

12.3.2 a) LPP16 - Outbuildings



SHIRE OF JERRAMUNGUP LOCAL PLANNING POLICY NO 16 OUTBUILDINGS

1.0 BACKGROUND

Outbuildings are Class 10a buildings under the Building Code of Australia (1996) which are not substantially connected to a dwelling.

Residents of the Shire of Jerramungup have different needs to those in metropolitan Perth, therefore this Policy recognises the need to vary the usual Residential Design Code recommendations by increasing outbuilding space (areas and heights) for garaging of vehicles, storage of boats, caravans and other items, domestic workshops, games rooms, studios, stables, etc. As a general rule people expect to be able to have larger outbuildings on larger lots.

The Shire is also aware that in some instances outbuildings may result in problems including:

- Use of outbuildings for unapproved commercial or industrial purposes, which may result in adverse noise, traffic, and visual impacts for neighbours and the locality. With the exception of those used for commercial farming purposes on rural lots, or approved home businesses, outbuildings may only be used for domestic purposes.
- Illegal use of outbuildings as residences, which often incorporate inadequate health and building standards for human habitation.
- Unlike most dwellings, outbuildings are usually very bland metal clad structures devoid of architectural features such as windows, verandas, etc. Construction of large and/or high sheds may have adverse impacts on visual character of streets and neighbourhoods, neighbours and scenic rural or coastal landscapes.
- When outbuildings incorporate reflective materials such as zincalume and are sited in visually prominent locations there is greater potential for adverse impacts on the landscape, and in some instances reflection can cause a serious nuisance for surrounding/nearby residents.

2.0 STATUTORY BASIS

The Shire of Jerramungup has adopted this local planning policy as a 'regional variation' under 5.3.2 of the Codes. ***Planning approval is not required if an outbuilding complies with the requirements of this local planning policy.***

3.0. PURPOSE OF POLICY

The purpose of this policy is to provide guidance for proponents and Council when dealing with applications for planning approval for outbuildings in the Shire of Jerramungup.

This Policy has regard that residents have varying needs for outbuilding space (in terms of areas and heights) for garaging of vehicles, storage of boats, caravans and other items, domestic workshops, games rooms, studios etc.

As a general rule, larger properties have a greater ability to site larger outbuildings in a location that will not have any negative visual impact.

4.0 POLICY STATEMENT

This Policy will apply to all land zoned Residential, Townsite, Rural Residential and Rural under the Shire of Jerramungup Local Planning Scheme 2.

This Policy is complimentary to the Residential Design Codes in the 'Residential' zone.

5.0 OBJECTIVES

The objectives of this policy are as follows:

- (a) to establish clear guidelines for the development of outbuildings in the Residential, Townsite, Rural Residential and Rural zones; and
- (b) to achieve a balance between providing for the various legitimate needs of residents for outbuildings, and minimising any adverse impacts outbuildings may have on neighbours, a street, a neighbourhood or locality, of the Shire as a whole.

6.0 REQUIREMENTS

6.1 *Definitions*

For the purpose of this policy an “**Outbuilding**” means;

- (i) An enclosed non habitable structure that is detached from any dwelling (as defined under the Residential Design Codes) or
- (ii) means any Class 10A building under the Building Code of Australia (1996) Volume 2, which is not substantially connected to a dwelling.

An open sided carport is not considered to be an outbuilding.

6.2 *Interpretations*

6.2.1 “**Height**” – the height of the outbuilding is to be measured vertically from the natural ground level, as per the measuring criteria stipulated in the Residential Design Codes, and not the proposed finished floor level of the outbuilding.

6.2.2 “**Reflective materials**” – means any material with the potential to cause glare , reflection or mirroring and shall include factory applied finishes such as zincalume and light colourbond colours such as white and off-white.

6.3 *General Requirements*

6.3.1 The specific policy requirements for the different zones are set out in Table 1.

6.3.2 Outbuildings proposed for vacant Residential, Townsite or Rural Residential lots require Council approval and will generally not be supported unless all relevant approvals for a Single House (Class 1A dwelling) have been obtained. Council may seek the views of adjoining property owners when determining the application.

6.3.3 In respect to outbuildings proposed for Residential, Townsite, or Rural Residential or Rural lots, Council will not allow their use for habitation, commercial or industrial purposes. Written confirmation in the form of a Statutory Declaration or similar may be required of the property owner in making such an application.

