

INTRODUCTION

The existing residence is well preserved with major recent additions to the East. The house and its additions do not satisfy the current accommodation requirements of the owner. The intention is to restore the identified original historically important portion of the residence that has a significant heritage and cultural presence. Despite passing observation this original portion of the house requires significant restoration. Much of the current original colonnade and entablature is in very poor structural condition and will require significant restoration. The remainder of the original residence is in reasonable repair however the scope is to thoroughly restore all areas.

CURRENT PLANNING APPROVAL

The client has previously commissioned another design for restoration and additions to this house. This design has current Cottesloe Council approval. This is referred to in this planning report as the 'current approval'.

Upon further evaluation of the 'current approval' some design issues were re-evaluated. The 'current approval' explores the aspect of new and old in a playful and contorted manner that whilst is a valid solution, was deemed perhaps too architecturally challenging.

The new proposal that whilst is unashamedly contemporary it is more restrained in its architectural expression.

NEW DESIGN

The overwhelming design feature of the existing residence is the colonnade and entablature. This strong veranda colonnade element puts most of the house in shadow. This item forms a very strong horizontal aspect to the residence. The new proposed portion draws on this theme. The horizontal bands, the shadow created by the colonnade veranda are all drawn upon for this design. The second level floats pavilion like above this element.

The program is essentially a ground level living area and kitchen that relates to the eastern garden and also to the views to the south west of the golf course and ocean. The upper level is children's bedroom. It is important to take advantage of very good upper level views of the golf course and ocean to the south west. For this reason an upper level balcony is included in the design. This relates directly with the play room. The roof is designed to appear to hover over the upper level resulting in an elegant lightness.

