

DEVELOPMENT NO.:	22004253
APPLICANT:	Jed Washington
ADDRESS:	41 Richardson Avenue, Glenelg North SA 5045
NATURE OF DEVELOPMENT:	Two storey detached dwelling
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • General Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Aircraft Noise Exposure • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy
LODGEMENT DATE:	16 Mar 2022
RELEVANT AUTHORITY:	Assessment Panel City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	3 February 2022 2022.2
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

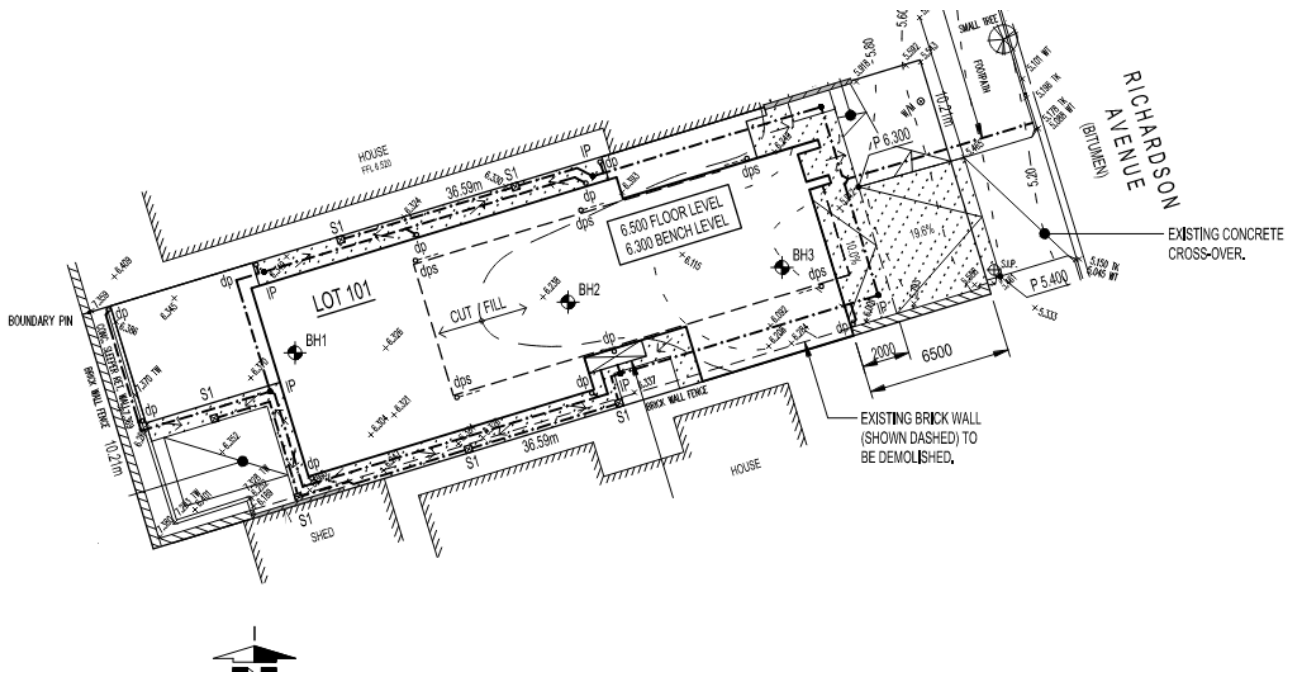
CONTENTS:

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

DETAILED DESCRIPTION OF PROPOSAL:

The proposal comprises a two storey detached dwelling with alfresco at the rear. The garage wall is located on the southern side boundary, which is adjacent to the garage wall of the southern neighbouring dwelling. The porch is located on the northern side boundary, however is open-sided.

The building reflects a modern conventional two storey building with a hipped roof, rendered walls and a high void to solid ratio on the façade.



SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 41 RICHARDSON AV GLENELG NORTH SA 5045

Title ref.: CT 6235/602 **Plan Parcel:** D123211 AL101 **Council:** CITY OF HOLDFAST BAY

The subject site is a rectangular shaped, recently subdivided Torrens Title allotment with a frontage of 10.21 metres and length of 35.59 metres, thus a site area of 438 square metres. The site is generally flat, with a slight fall to the street. The site is positioned between the Patawalonga River and Sea.



