



Ordinary Council Meeting 23/11/21

Item 12.1 refers

Attachment 2

Applicant's Cover Letter

Creating opportunities





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19/07/2021
Application No: 366/2021

Proposed change of use to 'Dog Grooming Salon'

Lot 4 (No. 39) Leake Street, Belmont

July 2021

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Document Version Control

Version	Date	Description	Author	Review
1	14/07/21	Initial	JV	BL
2	19/07/21	Minor Revisions	JV	BL

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1.0 Background

1.1 Purpose

This submission has been prepared by Altus Planning on behalf of Cathy Taylor ('the Applicant') to provide justification for the planning application for a change of use to 'Dog Grooming Salon' ('the proposed development' or 'proposal') for Unit 3, 39 Leake Street, Belmont ('the subject premises or 'site').

In accordance with the City of Belmont's ('the City') requirements, the following items are also included with this application:

- Application for Development Approval Form;
- Metropolitan Region Scheme Form 1;
- Change of Use Application Checklist;
- Certificate of Title;
- Site & Floor Plan; and
- Elevations.

The agenda for the Ordinary Council Meeting held on 22 June 2021 suggests that the change of use fee (\$295) will again be waived for the 2021-2022 financial year and as such, no payment will be applicable to this application.

1.2 Property Description & History

The subject site forms part of a commercial development located on the south-eastern corner of the Great Eastern Highway and Leake Street intersection in Belmont. The parent lot measures approximately 2,100m², comprises of five (5) strata units and 25 car parking bays.

The Application is for Unit 3, which is the eastern most unit, and adjoins the Ampol service station site immediately to the east. The site has a total floor area of 108m². Furthermore, the subject premises has been assigned three (3) of the 25 on-site car parking bays for their exclusive use, as well as shared use of the three (3) visitor bays.

In terms of the surrounding area, adjoining the parent lot immediately to the north-east is an Ampol service station, with properties to the north and west on both sides of Great Eastern Highway zoned 'Mixed Use'. These mixed use lots surrounding the subject site include an electrical wholesaler, food outlets, serviced apartments, a used car dealership, Belmont RSL and a hotel. Immediately to the south-east is residential development, which is mostly comprised of R20 density coding.

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An aerial image with cadastral overlay of the subject premises and the immediate locality is provided at Figure 1.



Figure 1: Aerial/cadastral of subject site and surrounds (Source: Landgate Map Viewer Plus 2021)

2.0 Proposal

The Applicant is seeking to obtain planning approval for a change of use of the subject premises to 'Dog Grooming Salon' for the purposes of operating Pink Paws Mobile Dog Washing & Grooming.

Pink Paws Mobile Dog Washing & Grooming is a specialized dog washing and grooming service that offers a mobile service, and the purpose of this Application is to offer an in-house drop off service to its clients.

More specific details of the proposal are set out in the following sections.

2.1 Hours of Operation

The business will operate on an 'appointment only' basis, but will be open for bookings, as per the following hours of operation:

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Day	Operating Hours
Monday	9:00am to 5:00pm
Tuesday	9:00am to 5:00pm
Wednesday	9:00am to 5:00pm
Thursday	9:00am to 5:00pm
Friday	9:00am to 5:00pm
Saturday	9:00am to 5:00pm
Sunday	12:00pm to 4:00pm

With regards to the number of clients seen per day, the Applicant proposes that the business will serve a maximum of 15 dogs on any given day. However, it is envisaged that a maximum of six (6) dogs will be on-site at any one time.

Appointments will be scheduled in such a way that a maximum of two (2) clients will be on-site at any one time.

2.2 Number of Employees

It is proposed that a maximum of two (2) employees will be on-site at any one time.

2.3 Deliveries

No regular deliveries are anticipated other than general stationery and postage, and the delivery of dog shampoo, which is estimated to be approximately once a month via a small commercial vehicle.

2.4 Internal Fit-Out

The proposed internal layout of the subject premises is shown on the enclosed floor plan and includes an entry and reception area, dedicated office, a drying room, kitchenette and staff area, and a grooming area with dog baths installed, alongside some waist height fencing for the dogs to stay while awaiting pickup.

