



SUPPLEMENTARY BUSINESS PAPER

Late Item Memo – Item 3

LOCAL PLANNING PANEL MEETING

Wednesday 28 October 2020

at 6:30PM



TABLE OF CONTENTS

SUPPLEMENTARY ITEMS

Item 3	LM14/20 Late memo - Submission of Amended Plans - No. 181-183 Cheltenham Road Cheltenham	1
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ITEM 3 **LPP30/20** - Development Application - Demolition of a Tennis Court, Shed, Garage and Driveway and Construction of a Purpose-Built Addition to a Dwelling House and Change of use to a 70 Place Child Care Centre with a Basement Car Park and Associated Landscaping

Additional information with no change to Recommendation

1. SUBMISSION OF AMENDED PLANS

The following information was submitted to Council on 19 October 2020:

- Revised architectural plans comprising:
 - A slight increase in the bin storage area as per Council's request.
 - 1.5m high masonry walls surrounding bin storage area.
 - Relocation of the pedestrian entrance to northern side of driveway crossing and the inclusion of an internal pedestrian crossing.
 - Deletion of the 0-2-year-old play area and acoustic fencing within the front setback to Beecroft Road adjacent to the existing dwelling house.
 - Deletion of the gazebo and sandpit within front setback to Beecroft Road.
 - Retention of existing footpath surface within front setback to Cheltenham Road as opposite to a rubber surface.
 - The fire hydrant would be concealed from the streetscape.
 - Internal revisions to the layout of the existing dwelling house.
- An amended landscape plan to reflect the changes to the architectural plans
- A letter from the arborist with further details of tree No. 3 and its poor health
- A heritage impact response letter prepared by GBA Heritage
- A landscape heritage impact response letter prepared by Taylor Brammer
- A kitchen plan as per Council's request
- A revised waste management plan
 - Waste is proposed be collected on Cheltenham Road via 12x240L bins. The bins would be carted down the driveway before collection.

The following requested information remains outstanding:

- SIDRA traffic analysis
- Sight distance analysis
- Amended car parking /pedestrian layout
- Construction management plan
- Demolition management plan

2. ASSESSMENT OF AMENDED PLANS

Council has undertaken an assessment of the submitted information and notes the following:

- Council still raises concerns that the proposed driveway, parking areas and raised building entrances may present privacy and amenity concerns for the adjacent property at No. 50 Cheltenham Road
- Concerns are raised that specific tree species have not been identified on the landscape plans

2.1 Heritage assessment

HDCP Part 9 Heritage Provisions	Proposal	Heritage comment
<p>Part 9.2.2 Part 9.2.3 Part 9.2.4 Part 9.3.2 Part 9.3.3 Part 9.3.4</p>	<p><i>Demolition of the ancillary structures and garden features</i></p>	<p>The proposed demolition is still not compliant with Part 9.2 and 9.3 of the HDCP.</p> <p>The proposal is not considered a reasonable or minor change to the heritage listed garden. The north-east area is secondary to the formal front garden area, but moderate in significance to the heritage values of the site. Taylor Brammer's heritage assessment has identified the area to be integral to the original proportions of the allotment and contributes to the garden area proportionate to the extensive architectural proportions of the house.</p> <p>The development does not retain or conserve the significant garden elements in this portion of the site, being the original fence, driveway alignment or soft garden setting/visual backdrop to the house. Large scale excavation, construction of 2m retaining walls and excessive removal of sympathetic mixed garden beds and lawn to be replaced with hard landscaping is not sympathetic to the significant features of the site.</p> <p>The new elements (vehicular and pedestrian gates) are not designed to complement the site in terms of period, style, proportions, materials and finishes. Although Taylor Brammer has identified the vehicular gates to not be original, they represent a symmetry and integrity to the site. Both gates should be retained to match, or alternatively both replaced with a more authentic style to match the architectural period of the house.</p>

