

<b>DEVELOPMENT NO.:</b>	21001488
<b>APPLICANT:</b>	Bradford Homes
<b>ADDRESS:</b>	9 FIRST AV GLENELG EAST SA 5045
<b>NATURE OF DEVELOPMENT:</b>	Two storey detached dwelling and outbuilding in rear yard
<b>ZONING INFORMATION:</b>	<p><b>Zones:</b></p> <ul style="list-style-type: none"> <li>• Established Neighbourhood</li> </ul> <p><b>Overlays:</b></p> <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated)</li> <li>• Affordable Housing</li> <li>• Building Near Airfields</li> <li>• Character Area</li> <li>• Hazards (Flooding - General)</li> <li>• Key Railway Crossings</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Stormwater Management</li> <li>• Traffic Generating Development</li> <li>• Urban Tree Canopy</li> </ul> <p><b>Technical Numeric Variations (TNVs):</b></p> <ul style="list-style-type: none"> <li>• Minimum Frontage</li> <li>• Minimum Site Area</li> <li>• Maximum Building Height (Levels)</li> </ul>
<b>LODGEMENT DATE:</b>	22 March 2021
<b>RELEVANT AUTHORITY:</b>	Assessment panel
<b>PLANNING &amp; DESIGN CODE VERSION:</b>	19 March 2021 2021.2
<b>CATEGORY OF DEVELOPMENT:</b>	Code Assessed - Performance Assessed
<b>NOTIFICATION:</b>	Yes
<b>RECOMMENDING OFFICER:</b>	Dean Spasic Development Officer - Planning

**CONTENTS:**

<b>APPENDIX 1: Relevant P&amp;D Code Policies</b>	<b>ATTACHMENT 2: Representations</b>
<b>ATTACHMENT 1: Application Documents</b>	<b>ATTACHMENT 4: Response to Representations</b>

**DETAILED DESCRIPTION OF PROPOSAL:**

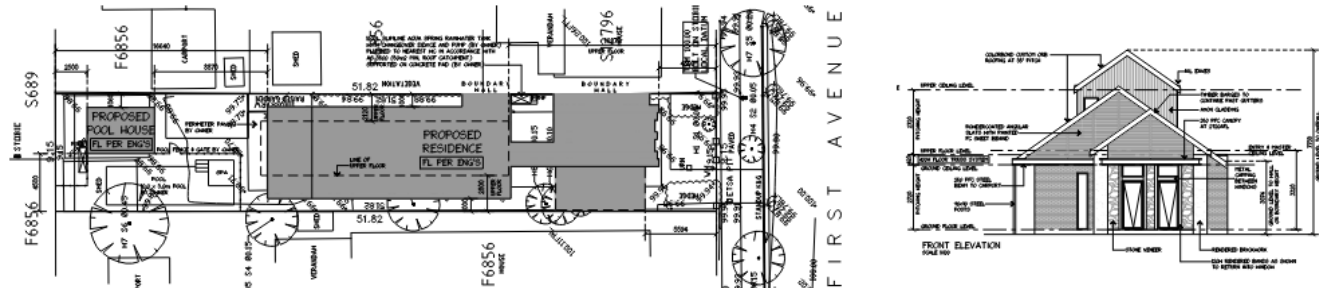
The development comprises the construction of a two storey detached dwelling, with the upper level partially contained within the roof space.

The roof has a high pitch (35 degrees) which is consistent with the pitches found in the locality, as well as providing clearances to accommodate the upper level. The wall height is 3.3 metres and the façade is clad in brick, render and stone, which is consistent with the materials used on nearby buildings.

The upper-level wall sits behind a pair of pitched gables by a distance of 12 metres behind the front of the dwelling, therefore not obvious when viewed from the street.

The carport is attached to the side of the dwelling and an outbuilding is located in the rear yard.

The swimming pool has been lodged as a separate application.



## SUBJECT LAND & LOCALITY:

### Site Description:

**Location reference:** 9 FIRST AV GLENELG EAST SA 5045

**Title ref.:** CT 5124/425 **Plan Parcel:** F6856 AL92 **Council:** CITY OF HOLDFAST BAY

The site is a long rectangular shaped allotment facing east, on an east to west access. The allotment has a frontage of 9.15 metres and a depth of 51.82 square metres with a site area of 474 square metres.

