

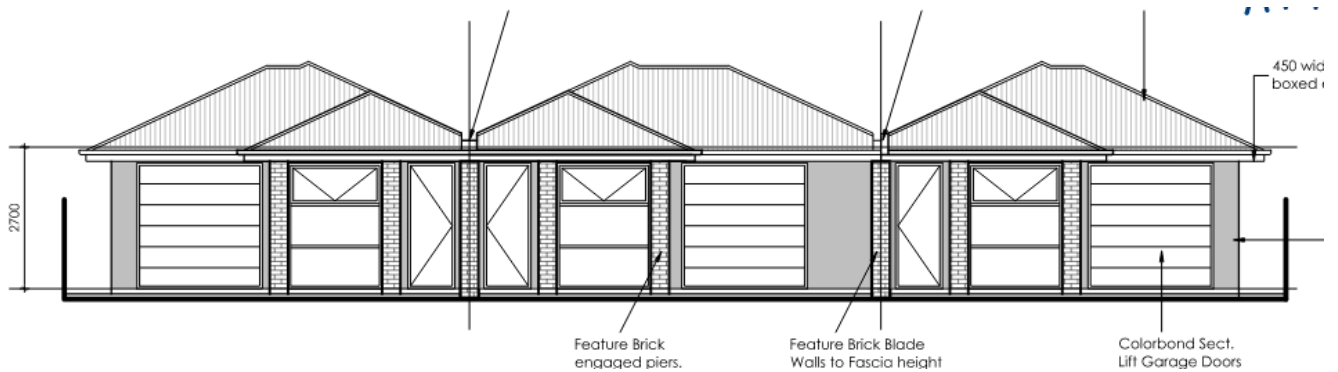
DEVELOPMENT NO.:	21038788
APPLICANT:	Ron Meyles
ADDRESS:	8 COVENTRY ST BRIGHTON SA 5048
NATURE OF DEVELOPMENT:	Construction of three single storey row dwellings
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • General Neighbourhood Overlays: <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy
LODGEMENT DATE:	6 Dec 2021
RELEVANT AUTHORITY:	Assessment panel
PLANNING & DESIGN CODE VERSION:	4 November
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 3:	Representations
ATTACHMENT 1:	Locality Map	ATTACHMENT 4:	Response to Representations
ATTACHMENT 2:	Proposed Plans		

DETAILED DESCRIPTION OF PROPOSAL:

The proposal comprises the construction of three single storey row dwellings over a site that currently contains one dwelling. The built form comprises hipped colorbond roofs, render and brickwork to walls, windows, entry doors and panel lift garage doors presenting to the street, with a high void to solid ratio. The architecture is consistent with typical infill development seen throughout the locality. Each dwelling has a single width driveway, with landscaping comprising the majority of the front yards. A land division application has not been submitted, however that does not compromise the assessment of this proposal, particularly as minimum site dimensions are met.



SUBJECT LAND & LOCALITY:

Site Description:

The site has dimensions of 33.53 x 23.37 metres, thus a site area of 783 square metres. The site is orientated east to west, with the front facing east.

Location reference: 8 COVENTRY ST BRIGHTON SA 5048

Title ref.: CT 5649/579 **Plan Parcel:** D6129 AL50 **Council:** CITY OF HOLDFAST BAY

Locality

The locality is residential in nature, with a predominance of detached dwellings on allotments in the range of 350 to 800 square metres. This proposal is the first in the locality for a row dwelling, under the new planning system, which allows minimum site areas of 250 square metres and 7 m metre frontages.