		<p>Justification provided for the demolition of the shed and replacement of the service driveway with a pedestrian gate is satisfactory.</p> <p>Overall, the proposal would have an irreversible and unacceptable impact on the item, it's setting and elements that are significant to the character of the HCA</p>
<p>Part 9.2.3 Part 9.3.3</p>	<p><i>Removal of the flowering Cherry Tree (T13) and garden planting</i></p>	<p>Taylor Brammer has identified T3 not to be an original garden element, planted post 1943. However, it does contribute to the landscape characteristics of the HCA. Premature removal would have a heritage impact.</p> <p>The garden planting is identified by Taylor Brammer to be reflective of the evolution of the site. Accordingly, it is contributory to the setting and visual backdrop of the heritage item, the house and the landscape character of the HCA,</p> <p>Removal of the Flowering Cherry tree (T3) and garden planting to be replaced by an excavated hard surface carpark that is not sympathetic to the characteristic features of the heritage item or HCA would have an adverse heritage impact.</p>
<p>Part 9.2.1 Part 9.3.1</p>	<p><i>Demolition of the existing bathrooms and partial demolition of bedroom four (4).</i></p>	<p>The amended plans have minimised the removal of original fabric. Bedroom 4 is now to be retained, including original walls, window and fireplace. A new door is to be inserted, however details of that door appear to be modern and do not reflect the original fabric of the house. Details of the exterior wall treatment and profile of the new door would be required for further assessment.</p> <p>Internal access to the site has not been granted in full. Internal access and/or interior photos is required to make a definitive heritage assessment regarding changes to the interior space.</p>
<p>Part 9.2.1 Part 9.3.1</p>	<p><i>Reconfiguration of the existing heritage listed dwelling floor plan</i></p>	<p>The following requested amendments have been made:</p> <ul style="list-style-type: none"> • An architectural note has been added to the Demolition Ground Floor Plan identifying the significant internal features to be retained any original fabric removed shall be protected and returned to the client for storage. • The window in Bath 1 is to be retained. • An architectural note identifying the new door and landing to the kitchen is to match the period and style of the dwelling. <p>The number of existing door leaves to be removed is still of concern. They are potentially unique and highly significant fabric. Removal from their original location would degrade the integrity of the interior spaces, and in turn the integrity of the house, site and historical setting for the heritage listed garden.</p> <p>An Alternate Performance Solutions has not been provided to</p>

		<p>justify why the existing doors to the Entry, Hallway, Bedroom 4 and Sunroom cannot be retained or remained in an open position.</p> <p>Internal access to the site has not been granted in full. Internal access and/or interior photos is required to make a definitive heritage assessment regarding changes to the interior space.</p>
<p>Part 9.2.1 Part 9.3.1 Part 9.2.3 Part 9.3.3 Part 9.2.4 Part 9.3.4</p>	<p><i>External Play areas and structures</i></p>	<p>The following requested amendments have been made:</p> <ul style="list-style-type: none"> • Acoustic and safety fencing around the heritage listed garden and driveway has been removed; • The existing plants (including thorny and poisonous) are to be retained and protected • The existing driveway/pathway gravel surface and edging is to be retained and protected • The hedge is to be retained and existing link to be used for access between play areas • The gazebo and sandpit structure in the heritage listed garden has been removed. • The hydrant is to be concealed from the streetscape. <p>Concern is still raised over the installation of recreational/ancillary structures within the front setback, being the shade cover over the proposed multicourt, 2yr old play structure and covered sandpit.</p> <p>The location of the new structures is not compliant with Part 9.2.1 and 9.3.1 of the HDCP.</p>
<p>1.</p>	<p><i>Basement parking.</i></p>	<p>Construction of the basement carpark is not compliant with Part 9.2 and 9.3 of the HDCP.</p> <p>The extent of excavation, removal of deep soil planting, requirement of retaining walls with fencing and modification to the natural land form would have an unacceptable heritage impact on the item. A basement carpark would adversely impact the integrity of the natural land form, the setting of the existing dwelling, the site's contribution to the HCA and significant views from Cheltenham Road.</p> <p>Concern is also raised over the structural integrity of the dwelling when impacted from the excavation works.</p>

2.2 Heritage items in the vicinity

The proposed sandpit and shade cloths in the front building setback will be visible from Beecroft Road and will adversely impact public domain views and the streetscape setting of the adjacent heritage item (No. 266 - Former church and surrounds).

Modifications to the Cheltenham Road frontage will be highly visible and detrimental to the streetscape and setting of the HCA.

2.3 Summary

The proposal has been amended in response to some of the heritage concerns raised by Council. Although adaptive re-use of the site to facilitate the proposed childcare centre is a positive solution to ensure the long-term conservation of the heritage listed site, the cumulative impact of the proposal would be substantial and irreversible.