The site contains an existing single storey with vehicle access via a rear driveway. The access over private land of neighbouring allotments and therefore new access cannot be granted over this land.

### Existing Dwelling



### Locality

The immediate locality, which for the purpose of this assessment is best limited to First Avenue, is described as having a heavy mix of older detached dwellings (of which are predominately single storey bungalows) and both one and two storey residential flat buildings and row dwellings. Although the built form is very mixed, the general locality still maintains a visual amenity that is consistent with that of an established neighbourhood (older dwellings, pitched roofs and landscaped front gardens).

**CONSENT TYPE REQUIRED:**

Planning Consent

**CATEGORY OF DEVELOPMENT:**

- **PER ELEMENT**

New housing

Detached dwelling: Code Assessed - Performance Assessed

Outbuilding: Code Assessed – Performance Assessed

- **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- **REASON**

P&D Code

**PUBLIC NOTIFICATION**

- **REASON**

Two storey in single storey zone

**LIST OF REPRESENTATIONS****Jacqueline Green of 11 First Avenue, Glenelg East, which is the southern adjacent property:**

- a. The two-storey building will cause overshadowing;
- b. Noise impact from demolition and construction; and
- c. Health concerns from demolition (dust, asbestos)

**Tara McInerney of unit 6 of 38 Augusta Street, Glenelg North, which is a northern adjacent property:**

- a. Does not want to see the western boundary fence built on the boundary;
- b. Outbuilding will abut her property will make noise; and
- c. Landscaping in front of carport

**Dagmara Nitschke of 16 Fletcher Road, Henley Beach South (owner of northern adjacent unit at 7 First Avenue):**

- a. Construction noise and timeframe

**Chris and Mark Byass of Unit 4,1 Dunbar Terrace, Glenelg East, which is south-west of the subject site, near the tram line**

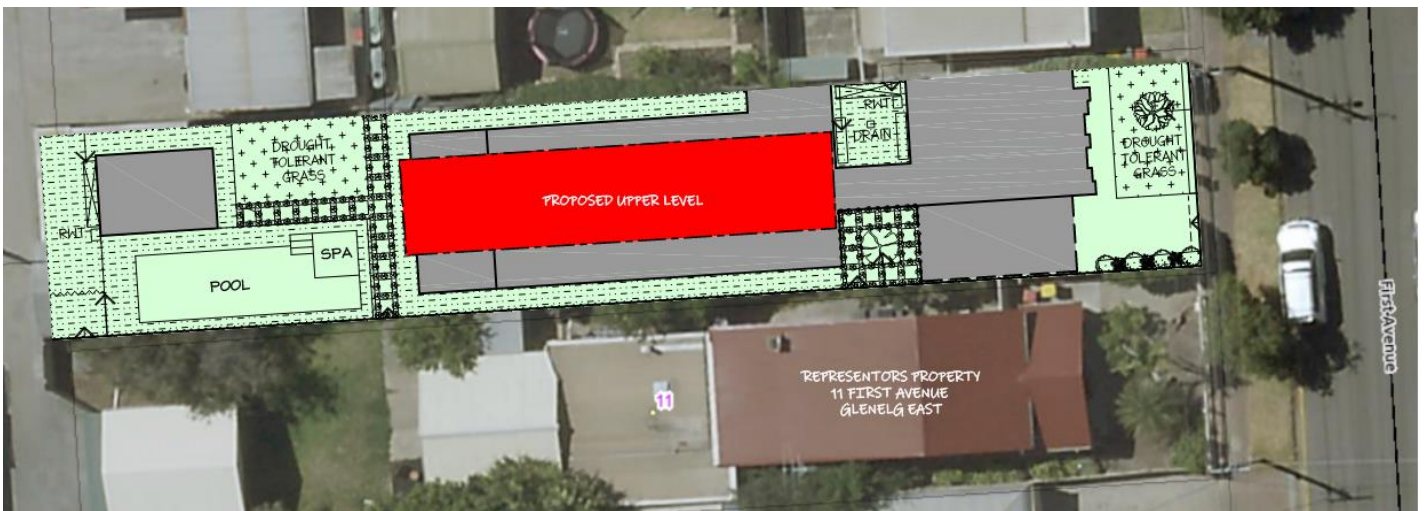
- a. Small allotment;
- b. Large dwelling with swimming pool;
- c. 2 storey;
- d. Overlooking; and
- e. Road is narrow

**SUMMARY**

The applicant has provided a response from Planning Consultant URPS which addresses the issues raised. The proposal satisfies the uppers storey setback required to the southern boundary.

