

Application Referral Cultural Heritage - Response

From:	Allie Costin
Recommendation:	Proposal is unacceptable.
Date Completed:	
Address:	487 SANDY BAY ROAD, SANDY BAY 489 SANDY BAY ROAD, SANDY BAY
Proposal:	Subdivision (Boundary Adjustment)
Application No:	PLN-22-736
Assessment Officer:	Helen Ayers,

Referral Officer comments:

Number 487 Sandy Bay Road *Preana* is an individually Heritage Listed property in Table E13.1 of the *Hobart Interim Planning Scheme 2015* and located within the Sandy 12 Heritage Precinct, whilst number 489 Sandy Bay Rd is within the Sandy Bay 12 Precinct. The proposed boundary adjustment must be assessed against E13.7.3 Subdivision for Heritage Places, and E13.8.3 Subdivision for Heritage Precincts. The proposed demolition must be assessed against E13.7.1 Demolition for Heritage Places, and E13.8.1 Demolition for Heritage Precincts.

Introduction:

487 Sandy Bay Road was constructed in 1918 for Mr L E Gibson, and the property remained in the Gibson family until 2020. The house is surrounded by generous grounds and was positioned in what was originally the centre of the large lot, setback from Sandy Bay Road with an imposing street presence. The rear of the property was partially subdivided in c1957 with the rear north western portion of the lot remaining with the residence as a rear garden.



Subject site *Preana* 487 Sandy Bay Road (image taken by Heritage Officer)



Subject site *Preana* 487 Sandy Bay Road (image taken by Heritage Officer)

Background:

Pre Application Enquiry – 2022

The applicant sought pre-application advice from Council regarding the proposed boundary adjustment. At this time, it was advised by the Heritage Officer that; *it is recommended to avoid moving the boundary closer to the house on 487, the boundary should provide the heritage listed residence 487 with a sufficient rear garden setting and curtilage.* It is noted that this advice was provided in line with Council's GIS mapping, which is now understood to differ from the applicant's depiction of the title boundaries.

Development Application – 2022

When the application was initially submitted, it reflected the earlier heritage advice, showing the boundary in the location recommended with sufficient rear setting. An unrelated request for additional information saw the location of the boundary adjustment moved without consultation with Council Officers, and the application was advertised with the boundary in this new location. Following advertising, in the final detailed assessment, this unspecified change to the plans was identified, and the applicant contacted to discuss the change and the fact that it rendered the application unsupportable from a cultural heritage perspective. The applicant sought advice from a heritage consultant. The consultant report makes comments on a range of heritage outcomes in relation to the boundary adjustment, the heritage consultant advice confirms Council's Cultural Heritage Officer advice that the boundary location at the rear of the listed property is not appropriate, this has been summarised in the assessment below, and the heritage consultant advice in full is in the application documents attached.

Proposal:

- Boundary adjustment to existing subdivision dating from c1957.
- Demolition of c1998 carport.

Statements of significance for 487 Sandy Bay Road:

(a)-Historical:

The house is of cultural heritage significance because it demonstrates the growing popularity of Lower Sandy Bay as a residential suburb in the twentieth century.

(d)-Representative of:

The house is of cultural heritage significance because it demonstrates the principle

characteristics of a substantial Inter War Georgian Revival residence in an imposing setting.

Sandy Bay 12 Heritage Precincts is significant for reasons including:

- 1. The key historical role of the road in the development of the precinct and the buildings and features that demonstrate that history.*
- 2. The large number of exceptionally fine residences dating from 1830 through to the present day.*
- 3. The small number of commercial buildings creating a village character including some which are of individual heritage significance.*
- 4. The very fine groups of residential buildings representing varying phases of development and demonstrating attitudes to subdivision, styles of building, landscaping and the social importance of properties with high levels of exposure.*

Assessment:

E13.7.1 Demolition for Heritage Places, and E13.8.1 Demolition for Heritage Precincts

Objective:

To ensure that demolition in whole or part of a heritage place / precinct does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.

Performance Criteria 1

Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;

- (a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;*
- (b) there are no prudent and feasible alternatives;*
- (c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;*
- (d) significant fabric is documented before demolition.*

The proposal includes the demolition of the existing carport structure, the carport was constructed in c1998 and is not of any heritage value. It is considered that the demolition works will not result in the loss of historic cultural heritage values of the precinct. The proposed works therefore satisfy the Performance Criteria 1 of E13.7.1 and E13.8.1.

E13.7.3 Subdivision

Objective:

To ensure that subdivision of part of a heritage place maintains cohesion between the elements that collectively contribute to an understanding of historic cultural heritage values, and protects those elements from future incompatible development.

