

Local Planning Policy 7.2 Significant Views

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). This Policy may be cited as Local Planning Policy 7.2 – Significant Views.

2. Purpose

To guide the siting and design of residential development to support an appropriate balance between access to views of significance from existing residential development and the ability to develop land.

3. Application

- 3.1 This policy applies to applications for development approval that require a Design Principle assessment related to access to views of significance, where variations to the Deemed-to-Comply requirements of Building height (clause 5.1.6 in Part B and clause 3.2 in Part C) of the Residential Design Codes Volume 1 (R-Codes) are proposed.
- 3.3 Where this policy is inconsistent with a local development plan, structure plan or other local planning policy that applies to a specific site or area, the provisions of that specific planning instrument shall prevail.

4. Objectives

- 4.1 To achieve a balanced outcome between the ability to develop land and the impact of residential development on the surrounding locality, in particular access to views of significance from existing residential development.
- 4.2 To ensure that where building heights greater than those permitted under the R-Codes are proposed, the location and scale of these portions of development are designed appropriately to maintain reasonable access to views of significance.

5. Development Requirements

5.1 General

- 5.1.1 Access to views of significance shall be considered as part of the design process, to the extent that it is possible to design a dwelling to enjoy the view, but not to the exclusion of others.

- 5.1.2 Development which causes a significant discontinuity to an existing view of significance or interrupts the continuity of a panoramic view may be considered unacceptable.
- 5.1.3 In determining whether it is appropriate to maintain access to views of significance, the City will consider the relative impact of the proposed development having regard to other development which might reasonably be anticipated in the locality. Development that might reasonably be expected to occur in the locality or on the subject site would include a dwelling with a deemed-to-comply building height.

5.2 Applications for Development Approval – Accompanying Material

- 5.2.1 A Viewshed Analysis may be required for proposed development that may impact access to views of significance and shall include the following:
- (a) Identification for each depiction/model as to which location (e.g. affected property and specific room) the view is seen.
 - (b) Depiction/modelling views from all material view sources (e.g. if a view is impacted from one part of a room but maintained from another part of a room).
 - (c) Depiction/modelling that states whether it is from a standing or a seated position.

5.3 Building Height

- 5.3.1 Variations to building heights prescribed in the R-Codes may be considered appropriate where the proposed building height:
- (a) Is consistent with the building heights of existing and adjacent buildings in the locality.
 - (b) Ensures access to views of significance are maintained where appropriate.

5.4 Access to Views of Significance

- 5.4.1 Access to views of significance applies to any affected property's views of significance.
- 5.4.2 The impact on amenity as a result of variations to building height is limited to adjoining properties.
- 5.4.3 In considering whether the impact of access to views of significance is acceptable, the City will consider the impact against the four key factors outlined below:
- 5.4.4 Affected view – Weight given based on the value of the view
- (a) River views are valued more highly than other significant views.
 - (b) Whole views are valued more highly than partial views (e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured).

5.4.5 Viewing point – Weight given based on the reasonableness of protecting the view

- (a) Retention of access to views of significance across front and rear boundaries affords more weight than those over side boundaries.
- (b) Access to views of significance from a standing position will be afforded greater protection than views from a seated position.

5.4.6 View impact – Weight given based on the significance of impact on views

- (a) Impact on access to views of significance is to be considered across the whole property, not just a view which will be impacted by the development.
- (b) The impact on access to views of significance from regularly occupied areas such as living rooms and kitchens is more significant than impact on views from bedrooms or service areas.

5.4.7 Planning framework – Weight given based on the reasonableness of the proposal

- (a) Where an impact on access to views of significance arises as a direct result of an element of the design where discretion is sought, such as setbacks or building height, the City may consider moderate impacts unreasonable.
- (b) Where a design requiring discretion is necessitated to address functionality or site constraints, the City will consider whether the applicant has considered design alternatives that achieve the same development potential and amenity whilst reducing the impact on views.

6. Consultation

- 6.1 If in the opinion of the City, affected properties are likely to have access to views of significance impacted by the proposed development, the affected landowners and occupiers shall be notified in writing of the proposed development for 14 days.
- 6.2 Where no response is received within the time specified from the date of notification, the City may proceed to determine the proposal on its merits and issue a determination.

7. Definitions

Affected property: *means any lot:*

- *on which any dwelling for which provision is made in the R-Codes may be constructed under LPS 7; and*
- *which shares a boundary or portion of a boundary with a lot on which there is a proposed residential development site or is separated from that lot by a right-of-way, vehicle access way, pedestrian access way, access leg of a battleaxe lot or the equivalent not more than 6m in width.*

- Building height:** *means the distance between the point where the base of the wall meets the natural ground level and measured to the highest point of a wall or roof of a building vertically above that point, excluding minor projections.*
- Habitable room:** *means a room/space used for normal domestic activities that includes:*
- *a bedroom, living room, lounge room, music room, sitting room, television room, kitchen, scullery, dining room, sewing room, study, playroom, family room, sunroom, gymnasium, fully enclosed swimming pool or patio;*
- but excludes:*
- *a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes drying room, verandah and unenclosed swimming pool or patio and other spaces of a specialised nature occupied neither frequently nor for extended periods.*
- Minor projection:** *means, in relation to the height of a building: a chimney, vent pipe, aerial or other appurtenance of like scale; in relation to a wall: a rainwater pipe, vent pipe, eaves overhang, cornice or other moulding or decorative feature, provided that the projection does not exceed 0.75m measured horizontally.*
- Natural ground level:** *means the levels on a site which precede the proposed development, excluding any site works unless approved by the decision-maker or established as part of subdivision of the land preceding development.*
- Outdoor living area:** *means the area external to a single house, grouped or multiple dwelling to be used in conjunction with that dwelling such that it is capable of active or passive use and is readily accessible from the dwelling.*
- Significant view:** *means a view to one or more of the following:*
- (a) *Derbarl Yerrigan (the Swan River)*
 - (b) *Djarlgarro Beelier (Canning River)*
 - (c) *Kaarta Gar-up (Kings Park)*
 - (d) *Boorloo (Perth City) skyline*

7. Relevant legislation, policies, documents

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Residential Design Codes Volume 1

City of South Perth Local Planning Scheme No.7

8. Document Control

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