The proposal would result in numerous non-compliances with the objectives of *Clause 5.10 Heritage Conservation* under the *HLEP* and desired outcomes and prescriptive measures within *Part 9.2* and *9.3* of the *HDCP*.

Accordingly, there is no change to the recommendation as a result of the additional submitted information.

RECOMMENDATION

THAT Development Application No. DA/259/2020 for the construction of a purpose-built addition to a dwelling house and change of use to a 70-place child care centre with a basement car park and associated landscaping at Lot 79 DP 9085, Pt Lot 80 DP 9085, Lot 81 DP 9085, Lot 82 DP 9085, Nos. 181 and 183 Beecroft Road, Cheltenham be refused for the reasons detailed in Schedule 1 of LPP Report No. LPP30/20.

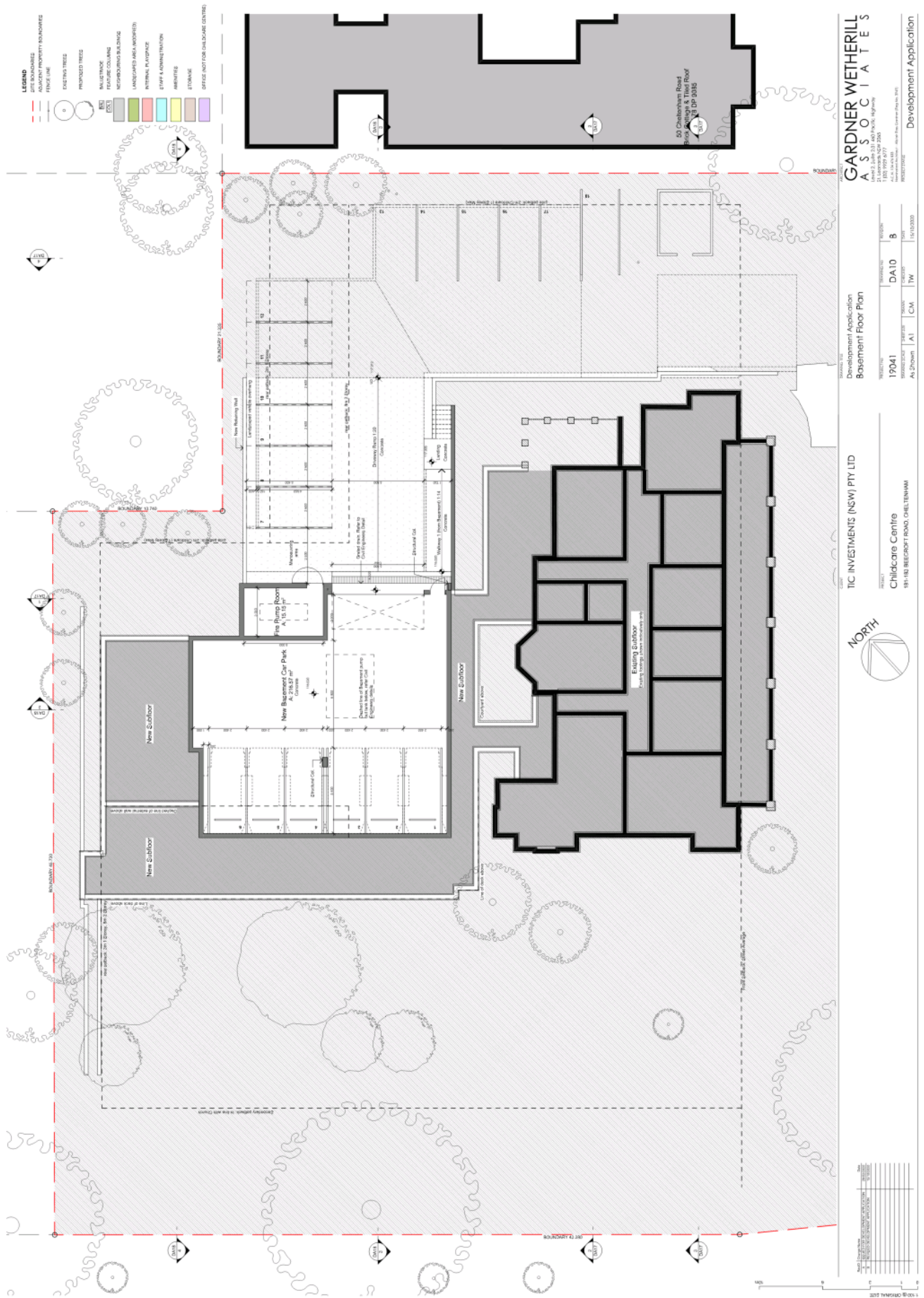
CASSANDRA WILLIAMS
Major Development Manager - Development
Assessments
Planning and Compliance Division

