCE	
OBJECTIVES (Cont)	Assessment
10 The design and location of buildings should enable direct winter sunlight into adjacent dwellings and private open space and minimise the overshadowing of: (a) windows of habitable rooms (b) upper-level private balconies that provide the primary open space area for a dwelling (c) solar collectors (such as solar hot water systems and photovoltaic cells).	Complies
11 Development should minimise direct overlooking of habitable rooms and private open spaces of dwellings through measures such as: (a) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct (b) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms (c) screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.	Complies
12 Development should ensure that ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9 am and 3 pm on 21 June to at least the smaller of the following: (a) half of the existing ground-level open space (b) 35 square metres of the existing ground-level open space (with at least one of the area's dimensions measuring 2.5 metres). Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.	Complies
13 Buildings (other than ancillary buildings or group dwellings) should be designed so that their main façade faces the primary street frontage of the land on which they are situated.	Complies
GENERAL SECTION – RESIDENTIAL DEVELOPMENT	
OBJECTIVES	Assessment
1 Safe, convenient, pleasant and healthy-living environments that meet the full range of needs and preferences of the community.	Complies
2 A diverse range of dwelling types and sizes available to cater for changing demographics, particularly smaller household sizes and supported accommodation.	Complies
4 The revitalisation of residential areas to support the viability of community services and infrastructure.	Complies
PRINCIPLES OF DEVELOPMENT CONTROL	
Assessment	
1 Residential allotments and sites should maximise solar orientation and have the area and dimensions to accommodate: (a) the siting and construction of a dwelling and associated ancillary outbuildings (b) the provision of landscaping and private open space (c) convenient and safe vehicle, pedestrian and cycling access and parking (d) water sensitive design systems that enable the storage, treatment and reuse of stormwater.	Complies
4 Dwellings and accommodation at ground floor level should contribute to the character of the locality and create active, safe streets by incorporating one or more of the following: (a) front landscaping or terraces that contribute to the spatial and visual structure of the street while maintaining adequate privacy for occupants (b) individual entries for ground floor accommodation (c) opportunities to overlook adjacent public space.	Complies
5 Residential development should be designed to ensure living rooms have an external outlook.	Complies
6 Entries to dwellings should be clearly visible from the streets that they front to enable visitors to identify a specific dwelling easily.	Complies
10 The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to: (a) windows of habitable rooms (all rooms excluding bathrooms, laundries and hallways), particularly living areas (b) ground-level private open space (c) upper-level private balconies that provide the primary open space area for any dwelling (d) access to solar energy.	Complies
11 Development should ensure that north-facing windows to habitable rooms (all rooms excluding bathrooms, laundries and hallways) of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9am and 5pm on 21 June.	Complies