wrightfeldhusen

48 FORREST STREET, COTTESLOE WESTERN AUSTRALIA
RESTORATIONS AND ADDITIONS



wrightfeldhusen

48 FORREST STREET, COTTESLOE WESTERN AUSTRALIA
RESTORATIONS AND ADDITIONS



wrightfeldhusen

48 FORREST STREET, COTTESLOE WESTERN AUSTRALIA
RESTORATIONS AND ADDITIONS



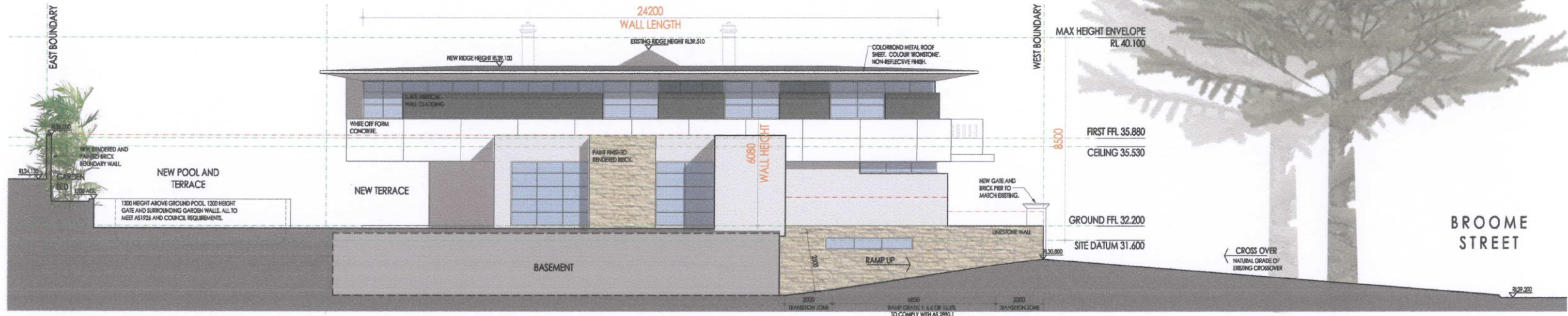
wrightfeldhusen

48 FORREST STREET, COTTESLOE WESTERN AUSTRALIA
RESTORATIONS AND ADDITIONS

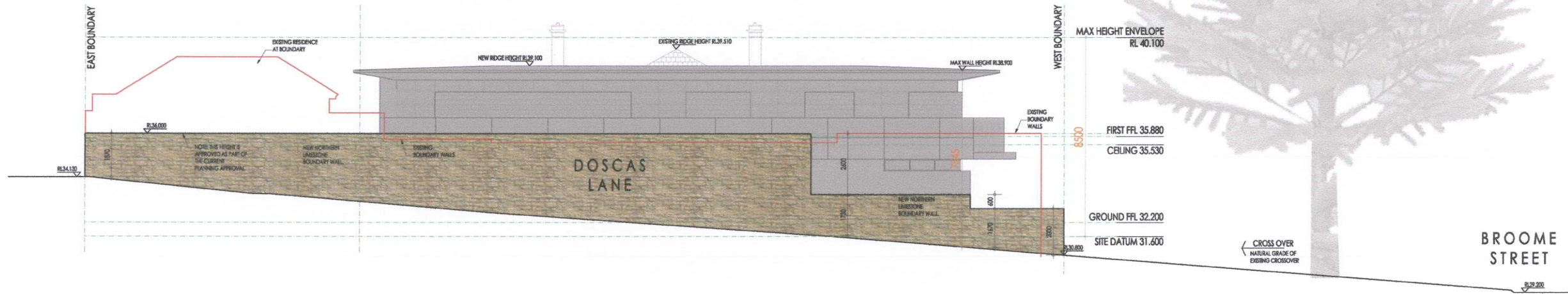


wrightfeldhusen

48 FORREST STREET, COTTESLOE WESTERN AUSTRALIA
RESTORATIONS AND ADDITIONS

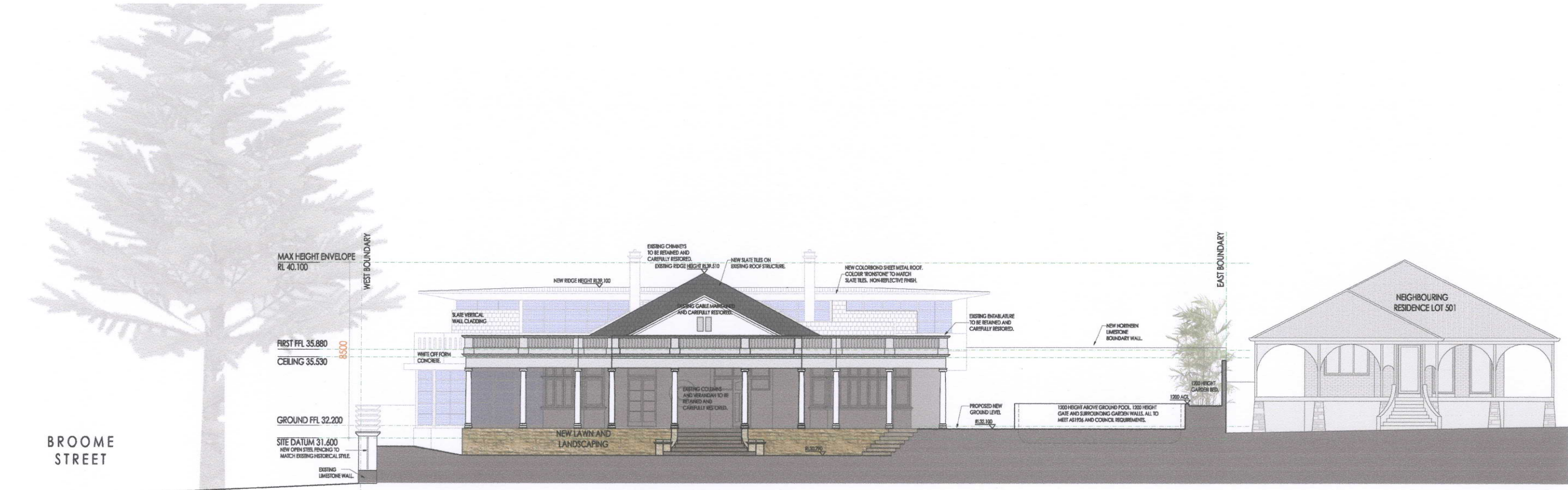


NORTH ELEVATION
SCALE 1:100

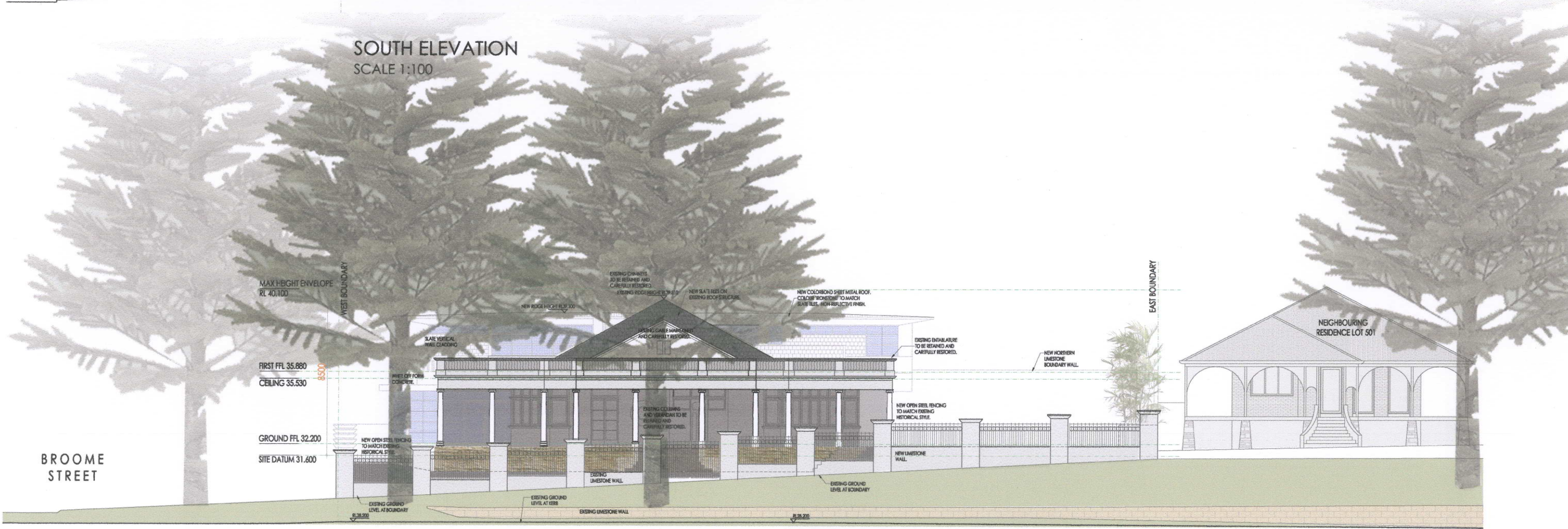


NORTH BOUNDARY WALL- DOSCAS LANE
SCALE 1:100

TOWN OF COTTESLOE
13 MAY 2013
RECEIVED



SOUTH ELEVATION
SCALE 1:100



SOUTH ELEVATION-FORREST ST
SCALE 1:100

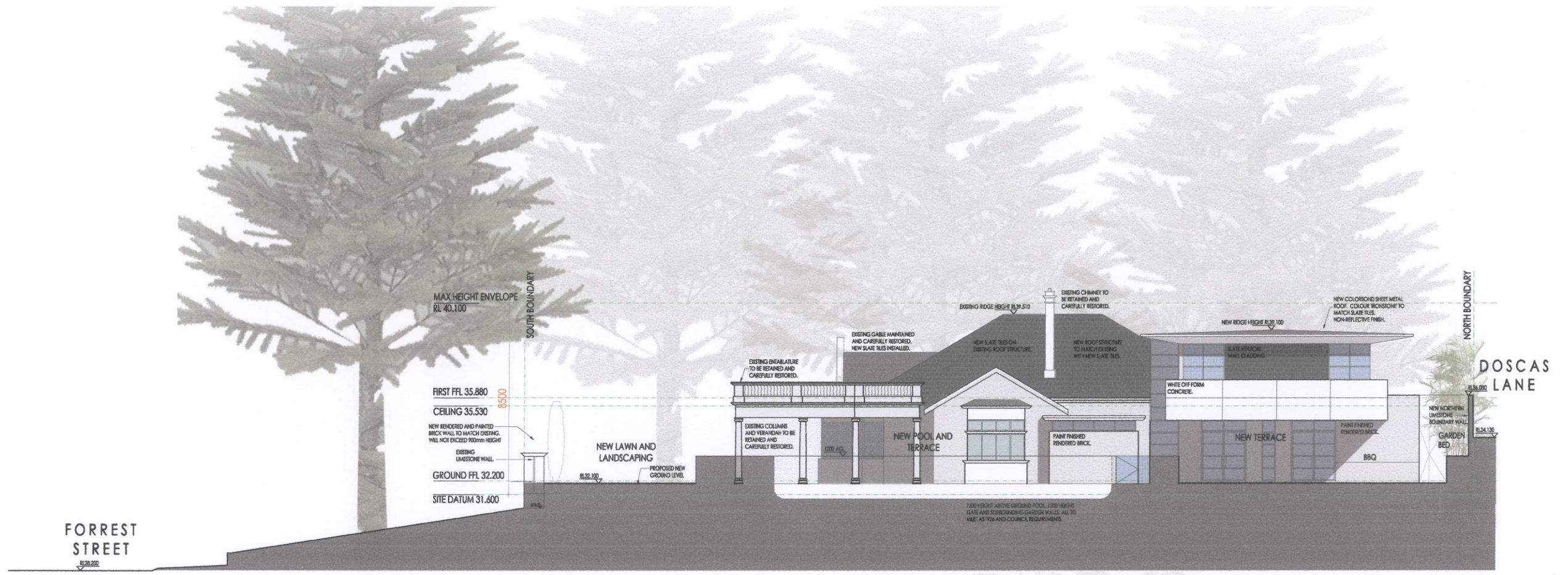
TOWN OF COTTESLOE
13 MAY 2013
RECEIVED

EXISTING BOUNDARY WALL
WITH SOLID LIMESTONE PANELS

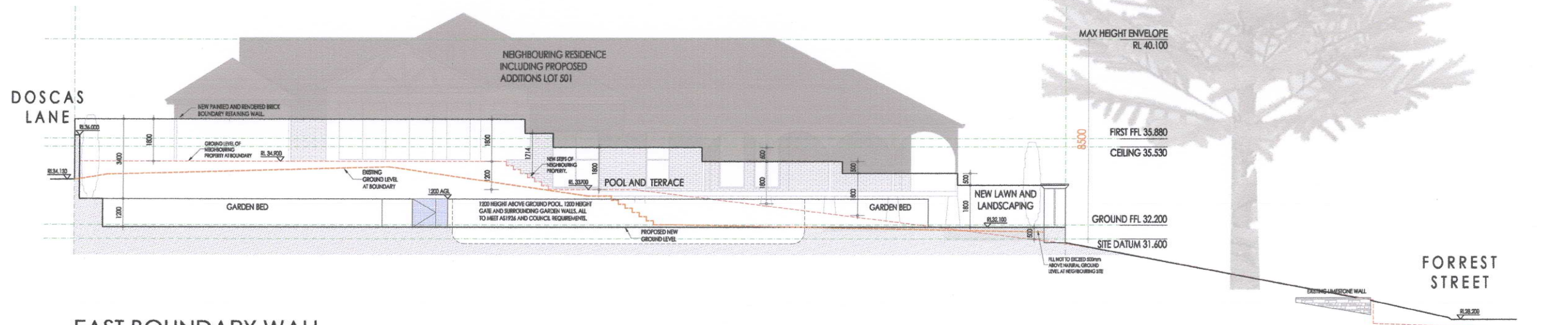


wrightfeldhusen

FORREST STREET RESIDENCE- COTTESLOE, WESTERN AUSTRALIA
A.04 ELEVATIONS
ISSUE FOR PLANNING - 22ND APRIL 2013



EAST ELEVATION
SCALE 1:100



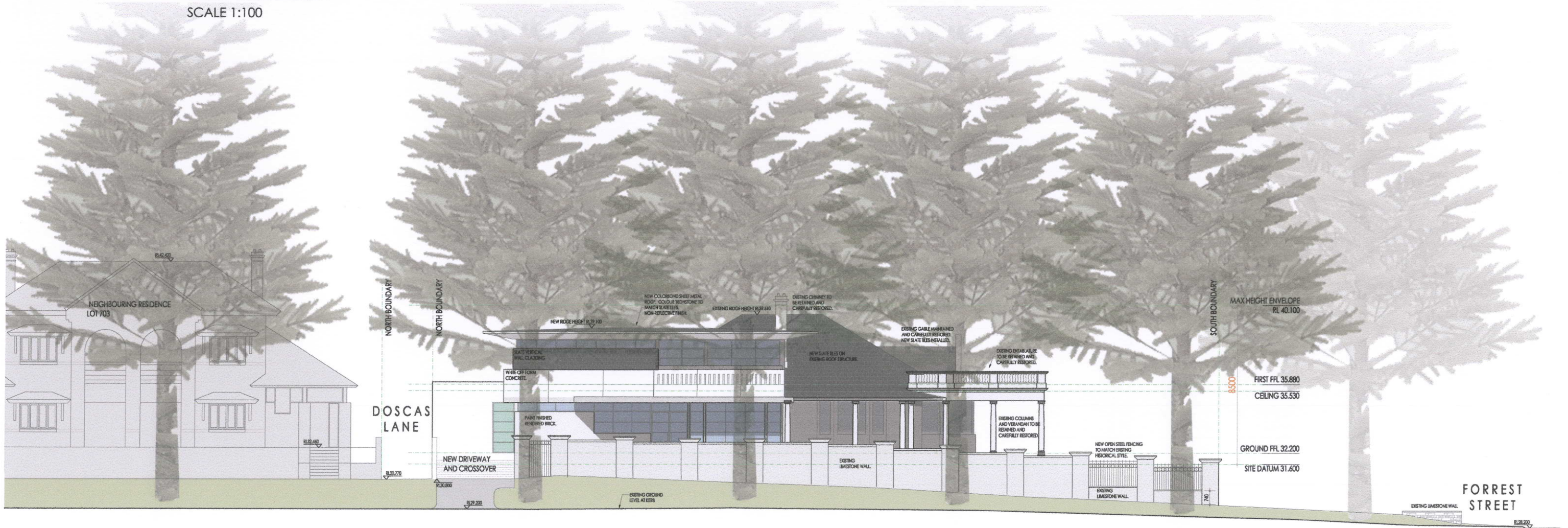
EAST BOUNDARY WALL
SCALE 1:100

TOWN OF COTTESLOE
13 MAY 2013
RECEIVED

wrightfeldhusen
FORREST STREET RESIDENCE- COTTESLOE, WESTERN AUSTRALIA
A.07 ELEVATIONS
ISSUE FOR PLANNING - 22ND APRIL 2013