Subject Site – Streetview

Locality

The locality comprises a mix of older single and two storey housing stock, as well as a growing number of infill development in the form of one into two allotments, with two storey built form, similar to that proposed. The wider locality comprises residential land use, with the only nearby non-residential land use being some 250 metres north, comprising the waste water plant and recreational facilities further to the north-east.



Locality Map

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** New housing
 Detached dwelling: Code Assessed - Performance Assessed

- OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- REASON**
P&D Code

PUBLIC NOTIFICATION

- REASON**
boundary wall exceeds a height of 3 metres above the footing
- NIL REPRESENTATIONS RECEIVED**

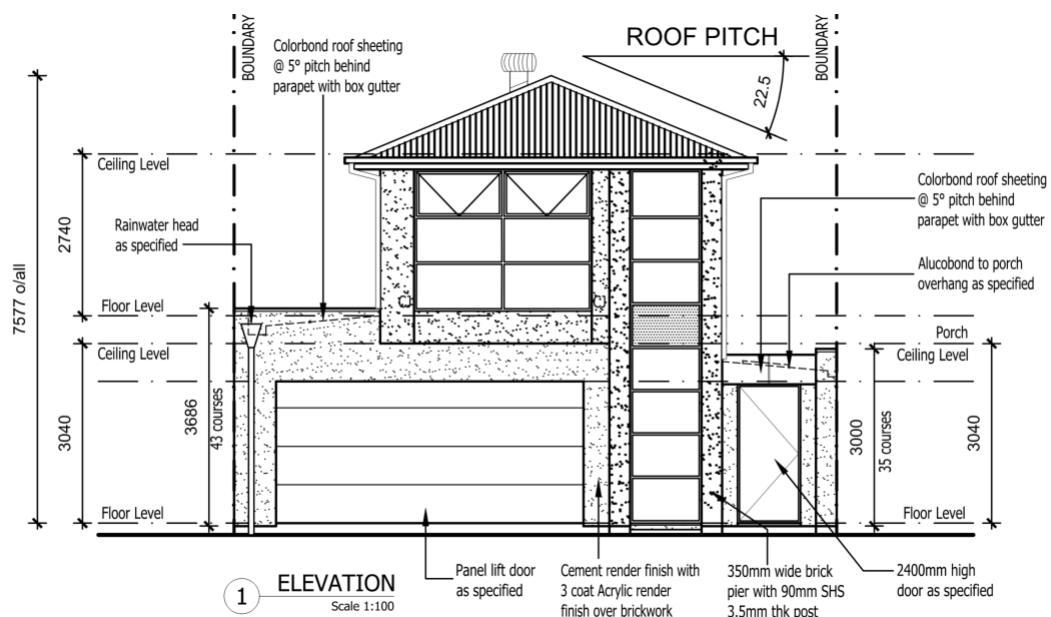
PLANNING ASSESSMENT

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 proposed building reflects a modern, conventional two storey dwelling with rendered walls, high void to solid ratio, double garage and hipped roof.

The building is built boundary to boundary, however as the portico is open-sided, the Design Code does not prevent this form of development (The Design Code only discourages side boundary walls to each side boundary). In terms of the buildings front elevation, it satisfies the Design Code in that it incorporates windows facing the primary street, the building incorporates at least 30 percent of the building wall setback 300mm behind the building line, a minimum of two different materials or finishes incorporated into the walls, and a variation with respect to the portico relative to the building wall, albeit in this case, it sits behind the building line. The front door does not face the street, however there is a door on the façade of the portico, which visually presents as a front door.



Building Height

The building comprises a two storey form, with the total height at 7.6 metres and wall height at 6 metres. The Design Code allows for a maximum of two storeys, with a total height of 9 metres and wall height of 7 metres, to which the proposal complies with.