No structural alterations are proposed internally or externally.

2.5 Waste Management

The Applicant submits that due to the scale of the proposed land use, and the type of waste being disposed of (i.e., mostly pet hair and waste matter), the general waste bin supplied by the City will be adequate to accommodate the waste generated by this land use, with the bins collected on a weekly basis, as per the City's bin collection schedule.

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2.6 Signage

The Applicant is also proposing the following external signage as part of this application:

Signage Type/Location	Material	Dimension
1x External Façade Panel (Front Elevation)	Aluminium composite	1,000mm (h) x 4,000mm (w)
2x External Glass Windows (Front Elevation)	Vinyl cut on glass	2,100mm (h) x 1,100mm (w)

3.0 Planning Considerations

3.1 Metropolitan Region Scheme

The subject site is zoned 'Urban' pursuant to the Metropolitan Region Scheme ('MRS') and abuts a 'Primary Regional Roads' reserve, being Great Eastern Highway.

3.2 City of Belmont Local Planning Scheme No. 15

The site is zoned 'Mixed Use' pursuant to the City's Local Planning Scheme No. 15 ('LPS15' or 'Scheme'). The adjoining properties to the north and west are similarly zoned 'Mixed Use', whilst to the south of the site exists a 'Residential' zone with a density coding of 'R20'. The objectives of the 'Mixed Use' zone are as follows:

The Mixed Use Zone is intended to allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents. Buildings should be of a high standard of architectural design set in pleasant garden surrounds with limited vehicular access from properties to primary roads.

LPS15 does not include a suitable land use classification which would include the grooming/washing of animals. As such, the proposal can be assessed as a 'Use Not Listed' pursuant to clause 3.4.2. Under this clause, the proposal is capable of approval, should it be determined that the proposal is consistent with the objectives of the zone. An assessment against the zone objectives is provided below.

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3.2.1 Objectives of the Zone

As stated above, the proposal for the 'Use Not Listed' requires determination that the proposed use is consistent with the objectives for the zone.

The proposal is located within a commercial development that currently consists of a massage parlor, a taxi office, and a veterinary hospital. Given that the scale of these enterprises are similar, and the fact that there is already a land use in this building that offers services specific to domestic animals, it is deemed that the proposal meets the objectives of the 'Mixed Use' zone, insofar that it offers varied land uses which are compatible with one another.

Furthermore, the existing surrounding locality comprises of a petrol station and car dealership, in addition to the subject land abutting a Primary Regional Road. These surrounding land uses and features are high generators of noise and odours. The introduction of a dog grooming salon that is operating within an existing building and during conventional business hours is not considered to generate any noticeable detrimental impacts to the existing amenity of the locality.

It should also be noted that in accordance with Table 1 of LPS15, land use activities such as 'Industry – Light', 'Industry – Service', 'Laundromat', 'Motor Vehicle Repair' and 'Pet Day Care' are capable of approval within this zone, and the proposal is not considered to result in any greater adverse impacts than those uses.

For these reasons above, it is determined that the proposal is consistent with the objectives of the 'Mixed Use' zone, and therefore is capable of approval under clause 3.4.2 of LPS15.

3.2.2 Parking Justification

With the absence of any specific land use classification, there is no provision to assess any minimum parking requirements for this proposal. Under Table 2 of LPS15, any use not specifically listed in the table is subject to a minimum parking provision which is to be determined by the City. Nonetheless, a justification has been prepared that assesses the proposed vehicular movements on any given day against the amount of car parking bays available.

As the proposal will operate with two (2) full time employees, two of the subject premises' three allocated bays will be utilized by these employees. The third bay will be allocated to customer parking, with additional customer/visitor parking possible in the three shared bays. As the proposal operates on an appointment only basis, and clients are not permitted to stay on site during the grooming service, the proposal seeks to only use 1 to 2 bays of the 4 available for clients to drop off, and then pick up their dogs

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anywhere between 60 minutes to 3 hours after. The Applicant submits that these drop off and pick-ups will take no longer than 5 minutes.