GENERAL SECTION – RESIDENTIAL DEVELOPMENT		Assessment											
PRINCIPLES OF DEVELOPMENT CONTROL (Cont)		Assessment											
<p>12 Development should ensure that ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9 am and 3 pm on 21 June to at least the smaller of the following:</p> <ul style="list-style-type: none"> (a) half of the existing ground-level open space (b) 35 square metres of the existing ground-level open space (with at least one of the areas dimensions measuring 2.5 metres). <p>Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.</p>	Complies												
13 Garages, carports and outbuildings should have a roof form and pitch, building materials and detailing that complement the associated dwelling.													
<p>14 Garages and carports facing the street should not dominate the streetscape and should be designed in accordance with the following:</p> <ul style="list-style-type: none"> (a) have a maximum total width of garage or carport openings of 6 metres or 50 per cent of the dwelling frontage width, whichever is the lesser (b) be located at least 0.5 metres behind the main face of the associated dwelling (c) where it is in the form of an enclosed double carport or garage, be setback at least 8 metres from the primary road frontage and incorporate one of the following: <ul style="list-style-type: none"> (i) two individual doors with a distance of not less than 300 millimetres between them (ii) double tilt-up doors with moulded door panels having a maximum width of no more than 5 metres (d) be constructed of materials that integrate with those of the associated dwelling, or pre-coloured treated metal. 	Complies												
<p>20 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to:</p> <ul style="list-style-type: none"> (a) minimise the visual impact of buildings from adjoining properties (b) minimise the overshadowing of adjoining properties. 	Complies												
<p>21 Residential development (other than where located on a boundary) should be setback from side and rear boundaries in accordance with the following parameters:</p> <table border="1" data-bbox="215 1276 1098 1653"> <thead> <tr> <th>Parameter</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Side walls with a height up to (and including) 3 metres at any point above the natural ground level</td> <td>1 metre</td> </tr> <tr> <td>Side walls with a height exceeding 3 metres and up to (and including) 6 metres at any point above the natural ground</td> <td>1.5 metres plus an additional 500 millimetres for every metre in height above 4 metres</td> </tr> <tr> <td>Side walls greater than 6 metres at any point above the natural ground level</td> <td>2.5 metres plus the increase in wall height above 6 metres</td> </tr> <tr> <td>Rear boundary setback for single storey buildings with a wall height 3 metres or less above natural ground level</td> <td>4 metres</td> </tr> <tr> <td>Rear boundary setback for a building of two or more storeys with a wall height more than 3 metres above natural ground level</td> <td>6 metres</td> </tr> </tbody> </table>	Parameter	Value	Side walls with a height up to (and including) 3 metres at any point above the natural ground level	1 metre	Side walls with a height exceeding 3 metres and up to (and including) 6 metres at any point above the natural ground	1.5 metres plus an additional 500 millimetres for every metre in height above 4 metres	Side walls greater than 6 metres at any point above the natural ground level	2.5 metres plus the increase in wall height above 6 metres	Rear boundary setback for single storey buildings with a wall height 3 metres or less above natural ground level	4 metres	Rear boundary setback for a building of two or more storeys with a wall height more than 3 metres above natural ground level	6 metres	Complies
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<p>28 Site coverage (the proportion of a site covered by ground floor level buildings and structures including dwelling, garage, carport, verandas and outbuildings but excluding unroofed pergolas and unroofed balconies) should not exceed the following values:</p> <p>Site Coverage</p> <p>28 Site coverage (the proportion of a site covered by ground floor level buildings and structures including dwelling, garage, carport, verandas and outbuildings but excluding unroofed pergolas and unroofed balconies) should not exceed the following values:</p> <table border="1" data-bbox="247 1881 1204 2004"> <thead> <tr> <th>Parameter</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Site with an area less than or equal to 300 square metres</td> <td>60 per cent</td> </tr> <tr> <td>Site with an area greater than 300 square metres</td> <td>50 per cent</td> </tr> </tbody> </table>	Parameter	Value	Site with an area less than or equal to 300 square metres	60 per cent	Site with an area greater than 300 square metres	50 per cent	Complies						
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GENERAL SECTION – RESIDENTIAL DEVELOPMENT								
PRINCIPLES OF DEVELOPMENT CONTROL (Cont)		Assessment						
<p>29 Site coverage should ensure sufficient space is provided for:</p> <ul style="list-style-type: none"> (a) pedestrian and vehicle access and vehicle parking (b) domestic storage (c) outdoor clothes drying (d) rainwater tanks (e) private open space and landscaping (f) convenient storage of household waste and recycling receptacles. 		Complies						
<p>31 Private open space (land available for exclusive use by residents of each dwelling) should be provided for each dwelling (including a dwelling within a residential flat building) and should be sited and designed:</p> <ul style="list-style-type: none"> (a) to be accessed directly from the habitable rooms of the dwelling (b) to be generally at ground level (other than for residential flat buildings) and to the side or rear of a dwelling and screened for privacy (c) to take advantage of, but not adversely affect, natural features of the site (d) to minimise overlooking from adjacent buildings (e) to achieve separation from bedroom windows on adjoining sites (f) to have a northerly aspect to provide for comfortable year-round use (g) to not be significantly shaded during winter by the associated dwelling or adjacent development (h) to be shaded in summer (i) to minimise noise and air quality impacts that may arise from traffic, industry or other business activities within the locality (j) to have sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension and gradient of the site. 		Complies						
<p>32 Dwellings and residential flat buildings at ground level should include private open space that conforms to the requirements identified in the following table:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Site area of dwelling</th> <th style="text-align: left;">Minimum area of private open space</th> <th style="text-align: left;">Provisions</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">Less than 250 square metres</td> <td style="vertical-align: top;">35 square metres</td> <td style="vertical-align: top;"> <p>Balconies, roof patios and the like can comprise part of this area provided the area of each is 8 square metres or greater.</p> <p>One part of the space is directly accessible from a kitchen, lounge room, dining room or living room (excluding a bedroom) and has an area of 16 square metres with a minimum dimension of 4 metres and a maximum gradient of 1-in-10.</p> </td> </tr> </tbody> </table>	Site area of dwelling	Minimum area of private open space	Provisions	Less than 250 square metres	35 square metres	<p>Balconies, roof patios and the like can comprise part of this area provided the area of each is 8 square metres or greater.</p> <p>One part of the space is directly accessible from a kitchen, lounge room, dining room or living room (excluding a bedroom) and has an area of 16 square metres with a minimum dimension of 4 metres and a maximum gradient of 1-in-10.</p>		Complies
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<p>33 Private open space should not include driveways, front yards (except where it is a group dwelling that has no frontage to a public road and the private open space is screened from adjacent dwellings), effluent drainage areas, rubbish bin storage, sites for rainwater tanks and other utility areas and common areas such as parking areas and communal open space.</p>		Complies						
<p>34 Private open space at ground level should be designed to provide a consolidated area of deep soil (an area of natural ground which excludes areas where there is a structure underneath, pools and non-permeable paved areas) to:</p> <ul style="list-style-type: none"> (a) assist with ease of drainage (b) allow for effective deep planting (c) reduce urban heat loading and improve micro-climatic conditions around sites and buildings. 		Complies						
<p>40 Except for buildings of 3 or more storeys in the Minda Incorporated Brighton Campus, upper level windows, balconies, terraces and decks that overlook habitable room windows or private open space of dwellings should maximise visual privacy through the use of measures such as sill heights of not less than 1.7 metres or permanent screens having a height of 1.7 metres above finished floor level.</p>		Complies						