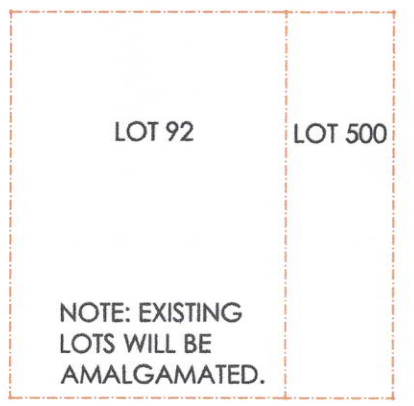
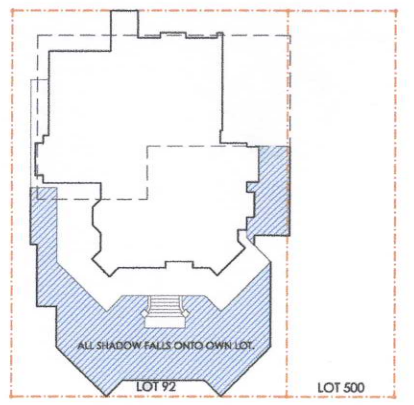
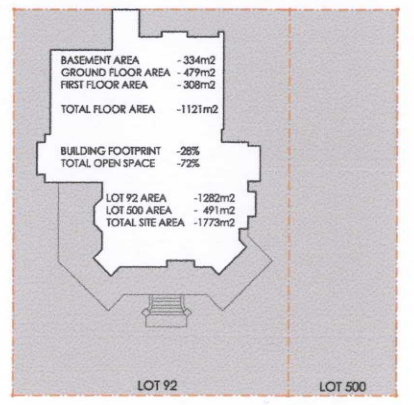
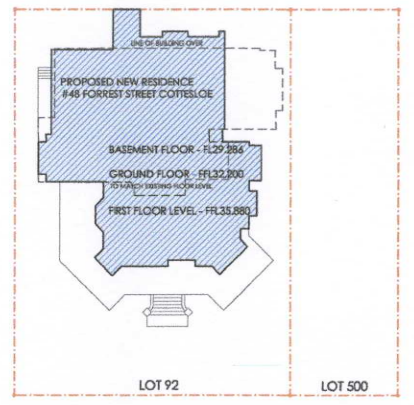
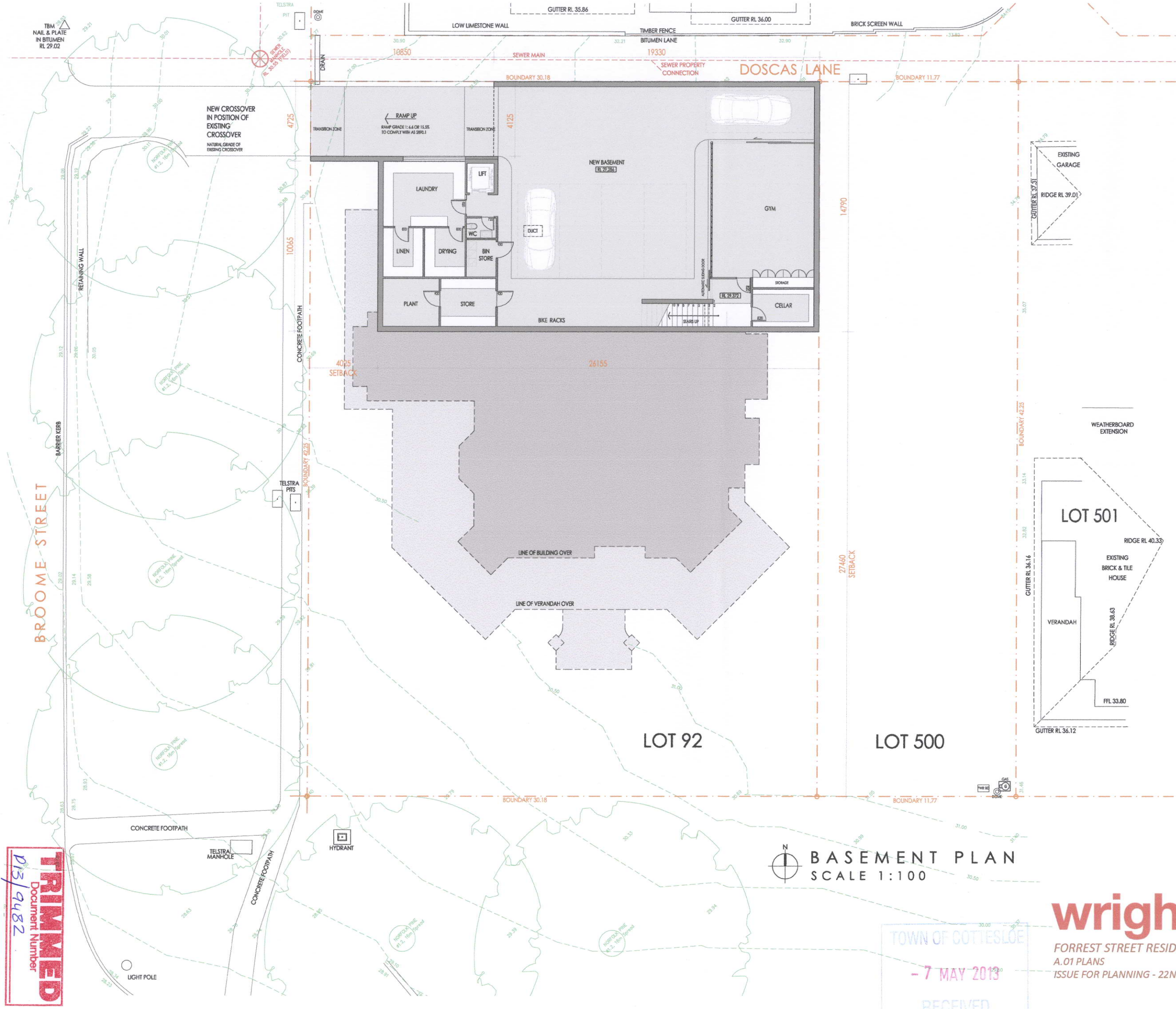
WEST ELEVATION
SCALE 1:100



WEST ELEVATION-BROOME ST
SCALE 1:100

TOWN OF COTTESLOE
13 MAY 2013
RECEIVED

wrightfeldhusen
FORREST STREET RESIDENCE- COTTESLOE, WESTERN AUSTRALIA
A.05 ELEVATIONS
ISSUE FOR PLANNING - 22ND APRIL 2013



BASEMENT PLAN
SCALE 1:100

TOWN OF COTTESLOE
- 7 MAY 2013
RECEIVED

wrightfeldhusen
FORREST STREET RESIDENCE- COTTESLOE, WESTERN AUSTRALIA
A.01 PLANS
ISSUE FOR PLANNING - 22ND APRIL 2013

TRIMMED
Document Number
D13/9482



GROUND FLOOR PLAN
SCALE 1:100

Introduction
The existing residence is well preserved with major recent additions to the East. The house and its additions do not satisfy the current accommodation requirements of the owner. The intention is to restore the identified original historically important portion of the residence that has a significant heritage and cultural presence. Despite passing observation this original portion of the house requires significant restoration. Much of the current original colonnade and entablature is in very poor structural condition and will require significant restoration. The remainder of the original residence is in reasonable repair however the scope is to thoroughly restore all areas.

Current planning approval
The client has previously commissioned another design for restoration and additions to this house. This design has current Cottesloe Council approval. This is referred to in this planning report as the 'current approval'. Upon further evaluation of the 'current approval' some design issues were re-evaluated. The 'current approval' explores the aspect of new and old in a playful and contorted manner that whilst is a valid solution, was deemed perhaps too architecturally challenging. The new proposal that whilst is unashamedly contemporary it is more restrained in its architectural expression.

New design
The overwhelming design feature of the existing residence is the colonnade and entablature. This strong veranda colonnade element runs most of the house in shadow. This form forms a very strong historical aspect to the residence. The new proposed portion draws on this theme. The horizontal bands, the shadow created by the colonnade veranda are all drawn upon for this design. The second level floors pavilion like above this element.

The program is essentially a ground level living area and kitchen that relates to the eastern garden and also to the views to the south west of the golf course and ocean. The upper level is children's bedroom. It is important to take advantage of very good upper level views of the golf course and ocean to the south west. For this reason an upper level balcony is included in the design. This relates directly with the play room. The roof is designed to appear to hover over the upper level resulting in an elegant lightness.

Site Development Criteria

Building Setbacks
With reference to the residential design Codes section 6.3 Boundary Setback requirements and specifically Table 2a and 2b, the following is an assessment of the proposal as submitted.

Primary Street (Forest Street, southern site boundary)
Required: 6.0m Minimum required
Existing: 9.2m to veranda
Proposed: Average of more than 10m
Comment: Compliant

Secondary Street (Broome Street, western site boundary)
Required: 1.5m Minimum required
Existing: 4.2m to the existing verandah
2.2m to the existing dining room
1.5m to the existing garage
Proposed: 2.5m to the dining room and upper terrace
4.0m to the kitchen and upper bedroom
10.7m to the Garage and Guest WC

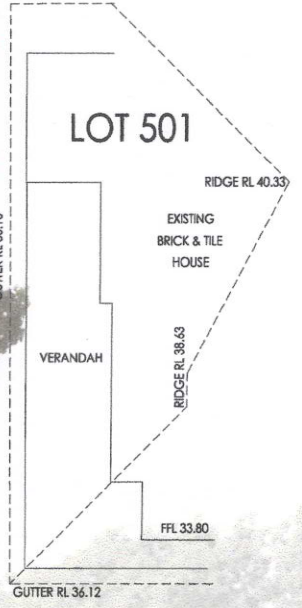
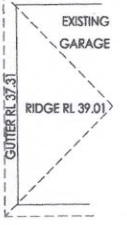
Other Setback Rear (Doscas Lane northern boundary)
The northern boundary backs onto a Right of Way (Doscas Lane)
Note: The proposed boundary wall (fence) to Doscas Lane is the same height as the 'current approval'

Required: If a wall is 9.0m or less in length and less than 3.5m high with no major openings the wall can be of a nil setback in accordance with the Residential Design codes 4.3.2 Table 2a
Existing: The existing garage has a nil setback and a wall of around 11m long and 4.5 m high. It is located on the North West corner and has a dramatic negative impact to the visual amenity.
Proposed: Nil setback for the ground floor guest WC wall length 3.0 wall height same as 'current approval'.