Performance Criteria 1

A proposed plan of subdivision must show that historic cultural heritage significance is adequately protected by complying with all of the following:

- (a) ensuring that sufficient curtilage and contributory heritage items (such as outbuildings or significant plantings) are retained as part of any title containing heritage values;*
- (b) ensuring a sympathetic pattern of subdivision;*
- (c) providing a lot size, pattern and configuration with building areas or other development controls that will prevent unsympathetic development on lots adjoining any titles containing heritage values, if required.*

Performance Criteria 1 is not met as the proposed subdivision boundary would have an unacceptable impact on the heritage significance of the place and its setting. The property is described in the Heritage Data Sheet 'as a substantial Inter War Georgian Revival residence in an imposing setting' imposing meaning grand and impressive, and setting referring to the

residence's surroundings and environment, i.e. the garden and open space surrounding the house. The architectural ideals of a substantial dwelling of this period and style was to be set within a generous sized garden that was intended to complement and provide a backdrop to the architectural character of the residence. In the widely referenced text *Identifying Australian Architecture, Styles and Terms from 1788 to Present*; the setting for a Inter-War Georgian Revival residence such as *Preana* is described as '*free standing in formal garden settings*'.

The curtilage of the dwelling would be significantly reduced by the proposed subdivision and it is considered to be insufficient. The proposal will diminish the significance and setting of the residence as identified in the statements of significance. The subdivision is a clear separation of the dwelling from its original setting providing little to no rear curtilage or garden setting. The proposed rear setback from the residence of only 2.7m, this is considered inadequate and will not prevent unsympathetic development on lots adjoining any titles containing heritage values. The heritage consultant engaged by the applicant shares these concerns "*I do have concerns that the proposed boundary is too close to the rear of the existing heritage residence. I feel that the place would benefit from a larger rear curtilage (say +4-5m than what is proposed) to allow for retained backyard amenity and to retain some of the backyard setting of the building*".

It should be noted the consultant contends that the current legal access to the rear lot would require partial demolition of the sandstone wall to provide vehicle access and consequently this would result in more detriment than an insufficient rear boundary. The submitted documents do not apply for any demolition or modification of the sandstone wall and as such an argument based on this scenario is not accepted to be a valid consideration.

The proposal is not consistent with the Objective or Performance Criteria of E13.7.3. Performance Criteria 1 is not satisfied.

E13.8.3 Subdivision

Objective:

To ensure that subdivision within a Heritage Precinct is consistent with historic patterns of development and does not create potential for future incompatible development.

Performance Criteria 1

Subdivision must not result in any of the following:

- (a) detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2;*
- (b) a pattern of subdivision unsympathetic to the historic cultural heritage significance of the precinct;*
- (c) potential for a confused understanding of the development of the precinct;*
- (d) an increased likelihood of future development that is incompatible with the historic cultural heritage significance of the precinct.*

The statements of significance within the heritage code state that the precinct is significant for the following reason: 4. *The very fine groups of residential buildings representing varying phases of development and demonstrating attitudes to subdivision, styles of building, landscaping, and the social importance of properties with high levels of exposure.*

Preana at 487 Sandy Bay Road accurately reflects the above statement of significance, as a fine residential building, in a landscaped setting, with a high level of exposure. The residence demonstrates the attitude to subdivision at the time of construction which was large residences with generous garden settings. Although the c1957 subdivision altered this configuration it does still provide the residence with sufficient rear setting, unlike the proposed boundary.

The proposed boundary adjustment is considered to result in a subdivision that is unsympathetic to the heritage significance of the precinct, and an increased likelihood of future

development that is incompatible with the heritage significance of the precinct. Performance Criteria 1 is not satisfied.

In conclusion the proposal is unacceptable and fails to satisfy the Performance Criteria 1 of E13.7.3 and Performance Criteria 1 of E13.8.3.

The reasons for refusal are as follows:

1. The proposal does not meet the acceptable solution of the performance criterion with respect to clause E13.7.3 P1 (a), (b) or (c) of the *Hobart Interim Planning Scheme 2015* because it will not ensure that sufficient curtilage is retained as part of any title containing heritage values; does not ensure a sympathetic pattern of subdivision; and does not provide a lot size, pattern and configuration with building areas or other development controls that will prevent unsympathetic development on lots adjoining any titles containing heritage values.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E13.8.3 P1 (a) and (b) of the *Hobart Interim Planning Scheme 2015* because the subdivision proposal will result in detriment to the historic cultural heritage significance of the precinct as described in Table E13.2 and a pattern of subdivision that is unsympathetic.

Allie Costin
Cultural Heritage Officer
3rd of February 2023

Reviewed
Sarah Waight
Senior Cultural Heritage Officer
6 Feb 2023