

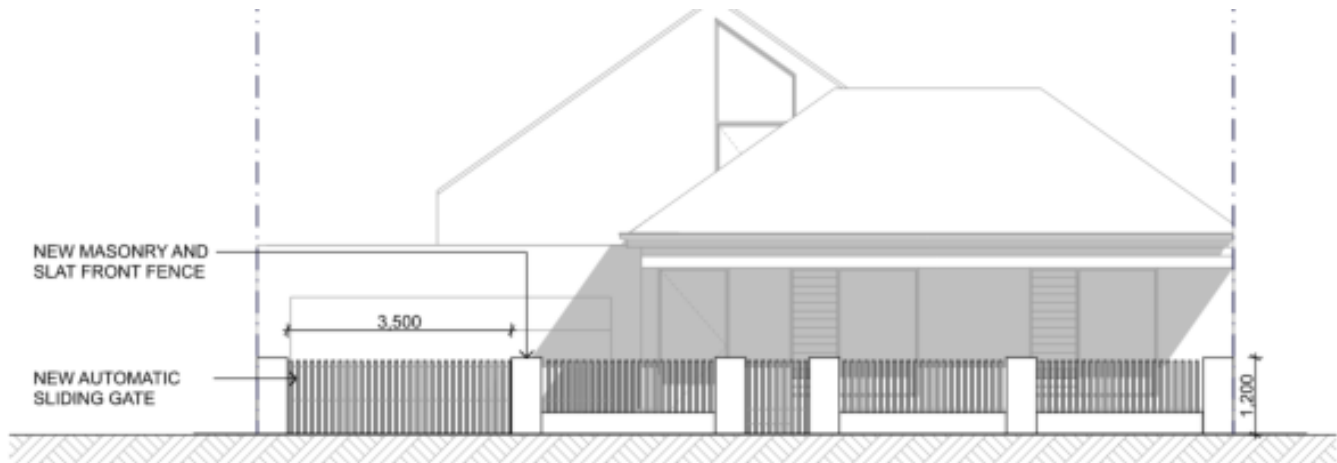
DEVELOPMENT NO.:	21028015
APPLICANT:	LISA FISHER
ADDRESS:	23 MALCOLM ST GLENELG EAST SA 5045
NATURE OF DEVELOPMENT:	Two storey detached dwelling and swimming pool
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Character Area • Hazards (Flooding - General) • 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 Frontage • Minimum Site Area • Maximum Building Height (Levels)
LODGEMENT DATE:	6 Nov 2021
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

CONTENTS:

APPENDIX 1: Relevant P&D Code Policies
ATTACHMENT 1: Application Documents

DETAILED DESCRIPTION OF PROPOSAL:

The proposal comprises the construction of a two storey detached dwelling, with the upper level contained within the roof space, a front fence and swimming pool. The dwelling is designed with a pitched hipped roof, brick walls with plinth, vertically proportioned openings, high solid to void ratio and rendered flat roof carport attached to the side.



SUBJECT LAND & LOCALITY:

Site Description:

The subject site is a large, traditional sized allotment of 740 square metres, containing an art deco building.



Existing dwelling

Location reference: 23 MALCOLM ST GLENELG EAST SA 5045

Title ref.: CT 5640/355 **Plan Parcel:** D3258 AL195 **Council:** CITY OF HOLDFAST BAY

Locality

The locality comprises older housing stock, typically in the form of single storey bungalows with high roof pitches, stone, brick or rendered facades, high solid to void ratio and well landscaped front gardens.

The subject locality is within an established neighbourhood, within a character overlay. The built form along Malcolm Avenue is predominately Tudor and Bungalow.

The character area is known as the Glenelg East Character Area, which is defined by housing stock from the 1900s to 1930s, characterised by Federation style, Inter-War including Tudor Revival, Californian Bungalow, Art Deco, Spanish Mission and some Post-War Austerity and Conventional style dwellings.

It is common for buildings to comprise a high degree of modulation and articulation, low scale, steep roof pitches, short roof spans, hip and gable roof forms, fine grain detailing, high solid to void ratio, vertical proportions to openings and low scale garages and carports.

