5.3 14-18 IRWIN STREET, CLAYTON – DEVELOPMENT OF 3 STOREY RESIDENTIAL BUILDINGS CONTAINING 101 BEDROOMS (WITHIN 45 UNITS) FOR THE PURPOSE OF STUDENT ACCOMMODATION WITH BASEMENT CAR PARKING

(TPA/37500: MD:RB)
Ward : Oakleigh
Responsible Director: Paul Kearsley
Reason for Council Consideration: Cost $6 Million
Statutory Processing Date : 28 November 2009

Pre-Application: No

RECOMMENDATION

Council having caused notice of planning application No. 37500 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to refuse the application for the planning permit under the provisions of the Monash Planning Scheme in respect of the land known and described as 14-18 Irwin Street, Clayton, for the development of three storey residential buildings containing 101 bedrooms (within 45 units) for the purpose of student accommodation with basement car parking on the following grounds:

1. The proposed development is out of character with the existing development within the streetscape, in particular having regard to excessive mass, bulk and scale.

2. The proposed development does not pay due regard to the Garden City policies within the Monash Planning Scheme particularly given the reduction in front setback and loss of existing vegetation on the site.

3. The proposed development will have an adverse impact on the amenity of nearby properties, in particular with regard to inappropriate visual impact.

4. The proposed number of on site car parking spaces is inadequate.

5. The proposed development is considered to be an overdevelopment of the site.

and directs that the Applicant and each objector be given a notice of the Council’s decision to refuse the permit.
**BACKGROUND**

The subject site is located on the eastern side of Irwin Street, approximately 60 metres north of Dandenong Road, Clayton. The land comprises 3 allotments with a combined frontage to Irwin Street of 45.72 metres, depth of 45.72 metres and overall area of 2,090 square metres. See Attachment 1 for locality plan.

The land slopes approximately 2 metres from the street frontage to the rear of the site and a 1.83 metre easement is located along the rear boundary.

Two single storey and one two storey brick/weatherboard dwellings with associated outbuildings currently occupy the site. A number of trees are scattered throughout the site.

Surrounding development comprises conventional residential development including detached dwellings and one and two storey medium density dwellings.

It is noted that Planning Permit 32889 was issued on 26 May 2006 for the construction of a 3 storey residential building comprising 36 bedrooms for student accommodation on land located at 2-4 Irwin Street. The permit has been extended a number of times and is currently under construction.

**PROPOSAL**

The proposal is for the construction of 45 student accommodation units comprising 101 bedrooms within 4 distinct buildings on the site. The plans submitted with the application show the following (Attachment 2):

- Front boundary setback of buildings is between 6 metres and 6.645 metres.
- Three buildings front Irwin Street and run from west to east across the site. A further 2 storey building is located at the rear of the land.
- Forty five self contained units are located within the buildings on the site comprising 16 one bedroom units, 3 two bedroom units, 25 three bedroom units and 1 four bedroom unit.
- Vehicle access to the basement car park is located along the southern boundary of the site.
- A total of 24 car parking spaces are located within the basement.
- A bin store and communal laundry are also located within the basement.
- A 30,000 litre underground water storage tank is proposed at the rear of the site.
- Generally private open space areas are proposed at ground level for each unit and balconies provided for upper level units apart from the one bedroom units within the development.
- Access from the basement is via stairs into the common courtyard area within the site. A number of stairs then provide access through to each level of the buildings.
The proposed buildings are contemporary in design and materials include brick base, render at first floor and upper level constructed of zinc tapered walls reflecting a dormer type roof.

**POLICY IMPLICATIONS**

The policies relevant to the current application under the provisions of the Monash Planning Scheme include the following:

**State Planning Policy Framework**

Clause 12: Metropolitan Development
This clause gives expression to Melbourne 2030 by providing specific objectives and strategies for Metropolitan Melbourne. Strategies include defining the role and function of activity centres and encouraging a substantial proportion of new housing in or close to activity centres and other redevelopment sites that offer good access to services and transport.

Clause 14.01: Planning for Urban Settlement

Clause 15.12: Energy Efficiency

Clause 16.02: Medium Density Housing
To encourage the development of well-designed medium density housing which:

- Respects the neighbourhood character.
- Improves housing choice.
- Makes better use of existing infrastructure
- Improves energy efficiency of housing.

