

# Development Application Representation Letter

18-Fmx-018 - Version 21/11//2012

Development Application Number

DA0425/2016

## Address of Development

82 - 90 Balfour Street , Launceston

## Details of Represntor

Title

Mrs

Given Name/s

Jessica

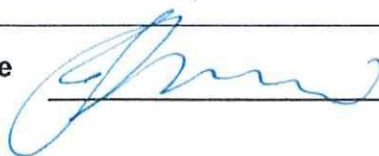
Surname

Fitzgerald

## Reason for Representing

Please refer to attached letter & documentation.

Represntor's Signature



Date

26 / 10 / 16



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As required under the *Personal Information Protection Act 2004*

1.	Personal information will be collected from you for the purpose of dealing with your application, and may be used for other purposes permitted by the <i>Local Government Act 1993</i> and regulations made by or under that Act.
2.	Failure to provide this information may result in your application not being able to be accepted and processed.
3.	Your personal information will be used for the primary purpose for which it is collected and may be disclosed to contractors and agents of the Launceston City Council.
4.	Your basic personal information may be disclosed to other public sector bodies where necessary for the efficient storage and use of the information.
5.	Personal information will be managed in accordance with the <i>Personal Information Protection Act 2004</i> and may be accessed by the individual to whom it relates on request to Launceston City Council. You may be charged a fee for this service.

File No. DA0425/2016				
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			✓	
Doc. No.				
Action Officer			Date Received	
C.WRANKMARE			27/10/2016	

E COPY TO C MANSBRIDGE

26<sup>th</sup> October 2016

**Launceston City Council**  
Attention: The General Manager  
PO Box 396  
Launceston, TAS, 7250

**Representation – 82-90 Balfour Street, Launceston – DA0425/2016**

Dear General Manager,

My name is Jessica Fitzgerald and I am a ratepayer of the City of Launceston. I reside  
the proposed development for 82-90 Balfour Street.

I am writing to lodge a formal representation towards the proposed development and hope that Council considers the concerns raised in this submission.

My husband and I moved into the central city in August 2015 for lifestyle purposes and specifically sought out a property that had character unique to Launceston's heritage. We found that in the Balfour Street heritage precinct. We are passionate about this heritage context being preserved, while supporting contextually appropriate development in the central city.

We find ourselves conflicted in relation to the proposed development for 82-90 Balfour Street. We are supportive of the site being developed as it currently stands vacant and dilapidated. We are pleased that the proposed development consists of 4 separate titles and it is not lost on us that development of the site will add interest and value to the locality.

We do, however, have some concerns about the dwelling designs. In particular, we are concerned about: a) lack of design compatibility to the existing dwellings, streetscape and heritage precinct; and b) the height of the proposed dwellings in the context.

Our property onto the site and our visual amenity will be impacted. While we're aware that the planning scheme does not consider 'views', we would like to ensure that that heritage character of the streetscape and precinct is maintained. We believe that the designs should be more sympathetic to the heritage context and built environment to ensure this area maintains its high heritage character.

Please see enclosed our comments against the relevant planning scheme provisions. We hope that Council takes into consideration our concerns and recommendations.

It is noted that the proposed development evokes and relies heavily on a number of discretions for the Inner Residential Zone. It is worth noting that we have not focused our time on addressing provisions that do not directly affect us and our adjoining neighbours, but focused our concerns towards relevant Heritage and Building Envelope (height) provisions to ensure that the development is sympathetic to the area and preserves the heritage context.

Kind regards,  
Jessica Fitzgerald



## Representation for 82-90 Balfour Street, Launceston (DA0425/2016)

### Launceston Interim Planning Scheme 2015 Considerations

#### 4.1 – Interpretation – Planning Terms and Definitions

*Frontage* - means a boundary of a lot which abuts a road.

As depicted in the proposed development plans, each lot will result in two frontages (King and Balfour Streets), with no clearly defined rear boundary.

*Primary Frontage* - means, where there are 2 or more frontages, the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations.