Therefore, given the number of allocated and shared bays, the scale of this proposal will not detrimentally affect the surrounding land uses with respect to parking.

3.3 City of Belmont Local Planning Policy No. 12 – Advertisement Signs

The City of Belmont's Local Planning Policy No. 12 - Advertisement Signs ('LPP12') sets out general requirements applicable to all signage applications. An assessment against these requirements is supplied below:

General Signage Requirements	Compliance/Design Response
Advertisement signs shall only advertise services and products available on the premises to which it relates. Third party advertising is not permitted.	The proposed signage is compliant as there is no third-party advertising proposed in this application.
Advertisement signs must be contained wholly within the property boundaries of a lot and shall not overhang or encroach into any reserve (including road reserve).	The proposed signs are to be fixed to the wall and windows, with no protrusion outside of the property boundaries.
Advertisement signs that will or are likely to, cause interference with or be hazardous to vehicular traffic and pedestrians, are prohibited.	The proposed signs will not cause any interference to vehicular traffic and pedestrians, as the proposed signs will sit flush against the wall/window and will not be illuminated.
Street numbering is to be incorporated into advertisement signage, which is clearly visible from the street.	Street numbering will be incorporated into the design of the signage. As the proposed signs face the street, the street number will be clearly visible.
Except where required by Clause 2.5 of this Policy, development approval is not required in the event that the content of an approved advertisement sign is proposed to be changed, subject to the dimensions, location and structure remaining unchanged.	There is no current approved signage for this proposed change of use, therefore an application is required for this signage.
Development within the Mixed Business Zone (Belmont Business Park) is encouraged to incorporate the 'Belmont Business Park' branding.	This site is not located within the mixed business zone, therefore this requirement is not applicable.

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Advertisement signs shall not be located in a manner that unreasonably obstructs view of existing public artwork or murals.	There are no existing public artworks or murals within the immediate locality, therefore there are no compliance issues with obstruction noted.
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Furthermore, LPP12 also sets out requirements for specific sign types. As the proposal is for a 'Wall Sign' and two (2) 'Window Signs', the proposal has been assessed against the specific requirements listed below:

Specific Signage Requirements	Compliance/Design Response
<p>Wall Signs shall:</p> <ul style="list-style-type: none"> a) not extend laterally beyond either end of the wall or protrude above the top of the wall; and b) not cover more than 10% of the façade for each tenancy within a building and/or development site visible from the public realm; or c) where there is an approved signage strategy, not cover more than 25% of a façade within a building and/or development site 	<p>The proposed Wall Sign is compliant as:</p> <ul style="list-style-type: none"> a) The sign is not proposed to extend laterally beyond the end or top of the wall it is proposed to be installed on. b) The proposed sign does not cover more than 10% of the façade for the tenancy that is visible from the public realm. <ul style="list-style-type: none"> i. The façade visible from the public real measures approximately 42m². The proposed wall sign measures at 4m². Therefore, the proposed wall sign covers 9.5% of the façade visible from the public realm. c) There is no signage strategy proposed therefore requirement c) is not relevant to this application.
<p>Window Signs shall:</p> <ul style="list-style-type: none"> a) not cover more than 50% of the total window area per tenancy; b) not obstruct views onto the public realm; and c) not detract from the streetscape. 	<p>The Proposed Window Signs are compliant as:</p> <ul style="list-style-type: none"> a) Less than 50% of the total window area for the tenancy is covered by the proposed signs. <ul style="list-style-type: none"> i. The total window area of the tenancy is 14.08m². The two proposed window signs have

	<p>a combined area of 4.62m². Therefore, the proposed window signs cover 32.8% of the total window area for this tenancy.</p> <p>b) With the signs being visually permeable, views to the public realm are not obstructed.</p> <p>c) The signage is minimal in nature in comparison to other signage in the locality, and does not detract from the existing, primarily commercial streetscape.</p>
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3.4 Planning and Development (Local Planning Schemes) Regulations 2015

Pursuant to regulation 10(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('LPS Regulations'), the provisions in Schedule 2 are deemed provisions that are applicable to all local planning schemes, regardless of whether the provisions are incorporated into the scheme text.