Green fill identifies subject site

Red outline identifies Representor's properties

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** New housing
Row dwelling: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
Wall on boundary
- **LIST OF REPRESENTATIONS**
Philip and AnneMarie Smedley of 1A Gratton Street, Brighton
 - Do not want existing boundary fence removed
- Rohan Williams of 4 Essex Street, Brighton
 - Development will cheapen the feel of Brighton;
 - More cars parked on Coventry Street;
 - Maintain the feel of a family home area
- Valerie McCabe of 1B Gratton Street, Brighton
 - Reduce value of houses in the area;
 - Extra traffic;
 - What type of people will want to purchase a house with so little land?;
 - Could be rented;
 - Domestic noise
- Alexandros Lekkas of 11 Coventry Street, Brighton
 - Traffic and lack of parking;
 - Proposal does not meet the streetscape of Coventry Street

The applicant submitted a reply to the representations, summarised as follows:

- Car parking provision complies with the Design Code;
- The street is capable of accommodating local traffic;
- There are already 2 driveway crossovers, therefore the proposal is only adding 1 additional crossover;
- Fencing is not sought to be removed as part of the development; and
- Windows can be modified to sit 1800mm above the floor level to alleviate concerns with privacy, albeit from ground level.

SUMMARY

- As mentioned in the Applicant's reply, on-site car parking satisfies the Design Code, the street is capable of accommodating infill development and support local traffic;
- Planning cannot consider items such as the market value of properties, the nature of the occupancy or personal traits of owners/occupants;
- The Zone allows for both row dwellings, and a range of architecture, therefore the built form is considered to be compatible with the existing locality and Zone requirements;
- Domestic noise is incidental to residential living and not a planning consideration

PLANNING ASSESSMENT

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

Building Height

The Zone allows for 2 building levels up to a total height of 9 metres. The proposal comprises single storey buildings.

Design and Appearance

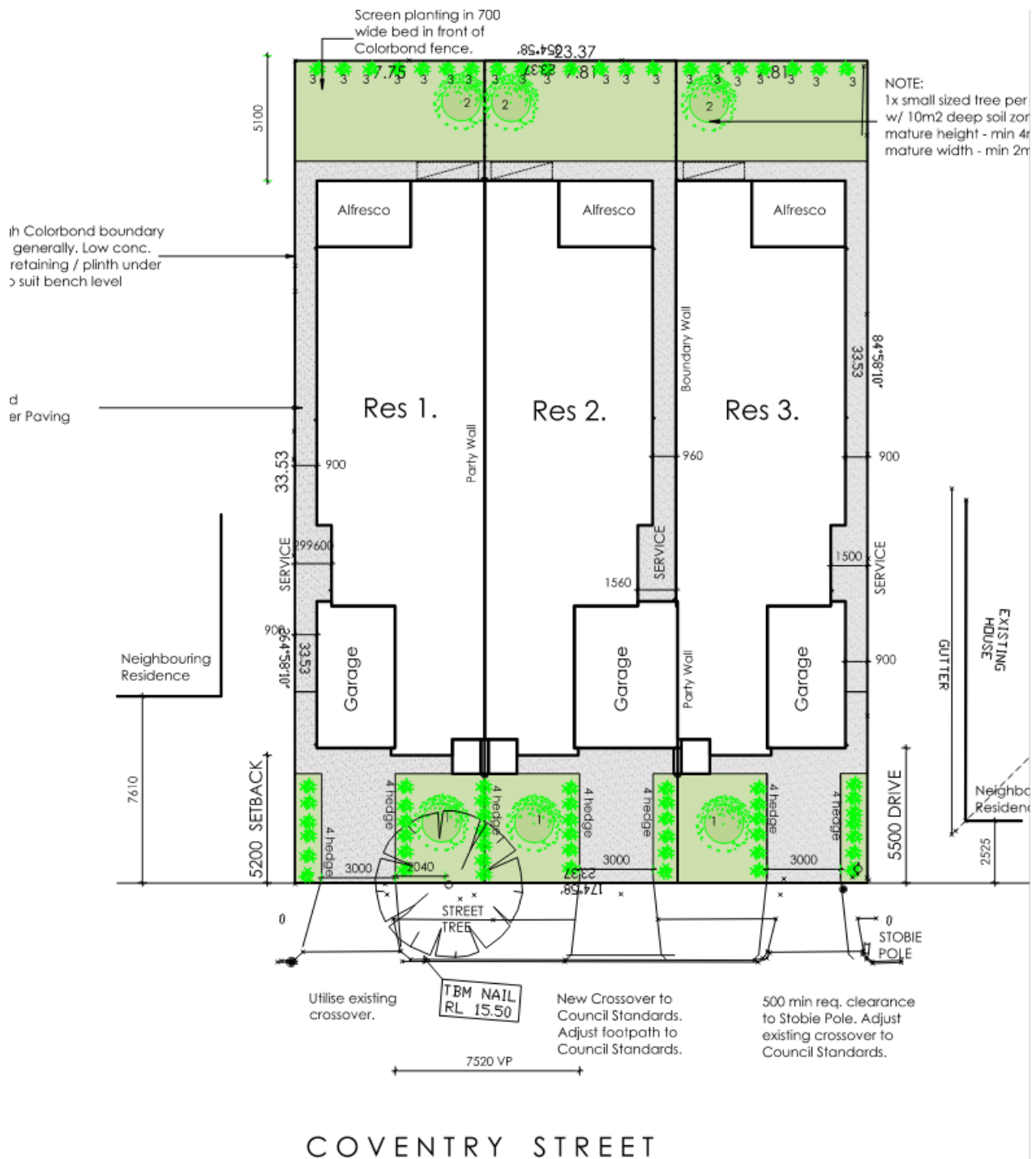
The buildings comprise conventional single storey row dwellings, with hipped colorbond roofs, a combination of brickwork and render to external walls, entry doors, large glass windows and panel lift garage doors, and therefore typical and consistent with the newer housing stock found within the locality.