Other Setback Rear (Doscas Lane northern boundary - Setback of the wall portions)
Required: As determined by Residential design Codes Table 2b
Existing: Varying setbacks to the main building and the separate guest accommodation
Proposed: Ground
4.5m to the kitchen scullery
3.0m to the lounge with a chimney projection
Upper:
Wall height: 6.1m to the eaves
Wall length 25m
Wall setback 4.5 to the window face; 4.3m to the slate clad wall
Note: The Residential Design codes Clause 4.3.1A) states that this setback may be reduced by half the width of a Right of Way. Doscas Lane 2.7m wide; therefore a reduction of 1.35m setback.
Setback 1.36+4.3=5.66
Comment: Compliant

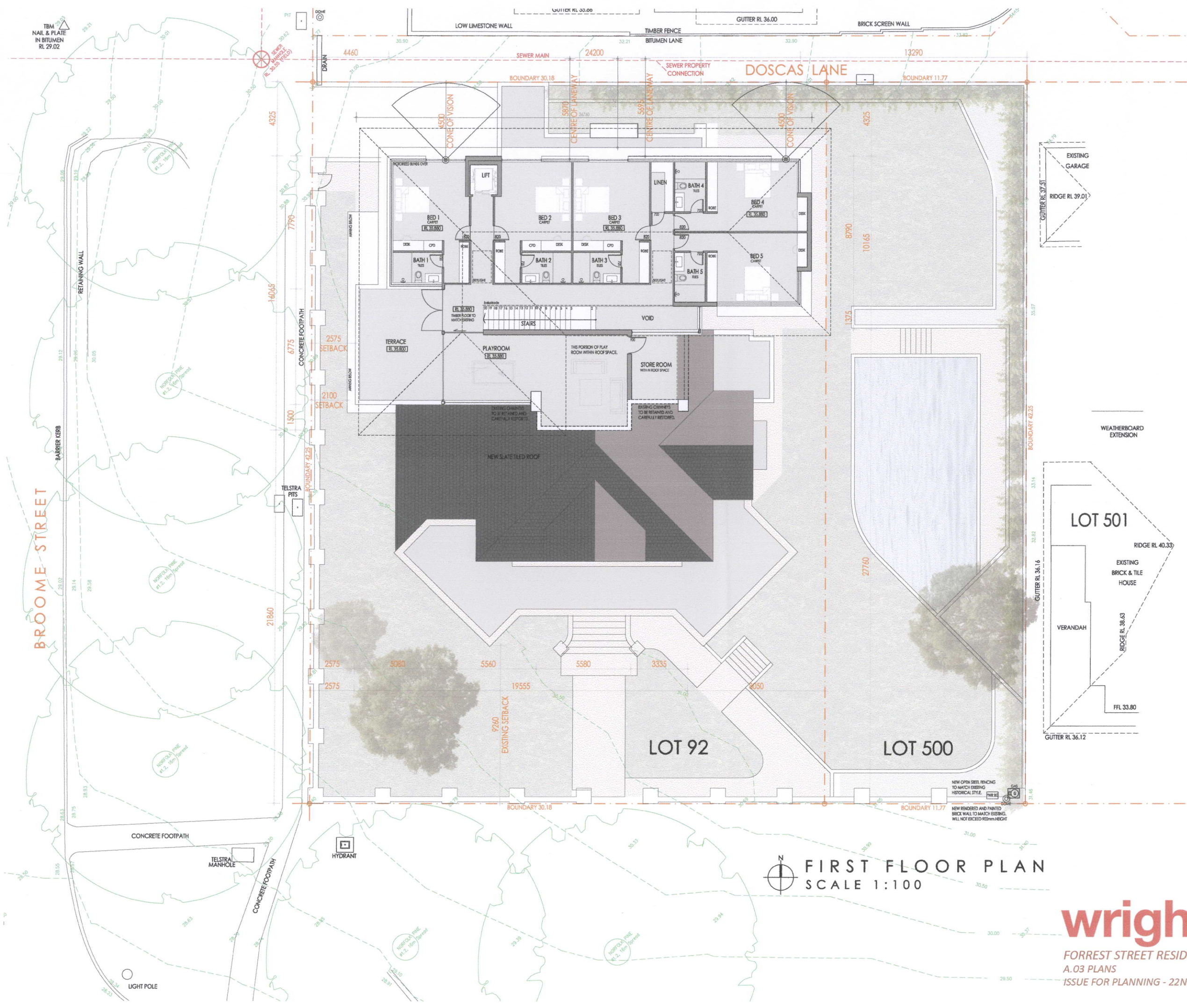
Other Setback Side (Eastern Boundary)
Required: As determined by Residential design Codes Table 2b
Existing: Varying setbacks to the main building and the separate guest accommodation
Proposed: Ground
15m to existing original bay window
Upper:
12.5m to bedrooms
Comment: Compliant

Building Height
The site datum has been calculated as RL 31.600. This also concurs with the 'current approval'.
The current maximum roof ridge is RL 39.510.
It is important for the integrity of the new additions to maintain the existing original ceiling height to the ground floor. This therefore impacts on the upper level height. The intention is to maintain the maximum height of the new work to be no higher than the existing ridge height 39.510 which is below the allowable maximum height of 31.600. Whilst the wall height is higher than the allowable 6.0m maximum above the datum, the overall height complies.
The wall height however, is 4.1m above the predominant finished ground level, so in essence the wall height more or less complies and is within the parameters of the performance criteria and is deemed to comply. The new roof is designed to visually hover over the upper level thus reducing the walls apparent height and retain a lightness and elegance to the upper level.
Therefore we will be seeking a minor relaxation on the allowable wall height.



TOWN OF COTTESLOE
- 7 MAY 2013
RECEIVED

wrightfelthusen
FORREST STREET RESIDENCE- COTTESLOE, WESTERN AUSTRALIA
A.02 PLANS
ISSUE FOR PLANNING - 22ND APRIL 2013



FIRST FLOOR PLAN
SCALE 1:100

TOWN OF COTTESLOE
- 7 MAY 2013
RECEIVED

wrightfeldhusen

FORREST STREET RESIDENCE- COTTESLOE, WESTERN AUSTRALIA
A.03 PLANS
ISSUE FOR PLANNING - 22ND APRIL 2013

EXTRACT OF COUNCIL MINUTES – 10 DECEMBER 2012

10.2 REPORTS OF COMMITTEES

10.2.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - 03 DECEMBER 2012

10.2.1.1 NO. 48 FORREST STREET (LOTS 92 & 500) - TWO-STOREY ALTERATIONS AND ADDITIONS TO A HERITAGE PLACE KNOWN AS BARSDEN'S

File No:	SUB/2539
Attachments:	<u>Aerial 48 Forrest Dec 12.pdf</u> <u>Plans 48 Forrest Dec 12.pdf</u> <u>Consultant Report Heritage Dec 12.pdf</u> <u>Architectural Report 48 Forrest Dec 12.pdf</u> <u>Consultant Report 48 Forrest Dec 12.pdf</u>
Responsible Officer:	Carl Askew Chief Executive Officer
Author:	Andrew Jackson Manager Development Services
Proposed Meeting Date:	03 December 2012
Author Disclosure of Interest	Nil
Property Owner:	Angela Nasuti
Applicant:	Rodrigues Bodycoat Architects
Date of Application:	23 October 2012
Zoning:	Residential R20
Use:	'P' – permitted under the Scheme
Lot Area:	1275m²
MRS Reservation:	N/A

SUMMARY

The property is a prominent single-storey heritage residence and grounds on the north-eastern corner of Broome and Forrest Streets. There is a right-of-way (ROW – Doscas Lane) to the northern boundary, which is 2.7m wide, paved and well-used by properties along it, while the site has garage access off Broome Street.

The property comprises two lots: Lot 92 on the corner is larger and Lot 500 on Forrest Street is smaller. The development application proposes that the lots be amalgamated.

The main, historical, dwelling is located on Lot 92, with a more recent "apartment" building (granny flat) located in the north-eastern rear portion and straddling the lots. The apartment was built in the mid 1970s and mimics the period architecture of the dwelling, but is not in itself of heritage significance.

Over the decades the original dwelling has undergone modernisation and extension at its northern end abutting the ROW. In 2008 Council approved complete redevelopment of this northern end in a single-storey form with a similar aesthetic, demolition of the apartment and the addition of a lap pool. This was implemented, although retaining

most of the apartment and without the pool. Subsequently new fencing to the street frontages has been approved and constructed.

The current application on behalf of a prospective purchaser is for further evolution of the dwelling by substantial redevelopment of the northern end as a new two-storey element, together with other works as described below.

This report presents the normal assessment of applicable development requirements as well as evaluation of the heritage dimension. The recommendation is to approve the application subject to conditions.

BACKGROUND

Barsden's is one of the grandest historical properties in Cottesloe and a local landmark given its commanding position, exposure to view, generous proportions and architectural treatments. This heritage significance is augmented by the setting of the place in the heart of the district, being an area characterised by a number of other well-known heritage properties, a general collection of period dwellings, the heritage-listed Norfolk Island Pine trees and the heritage-listed Sea View Golf Course.

In recent times other heritage properties in the area have undergone change and Council has aimed to ensure that the opportunity is taken to manage the heritage values of the places and to achieve development compatible with the properties and precinct.

The subject property has experienced previous alternations and additions, which have been relatively low-key and sympathetic, and adopted a design ethos to reflect the historical architecture and detailing of the main dwelling. Much of the original dwelling has been retained intact and been well maintained both internally and externally. In relation to the external presentation of the place, it is emphasised that due to the two street frontages and wide-open grounds, the form and fabric of the dwelling can be seen and enjoyed as a major contribution to the streetscape and public realm. The dwelling is known for its verandah columns and rooftop balustrade.

In this context it is somewhat surprising that no conservation plan or heritage assessment has been undertaken in the past. In this respect it is positive that a heritage rationale for the current proposal has been provided, and bearing in mind the heritage dimension to the property, the Architects have liaised with officers in formulating the proposal. Beyond that, the Heritage Considerations section of this report provides the necessary guidance to make a proper assessment of the proposal.

PROPOSAL

The present proposal entails:

- Excavation of the northern portion of the site to create a large basement comprising a four-car garage and several ancillary rooms, with vehicular access via the existing crossover from Broome Street. It is noted that Council approved the addition of a basement to *Le Fanu* in a similar fashion.
- Retention of the original dwelling and partial retention of the previous northern addition, with minor alterations to the original dwelling (a few internal and one external).

- Demolition of the remainder of the northern addition and redevelopment at a significantly smaller footprint, with increased setbacks and reduced boundary walls.
- Demolition of the apartment building.
- Introduction of a large second storey occupying the north-eastern quadrant, setback from all boundaries and partially set into the original roof.
- Complete re-roofing and new roofing, removing the existing tiles and introducing high quality (most likely zinc) metal sheeting.
- A large in-ground swimming pool in the north-eastern corner, with an associated retaining wall and terrace/deck areas.
- New retaining boundary walls to the north and east.
- Retention of the new fencing to the street frontages, with relocated gates as well as extension eastward on Forrest Street.
- New landscaping.

DOCUMENTATION SUBMITTED

In support of the proposal the applicant has submitted the following documents.

Heritage Assessment report

This is a heritage architect's study of the property's history and evaluation of its heritage worth. This research document provides an understanding of the heritage qualities and classifications ascribed to the property, as a basis for conservation works, designing any change proposed to the place and assessing its impact. It serves as an ongoing heritage reference and informs future proposals and assessments.