GENERAL SECTION – RESIDENTIAL DEVELOPMENT	
PRINCIPLES OF DEVELOPMENT CONTROL (Cont)	Assessment
<p>41 Where development is greater than single storey (excluding the Minda Incorporated Brighton Campus):</p> <p>(a) any upper storey window that directly overlooks the private open space of an adjoining residential property that is within 30 metres from the vertical centre line of the overlooking window and beyond a 45 degree angle from the plane of the wall containing the overlooking window (as illustrated by the figure below) should be glazed in fixed obscure glass or have window sills a minimum of 1.7 metres above the upper floor level:</p>  <p>(b) any upper storey window that directly overlooks habitable rooms (all rooms excluding bathrooms, laundries and hallways) of residential buildings that are within 15 metres from the vertical centre line of the overlooking window and beyond a 45 degree angle from the plane of the wall containing the overlooking window (as illustrated by the figure below) should be glazed in fixed obscure glass or have window sills a minimum of 1.7 metres above the upper floor level:</p>  <p>(c) any upper storey balcony should be located and/or designed to avoid directly overlooking the private open space of adjoining residential properties and into habitable rooms (all rooms excluding bathrooms, laundries and hallways) of other dwellings.</p>	Complies

4. Summary of Assessment

Zone and Land use

Seacliff Policy Area 12 is regarded as having a diversity of architectural styles including small to medium scale detached dwellings constructed in the 1880s to 1920s West of the railway line. The dwelling forms *typically vary between one and two storeys in height throughout the policy area*. With respect to sloping topography, buildings should be designed to limit extensive cut and fill and be sited to protect views and vistas. Overlooking into adjacent properties should be limited, however where coastal views can be achieved, horizontal views over (but not necessarily into) lower sites is envisaged. *Site topography may allow for overlooking into neighbouring properties more than normally tolerated* in other zones and policy areas.

Development should be limited to single storey and the wall height should not exceed 3.5 metres above the natural ground level. Two storey development should occur where the second storey is incorporated into the roof space.

