

DEVELOPMENT NO.:	24018094
APPLICANT:	Heather Kilmartin Maureen Parsons
ADDRESS:	UNIT 2 2 ST LEONARDS CT GLENELG NORTH SA 5045 UNIT 1 2 ST LEONARDS CT GLENELG NORTH SA 5045
NATURE OF DEVELOPMENT:	Single and two storey dwelling additions and a verandah to the rear of each dwelling
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Aircraft Noise Exposure • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Character Area • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Minimum Frontage (Minimum frontage for a detached dwelling is 11m; semi-detached dwelling is 11m; row dwelling is 8m) • Minimum Site Area (Minimum site area for a detached dwelling is 350 sqm; semi-detached dwelling is 300 sqm; row dwelling is 250 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level)
LODGEMENT DATE:	20 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

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APPENDIX 1: Relevant P&D Code Policies

ATTACHMENT 1: Application Plans

DETAILED DESCRIPTION OF PROPOSAL:

The application is for single and two-storey dwelling additions and a verandah to the rear of each dwelling. The lower-level additions comprise of a 600mm extension to the existing garages, new porches and the extension of the existing bay window of dwelling 1. A verandah to each of the units which is ancillary to the dwelling is shown in the rear yards. The lower-level floor plan of each dwelling will be subject to alterations that will better suit the revised layout of the dwelling.

The upper-level addition comprises three bedrooms, a landing area, an ensuite walk in robe, bathroom and balconies. The facade of the dwellings will comprise of stonework, existing face bricks, weatherboard to the upper levels, render and feature gable ends as a feature. The verandah's contain a parapet style built form with cladding that ties in with the façade of the dwelling. The structures are well setback from all boundaries and are of a minor scale.

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

Location reference: UNIT 2 2 ST LEONARDS CT GLENELG NORTH SA 5045

Title ref.: CT 5123/425 **Plan Parcel:** S12412 UN2 **Council:** CITY OF HOLDFAST BAY

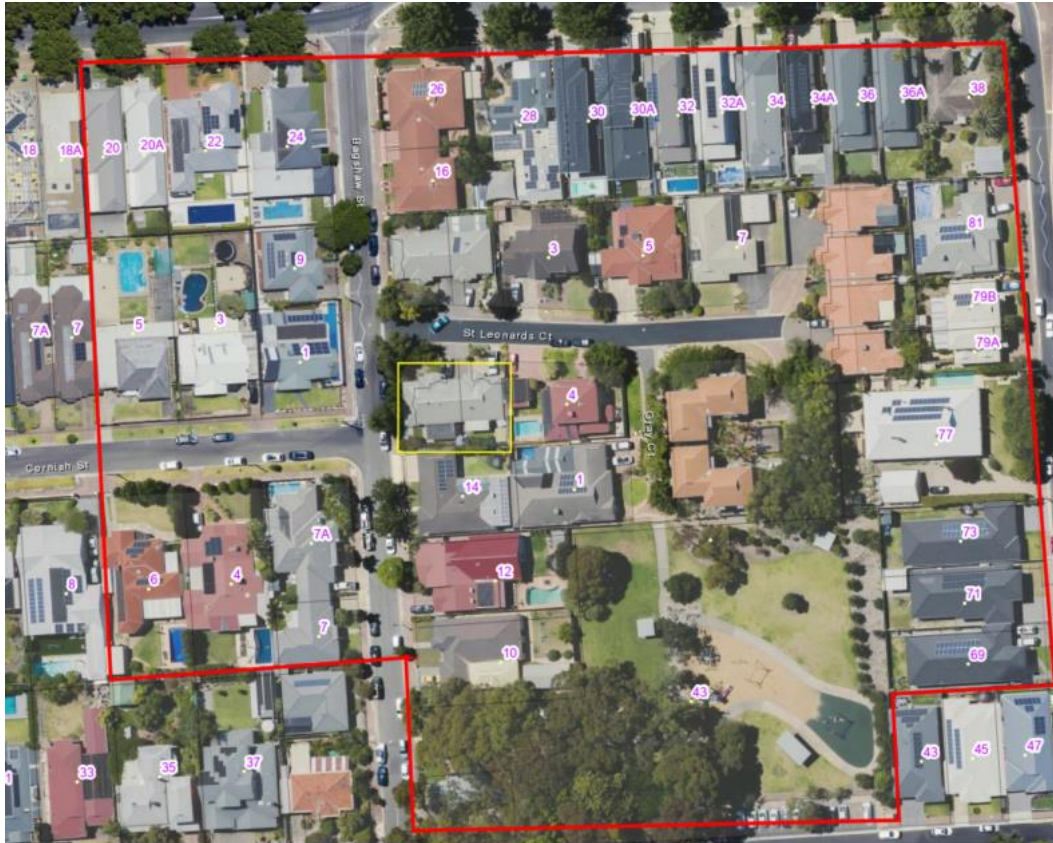
Location reference: UNIT 1 2 ST LEONARDS CT GLENELG NORTH SA 5045