It finds that the cultural heritage significance of the place is of considerable value for a range of collective reasons, whereby the original dwelling should be conserved. The mid-1970s apartment, 2008 extension, boundary fences and landscaping are assessed as having no heritage value – although the setbacks from the streets to the original dwelling and how that curtilage is landscaped is assessed as contributing to the cultural heritage significance of the place.

Note that section 7.0 understates the TPS2-related heritage provisions, which are elaborated upon further below in this officer report.

Comprehensive plans

These include elevations, before-and-after streetscape perspectives, a north-eastern panorama and a northward cones-of-vision diagram. The plans are thorough and detailed, including colours and annotations to aid interpretation and assist technical assessment. They depict the proposal and demonstrate the design details plus technical compliance as described in the accompanying report.

DA Submission Architectural Report

This is the justification for the proposal, comprising an Architectural Statement, Site Development Criteria commentary and Heritage Impact Statement.

This document provides the rationale for the proposal (ie design approach), a self-assessment of the relevant development requirements (ie TPS2 and RDC controls), and assesses the impact of the proposal against its heritage values. It is a basis for assessment by the Town in appreciating the proposal and considering the degree of heritage suitability and planning acceptability.

The Architectural Statement explains the response to the client brief in terms of the layout, style, materials and landscaping proposed in relation to the heritage dwelling; ie integrating the new with the old.

The Site Development Criteria are assessed in the Application Assessment: Development Requirements section of this officer report.

The Heritage Impact Statement is a key tool to evaluate the development proposal against the Heritage Assessment of the characterisation and worth of the place. It adopts the methodology of the State Heritage Office guide for this purpose. It concludes that the proposal would have no negative impact on the heritage significance of the place. This finding rests on retention and restoration of the original dwelling, removal of non-heritage elements, heritage benefits to be gained and assessment of the compatibility of the new architectural design with the heritage values of the original dwelling.

The last point above is influenced by a wide framework of heritage and architectural discourse and guidance, which allows for debate, interpretation, judgement and opinion in reconciling heritage and development. It is here that the Heritage Impact Statement is noticeably favourable towards the proposal. The proposal is certainly an opportunity to evolve and conserve the heritage of the place.

The officer's comment is that the design of the proposal is large, complex and novel, displaying a dichotomy of architectural logic and aesthetic challenge. This is not necessarily to say that the conception does not succeed or would not be visually rewarding, but there is no doubt that it would be a transformation of the place from its current traditional vernacular to a bold and heavily embellished aggregation. How well that composition of form, function, legibility, scale, pattern, texture and beauty works is pivotal to the question of heritage integrity. It must be remembered that there are also ordinary planning, development and building requirements to be satisfied or assessed in weighing-up the proposal for overall determination.

The advice of the independent heritage architect will have a bearing in this regard.

Consultation Report

This records the Architect's liaison with neighbours and Councillors. It consolidates preliminary comments to facilitate consideration of the application. The plans were made available to the owners/residents of ten surrounding properties in order to inform them and identify any concerns.

This has led to some expressions of no objection and agreement to consider some design refinements, as well as minimised formal submissions made to the Town. It has also flagged some potential conditions or advice notes to reflect the commitments given,

covering the eastern boundary wall (fence), privacy to the north, dilapidation reports and construction management (including lane access and worker parking).

STATUTORY ENVIRONMENT

Town Planning Scheme No. 2
Residential Design Codes
Various heritage listings and polices
Fencing Local Law

POLICY IMPLICATIONS

TPS2 Policy No. 12 Places of Cultural Heritage Significance
WAPC SPP 3.5 Historic Heritage Conservation

HERITAGE LISTING

Register of National Estate	Listed
State Register of Heritage Places	identified to consider
TPS2	Schedule 1
TPS2 Policy 12	N/A
Municipal Inventory	Category 2
National Trust	Listed

STRATEGIC IMPLICATIONS

Heritage is recognised as a cornerstone of the character and amenity of Cottesloe, which Council aims to foster through the planning approvals process and related measures.

FINANCIAL IMPLICATIONS

N/A

CONSULTATION

Internal

Building

The Principal Building Surveyor has advised that compliance with a pool isolation barrier will be required. The pool is to be at a raised terrace level whereby the retaining wall will be non-scalable and of a height to meet this requirement, together with a pool gate.

The building permit will need to manage how works adjacent to the lane, are to be carried out in relation to the proposed retaining and screen walls along the boundary and any associated stabilisation.

Engineering

The Manager Engineering Services has viewed the plans and identified no particular concerns, noting that the existing crossover parallel to the lane is to be utilised for the basement.

External

State Heritage Office (for HCWA)

National Trust (previously)

Independent heritage architect

The Heritage Considerations section of this report outlines this input to assessment of the proposal.

Liaison by Architects

The Architects liaised with the Manager Development Services to discuss the initial concept and explore the considerations involved, including heritage, design, development requirements and process. Meetings have been ongoing as the design was finalised, the application was prepared and lodged, then assessment and consultation commenced.

The Architects undertook direct neighbour liaison of owners/residents surrounding the property, to explain the proposal, address any comments or concerns, refine the design and obtain indications of support. The Architects also contacted Councillors to preview the proposal.

All of this dialogue is recorded in the Consultation Report submitted (summary table attached) and has tended to satisfy neighbours ahead of being contacted by the Town.

Advertising and Liaison by Town

The Town as a matter of course sent advertising letters to the abutting landowners, inviting viewing of the plans and written submissions. The Town also liaised with landowners opposite who showed interest in the proposal. Two submissions have been received.

One, from Michael O'Connor of 46 Broome Street (Bramber House) opposite on the north-west corner of Forrest Street, comments that:

- The proposed second storey would overlook their courtyard, denying privacy.
- Its mass would be objectionable.
- A second storey and new metal roof would be contrary to heritage.

Officer comment

- The submitter's property being across the street is removed from direct overlooking well in excess of the separation distances prescribed by the RDC.
- Only one major window is proposed to the second storey facing Broome Street, which being to a walk-in robe and ensuite would not be a main outlook.
- The proposal would increase the mass of the current single-storey dwelling, yet on a large site and within the height limit, in the form of a two-storey extension and adjacent to Pine Court which is two-storey.
- The proposed second storey and reroofing are relevant heritage considerations.

The other, from Adrian Fini regarding his two-storey dwelling in Pine Court on the northern side of the lane, reiterates comment in the Consultation Report, being:

- A preference for privacy treatment to the proposed windows of bedrooms 2 and 3 on the second storey, ie obscure glazed to 1.6m from the floor.
- A request for a dilapidation report on Pine Court in relation to construction of the basement.

Officer comment

- The proposal complies with the privacy provisions of the RDC; however, the Architects have undertaken to address the northward privacy interrelationship with Pine Court and this could be conditioned.
- An advice note in the recommendation refers to the requirement for dilapidation reports as appropriate as part of the building phase.

APPLICATION ASSESSMENT – DEVELOPMENT REQUIREMENTS

Overall, the proposal is predominantly compliant with the development requirements of TPS2, the RDC and the Fencing Local Law, with some variations sought. Due to the site being large, bounded by two streets and a lane and having spacious grounds, the existing dwelling and proposed extension are generally well-separated from surrounding properties, whereby direct impacts are minimised. Hence the design and amenity requirements of the RDC are essentially satisfied; eg density, access/parking, open space, shadow and privacy standards are all readily met. This outcome is described in the DA Submission Architectural Report, together with other aspects, and is reflected in the small number of submissions received.

At the same time, given that the proposal is for extension to an older dwelling, and that this is concentrated at one end of the site in order to retain the heritage building, the proposal does involve variation to particular development requirements, as explained and assessed below.

Building height

The proposal achieves compliance with the TPS2 building height standard of 8.5m for a two-storey dwelling by respecting the ridge height of the existing single storey dwelling, which although single-storey as a period dwelling has high foundations, high ceilings and a high, steep roof pitch, hence equates to a two-storey building at its highest point.

The two-storey extension adopts the existing ridge height in order to be compliant as well as in basic balance with the existing dwelling; ie containing the extension within the roof envelope and not striving for views.

Basement

Under TPS2 basements are defined in relation to building height and non-habitable usage of that space, in order to not be regarded as a storey. Compliance with the height standard relative to natural ground (NGL) can be a design challenge in terms of topography, ramp gradient, vehicle headroom and other factors.

The proposed basement is premised on the existing floor height of the original and extended dwelling above. It is also constrained by excavation along the lane and in proximity to the original dwelling, as well as by the profile of the verge which as a rule

and because of the heritage-listed pine trees cannot be altered. For these reasons it does not satisfy the height standard measured against the NGL at the centre of the site or the centre of the Broome Street frontage, having 0.7m extra height.

While most basements are able to meet the height requirement, occasionally it can be difficult to comply and Council is asked to exercise discretion to allow a variation, to which Council has agreed as a rare exception where warranted. Although the Scheme does not provide express discretion in this regard, arguably there is broad discretion available to consider individual instances taking into account circumstances, merits and amenity. Moreover, the Scheme contains scope for flexibility taking into account natural ground form and extension of an existing building, which are applicable in this case. In addition, Part 6 of TPS2 provides discretion to vary development requirements having regard to heritage.

In distinguishing that such special discretion is justified, the design should contribute to, rather than detract from, amenity or associated matters. In this respect the proposed basement represents an improvement upon the existing double garage, assisting in producing a dwelling better setback from the north-western corner of the site. Heritage-wise neither a modern basement nor double garage is true to the original dwelling, but the basement does offer the benefit of removing and not expanding the ground-level garaging, in the interest of the site's open space and the streetscape.

Whilst technically the height of the basement equates to a storey, in terms of design and visual appearance it is a sunken, recessive element effectively disguised by the rest of the extension. In particular, at its entrance and along the northern boundary the basement has only one storey above (for a small portion) then the terrace with pergola, whereby it presents as a two-storey component, with the bulk of the basement being buried under the dwelling out of sight.

The basement comprises car parking and several service or ancillary rooms compatible with the definition of non-habitable. The intended gym (approx. 30sqm) is not an activity mentioned in the definition and in essence is a habitable private recreational space, albeit used part-time by the occupants, so is perhaps a hybrid use. As a gym is not an entertainment room and would be used by for temporary periods solely for that purpose, it could be permitted with a condition preventing conversion to a habitable space (eg a study or guest room).

