

DEVELOPMENT NO.:	22007631
APPLICANT:	Remy DuBois
ADDRESS:	21 Old Beach Road, Brighton SA 5048
NATURE OF DEVELOPMENT:	Alterations and single storey additions to rear of Local Heritage place, verandah, swimming pool and outbuilding in rear yard
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 • Hazards (Flooding - General) • Local Heritage Place • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) • Minimum Frontage • Minimum Site Area • Maximum Building Height (Levels)
LODGEMENT DATE:	11 Mar 2022
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	7 March 2022 2022.4
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning
REFERRALS NON-STATUTORY:	Council's Heritage Architect

CONTENTS:

APPENDIX 1: Relevant P&D Code Policies

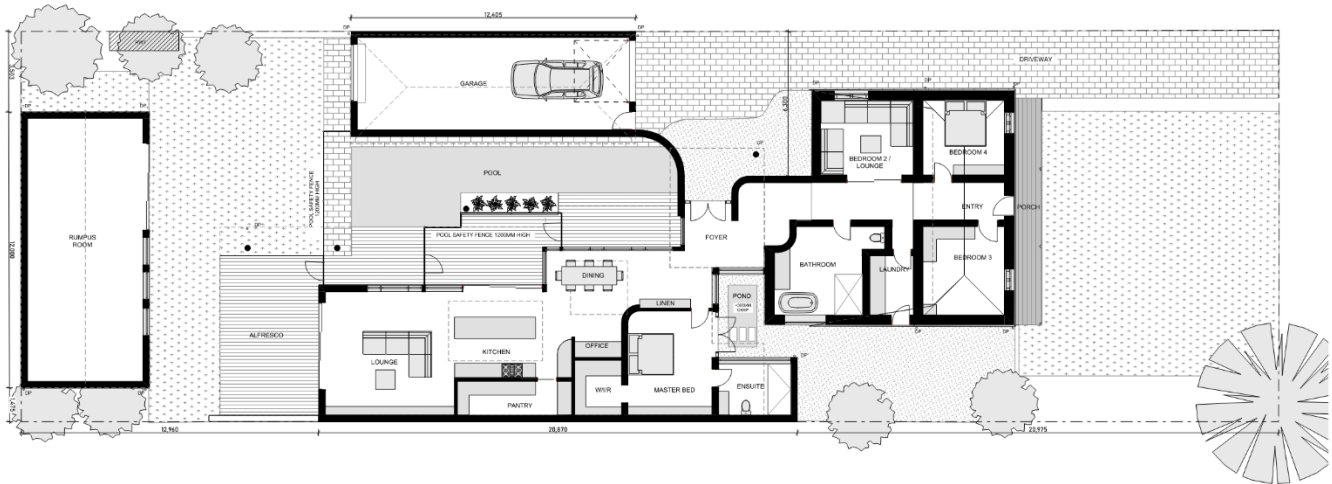
ATTACHMENT 2: Heritage Advice

ATTACHMENT 1: Application Documents

DETAILED DESCRIPTION OF PROPOSAL:

The proposal comprises some repair work and minor alterations to the side and rear of an existing Local Heritage Place (1840s cottage). The alterations are limited to openings and provision of doors and windows, as highlighted further in the report.

The proposal also comprises an addition to the rear of the Local Heritage Place, as well as a freestanding garage, habitable outbuilding, verandahs and swimming pool.



SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 21 OLD BEACH RD BRIGHTON SA 5048

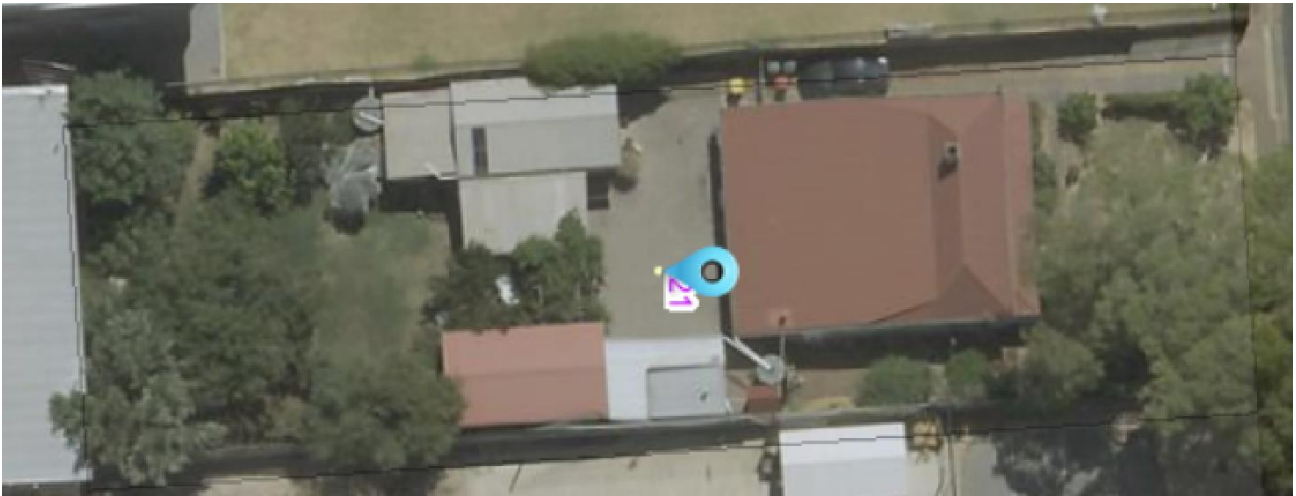
Title ref.: CT 5396/852 **Plan Parcel:** F20754 AL151 **Council:** CITY OF HOLDFAST BAY

The subject site is a rectangular shaped allotment with a frontage of 17 metres and depth of 54.80 metres, therefore a site area of 931 square metres. The site is in a unique setting where it is surrounded by an educational facility to the rear and both sides. To the eastern and western side is a recreational space, and to the south is a series of two storey non-residential buildings.

The site contains a small Local Heritage Building with a floor area of only 120 square metres. The building is an 1840s cottage, and therefore one of the earliest surviving cottages in the area. It is representative of the early settlement and establishment of Brighton and provides and insight into living accommodation for early settlers.

There have been some changes to the cottage over time including rendering of walls and additions at the rear, as well as a slight modification to the verandah, however much of the early form and fabric of the cottage survives.

The outbuildings and garaging on the site are not included in the heritage listing.