Building Height

The proposal comprises a total of three building levels in a Zone that anticipates a maximum of one storey built form. In roof two storey is envisaged as a means of achieving the fundamental goal of single storey built form.

As viewed from the street elevation, the building appears as a conventional two storey building (the site slopes downward at the rear), which does not meet the Zone's height objectives, but is in context with the mixed built form in the immediate locality, which contains single and two storey built form.

The building steps down with the slope of the land, which reveals as a three storey as viewed from the western side and northern rear. The multi-level built form however is in context with the built form of neighbouring properties. The three storey aspect, as viewed from private land does not have any planning relevance, as the Zone objectives regarding building height is focused upon what is visible from the streetscape perspective.

As per the Zone summary, it acknowledges that dwelling forms typically vary between one and two storeys in height throughout the policy area whilst also referencing Development should be limited to single storey, which is conflicting. The use of the word *should* acknowledges there may be cases that two storey is appropriate. On balance, considering there are other conventional two storey buildings in the nearby locality, and the dwelling presents as two storey on the streetscape, the proposed building height is not considered to be unreasonable against the Zone's existing and desired character.

Boundary Setbacks

The building is setback 6.7 metres from the primary street boundary, which is behind the side wall of the western adjacent property and in-line with the building setback to the east, therefore satisfying the Development Plan provision requiring the primary setback to match the neighbouring building.

The building is setback 900mm+ from the side boundaries at the ground level, 2.5 metres from the eastern side boundary at the upper level and 5.5 metres from the western side boundary, hence achieving setbacks that satisfy the minimum sought by the Development Plan.

The ground level is setback 9.5 metres from the rear boundary at the ground level and 11.7 metres+ from the rear boundary at the upper levels.

Site Coverage

Site coverage amounts to only 41 percent, which is under the maximum of 50 percent anticipated by the Development Plan.

Private Open Space

Private open space amounts to 320 square metres, which equates to 44 percent of the site area. The Development Plan anticipates a minimum of 20 percent of the site area.

Solar Access

The allotment is on a north to south axis, therefore the shadow is cast predominately over Portland Street. The eastern elevation comprises a two storey wall, which is setback 2.5 metres from the eastern side boundary, thus allowing sufficient space for solar access into the eastern adjacent property between midday and early afternoon, hence satisfying the Development Plans solar access criteria.

The western elevation is comprises a three storey wall, which is setback 5.7 metres+ from the western side boundary, which is the rear boundaries of the western adjacent properties, which ensures a sufficient amount of space so as to not compromise solar access between late morning to early afternoon.

Visual Privacy

The eastern side elevation does not contain any upstairs windows, therefore overlooking is not a concern.

The northern rear and western side elevations contains the first and second floor levels, with a view that extends over the rear yard of 14 Marine Parade and 204 and 205 Esplanade and into Angus Neil Reserve and the sea beyond. The side and rear boundaries contain mature vegetation and adjacent properties have existing outbuildings that contribute to visual privacy. As per the Policy Area character statement, some incidental overlooking is anticipated where the intent is to achieve an outward horizontal view (*Site topography may allow for overlooking into neighbouring properties more than normally tolerated*).



Plan demonstrating views from and into the site as a result of the topography of the land



Photo from adjacent dwelling showing view into subject site

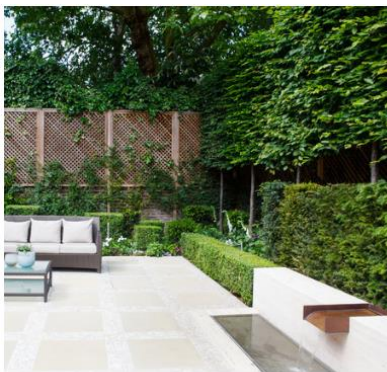


Existing bamboo screen

It is noted that the screening demonstrated on the plans lacks sufficient detail in determining whether they would be effective in achieving visual privacy, notwithstanding, a condition of planning consent is included to ensure that appropriate screening up to 1.5 metres in height is incorporated to ensure a reasonable level of visual privacy is achieved.

Landscaping

A detailed landscaping plan and schedule has been submitted which aims at achieving both visual privacy for neighbouring properties, as well as for the occupants of the subject site, particularly as the proposal comprises a pool.



Privacy
 Privacy within the garden is of high priority particularly with the installation of the pool.



California Dreaming
 The design draws inspiration from the poolside gardens of Palm Beach.

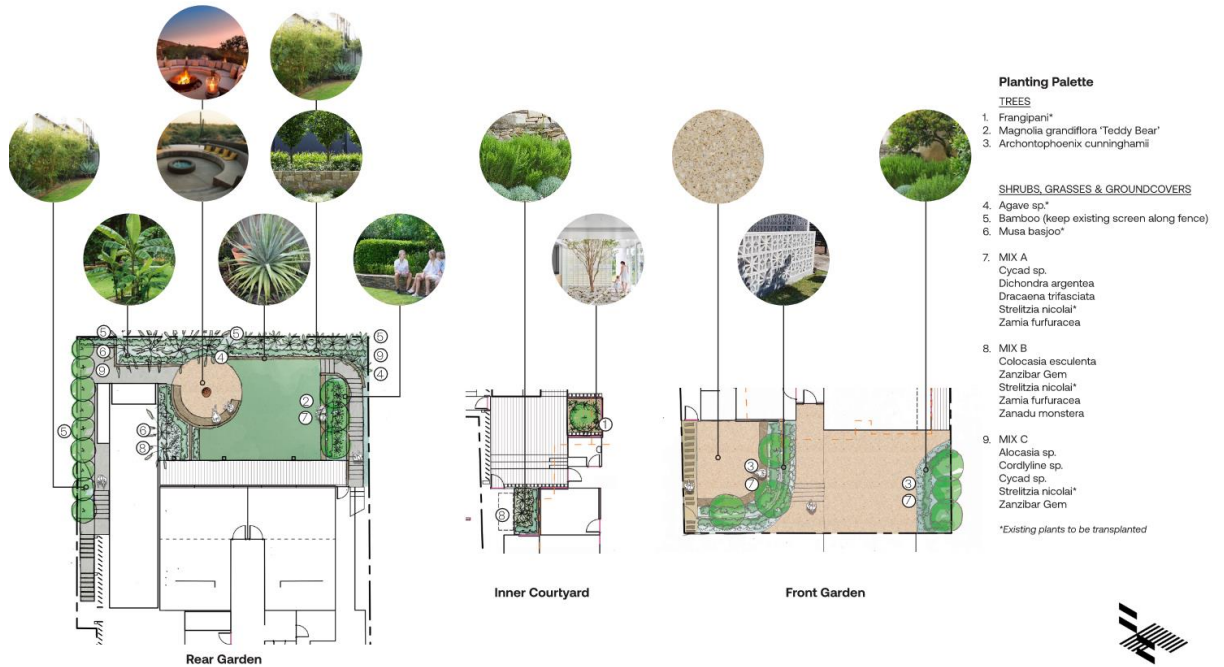


Layered Plant Screening
 The boundary fence line while a necessity, would benefit from layered plant screening, and a low stone wall for seating.

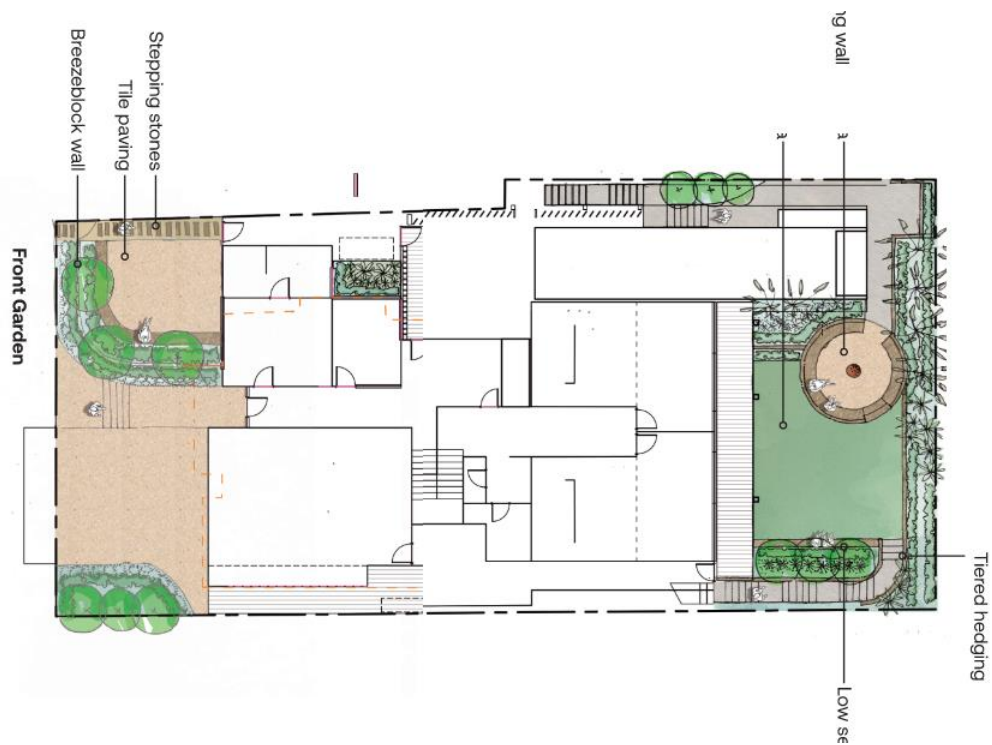
Example of plantings aimed at achieving privacy screening

Although landscaping is not formally considered as a means of screening by the Development Plan, it does offer the most effective visually appealing form of screening, which can be maintained over a long period of time, and replaced where necessary.

Concept Plan - Details



Landscaping is demonstrated in both the front and rear yards, which will contribute to a high level of visual amenity for both the occupants and adjacent properties.



5. Conclusion

The proposed development satisfies all relevant Development Plan provisions, except for with respect to the building levels exceeding single storey and wall heights exceeding 3.5 metres above natural ground level. The Seacliff Policy Character Desired Character statement references *dwelling forms typically vary between one and two storeys in height throughout the policy area* however the Principles of Development Controls 5 and 6 specify single storey built form. The character and building height principles are predominately focused on streetscape character. When viewed from Portland Street, the building presents as a two storey building, which visually complements the two storey building to the west, as well as other examples of conventional two storey buildings in the nearby locality, including 7, 11 and 17 Marine Parade.

6. RECOMMENDATION

1. **The proposed development is NOT seriously at variance with the policies in the Development Plan.**
2. **Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Council Assessment Panel resolves to grant Development Plan Consent to Development Application 110/00198/21 comprising the construction of a three storey detached dwelling at 10 Portland Street, Seacliff.**

PLANNING CONDITIONS

1. **The proposal shall be implemented as shown on the plans prepared by Swanbury Penglase, dated 07/04/2022 Reference 21036 unless varied by any subsequent conditions imposed herein.**
2. **Landscaping shall be established as per the Landscape Concept Plan, Revision B, dated 07/04/2022 Reference 21036 Page 6 that are maintained to the reasonable satisfaction of Council.**
3. **All upstairs windows and decks on the side and rear elevations shall comprise screening that is up to 1.5 metres in height above the floor level so as to prevent unreasonable overlooking into habitable room windows and private open space areas of adjacent properties, and be installed prior to occupation.**
4. **That stormwater from each dwelling shall be collected and connected to a 1000 litre (minimum) rainwater tank with a sealed system over flow connection to the street water table. Final details of the location and size of the tank(s) shall be submitted to Council for approval prior to the issue of full Development Approval. Furthermore, all stormwater from the dwelling and the site shall be collected and disposed of in a manner that does not adversely affect any properties adjoining the site or the stability of any building on adjacent sites.**

NOTE: Stormwater shall not be disposed of over a vehicle crossing place and any connection to the street water table, including remedial works to footpaths, verges or other Council infrastructure, is subject to any necessary approvals from Council and will be at the applicant's cost.

5. **The stormwater disposal system shall cater for a 5 year rainfall event with discharge to the street not to exceed 10 litres per second. Any excess above this flow is to be detained on site to the reasonable satisfaction of Council.**