

DEVELOPMENT NO.:	24020211
APPLICANT:	Quartz Building Design
ADDRESS:	156 BRIGHTON RD SOMERTON PARK SA 5044
NATURE OF DEVELOPMENT:	Change of use from residential to consulting rooms
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Housing Diversity Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Minimum Site Area (Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 200 sqm; row dwelling is 200 sqm; group dwelling is 200 sqm; residential flat building is 200 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels) • Maximum Building Height (Metres) (Maximum building height is 9m) • Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 9m; row dwelling is 7m; group dwelling is 7m; residential flat building is 7m)
LODGEMENT DATE:	5 Aug 2024
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.14 1/8/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Officer - Planning
REFERRALS STATUTORY:	Commissioner of Highways
REFERRALS NON-STATUTORY:	Nil

CONTENTS:

APPENDIX 1: **Relevant P&D Code Policies**

ATTACHMENT 1: **Application Documents**

ATTACHMENT 2: Representations**ATTACHMENT 3: Response to Representations****DETAILED DESCRIPTION OF PROPOSAL:**

The proposed development at 156 Brighton Road, Somerton Park, involves the conversion of an existing residential dwelling into consulting rooms for a doctor's surgery. The site plan indicates that the existing carport will be removed to facilitate vehicle access to the rear of the property, and existing crossover to Brighton Road will remain for forward access only. The development will retain the existing street trees, and modifications will be made to the existing brush fence.

The building will be repurposed to accommodate two consulting rooms, a reception area, an office, and staff facilities, with disability access provided through the rear of the premises. There will be no external alterations to the building's façade. The consulting rooms will operate in conjunction with the adjacent property at 154 Brighton Road, which is currently used as a doctor's surgery. The hours of operation are proposed to be from 8:30 AM to 5:00 PM, Monday to Friday, with the practice closed on weekends and public holidays. The maximum occupancy at any one time will include two doctors and one staff member.

SUBJECT LAND & LOCALITY:**Site Description:****Location reference:** 156 BRIGHTON RD SOMERTON PARK SA 5044**Title ref.:** CT 5150/42 **Plan Parcel:** F9181 AL912 **Council:** CITY OF HOLDFAST BAY

The property at 156 Brighton Road, Somerton Park, is a single-story residential dwelling set within a mixed-use area along a major arterial road. The site features a gable-roofed building with masonry construction, positioned towards the western side of the lot. The front yard is modest and contains mature trees that provide some screening from Brighton Road. The eastern portion of the lot is open and largely undeveloped with a grassed area and behind that a rubble surface that has historically been used for car parking.

The property is flanked by 154 Brighton Road to the north, which currently serves as a doctor's surgery, and 158 Brighton Road to the south, a residential flat building. The rear of the site is enclosed by a fence, providing a clear boundary from neighbouring properties. The site retains its residential character, with landscaping and tree cover



contributing to the suburban feel, despite its proximity to a busy road and adjacent commercial uses. Existing access to the site is via crossover from Moore Street over the land of 154 Brighton Road and also via a crossover from Brighton Road.