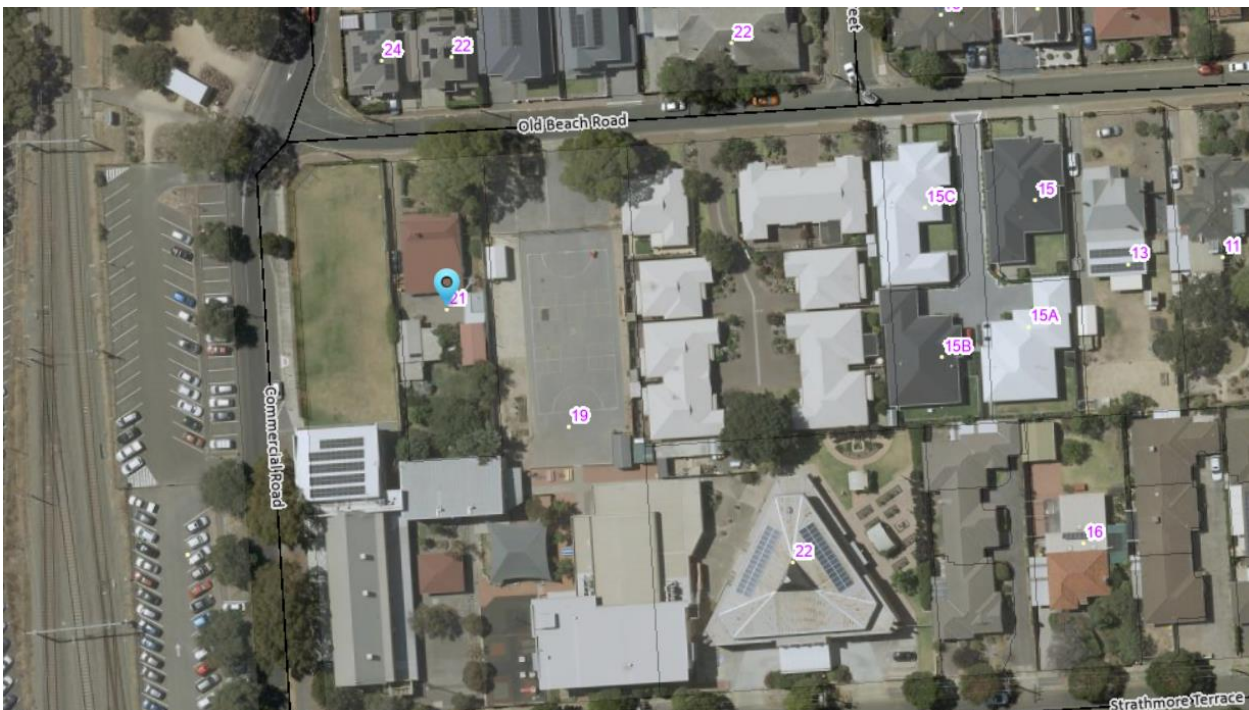
Subject Site – Existing

Locality

The locality is defined as a mix of predominately residential properties, however to the west, east and south is the 'Tutti Arts School' as well as the 'Brighton Catholic Parish' to the south.

Some 280 metres east is the Brighton Road district, which accommodates a number of uses such as offices, consulting rooms and shops.

Some 60 metres west of the site is the Brighton Railway line.



Locality Map

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** Outbuilding: Code Assessed - Performance Assessed
Dwelling addition: Code Assessed - Performance Assessed
Internal building work: Code Assessed - Performance Assessed
Dwelling alteration or addition
Swimming pool, spa pool or associated
safety features: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

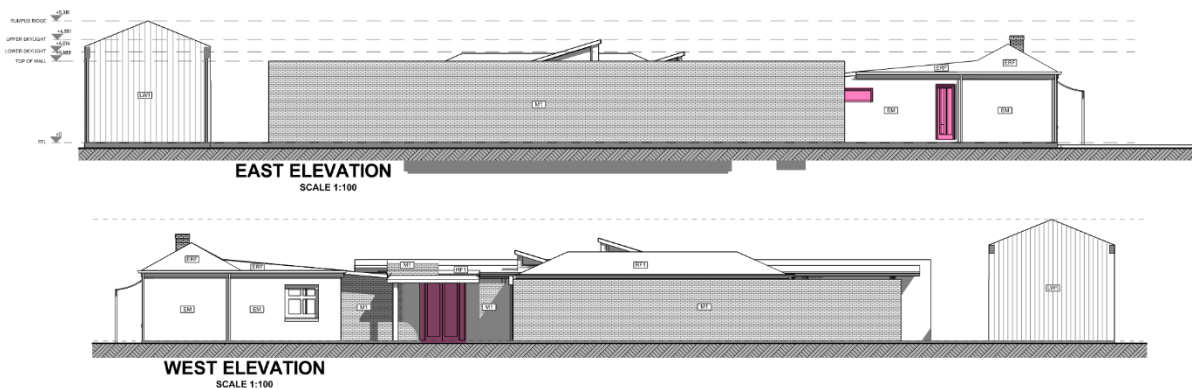
PUBLIC NOTIFICATION

- **REASON**
Eastern wall on boundary has a length of 20.8 metres with a height of 3.6 metres and western wall on boundary has a length of 12.4 metres
- **NIL REPRESENTATIONS**

