

DEVELOPMENT NO.:	21020455
APPLICANT:	Heritage Building Group Pty Ltd
ADDRESS:	31 MOSELEY ST GLENELG SA 5045
NATURE OF DEVELOPMENT:	Single storey dwelling Addition to rear of single storey detached dwelling, garage, verandah and swimming pool
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • General Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy
LODGEMENT DATE:	26 Jul 2021
RELEVANT AUTHORITY:	Assessment panel
PLANNING & DESIGN CODE VERSION:	15 July 2021
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning,
REFERRALS STATUTORY:	N/A
REFERRALS NON-STATUTORY:	N/A

CONTENTS:

APPENDIX 1: Relevant P&D Code Policies	ATTACHMENT 3: Representations
ATTACHMENT 1: Application Documents	ATTACHMENT 4: Applicants Reply to Representations
ATTACHMENT 2: Heritage Consultant Report	

DETAILED DESCRIPTION OF PROPOSAL:

The development comprises the partial demolition of an existing section of the single storey detached dwelling and shed in rear yard, the construction of a single storey addition to the rear, with a verandah, garage and swimming pool.

SUBJECT LAND & LOCALITY:

Site Description:

The subject site is a residential allotment which contains an older existing single storey detached dwelling with rear addition and shed in the rear yard. There are no regulated or significant trees on the subject site.

The allotment is rectangular in shape, on an east to west axis, with a primary frontage on Moseley Street and secondary frontage on Lymington Street.

The allotment has a width of 15.35 metres and a depth of 44.50 metres, resulting in a total site area of 683 square metres.



Locality:

The subject site is located in the General Neighbourhood Zone, in which the immediate locality (radius of 60 metres from the subject site) contains predominately older housing stock of varying types, including detached, semi-detached, group dwellings, row dwellings and residential flat buildings. There are a mix of single and two storey built form.

Although the proposed dwelling is not heritage listed, it is located to the north of a local heritage place at 33 Moseley Street, therefore a referral was sent to Council's Heritage Architect to consider the proposed built form in context with the adjacent heritage building. No concerns were raised with the proposed development.

As per the map below, the subject site is located east of the Urban Renewal Neighbourhood and Urban Neighbourhood Zones, which accommodate higher densities and built heights. The site is also located east of the Established Neighbourhood Zone, which comprises a strong heritage character.



Location reference: 31 MOSELEY ST GLENELG SA 5045

Title ref.: CT 5514/275 Plan Parcel: D443 AL21 Council: CITY OF HOLDFAST BAY

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

• **PER ELEMENT:**

- Dwelling alteration or addition
- Swimming pool, spa pool or associated safety features: Code Assessed - Performance Assessed
- Verandah: Code Assessed - Performance Assessed
- Carport or garage
- Dwelling addition: Code Assessed - Performance Assessed
- Outbuilding (Carport or garage): Code Assessed - Performance Assessed

• **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

• **REASON**

P&D Code

PUBLIC NOTIFICATION

• **REASON**

P&D Code - Building wall on the boundary exceeding 3 metres in height

- **LIST OF REPRESENTATIONS**

- Renee Kenny of 7 McCoy Street, Brighton supports the proposal;
- Darren Bryant, PO Box 360, Port Lincoln SA 5606 opposed the development however provided no reason as to why;
- C and K Noden of 87 Shady Hills View, Bullsbrook, Western Australia 6084 supports the proposed development;
- Cheryl Gutrie of 13 Farr Terrace, Glenelg East supports the proposal; and
- Mauro Ferrari of 6/23 Moseley Street, Glenelg supports the development on the grounds that construction work is limited to not earlier than 9am and weekdays and not on weekends.

- **SUMMARY**

- It is noted that the majority of representations support the development and two representations objected to the proposal, however unfortunately one offered no information as to why and the other raised concerns with construction hours, which cannot be altered to the times in which the representor requested.

INTERNAL REFERRALS

Council's Heritage Architect did not raise any concerns with the proposal.

PLANNING ASSESSMENT

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

Quantitative Provisions

Land Use

The development maintains the residential use of the land which is the preferred use for this Zone.

Building Height

The Zone allows for built form up to 2 levels or 9 metres in height. All buildings are one level.

Setbacks, Design & Appearance

The Design Code provides the following parameters for boundary walls:

Boundary Walls	
<p>PO 7.1</p> <p>Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.</p>	<p>DTS/DPF 7.1</p> <p>Except where the dwelling is located on a central site within a row dwelling or terrace arrangement, side boundary walls occur only on one side boundary and satisfy (a) or (b) below:</p> <ul style="list-style-type: none"> (a) side boundary walls adjoin or abut a boundary wall of a building on adjoining land for the same or lesser length and height (b) side boundary walls do not: <ul style="list-style-type: none"> (i) exceed 3m in height from the top of footings (ii) exceed 11.5m in length (iii) when combined with other walls on the boundary of the subject development site, exceed a maximum 45% of the length of the boundary (iv) encroach within 3m of any other existing or proposed boundary walls on the subject land.