As per the definitions above, King Street can be considered the primary frontage as per the proposed lots dimensions. Balfour Street is also considered a frontage. Any reference to 'rear setback' outlined in the application, we believe, is incorrectly interpreted. The relevance of this being that the dwelling designs need to be equally sympathetic to both King and Balfour Streets streetscapes and facade treatments.

#### 11.0 – Inner Residential Zone

##### 11.4.2 – Site Coverage and Rear Setback

Relevant objectives in question:

- (c) provides for setback from the rear boundary; and
- (d) has regard to streetscape qualities.

As the proposed development will provide two frontages per lot (a frontage and primary frontage) the 'streetscape quality' becomes an important factor given the heritage precinct; a 'rear setback' cannot be achieved or assessed (as above).

The applicant states that lots 3 and 4 comply against the standard A2. This is incorrect as the four (4) proposed lots can't provide a rear setback due to a dual frontage.

Performance Criteria in question:

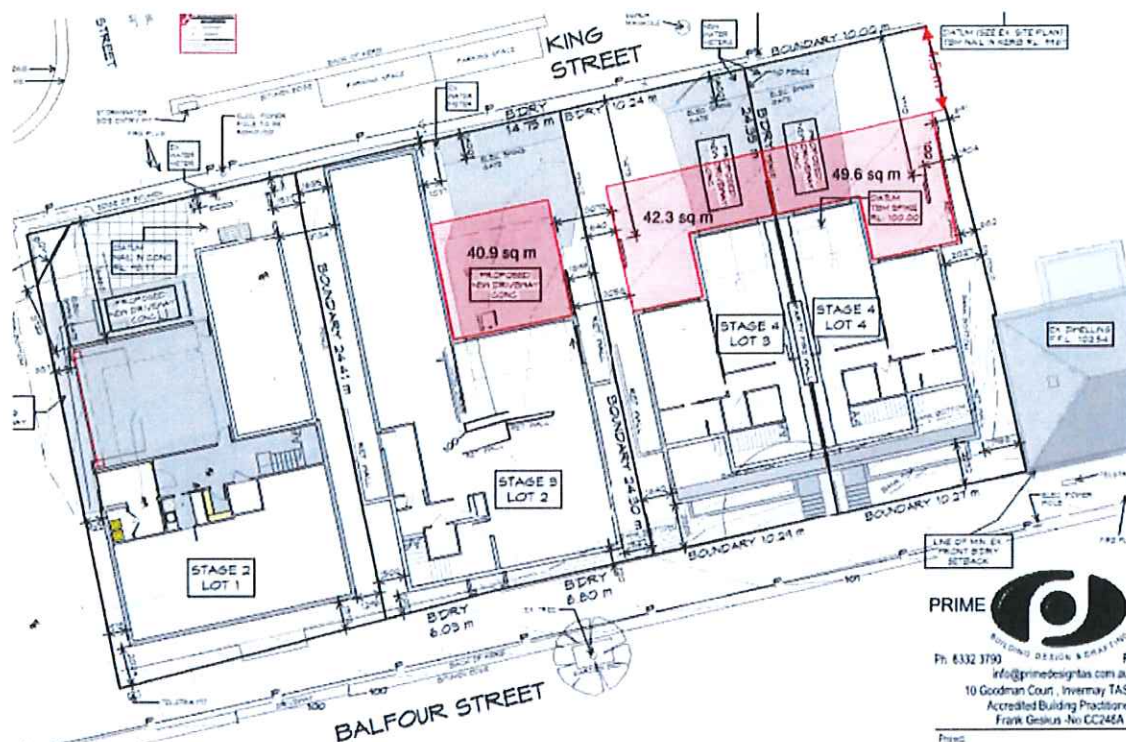
*P1 - Site coverage must:*

- (c) have regard to streetscape qualities.

As per 11.4.2 P1 (c), it is considered that the streetscape quality is not sympathetic to the immediate context. There are no three (3) storey dwellings in the immediate and greater surrounding context and this development is not in keeping with the streetscape quality of the precinct. Please see Attachment 1 – Precinct Dwellings Photos for adjoining and immediately surrounding context. It appears that some consideration has been given to façade treatments on Balfour Street, but we believe this requires further consideration to maintain the character of the streetscape. Limited consideration has been given to the King Street heritage streetscape.

