

# SWAN VALLEY PLANNING SCHEME No.1

## 'Ancillary Dwelling - Rural' Development Policy

### 1. Policy purpose

This policy provides guidance on the provisions of *Swan Valley Planning Scheme No. 1* relating to 'ancillary dwelling - rural' development in the Priority Agriculture and Swan Valley Rural zones to inform proposals and assessment.

The Swan Valley has historically been developed in a traditional rural manner with most lots accommodating a single dwelling and the remainder of the land being used or set aside for agricultural uses and rural pursuits. It is considered important to avoid an over proliferation of residential dwellings/buildings on rural lots as it may impact the traditional rural character of the area by allowing too much residential built form to occur on rural land. This issue was addressed with the implementation of the Swan Valley Planning Scheme No.1 that limits development to one dwelling per lot. The current Scheme and Draft Policy seeks to further protect the traditional rural character by limiting the visual impact of Ancillary Dwellings-Rural in the landscape.

### 2. Policy objectives

The objectives of this policy are to:

- a) Provide guidance on the appropriate design, location and development of 'ancillary dwelling - rural' development;
- b) Encourage quality 'ancillary dwelling - rural' development that contributes to the rural character and amenity of the Swan Valley; and
- c) Ensure a single house on a rural lot remains the predominant character and built form of the Swan Valley by limiting the visibility of ancillary dwellings.

### 3. Legislative framework

This policy is prepared under *Swan Valley Planning Scheme No.1* (the Scheme) and the *Swan Valley Planning Act 2020* (the Act). If there is any inconsistency between the Scheme and the Policy, the Scheme shall prevail.

### 4. Policy scope

This policy applies to proposed 'ancillary dwelling - rural' development in the Priority Agriculture and Swan Valley Rural zones of the Scheme.

This policy does not apply to ancillary dwelling proposals in Rural Residential, Residential and Village zones of the Scheme which may be guided by the State Planning Policy 7.3 Residential Design Codes.

This policy does not apply to holiday accommodation or holiday house proposals as defined under the Scheme.

### 5. Policy statement

- 5.1 An 'ancillary dwelling - rural':
- means one self-contained dwelling with a maximum floor area of 100 m<sup>2</sup> excluding garage space, carports, verandahs and/or patios which is co-located with a single house on a rural lot.*

5.2 An 'ancillary dwelling - rural' development should only be approved where the proposal is consistent with the following:

- a. It is consistent with the Scheme definition for an 'ancillary dwelling - rural' development;
- b. It is proposed on a lot with an existing single house or where a single house is proposed as part of the same application;
- c. A maximum of one 'ancillary dwelling - rural' development per lot in the Priority Agriculture and Swan Valley Rural zones;
- d. The 'ancillary dwelling - rural' development is secondary in terms of its visual impact from the street and compliments the character of the single house on the same lot; and
- e. The 'ancillary dwelling - rural' development does not detract from the rural amenity of the subject lot, surrounding rural properties and the natural environment of the Swan Valley.

### 6. Policy criteria

The following criteria apply to any 'ancillary dwelling - rural' development application.

- 6.1 An 'ancillary dwelling - rural' development should:
- a. Be proposed on a lot with an existing approved or proposed new single house;

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- b. Be a maximum floor area of no more than 100m<sup>2</sup>. The calculation includes the gross total area of all floors including:
- the area of internal/external walls;
  - habitable rooms; and
  - non-habitable spaces/rooms such as laundries, hallways, internal storerooms and bathrooms.

The calculation excludes garages, carports, eaves, verandahs, patios and outdoor living areas.

- c. Garages, carports, verandahs, outbuildings, patios, pergolas, balconies etc. associated with 'ancillary dwelling - rural' development should have a total combined floor area no greater than 50m<sup>2</sup>;
- d. Provide a maximum of one (1) car parking bay/garage/carport located adjacent to, behind or within the development;
- e. Utilise existing services of the single house. Separate electricity, gas, and water meters/connections are not supported;
- f. Utilise existing vehicular access (i.e. driveway and crossover) of the single house;
- A new separate driveway and/or crossover to serve an 'ancillary dwelling - rural' development will not be supported;
- g. Be designed to be visually consistent and complementary with the existing single house (including design, materials and colours);

- h. Not utilise shipping containers or transportable buildings unless modified to be consistent with the rural character of the Swan Valley;
- i. Be either physically attached to the single house or located no more than 20 metres from the single house;
- j. Be behind the existing single house (as viewed from the street frontage) unless it can be demonstrated that the proposed location will not diminish rural character as viewed from any street or public space (e.g. it will not be in a visually prominent location, or it will be screened from public views by existing mature vegetation that will be retained and maintained as part of the proposal);
- k. Be designed and positioned to minimise loss of existing and potential rural, viticultural and horticultural land uses;
- l. Minimise removal of native vegetation and mature trees and be setback to reduce visual impact from waterways and views of landscape features; and
- m. Be included in the total domestic floor footprint calculations for the purpose of site coverage provisions in Schedule 5 of the Scheme.

- 6.2 A development application for a single house on a lot where a single house already exists (i.e. replacing an old house with a new house) may propose the retention of the existing house as an 'ancillary dwelling - rural' development, if it is practicable to modify the

existing single house to satisfy the provisions of the Scheme and this policy (including the maximum floor area), the 'ancillary dwelling - rural' development may be conditionally approved.

- 6.3 The Commission may consider an existing dwelling to be retained as ancillary accommodation in front of a proposed new dwelling where it is considered that the existing dwelling complies with Clause 6.1, with the exception of Clause 6.1(j) of this policy and is reflective of, and does not detract from, the rural character of the locality.
- 6.4 A condition of approval for an 'ancillary dwelling - rural' development may require landscaping with mature planting and/or screening from view from adjacent streets.
- 6.5 Approval and construction of an 'ancillary dwelling - rural' development does not provide an opportunity or justification for subdivision.