Therefore the basement as proposed is supported on this proviso.

Wall height

The proposed extension occupies the northern and eastern flanks of the dwelling within the existing maximum roof height envelope and sitting just below the TPS2 maximum building height standard of 8.5m. The design of the extension is based on an asymmetrical zig-zag roofline and a cantilevered section, with mixed, dispersed window shapes and sizes and clad to differentiate it from the street frontages and original dwelling. The visual result of this architectural treatment is to ameliorate the bulk and scale of the new walls, which while contained within the roof-scape exceed the two-storey 6m wall height standard under TPS2.

This unusual design means that the walls have a variety of calculated heights relative to natural ground level. Using the technique of a median point for each gable to measure wall height, the average is approximately 7m, which is one metre more than the standard and equal to the two-storey flat roof building height standard of the RDC. In practice, due to their gabled design the walls would perform as lower at the start of each gable and taller towards its apex, evening-out the effect of mass. As these walls are located away from the public realm they would not be highly visible, although the northern elevation could be viewed down the lane from Broome Street.

There is discretion in TPS2 to vary wall and roof heights for extensions to existing buildings. This recognises the design, construction and scale of existing buildings, and the common desire for extensions to have the same floor level, ceiling height or roof height as an often older building. Extensions to heritage buildings are obvious candidates to maintain existing levels and heights when integrating the old and new, and as observed the original single-storey dwelling is characteristically tall. The Architects have requested that this discretion be applied and it is assessed as appropriate to the proposal.

Setbacks

The proposal satisfies almost all setback requirements, including for the new second storey, with two first storey variations that are not an issue to adjacent properties.

The first is the entry porch referred to below, which would be setback 0.8m from the Broome Street boundary in lieu of the 1.5m standard under the RDC for a side street. Although the porch is a terrace (ie not a full-height wall and roof structure) the reduced setback would be intrusive to the streetscape and at odds with the original dwelling and existing extension. From discussion with the Architects this could be quite easily modified to still perform the entrance function whilst complying with the setback. Therefore this proposed element is conditioned to be redesigned.

The second is the pergola structure to the ground level terrace along the northern boundary behind a boundary wall. Under the RDC this constitutes a wall as a continuation of the wall built on the boundary for the powder room and study, although its physical and visual effect is not an issue. The normal setback for this overall wall size would be 1.6m, whereas 1.35m is proposed taking into account half the width of the ROW as permitted by the RDC. It is assessed that this technical setback variation of 0.25m is of no consequence in terms of the performance criteria of the RDC (ie sunlight, ventilation, bulk and privacy). The pergola structure is not a true wall so would not present a solid or massive surface to the lane.

Site levels

The proposal respects the existing site levels as important to the original dwelling and the basis for the replacement northern extension and basement. There are two areas of different levels for consideration.

The first is fill of 1.1m to form steps and an entry porch to the dwelling at the northern end on Broome Street, including a solid screen wall immediately behind the boundary fence to provide retaining and a balustrade. This is at the same level as the existing verahdah to the original dwelling. It exceeds the 0.5m fill standard under the RDC in

relation to site works and would appear as an unusual, fairly massive and added-on feature. This should be reduced and simplified to a set of steps and landing adjacent to the house, which would also enable free passage at ground level around the building. This is conditioned for redesign.

The second is retaining, terracing and boundary walls to create the pool podium to the north-eastern portion of the site. This is designed to utilise the existing raised ground level of the apartment, to maintain retaining to the lane and to ameliorate the mass of the boundary walls whilst ensuring mutual privacy. This entails some alteration of the ground level, yet respects the flow of the curtilage to the original dwelling, assists privacy and would not be highly visible from the street or neighbouring properties. It also avoids a modern pool fence which would be visually divisive at odds with the setting of the original dwelling.

Beside the above variations, the following matters are assessed.

Privacy

The only privacy interrelationship between the proposed extension and a neighbouring property occurs along the lane opposite Pine Court to the north. As the second storey setbacks from the lane exceed the minimum cone of vision requirements there is no technical overlooking. As advised above, there has been dialogue between the Architect and the nearest owner in Pine Court to consider privacy treatment to two windows, which is supported by a condition.

Also, the submission regarding overlooking of a property across Broome Street cannot be sustained.

Fencing

The proposed boundary fencing to the two streets preserves that constructed as part of the previous improvements, extends that new fencing at the eastern end of the Forrest Street frontage, relocates the pedestrian gates, and modifies the pedestrian entry at the northern end of the Broome Street frontage. This enhances the open-aspect fencing to Forrest Street and is sympathetic to the dwelling and streetscapes in keeping with the Fencing Local Law. The detailed treatment of the gates is not entirely clear at this stage.

A condition covers that the Forrest Street front fence extension conforms to the 0.9m maximum height solid plinth standard and that the gates be open-aspect.

Summary

Comparatively few variations are requested.

While building and wall height are fundamental considerations, in this case these specific variations are of no or little consequence to the proposal itself, neighbouring properties or the streetscapes, and are not perceptible when read as an extension to the proportions of the existing dwelling. Importantly, both the existing and proposed building (crown of roof) comply with the TPS2 standard of 8.5m by being slightly less. The basement variation is seen to be supportable.

Setbacks and site levels are assessed as suitable, subject to revision of the Broome street porch. Privacy and fencing are also acceptable, again with conditions for certain details.

APPLICATION ASSESSMENT – HERITAGE CONSIDERATIONS

Introduction

- A range of heritage considerations relate to the property and proposal, as set out below.
- There is an established framework for assessment of planning proposals from a heritage perspective, which is important in general and in this instance.
- Together with the ordinary planning technical assessment involved (ie development requirements or standards), the heritage values and classifications of a property have a significant bearing on the consideration of a proposal and the extent to which it is acceptable or may warrant some design modifications or conditions of approval.
- This is an expected part of the development assessment process in the case of heritage-listed properties and those within recognised character or heritage areas.
- It is through this process that a balanced outcome can be achieved between the objectives of the proposal, the normal planning parameters and the heritage layer of consideration.
- It can be seen that a strong collection of heritage instruments and classifications relating to the place apply and that they provide clear guidance on how the assessment of proposals should be approached and the values of the place to take into account.

Town Planning Scheme No. 2

Clause 5.1.2 of TPS2 requires Council in considering a proposed development in relation to heritage to have regard to:

- *The need for preservation of existing trees or areas or buildings of architectural or historical interest.*
- *The choice of building materials and finishes where these relate to the preservation of local character and the amenity of the area generally.*
- The property is also included in Schedule 1 of TPS2, which is the highest listing available in terms of local government heritage control, as a scheme has the force and effect of law, ie affording statutory heritage protection.
- The Schedule lists the property as follows:
 - *House No. 48, Lot 92 Forrest Street, Cottesloe, Brick and tile single-storey house constructed circa 1910.*
 - *Classified by the National Trust.*
- This invokes Part 6 of the Scheme: *Conservation and Preservation of Places of Natural Beauty and Historic Buildings and Objects of Historic or Scientific Interest*, requiring Council's written consent to proposals in addition to a planning approval under Part 7.
- Broadly, Part 6 requires virtually any change to such a place to receive Council's consent, and in practice the making of a development application enables that step to be addressed.

- Part 6 states that:
The Council considers that the places of natural beauty, and historic buildings, and objects of historic or scientific interest listed in Schedule 1 should be conserved and preserved.
- The matters covered requiring Council's consent include:
clear, excavate or fill any land; fell, remove, kill or irreparably damage any tree; erect any fence; commence or carry out any renovation, modification, refitting, decoration or demolition of any building; alter or remove any building or object or any part thereof.

TPS2 Policy 12: Places of Cultural Heritage Significance

- This planning policy made under the Scheme elaborates on the assessment process for properties falling within its ambit.
- It provides that the places identified in Schedule 1 of the Scheme and in Categories 1 and 2 of the Municipal Heritage Inventory as of cultural and heritage importance contribute significantly to the character of Cottesloe and Council is conscious that they form an integral part of the character, amenity and sense of place of the suburb.
- The Policy Objectives are to:
 - *Protect existing places of cultural heritage significance and to maintain the character, amenity and sense of place of the suburb.*
 - *Ensure that any additions or alterations to existing places are sympathetic to the cultural heritage significance of the building.*
- The Policy Statements include:
 - *Demolition of places covered by this policy will not be supported by Council, unless it is demonstrated to Council's satisfaction that the listed building is not of local cultural heritage significance.*
 - *Where discretion exists in relation to the provisions of the Town Planning Scheme and Residential Planning Codes, Council may be sympathetic to a request for the exercise of that discretion, if the conservation of heritage places covered by this policy are deemed to be sympathetic to the original place by Council or the Heritage Council of Western Australia.*

Municipal Heritage Inventory

- The property was originally classified in the MHI as Category 1 in 1995. The 2003 McDougall and Vines MHI Review recommended that it remain as such, however, in 2004 staff recommended a reclassification to Category 2, which Council adopted and is defined as:
High level of protection appropriate: provide maximum encouragement to the owner under the Town Planning Scheme to conserve the significance of the place. Photographically record the place prior to any major redevelopment or demolition.
- The MHI description of the place is:
Of great historic and architectural interest in prominent heritage streetscape/precinct.
- Its significance is stated as:
An unusual house in the Cottesloe context, in a prominent position and having associations with a prominent person after whom a nearby street was named.

- The property is described as:
A large house on a prominent corner in Cottesloe flanked by avenues of Norfolk Island Pines. It was built in 1924 for Joseph Henry Barsden, a solicitor of some note in Cottesloe in the early days. The house of white rendered brick has a romanticised Ionic colonnade supporting an unusual entablature and balustrade to three sides. The splayed windows have bay windows within projecting bays of the verandah formed by the colonnade. Large windows and French doors lead onto the verandah. In the bay window the glass is stained to the six upper lights with plain below. The roof is gabled to the south with two small louvred sections for air. There is a porthole window by the front door. The door itself is panelled and glazed with a half light to the upper section, three small lights above and half length side lights all stained.