As an alternative to the out-of-context 3 storey forms, the applicant could have considered utilising more of the site to achieve the same floor area rather than increasing the height to exceed the Building Envelope provisions. In doing so, also achieving a reduced building height which is more in keeping with the existing adjacent single and double storey dwellings. We have attempted to

demonstrate this in Figure 1. It is noted that this would flag further discretion against this provision; however we believe this would be a more sympathetic outcome.



**Figure 1** – Alternate ground floor footprint that can also be applied to level 1 to achieve a reduced dwelling height while maintaining total floor area.

In relation to façade and roof treatments of the proposed dwellings, we believe these require further consideration. Adjacent dwellings in both King and Balfour Streets comprise of decorative façade treatments, sympathetic window sizes and pitched roofs. There are no parapet treatments in the greater context with the exception of the Sporties Hotel, which has a partial parapet and is commercial not residential.

#### 11.4.3 – Building Envelope

Relevant objectives in question:

(c) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and

(d) has regard to streetscape qualities.

The planning scheme does not have a definition for 'neighbours'. Our residence at 73 Balfour Street is directly opposite the proposed development and can be considered a neighbour.

Performance Criteria in question:

P1 - The siting and scale of single dwellings must be designed to:

(c) have regard to streetscape qualities.

As per 11.4.3 P1 (c), the siting and scale of the dwellings facing Balfour Street are not considered double storey dwellings when taking into account the slope of Balfour Street and the height of the



upper rooms and roof cavities. If that were the case, the height of a two storey dwelling would be a lesser form than what is proposed.

The existing dwellings located to the east of the development (single storey terraces) have a roof form and external appearance typical of the heritage precinct. The proposed development does not pay respect to this form and it capitalising on additional floor space, compromising the ability to design sympathetically. If the building envelope was to follow the east and west boundaries heading from south to the north, the building would exceed the height as it moves further into the site. A way to resolve this would to be reducing the ceiling and roof cavity heights at the upper levels. Currently the design is visually bulky and does not meet the objectives.

It is our view that the Planning Authority and Council should consider conditions to reduce and minimise the visual bulk and height to meet the building envelope provisions of the scheme as there is no need to exceed the height due to the lay of the land. Please see Attachment 1 for adjoining and immediately surrounding context as a comparison.

### **E13.1 Purpose of the Local Historic Cultural Heritage Code**

Relevant purpose objectives of this provision:

*(a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts;*

*(d) ensure that development is undertaken in a manner that is sympathetic to, and does not detract from, the historic cultural heritage significance of the places and their settings.*

It is considered that the development has made an attempt to address the purpose objectives of the Code. However, it is considered that the design needs to be modified to address the streetscape along Balfour Street to be more sympathetic to the immediate context and precinct character. Currently two of the dwelling forms (dwelling 2, 3 and 4) propose a parapet treatment which is out of context in the immediate and surrounding area. In addition, the forms are of a contemporary treatment.

All windows proposed on dwellings 2, 3 and 4 are out of context and could be more sympathetic (reduction in size). In addition, decorative horizontal elements could be provided to break up the blank canvas of the building facades. Dwelling 1 adjacent to Ethel Street has attempted to continue a heritage like form– pitched roof and smaller windows.

### **E13.6.5 – Height and Bulk of Buildings**

Relevant objective in question:

*To ensure that the height and bulk of buildings are compatible with the historic cultural heritage significance of local heritage places and their settings.*

Although the development attempts to address the streetscape along Balfour Street with a two storey appearance, the three (3) storey height overall is not in keeping with the existing context. The site has some advantage with Balfour Street being higher than King Street, allowing the buildings to sit into the natural cut of the land. However, the visual contemporary built forms proposed within a significant heritage precinct is questionable.

It is worth noting that the majority of dwellings located on Balfour Street, between Charles Street and Wellington Street, are of a single storey (directly south) and King Street (directly north). It

appears that the design is attempting to reach optimal views back to the city and not considering the impacts to the neighbouring properties.