The dwelling addition and verandah are located on the northern side boundary over a length of 13.8 metres and height of 3.6 metres. Although the wall height and length along the northern boundary exceeds a length of 11.5 metres and height of 3 metres, the variance in this case is considered reasonable in that the wall will not overshadow the neighbouring property. The spaces abutting the proposed wall comprise a carport as well as rear yards that appear to accommodate bin storage. The predominant private open space areas of the two neighbouring units are located to the east and west of the respective units.

----- VERANDAH
 _____ ADDITION



The garage wall is located on the Lymington Street boundary over a length of 8.7 metres and height of 3.3 metres. The existing garage is located on the street boundary. This section of Lymington Street contains garages and fences on the street boundary, including a quadruple garage in association with the adjacent local heritage place. The proposed garage sits lower than the dwelling, therefore further reducing its impact on the streetscape in terms of dominance.

The building wall is setback 1.3 metres from the Lymington Street boundary. The Design Code requires a minimum setback of 900mm.

The dwelling addition is setback 8.7 metres from the rear boundary (the minimum required is 4 metres) and the garage wall is located on the rear boundary over a length of 6.4 metres and a height of 3.3 metres. The rear boundary forms the side boundary of the western adjacent property. The impacts of the 3.3 metre high garage wall is considered negligible, particularly as it abuts a gable wall in association with the neighbouring dwelling (no windows) and abuts a densely landscaped front garden, which appears to be well maintained and likely to remain as per the photo below:



The swimming pool is located 900mm and more from the allotment boundaries, and the pool pump is located in the proposed garage as to satisfy the requirements regarding achieving effective sound attenuation.

Site Coverage

Site coverage is calculated at 59 percent of the site area, which is below the maximum of 60 percent allowed.

Private Open Space

Private open space amounts to 140 square metres which exceeds the minimum area of 60 square metres.

Soft Landscaping

A minimum of 25 percent soft landscaping is required, as per the Design Code table, below:

Landscaping											
<p>PO 22.1</p> <p><u>Soft landscaping</u> is incorporated into development to:</p> <ul style="list-style-type: none"> (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. 	<p>DTS/DPF 22.1</p> <p>Residential development incorporates <u>soft landscaping</u> with a minimum dimension of 700mm provided in accordance with (a) and (b):</p> <ul style="list-style-type: none"> (a) a total area as determined by the following table: <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="background-color: #2c3e50; color: white;">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="background-color: #2c3e50; color: white;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><150</td> <td style="text-align: center;">10%</td> </tr> <tr> <td style="text-align: center;">150–200</td> <td style="text-align: center;">15%</td> </tr> <tr> <td style="text-align: center;">>200–450</td> <td style="text-align: center;">20%</td> </tr> <tr> <td style="text-align: center;">>450</td> <td style="text-align: center;">25%</td> </tr> </tbody> </table> <ul style="list-style-type: none"> (b) at least 30% of any land between the <u>primary street</u> boundary and the <u>primary building line</u>. 	Dwelling 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%
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The proposal results in 110 square metres, which equates to only 15 percent. The existing soft landscaping equates to 260 square metres, therefore an overall loss of 150 square metres.

Without the swimming pool, the proposal would accommodate 175 square metres. This is considered reasonable because 110 square metres is a large overall space, which will effectively contribute to mitigating stormwater runoff to the street, as well as producing a good level of amenity for future occupants.

Stormwater Management

The site is located within a Hazards (Flooding – General) Overlay. The proposed finished floor level is 3.94 metres, which matches the existing dwelling and at least 740mm above the top of kerb level, which is sufficient in terms of flood mitigation.

CONCLUSION

The proposed built form is considered to be well balanced with the adjacent Local Heritage Place in that it is not visually dominant and respects the heritage place as the primary focus in the immediate locality. The addition is considered to reflect a good level of contemporary architecture that ties in well with the existing site whilst meeting occupant needs.

The only aspect of the proposal that fails the Design Code is with respect to boundary walls and the amount of soft landscaping.

Regarding the boundary walls, the height and length variances are mitigated by orientation (south of neighbouring yards) as well as built form (neighbouring building not having windows facing the site, dense vegetation and streetscape built form).

The soft landscaping shortfall is 10 percent less than the minimum of 25 anticipated, however the overall space comprising 110 square metres is considered a reasonable amount.

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 21020455, by Heritage Building Group Pty Ltd 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 soft landscaping shall be planted within the rear yard adjacent to the swimming pool, as demonstrated on the proposed site plan 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. 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. 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: 08/10/2021