Title ref.: CT 5123/424 **Plan Parcel:** S12412 UN1 **Council:** CITY OF HOLDFAST BAY

The site comprises single-storey semi-detached dwellings. The property is bounded by St Leonards Court on the north side and Bagshaw Street to the western side. Vegetation is present around the property, including trees and shrubs along the front yard and some greenery in the backyard, contributing to the overall aesthetic and providing some degree of privacy. Both dwellings gain access from a crossover established on St Leonards Court. The backyard features a covered verandah area which suggests an outdoor living space for recreational activities. The property is well-maintained and conforms to the typical suburban residential layout, with clear boundaries and landscaping that enhances the visual appeal of the site.



Above: Streetscape image of the subject site



Above: Locality highlighted red and subject site yellow

Below: Locality with zoning overlay



The aerial above shows the Open Space Zone encompassing the Old Gum Tree Reserve shaded green, the Established Neighbourhood Zone surrounding it and the General Neighbourhood Zone to the north of the horizontal black line where the dwellings front Kibby Avenue.

The locality comprises a well-established residential neighborhood. The area is characterised by a mix of single-family homes, many of which have sizable backyards featuring amenities such as swimming pools and solar panels. The streets, such as St Leonards Court and Kibby Avenue, are laid out in a grid pattern, facilitating easy navigation and access. The surrounding streets are lined with mature trees, contributing to the aesthetic appeal and likely offering shade and a sense of tranquillity.

The homes are closely spaced yet retain individual privacy, showcasing a range of architectural styles and roof designs. The presence of the Old Gum Tree reserve to the south of the site adds to the amenity, providing a recreational area for residents. Overall, the locality comprises a well-maintained residential area, with amenities that support a high quality of life for its residents.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
 - Verandah: Code Assessed - Performance Assessed
 - Dwelling addition: Code Assessed - Performance Assessed

Building Alterations: Code Assessed - Performance Assessed
Dwelling alteration or addition

- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
The additions exceed the maximum building height specified in Established Neighbourhood Zone DTS/DPF 4.1
- **LIST OF REPRESENTATIONS**
Nil

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.

Question of Seriously at Variance

The proposed development comprises single and two storey dwelling additions and verandah to the rear of each unit. The site is located in the Established Neighbourhood Zone. Development of this nature is appropriate within the locality as the Zone anticipates residential development as a Desired Outcome.

The proposed development is considered to not 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*.

Quantitative Provisions

	Proposed	DPF Requirement	Achieved
Building Height	2 levels	1 level	No
Rear Setback	Upper level – 6.3m	Upper level – 6m	Yes
Side Setbacks	Upper-level eastern wall – 1.9m	Upper-level wall – 2.1m	Minor 200mm variance
Secondary Setback	2.1m and 3.2m	900mm	Yes
Site Coverage	Dwelling 1 – 42% Dwelling 2 – 50%	50%	Yes

Private Open Space	Dwelling 1 – 83sqm Dwelling 2 – 70sqm	24 square metres	Yes
Soft Landscaping	Dwelling 1 – 19% Dwelling 2 – 18.3%	20 percent of the site area	Minor 1% and 1.7% shortfall

Character Area

The subject land is situated within the Character Area Glenelg North (East of Tapleys Hill Road), as described in the Character Area Statement (HoB-C6). The statement outlines the area's historical character concerning built form. The Glenelg North portion of the policy area is characterised by smaller scale and simplified building forms. The majority of dwellings were constructed between the 1880s and 1920s, are predominantly single storey in height and built on allotments that range in area from 200 to 600 square metres. These dwellings typically comprise semi-detached, small detached and row dwelling forms with small setbacks from the street.

The dwellings in this pocket of the Character Area, particularly on St Leonard's Court, were constructed well after the 1920s. This means that the architectural style, scale, and form of these dwellings do not align with the desired character expressed in the Character Area Statement. The current dwellings do not match the semi-detached, small detached, or row dwelling forms typical of the 1880s-1920s era. Instead, the area features more modern residential styles that deviate from the historical values set by the Character Area Statement.

Leonard's Court has evolved to include a mix of building heights and styles, reflecting more recent development trends. This evolution suggests that the character of this specific pocket of Glenelg North is more aligned with modern residential needs and aesthetics rather than strictly adhering to the original built form which is evident in different parts of the Character Area.

