

DEVELOPMENT NO.:	24017410
APPLICANT:	Metro Homes SA
ADDRESS:	2A GROSVENOR ST SOMERTON PARK SA 5044
NATURE OF DEVELOPMENT:	Single Storey Detached Dwelling
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • General Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Hazards (Flooding) • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy
LODGEMENT DATE:	14 Jun 2024
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.10 06/06/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Officer - Planning
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 2:	Representations
ATTACHMENT 1:	Application Documents	ATTACHMENT 3:	Response to Representations

DETAILED DESCRIPTION OF PROPOSAL:

The application is for the construction of a two-storey dwelling located at 2A Grosvenor Street Somerton Park.

The dwelling contains three bedrooms, two living areas, amenity areas, an alfresco and double garage. The façade of the dwelling comprises stone face cladding, ornamental mouldings, rendered elements, a bull nose verandah, sheet roofing and a double garage. The dwelling contains two sections of walls located on the northern side boundary finished in face brick. The boundary walls are associated with the garage and the rear alfresco.

The dwelling will gain access via an existing double-width crossover. Landscaping is proposed in both the front and rear yards. Two medium trees will be planted in the front yard. Retaining walls up to 200mm will be established on the southern side boundary of the site to accommodate fill.

SUBJECT LAND & LOCALITY:**Site Description:**

Location reference: 2A GROSVENOR ST SOMERTON PARK SA 5044

Title ref.: CT 5806/579 **Plan Parcel:** F10243 AL624 **Council:** CITY OF HOLDFAST BAY

The site is located in the General Neighbourhood Zone and contains a primary frontage to Grosvenor Street. The width of the allotment is 18.31m and the depth 30.94m resulting in a total site area of 566sqm. There is an existing single-storey detached dwelling with associated ancillary structures located on the site. The land was inspected and no regulated trees were identified. See the image below of the subject land:



Above: Current dwelling located on the subject site



Above: Locality highlighted in red

The locality contains a relatively consistent built form with detached and semi-detached dwellings dominating the landscape. Dwellings heights in the locality are varied up to two storeys. Infill development and two-storey construction are occurring in the locality, particularly along Whyte Street to the north. The majority of dwellings along Grosvenor Street are original with the inclusion of additions and ancillary structures to increase living amenity.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
 Detached dwelling: Code Assessed - Performance Assessed
 New housing
- **OVERALL APPLICATION CATEGORY:**
 Code Assessed - Performance Assessed
- **REASON**
 P&D Code

PUBLIC NOTIFICATION

- **REASON**
 the height of the proposed boundary walls exceed 3m when measured from the top of footings
- **LIST OF REPRESENTATIONS**

Summary of Representors			
Address of Representor	Position	Wish to be heard	Concerns
<i>J Wilkinson of 1/59 Whyte Street, Somerton Park</i>	<i>I do not support the development</i>	<i>Yes</i>	<ul style="list-style-type: none"> - <i>The proposed fencing does not provide adequate privacy.</i> - <i>Clarification that new boundary structures will not result in stormwater run-off from roofing</i> - <i>Representor would like access to the neighbouring property to rectify verandah issues.</i>

- **SUMMARY**
 The applicant responded to the representation as seen in attachment 3. The applicant has advised that the property owner will be arranging a meeting on-site to discuss the issue raised in the representation.

AGENCY REFERRALS

Nil

INTERNAL REFERRALS

Nil

PLANNING ASSESSMENT

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

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One. The application is not seriously at variance with the provisions of the Planning and Design Code as the Desired Outcomes and Performance Outcomes of the General Neighbourhood Zone anticipate residential development as an appropriate form of development.

Quantitative Provisions

	Proposed	DPF Requirement	Achieved
Building Height	One level and 6.85m Wall Height 3.25	2 levels and 9m Wall Height 7m	Yes Yes
Boundary Development	6.93m (garage) 3.59m (alfresco) length or 54% of the total boundary 3.25m height from footing	11.5m and 35% 3m height from footing	Yes 250mm variance
Front Setback	5m metres	Setback of 1 Grosvenor Street Somerton Park – 7m The setback minus 1m – 6m	1m shortfall
Rear Setback	5.67m – lower level	4 metres at ground level	Yes
Side Setbacks	Ground level southern wall 1.28m Ground level northern wall 3.72m	Ground level wall 900mm	Yes
Site Coverage	50% percent	60%	Yes
Private Open Space	175 square metres	60 square metres	Yes
Soft Landscaping	29.7 percent of the site area	25 percent of the site area	Yes
Front Yard Landscaping	50 percent	30 percent	Yes
Tree Planting	2 medium tree	2 small trees or 1 medium tree	Yes

The majority of the Designated Performance Features are satisfied with the exception of the boundary wall height and primary setbacks which will be discussed below.