INTERNAL REFERRALS

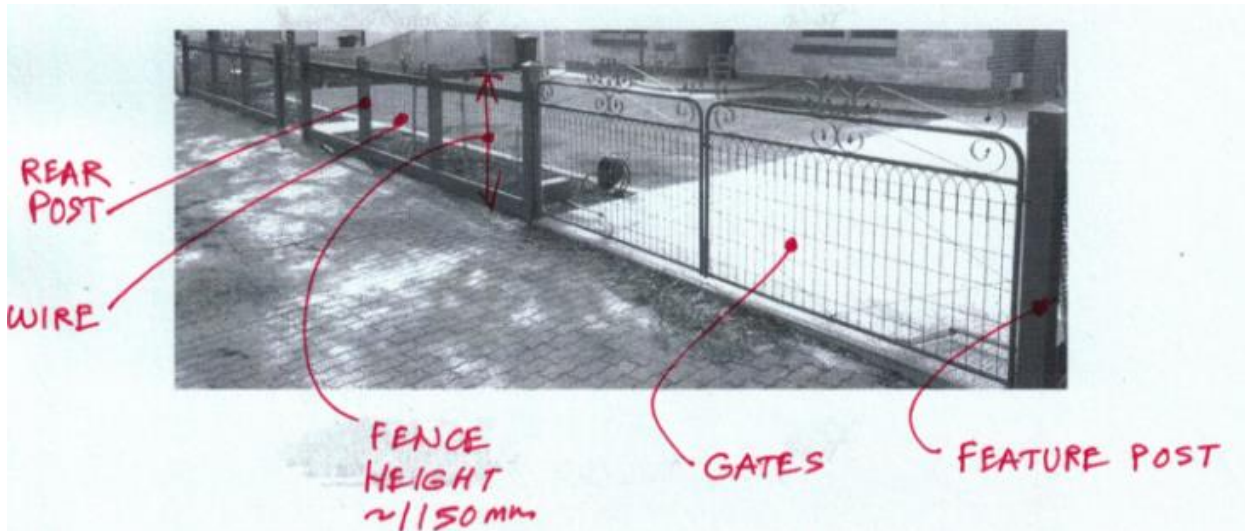
The proposal was referred to Council's Heritage Architect, Andrew Stevens, to consider the merits of the proposal in context with the development comprising some alterations to the rear of the Local Heritage Place and how the additions sit in context with ensuring the heritage value of the building is not compromised. A summary of this assessment, which included a site meeting and series of amended plans, is as follows:

- The proposed development involves the adaptation of the historic cottage to suit modern living, which will result in the modification of rear rooms and doors and windows, all of which are considered acceptable, as they are minor;



Pink highlights reference the new windows and doors to existing building

- The skillion roof at the rear will be retained, which maintains an understanding of the full extent of the historic part of the cottage;
- The front fence is simply detailed, timber framed, woven wire, 1150mm in height. Woven wire fences were first used in the early 1900s. It is not uncommon for buildings of this era to have also incorporated woven fencing, and therefore is sufficiently compatible;



- The bagged render finish on the new masonry is compatible with the historic cottage, and supported.