Clause 18.02: Car parking and Public Transport Access to Development

Clause 18.09: Water supply, sewerage and drainage

Clause 19.03 Design and Built Form

**Local Planning Policy Framework**

Clause 21: Municipal Strategic Statement
A key component of the strategic vision of Monash is to encourage the provision of a variety of housing types to accommodate the changing housing needs and preferences of residents that will also complement and enhance the Garden City Character of Monash.

Clause 21.03-5: Garden City Character
This clause particularly requires that the Garden City Character is to form a central component of land development especially when considering aspects such as setbacks of buildings from roads, public spaces and other buildings, the mass and scale of building envelopes, well designed building facades, canopy tree landscaping and location of car parking and accessways.

Clause 21.04: Residential
New development should be carefully designed and sited to complement the current character and satisfy the intent of the desired future character statement for each character type as identified in the ‘Monash Urban Character Study’. It is recognised that there is a demand for student accommodation around the Monash University precinct. In particular one strategy is to encourage the provision of high quality student accommodation in residential style buildings (in proximity to educational establishments), which minimises potential conflicts with neighbouring uses.

Clause 22.01: Residential Development and Character Policy
The site falls within Residential Character Type B under the Monash Urban Character Study. This area is characterised by the evenly distributed mix of consistently setback post-War single storey weatherboard and brick houses of a common, functional architectural style.

The desired future character statement for new development indicates that this area will, as it develops, retain its modest and unassuming character by ensuring that multi housing developments, including dual occupancies, are appropriate in scale and form to existing dwellings. The built form will be unified by a general consistency in building setback. New dwellings will address the street and complement the scale and form of adjacent buildings. Redevelopments will be single storey unless there is a graduated change in height or on-site trees and large shrubs to soften the transition between buildings.

Clause 22.04: Stormwater Management Policy

Zoning

The subject site is located within a Residential 1 Zone under the provisions of the Monash Planning Scheme. A planning permit is required for the proposed student accommodation.

The proposal is subject to the provisions of Rescode (Clause 55) of the Planning Scheme and an analysis of the proposal against these provisions is contained in Attachment 3.

CONSULTATION

Notification of the application was sent by mail to owners and occupiers of land opposite and adjoining the site. One large notice was also displayed on the land.
Four objections have been received to the proposal. A summary of the objections is as follows:

- The three storey proposal is out of character with the surrounding neighbourhood character which is predominantly single storey.
- The size of the proposal will have a serious impact on the infrastructure and public space.
- An inadequate number of car parking spaces are provided on site for the number of student beds proposed.
- An inadequate number of car parking spaces are provided for visitors who will need to park within Irwin Street.
- The increase in traffic is undesirable as the street is already used by through traffic linking Wellington Road and Dandenong Road.
- It is inappropriate for students to be crossing Wellington Road to reach Monash University and interrupting the flow of traffic.
- Concern with overlooking into neighbouring properties particularly in Arnott Street.

The application was referred to Council’s Drainage and Traffic Engineering Sections for comment. Conditions are required to be placed on any permit issued in respect to drainage however Council’s Traffic Engineers have objected to the proposal on the basis of insufficient car parking. A discussion regarding this matter is contained within the assessment section of the report.

**ASSESSMENT**

The use of the site for student accommodation is consistent with ‘Melbourne 2030’ and State and Local Policies and the provisions of the Municipal Strategic Statement of the Monash Planning Scheme however there are concerns with the specific design of the proposal that cannot be supported and are discussed below.

It is noted that Council adopted ‘A Guide to Student Accommodation in Monash’ at the meeting dated 25 August 2009 (Item 5.1). Development should be designed to achieve the outcomes of the five elements identified within the Guide. Attachment 4 provides an assessment against the Guide.

**Setbacks**

The proposed front setbacks of the buildings vary between 6 metres and 6.5 metres. This is unsatisfactory and does not comply with the prevailing setback of dwellings on the adjoining sites, which equates to approximately 7.3 metres. Setbacks of the existing dwellings on the subject site are even greater, ranging in dimension between around 7.6 metres and over 10 metres. There is an existing carport located closer to the frontage on the central site (setback approximately 3.5 metres) however this is an anomaly within the streetscape and should not be used as justification for a reduced setback.
Accordingly, the proposal does not comply with the setback requirements of the Monash Planning Scheme as indicated in the Schedule to the Residential 1 Zone or under Clause 55.03-1, Standard B6.

Built Form and Neighbourhood Character

The use of 3 distinct building forms fronting the street is considered appropriate as it attempts to reflect the rhythm within the streetscape however the architectural design of the proposal is ‘box’ like and does not respect the neighbourhood character.

The presentation to the street is completely alien to the character of the area even though the upper floors of the buildings are to be constructed of different lightweight materials as compared to the brickwork proposed at ground level.

As previously indicated, the desired future character statement for the area indicates that this area will, as it develops, retain its modest and unassuming character by ensuring that multi housing developments, including dual occupancies, are appropriate in scale and form to existing dwellings.

The proposal fails to meet the above requirements. A graduated change in height is proposed however the design of the buildings does not complement the scale and form of adjacent buildings. Further, there is little ability to soften the transition between buildings on adjoining sites particularly on the southern side of the site where the driveway to the basement directly abuts the southern boundary. This harsh transition is completely contrary to the garden city character requirements of the Monash Planning Scheme. On the northern boundary there is also little ability to soften the building.

In addition, the buildings as they present to the adjoining neighbours along the northern and southern interfaces, show an unbroken built form for approximately 36 metres, which is uncharacteristic of buildings within the area and will be visually intrusive to surrounding neighbours particularly given the ‘box’ like form of the architecture. It is noted that part of the development within the centre of the site is in excess of the 9 metre height limit as specified in Rescode.

The applicant has indicated that a similar development for student accommodation is to be constructed at 2-4 Irwin Street. However, it should be noted that the architectural form of the development proposed at 2-4 Irwin Street is very different in design and the modest third floor is located within the pitched roof form of the building. This particular development presents as 2 two storey dwellings within the streetscape, albeit larger dwellings than would generally be found in the area however more in keeping with surrounding development in comparison to the current application.

There are areas on the layout plan, which have been labelled as common courtyards. These are little more than walkways to gain access to units and serve no meaningful purpose for use as communal open space.
Accordingly, along with reduced setbacks, loss of existing canopy trees and inappropriate built form the proposal is considered to be an overdevelopment of the site.

**Car Parking and Traffic**

A total of 24 car parking spaces are proposed on the site within a basement car park.

The traffic report submitted with the application indicates that the applicant’s preference is for 18 car spaces within the basement and provision of additional bicycle accommodation to be provided. In addition it is stated that ample visitor parking is available on the street network, and there is no need for allocation of any basement spaces for visitors.

Council’s Guide to Student Accommodation recommends a rate of 0.3 spaces per bed for sites within 1500m of Monash University, within which this development lies. Applying this rate to the proposed development of 101 beds requires the provision of 31 spaces. This equates to a deficit of 7 spaces for the current proposal.

It is noted that it was only earlier this year that surveys were undertaken as part of a comprehensive assessment of student accommodation parking for Council’s Student Accommodation Policy.

Accordingly, Council’s Traffic Engineer objects to the proposal as it does not meet the car parking requirement specified under the Student Accommodation Policy.

**Amenity Concerns**

The applicant has proposed the method of using opaque glazing to 1.7 metres high to windows to eliminate overlooking and 1.7 metre high screens to balconies.

However, it is considered that the reliance on the use of these methods within the development is another symptom of overdevelopment.

It is noted that overshadowing complies with Rescode requirements.

**Landscaping**

There are a number of trees on the site however the arborist report submitted with the application indicates that there are no trees of high amenity value on or adjacent to the subject site.

There are however, a number of trees that are located within the front setback of the subject site that have been recommended for retention by the arborist, which have moderate value.
No regard has been paid to the retention of these trees and it is considered that the loss of vegetation further compromises the development.

**CONCLUSION**

Overall, the proposal is considered to be an overdevelopment of the site and out of character with surrounding development. It is recommended that the application be refused.