

TO: **COUNCIL ASSESSMENT PANEL**
 DATE: **25 MARCH 2020**
 SUBJECT: **COUNCIL ASSESSMENT PANEL REPORT**
 AUTHOR: **ALEXANDER STAMATOPOULOS**
DEVELOPMENT OFFICER PLANNING
 ATTACHMENTS: **1. LOCALITY PLAN**
2. PROPOSED PLANS

DA NO.	:	110/00093/20
APPLICANT	:	PAUL CLUTTERBUCK
LOCATION	:	10 MORLEY STREET, GLENELG SOUTH (CONTRIBUTORY ITEM)
DEVELOPMENT PLAN	:	2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL CHARACTER ZONE POLICY AREA 11 (HISTORIC CONSERVATION)
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	CARPORT LOCATED FORWARD OF ASSOCIATED DETACHED DWELLING
EXISTING USE	:	RESIDENTIAL
REFERRALS	:	NIL
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	REFUSAL

1. Background

A previous application was lodged to the Council proposing a carport located forward of the dwelling, Development Application 110/00724/19. This application was refused by the Council under staff delegation due to inconsistencies of the development plan policies. The application contained a carport located forward of the dwelling with dimensions of 6m in length and 3.7m in width and was setback 6.5m from the primary boundary.

2. Site and Locality

The subject site is located within the Residential Character Zone New Glenelg Policy Area 11, which is a Historic Conservation Area considered to be of high suburban character as a result of the largely intact early 20th century housing. The current house located on the subject land is listed as a Contributory Item. The predominance of housing stock comprises detached dwellings typically with wide facades and driveways down one side of the site. The allotments are large with a strong character comprising large front yards with gardens, and carports/garages located to the side of associated dwellings.

Garaging is typically setback clearly behind the alignment of the adjacent domestic portion of the dwelling with front and side setbacks that reflect predominant setbacks of sites in the locality. There are few examples located forward of associated dwellings in the immediate locality. Notwithstanding, this form of development is discouraged regardless as to whether other examples exist.

Refer to Attachment 1

3. Proposed Development

The development proposes a carport forward of the associated dwelling with dimensions of 3.7 metres (width) by 4.5 metres (length), a pitched roof and post height of 2.7 metres. The carport is located 6.5m from the primary boundary and is located 1.5 metres forward of the bay window of the dwelling.

Refer to Attachment 2

4. Public Consultation

The proposed development is a Category 1 proposal pursuant to Schedule 9 of the Development Regulations.

5. Development Plan Provisions

The proposed development is not considered to satisfy the provisions of the Holdfast Bay (City) Development Plan. A detailed assessment of the proposal against the provisions of the Development Plan is provided in the Appendices to this report:

HOLDFAST BAY (CITY) DEVELOPMENT – ASSESSMENT – GENERAL SECTION – HISTORIC CONSERVATION AREA

Historic Conservation Area – Objectives	
3. Development that complements the historic significance of the area.	Does not comply.
Principles of Development Control	
3 Development of a contributory item should: (a) not compromise its value to the historic significance of the area (b) retain its present integrity or restore its original design features (c) maintain or enhance the prominence of the original street facade (d) ensure additions are screened by, and/or located to the rear of the building (e) ensure original unpainted plaster, brickwork, stonework, or other masonry is preserved, unpainted.	Does not comply.
4. New buildings should not be placed or erected between the front street boundary and the facade of contributory items.	Does not comply.
6. Development should take design cues from the existing historic built forms. In doing this, it is not necessary to replicate historic detailing; however design elements for consideration should be compatible with building and streetscape character and should include but not be limited to: (a) scale, bulk and form (b) width of frontage (c) boundary setback patterns (d) proportion and composition of design elements such as roof lines, pitches, window and door openings, verandas, fencing and landscaping (e) colour and texture of external materials (f) visual interest.	Does not comply.