The upper levels demonstrate higher ceiling heights than the other two levels (ground and level 1) for all dwellings allowing for a 2.7m ceiling height. Did the applicant consider the consistent 2.4m ceiling height on the upper floor? The building envelope provisions are there for a reason and in this particular case should not be contrary to the scheme requirements.

Performance Criterion in question:

*P1 - The height and bulk of buildings are compatible with the historic cultural heritage significance of a place and its setting, having regard to:*

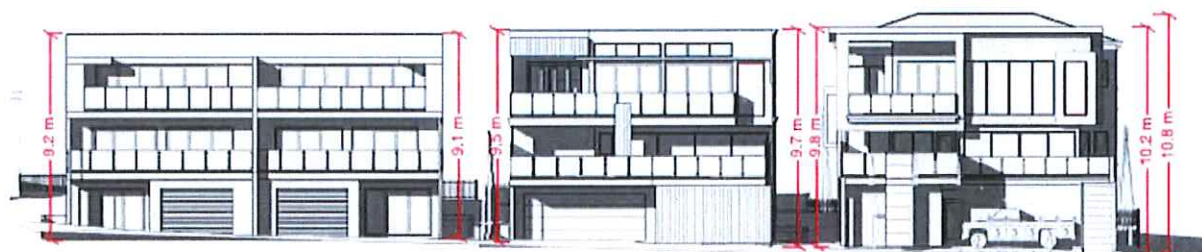
*(b) the character and appearance of the existing building or place;*

*(c) the height and bulk of other buildings in the surrounding area; and*

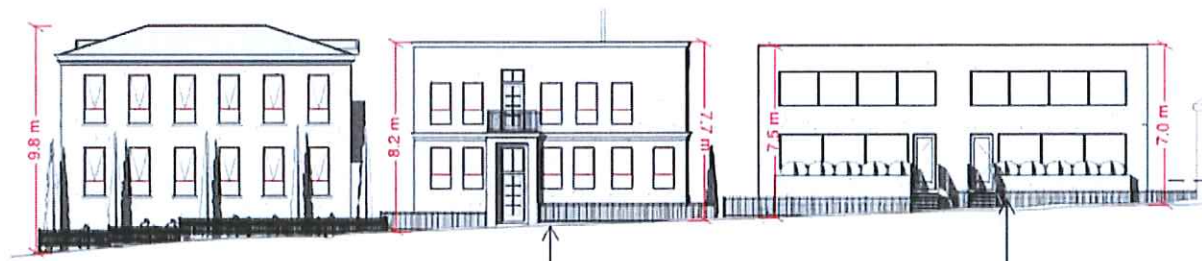
*(e) the streetscape.*

It is considered that the height and bulk of the proposed dwelling buildings are not sympathetic to character set and established by the existing residences located to the north (King Street – Figure 2) and south (Balfour Street – Figure 3) of the subject site. The applicant does not provide sufficient justification to the heights proposed for all dwellings.

It is our view that further consideration should be made to reduce and minimise the visual bulk and height within the streetscapes –Balfour and King Streets.



**Figure 2 – King Street (Northern Streetscape) heights assuming heights are correct from ground level shown.**



**Figure 3 – Balfour Street (Southern Streetscape) heights assuming heights are correct from ground level shown, not including height on King Street side (additional storey).**



### E13.6.8 – Roof Form and Materials

Relevant objective in question:

*To ensure that the roof form and materials are compatible with the historic cultural heritage significance of local heritage places and their settings.*

It is considered that the roof form of proposed dwelling 1 does consider a pitched roof which is certainly in keeping with the heritage precinct. However, dwellings 2, 3 and 4 provide low pitch roofs that are not sympathetic to the streetscape and surrounding dwellings. Why can't a roof form of a similar nature be provided for dwellings 2, 3 and 4? A pitch roof applied to these houses along Balfour Street would certainly blend in with the immediate and surrounding residential context.