Above: Aerial view of the subject site



Above: View of the access driveway into the site from Moore Street

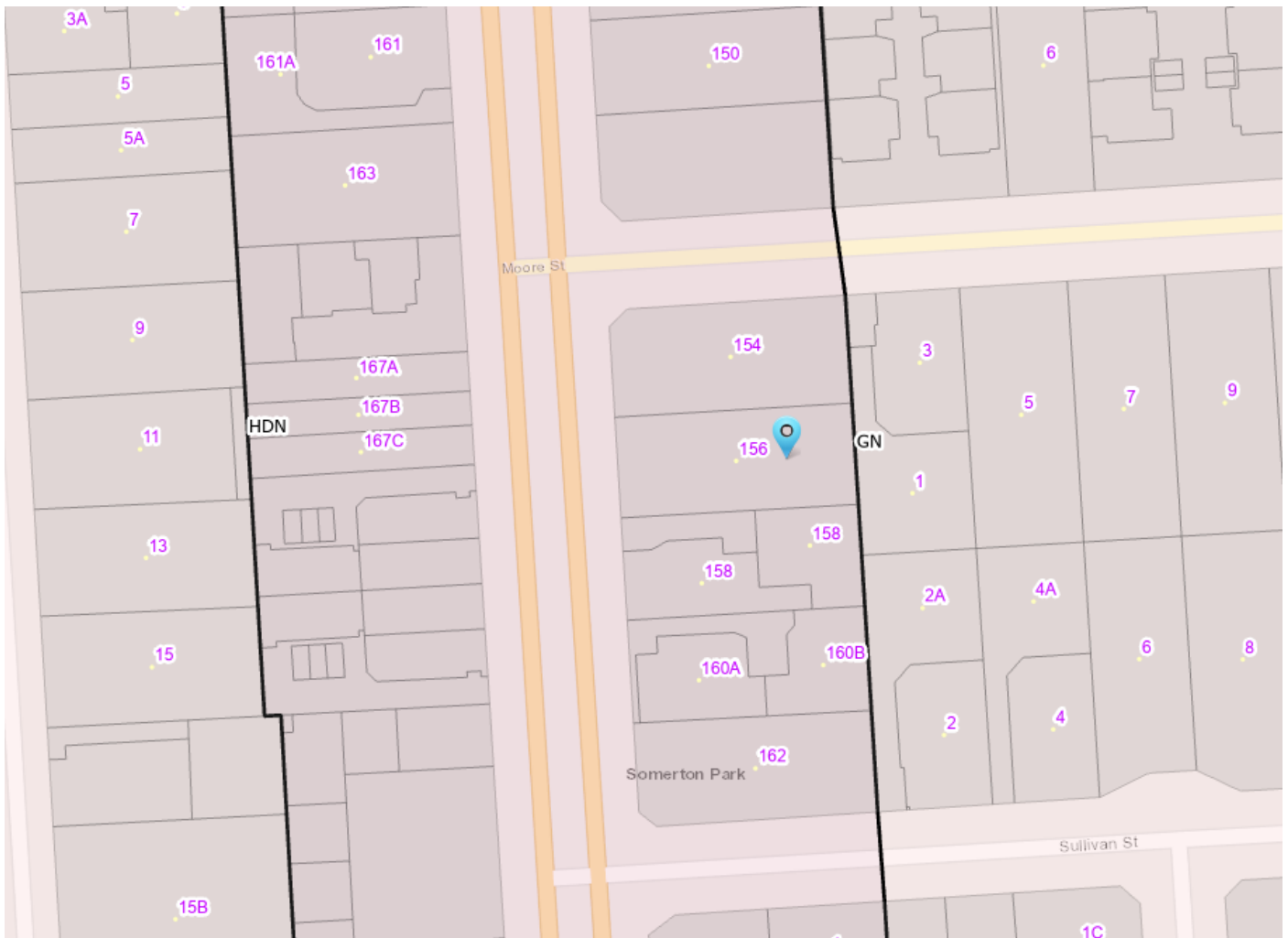
Below: View of the subject site from Brighton Road



The site within a mixed-use area characterised by a blend of residential, commercial, and community land uses. The site is positioned along Brighton Road, a major arterial route, which supports a variety of land uses along its frontage, contributing to the diverse character of the locality.



Above: Locality highlighted in red



Above: Locality showing Zone overlay. HDN: Housing Diversity Zone, GN: General Neighbourhood Zone.

To the immediate north of the subject site is a property at 154 Brighton Road, currently used as a doctor's surgery. Further along Brighton Road, both to the north and south, are a range of commercial and residential properties, including townhouses and single dwellings, reflecting the mixed-density residential character of the area. This mix supports the desired outcome of the Zone for a walkable and convenient neighbourhood, with services and amenities readily accessible to the local community.

Residential properties in the immediate vicinity, particularly to the east along the side streets, are primarily low-density dwellings, contributing to the suburban character of the area. These residential properties are well-buffered from the traffic and activity on Brighton Road by their positioning and the intervening land uses, which include the subject site and similar developments.

The locality benefits from good accessibility, with Brighton Road providing direct routes to major destinations and public transport options. The presence of both residential and non-residential land uses in close proximity supports a dynamic and functional community, where essential services such as healthcare are integrated into the residential fabric without compromising the amenity of the area.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
 Consulting room: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
 Code Assessed - Performance Assessed
- **REASON**
 P&D Code

PUBLIC NOTIFICATION

- **REASON**
 The application does not satisfy Housing Diversity Neighbourhood Zone DTS/DPF 1.2
- **LIST OF REPRESENTATIONS**

