

## DEVELOPMENT APPLICATION

### Statement of Environmental Effects – 21 Fox St, Wagga Wagga

#### **3.1 – Description of Development**

- A. Convert one bedroom in the existing dwelling (free standing house) into an ensuite bathroom/walk-in wardrobe.
- B. Demolish one colourbond double garage located at rear lane boundary.
- C. Construct double garage with loft to access the rear lane boundary. The proposed addition will be of red brick construction and include heritage features to complement the existing 1920s heritage dwelling. It will also include energy efficient measures such as solar panels, double glazing and insulation.

#### **3.2 – Description of Site**

The site is a flat, residential block in Fox St, Central Wagga containing one brick residential dwelling and one colourbond garage.

#### **3.3 – Planning Controls**

##### **a. Wagga Wagga Local Environmental Plan (LEP) 2010**

##### **2.7 Demolition**

This application complies with the LEP because we this DA includes a request for consent to demolish a building as part of the proposal (B. demolition of a colourbond garage).

##### **5.10 Heritage Conservation**

The objectives of this clause as it applies to this application are to (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views. The applicant complies with the control and does not seek a variation.

*See Appendix 1: Statement Of Heritage Impact In Heritage Conservation Areas*

##### **7.2 Flood Planning**

The objectives of this clause are (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the land's flood hazard, (c) to avoid significant adverse impacts on flood behaviour and the environment.

The Flood Planning Map as referenced on the LEP website is unavailable. Because it is unavailable the controls are unclear and ambiguous and it is unknown whether the proposal complies. That said, the likelihood of flood impacts or of the creation of flood impacts resulting from the proposed development, is very unlikely. The property was not impacted in the recent 2010, 2012 or 2016 flood events.

##### **7.6 Groundwater**

The objective of this clause is to protect and preserve groundwater sources. The proposed application does not impact the groundwater as per the land uses stated in 7.6.4. The land is zoned

residential, complies with this zoning and is unlikely to adversely impact on existing groundwater sources.

## **b. Wagga Wagga Development Control Plan (DCP) 2010**

### **3.3.2 Heritage conservation – Residential area**

C4: Secondary dwellings on rear lanes

*The DCP states that secondary dwellings and loft type accommodation, often constructed over a garage, can be considered on rear lanes where there is sufficient site width and area.*

Control 1: The application complies with minimum frontage/site width specifications – it is 13.41m wide.

Control 2: The application complies with the control that residential accommodation is to be above the footprint of the ground floor garage. See plans. Note that the plans incorporate design aspects such as gables and mixed use of materials to minimise the bulk and scale of the proposal.

Control 3: The application complies with the control for the residential accommodation to be in the form of a loft addition set into the roof space. See plans.

Objective 3: Maintain adequate sight lines and ensure the ongoing safety and functionality of rear lanes. The application complies as it observes a 1m setback from the rear lane boundary to offer safety for reversing cars, passing cars and pedestrians.

Control 4: The proposal complies with the 'wall height to eave' measurement maximum of 4.2m. See plan. The objective and control is silent on the apex height of the secondary dwelling.

Control 5: The application partially complies with the control that the upper section be constructed using contrasting materials in order to lower the apparent height and reduce apparent bulk and scale.

The proposal seeks a minor variation to construct the main structure in red brick to the 4.2m eave. See plans. A mixed use of materials is proposed within the gables to maintain the heritage style in the area. This also is proposed as it is sympathetic with the heritage style of the existing residence. Additional measures used to reduce the scale are a veranda and pergola, which breaks the scale of the wall facing the dwelling garden. Note the proposed garage is to be built within a mature garden with large trees that break the scale of the building.

Whilst the DCP encourages use of different materials (such as weatherboards) for the loft addition, the applicant is keen to utilise red brick and decorative gable and sash windows which is in keeping with the original residence. The use of other materials such as weatherboard or cement sheeting are not considered by the applicant to be sympathetic to the heritage style of the existing residence or the conservation area.

It's considered unlikely that this proposal will have any significant negative visual impact on the surrounding area, given the existing usage of red brick in numerous buildings. To the contrary, the proposal is anticipated to have a positive visual impact on the rear lane because a colourbond garage and fence will be replaced with an attractive red brick garage and red brick fence.