Specifically, clause 67(2) of the Deemed Provisions outline the matters to be given due regard, where relevant, in considering an application for development approval. An assessment of the proposal against these considerations is provided in the following table:

Matter to be Considered	Response
(a) the aims and provisions of the Scheme and any other local planning scheme operating within the Scheme area;	The proposed use is a 'Use Not Listed' under the Scheme and therefore this proposal is able to be approved under the provisions of the scheme, if it is determined that the proposal is consistent with the objectives for the zone. For the reasons stated in this report, the proposal is considered consistent with said objectives and will not adversely impact surrounding users/occupiers, nor prejudice the future use and development of the surrounding area.

<p>(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</p>	<p>As per the above, the proposed use of 'Dog Grooming Salon' is capable of approval within the site's 'Mixed Use' zoning and it is considered that the form and scale of the proposal is in keeping with the relevant zone objective of being compatible with adjoining land uses.</p>
<p>(g) any local planning policy for the Scheme area;</p>	<p>For the reasons outlined in Section 3.3 of this report, it is submitted that the proposal is compliant with LPP12 with respect to signage.</p>
<p>(m) the compatibility of the development with its setting, including —</p> <ul style="list-style-type: none"> (i) the compatibility of the development with the desired future character of its setting; and (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development; 	<p>The proposal is utilizing an existing building with no external alterations.</p> <p>The proposed land use is compatible in this setting, given the noise generated by surrounding businesses, which is further augmented by the fact that these surrounding businesses are of a larger scale. Furthermore, the proposed hours of operation are considered compatible with the surrounding commercial environment.</p>
<p>(n) the amenity of the locality including the following —</p> <ul style="list-style-type: none"> (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development; 	<p>As above, the nature and scale of the proposal within an existing approved building is not anticipated to have any adverse impacts on the users and occupiers of the remainder of the building or the surrounding properties. Specifically given that the operations will be contained indoors and will be undertaken during conventional business hours. Furthermore, a veterinary centre already exists within the complex and therefore the presence of animals is not a foreign element.</p>

	The application has identified that sufficient parking exists on-site to accommodate the scale of the proposal, particularly during the principal hours of operation and acknowledging the appointment only basis on which the proposal will operate. Accordingly, it is not anticipated that the proposal will result in any adverse amenity impacts by way of parking.
(s) the adequacy of – (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, maneuvering and parking of vehicles	The site is currently serviced by 3 on-site car parking bays, plus shared visitor parking bays, which are accessed via Leake Street. No changes to these arrangements are proposed by this application, nor are they considered necessary.
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;	<p>As noted above, at the peak of its operations, the proposal will result in a maximum of 4 persons on-site. Furthermore, the traffic movements associated with the proposal will be less than 10 during the operation's peak hour.</p> <p>The road network and associated parking (both allocated and shared) is considered more than sufficient to accommodate the likely volumes of traffic.</p>

4.0 Conclusion

The Applicant is seeking planning approval for a change of use for the subject premises. This application seeks approval for Unit 3 to be utilized as an 'Dog Grooming Salon' for a maximum of 2 staff and 2 customers at any one time.

As outlined in this report, such a use is a 'Use Not Listed' under the 'Mixed Use' zoning that applies to the land. As such the application is capable of approval if it is deemed to be consistent with the zone objectives. The proposal is considered to meet the applicable objectives of the 'Mixed Use' zoning for the reasons stated within this report. Furthermore, the proposal is considered to be appropriate as it is to occur within an

existing building and will not adversely impact on the surrounding commercial and residential properties.

With the supply of formal, off-street, allocated parking within the site, along with the shared visitor bays, sufficient on-site parking is available to cater for the demands of the proposal.

Accordingly, it is submitted that the proposal is compliant with the relevant planning framework and warrants approval.

We trust that this information is to your satisfaction and welcome the opportunity to review any draft suite of conditions of approval. We otherwise look forward to your prompt and favourable determination.

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