Principles of Development Control (Cont)	
7. Development should: (a) restore and rehabilitate existing places of historic value (b) incorporate compact extensions to buildings of a scale, bulk and external appearance that are sympathetic and compatible with the historic character of these places (c) conserve, enhance and reinforce the historic significance of buildings and streetscapes.	Does not comply.
8. Additions to a contributory item should be screened by the original building and/or located to the rear of the original building.	Does not comply.
10. New buildings should not be placed or erected between the front street boundary and the façade of contributory items.	Does not comply.

HOLDFAST BAY (CITY) DEVELOPMENT – ASSESSMENT – GENERAL SECTION – RESIDENTIAL DEVELOPMENT

Residential Development	
14. Garages and carports facing the street should not dominate the streetscape and should be designed in accordance with the following: (a) have a maximum total width of garage or carport openings of 6 metres or 50 per cent of the dwelling frontage width, whichever is the lesser <u>(b) be located at least 0.5 metres behind the main face of the associated dwelling</u> (c) where it is in the form of an enclosed double carport or garage, be setback at least 8 metres from the primary road frontage and incorporate one of the following: (i) two individual doors with a distance of not less than 300 millimetres between them (ii) double tilt-up doors with moulded door panels having a maximum width of no more than 5 metres (d) be constructed of materials that integrate with those of the associated dwelling, or pre-coloured treated metal.	Does not comply.
Residential Development	
17. Garages, carports and outbuildings should be designed within the following parameters:	
Total floor area (maximum) Within 3 metres of side or rear boundary Sites 600 square metres or more: 60 square metres Sites 400-600 square metres: 40 square metres Sites less than 400 square metres: 30 square metres On a side or rear boundary Sites 600 square metres or more: 60 square metres Sites 400-600 square metres: 40 square metres Sites less than 400 square metres: 30 square metres	Complies.
Wall height above natural ground level 3 metres	Not applicable. No walls.
Wall length Within 3 metres of side or rear boundary 9 metres On a side or rear boundary 8 metres, provided the total length of all existing and proposed boundary walls does not exceed 30% of the total common boundary length	Not applicable. No walls.
Maximum height 4.5 metres	Complies.

Principles of Development Control														
Setback from any existing structure on the site located on the same boundary On side or rear boundary 6 metres		Not applicable.												
18. An outbuilding should not reduce the area of useable private open space by less than 80% of that required by the relevant zone, policy area or precinct.		Complies – does not cover private open space.												
21. Residential development (other than where located on a boundary) should be setback from side and rear boundaries in accordance with the following parameters: <table border="1" data-bbox="151 667 869 1377"> <thead> <tr> <th>Parameter</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Side walls with a height up to (and including) 3 metres at any point above the natural ground level.</td> <td>1 metre</td> </tr> <tr> <td>Side walls with a height exceeding 3 metres and up to (and including) 6 metres at any point above the natural ground.</td> <td>1.5 metres plus an additional 500mm for every metre in height above 4 metres.</td> </tr> <tr> <td>Side walls greater than 6 metres at any point above the natural ground level</td> <td>2.5 metres plus the increase in wall height above 6 metres</td> </tr> <tr> <td>Rear boundary setback for single storey buildings with a wall height 3 metres or less above natural ground level</td> <td>4 metres</td> </tr> <tr> <td>Rear boundary setback for a building of two or more storeys with a wall height more than 3 metres above natural ground level</td> <td>6 metres</td> </tr> </tbody> </table>		Parameter	Value	Side walls with a height up to (and including) 3 metres at any point above the natural ground level.	1 metre	Side walls with a height exceeding 3 metres and up to (and including) 6 metres at any point above the natural ground.	1.5 metres plus an additional 500mm for every metre in height above 4 metres.	Side walls greater than 6 metres at any point above the natural ground level	2.5 metres plus the increase in wall height above 6 metres	Rear boundary setback for single storey buildings with a wall height 3 metres or less above natural ground level	4 metres	Rear boundary setback for a building of two or more storeys with a wall height more than 3 metres above natural ground level	6 metres	Not applicable. No walls.
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Rear boundary setback for single storey buildings with a wall height 3 metres or less above natural ground level	4 metres													
Rear boundary setback for a building of two or more storeys with a wall height more than 3 metres above natural ground level	6 metres													
27. Carports and garages should be set back from road and building frontages so as to: <ul style="list-style-type: none"> (a) contribute to the desired character of the area (b) not adversely impact on the safety of road users (c) provide safe entry and exit (d) not dominate the appearance of dwellings from the street 		Does not comply.												
28. Site coverage (the proportion of a site covered by ground floor level buildings and structures including dwelling, garage, carport, verandas and outbuildings but excluding unroofed pergolas and unroofed balconies) should not exceed the following values: <table border="1" data-bbox="151 1684 518 1848"> <thead> <tr> <th>Parameter</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Site with an area less than or equal to 300 square metres</td> <td>60%</td> </tr> <tr> <td>Site with an area greater than 300 square metres</td> <td>50%</td> </tr> </tbody> </table>		Parameter	Value	Site with an area less than or equal to 300 square metres	60%	Site with an area greater than 300 square metres	50%	Complies.						
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Site with an area greater than 300 square metres	50%													

HOLDFAST BAY (CITY) DEVELOPMENT – ASSESSMENT – RESIDENTIAL CHARACTER ZONE – NEW GLENELG POLICY AREA 11

RESIDENTIAL ZONE, STREETScape CHARACTER (BRIGHTON & GLENELG EAST) POLICY AREA 13	
Objectives	
1 An area of heritage value where heritage character and integrity is conserved and reinforced.	Does not comply.
4 Development that contributes to the desired character of the policy area.	Does not comply.
Desired Character	
<p>The policy area comprises an area subdivided by John Bentham Neales in 1850, with the area on the western side subdivided into large allotments, and smaller, narrow, regularly spaced allotments created in the eastern sections from Hastings Street to Brighton Road. Over time, many of the larger allotments were re-subdivided into smaller allotments, with the 1870s and 1880s being the most intense residential development phase until the 1920s when remaining vacant allotments were developed for housing.</p> <p>This policy area represents typical residential development in Glenelg based on the early subdivision patterns and containing excellent examples of all domestic architectural types, styles and periods from the largest of seaside mansions to the humblest of workers cottages.</p> <p>Development within the policy area will primarily be single storey detached dwellings and single storey semi-detached dwellings that complement the late Victorian and early 20th Century housing predominant in the locality. Development of buildings, or in the vicinity of buildings, constructed in the late Victorian and early 20th Century periods will conserve and enhance their distinctive features including their wall heights, roof forms, scale, external detailing, external materials and fencing.</p> <p><u>Development will conserve and enhance the cohesive streetscapes of the policy area</u>, particularly those east of Moseley Street, <u>having regard to predominant building setbacks, scale, external materials, fencing and appearance of existing dwellings in the locality</u>. Likewise, the rows of Norfolk Island Pines planted on Broadway and Partridge Street and the oaks in Moseley Street, are notable elements that also contribute to the character of the policy area.</p>	Does not comply.
5 Garages and carports should: (a) be setback a minimum distance of 500 millimetres from the main face of the associated dwelling or building (b) have a maximum opening width of 6 metres or 50% of the allotment frontage, whichever is the lesser.	5 (a) Does not comply (b) Complies

4. Summary of Assessment

The proposed development is considered to be at variance with the intent of the Development Plan with respect to the siting of the carport relative to the façade of the associated dwelling. There are few examples of carports located forward of associated dwellings found within the immediate and surrounding locality. Any examples found in the wider locality, reflect a form of development that is not envisaged within the Zone and should not be repeated. Further, other examples should not set a precedence to allow for this form of development to continue elsewhere, including the subject site.

The majority of sites within the locality have been developed with carports to the side or rear of dwelling.

