

DEVELOPMENT NO.:	22011704
APPLICANT:	Con Rollas
ADDRESS:	43 MARINE PDE SEACLIFF SA 5049
NATURE OF DEVELOPMENT:	Construct a shed
ZONING INFORMATION:	<p><b>Zones:</b></p> <ul style="list-style-type: none"> <li>• Established Neighbourhood</li> </ul> <p><b>Overlays:</b></p> <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated)</li> <li>• Affordable Housing</li> <li>• Character Area</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Stormwater Management</li> <li>• Urban Tree Canopy</li> </ul> <p><b>Technical Numeric Variations (TNVs):</b></p> <ul style="list-style-type: none"> <li>• Minimum Frontage (Minimum frontage for a detached dwelling is 12m; semi-detached dwelling is 12m; row dwelling is 12m; group dwelling is 12m; residential flat building is 12m)</li> <li>• Minimum Site Area (Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 400 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm)</li> <li>• Maximum Building Height (Levels) (Maximum building height is 1 level)</li> </ul>
LODGEMENT DATE:	8 Apr 2022
RELEVANT AUTHORITY:	Assessment Manager of the City of Holdfast Bay – Delegated to the Assessment Panel at the City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	31 March 2022 2022.6
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	No
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

**CONTENTS:**

APPENDIX 1: Relevant P&D Code Policies

ATTACHMENT 2: Planning Report from Applicant

ATTACHMENT 1: Application Documents

**BACKGROUND**

This application has been delegated to the Assessment Panel by the Assessment Manager of Holdfast Bay. This application, for a shed, is exempt from notification, but is considered suitable to be assessed by the Assessment Panel

**DETAILED DESCRIPTION OF PROPOSAL:**

This application is for the construction of a shed is in the north-eastern corner of the rear yard and has dimensions of 9.2 x 7.8 metres (total area 71.5 square metres), a wall height of 3.05 metres and a total height of 4.8 metres. The shed is finished in a corrugated iron sheeting in a light grey colour for the walls, and manor red for the roof. The shed sits in the northern eastern rear corner of the allotment, set off the side and rear boundaries by 1.35m and 1 metre.



*View of shed from Wheatland Street (note the elevation of other properties relative to street level the left)*



*View of shed from inside the subject site (Note the domestic scale of the shed relative to the neighbouring dwelling)*

#### **SUBJECT LAND & LOCALITY:**

##### **Site Description:**

The subject site is a 'hammerhead' shaped corner allotment of some 1225 square metres with a 'handle' driveway providing vehicle access to Myrtle Road. The site has a primary frontage to Marine Parade and a secondary frontage to Wheatland Street. The site contains a two-storey detached dwelling, to the south side of the allotment, and landscaped front and rear yards. The main open space areas on the site are to the north of the allotment.

A retaining wall was recently constructed just inside the northern boundary fronting Wheatland to help level the land.

##### **Location reference:**

43 MARINE PDE SEACLIFF SA 5049

**Title ref.:** CT 5671/9 **Plan Parcel:** F38192 AL250 **Council:** CITY OF HOLDFAST BAY

##### **Locality**

The locality is predominately residential with a mix of single and two storey dwellings of varying forms, including detached, semi, row, group and residential flat buildings. Seacliff Hotel is located to the west of the subject site and the beach is located 100 metres to the west.

The locality is within the Seacliff Character Area, which is defined by housing stock from the 1880s to 1920s west of the railway line. Houses are typically bungalows and Spanish mission, however later housing stock from the 1920s to present are evident. Wheatland Street has a mix of built form, mostly from the 1980 to 1990s period and therefore, this section of Wheatland Street is not consistent with or reflective of the Seacliff Character Area Statement.

Buildings along Wheatland Street in the immediate area sit high above Wheatland Street and present significant bulk to the street. The western end of Marine Street, near the subject site, is characterised by large buildings that due to the topography, sit proud above the street presenting significant bulk to the streetscape.

The locality is also defined by sloping land, with Wheatland Street sloping downhill from Brighton Road to the beach and Marine Parade sloping downhill from the South to the intersection of Marine and Wheatland.