Primary Setback

The setbacks of the adjoining dwelling to the south, 2 Grosvenor Street, contains a primary setback of 7m to the building line of the dwelling.

The relevant setback policy is shown below:

PO 5.1

Buildings are setback from primary street boundaries to contribute to the existing/emerging pattern of street setbacks in the streetscape.

DTS/DPF 5.1

The building line of a building set back from the primary street boundary:

- a) no more than 1m in front of the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not separated by a public road or a vacant allotment)*

The quantitative setback distance to be satisfied is 6m which is the setback of the neighbouring dwelling to the south minus 1m. The primary setback of the proposed dwelling varies from 5m, 6.4m and 7m. The dwelling has been superimposed over the allotment which indicates where it will lie in context to the dwellings along Grosvenor Road



Above: Primary setback patterns

The western side of Grosvenor Street contains a lack of consistent setback patterns. Number 6 and the two units at 10 Grosvenor Street contain primary setbacks that encroach closer to the street than the proposed dwelling. Further, the northern unit contains a secondary setback that is approximately 900mm to Grosvenor Street.

It is also worth considering that the policy anticipates primary setbacks to be closer to the street as detailed in DPF 5.1 by allowing dwellings 1m of those that adjoin and also PO 5.1 where the reference is made to emerging setbacks. The dwelling as proposed will therefore not be introducing a primary setback that is foreign to the streetscape satisfying PO 5.1.

Boundary Development

A numerical shortfall was noted with respect to the boundary wall height of both garage walls, the percentage of boundary development and also the length of the wall associated with the rear living areas. The relevant Performance Outcome and Performance Feature are shown below:

PO 7.1

Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.

DTS/DPF 7.1

Except where the dwelling is located on a central site within a row dwelling or terrace arrangement, side boundary walls occur only on one side boundary and satisfy (a) or (b) below:

- a) side boundary walls adjoin or abut a boundary wall of a building on adjoining land for the same or lesser length and height*
- b) side boundary walls do not:

 - i. exceed 3m in height from the top of footings*
 - ii. exceed 11.5m in length*
 - iii. when combined with other walls on the boundary of the subject development site, exceed a maximum 45% of the length of the boundary*
 - iv. encroach within 3m of any other existing or proposed boundary walls on the subject land.**

Although the proposed boundary wall height of 3.25 meters exceeds the 3-meter height limit outlined in DPF 7.1 (b)(i), it still satisfies the overarching policy objective of PO 7.1. The intention of PO 7.1 is to manage visual and overshadowing impacts on adjoining properties by limiting the height and length of dwelling boundary walls. In this case, the wall's additional height of 0.25 meters will not result in significant visual or overshadowing detriments to the neighbouring properties.

The boundary wall is positioned adjacent to the verandahs of the adjoining units. These verandahs effectively screen the height of the walls, ensuring that the visual impact remains minimal. From a typical vantage point, it would be challenging to discern whether the wall is compliant at 3 meters or slightly taller at 3.25 meters, thus maintaining the intended visual aesthetics.

Furthermore, the boundary walls will not cast any additional shadows that could affect the private open spaces of the neighbouring properties. The existing verandahs already provide ample shade to these areas, ensuring that the slight increase in wall height does not alter the current shading conditions.

Therefore, the proposed boundary wall height aligns with the policy intent of PO 7.1, as it adequately manages both visual and overshadowing impacts, preserving the amenity of the adjoining properties.

CONCLUSION

The application seeks to construct a single storey dwelling that will assimilate well with the existing built form of the locality. It is noted that components of the dwelling do not align with some assessment provisions of the Planning and Design Code. However, the impacts of the shortfalls are not considered to unreasonably impact the adjoining properties. The dwellings will contain an appropriate appearance to the streetscape and will integrate well with the existing built form in the locality.

RECOMMENDATION

Planning consent

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 24017410, by Metro Homes SA is granted Planning Consent subject to the following conditions:

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.
2. 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.
3. 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).
4. That the finished level of the crossover at the property boundary shall be a minimum of 75mm above the top of kerb in accordance with AS2890.1, and the maximum gradient of the driveway shall not be greater than 5% across the footpath, with the invert profile conforming to AS2876.
5. Furthermore, the footpaths on either side shall be graded to the driveway preventing tripping hazards at this junction, without any steep grades along the footpath.
6. The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.

OFFICER MAKING RECOMMENDATION

Name: Alexander Stamatopoulos

Title: Development Officer - Planning

Date: 15/07/2024