The proposal is at variance with the following Development Plan provisions:

- Historic Conservation Area Principle 3, which requires development that compliments the historic significance of the area. The immediate locality consists of character dwellings with façades that present that present to the streetscape. The proposed carport will detract from the dwelling façade and unreasonably form a visual intrusion.
- Historic Conservation Principles 4 and 6, 7, 8 and 10 which discourage new buildings being erected between the street boundary and dwelling façade and maintenance of the streetscape character in regard to boundary setback patterns and reinforce the historic significance of buildings and streetscapes. The carport location does not reinforce the historic significance of the associated dwelling or the predominant street setback pattern.
- Residential Development Principle 14(b) requiring carports to not dominate the streetscape and be setback at least 0.5 metres behind the main face of the associated dwelling. The carport is significantly forward of the main face of the associated dwelling and will dominate appearance from the street.
- Residential Development Principle 27(d) requiring carports to not dominate the appearance of dwellings from the street.
- Residential Character Zone New Glenelg Policy Area 11 Principle of Development Control 5(a) which requires carports to be setback a minimum of 500mm from the main face of the associated dwelling.

The construction of the carport forward of the associated dwelling is considered a form of development that will substantially detract from the visual appearance of the subject site and streetscape of the Historic Conservation Area. The Zone specifically seeks to ensure existing housing stock and front gardens remain the prominent visual feature of a property.

5. Conclusion

The proposed carport is located forward of the associated dwelling and will be readily viewed from the street. The carport is inconsistent with the relevant Development Plan provisions, namely its distance forward of the associated dwelling and its location on the primary street boundary resulting in unreasonable visual dominance on the streetscape.

6. RECOMMENDATION

1. **The proposed development is NOT seriously at variance with the policies in the Development Plan.**
2. **Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Council Assessment Panel considers that the proposed development is not consistent with the Development Plan and that Development Application 110/00093/20 be refused Development Plan Consent for the reason that it is contrary to:**
 - **General Section, Residential Development Principles of Development Controls 14(b) and 27(d);**

- **Historic Conservation Area Objective 3 and Principles of Development Control 3,4,6,7,8 and 10; and**
- **Residential Character Zone Policy Area 11 Objective 1 and 4 and Principle of Development Control 5(a).**

More specifically, the application does not meet the intent of the Development Plan in relation to:

- **Preservation of existing development patterns and built form in the policy area;**
- **The Desired Character of the Zone;**
- **Carport sited forward of dwelling;**
- **Setback from the street boundary; and**
- **Compatibility with setback character of locality.**