PLANNING ASSESSMENT

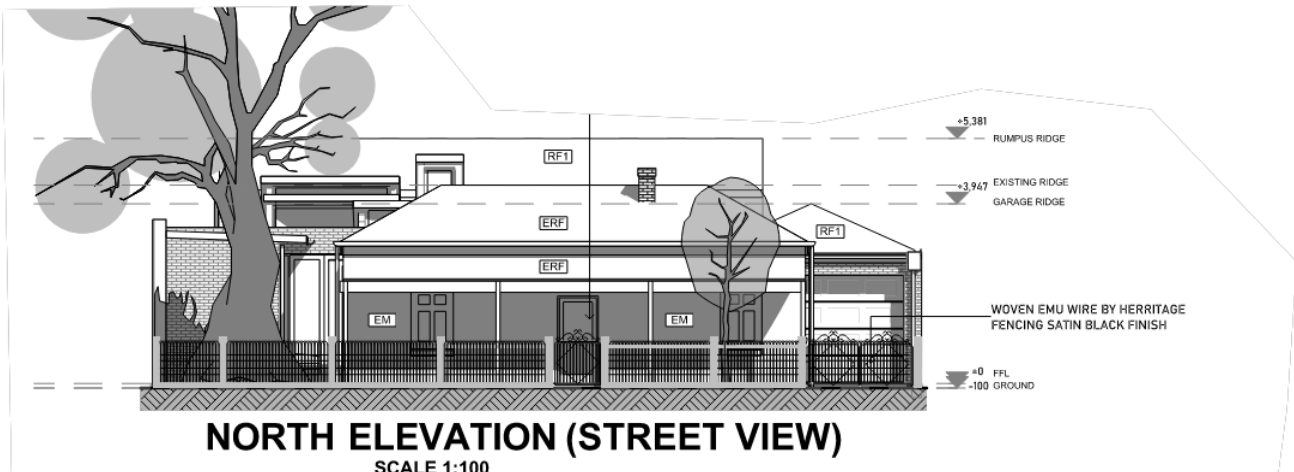
The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

Visual Appearance and Built Form

The visual appearance of the Local Heritage Building will not be altered when viewing the property from the streetscape. As per the front elevation below, the cottage will remain unchanged, albeit some repairs to the external wall, which is required in order to ensure the buildings longevity.

The additions are setback a considerable distance from the front of the cottage, therefore visually, they fall into the distance, and will not be the prominent visual element. The front landscaping also contributes to the reduced visibility of the additions.

Critically, the additions are not considered by Council's Heritage Architect to adversely impact on the heritage value and fabric of the Local Heritage Place.



When viewing the site from other vantage points, such as Commercial Road to the west, the garage addition is visible, however this is set behind a large grassed area of the adjacent arts school, and visually, is not considered to dominate or detract from the prominence and value of the cottage.



Indicative view of garage wall when viewed from Commercial Road (highlighted in pink)

Building Height

The additions retain the single storey built form, which ensures a level of compatibility with the scale of the small cottage. The zone allows for two storey built form, to which this proposal satisfies.

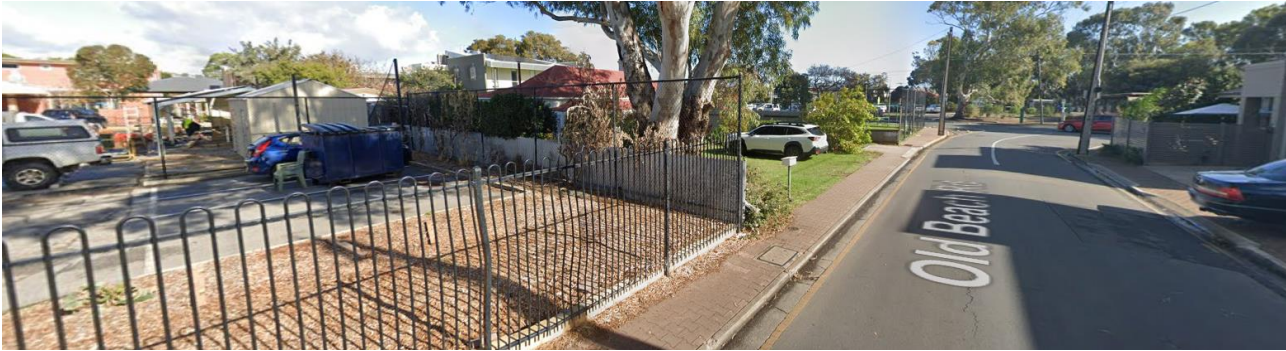
Boundary Setbacks

The rear additions are setback a considerable distance from the primary street boundary, that being some 21 metres.

The proposal comprises built form on both side boundaries, which the Design Code does not support, as it states, one boundary should be free of walling. Although ordinarily, this design would present planning concerns, in the context of this site, being surrounded by an arts school, the actual impacts associated with boundary walls is negligible.

