

Camden Residents' Action Group

Incorporated

Camden – Still a Country Town

Website: <http://www.crag.org.au/>

Face Book:

<https://www.facebook.com/CRAGcamdenresidentsactiongroup/>

PO Box 188

Camden NSW 2570

Email: admin@crag.org.au

Ph: 0415 617 368

General Manager
Camden Council
70 Central Avenue
Oran Park 2570
Email: mail@camden.nsw.gov.au
13 December 2021

Dear General Manager,

Re: DA 2021/1762/1
First floor addition to existing dwelling
20 Hill Street CAMDEN

At the outset we note the sensitivity of the location and the following salient facts about 20 Hill Street, Camden:

- it is heritage listed;
- it is adjacent to other heritage listed cottages;
- it is located opposite to and in close proximity to many heritage items including St John's Church Precinct;
- it is located within Camden's Heritage Conservation Area (HCA).

We also note that this DA (2021/1762) is consequent to a DA (2019/284) for a building addition that was approved on 18 June 2019¹.

¹ Camden Council DA Tracker Available at
<https://planning.camden.nsw.gov.au/Application/ApplicationDetails/010.2021.00001762.001/>
<https://planning.camden.nsw.gov.au/Application/ApplicationDetails/010.2019.00000284.001/>

The earlier 2019 DA included partial demolition of a heritage building and commercial alterations and additions. Although the site is itself heritage listed there would appear to have been no documentary explanation of the heritage impact of the alterations and additions on the integrity of the cottage. Although, we accept that the streetscape was largely unaffected, the orientation of the “skillion” roof addition and the resultant side and back perspectives of the cottage are historically inappropriate and degrade the heritage value of the cottage. We could find no attempt to justify the changes to the cottage in any publicly available documentation.



Source: DA 2021/284 Stamped Architectural Plans M.A.D.S

The current DA would obviate the inappropriate roof shape at the rear of the cottage, and would through the removal of unsympathetic work be consistent with the general heritage provisions of the DCP (2.16.3).

However, the additional storey would be unacceptably detrimental not only to the integrity of the cottage but also the streetscape and the HCA generally.



Source: DA 2019/1762 Architectural Plans Adobe Drafting

Purpose of Proposal

The Statement of Environmental Effects (SEE) states that the purpose of the proposal is to provide a storage area of approximately 42sqm and a relocated WC room (3sqm) necessitated by the new stairway access to the first-floor addition. Essentially, the project provides an additional 42sqm as stairs and relocation of the WC would not be needed if there was no second storey.

The proposed additional space and configuration is suitable for use other than for storage.

The SEE offers

If considered necessary, a condition of development consent requiring that the proposed first floor storage area as shown on the plans is only used for storage purposes associated with the existing business can be imposed to provide further certainty and compliance.

Of course, depending on the type of storage required, it can be rented off-site and this could possibly be a more flexible and cost-effective option.

If the business had truly outgrown its heritage listed cottage there is always the option of moving to more suitable premises.

We do not necessarily accept that a second storey is needed for storage or that over time the space can be limited to storage purposes.

We question why the addition is designed so that negotiating stairs is necessary to access a WC, particularly for more infirm or disabled patients, staff and visitors.

