

8.1.3 12 The Esplanade – Single House - Additions and Conservation Works
URBAN PLANNING
ATTACHMENT DETAILS

Attachment No	Details
Attachment 1	Location Map
Attachment 2	Development Application Plans
Attachment 3	R-Codes Assessment Checklist

Voting Requirement	:	Simple Majority
Subject Index	:	DB027B
Location / Property Index	:	12 The Esplanade, Peppermint Grove
Application Index	:	DA2019/00016
LPS No 4 Zoning	:	Residential – R10
Land Use	:	Residential
Lot Area	:	1597m ²
Disclosure of any Interest	:	Nil.
Previous Items	:	Nil.
Applicant	:	Griffiths Architects
Owner	:	Theresa Lynn Smith
Responsible Officer	:	Mr. Ross Montgomery – Manager of Development Services

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

Council is requested to consider the proposed additions and conservation works to a single house at 12 The Esplanade, Peppermint Grove.

SUMMARY AND KEY ISSUES

- The application proposes extending a wing of the house towards the street to be within the 9 m street setback as required in LPS 4.
- An existing boundary wall is also to be extended in both directions along the street and southern boundaries.
- The property is listed on the Shire Heritage List and is included in the Municipal Heritage List (management category 1). The building due to its age was never designed or built to comply with the current R-Codes.
- The proposed house extensions exceed the maximum height in Local Laws and do not meet the deemed-to-comply requirements for boundary setback within the R-Codes.
- A heritage architect's assessment (engaged by applicant) supports the additions because the extension is:
 - in character with the original house, and
 - does not detract from the streetscape presentation, and
 - will update the property to accommodate a contemporary lifestyle.
- The application warrants support however Council is to be satisfied the additions are compatible with conservation of the heritage values for their approval to be granted.

LOCATION

12 The Esplanade, Peppermint Grove

BACKGROUND

The applicant has previously presented on two occasions to Council (08/03/2019 and 09/04/2019) with sketch drawings of the proposed works and justification for the changes proposed. Councillors have provided feedback and so the proposal was amended to respond to this advice.

The south-east corner of the property and in particular the proposed driveway and the boundary brick wall caused some concern about the visual impact onto the street and the neighbouring house. The boundary wall and garage has now been setback back and the corner curved at the corner junction. The height has been reduced and an open-view iron rail fence will be used to create a 1m balustrade on top of the boundary wall/garage instead.

This design is intended to maintain sight lines to the heritage building and the street thereby continuing a visual connection and association between the house and the street.

CONSULTATION

Adjoining property owners were advised on the 11th June 2019 and invited to view and comment on the plans. This consultation period closed on the 25th of June 2019 and no official comment on the proposed development was received.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident.

POLICY IMPLICATIONS

12 The Esplanade is included in the Shires Heritage List and is a Category 1 property on the Municipal Heritage List. Therefore, due regard needs to be given to Local Planning Policy 3, Heritage Places.

In this regard Council should be satisfied that:

- *Significant heritage fabric is retained;*
- *Original front elevations and features are retained and/or restored;*
- *Intrusive finishes or elements that negatively impact on the heritage significance of the building are removed; and*
- *Work is either reversible in the future or does not compromise the heritage significance of the building.*

STATUTORY IMPLICATIONS

Local Planning Scheme No.4

The proposal complies with relevant Scheme provisions, Residential Design Codes and Scheme Policies with the exception of those outlined in the table below.

RESIDENTIAL DESIGN CODES		
Acceptable Development/Performance Criteria		Assessment/Comment
1.	Front setback – 9m (Modified by Local Planning Scheme 4)	The proposed addition protrudes into the front setback of the property by 1.5m so that the front setback is 7.5m. This creates 7.3m ² of floor area within the front setback area.
2.	Northern boundary setback – 1.8m for a 4m wall with major openings (Table 2b R-Codes).	Existing building is setback 1.43m from the property boundary and does not meet the deem-to-comply provisions of the R-Codes. The proposed plans intend to extend the building at the current setback distance in both directions creating one 10.6m wall and another 24m wall at the same setback distance as the original building.

FINANCIAL IMPLICATIONS

There are no financial implications evident.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

SOCIAL IMPLICATIONS

There are no social implications.

OFFICER COMMENT

The Planning Application for 12 The Esplanade, Peppermint Grove, proposes additions and conservations works to the existing single house – a heritage listed property.

The application cites that the additions are required to improve the liveability of the property, update the house and provide better vehicular access to what is currently considered by the applicant to be a constrained site.

The additions are designed to be sympathetic to the heritage fabric and scale of the building. The additions proposed for the rear of the property comply with the design principles of the R-Codes and the Scheme and are assessed as acceptable.

There is a significant crossfall on this and adjoining properties as the Esplanade descends south from Pindari Place. Abutting properties are stepped and have direct views to the south-east towards Freshwater Bay.