ROD PICKLES
Manager - Development Assessments
Planning and Compliance Division

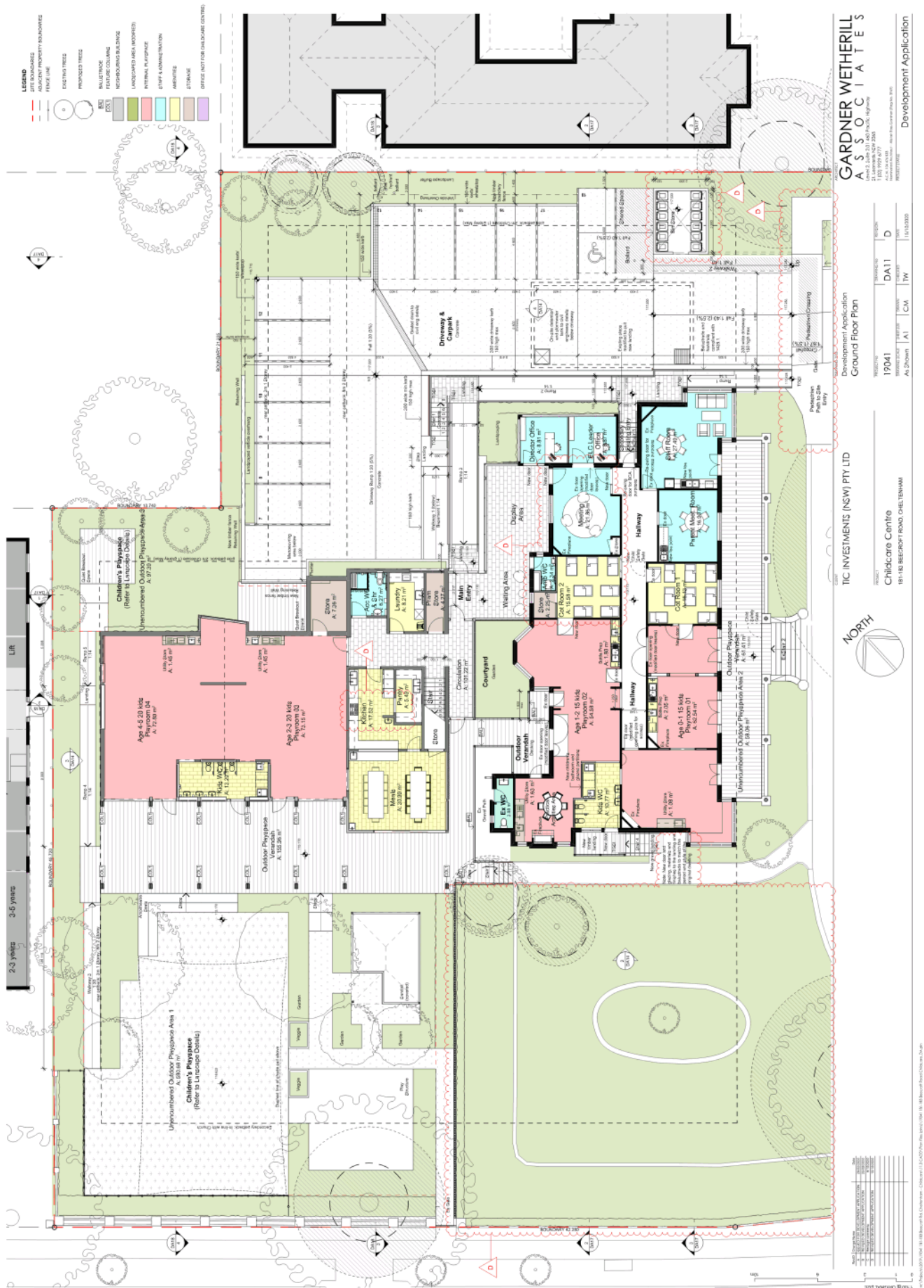
Attachments:

1.   Amended Plans

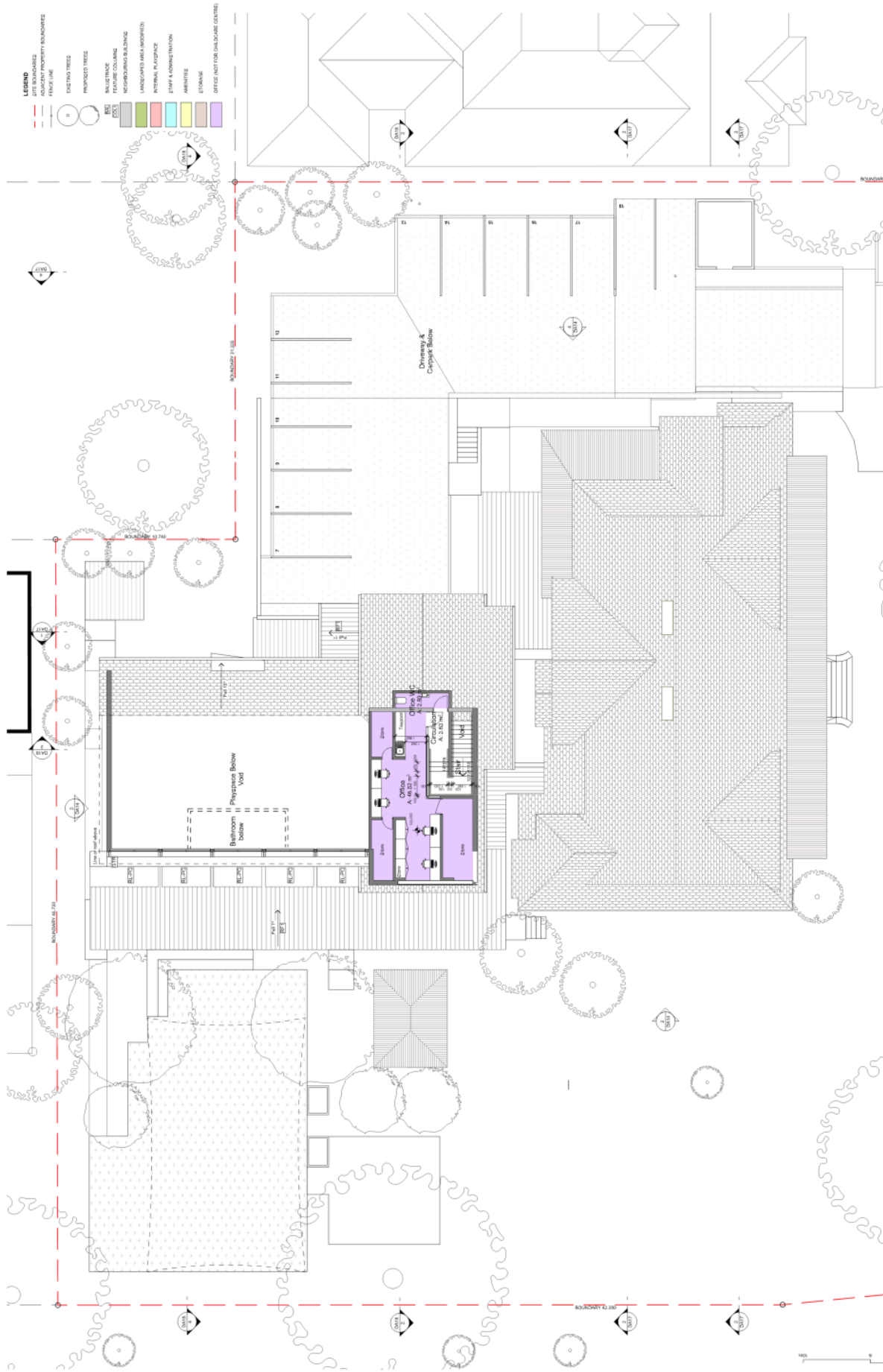
File Reference: DA/259/2020
Document Number: D08035448