Materials are typically terracotta roof tiling, brick, sandstone, and stucco and part rendered finishes and timber joinery.

The character is also defined by predominately single storey buildings, although it is noted that there are a number of two storey examples in the immediate locality, as per the map below:



Locality Map

It is noted that there are a number of two storey dwellings within the nearby locality, as demonstrated in the above locality map, marked with a pink circle, therefore the proposal is not out of character in terms of building levels.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** Swimming pool, spa pool or associated safety features: Code Assessed - Performance Assessed
New housing
Demolition
Carport or garage
Solar panels
Detached dwelling: Code Assessed - Performance Assessed
Demolition: Code Assessed - Performance Assessed
Carport: Code Assessed - Performance Assessed
Solar photovoltaic panels (roof mounted): Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
Two building levels in single level Zone

No representations received.

PLANNING ASSESSMENT

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

Design & Appearance

The building has been designed in such a way that reflects a contemporary dwelling, however it contains numerous design elements that takes built form characteristics typically found within the nearby locality, and specifically from bungalows.

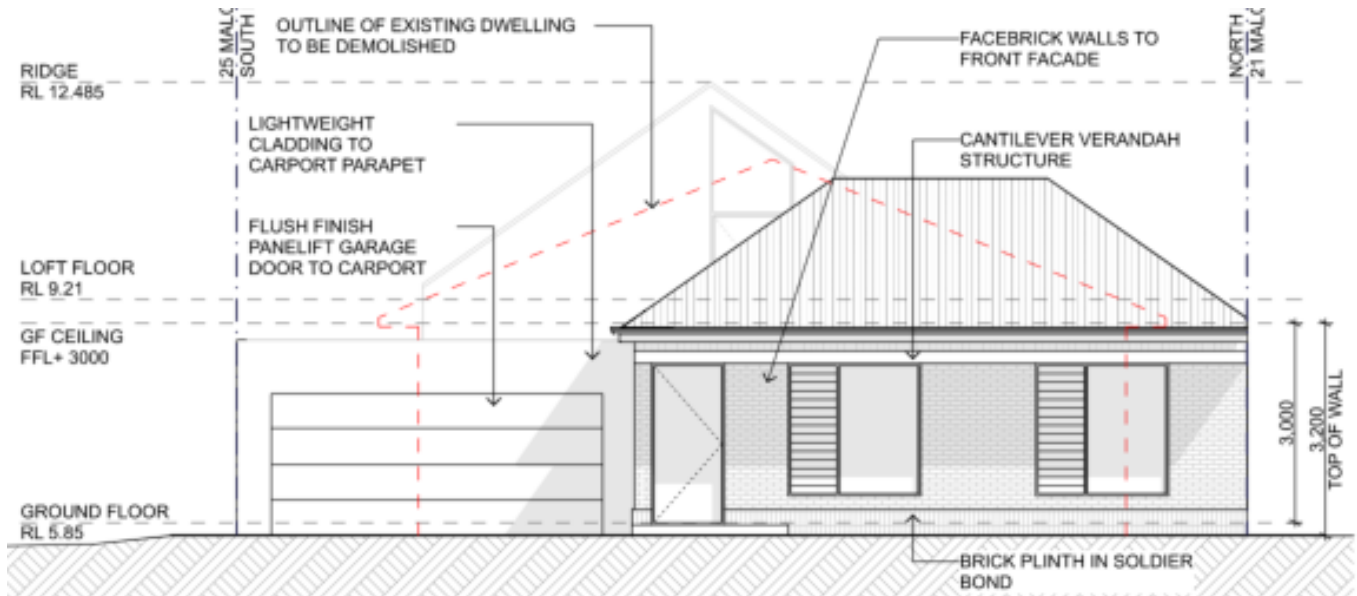
The hipped roof has a 35 degree pitch, and the roofing containing the upper level further behind, presents a gable end to the streetscape. The walls are a simple form comprising brick work, which incorporates a brick plinth at the base. Openings are vertically proportioned, there is a high solid to void ratio and there is a simple, flat front porch roof over the entry. The carport has a flat roof and rendered façade, with panel lift door, which is visually separated from the main dwelling, and therefore contributes to the main dwelling being the prominent visual element presenting to the streetscape.