The extension of the façade by 1.5 m towards the street reduces the 9m front setback to 7.5m from the street boundary. This variation of setback is assessed to have negligible impact on neighbours because the ground elevation of the property to the north is significantly higher providing sight lines to the east above and unimpeded by the addition.

The existing building is setback 1.43m from the northern boundary and does not comply with R-Codes, however, is assessed to be acceptable according to a design principles assessment.

The house is heritage listed and one of the Shire's oldest buildings, the stringent application of modern design criteria may therefore not be appropriate. The proposed variation to reduce the side boundary setback. is considered by 'design principles rather than as 'deemed-to-comply with the R-Codes. (Refer table 2b)

Taking account of the variation in levels between the properties the variation to the setback to the northern boundary and street is unlikely to impact the house to the north or the street presentation. The design is considered acceptable having regard principles of the R-Codes as applied in this case warrant a recommendation of approval.

It is also proposed to build a garage within the front setback but due of the crossfall of levels it will not obscure the outlook of the house to the east. A boundary wall is proposed with an opening which matches the existing crossover. The garage in this location uses the crossfall

of the block to contain the bulk the structure underground and preserve a line of sight between the house from the street.

A further issue with the house is the difficult street access due to adjacent traffic calming devices, a barrier island, street parking restriction and a lack of a rear laneway for alternative access. The proposed garage is within the street setback but below the new-ground surface of the front garden area. On top of this is provision for visitor parking and drop-off access directly in front of the house. A new second crossover is proposed from the Esplanade on to the property at the northern boundary.

The Shire considered other designs for crossovers which were discussed however the proposed design is on balance assessed to be the most suitable because it has a lower street impact on the turf verge. The proposed new crossover works however if approved will require modification to the traffic calming devices on The Esplanade to provide access to the property from both directions. The owners via the applicant advise they are prepared to meet all costs with review, redesign and modification should this additional crossover be approved.

Conclusion

The proposal is assessed against the Design Principles of the R-Codes (6.1.3 and 6.1.4) and Local Planning Policy 3 – Heritage Places (LPP 3). In making the assessment it is recognised the house has restrictions to road access, as well as limits to more extensive modification without risking deleterious impact and demolition of important elements of the heritage listed house.

Following the assessment by a design principles approach, it is accepted the approval to variations to the R-Codes in accordance with the revised and resubmitted design will limit adverse impact of the design on neighbouring properties, retain and update the heritage values for the house and create a more liveable and efficient use of space.

The proposed works accord with **guidelines** of LPP 3 to create a building which respects the design and features of the original heritage building so it may still be recognised and read as original. Approval to the proposed additions and conservation works is recommended subject to conditions.

OFFICER RECOMMENDATION/S – ITEM NO 8.1.3

Moved: Nil

Seconded: Nil

Council approves the “Additions and Conservation Works” to the single house at 12 The Esplanade, Peppermint Grove, subject to the following conditions:

1. Prior to the lodgement of a building Permit application for the works, the applicant is to photographically record the heritage interior and to provide this record to the Shire of Peppermint Grove for information prior to the issue of the Permit.
2. Prior to the commencement of works, the applicant shall submit for approval and thereafter implement to the satisfaction of the Shire of Peppermint Grove, a construction management plan detailing:
 - a. How materials and equipment will be delivered and removed from the site;
 - b. How materials and equipment will be stored on the site;
 - c. Parking arrangements for contractors;
 - d. Construction Waste disposal strategy and location of waste disposal bins;
 - e. Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
 - f. How risks of wind and/or water born erosion and sedimentation will be minimised during works;
 - g. Other matters likely to impact on surrounding properties.
3. The development plans, as dated marked and stamped “Approved”, together with any requirements and annotations detailed thereon by the Shire of Peppermint Grove, are the “Approved Plans” as part of this application and shall form part of the development approval issued.
4. The development, the subject of this approval shall be substantially commenced within two years of the date of issue of the consent forms and be completed before the conclusion of the third year, whereby all works are to be completed and conditions met.
5. All works are to be undertaken subsequent to the issue of a Building Permit and shall not be carried out, other than in accordance with this this Planning Approval and consistent with Building Permit certified/approved plans.
6. Prior to issue of a Building Permit the applicant is enter into an Agreement wit the Shire to undertake to meet all costs associated with the review, redesign and modification of the Esplanade, including traffic control devices, kerbing, landscaping and should this additional crossover be approved.

Advice Note :-

1. Council assessed the proposed works by considering the heritage value of the property, the potential of the works to conserve these values and to meet identified design principles as adequate to warrant approval in this instance.
2. With regard to Condition 6 the applicant is to arrange for a transport engineering assessment and report of the additional driveway and crossover and impact mitigation with regard to vehicle speed, safety and access along The Esplanade and onto the site at 12 The Esplanade. This Report is to be assessed and accepted as satisfactory by the CEO of the Shire of Peppermint Grove and will form the basis for Condition 6 Agreement.

LOST