Planning instruments

We disagree with the conclusion of the HIS (p. 15) that

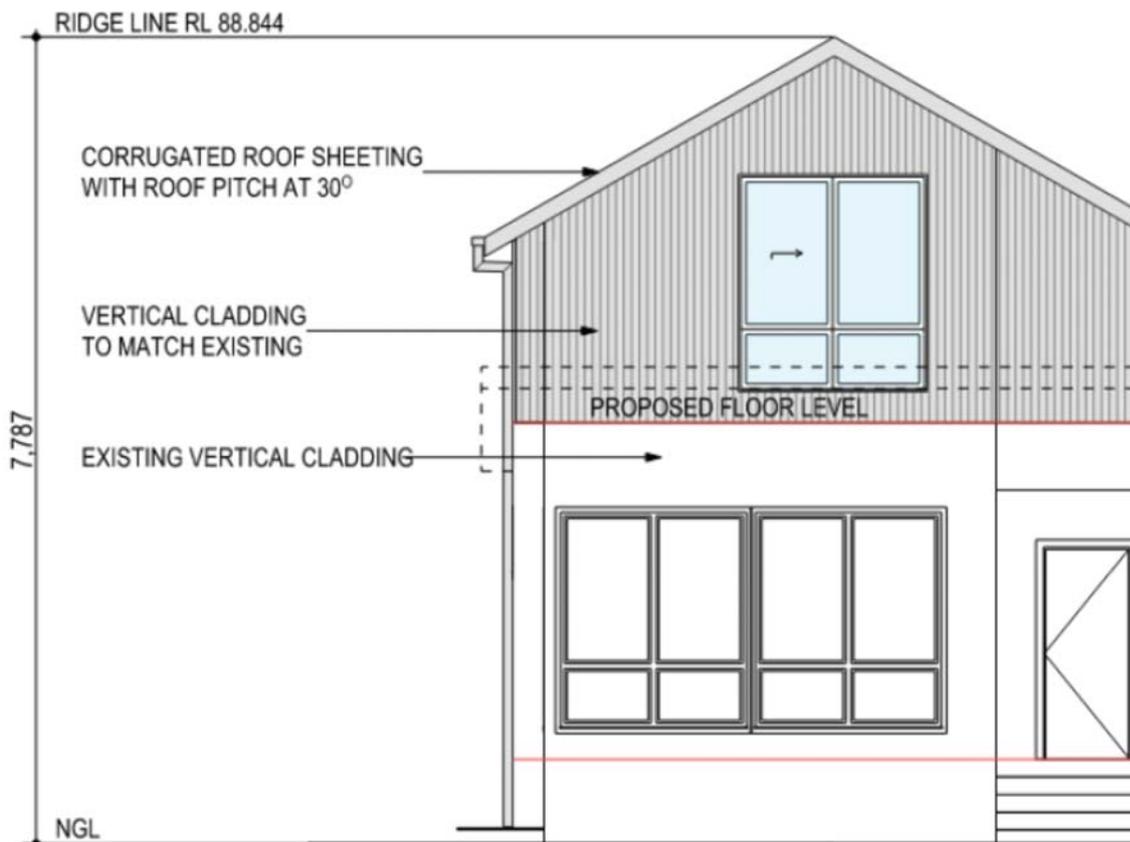
After assessing the proposal in terms of the foregoing criteria, and the Camden LEP 2010, and associated documents, along with the requirements of the “NSW Heritage Act 1977” and “The Burra Charter”, it is concluded that the construction of the proposed building extension above the ground floor level of the recently constructed existing rear section of the building is in accordance with these controls.

As explained below, the proposal has not been appropriately assessed in terms of the criteria of the planning instruments.

Height

LEP 4.3 Height

The height limit in the HCA is 7m. The SEE (3.1) states that due to its pitched roof construction, the addition will have a maximum building height at its ridge line of 7.787m. The Architectural Plans shows the height above the site point adopted for establishing levels at RL 88.844.



Source: 4.6 Variation Request Figure 1 Architectural Plans, Adobe Drafting

An RL of 88.844 suggests that the visual impact of the construction from particular perspectives will be significantly greater than claimed.

We question why the simple need for storage space should result in such an inappropriate height exceedance.

We question whether the design of the additional storey is (unnecessarily and unfortunately) dictated by the previous addition to the cottage (DA 2019/284).