6.3.4 In the Residential and Townsite zones, Council may require the use of non-reflective materials if any portion of the outbuilding is visible from a public place or adjacent property, having regard for factors such as visual impact, wall height, screening vegetation, the use of adjacent properties and any other matter that Council considers relevant.

6.3.5 Ablutions are only permitted in an outbuilding where a house exists on the same site.

6.3.6 Where a residential development occurs with an outbuilding attached that portion will be considered a dwelling and the remainder of the building will be considered an outbuilding.

6.3.7 Clause 6.3.6 does not apply where garage or carport is under the main roof of a dwelling and caters for no more than two cars.

TABLE ONE – OUTBUILDING REQUIREMENTS

Zoning	Maximum Wall Height (metres)	Maximum Ridge Height (metres)	Maximum floor area (aggregate)	Special Requirements
Residential & Residential Townsite (Lots <2000m ²)	3.6	4.2	90 m ²	Council may, in special circumstances, consider supporting the erection of no more than two (2) outbuildings with a maximum aggregate of 120m ² where: (i) The lot size exceeds 1000m ² ; and (ii) The outbuildings are not visually prominent as viewed from a street or public place; and (iii) Consultation has occurred with adjacent landowners; and (iv) The building is essential for storage of goods or vehicles that the applicant has demonstrated they own; and (v) The materials are non-reflective; and (vi) The outbuilding will not negatively impact on the amenity of the area.
Residential & Residential Townsite (Lots ≥ 2000m ²)	3.8	4.5	120m ²	(i) Where there is an overlay plan for the future subdivision of an area the outbuilding is to be placed so future setbacks comply with that overlay. (ii) Materials are to be non-reflective.
Rural Residential (Lots less than 3 hectares)	4	4.8	150m ²	Council may, in special circumstances, consider supporting the erection of no more than two (2) outbuildings with a maximum aggregate of 200m ² where: (i) The outbuilding does not result in excessive or unnecessary removal of good quality vegetation; and (ii) (ii) the outbuildings are not visually prominent as viewed from a street or public place (in the opinion of Council); and (iii) The outbuilding can be accommodated in an approved building envelope and complies with the setbacks under the Scheme; and (iv) The building is essential for storage of goods or vehicles that the applicant has demonstrated they own; and (v) The materials are non reflective; and (vi) The outbuilding will not negatively impact on the amenity of the area.

Zoning	Maximum Wall Height (metres)	Maximum Ridge Height (metres)	Maximum floor area (aggregate)	Special Requirements
Rural Residential (Lots greater than 3 hectares)	4.2	5.0	240m ²	<p>Council may, in special circumstances, consider supporting the erection of no more than two (2) outbuildings with a maximum aggregate of 320m² where:</p> <ul style="list-style-type: none"> (i) The outbuilding does not result in (ii) excessive or unnecessary removal of good quality vegetation; and (iii) the outbuildings are not visually prominent as viewed from a street or public place (in the opinion of Council); and (iv) The outbuilding can be accommodated in an approved building envelope and complies with the setbacks under the Scheme; and (v) The building is essential for storage of goods or vehicles that the applicant has demonstrated they own; and (vi) The materials are non reflective; and (vii) The outbuilding will not negatively impact on the amenity of the area.
Rural	N/A	N/A	N/A	<p>Planning approval for outbuildings on Rural land is generally not required however they must comply with the setback requirements under the Scheme;</p> <ul style="list-style-type: none"> • Front / Rear – 20 metres • Side – 10 metres <p>Planning approval is required if the lot does not have constructed road access or is affected by heritage.</p>

6.4 Variations to the Policy

Any variations to the policy will require the applicant to demonstrate exceptional circumstances as to why the policy should be relaxed with the proposal being presented to an Ordinary Meeting of Council for determination. Assessment of the application will require consultation with adjoining and affected landowners.

Council will have regard for matters such as;

1. The visibility of the proposed outbuilding(s) as viewed from a street, public space or neighbouring property;
2. The need for removal of any native vegetation or major trees;
3. Comments for adjacent neighbours/landowners;
4. Preservation of useable on site open space areas;
5. The ability for the outbuilding(s) to be screened by existing or proposed landscaping;
6. Whether support for the application will set an undesirable precedent for similar sized surrounding lots;
7. The impact of the development on streetscape and the character of the area;
8. Any potential for impact on the amenity of the locality;
9. The objectives of the zone;
10. All relevant general matters as set out in Clause 10.2 of the Scheme; and
11. Any other matter considered relevant by the Council.