Performance Criterion in question:

*P1 - Roof form and materials are compatible with the historic cultural heritage significance of a place and its setting, having regard to:*

- (a) the cultural heritage values of the local heritage place and setting;*
- (b) the design, period of construction and materials of the dominant building on the site;*
- (c) the dominant roofing style and materials in the setting; and*
- (d) the streetscape.*

It is noted that the applicant has attempted to provide a roof form that is sympathetic to the surrounding context. However, the applicant has stated that a concealed parapet style roof is in keeping with the existing building? The existing building is not heritage listed and is to be demolished. It is the only building in this part of Balfour Street that has a parapet style roof.

Dwellings 2, 3 and 4 are considered to contradict the established character of the area. As per Attachment 1, it can be demonstrated that pitched roof forms are used in the precinct area. Further consideration should be considered to this streetscape treatment.

It is considered that the proposed dwelling buildings that provide a parapet style roof form are more contemporary and are only provide to avoid further height discretions against the building envelope and to obtain views and higher ceiling heights in the 2<sup>nd</sup> level residential spaces.

### E13.6.7 – Fences

Relevant objective in question:

*To ensure that fences are compatible with the historic cultural heritage significance of local heritage places and their settings.*

It is considered that the existing fence to be demolished will certainly improve the streetscapes along Balfour and King Streets.

Performance Criterion in question:

*P1 – New fences must be compatible with the historic cultural heritage significance of a place and its setting, having regard to:*

- (e) the cultural heritage values of the local heritage place and setting;*
- (f) the architectural style of the dominant building on the site;*
- (g) the dominant fencing style in the setting; and*
- (h) the original or previous fences on the site.*



The proposed fencing for dwelling 1 (the most dominant) is considered more sympathetic than fences proposed for dwelling 2, 3 and 4. The fences proposed for dwellings 2, 3 and 4 are of a contemporary pool fence style along Balfour Street and is not in keeping with a heritage style fence.

It is considered that further thought to the type of fences used along the streetscapes is required, in particular Balfour Street.

#### **E13.6.9 – Wall Materials**

Relevant objective in question:

*To ensure that wall materials are compatible with the historic cultural heritage significance of local heritage places and their settings.*

It is considered that the use high blank walls in a rendered finish does not have any connection towards the other existing dwellings in the precinct area and will be a missed opportunity to enhance what is already a beautiful intact heritage streetscape. It seems that the proposed development has focused more on the contemporary part of the design facing King Street and the treatments along Balfour Street have missed the mark in terms of sympathetic decorative design treatments. Providing some horizontal elements to the design of the facades facing Balfour Street may reduce the wall dominance currently shown in the designs.

Performance Criterion in question:

*P1 - Wall material for buildings and structures must be compatible with the historic cultural heritage significance of a place and its setting, having regard to:*

- (a) the cultural heritage values of the local heritage place and setting;*
- (b) the design, period of construction and materials of the dominant building on the site;*
- (c) the wall materials in the setting; and*
- (d) the streetscape.*

It is agreed with the applicant that the adjoining property buildings to the east and west are of a painted brick cladding finish along Balfour Street. However, there is no thought to the dwellings that face the subject site to the north and south which are of a weatherboard finish. It would be nice if the four dwellings provided their own identity and rather than being all rendered. This would add to the already unique character within the precinct.

It is considered that the current streetscape facades facing Balfour Street lacks character with the use of high blank undecorated façades features. Attachment 1 demonstrates the vast range of decorative elements shown in the area.

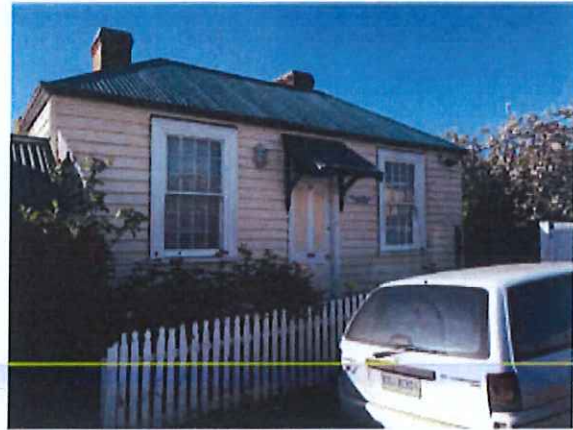
As briefly mentioned, the windows are also not in keeping with the overall heritage character. The windows proposed on dwelling 4 are not sympathetic and was confused to be an office or business rather than a residence.