Control 6: The application complies with the control to use roof forms and elements that articulate and break up the roof. A galvanised corrugated metal roof is proposed to match original. See plan and the proposed step in the building footprint, decorative gable and use of windows to reduce the apparent scale. This was supported by Council's Heritage Advisor during a visit to the site in August 2019 (NOTES FROM MEETING ARE AVAILABLE).

#### **C4: Garages and carports**

*The DCP states that a number of the streets have rear lanes, and where the property is adequate, consideration can be given to a double garage/ carport on the rear lane.*

Control 1: The proposal complies with the control that where possible, car access should be from a rear lane. There is no car access on to the property from Fox Street.

This meets the objective to minimise visual intrusion from garages and for structures to be located behind the building line.

Control 2: Not relevant as rear lane access is available from Womboy Lane.

Control 3: The proposal complies with the control that materials are to be compatible with the materials of the main building. The proposal identifies red brick, sash windows, and decorative gables as features which are compatible with the existing 1920s residence.

Due to the small size of the garage in relation to the residence, these details and decorative features can be considered subservient to the main building.

Control 4: The proposal complies in part with the control for the maximum garage size. In this instance the control for garage size refers to the ground floor of the proposed garage, not the second floor loft.

- 1. The control for a double garage is 6000mm wide x 7500mm long; 2400mm walls.*

The depth of this proposed garage is 7070mm, a deviation of 1070mm outside the control. The width proposed is 8480mm, a deviation outside the control of 2480mm.

The proposed size of the garage is outside the control. The request for an increased size is justified due to the impractical size of the control. The applicant has experienced difficulty utilising the existing double garage (6000mm x 6000mm) to house two vehicles. It is impossible. This is because the narrow width offers minimal and unworkable allowance for vehicle movement in and out of the garage – and minimal space for occupants to access vehicles.

In addition the proposal for a loft requires staircase access, hence the width is expanded to provide space in the footprint for a stairwell. Loft additions are permissible in the rear lane and given their number, are considered in keeping with the size of these central Wagga conservation blocks. The applicant does not consider that this increase in size above the controls will have a negative impact on the land area, the lane way or neighbours. The application seeks the variation because the control is unreasonable and not functional in accommodating two vehicles.

The proposed wall height in the ground floor garage complies with the control of 2400mm.

The proposed wall height in the loft addition complies with the control. The raked roof includes heights ranging from 1865mm to 3905mm, with two-thirds of the space above 2630mm

- 2. The control stipulates a 27 degree roof pitch and apex height of 3900mm*

The proposal complies with the roof pitch control of 27 degrees.

The apex height of the combined garage and loft is 6665mm. This exceeds the control because it applies to a double garage only, with no provision of a loft addition. This application is for a garage and loft. There is no height control in the DCP stipulated for a garage and loft.

A practical, functional sized garage and loft is proposed which is in proportion with the existing residence and allows for the existing garden and mature trees to be maintained. In addition, on observation of garages in Womboy Lane, this proposed garage is in keeping with the size and scale of many of those already constructed.

3. *The control for doors is two roller doors 2600mm wide in 3 equal wall bays.*

The proposal does not comply with this control and proposes one 5200mm tilt door to provide access to Womboy Lane. The reason for the request for a door outside the controls is the difficulty of parking a car in the garage within the confines of 2600mm space. This is more difficult when a car is already in-situ. Womboy Lane is narrow and does not allow the car drivers to swing easily into a tight space. This is supported by discussion with neighbours who have a 2600mm door and find it difficult to manoeuvre the vehicle into and out of the garage in the narrow space.

Control 5: The proposal complies with the following specifications:

Walls are proposed to be face red brick, and complimented by a veranda and pergola and large gable in the roof area to be of decorative sheeting to match existing residence.

The roof is proposed in galvanised corrugated metal with roll barge and roll top to match existing residence. Gutters are to be quad profile and galvanised to match existing residence.

Control 6: The proposal complies with the control for garage doors to be panel lift tilt doors of a simple design and neutral colour to match residence. See plans.

## **Fences**

Control 4: Side and rear fences greater than 1.8m in height will not generally be supported.

The proposal requests permission to construct a new rear fence of red brick to replace existing colourbond fence. This fence is proposed to meet the control at 1.8m height.

### **9.3.2 Site cover**

Control 1: Maximum site cover is to be in accordance with Table 9.3.2a.

A maximum site cover of 50 percent applies in the Heritage Conservation Area. The proposal complies with this control and the construction of the new garage will not exceed the 50 percent maximum.