#### CONSENT TYPE REQUIRED:

Planning Consent

#### CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** Shed  
Outbuilding (Shed): Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**  
Code Assessed - Performance Assessed
- **REASON**  
P&D Code

#### PUBLIC NOTIFICATION

No. Outbuildings are exempt from notification.

#### PLANNING ASSESSMENT

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

#### Seacliff Character Area

The built form character of Wheatland Street, particularly within 100 metres of the subject site (between the Esplanade and Myrtle Road) is not considered to be visually reflective of the Character Area Statement, as most dwellings were built circa 1980s to 1990s and have design elements that do not fit with the predominant 1880 to 1920s built form which consist of Bungalows and Spanish mission. The surrounding buildings, such as those immediately north, east and west, are typical of the 1980 to 1990s built form comprising 2 to 3 level dwellings with rendered walls, low pitched roofs, nil to low modulation, articulation and detailing, large scale, higher void to solid ratio and horizontal window proportions. These buildings present the opposite described by the Character Statement and therefore result in Wheatland Street generally being a poor reflection of the prevailing character.



Importantly, it is noted that neither the building on the subject site, the building abutting to the east, or the two-storey dwelling do not present any elements consistent with the Character Area Statement.

The proposed is not that dissimilar to other buildings along Wheatland Street with a 25 degree pitch roof and no eaves. When comparing the built form of the shed relative to the surrounding dwellings, it is considered that the proposed structure does not negatively impact on the character of the area.



***The shed is clad with corrugated iron sheeting and has a 25 degree pitch***

### Design & Appearance

Criteria	Proposed	DPF Recommendation	Achieved
Floor Area	71.5sqm	60 sqm	No
Wall Height	3.05m	3m	Yes, minor departure
Total Height	4.8m	5m	Yes
Behind Front Facade	Yes	Behind main façade	Yes
Side boundary setback	1m	900m	Yes
Boundary Development	Not on boundary	3m Height/ 8m length	Yes
Retains soft landscaping	Yes	Yes	Yes

The proposed shed is a reasonably standard design shed comprising a rectangular shape, with corrugated sheeting for the walls and roof, and the roof has a 25 degree pitch. The proposal meets all of the deemed to satisfy criteria, with the exception of floor area being 71.5 square metres rather than 60 square metres.

Performance Outcome 11.1 states *“Residential Ancillary buildings and structures are sited and designed to not detract from the streetscape or appearance of building on the site or neighbouring properties.”*

DPF 11.1 gives a recommendation of outbuildings having a floor area of 60 sqm. In this instance it is noted that the allotment measures 1,225 square metres, with a low amount of site coverage, and private open space that significantly exceeds the requirement of the Planning and Design Code. The proposal is also set off the boundaries in accord with the requirements of the Planning and Design Code, therefore appropriately sited on the allotment.

Therefore, the floor area of the shed is considered reasonable in this instance and does not detract from the streetscape and satisfies Performance Outcome 11.1.

The overall design of the structure is not that dissimilar to other buildings along Wheatland Street, notably the dwelling to the east with no eaves and matching roof pitch.

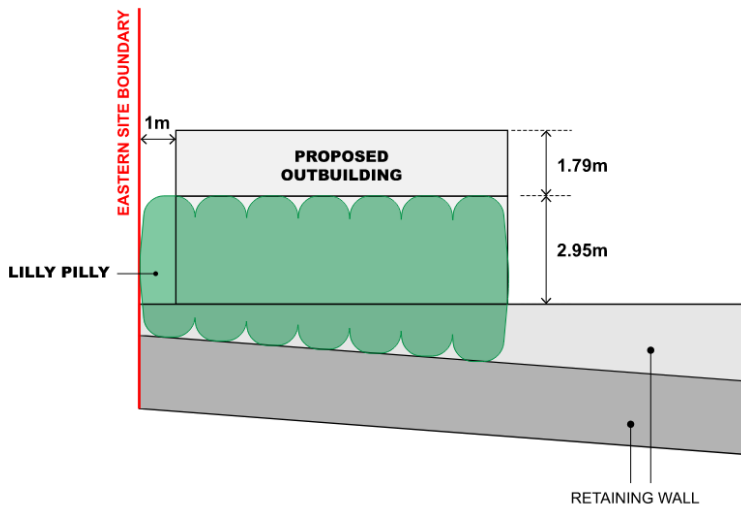
As the proposed shed is located in the rear corner of the allotment, it has no visible impact to the Marine Parade streetscape, which is the primary street frontage. The main visual impact is to Wheatland Street, which is the secondary street frontage. It is noted that the Planning and Design Code specifies minimum setbacks from side boundaries which the proposal meets. It is not the intention of the Planning and Design Code to have sheds completely screened to secondary streets, nor is it unusual that a shed on a corner allotment is visible from the street. The Planning and Design Code, by requiring outbuildings and shed to not be located in front of the dwellings, seeks to protect the primary street frontage, which this proposal complies with.

