

APPENDIX B- Ku-ring-gai Council Submission (March 2013)



KU-RING-GAI COUNCIL SUBMISSION

**MP 08 0207 - Concept Plan and
MP 10 0219 - Project Application**

Preferred Project Report

1, 1A, 5 Avon Road, 4 & 8 Beechworth Road Pymble

March 2013

development permissible under the KLEP zonings is considered to be of a more appropriate density than the density proposed, regardless of design, from an urban design point of view.

Heritage context

1 Avon Road is included on the site and is a heritage items in Schedule 5 of the KLEP.

The following properties are within the vicinity of the subject site and are heritage items in Schedule 5 of the Local Centres LEP:

- 6 Beechworth Road
- 1178 Pacific Highway
- 1186 Pacific Highway
- 1202 Pacific Hwy (1 Clydesdale Place).

The following properties are heritage items in Schedule 7 of the KPSO and are within the vicinity of the subject site:

- 11 Avon Road
- 11 Arilla Road
- 19 Avon Road
- 9 Beechworth Road
- 1228 Pacific Highway (corner of Beechworth Road)

In reference to No 11 & 19 Avon Road and No 11 Arilla Rd, the Statement of Heritage Impact (SHI) (p.2) are to be removed from the heritage schedule while in other parts of the report it considers potential heritage impacts on them from the proposed development. No 11 & 19 Avon Road and No 11 Arilla Road are not within the boundaries of the KLEP. They remain as heritage items in Schedule 7 of the KPSO. Further those properties have been reviewed (Paul Davies P/L Architects and Heritage Consultants) and are recommended to be retained as heritage items in the future draft Principal LEP.

The SHI for the proposed development is dated November 2012 while the Local Centres LEP was still draft. With the gazettal of the KLEP, No 5 Avon Road is no longer a listed item. Its demolition is acceptable. Prior to any demolition, it is recommended that the building should be photographically recorded to archival standards and a copy lodged with the Gordon Library.

1 Avon Rd

1 Avon Road is proposed to be demolished. The heritage impact assessment in the proposed development is partially based on an earlier assessment undertaken in 2009 by Rappoport P/L and a follow up assessment undertaken by OCP Architects P/L. It provides the following Statement of Significance:

No 1 Avon Road, Pymble has historical significance for its association with the subdivision of a rural Pymble area and developed over a century as a suburban ideal that embraced well landscaped gardens with substantial houses adjacent to the main North Shore railway line.

Its most noted resident was James Fraser, who developed No 1 Avon Street (sic) as a residence with substantial gardens for his wife Elizabeth's retirement. Fraser owned the property from 1924 and after his wife dies in 1929, he puts the site up for auction in 1929.

Fraser is highly regarded within NSW Railways and is well remembered as the chief commissioner from 1917 to 1929.

Being setback from Avon Road it contributes less to the rest of the Avon Road street landscape. Nevertheless the building has some aesthetic significance, at a local level, as an item that retained some of its Inter-War characteristics.

In short the above statement of significance confirms that the item has historic and aesthetic significance. The above statement also reinforces its local heritage listing in the KLEP.

Clause 5.10(1) of the KLEP provides the following relevant objectives:

- (a) to conserve the environmental heritage of Ku-ring-gai*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views*

The demolition of No. 1 Avon Road, would not conserve the environmental heritage of Ku-ring-gai. The heritage item is located within the building footprint of the proposed Building 4 and cannot be retained pursuant to the current scheme. (It is noted that No. 1 Avon Road is zoned R3 - Medium Density Residential under KLEP (Local Centres) 2012 due to the substantial size of the existing dwelling which would lend itself to apartment conversion).

It is noted that some features, such as within the curtilage of the dwelling are proposed to be retained – where possible. This should be strengthened. Should the concept plan be approved, it is recommended that a condition requiring their conservation be included.

The heritage report by OCP architects includes considerable discussion on changes that were made to the house in 1938 and 1988 but it does not indicate any changes were made since it was gazetted as a local heritage item in 1989. The report does not provide any interior photographs and only provides exterior photographs.

The house was inspected externally in February 2013 as part this assessment and no interior inspection was possible. It is currently vacant and most windows and doors boarded up making it difficult to assess the building as the external proportions and joinery detail are partially covered making an assessment difficult to make. It is understood that several Council officers have previously inspected the interiors about two years ago and both the materials and level of craftsmanship are of high quality and the condition good in areas of the dwelling through which they were taken.

The heritage report submitted with the application states that the site has been rezoned by the State Government for multi-unit development since 2002 and the zoning implies that the building could be removed for the greater good of the overall site's multi-unit development, or that the building could be integrated into the overall development. The report notes that the location of the building on the site makes entry to it difficult because it is located on a highpoint and due to the topography it is a natural entry point and in rezoning the site it was envisaged by the legislators for demolition.