## **c. Relevant State Environmental Planning Policies**

SEPP 55: the site is zoned residential and is not known to be contaminated. The applicant is unaware of any potentially contaminating usage previously undertaken at this site.

## **d. Other relevant Council policies/guidelines**

BASIX statement – see attachment 2.

## **3.4 - Site suitability**

A. The existing home is suitable for the conversion of the bedroom into a wardrobe/ensuite bathroom. There are no constraints to prevent this internal conversion. There will be no impact on the streetscape.

B. Demolition of the existing colourbond garage has neutral impact on the amenity of Womboy Lane.

C. The flat, residential site is suitable for the construction of a new red brick garage to replace existing colourbond garage which has access to Womboy Lane. The proposed garage is in scale and sympathetic to the scale and heritage style of the current residence.

The site has been zoned residential since the home was constructed in the 1920s. There are no obvious site constraints or hazards that will affect the development.

The site is in a residential street and is unaffected by nearby shops or community facilities.

The proposed development is compatible with the current heritage dwelling and other heritage dwellings in the street. The design has incorporated significant consideration of the heritage of the existing structure and the conservation area. It meets local planning objectives in respect to the heritage significance of the conservation area.

### **3.5 - Present and previous uses**

- present use of the site: residential dwelling
- date that present use commenced: construction of home in 1920s
- previous uses of the site: unknown prior to 1920s
- present uses of adjoining land: residential
- any present or previous use of the site with potentially contaminating activity: no
- contaminated land: I am not aware that the site at 21 Fox St is contaminated land.
- any testing or assessment of the site for land contamination: unknown prior to purchase in 2001.

### **3.6 - Operation and management**

Residential property. NOT RELEVANT

### **3.7 – Social Impact**

The proposal will not result in any changes to the social impact of the sites existing use as a residential dwelling.

### **3.9 - Pedestrian and vehicle movements**

Provision has been made for safe pedestrian and vehicle movements through the setback of the garage 1m from the rear boundary along Womboy Lane. This is a safety measure to provide vision to the driver of passing pedestrians or vehicles passing along the lane whilst reversing out.

### **3.10 - Privacy, views and overshadowing**

Proposal A: (ensuite bathroom/wardrobe) will have no impact on visual amenity, air or noise or privacy. The proposed conversion is located inside the home and hence there will be no change to the external aspect of the property.

Proposal B: Demolition of the colourbond garage will have no impact.

Proposal C: The site is flat site and there are no views impacted by the proposal.

There are no anticipated air or acoustic impacts from the proposed garage.

During construction the contractor and owner will comply with regulations to ensure minimum impacts on neighbours.

The window placement proposed in the second-floor loft are small in scale and overlook the back garden and residence of 21 Fox St.

Large mature trees in situ provide screening to prevent views into adjoining properties. Additional trees will be planted when construction is completed to provide additional privacy and shading to the new structure.

Due to the second floor loft, there will be minor overshadowing to 17 Fox St at certain times of year, specifically during winter. Much of this impact will be on the existing large garage located on the rear lane boundary of 17 Fox St which is immediately adjacent to the proposed garage. A shadow diagram can be provided on request.

### **3.12 - Soil and water**

Stormwater - the new development will be connected to existing stormwater drainage on 21 Fox St. Section 68 submitted with this DA.

A rainwater tank is proposed to collect runoff from the new garage roof for use on garden.

Proposed garage to be connected to sewerage network. Section 68 submitted with this DA.

The site is flat and no runoff is currently experienced.

### **3.13 - Energy efficiency**

BASIX Certificate for the proposed garage (C) attached as appendix.

### **3.14 - Waste**

The occupants will continue to use Council's domestic food and organic waste composting service, and paper and metal recycling service in conjunction with minimising waste as much as possible

Disposal of colourbond garage – the applicant will advertise within the community for an interested party to take the garage for free for use in another location, or sell metal as scrap.

The concrete slab will be disposed of to meet Australian Standard 2601- 2001 - Demolition of Structures.

### **3.15 - Fire safety and other building upgrades**

The proposed garage will be constructed in accordance with fire safety regulations.

Fire safety devices including a fire alarm and small fire extinguisher will be fitted in the new building.

### **3.16 - Demolition management**

The contractor proposed will undertake the demolition of the colourbond garage (B) and the owner will ensure they are accredited and work is compliant with Australian Standard 2601- 2001 - Demolition of Structures. This is a small demolition of a garage sized approximately 7m x 7m.