Summary of Representors			
Address of Representor	Position	Wish to be heard	Concerns
<i>Jacqueline Ashe of 3 Moore Street Somerton Park</i>	<i>Support the development with some concerns</i>	<i>No</i>	<ul style="list-style-type: none"> - <i>Increased traffic will result as part of the proposal</i> - <i>Concerns regarding the existing medical centre</i>

- **SUMMARY**

The response to the representation regarding the proposed change of use at 156 Brighton Road, Somerton Park addresses concerns raised by a single representation. The response notes that the development will add 12 parking spaces, including an accessible spot, and will feature an exit onto Brighton Road, alleviating concerns about traffic and illegal parking on Moore Street. The issue of a floodlight at 154 Brighton Road has been addressed by the owner, who will monitor the timer. Additionally, the hours of operation will be limited to weekdays from 8:30 am to 5:00 pm, with minimal noise and limited foot traffic, as the consulting rooms will include only two additional rooms. The representation, while raising concerns, ultimately supports the development.

AGENCY REFERRALS

- Commissioner of Highways – No objection subject to conditions.

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.

Question of Seriously at Variance

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 Housing Diversity Neighbourhood Zone anticipates small-scale commercial land uses as an appropriate form of development.

The proposed development is considered not to be seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

Land Use

The proposed development at 156 Brighton Road, Somerton Park, aligns seamlessly with the Desired Outcome (DO 1) and relevant Performance Outcomes (POs) of the Planning and Design Code. The conversion of an existing residential dwelling into consulting rooms for a doctor's surgery introduces a non-residential use that is both compatible with and supportive of the existing residential character of the area. This development directly contributes to creating a convenient, walkable neighbourhood by providing accessible health services within easy reach of the surrounding residential community, thus fulfilling PO 1.1.

PO 1.1

Diverse range of medium density housing and accommodation complemented by a range of compatible non-residential uses supporting an active, convenient, and walkable neighbourhood.

The scale and nature of the proposed consulting rooms are carefully designed to enhance community access to essential health services without undermining the residential amenity, thereby satisfying PO 1.2. The operating hours, limited to standard business hours on weekdays, further ensure minimal disruption to the residential environment. Additionally, the integration of this service within the existing fabric of the neighbourhood enhances the overall accessibility of community services, which aligns with PO 1.3.

PO 1.2

Commercial activities improve community access to services are of a scale and type to maintain residential amenity.

PO 1.3

Non-residential development located and designed to improve community accessibility to services, primarily in the form of:

- a) small-scale commercial uses such as offices, shops and consulting rooms*
- b) community services such as educational facilities, community centres, places of worship, child care facilities and other health and welfare services*
- c) services and facilities ancillary to the function or operation of supported accommodation or retirement facilities*
- d) open space and recreation facilities.*

The proposed development respects and complements the residential character and amenity of the neighbourhood by making no external alterations to the building's façade, maintaining the existing streetscape and minimizing visual impact. This thoughtful approach to design and siting ensures that the non-residential use harmonizes with the surrounding residential area, satisfying PO 1.5.

PO 1.5

Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.

In conclusion, the proposed development contributes positively to the medium-density residential environment, offering essential health services that enhance community convenience and accessibility while preserving the residential character and amenity of the neighbourhood.

Traffic, Access, and Parking

The proposed development at 156 Brighton Road, Somerton Park, provides a total of 12 on-site parking spaces. Two consulting rooms are proposed demanding 8 spaces. The parking spaces provided satisfies the requirements outlined in Table 1 – General Off-Street Car Parking Requirements and subsequently PO 5.1 of the Traffic, Access, and Parking assessment module.

PO 5.1

Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:

- a) availability of on-street car parking*
- b) shared use of other parking areas*
- c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared*
- d) the adaptive reuse of a State or Local Heritage Place.*

Health Related Uses	
Consulting room	4 spaces per consulting room excluding ancillary facilities.

With four parking spaces allocated per consulting room, the total parking provision meets the anticipated demand, ensuring that there is sufficient on-site vehicle parking to accommodate both staff and visitors. Additionally, the site plan includes specifically marked accessible parking spaces, which cater to the needs of all users, thereby fulfilling the intent of PO 5.1 by providing adequate parking that meets the functional demands of the development.

Major Urban Transport Routes Overlay

The proposed development also adheres to the relevant Performance Outcomes of the Major Urban Transport Routes Overlay. The existing access point will remain and vehicles will only be able to exit the site via the proposed driveway and existing access point. This will ensure traffic leaves the site into Brighton Road in a forward direction. This aligns with PO 1.1, as the access design promotes safety and efficiency in traffic movements, reducing any potential congestion or conflicts associated with site access.