The photos below are of the current built form along St Leonards Court



Top left: 3 St Leonards Court
Bottom Left: 7 St Leonards Court



Top Right: Units 1 and 2v of 1 St Leonards Court
Bottom Right: 5 St Leonards Court





Top left: Units 1 and 2 of 9 St Leonards Court
Bottom Left: Units 3 and 4 of 9 St Leonards Court

Top Right: South eastern corner of Gray and St Leonards Court
Bottom Right: 4 St Leonards Court



The proposed two-storey dwelling additions on the subject land can be justified on the basis that the existing dwellings in St Leonard's Court do not conform to the historical criteria outlined in the Character Area Statement for Glenelg North. Instead, this pocket of the locality features more modern construction, which includes two-storey dwellings. The contemporary character and the presence of similar structures in the immediate vicinity further justify the merits of the application, demonstrating that the two-storey built form is consistent with the existing and evolving character of the area.

Building Height

The application for two-storey dwelling additions to existing single-storey houses within the Established Neighbourhood Zone requires careful consideration of both the Designated Performance Feature (DPF) 4.1 and the Performance Outcome (PO) 4.1. While DPF 4.1 suggests a maximum building height of 1 level, PO 4.1 provides a broader context by emphasizing that buildings should contribute to the prevailing character of the neighbourhood and complement the height of nearby buildings.

PO 4.1

Buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings.

DTS/DPF 4.1

Building height (excluding garages, carports and outbuildings) is no greater than: the following:

<i>Maximum Building Height (Levels)</i>
<i>Maximum building height is 1 level</i>

The immediate presence of two-storey dwellings directly next door and further to the east on St Leonards Court indicates that two-storey structures are already part of the existing built form in the vicinity. These adjacent two-storey dwellings must be recognised as part of the assessment as they demonstrate that the neighbourhood character includes multi-level buildings. Further, the dwelling on the corner of Bagshaw Street and Kibby Avenue contains two-storey construction along with a multitude of two-storey dwellings along Kibby Avenue to the north. The proposed built form is therefore not at odds with the existing character of the area which shows a blend of building heights that the proposed two-storey addition would complement rather than disrupt.

While single-storey dwellings are present, the mix of single and two-storey buildings means that the proposed additions would not introduce an anomalous or incongruent element to the neighbourhood. The built form is evolving, and the inclusion of two-storey buildings contributes to a balanced and varied streetscape.

It is also worth noting that the subject land is located at the fringe of the Established Neighbourhood Zone, adjacent to the General Neighbourhood Zone where two-storey developments are anticipated and more common. This zonal transition naturally supports a mix of building heights, making the proposed two-storey addition a suitable and gradual step towards the built form found in the General Neighbourhood Zone.

Given the presence of two-storey dwellings in the immediate vicinity, the transition to the General Neighbourhood Zone, and the need to harmonize with the prevailing neighbourhood character, the proposed two-storey dwelling additions can be justified as satisfying PO 4.1. The additions will complement the height of nearby buildings and contribute positively to the evolving built form of the area. Therefore, the merits of the application for two-storey development are well-founded and supportable within the context of the local urban fabric.

Aircraft Noise Exposure Overlay

The site falls within the Aircraft Noise Exposure Overlay and must be assessed against the Designated Performance Feature (DPF) 2.1 and the Performance Outcome (PO) 2.1 shown below:

PO 2.1

Additions to buildings involving the addition or extension of habitable rooms are designed and located to minimise aircraft noise intrusion and provide appropriate interior acoustic amenity.

DTS/DPF 2.1

Dwelling additions involving the addition or extension of habitable rooms:

- a) do not result in an increase in the total floor area of the existing dwelling by greater than 50 percent*
- b) do not occur in areas having an ANEF value of 30 or more.*

The dwellings do not contain any noise attenuation measures, however, this is not considered to be detrimental to the living standards of the dwelling. While the proposed additions exceed the 50% increase in total floor area specified in DPF 2.1(a), the critical assessment lies in satisfying PO 2.1, which focuses on minimizing aircraft noise intrusion and ensuring appropriate interior acoustic amenity. The subject site is located in an area with an Australian Noise Exposure Forecast (ANEF) value of 20. ANEF 20 represents the lowest of the aircraft noise exposure ratings, with ANEF 40 being the highest and most restrictive. This indicates that the site experiences relatively low levels of aircraft noise, which is a significant mitigating factor.

If the dwelling additions did not exceed 50% of the existing floor area, they would directly comply with DPF 2.1(a) and also (b) therefore satisfying PO 2.1 without the need for any noise-mitigating building measures. Compliance would imply that such additions are already deemed to not significantly increase the impact of aircraft noise on the interior acoustic amenity, based on established policy thresholds. The transition from an addition within the 50% limit to an addition beyond it is unlikely to cause a substantial change in the noise impact experienced by future occupants. The incremental increase in floor area does not inherently amplify the exposure to aircraft noise, especially given the already low noise level of ANEF 20.