The garage wall is located on the western side boundary, which abuts a large grassed area associated with the arts school. The wall is some 20 metres from the Commercial Road footpath, therefore visually it does not compromise the amenity of the streetscape. The wall is 12.4 metres in length and 2.8 metres high. Although the Design Code allows for a maximum length of 11.5 metres and maximum height of 3 metres, its location relative to the school ground is satisfactory.

The addition wall is located on the eastern side boundary, which abuts a hardstand recreational space associated with the arts school. The wall is setback 21 metres from the Old Beach Road street boundary, and somewhat hidden behind a small building on the school ground, hence its visual prominence relative to the streetscape is negligible. The wall is 20.8 metres in length and 3.6 metres high. Although the Design Code allows for a maximum length of 11.5 metres and maximum height of 3 metres, its location relative to the school ground is satisfactory.



Limited

visibility of eastern wall from the streetscape. The existing view contains the two storey educational building behind the subject site.

The addition is setback 13.1 metres from the rear boundary.

A habitable outbuilding (rumpus room) is proposed on the rear boundary, which has a floor area of 65 square metres and located on the rear boundary. The boundary wall has a length of 12 metres and a height of 4.1 metres. As with the side boundary walls, the wall is considered reasonable in the context of this development site given it is adjacent to a school, which contains two storey buildings which currently overlook the subject site. The outbuilding will contribute to improving the amenity of the occupants of the subject site by assisting with some screening of that existing overlooking. In terms of the floor area, the Design Code anticipates a maximum floor area of 60 square metres. In considering the floor area against the fact that site coverage, private open space and soft landscaping have not been compromised, the 5 square metre floor area variance is not so significant so as to warrant a refusal.

Site Coverage

Site coverage amounts to only 48 percent of the site area, which is under the maximum of 60 percent allowed by the Design Code.

Private Open Space

Private open space amounts to 320 square metres which is located in the rear and side yards and directly accessible from living spaces. The Design Code requires a minimum area of 60 square metres, therefore the proposal exceeds this.

Soft Landscaping

Soft landscaping amounts to a considerable area, which is 310 square metres, which equates to 33 percent of the site area, and therefore well above the minimum of 25 percent as required by the Design Code.

Significant Tree

A significant tree is located in the front yard, adjacent to Old Beach Road. It has been determined that the tree is located some 20 metres from the addition, and therefore well outside of the Tree Protection Zone. As such an arborist report is not required, as the proposal will not result in any tree damaging activity.

CONCLUSION

The proposed development effectively satisfies all relevant Design Code provisions accept for the boundary development along the side and rear boundaries, however as expressed above, in the context of the site being adjacent to non-residential land use is such that the actual impacts are negligible.

Council's Heritage Architect has taken the liberty to closely consider the details of this proposal, including a site meeting, an inspection of both inside and external form of the Local Heritage place and has come to the conclusion that the proposal will reflect a positive outcome in ensuring the Local Heritage Place is satisfactorily adapted in such a way that meets modern needs, whilst ensuring the external form is not compromised. The works include repair work and maintenance to the existing building, which will contribute to the additional longevity of the building. It was noted that during the inspection of the building that the previous owner had been neglectful in its upkeep and general maintenance, and it was considered that this proposal would contribute significantly to a more positive future for the building. The new owners expressed an appreciation of the history of the building and a strong desire to contribute to the upkeep of the building into the future.

RECOMMENDATION

It is recommended that the Council Assessment Panel/SCAP 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 22007631, by Remy DuBois 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 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. Repairs to the existing masonry wall and the associated final finish to be to the satisfaction of Council, following receipt of advice from a suitably qualified stonemason. Details to be provided prior to Development Approval being granted.
4. The front screen door shall comprise simple framing.

5. The colours associated with the repair work to the existing building shall match the existing building and the colours associated with the addition shall be complementary to the existing building, to the reasonable satisfaction of Council.
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: 31/05/2022