### **3.17 – Landscaping**

The one tree to be removed to allow construction is a five-year old Chinese tallowood. Other trees and mature gardens will be retained for privacy and energy saving through shading. Additional landscaping will be incorporated after construction is complete including additional trees and more shrubs.

STATEMENT OF HERITAGE IMPACT FOR DEVELOPMENT IN HERITAGE CONSERVATION  
AREAS AND DRAFT HERITAGE CONSERVATION AREAS

21 Fox Street, Wagga Wagga

**Description of proposal**

1. Conversion of one bedroom inside residence into ensuite bathroom/walk in wardrobe
2. Demolition of existing colourbond double garage sited on rear lane boundary
3. Construction of brick double garage with loft on rear lane boundary

**Description of existing building, work, site and immediate streetscape**

21 Fox St is a single story inter-war house constructed in the 1920s. It has original features including gables and terrazzo paving. The property is within the conservation area.

An extension was added in 2003 in red brick and is sympathetic with the building style and heritage.

As with many homes in the street, there is no side driveway. Accessibility to the site and garage is via Womboy Lane at the rear boundary.

**Description of buildings or works contribution to streetscape and area**

21 Fox St is a Californian bungalow constructed in the 1920s. It has original features including gables and terrazzo paving.

1. The internal conversion (ensuite bathroom) will have no impact on the external features of the building and immediate streetscape.
2. Demolition of the colourbond double garage (built prior to present owners ownership) will have neutral impact on immediate streetscape as it is sited on Womboy Lane.
3. Construction of the double garage with loft will be partially visible from Fox St via sightlines along the property boundary (adjoining 17 Fox St). This is due to views of the proposed garage being largely obscured by the existing large mature trees. As the proposal is a loft addition there will minor shadowing on the garage of 17 Fox St.

The proposed garage/loft was designed to be sympathetic with the existing heritage residence and heritage conservation area.

The apparent scale of the proposed structure is softened through the veranda/ pergola addition (facing the existing house and garden) and the inclusion of decorative gables to add a different dimension and enhance the red brick building material.

**Date of original construction of building**

It is estimated the existing red brick dwelling was constructed in the late 1920s. The date of construction of the colourbond shed is unknown.

**Dates and descriptions of changes**

This response relates to part 3 of the proposal: construction of double car garage.

The proposed works will be sympathetic to the heritage charm of the existing dwelling. The proposed garage will be constructed in red brick and feature gables to match the existing dwelling. This will be visible from Womboy Lane.

### **Description of positive and negative impact on the streetscape and significance and character of the area**

This response relates to part 3 of the proposal: construction of double car garage.

The visual impact along Womboy Lane will be positive due the garage being sited on the rear boundary. The demolition of the colourbond garage and replacement with red brick garage and 1.8m red brick fence is in keeping with style of the original dwelling and will significantly improve the aesthetic of the lane frontage.

Incorporating the red brick building material is a positive impact as it is in keeping with the building material of the original dwelling and sympathetic to the area; red brick was a popular building material and it retains the character of the area.

The development has a neutral impact on the significance of the streetscape because its design speaks to the heritage of the dwelling and the conservation area.

While compliant with the relevant DCP controls, the height of the loft addition will incorporate a new visual impact on Womboy Lane which could not be described as negative. It is in keeping with several other double story garages in Womboy Lane and not out of character with the heritage of the area. The proposed garage will not be highly visible along the sightlines of the boundary with 17 Fox St, due to the large mature trees.

### **Elements of design or work that minimise negative impact on streetscape and significance of area**

- Red brick construction
- Use of heritage style windows
- Gable roof detail to match the roof of existing residence
- Maintain existing trees (over 10m) which screen the development from neighbours.
- Veranda and pergola included in the design to minimise the scale of the structure on the site
- The stepped design was incorporated to minimise the bulk and scale of the garage from impeding on the back garden of the existing residence and adjoining neighbours

### **Description of alternative design or work options and the reasons that they were discounted**

An alternative smaller design was considered which did not increase building size or have a loft second floor. This was proposed to be in keeping with the relevant DCP. This was discounted as the size of the original garage is not practical or usable as a double car garage and there would be no benefits derived from building a new replacement structure at the same size.

The owners are seeking to maximise available space on the block whilst retaining as much garden and mature trees as possible. Building a loft on the garage will add another room to the home and give the family more living space without the loss of the garden and trees.