The proposed shed set off the secondary street boundary is not screened by a boundary fence, as what usually occurs on a corner allotment. A fence could be installed, which would screen the shed, but also add more significant built form to the streetscape, and also limit sea views of the neighbouring property to the east. Therefore, it is considered that a secondary street boundary fence is neither practical nor suitable solution in this situation. The land where the shed is sited is the flattest and easily accessible on the site.

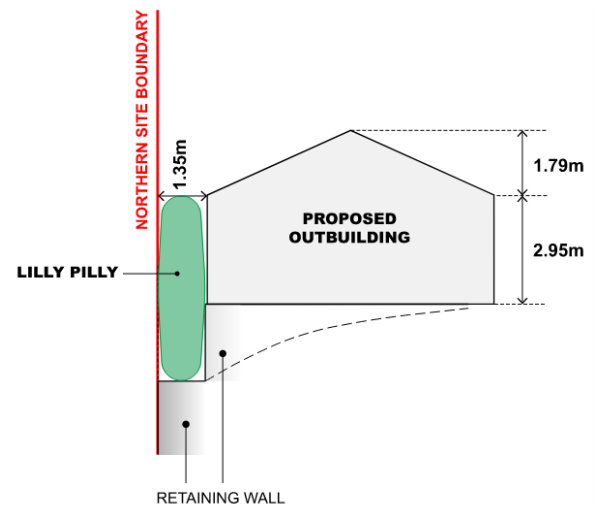


***Wheatland Street view demonstrating shed on natural ground level, height of existing retaining and vegetation***

The applicant has submitted a detailed landscape plan, which will result in the planting of Lilly pilly's along the eastern and northern boundaries, which will visually soften the appearance and project a visual enhancement on the streetscape. Existing landscaping between the secondary boundary and shed demonstrates the potential for visual softening, however the proposed plantings will practically achieve this. It is noted that in general planning terms, landscaping is not a requirement in justifying the proposed shed, as the shed is not oversized or unreasonable in the context of a residential setting. The landscaping is simply a means for the applicant to further enhance the Wheatland Street streetscape, which in any case is not truly reflective of the character area due to inconsistent neighbouring built form, as well as pockets that comprise solid secondary boundary fencing in lieu of greenery.