ATTACHMENT 1

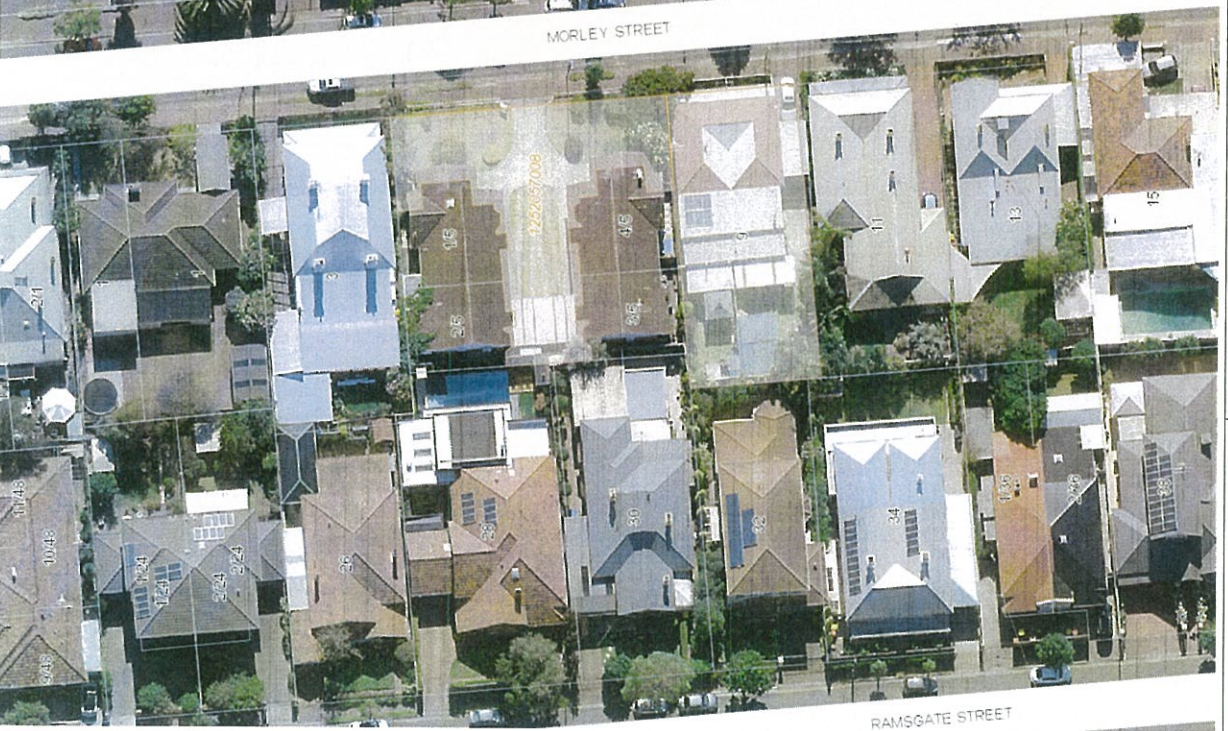


10/03/2020

1:597



 - Subject Site



This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Holdfast Bay. This information is provided for private use only. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Boundary line network data is supplied by State Government.



ATTACHMENT 2

P.O. Box 1111
GLENELG SOUTH
SA 5045

Re: Development Application 110/00724/19

Dear Anthony

Thank-you for the recent correspondence via Mr Bob Snewin regarding our application for a Veranda & Carport for 10 Morley Street, Glenelg South.

Reading Council Planning Concerns as follows:

- The proposal has a Carport "well-forward" of the dwelling
- That the structure extends further than the dwellings located either side
- Given the location of the land is in an area of Historic Character

We have contracted Garth Heynen of Heynen Planning with to assist us and here is our amended proposal and therefore submit amended plans.

Key Points:

- The Carport Length has been shortened so that it is further back from the streetscape than immediate neighbours Veranda (12 Morley Street).
- The Carport will be in keeping with the Character of the upgraded Property situated in this area of Historic Character
- The structure will be in a matching pitch the same as the main dwelling, plus have Old Tiles (which was done with the Portico) from the Southern Roof and be a Wooden Structure painted in Smooth Cream (TME).
- There should be no impact on the Streetscape as such

Amended Plans are herewith submitted & thank-you for waiving the Application Charges, as I was in Hospital for most of December and as such unable to respond in a timely manner.