Therefore, the marginal difference in noise impact between additions within and slightly beyond the 50% threshold is minimal, rendering the additions appropriate satisfying PO 2.1.

Soft Landscaping

The assessment against DPF 22.1 of Design In Urban Areas identified shortfalls regarding the total percentage of landscaping on each site. Dwelling 1 contains a total area of soft landscaping equalling 19% of the site and Dwelling 2 18.3%.

PO 22.1

Soft landscaping is incorporated into development to:

- a) minimise heat absorption and reflection*
- b) contribute shade and shelter*
- c) provide for stormwater infiltration and biodiversity*
- d) enhance the appearance of land and streetscapes.*

DTS/DPF 22.1

Residential development incorporates soft landscaping with a minimum dimension of 700mm provided in accordance with (a) and (b):

- (a) a total area for the entire development site, including any common property, as determined by the following table:

Site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site
<150	10%
150-200	15%
>200-450	20%
>450	25%

The landscaping plans for Dwellings 1 and 2, while containing shortfalls in the total soft landscaping area (19% and 18.3%, respectively, against the anticipated 20%), demonstrate compliance with PO 22.1 by incorporating effective landscaping strategies that address the relevant outcomes.

The selected tree species, including *Ficus 'Flash'* and *Magnolia grandiflora 'Teddy Bear'*, are well-suited to providing shade, which helps reduce heat absorption from hard surfaces like pavements and walls. This soft landscaping will reduce the urban heat island effect. The use of trees such as the *Pyrus calleryana 'Capital'* and *Lagerstroemia 'Zumi'* ensures that both dwellings benefit from shaded areas, promoting cooler microclimates. The inclusion of screening plants like *Syzygium 'Pinnacle'* adds additional shelter for privacy and protection from wind.

The mix of understory plants, including *Lomandra longifolia* and *Dianella revoluta*, enhances the capacity for stormwater infiltration by stabilising the soil and improving permeability. These species also attract pollinators, contributing to local biodiversity. The diverse selection of trees, screening plants, and understory species provides visual interest through varied textures and colours. This elevates the aesthetic value of both the site and surrounding streetscapes, ensuring the development remains attractive.

Although the landscaping area is slightly below 20%, the quality and functionality of the proposed landscaping still meet the intent of PO 22.1, as it addresses critical aspects such as heat mitigation, environmental benefits, and visual enhancement

Side Setbacks

Regarding the eastern upper-level side setback of dwelling 2, a shortfall was noted against DPF 8.1(b)(ii) which relative to the wall height being 6.7m at its peak, a 2.1m side setback is anticipated by the policy where 1.9m is proposed.

PO 8.1

Buildings are set back from side boundaries to provide:

- a) *separation between buildings in a way that complements the established character of the locality*
- b) *access to natural light and ventilation for neighbours.*

DTS/DPF 8.1

Other than walls located on a side boundary in accordance with Established Neighbourhood Zone DTS/DPF 7.1, building walls are set back from the side boundary:

- a) *no less than:*
- b) *in all other cases (i.e., there is a blank field), then:*
 - (ii) *for a wall that is not south facing and the wall height exceeds 3m measured from the lower of natural or finished ground level - at least 900mm from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the lower of natural or finished ground level*

The shortfall in primary setback has arisen due to the design of the eastern side wall. The wall contains a gable end where the height of the wall is taken at the highest point of the gable. The majority of the wall below the highest point that contributes to the overall bulk of the structure is of a height, 6.1m, where the proposed 1.9m setback satisfies DPF 8.1(ii).

Further, much of the addition-built form is adjacent to the garage of the eastern neighbouring property where impacts are considered to be negligible. The site benefits from the orientation being north-south ensuring no unreasonable overshadowing will be cast to the eastern neighbouring property. Further, the 200mm shortfall is not substantial enough to render the separation of the addition wall to be at odds with the established character of the locality. Therefore, PO 8.1 is satisfied.

CONCLUSION

The application seeks to construct additions to the existing dwellings that will assimilate well with the existing built form of the locality. It is noted that the two-storey nature of the development is contrary to the intent of both the Zone and the Character Area Overlay. However, when determining the merits of the application in context with the established built form of the immediate locality and policies regard to referencing the prevailing character the two-storey nature of the additions are appropriate for the site.

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 24018094, by Heather Kilmartin and Maureen Parsons 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 all upstairs windows, other than facing the street, 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 and be installed prior to occupation of the dwelling.
3. The stormwater disposal system shall cater for a 5 year rainfall event with discharge to the street not to exceed 10 litres per second. Any excess above this flow is to be detained on-site. All stormwater collected on the site must only be discharged to the street and not on to any adjacent properties

OFFICER MAKING RECOMMENDATION

Name: Alexander Stamatopoulos
Title: Development Officer - Planning
Date: 27/08/2024