Register of National Estate (Australian Heritage Council)

- This national heritage listing is of note and provides the following information:

Barsdens House, 48 Forrest St, Cottesloe, WA, Australia

Photographs:



List: Register of the National Estate

Class: Historic

Legal Status: Registered (28/09/1982)

Place ID: 10269

Place File No: 5/11/008/0006

Statement of Significance:

This is significant as a large house built post 1910 / post World War One by a Mr Barsden. Barsden was a solicitor of note in Cottesloe, after whom the nearby Barsden Street was named. The house is of white rendered brick, with Doric columns and balustrading around the wide verandahs. The verandahs on the western side are shaded by latticed infills.

Official Values: Not Available

Description:

This large house was built circa 1910 / Post World War I for a Mr Barsden. Barsden was a solicitor of note in the early days of Cottesloe, and nearby Barsden Street is named after him. The house is of white-rendered brick with Doric columns and balustrading surrounding its verandah roofline. It has large windows and French doors lead out onto the wide verandahs. The verandahs are shaded by latticed infills on the western side. The house is bounded on two sides by pine trees. It is now being enlarged by its present owners. It stands next to 52 Forrest Street, a Federation bungalow built before 1905.

History: Not Available

Condition and Integrity:

The house is being enlarged by its present owners. One room has been enlarged by the

construction of a bay window underneath the verandah. There is also a modern addition at the rear.

Location:

48 Forrest Street, corner Broome Street, Cottesloe.

Bibliography:

Ruth Marchant James, 'A Heritage of Pines', Town of Cottesloe, 1977.
'The Heritage of Western Australia: the Illustrated National Estate', Sun McMillan, Melbourne, 1989.

National Trust

- The National Trust was previously consulted and advised that it classified this residence in 1979 for its aesthetic value:
The building's use of Doric columns and balustrading is of architectural significance and is unmatched in the Town of Cottesloe. It's setting on high ground overlooking the ocean is of further significance.
- The Trust supports the retention of these features in any works to the building.

State Heritage Office (for HCWA)

- The HCWA has identified *Barsden's* as worthy of assessment for consideration of being classified on the State Heritage Register, which acknowledges the number of other heritage listings already assigned to the place. That task remains to be done, however, which means that the property is not officially classified at State level at this juncture.
- Notwithstanding, the proposal was referred to the State Heritage Office (SHO) for information and any feedback, thereby providing the Heritage Assessment report and other material to the SHO as a resource.
- The SHO declined to provide advice given that the place is not a priority for its assessment, and suggested that the Town could engage an independent heritage architect to comment on the proposal (see below).

WAPC Heritage Policy

- The WAPC *State Planning Policy (SPP) 3.5 Historic Heritage Conservation* provides broad guidance to the consideration of heritage-based planning proposals.
- Its objectives are:
 - *To conserve places and areas of historic heritage significance.*
 - *To ensure that development does not adversely affect the significance of heritage places and areas.*
 - *To ensure that heritage significance at both the State and local levels is given due weight in planning decision-making.*
 - *To provide improved certainty to landowners and the community about the planning processes for heritage identification, conservation and protection.*
- The Policy describes the existing statutory framework for heritage conservation and the relationship and responsibilities of the Heritage Council of WA (HCWA), the WAPC and local governments.
- It specifies policy measures and the means for their implementation.
- The policy requires local governments to have regard to specific matters relating to heritage in considering applications for planning approval.

- Those matters relevant to the subject proposal include:
 - *The conservation and protection of any place or area that is included in the heritage list under a scheme.*
 - *Whether the proposed development will adversely affect the significance of any heritage place including any adverse effect resulting from the location, bulk, form or appearance of the proposed development.*
 - *The level of heritage significance of the place, based on a relevant heritage assessment.*
 - *Measures proposed to conserve the heritage significance of the place and its setting.*
 - *The structural condition of the place, and whether the place is reasonably capable of conservation.*
- The Policy requires that: *the following development control principles should be applied in considering planning applications in relation to a place entered in a heritage list, a place or area entered in the state register, or a heritage area designated pursuant to a local planning scheme.*
 - *Alterations, extensions or change of use affecting a heritage place:*
 - *Development should conserve and protect the cultural significance of a heritage place based on respect for the existing building or structure, and should involve the least possible change to the significant fabric.*
 - *Alterations and additions to a heritage place should not detract from its significance and should be compatible with the siting, scale, architectural style and form, materials and external finishes of the place. Compatibility requires additions or alterations to sit well with the original fabric rather than simply copying or mimicking it.*
 - *In some cases, the conservation and protection of a heritage place may require a change of use to ensure a reasonable beneficial use or return. Sympathetic adaptation and change of use should be supported in such cases.*
 - *Development should be in accordance with any local planning policies relating to heritage.*
- Implementation of the SPP is expected by local governments as follows:
 - *Local government has a role in support of the policy through ensuring that due regard is given to heritage significance in development assessment, planning schemes and planning strategies.*

Independent Heritage Architect

The Town engaged Bernard Seeber Architects to provide an expert opinion on the proposal. This firm is experienced and respected in heritage architecture including in Cottesloe (eg Wanslea project, for the National Trust), Fremantle and around the state. Familiarity with the local built environment, character/heritage attributes and planning regime was seen as important.

This consultant's report once completed is to be circulated and commented upon in advance of the Development Services Committee meeting.

Summary

- A suite of heritage instruments and classifications apply to the *Barsden's* heritage-listed property.
- Collectively they provide direction, principles and criteria for the consideration of proposals from a heritage perspective and the basis for decision-making.
- Against this framework it is assessed that:
 - The heritage significance and contribution of the property should not be underestimated.
 - The proposal is supportable in terms of normal development requirements and essentially supportable in relation to heritage considerations, subject to some conditions.

CONCLUSION

The heritage significance of the place, which embodies the particular architectural elements of the original dwelling, is recognised by a range of heritage classifications. This framework supports carefully-designed additions/alterations, retention of heritage fabric, conservation/restoration works and documentation for the long term use and care of the place.

The application is assessed as an acceptable proposal for two-storey plus basement alterations and additions to a heritage dwelling entailing important considerations.

In terms of development requirements, the proposal is assessed as suitably compliant with TPS2, the RDC and the Fencing Local law, and the overall streetscape and amenity outcomes are considered to be appropriate from a planning point of view.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee expressed support for the proposal and noted improvements such as the removal of the existing garage, as well as ongoing conservation of the original dwelling. Committee noted that the State Heritage Office had declined to provide comment, but based on the officer report and input from Bernard Seeber Architects for the Town was satisfied that the proposal is acceptable, including variations to planning requirements, in the context of heritage.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Walsh, seconded Cr Downes

That Council GRANT its Written Consent and Approval to Commence Development for two-storey alterations and additions to the existing residence, including basement, re-roofing, pergola, pool, landscaping, retaining walls, fencing and demolition of the non-heritage apartment building, at No. 48 (Lots 92 and 500) Forrest Street, Cottesloe, in accordance with the revised plans submitted on 8 November 2012, subject to the following conditions, all to the satisfaction of the Manager Development Services:

1. Prior to any demolition, whether to parts of the original dwelling, to later additions or alternations, or to the apartment building, a full photographic and documented record, both internally and externally, of the existing buildings or portions thereof, features and fabric to be demolished shall be compiled and submitted to the Town as a heritage record.
2. All of the existing verandah columns and entablature to the verandah roof shall be retained in perpetuity and restored as required.
3. The application for a Building Permit shall include a comprehensive schedule of all conservation works and of all materials, finishes and colours to be used in the development and conservation works.
4. The conservation works shall include rectification of the deterioration of the concrete beams to the southern verandah, as identified in the applicant's Heritage Assessment report.
5. All restoration works proposed or required to the existing fabric of this heritage-listed building as detailed in the planning and building applications and approvals shall be carried out as part of the overall development approval and completed prior to occupation of the completed development.
6. The external profile of the proposed development as shown on the approved plans shall not be changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of the Council and any approvals as required under the relevant heritage classifications.
7. At Building Permit stage the plans submitted shall address the following development and heritage requirements by way of design details and revisions:
 - a. The entry porch near the northern end of the Broome Street frontage shall be setback, reduced in size and simplified to a set of steps and landing adjacent to the dwelling with an open-aspect balustrade, which also provides passage at ground level around the building.
 - b. The windows to bedrooms 2 and 3 on the second storey northern elevation shall be treated to provide a sense of privacy to the bedrooms on the second storey of 96 Broome Street (Pine Court) on the other side of Doscas Lane, in consultation with that owner and the Town.
 - c. The new boundary fencing to Forrest Street shall comply with the Fencing Local Law specifications for maximum height of the solid plinth and for open-aspect infill panels.
 - d. The gates to the boundary fence to Broome Street shall be of open-aspect design.
 - e. Detailed design of the eastern boundary wall (dividing fence) in terms of its height in relation to the existing ground levels of 52 Forrest Street to the east and the interface with the Forrest Street front fences of both properties, in consultation with that owner.

- f. The design of the dividing wall between the basement ramp and the right-of-way having regard to the need for a physical barrier and visibility for vehicles, cyclists and pedestrians.
 - g. Clarification/confirmation of the cladding material, its colour and low reflectivity to be used for all new roofing or re-roofing as approved.
8. The Building Permit plans shall include a comprehensive landscaping plan for the entire site, taking into account the contribution of landscaping to the cultural heritage significance of the place, especially in the setbacks from the streets to the original dwelling, as well as the setting created by the grounds as a whole in relation to heritage, architectural design and streetscape.
9. The gymnasium in the basement shall not be used as or converted to a habitable space or room at any time.
10. All boundary walls facing the eastern abutting lot and the northern right-of-way shall be properly finished-off.
11. Adequate storage disposal shall be provided to contain all stormwater on site in accordance with Council's Local Law. Stormwater runoff from the driveway or any other paved portion of the site shall not be discharged onto the street reserves, right-of-way or adjoining properties, and the gutters, downpipes and soakwells used for disposal of the stormwater runoff from roofed areas shall be included within the Building Permit plans.
12. Wastewater or backwash water from the swimming pool filtration system shall be contained within the property and disposed of into adequate soakwells. A soakwell system shall be installed to the satisfaction of the Environmental Health Officer, with a minimum capacity of 763 litres and located a minimum of 1.8 metres away from any building or boundary. Wastewater or backwash water shall not be disposed of into the Council's street drainage system or the Water Corporation's sewer.
13. The pool pump and filter shall be located closer to the proposed dwelling than the adjoining dwellings, and suitably housed or treated as may be necessary, so as to ensure that environmental nuisance due to noise or vibration from mechanical equipment is satisfactorily minimised to within permissible levels outlined in the Environmental Protection (Noise) Regulations 1997.
14. Any air-conditioning plant and equipment shall be located closer to the proposed dwelling than the adjoining dwellings, and suitably housed or treated as may be necessary, so as to ensure that sound levels emitted shall not exceed those outlined in the Environmental Protection (Noise) Regulations 1997.
15. The Building Permit plans shall include details of all external plant, equipment or infrastructure, including all proposed installations to the roof, and shall demonstrate how those fixtures are to be located, housed, screened or treated to achieve visual and acoustic amenity and to respect heritage.