As the item was listed as a heritage item in the recently gazetted KLEP this cannot be considered as a justification. The NSW Guidelines for SOHI Reports requires that the following questions be addressed: 'Have all options for retention and adaptive re-use been explored?' and 'Is demolition essential?' It is inadequate to dismiss this opportunity for retention and adaptive reuse because of the assumption that the building has 'very likely been envisaged for removal by the legislators' or that 'the retention of the building would prevent the natural entry to the upper site' (it is unclear what the latter means) (SOHI p40). The following brief argument about the consequences of retention being to 'force

development further north...' does not appear to be necessarily the case. Additional investigation should be undertaken regarding the possibilities for retaining 1 Avon Road, or else, a much stronger case supported by evidence should be made for demolition (for example sketches demonstrating how the development would be 'forced' north etc).

These questions have not yet been satisfactorily or convincingly addressed. In the present submission documents, there is no evidence of the exploration for potential adaptive reuse. It could be adapted for 3 or more dwellings in accordance with the R3 zoning, or through the heritage incentives clause (Clause 5.10 of the KLEP) could be used to provide a degree of flexibility for future uses of the item to allow its incorporation into any future development.

The building has considerable local heritage significance and should be retained in any future development of the site.

Nearby Heritage items

19 Avon Road, 11 Arilla Road and 9 Beechworth Road, 1186 Pacific Highway, 1178 Pacific Highway" Grandview", 1228 Pacific Highway (corner Beechworth Road)

While there may be some amenity impacts, such as overshadowing to 11 Arilla Road, in general the proposed developments are well separated from these sites and would not be detrimental to their setting or curtilage.

No 6 Beechworth Road

This is an early Federation period house looks out over the subject site. It was constructed prior to the land resumption for the North Shore Railway Line. When constructed it faced south towards a roadway that does not currently exist, allowing views over it. The 'front elevation' then was to the south over the subject site. The Beechworth Road elevation was the rear elevation of the house at that time. Part of the existing driveway is on the Council road reserve and also provides access to No 8 Beechworth Road located to its south.

The principal living rooms and main verandah of the dwelling face south over the subject site. Building 5 has a maximum height of RL166 and will obstruct the primary views from No. 6 Beechworth Rd. The location and scale of the proposed building 5 would have a significant detrimental on the heritage value of the item. The building should be redesigned to protect the primary views and significance of the heritage site.

11 Avon Road

This is a highly intact Georgian Revival style house designed by Hardy Wilson. The proposed development does not directly adjoin it but is separated by existing houses at no 7 & 15 Avon Road. The inconsistencies in the proposal make assessment of the impact of the scale and form of the development on 11 Avon Rd difficult. The heritage report also fails to consider the impact on any views from the site.

1190 Pacific Highway

This masonry and timber house has been subdivided into two dwellings. The dwelling on the upper floor enjoys considerable views to the west over the subject site from a large verandah. It has a minor presentation to the Pacific Highway. No assessment of the impact of the height and scale of the proposal on the views from it to the west (the principal view corridor) has been submitted.

1202 Pacific Highway "Colinroobie" (2 Clydesdale Place)

This is an early grand Federation residence, located at a high point on Pymble Hill to take advantage of views to the south but primarily to the west. The recently constructed medium density flat building at 3-5 Clydesdale Place was designed so that its northern end is limited to two storeys in scale (with a maximum RL of 166.8) to minimise the impact on significant views to the west from the principal living areas and terrace area. The bulk of the proposed development is directly within the important view corridor of this item. No view analysis from this item has been submitted, nor is there any discussion of the potential impact of the scale or height of the proposal on the setting of the item.

Local heritage study

The northern Avon Rd area is described by the National Trust as: *'contain[ing] aesthetically distinctive streetscapes of mainly Inter-War period buildings that feature a general uniformity of setback from the street, architectural styles, materials, colour and form. They are enhanced by an established landscape of well maintained gardens and street plantings of indigenous and exotic tree and shrubs, which are incorporated into private front and rear yards which contributes to a high level of streetscape integrity. Of particular significance is the remnant stand of indigenous trees that provides a substantial canopy that extends from the Pacific Highway in a southerly direction along a creek line.'*

The area is not identified as a Heritage Conservation Area in the KLEP, however, Council has commissioned a peer review of the heritage study for this area, due to be considered in the near future. Regardless of the outcome of this review, the description above is a useful characterisation of this part of Avon Rd.

Principle 2: Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development.

In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area. DGRs required the proponent to address the height, bulk and scale of the proposal and provide justification for heights in excess of the SEPP 53 standards. Site Elevation drawings MP03.02 through MP03.04 do not show the proposed envelope elevations (although MP03.01 does), making it difficult to understand the scale relationship of the proposed buildings with the streetscape from the Concept Plan drawings.

The KPSO and its accompanying document, Development Control Plan No. 55 - *Ku-ring-gai Multi-unit Housing*, have set the standard for residential flat buildings in Ku-ring-gai with regard to character, design, quality, amenity and landscape and contain detailed controls including those related to bulk and scale.

The outcomes for desirable scale should be that the new buildings sit in reasonable relative visual scale to the existing buildings, and not be so large as to appear over-scaled or out of scale. Another measure of desirable scale might be that the proposal is in line with other recent residential flat development throughout the LGA and therefore in line with the community expectation.

Residential flat buildings in Ku-ring-gai are generally considered against the provisions of the KPSO (Part IIIA of the KPSO) and DCP 55: