

5 April 2024

Attention:

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HERITAGE RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

REF NO. DA2023/1107

1. Background

The following letter has been prepared by Heritage 21 on behalf of ID Fitout to address the additional heritage referral comments received from Council in the email dated 22 February 2024, outlining the request for additional information pertaining to the alterations and additions at 'Office C' for a childcare centre and associated landscaping at 4-8 Inman Road, Cromer ("the site"). The subject site is listed as an item of environmental heritage under Schedule 5 of the *Warringah Local Environmental Plan 2011* ("WLEP") as the Roche Building – Item I52.

2. Heritage Response to the Issues Raised

The following issues were raised by the Heritage Office at Northern Beaches Council pertaining to the proposed childcare development at "Office C" at 4-8 Inman Road, Cromer:

This application proposes use of one the heritage listed building on-site for the purposes of a childcare centre (Building 6), relying on the use of clause 5.10(10) of Warringah LEP 2011, to facilitate the change of use. This clause allows Council to approve a use otherwise prohibited by the zoning, if it is satisfied that the requirements of all of the five criteria in this clause are met. Essentially, the proposed use must facilitate the conservation of the heritage item and must not have an adverse impact upon the identified heritage significance of the item.

The application was supported by a Heritage Impact Statement by Heritage 21 (June 2023), which concludes that the proposal is acceptable on heritage terms, in relation to the works proposed and also in relation to the use as a childcare centre, using the conservation incentives clause. This conclusion is not agreed with.

Heritage 21 response:

Heritage 21 understands that the subject development application is being amended pursuant to Schedule 1 Savings, transitional and other provisions, Part 2, Clause 5 of *Standard Instrument (Local Environmental Plans) Order 2006* (The Order) centre based childcare facility is permitted with consent on the Site. This is being addressed in the Statement of Environmental Effects report being prepared by Willowtree Planning.

The subject development application would not rely on the use of the 5.10(10) of the Warringah LEP 2011, to facilitate the change of use of the subject site for a childcare centre. Additionally, the design of the proposed development has been amended to ensure that there are minimal impacts to the heritage significance of the subject site. The amendments to the proposed design are discussed below in detail.

Contextual works (landscaping)

It is in this aspect of the proposal that significant impact appears entailed by the development. The specific needs of the proposal for treatment of the associated external spaces and fencing gives rise to pronounced conflicts of character which would impact the core significance of the former Roche complex as a related group of Modernist buildings sited in a considered landscape setting. A major section of the garden around the building cannot be sequestered in the way proposed.

The shade structure, highly detailed and intense landscape treatment, and enveloping fencing all promise conflict with the "core idea" of the complex and would inappropriately distinguish the part of it to be occupied by this use.

The Modernist expression of rigorous, minimalist and consistent buildings set in an open bushland garden would be overwhelmed by what is proposed. The fencing in particular is at odds with the open setting and would inhibit the intended visibility of the buildings in the original design.

I note the issues raised in the internal landscape referral regarding safety in a play area under mature indigenous tree cover.

Heritage 21 response:

The landscape design of the proposed development has been revised to utilise the existing landscaping at the subject site. The landscaped areas have been retained as per the approval of the development application DA 2019/1346. The existing landscape consists of grassed areas with shrubs along the edges and mature trees retained within the setback of the former Roche office building, fronting Inman Road. As seen the photographs below, a new metal fence has been installed along Inman Road as a part of the approved works of the previous development application (DA 2019/1346). The proposed childcare would maintain the existing fencing along Inman Road and the only addition would be a new fencing along the southern end of the tenancy which would be along

the driveway to ensure that access is blocked to this area. This metal fencing would be of similar design as the existing and would not include installation of any solid fence at the subject site, ensuring that views to the landscaping and the heritage building would be retained from the public domain.

The landscape plans have been amended and the existing grassed areas and the fencing would be retained as a part of the subject development. The proposal would not include the installation of any artificial turf. The new paving along the edge of the building would be of crushed sandstone to ensure permeability within the site is maintained. The proposal has also been revised to retained most of the trees on site and only three trees would be removed from the site, which would be replaced by endemic species of trees. This would ensure that the existing setting of the landscape within the setback area of the subject site is maintained and the former Roche office building continues to be appreciated in its existing landscape setting. The mature trees would be retained and maintained at the subject site and regular inspections and risk assessments would be undertaken to monitor the trees. A netting system would be installed to further protect the children from falling branches.

Note – Refer to the revised landscape plan and landscape response letter prepared by the landscape architect Ron Ward for further detailed information.



Figure 1. Existing view of the grassed landscaping in front of the former Roche building and the metal fence installed at the site along Inman Road.



Figure 2. View of the contemporary metal fence installed at the subject site along Inman Road as a part of DA2019/1346.



Figure 3. View of the contemporary metal fence installed at the subject site along Inman Road.

Figure 4. View of the grassed landscaping and mature trees retained at the subject site.

External works

To the extent that the details and impact of these are clear, the substitution of opening door elements for existing glazing elements may be within the tolerable extent of changes that the building could sustain. Again, the shade structure, intruding into the setting and differentiating this part of the complex, is difficult and adverse in its impact, in my opinion. Other changes to masonry may be avoidable with further discussion or capable of execution in acceptable ways.

Heritage 21 response:

The heritage listed former Roche office building has been extensively altered along the western façade, fronting Inman Road. The original clear glass glazing of the building has been altered with a later addition aluminium framed clear glass glazing. The significant original steel framed glazing along the southern façade would be retained as a part of the proposed development and the alterations have been limited to the introduction of a clear glass door within one of the existing glazing panels. This would ensure that the majority of the original heritage fabric would be maintained at the subject site. The changes to the masonry are minor and have all designed to ensure that most of them have been located in previously altered areas. The small opening within the masonry walls for doors and windows would not alter the legibility of the original building form.

The western façade of the former Roche building has been altered and features a contemporary awning/ shading structure which has been retained at the subject site (see Figure 5). The proposal aims to extend this shading structure and would not be fixed to the original heritage fabric and these works would all be reversible. As such in the opinion of Heritage 21, the proposal would engender minimal impact on the heritage significance of the subject building. Alternatively, the client is also willing to meet on site to discuss mitigation measures and design solutions to further minimise the impact of the new shading structures at the subject site.



Figure 5. Existing contemporary awning/ shading structure located along the western façade of the heritage building.

Figure 6. The new awning structure would follow the design of the existing and would extend in the area indicated by the red arrow.

Internal Works

While some form of lightweight, reversible partitioning might be anticipated in an open plan environment such as this part of the complex, the drawings suggest a complex permanent subdivision of the space with the creation of hallways, offices, service areas and bathrooms. The extensive wet areas must raise complex servicing issues and would require invasive works for plumbing. Alternative approaches to that shown in the drawings might be possible, allowing for a genuinely reversible fit out of the space, more in tune with the management of the significance of such a complex.

As currently submitted, the proposal could not be supported in heritage terms, due to its clear and substantial impact upon the reasons why the complex is heritage listed.

Heritage 21 response:

The subject building had undergone extensive alterations and additions when it was used as an office building by Roche. The external glazing which was a significant feature of the Modernist building has been altered and is not original along the western façade. Prior to the development application DA 2019/1346 being approved, the interiors of the office building was divided using light weight partition walls to accommodate the various offices and meeting rooms and accommodated a kitchen and dining area. The open plan of the building was no longer extant and the internal finishes had been altered (see Figure 7).

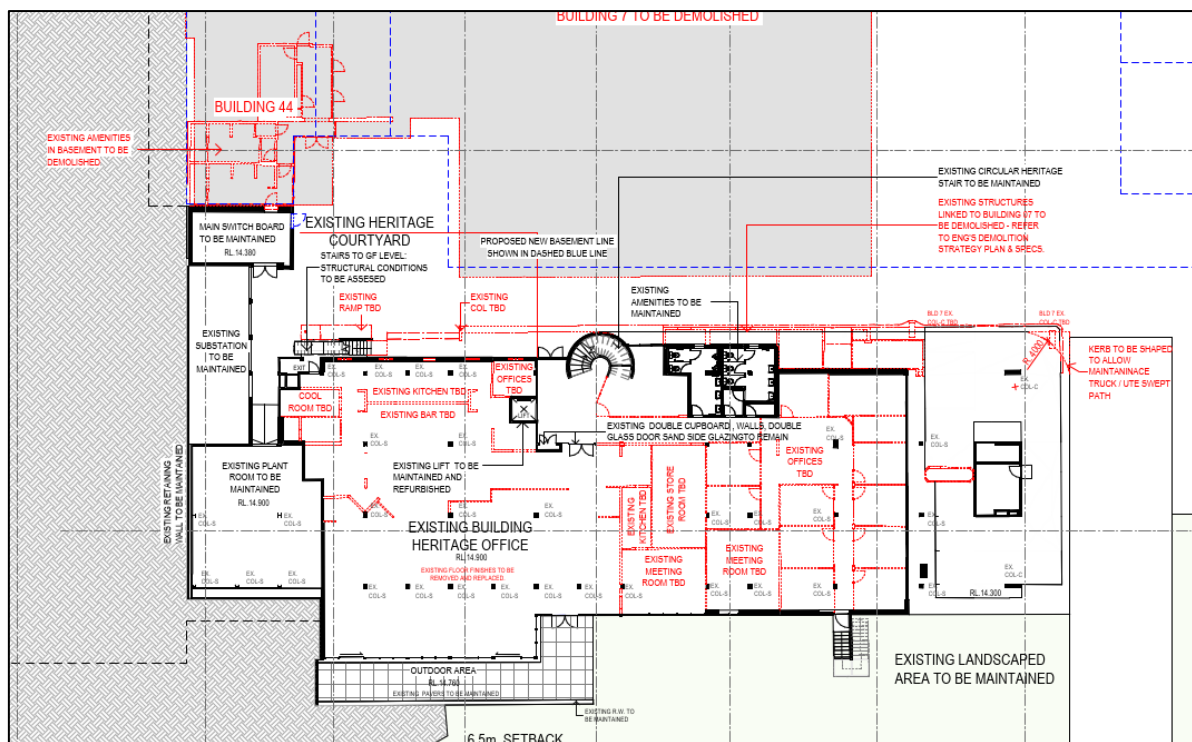


Figure 7. Demolition plan of the interiors of the heritage building approved under Mod 2022/0452.

The internal plan of the proposed childcare development has been revised to ensure that the proposed internal light weight partition walls are mostly of clear glass glazing between the proposed aged rooms and play spaces. The installation of these glazed walls would ensure that the views within the interiors are mostly maintained and the open plan setting of the original heritage building is largely retained. The new wet areas/ bathrooms would mostly be introduced behind masonry walls to ensure that the open internal setting of the building is interpreted from the public domain. For mitigation of the introduction of these new wet areas, Heritage 21 would recommend that the plumbing is all consolidated and there are minimal penetrations for these wet areas. The clients are willing to also work in developing further mitigation measures and design solutions to ensure there are minimal impacts to the heritage significance of the subject building. Heritage 21 is of the opinion that, all these works would be reversible, ensuring that the heritage building maybe be stripped back to its original form at the end of the tenancy.

Is the conservation of the heritage item facilitated by the granting of consent - cl 5.10(a)

Conservation of the heritage item is not facilitated by the proposed use of the building as a childcare centre, as the changes and adaptations proposed for that specific use are considered detrimental to the fabric and significance of the heritage item. In particular the treatment and use of the outdoor play space is at odds with the identified significance of this heritage item.

Development in accordance with an approved heritage management document – cl 5.10(10)(b)

The application asserts that the proposed use as a childcare centre is in accordance with an approved heritage management document. There is a CMP approved for the site, however this proposal is not in accordance with this document. The CMP lists the external walls, fenestration, internal structure and openings, along with the landscaping as having a High level of significance. A specific SHI was submitted with the DA, however, the conclusions of the SHI are not agreed with.

What is the necessary conservation work? - cl. 5.10(10)(c)

The proposed use as a child care centre does not propose any conservation works to the building, in fact it alters fabric and changes the landscaped setting, which is an essential part of the heritage significance of this item.

Will the Proposed Development adversely affect the heritage significance of the heritage item, including its setting? – cl 5.10(10)(d)

The proposed development will adversely impact upon the heritage significance of the building and its landscaped setting (as outlined above in the detailed DA comments above).

Any significant adverse effect on the amenity of the surrounding area – cl 5.10(10)(e)

The amenity of the surrounding area is affected by the proposed changes to the landscaped setting, which is a significant component of the heritage significance of the site.

In addition, it is considered that the proposal is inconsistent with Part 3.3 of State Environmental Planning Policy (Transport and Infrastructure) 2021, specifically Clause 3.23.

Heritage 21 response:

The subject development application is being revised and would no longer rely on the conservation incentives of rely on the use of the 5.10(10) of the Warringah LEP 2011, to facilitate the change of use of the subject site for a childcare centre.

In saying so, the design of the proposed landscaping at the subject site has been revised to ensure that there are minimal changes to the existing setting of the subject site. The proposal would retain most of the trees on the subject site, ensuring that the landscape within the setback area of the subject site, fronting Inman Road would be retained. The proposal would not alter the original glazing of the former Roche building which is present along the first floor and along the southern elevation of the subject tenancy. Minor alterations to the fenestration along the southern façade have been designed to ensure that the original pattern of the fenestrations is maintained. The proposal would include minor demolition of external masonry walls, in areas which have been previously altered, for introduction of new doors and windows. These small opening would not alter the presentation of the heritage building or the identification of the original built structure. The original structure of the subject building would be maintained and most of the proposed works would be limited to previously altered areas.

Thank you and please do not hesitate to contact me if you require any further information.



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