Boundary Setbacks

The buildings are setback 5.2 metres at the dwelling façade and 5.5 metres at the garage, with minor protrusions found at the porticos (4.5 metres). The southern adjacent building faces Coventry Street and is setback 7.6 metres, therefore 2.4 metres behind the proposed building setback. It is noted that the northern adjacent building (albeit facing Gratton Street) has a secondary street setback of 2.5 metres, hence resulting in a varied building setback to Coventry Street. The proposed setbacks sit neatly between the adjacent physical building setbacks, and are considered not to adversely impact on the street setback character.

The buildings are setback 900mm plus from the existing side boundaries, therefore no boundary development is sought abutting neighbouring properties. The buildings are joined together with party walls, although there is a 960mm separation for some distance between Residence 2 and 3, which is useful in facilitating natural light to bedrooms and a living room in Residence 2.

The buildings are setback 5.1 metres from the rear boundary, which exceeds the minimum requirement of 3 metres, as prescribed by the Design Code.



Site Coverage

The buildings each have a floor area of 156 square metres and therefore cover 59 percent of the respective site areas, which are 261 square metres.

Private Open Space

A total of 50 square metres of private open space is provided for each dwelling, which exceeds the minimum requirement of 24 square metres, as required by the Design Code. In all cases, there is 50 square metres directly accessible from a living room and the minimum dimension exceeds 3 metres.

Soft Landscaping and Tree Planting

Soft landscaping amounts to 53 square metres, which equates to 20 percent of the site area, and therefore satisfies the minimum of 20 percent, as required by the Design Code. The site plan demonstrates the planting of 1 small tree per dwelling (Manchurian pear, 5m growth height).

Vehicle Parking and Traffic

The Design Code requires a minimum of 2 on-site car parking spaces, 1 of which is a visitor space. The proposal comprises single garages with visitor spaces on the driveways, hence 2 spaces per dwelling.

Vehicle access comprises a series of 3 metre wide driveways, all of which demonstrate appropriate clearances to street trees (2 metre separation from the base of the trunk) and stobie poles (500mm from the base of the pole), as required by the Design Code.



CONCLUSION

The proposal in effect, satisfies all of the Design Code requirements, except for the front setback, which as described above, is reasonable and supportable in the context of this proposal in terms of the siting of neighbouring buildings and the existing character of the streetscape associated with the development site.

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 21038788, by Ron Meyles 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 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. 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.
4. 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: 02/03/2022