LEP 4.6 Exceptions to development standards

The 4.6 Variation Request (p. 1) claims that

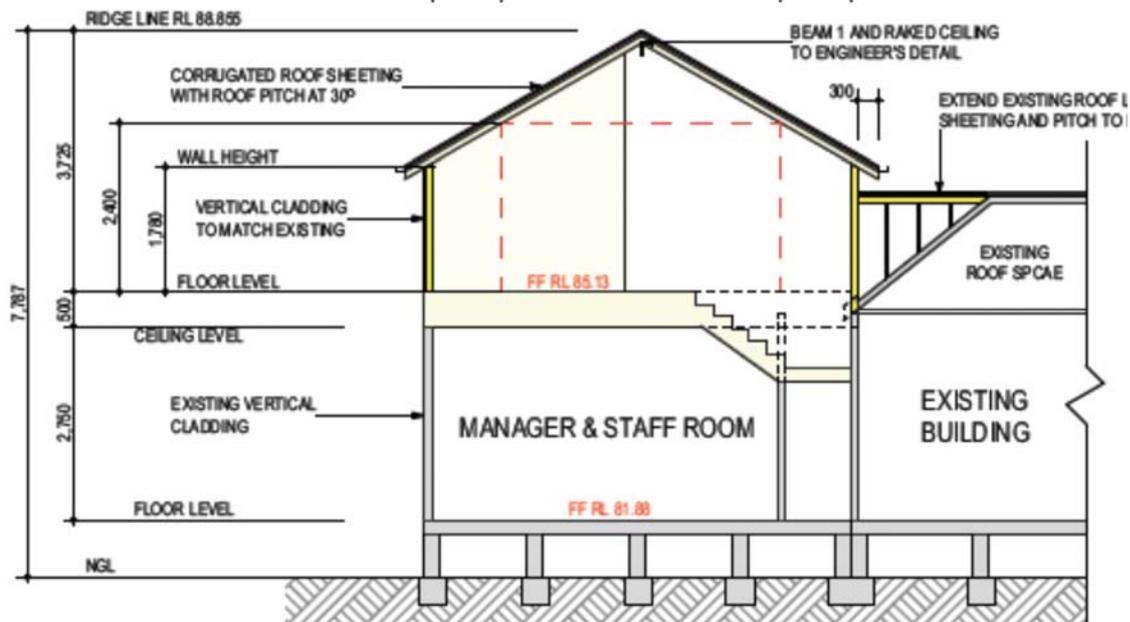
Under an alternative building height-compliant scenario, the built form:

- *Would not achieve an improved design outcome compared to that proposed.*
- *Would not result in an improved streetscape or amenity outcome compared to that proposed.*
- *Would not reduce any perceived environmental impacts compared to that proposed.*

We strongly disagree. As covered in more detail below these objectives of the height standard (LEP 4.3) have not been met:

- (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,*
- (c) to minimise the adverse impact of development on heritage conservation areas and heritage items.*

As evident in the drawing below, the height, bulk and scale of the addition in relation to the original cottage is excessive and is not compatible.



Source: *Architectural Plans, Adobe Drafting*



As shown in the drawing referenced above the roofline oddly towers above the original cottage.

The gabled roof shape also oddly sits in relation to the lower hipped roof of the cottage. There is every aesthetic reason to minimise the imposition of the roof and certainly no reason to exceed the height limit.

We see no compelling or special reason why the height limit needs to be exceeded and submit that the 4.6 variation request should be denied.

Heritage conservation

It would seem that that the statement of significance in the cottage's heritage listing, whilst referred to in the HIS, has not been addressed. This listing states

This line of simple, neat, and pleasing cottages along Hill Street, leading up to St. Johns Church, are representative of late nineteenth-century country town cottages. They are remarkably consistent in quality and form a good group.

There is no explanation of how what is proposed does not detract from the cottage itself and its contribution to the streetscape's significance. A large disproportionate and oddly shaped second storey, much higher than the simple town cottage, cannot contribute and must reduce the significance of the immediate area and the HCA, including the approach to state-listed St John's Precinct.

We note that the accompanying Heritage Impact Statement (HIS) and DCP Assessment Table (DCP Table) make the similar claim that the proposal is not of detrimental heritage impact.

We have studied both and contend they provide unsubstantiated opinion and no evidence or analysis to support that claim or the following conclusions drawn in the HIS (p. 15):

- *The proposed building extension has been designed with forms and materials to be used that are drawn from and reflect architectural elements that characterise the existing building as well as nearby buildings.*
- *The proposed building extension is in keeping with other nearby developments that are located within the Camden Town Centre Conservation Area, as well as the adaptive reuses that have occurred to other properties located in Hill Street.*
- *The streetscape of Hill Street will remain unaltered as the presentation of the site (including the original cottage and the relatively recent building extension) to both the street and neighbouring properties will be similar to and consistent with the bulk, scale, shape, form and materials used in adjacent buildings.*

As covered further below we strongly refute these claims as being without foundation. We submit that they are at best wishful thinking and at worst self-serving.

LEP 5.10 Heritage conservation

As explained above under *Height* and further below, the proposal is inconsistent with the original cottage, the streetscape and HCA. Conservation of heritage significance of heritage items and the conservation area is not achieved by the proposal.