Building Height

The Zone references a maximum building height of 1 level. The building has been designed in such a way that the upper level is contained within the roof space, therefore there are no vertical walls reflective of a conventional two storey dwelling. Design Code Performance Outcome 4.1 states

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

It is considered that the proposal reflects a building design that is complementary to the predominant built form found in the surrounding locality, particularly as the front section of the building is single storey in form, and the upper level is contained within a 35 degree pitched roof, which effectively presents as an 'in-roof' two storey, thus maintaining an overall building form that presents as single storey.



Boundary setbacks

The front of the dwelling is setback 8.2 metres from the primary street setback, with the garage setback 9.5 metres. The neighbouring sites have setbacks of 2.5 and 6.5 metres, therefore the proposed setback is setback further, however it is noted that the street setback pattern is varied, hence the proposed setback does not appear out of context with the setback pattern in the locality.

The northern side wall is located on the northern side boundary with a wall height of 3 metres and length of 6.1 metres. The remaining northern wall is setback 1 metre+. The proposed siting satisfies the Design Code, which allows for a boundary wall height of 3.2 metres over a length of 8 metres.

The southern wall is setback 2.45 metres+ from the southern side boundary. The carport is only 2.7 metres high, flat roofed, open sided and located on the southern side boundary over a length of 7 metres.

Although the building presents as boundary-to-boundary, it does in fact satisfy Performance Outcome 7.1 'Boundary Walls' in that only one building wall is on a boundary (the northern boundary). The carport is open-sided and therefore boundary walls occur on only one side. The Performance Outcome itself does not specifically reference avoiding the appearance of boundary-to-boundary development. Nonetheless, the landscape plan demonstrates plantings along the northern side in the front yard, which will contribute to obstructing the general view of the boundary wall on the northern side.

The building is setback 13.8 metres+ from the rear boundary.

The proposal satisfies all boundary setback parameters identified in the Design Code.

Site Coverage

The proposal covers 46 percent of the site, which is within the maximum allowance of 50 percent, as per Performance Outcome 3.1 which seeks building footprints that are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.

Private Open Space

There is 250 square metres of private open space provided to the side and rear of the dwelling, which is well above the minimum of 60 square metres required by the Design Code, in order to meet Performance Outcomes 21.1 and 21.2, which aim to achieve suitable sized areas of usable and conveniently access from living areas in order to meet the likely occupant needs.

Landscaping

Up to 223 square metres of landscaping is proposed throughout the site, which equates to 30 percent of the site area and therefore above the minimum requirement of 25 percent of the site area. The landscape plan also identifies numerous locations in the front and rear yards for the planting of trees.

Performance Outcome 22.1 of the Design Code requires the provision of soft landscaping to minimise heat absorption and reflection, contribute to shade and shelter, provide stormwater infiltration and biodiversity and enhance the appearance of land and streetscapes.



Front Fence

The proposed front fence comprises a design that is sympathetic to the proposed dwelling and surrounding built form character.

Swimming Pool

The swimming pool does not present any planning issues and a condition of planning consent is included to ensure the decibel levels do not exceed 45 when measured at the property boundary.

CONCLUSION

The proposed development effectively satisfies all Design Code provisions, except for the reference to a maximum of 1 building level, which as expressed above, is considered to be insignificant in the overall merits of the proposal.

The proposed dwelling reflects good architectural design that is sympathetic to the character of the locality, and exceeds many quantitative provisions such as site coverage, private open space and soft landscaping.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

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

1. Development Application Number 21028015, by Lisa Fisher 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 all upstairs windows on side and rear elevations 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.
3. That landscaping as detailed in the approved plans shall be planted within 12 months of completion 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.
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).
6. That the associated filter pump must be enclosed in such a way that noise levels do not exceed 45db(a) measured at adjoining property boundaries.

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. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. 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).

OFFICER MAKING RECOMMENDATION

Name: Dean Spasic

Title: Development Officer - Planning,

Date: 03/05/2022