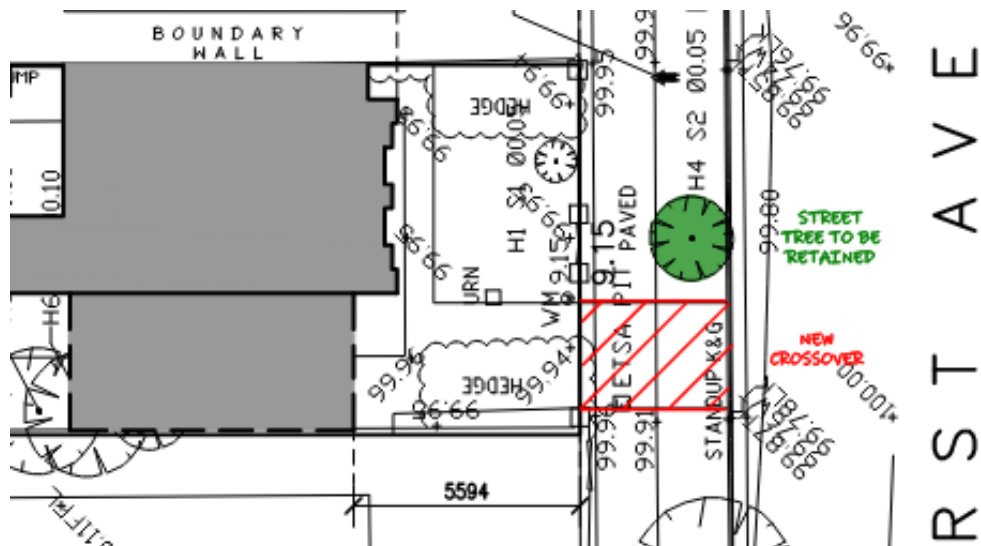
Other issues raised either failed to offer any context as to why the representor was concerned, met the Design Code, or had no relevance to the assessment of the proposal.

Demolition is no longer a matter assessed under the PDI Act and safety matters are addressed by Safe Work SA. Therefore it is considered that the applicant has addressed the concerns raised.



**INTERNAL REFERRALS**

The proposal was referred to Council’s Technical Services area for the consideration of vehicle access and stormwater management. The site works plan demonstrates a satisfactory design for the retention/detention and outflow of water from the site. There is a street tree located 1.4 metres from the proposed crossover, which will be retained. Although the Design Code seeks a minimum clearance of 2 metres from the base of a tree, Council’s Arborist has confirmed the proposed distance is satisfactory. As mentioned, existing access is gained by an informal access driveway at the rear, which requires encroachment over private land without any formal arrangements by way of any right of ways. As the site is being redevelopment, access must be accommodated via an authorised entry point, in this case First Avenue. Given the physical constraints relating to access, the provision of a driveway whilst retaining the street tree is a positive outcome.



## PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

### Glenelg East Character Area Statement

The predominant built form found within the locality is single storey dwellings from the 1900 to 1930s period comprising Federation, Inter-war, some Post-War and Conventional style dwellings. Allotments are typically larger, with large front setbacks and smaller side setbacks. Building design is characterised by:

- Rectilinear plan forms
- Low-scale
- Steep roof pitches in the range of 25 to 35 degrees
- Short roof spans
- Hip and gable roof forms
- Deep verandahs and porches
- Fine grain detail in elements such as plinths, string courses, projecting sills
- High solid to void ratio
- Vertical proportions in windows and doors
- Garages, carports and outbuildings are low in scale and generally located unobtrusively to the rear of dwellings or to the side, well setback from the front façade.

Materials predominately comprise corrugated iron or terracotta tile roofing, brick, sandstone, stucco and part-rendered finishes, timber fascias, barges, windows and doors.

### Design & Appearance

The proposed building is considered to comprise a level of architecture that is complementary to the character of the surrounding locality. The use of pitched roofing, high external walls, vertically proportioned windows and brick, render, stone and colorbond materials are consistent with the buildings referenced in the Glenelg East Character Area Overlay. The building façade is simple and unobtrusive.