Best regards,



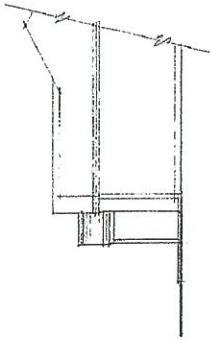
Paul Clutterbuck

Ph 0438 832 085

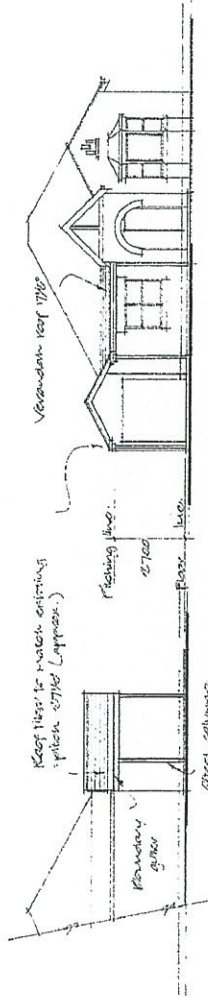
24th January 2020

ATTACHMENT

2.1

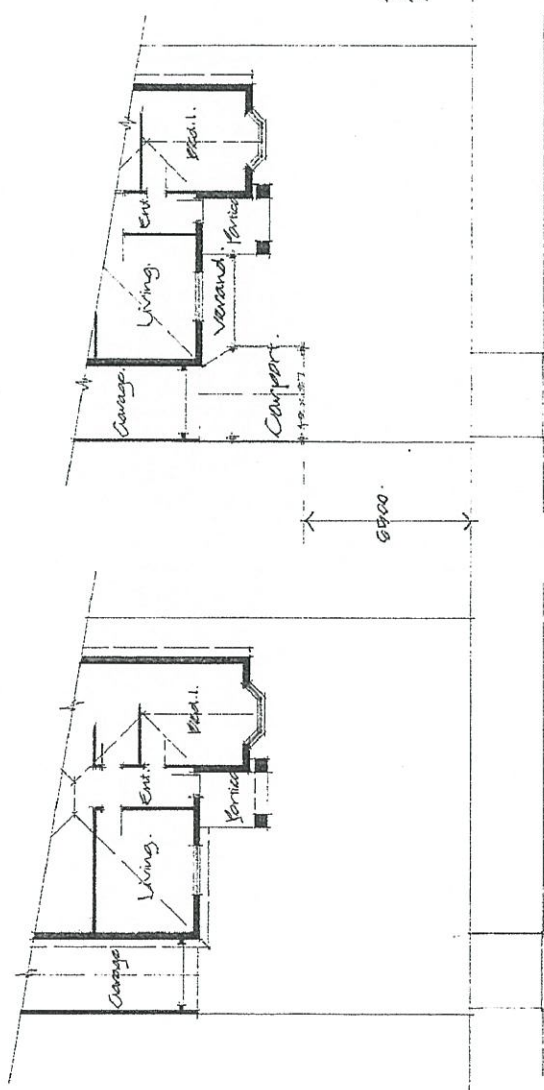


SIDE 'SOUTH' ELEVATION.



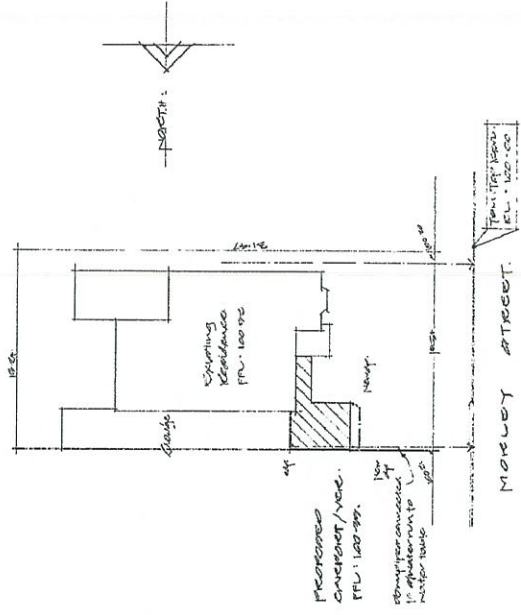
SIDE 'NORTH' ELEVATION.

FRONT 'WEST' ELEVATION.



EXISTING GROUND PLAN.

PROPOSED GROUND PLAN.



SITE PLAN.

AMENDMENTS:
 N. 501120
 Carport reduced by 1000 in length.

PROPOSED CARPORT & VERANDA TO BE ERECTED
 AT : 1010 MORLEY STREET GLENELG SOUTH.
 FOR : MR. F. CLUTTERBUCK.

Scale:
 Plans & elevations : 1 : 100
 Site Plan : 1 : 200

Area:
 Carport / Verand : 200 sq m
 Date : Nov '95. Drawn : M.C.

All dimensions to be
 checked on site before
 commencing erection.
 Drawing No. A-95-2-2019-X

M. O'NEALE DESIGN.
 P 04 7990 044 7990
 48 College Road Brighton Park.
 MICKLEBURGH INDUSTRIAL ZONE