PO 1.1

Access is designed to allow safe entry and exit to and from a site to meet the needs of development and minimise traffic flow interference associated with access movements along adjacent State Maintained Roads.

PO 3.1

Existing access points designed to accommodate the type and volume of traffic likely to be generated by the development.

Furthermore, the existing access point can accommodate the expected volume and type of traffic generated by the consulting rooms. Given the nature of the development, which is expected to generate a moderate level of traffic, the current access configuration is more than sufficient to handle the anticipated demand. This consideration ensures compliance with PO 3.1, as the existing access point is adequately designed to manage the traffic flow without compromising safety or efficiency.

Interface Between Land Uses

The consulting rooms represent a low-impact land use, particularly concerning noise. Consulting rooms typically generate minimal noise, especially compared to more intensive non-residential uses, making them compatible with adjacent residential properties. Notwithstanding, the masonry construction of the existing building provides appropriate sound insulation, ensuring that any internal noise generated within the consulting rooms will not transfer to the residential dwellings to the east. The retention of the existing building's façade and the lack of external modifications ensure that the visual and acoustic impact on adjacent properties is minimized, thereby maintaining the existing residential character and avoiding any unnecessary disturbance.

Regarding PO 2.1, the consulting rooms' operation is limited to standard business hours, from 8:30 AM to 5:00 PM, Monday to Friday, which is suitable to adapt with the residential nature of the surrounding area. The hours of operation ensures that there is no unreasonable impact on the amenity of sensitive receivers during evenings or weekends when residential areas typically experience lower noise levels and activity. Moreover, the scale of the development, with only two consulting rooms and a limited number of staff, further reduces the potential for off-site impacts such as noise, traffic, or increased activity.

PO 1.2

Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.

PO 2.1

Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

- a) the nature of the development*
- b) measures to mitigate off-site impacts*
- c) the extent to which the development is desired in the zone*
- d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.*

The proposed development is highly desirable in the Zone, as it introduces a necessary health service that benefits the local community without compromising the amenity of surrounding sensitive receivers. In conclusion, the proposed development at 156 Brighton Road effectively mitigates any potential adverse impacts on adjacent sensitive receivers through its considerate operational parameters, satisfying both PO 1.2 and PO 2.1, and ensuring a harmonious interface between land uses.

CONCLUSION

The proposed development demonstrates a high level of appropriateness within its context, aligning with both the Desired Outcomes and Performance Outcomes of the Planning and Design Code. The conversion of an existing residential dwelling into consulting rooms is a low-impact, compatible use that enhances community access to essential health services without compromising the residential amenity of the area.

The locality, characterised by a mix of residential and commercial properties, supports the introduction of non-residential uses such as consulting rooms, particularly given the proximity to similar developments, including the doctor's surgery at 154 Brighton Road. The site's position along a major arterial route, combined with adequate on-site parking and carefully designed access points, ensures that the development meets the demands of traffic flow and parking without adversely impacting the local road network or neighbouring properties.

Furthermore, the masonry construction of the dwelling provides effective noise insulation, ensuring minimal disturbance to adjacent residential properties, and the restricted hours of operation further mitigate any potential impacts. The proposed development respects the existing character of the area, contributes positively to the local community by providing necessary health services, and adheres to all relevant planning guidelines and outcomes. In conclusion, the application for the change of use at 156 Brighton Road is highly appropriate, balancing the need for community services with the preservation of residential amenity, and enhancing the overall functionality and convenience of the neighbourhood.

RECOMMENDATION

Planning consent

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 24020211, by Quartz Building Design 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 (if any).
2. That the development herein approved shall operate between the hours of 8:30am to 5:00pm Monday to Friday, inclusive unless written approval to vary the times is given by the Council.

Conditions imposed by Commissioner of Highways under Section 122 of the Act

3. All access to/from the development shall be gained in accordance with the Site Plan produced by Quartz Building Design, Revision A, page 1, dated 09/08/2024.

4. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in *AS/NZS 2890.1:2004*, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
5. All vehicles shall exit the site onto Brighton Road in forward direction.
6. All off-street car parking shall be designed in accordance with *AS/NZS 2890.1:2004* and *AS/NZS 2890.6:2022*.
7. Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

OFFICER MAKING RECOMMENDATION

Name: Alexander Stamatopoulos

Title: Development Officer - Planning

Date: 10/09/2024