ATTACHMENT 1 - ITEM 3



ATTACHMENT 1 - ITEM 3



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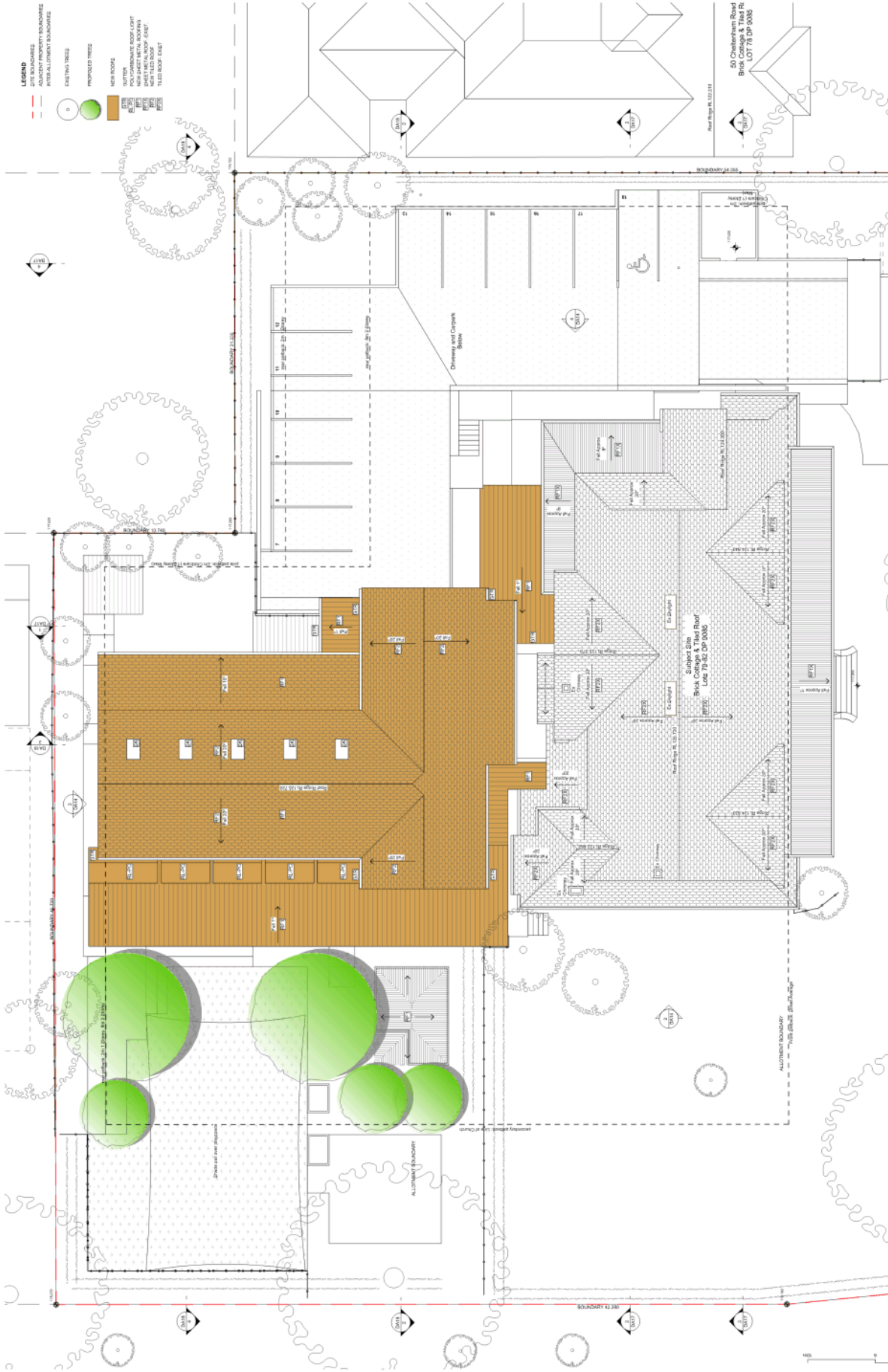
TIC INVESTMENTS (NSW) PTY LTD
 Childcare Centre
 191-193 BEDFORD ROAD, CHELSEA NSW

Development Application
 First Floor Plan

PROJECT NO	19041	DATE	DA12	SCALE	C
ISSUED DATE	11/03/2020	REVISED DATE		CM	TW
AS SHOWN	A1	CM	TW		11/03/2020

Development Application

ATTACHMENT 1 - ITEM 3



GARDNER WETHERILL ASSOCIATES

Development Application
Roof Plan

PROJECT: 19041
 PRELIMINARY: DA13
 DEVELOPER: Childcare Centre
 ADDRESS: 181-183 BEDFORD ROAD, CHELTENHAM

DATE: 11/10/2020

SCALE: A1 CM 1/W

1:500 ORIGINAL SIZE

ATTACHMENT 1 - ITEM 3



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