Boundary Setbacks

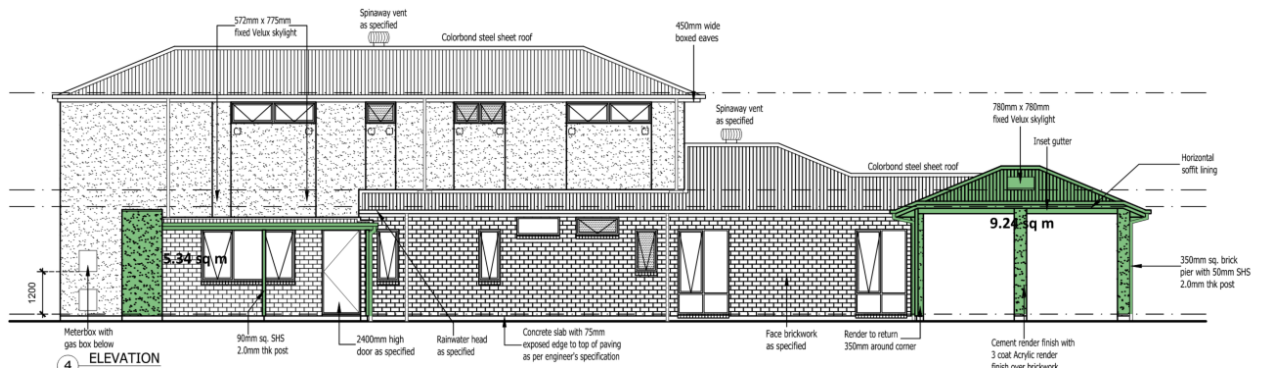
The building is setback 6 metres from the primary street boundary, which is 1.5 metre forward of the two neighbouring buildings (setback at 7.5 metres). Although the building is 500mm forward than what is allowed by the Design Code, the variance in this case is considered reasonable in that it only comprises the upper level wall, which comprises a width of only 4.5 metres, and therefore not visually intrusive. The main building wall at the ground level is setback 6.5 metres, which complies with the Design Code.

The building has a garage wall up to 3.7 metres in height over a length of 6.6 metres. The Design Code allows for a maximum wall height of 3 metres and maximum wall length of 11.5 metres. It is acknowledged that in ordinary circumstances, a 3.7 metre high boundary wall would not be supported, however in the context of this proposal, the impacts on the adjacent site would be negligible. The southern adjacent building has a garage wall adjacent to the common boundary, therefore in effect, the sites cancel one another out in terms of garage walls being adjacent to one another.



The rear open-sided alfresco is located on the northern side boundary with a post height up to 3 metres over a length of 6 metres, as allowed by the Design Code.

The open-sided front porch is located on the northern side boundary with a post height of between 2.4 and 2.9 metres over a length of 7.2 metres.



The ground level walls are up to 2.7 metres in height and setback 1 metre from each side boundary. The upper level walls are up to 6 metres in height and setback 2.1 metres from the northern side boundary and 2.7 metres from the southern side boundary. The northern side boundary setback achieves the minimum requirement of 1.9 metres, however the southern side boundary setback is short by 200mm. On balance, the 200mm setback shortfall is considered negligible in that there is only one habitable room (bedroom) at the ground level of the southern adjacent property which faces the subject site, to which a difference in 200mm in terms of the building setback would result in little difference in terms of overshadowing. In addition, the proposal was subject to a Public Notification process in which no objections were received from the southern adjacent property.

The ground level wall is setback 7.6 metres and the upper level wall is setback 15 metres from the rear boundary, which is within the minimum requirements required by the Design Code (4 metres at the ground level and 6 metres at the upper level).

Site Coverage

Site coverage amounts to 61 percent of the site area, which exceeds the maximum allowance of 60 percent. When considering the objective of the Performance Outcome, *building footprints allow sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation*, the reality is such that the proposal achieves this. Reducing site coverage by 1 percent would not result in any remarkable or meaningful difference to the overall development.

Private Open Space

The proposal accommodates 96 square metres of private open space, which is above the minimum of 60 square metres required by the Design Code. The area and dimensions of private open space proposed are considered to satisfy the relevant Performance Outcomes in terms of providing suitably sized, usable areas, directly accessible from living spaces that will meet occupant needs.

Landscaping

A minimum of 20 percent of the site area needs to be dedicated to soft landscaping, which the proposal satisfies, as it provides a total of 20 percent. A small tree is demonstrated to be planted in the front yard, which also satisfies the Design Code.

Visual Privacy

All upstairs windows are shown as high-set with a sill height of 1.8 metres above the floor level. A condition of planning consent is included requiring all upstairs windows are obscured up to a minimum 1.5 metres in height, in accordance with the standards of the Design Code.

CONCLUSION

The proposal reflects the kind of built form that has typically been established in the locality over recent times. As referenced above, the proposal does have some numerical shortfalls when assessed against the Design Code, such as the front setback (500mm variance), garage wall height (700mm variance) and southern upper level wall setback (200mm variance), however when considering the proposal as a whole, and on balance with the objectives of each Design Code provision, the proposal has sufficient merit to warrant planning support.

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 22004253, by Jed Washington 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. 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.
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).

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