16. Comprehensive dilapidation reports for the northern and eastern adjacent properties in relation to the development works shall be submitted to the satisfaction of the Town prior to the issue of a Building Permit.
17. A comprehensive Demolition and Construction Management Plan shall be submitted to the satisfaction of the Town prior to the issue of a Building Permit, and shall address (amongst other things): maintaining lane access for residents; traffic management and safety for the streets, lane and site; worker parking, including off-site, through consultation with and approval by the Town; and verge and tree protection.
18. All construction work shall be carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.
19. All street trees (which comprise heritage-listed Norfolk Island Pine trees) shall be protected at all times from the demolition and construction activities and any stockpiled materials shall be kept clear of the trees and not built up around or leant against their trunks.
20. Any works to the existing crossover or visitor parking bays affecting the Broome Street verge shall be to the specification and satisfaction of the Town and prior-approved as required.
21. Any damage within the road reserve occasioned by the demolition and construction activities shall be rehabilitated to the specification and satisfaction of the Town at the cost of the owner.
22. The two lots shall be amalgamated into one lot on one certificate of title prior to occupation of the completed development and conservation works to the property.

Advice Notes:

1. The owner is encouraged to retain as much of any trees or significant vegetation on site as possible in relation to the demolition and development, in the interests of the heritage value of the place and the amenity of property for the residents as well as to the streetscape and locality.
2. This approval is to the proposed demolition, development and restoration works as required only. All future proposals for the property are subject to further applications, approvals and consents as required by the Town of Cottesloe town planning scheme and any heritage classifications of the property.
3. The owner/applicant is responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development occurs entirely within the owner's property.

AMENDMENT

Moved Cr Walsh, seconded Cr Downes

That in condition 7(f) the words 'be kept at a 1 metre height' be added after the word "way"

**EQUALITY 4/4
MAYOR CASTING VOTE AGAINST 4/5
LOST – STATUS QUO REMAIN**

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

That Council **GRANT** its Written Consent and Approval to Commence Development for two-storey alterations and additions to the existing residence, including basement, re-roofing, pergola, pool, landscaping, retaining walls, fencing and demolition of the non-heritage apartment building, at No. 48 (Lots 92 and 500) Forrest Street, Cottesloe, in accordance with the revised plans submitted on 8 November 2012, subject to the following conditions, all to the satisfaction of the Manager Development Services:

1. Prior to any demolition, whether to parts of the original dwelling, to later additions or alternations, or to the apartment building, a full photographic and documented record, both internally and externally, of the existing buildings or portions thereof, features and fabric to be demolished shall be compiled and submitted to the Town as a heritage record.
2. All of the existing verandah columns and entablature to the verandah roof shall be retained in perpetuity and restored as required.
3. The application for a Building Permit shall include a comprehensive schedule of all conservation works and of all materials, finishes and colours to be used in the development and conservation works.
4. The conservation works shall include rectification of the deterioration of the concrete beams to the southern verandah, as identified in the applicant's Heritage Assessment report.
5. All restoration works proposed or required to the existing fabric of this heritage-listed building as detailed in the planning and building applications and approvals shall be carried out as part of the overall development approval and completed prior to occupation of the completed development.
6. The external profile of the proposed development as shown on the approved plans shall not be changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of the Council and any approvals as required under the relevant heritage classifications.
7. At Building Permit stage the plans submitted shall address the following development and heritage requirements by way of design details and revisions:

- a. The entry porch near the northern end of the Broome Street frontage shall be setback, reduced in size and simplified to a set of steps and landing adjacent to the dwelling with an open-aspect balustrade, which also provides passage at ground level around the building.
 - b. The windows to bedrooms 2 and 3 on the second storey northern elevation shall be treated to provide a sense of privacy to the bedrooms on the second storey of 96 Broome Street (Pine Court) on the other side of Doscas Lane, in consultation with that owner and the Town.
 - c. The new boundary fencing to Forrest Street shall comply with the Fencing Local Law specifications for maximum height of the solid plinth and for open-aspect infill panels.
 - d. The gates to the boundary fence to Broome Street shall be of open-aspect design.
 - e. Detailed design of the eastern boundary wall (dividing fence) in terms of its height in relation to the existing ground levels of 52 Forrest Street to the east and the interface with the Forrest Street front fences of both properties, in consultation with that owner.
 - f. The design of the dividing wall between the basement ramp and the right-of-way having regard to the need for a physical barrier and visibility for vehicles, cyclists and pedestrians.
 - g. Clarification/confirmation of the cladding material, its colour and low reflectivity to be used for all new roofing or re-roofing as approved.
8. The Building Permit plans shall include a comprehensive landscaping plan for the entire site, taking into account the contribution of landscaping to the cultural heritage significance of the place, especially in the setbacks from the streets to the original dwelling, as well as the setting created by the grounds as a whole in relation to heritage, architectural design and streetscape.
 9. The gymnasium in the basement shall not be used as or converted to a habitable space or room at any time.
 10. All boundary walls facing the eastern abutting lot and the northern right-of-way shall be properly finished-off.
 11. Adequate storage disposal shall be provided to contain all stormwater on site in accordance with Council's Local Law. Stormwater runoff from the driveway or any other paved portion of the site shall not be discharged onto the street reserves, right-of-way or adjoining properties, and the gutters, downpipes and soakwells used for disposal of the stormwater runoff from roofed areas shall be included within the Building Permit plans.
 12. Wastewater or backwash water from the swimming pool filtration system shall be contained within the property and disposed of into adequate soakwells. A soakwell system shall be installed to the satisfaction of the Environmental Health Officer, with a minimum capacity of 763 litres and located a minimum of 1.8 metres away from any building or boundary.

Wastewater or backwash water shall not be disposed of into the Council's street drainage system or the Water Corporation's sewer.

13. The pool pump and filter shall be located closer to the proposed dwelling than the adjoining dwellings, and suitably housed or treated as may be necessary, so as to ensure that environmental nuisance due to noise or vibration from mechanical equipment is satisfactorily minimised to within permissible levels outlined in the Environmental Protection (Noise) Regulations 1997.
14. Any air-conditioning plant and equipment shall be located closer to the proposed dwelling than the adjoining dwellings, and suitably housed or treated as may be necessary, so as to ensure that sound levels emitted shall not exceed those outlined in the Environmental Protection (Noise) Regulations 1997.
15. The Building Permit plans shall include details of all external plant, equipment or infrastructure, including all proposed installations to the roof, and shall demonstrate how those fixtures are to be located, housed, screened or treated to achieve visual and acoustic amenity and to respect heritage.
16. Comprehensive dilapidation reports for the northern and eastern adjacent properties in relation to the development works shall be submitted to the satisfaction of the Town prior to the issue of a Building Permit.
17. A comprehensive Demolition and Construction Management Plan shall be submitted to the satisfaction of the Town prior to the issue of a Building Permit, and shall address (amongst other things): maintaining lane access for residents; traffic management and safety for the streets, lane and site; worker parking, including off-site, through consultation with and approval by the Town; and verge and tree protection.
18. All construction work shall be carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.
19. All street trees (which comprise heritage-listed Norfolk Island Pine trees) shall be protected at all times from the demolition and construction activities and any stockpiled materials shall be kept clear of the trees and not built up around or leant against their trunks.
20. Any works to the existing crossover or visitor parking bays affecting the Broome Street verge shall be to the specification and satisfaction of the Town and prior-approved as required.
21. Any damage within the road reserve occasioned by the demolition and construction activities shall be rehabilitated to the specification and satisfaction of the Town at the cost of the owner.

22. The two lots shall be amalgamated into one lot on one certificate of title prior to occupation of the completed development and conservation works to the property.

Advice Notes:

1. The owner is encouraged to retain as much of any trees or significant vegetation on site as possible in relation to the demolition and development, in the interests of the heritage value of the place and the amenity of property for the residents as well as to the streetscape and locality.
2. This approval is to the proposed demolition, development and restoration works as required only. All future proposals for the property are subject to further applications, approvals and consents as required by the Town of Cottesloe town planning scheme and any heritage classifications of the property.
3. The owner/applicant is responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development occurs entirely within the owner's property.

THE SUBSTANTIVE MOTION WAS PUT

Carried 8/0

TOWN OF COTTESLOE

- 8 MAY 2013

RECEIVED

93 Broome St
Cottesloe 6011

May 8, 2013

To: Town of Cottesloe Planning Department

Re: 48 Forrest St. Development Application

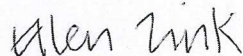
There are some things that money cannot buy and heritage is one of them. I am very concerned by the modern extension proposed for 48 Forrest St. as it will disrupt the very special built environment at Cottesloe's core. The stretch of Broome St. from the Civic Centre to Forrest St. has been maintained by its owners in a manner respectful of its heritage value.

The current proposed extension (though apparently preferable to the previous one which I have not seen) is a sophisticated modern solution in itself, but it is inappropriate for this location. (Wasn't a home by the same architect approved on John St. which has now disrupted its visual unity?)

Peter Overman, a well respected Perth architect, once spoke of 'well mannered' design which relates to its context. We must do whatever we can to protect our visual heritage as once it is compromised, it is gone forever. What value is a heritage listing if nothing is done to protect it?

On a personal level, a two storey extension at this location will block the view of the sky from my eastern windows (as has already occurred on the north and west sides due to extensions and plantings); also the delightful early morning sunlight. My greater concern, though, is that the original house, which is one of Cottesloe's gems, is being violated. Why can't the extension reflect the original character and materials?

Most sincerely,



Ellen Zink