DCP 2.16 Environmental Heritage

The proposal has not paid due regard to the guidance of the Burra Charter (2.16.2). In referencing the Burra Charter (pp.14-15) the HIS fails to acknowledge a number of relevant articles including Articles 8 (the need to protect and conserve the setting of the place); 15 (change and the importance of conserving cultural significance and respecting all aspects of a place's cultural significance, including fabric of different periods and associations); 21 (the need to have minimal impact on the cultural values and significance of the place).

Whilst referencing Article 22 which applies to new work, the HIS fails to reference or follow its New Work Practice Note² which requires that work should comply with the Charter and

- *Not adversely affect the setting of the place (Article 8)*
- *Have minimal impact on the cultural significance of the place (Article 21.1)*
- *Not distort or obscure the cultural significance of the place, or detract from its interpretation and appreciation (Article 22.1)*
- *Respect and have minimal impact on the cultural significance of the place (Article 22.2).*

The DCP Table (2.16.2, pp. 1-2) further states in relation to assessment against the Burra Charter that the proposal:

- will not result in a diminishing of the heritage value of the house;
- is designed with forms and materials reflecting architectural elements of the existing building;
- will leave the streetscape unaltered due to the extension as both the street and neighbouring properties are and will be of similar bulk, scale, shape and form.

None of these claims are evidenced or justified.

This proposal fundamentally changes the streetscape and HCA setting; it detracts from the interpretation and appreciation of the cultural significance of the HCA and the cottage's contribution to it. It also insults the integrity of the cottage in its own right. The imposition of a non-characteristic and over-height roofscape changes the façade and side and rear perspectives of the heritage listed cottage.

The proposal is not consistent with the Burra Charter because the cultural values and significance of the heritage items of the cottage and the HCA are not conserved.

² Australia ICOMOS *Practice Note Burra Charter Article 22 — New Work* Available at https://australia.icomos.org/wp-content/uploads/Practice-Note_Burra-Charter-Article-22-New-Work.pdf

The DCP controls for *Roofs and Roofscape*³ specifically state that the existing pattern, pitch, materials and details of original roof forms within the Heritage Conservation Area must be retained and that secondary roof forms should be subservient in form, scale and location to the main roof.

The second storey roofline is not subservient nor does it reflect the existing roof forms of the cottage or streetscape.

The HIS (p. 11) states: *The design of the proposal is reflective of the bulk, scale, height, form and materials used in nearby similar buildings.*

This claim is not evidenced. We consider it to be untrue as we are unaware of any similar additions in Hill Street, particularly ones that change the scale, height and form of the façade and unusually attach a gabled roof of greater height to a lower hipped roof.

The DCP for the conservation area⁴ also requires compatibility of additions with and retention of existing cottage dominated streetscapes.

The HIS (p. 12) makes the statement that *the streetscape will therefore remain intact and unchanged as a result of the proposal.* We strongly disagree. Self-evidently, as demonstrated in the drawings referenced above, the roofline of the cottage dominated streetscape, an important element of the history and human scale of the HCA is detrimentally changed.

The HIS (p. 14) also claims

- *The proposed building extension is of a similar size, scale, form and materials as adjacent residential and commercial buildings.*
- *The proposed form, shape and materials to be used in the proposal are widely used in nearby buildings of Camden and the surrounding areas.*

Again, these claims are not evidenced and are easily refuted by simple observation. Adjacent cottages have no similar building extensions and the proposed form and shape are certainly not widely used in nearby buildings, if at all.

³ Camden DCP 2.16.3 *General Heritage Provisions: Controls- Roofs and Roofscape* Available at <https://dcp.camden.nsw.gov.au/general-land-use-controls/environmental-heritage/general-heritage-provisions/>

⁴ Camden DCP 2.16.4 *Camden Heritage Conservation Area Control* 8

DCP 5.3 Camden Town Centre Development Controls

The DCP⁵ also adopts the Camden Town Centre Urban Design Framework (UDF), which defines the HCA's unique character and desired future character. Surprisingly the UDF, whilst quoted for its description of Camden's history, is not addressed in the HIS for compliance although the DCP states:

Development within the B4 Mixed Use zone at Camden must be consistent with the Camden Town Centre Urban Design Framework.