### Building Height

As referenced in the summary of the locality, there is a mix of one and two storey buildings in range of building forms (detached, residential flat and row dwellings). The design of the building is such that the upper-level component will be setback 12 metres behind the single level façade and pitched roof, therefore will not present as a conventional two storey building. With that said, the presence of other two storey buildings in the immediate locality are such that the two-storey built form is not considered to be out of character with the nearby built form.

### Boundary Setbacks

Although the building is setback 1 metre forward of the neighbouring buildings, the setback is generally in-line with the neighbouring properties, therefore achieving an appropriate front setback.

The building has a pair of walls located on the northern side boundary. The first section is 2.7 high and has a length of 7.5 metres. The second section has a height of 3.2 and has a length of 3.8 metres. The 3.2 metre high wall is considered reasonable on the grounds that no objections were received from the neighbour, and the overall wall area is far less than what could otherwise be achieved through the Design Code (maximum wall height of 3 metres x a maximum wall length of 11.5 metres). The impacts on the neighbouring property are negligible in that it is located north of the proposed wall and is predominately located to the side of the dwelling.

The carport is located on the southern side boundary with a post height of 2.7 metres and open-sided. It has dimensions that satisfy the Design Code and is adjacent to the bin area of the southern adjacent property, therefore not considered to present any adverse impacts.

The upper-level wall is 5.85 metres high and setback 2.1 metres from the northern side boundary (Design Code minimum is 1.85 metres) and setback 2.8 metres from the southern side boundary (Design Code minimum is 2.85 metres). The upper-level walls are within the parameters as outlined by the Code, which are designed to ensure development is undertaken in a way that reduces visual and overshadowing impacts. It is acknowledged that the Zone discourages two storey built form, however on balance with the presence of several two storey buildings in the immediate locality, as well as the fact the upper level wall is setback a sufficient distance to the southern side boundary, the proposal is considered to be reasonable in the context of solar access.

### **Private Open Space**

There is a total of 180 square metres of private open space in the rear and side yards, therefore well above the minimum of 60 square metres required.

### **Soft Landscaping**

Soft landscaping is calculated at 23 percent of the site area, on which a minimum of 25 percent is sought. The 3 percent shortfall in landscaping has been offset by the applicant demonstrating the planting of 3 trees on the site in lieu of 1. It is noted that the swimming pool equates to 6 percent of the site area.

### **Outbuilding**

The outbuilding is located in the rear yard, 2.5 metres from the rear boundary and 1 metre from the northern side boundary. The building height and siting is consistent with the Design Code parameters.

### **Hazards (Flooding – General)**

The site is located in an areas susceptible to flooding. The applicant's Civil Engineer has determined a finished floor level that is 300mm above the height of a 1 percent of the Annual Exceedance Probability flood event. This is effectively sought to ensure that the development is designed in such a way as to prevent the entry of flood waters during extreme events.

### **CONCLUSION**

The proposal demonstrates a design that satisfies all of the relevant Design Code criteria except for the fact the building has two levels and a shortfall in soft landscaping. As expressed above, both variances are considered negligible in that they have been compensated by good design. Regarding the built form, the upper level is setback 12 metres behind the ground level and hidden behind a gabled roof, notwithstanding the built form in First Avenue and beyond includes conventional two storey buildings. The planting of additional trees in lieu of the 2 percent landscaping shortfall is considered to achieve a better outcome than 25% landscaping, as trees provide for additional amenity such as shade and reduction of heat of the dwelling itself.

### **RECOMMENDATION**

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21001488, by Bradford Homes is Granted Planning Consent subject to the following reasons/conditions/reserved matters:

**CONDITIONS**

## Planning Consent

1. The development granted approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. That landscaping as detailed in the approved plans shall be planted prior to occupation and shall be maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased.
3. That all side and rear upstairs windows shall have minimum window sill heights of 1.5 metres above finished floor level, or any glass below 1.5 metres shall be obscure and fixed shut or as otherwise approved.
4. Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.
5. Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

**ADVISORY NOTES**

## General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

Planning Consent

To be determined

**OFFICER MAKING RECOMMENDATION****Name:** Dean Spasic**Title:** Development Officer - Planning,**Date:** 01/11/2021