NORTHERN ELEVATION



WESTERN ELEVATION

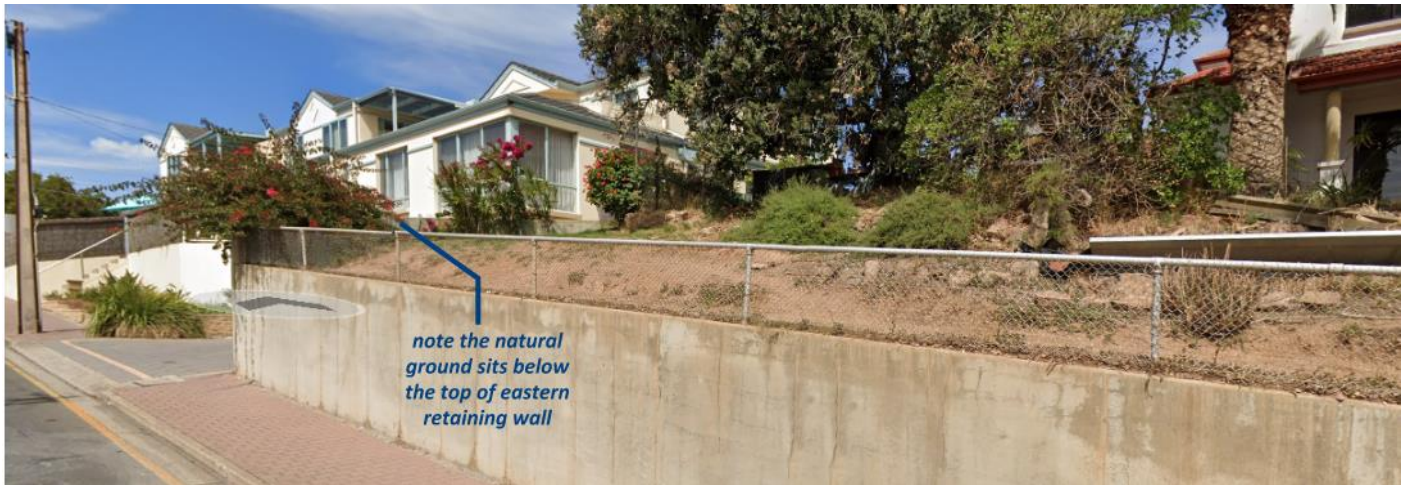
***Elevation plan depicting the appearance of the western elevation as viewed from Wheatland Street, comprising Lilly pilly plantings, which will add to the visual amenity of the streetscape.***

To add further perspective to the proposed shed, when viewing it from the rear yard of the subject site, it becomes abundantly clear that it is a typical, domestic low-scale shed, sits lower than the eastern adjacent dwelling, and reasonable in its siting and intended purpose.

Given the steep gradient of the locality, it can often be quite difficult finding a reasonable location for a shed, without resulting in a significant amount of earthworks. Whilst there was a retaining wall recently near the northern boundary, this did not significantly alter the levels of the site, but merely helped to provide a level area for the shed to be constructed. Having inspected the site, it is quite clear that this is the most reasonable location for the structure considering vehicle access, retention of private open space and minimising earthworks. Therefore, it is considered that the shed is appropriate sited on the allotment as to satisfy PO 11.1







**March 2020 Google Street View showing natural ground level prior to additional on-site retaining facilitating a flat base. The higher point is indicative of the floor of the shed. The land previously sloped downward toward the secondary street boundary.**



**August 2020 Google Street View showing new retaining wall facilitating a flat base.**

### Privacy and Siting

The owner has indicated that their reason for the specific location of the shed was a combination of:

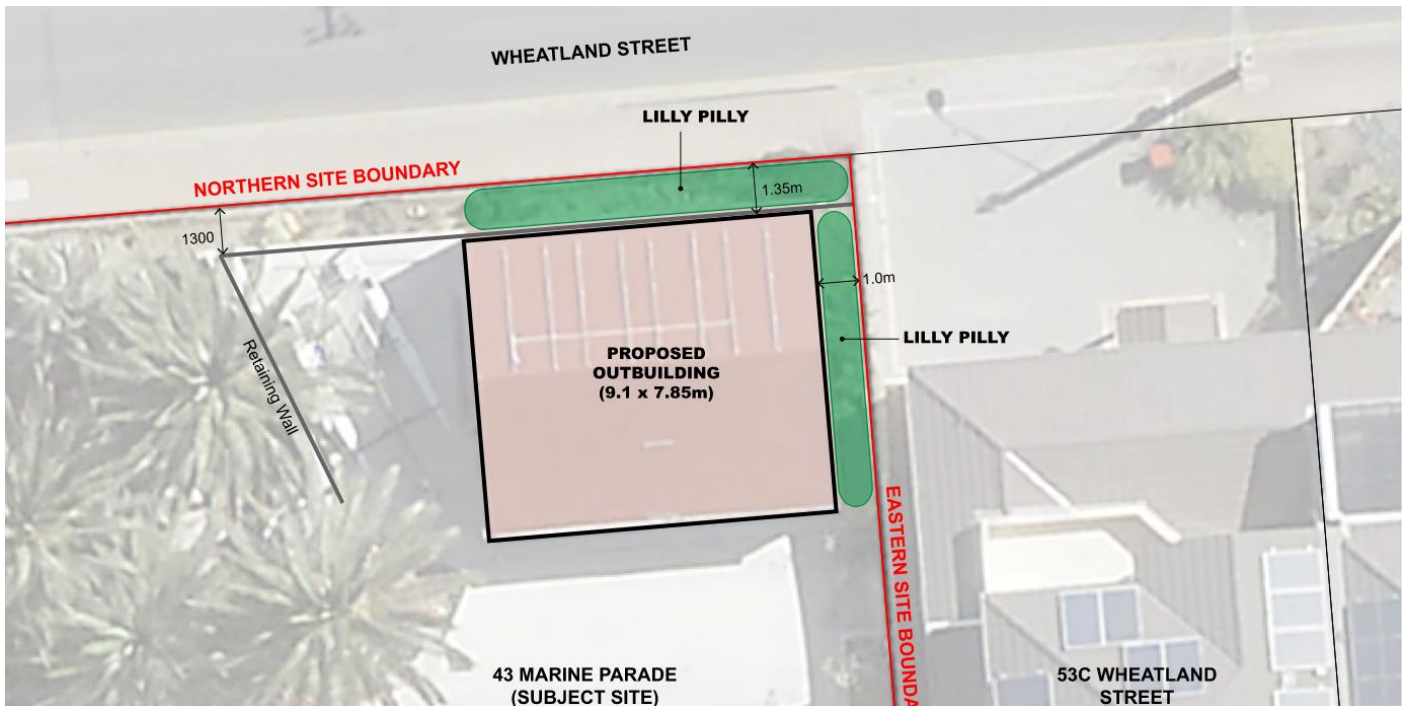
- utilising an area that was not compromised by varying levels (such as immediately north of the associated dwelling);
- not directly abutting the dwelling to the east, which would have interfered with private open space directly accessible from the rear of the house. The shed is in the rear corner of the rear yard, which is the common placement in residential settings;
- achieving some level of privacy from the eastern adjacent property, which is elevated above the subject site and contains clear upstairs windows allowing direct views into the habitable room windows and rear yard of the subject site. Further, the rear yard is visible from Wheatland Street, therefore the siting of the shed facilitates some level of screening from adjacent properties and public land.





### Boundary Setbacks

The shed is located 1.35 metres from the secondary street boundary, which is greater than the minimum distance of 900mm anticipated by Designated Performance Feature 11.1(c)(ii). The building is setback 1 metre from the eastern rear boundary, which is greater than the allowance of building on a rear boundary up to 3 metres high over a length 8 metres, as referenced by Designated Performance Feature 11.1(e) & (h). Given the topography of the site, the location of the existing dwelling and private open space areas, the proposed shed is sited in the most reasonable location.



## CONCLUSION

When assessing the shed against the relevant policies of the Design Code, the unique nature of the subject site (being elevated substantially above street level and the shed visible from public land) is not a means to determine the proposal to be unreasonable. The shed satisfies all relevant Performance Outcomes and put simply, a reasonable sized shed that is both anticipated and commonly found in rear yards of residential properties.

The shed is in the rear yard of a large allotment of over 1200 square metres, is sited at ground level on what is effectively a remnant dune that was not razed to accommodate low-set infill development. The shed should not be negatively contrasted against adjacent development (ie. The dwelling to the immediate east), where the dunes have been cut away, further exposing the shed due to its higher ground. The circumstances of the topography as opposed to the merits of the shed have caused the shed to appear prominent on the streetscape, which again, should not penalise what is otherwise an ordinary shed located in the rear yard of a residential property.

## RECOMMENDATION

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 22011704, by Con Rollas 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.

**OFFICER MAKING RECOMMENDATION**

**Name:** Dean Spasic

**Title:** Development Officer - Planning

**Date:** 06/07/2023