The HIS presents no argument or evidence as to how the DA is consistent with the UDF.

The DCP Table makes one reference to the UDF in its statement that the proposal *...is consistent with the Camden Town Centre Urban Design framework as its materials, design and colours will integrate into the site and would not give rise to any undue impacts on views, vistas, acoustic or amenity.*

This statement is an unsubstantiated opinion, not an explanation of consistency with the UDF.

The roof design, as already covered, is unusual and does not integrate appropriately.

The cladding material of zincalume for instance is not a traditional material, and neither is its vertical style and dark grey colour or its coverage of the walls of the addition. There is no evidence provided to support that this choice is integrative.

The proposal is not consistent with the highly contributory, low scale cottage dominated character of Hill Street and its distinct development pattern within the 1840 agricultural town as expressed in the UDF. The proposed development is not consistent with the Built Form Principle of the UDF:

Protect and enhance the unique character of Camden's heritage, it's human scale and network of urban fabric ensuring all built form contributes to Camden's identity as a rural town (p33).

The ad hoc addition of an unusually shaped second storey to the late Victorian single storey cottage within a consistent streetscape reflects pressure for urban space, not a rural town conservation area.

⁵ Camden DCP 5.3 Camden Town Centre Development Controls, 5.3.2 Camden Heritage Conservation Area, Control 2 of Heritage and Character

Parking

The SEE (4.4.4) submits that the usual additional two car parks required due to the increased floor area are not required as its use as storage will not generate demand for additional car parking. Of course, storage can generate vehicle movements, but it is not possible to estimate how much because the type of storage is not explained in the documentation.

We draw attention to the DA 2018/607⁶ to change of use of the premises to orthodontic consulting rooms which was approved on 19 July 2018. The consent conditions require that the number of people working on the premises is to not exceed three (3) at any given time.

According to the business website⁷ the number of people working in the business would seem to exceed 3 with a picture showing 7 and a team list providing the background on 5. It is unlikely that at certain times the number working on the premises would not exceed 3.

The Camden LEP dictionary defines **health consulting rooms**, a subset of *health services facility*, to mean

premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.

This would seem to accurately define the premises of 20 Hill Street.

The 2019 SEE (p. 12) that was lodged with DA 2019/284 indicates that the parking requirement is as for *health consulting rooms*: 3 car parking spaces per consulting room plus 1 car space per 2 employees.

The current SEE (4.4.4) refers to Table 2-5 under DCP 2.18.2 *Off Street Car parking rates/requirements* and calculates the parking requirement on GFA as set out under *Health Care* at 4 car parking spaces per 100m² GFA, which results in a deficiency of 2 spaces. It seeks a dispensation from strict application of the numerical parking requirement.

By our calculation under DCP 2019 there is an existing deficiency in the number of spaces under the land use of **health consulting rooms** because the calculation would be

3 parking spaces per consulting room = 9 plus 1 car parking space per 2 employees.

Although the number of employees cannot be known with any certainty it would seem to exceed 3 as stipulated in the change of use DA (2018/607). If the number is 5 the parking requirement is 12, that is double what is currently provided.

⁶ <https://planning.camden.nsw.gov.au/Application/ApplicationDetails/010.2018.00000607.001/>

⁷ <https://aestheticdentalclinic.com.au/location/camden-clinic/>

There has been no demonstration that not all consulting rooms will be in concurrent operation and no on-street parking, not affecting the amenity of the area, is available.

We submit that:

- parking on site is already deficient;
- Hill Street is already congested;
- the congestion may be being exacerbated by overflow from 20 Hill Street;
- it is not clear that the consent conditions of the change of use (DA 2018/607) are being observed.

It is not in the public interest that any car parking requirement be waived.

In summary, we question the purpose of the DA and the long-term use of the addition. Any additional floor space and changes to the original cottage must be carefully considered and sensitively designed so as to not devalue the cultural and historic significance of the property and HCA. Ideally any changes will enhance heritage value. In this proposal the impact is detrimental.

We submit that the proposal is non-compliant and that it is not in the public interest to degrade Camden's heritage. We believe we speak on behalf of the community in requesting that it be refused.

Yours sincerely,



Glenda Davis

President