It is acknowledged that the adjoining single storey terraces located along Balfour Street to the east and the terraces located to the west constitute an external rendered finish. However, the dwellings to the north and south directly opposite the subject site are of a weatherboard external clad. Exposed brick is also used and may be an option?

It is our view that the development does not address the provisions of the Code adequately and further consideration is required.

**ATTACHMENT 1 - Precinct Dwellings Photos (Precedents)****KING STREET (between Charles and Ethel Streets)****Character:**

Predominately single storey residential buildings, 1 x double storey residential building, pitched roofs, decorative façade features, sympathetic fences, decorative entrance (identifier), a mix of weather board, brick and rendered finishes.





## ATTACHMENT 1 - Precinct Dwellings Photos (Precedents)

### BALFOUR STREET (between Wellington and Charles Streets)

#### Character:

Predominately single storey residential buildings, 3 x double storey terraced residential buildings, pitched roofs, decorative façade features, sympathetic fences, decorative entrance (identifier), a mix of weather board, brick and rendered finishes.

#### Directly opposite the subject site to the South – Streetscape View - Single & Double Storey forms



#### Diagonally opposite the subject site to the South – Streetscape View - Single Storey forms



#### Adjoining dwellings – Single and Double Storey with Pitched Roof

**ATTACHMENT 1 - Precinct Dwellings Photos (Precedents)**

**Surrounding dwellings – Directly Opposite to the South - Single and Storey with Pitched Roof**



**Surrounding dwellings – Directly Opposite to the South - Single and Storey with Pitched Roof**



**Driveway view from 73 Balfour Street to proposed development site**





**ATTACHMENT 1 - Precinct Dwellings Photos (Precedents)**

**View from front entry/sun room**

**towards proposed development site site**



**Existing adjoining residential terrace (double storey)**

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**From:** Michael Smith  
**Sent:** Monday, 31 October 2016 8:21 AM  
**To:** Council  
**Subject:** Submission - 82-90 Balfour Street  
**Attachments:** 82-90 Balfour Street.pdf

Submission for 82-90 Balfour Street  
Thanks  
Michael Smith and Marc Williams



**Michael Smith**  
Conservation Project Officer - Collections  
Port Arthur Historic Site Management Authority

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This email was scanned by Bitdefender

'The Port Arthur Historic Sites include three of the eleven historic sites that together form the Australian Convict Sites World Heritage Property'

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# Development Application Representation Letter

18-Fmx-018 - Version 21/11/2012

Development Application Number

DA0425-2016

## Address of Development

82-90 Balfour Street Launceston

## Details of Represor

Title

Mr

Given Name/s

Michael / Marc

Surname

Smith / Williams

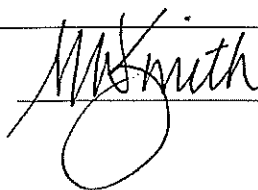
## Reason for Representing

The council would be aware of the subsidence of King Street caused by a subterranean watercourse that flows from the southern side of Balfour Street under the the proposed development at no 82 Balfour Street. Without access to any proposed hydraulic engineering solutions we are concerned for how the development of No 82 Balfour Street may effect the flow and impact the foundations and under-floor cavities at No 80 Balfour street 1.968 metres to the east of the proposed build (Ref -11.4.22 Earthworks and Retaining Works, A1 & P1 (f) & (g))

There will be a significant loss of privacy to the outdoor space at No \_\_\_\_\_ from the 1st and 2nd story balconies of No 82 Balfour dominating that neighbouring space (Ref - 11.4.5 Loss of Privacy and 11.4.3 Building Envelope for a Single Dwelling - A1 (ii) Loss of Privacy

There is some concern by the loss of sunlight to less than 3 hours per day on the western wall of the No 80 Balfour Street residence by the development proposed for No 82 Balfour Street (Ref - 11.4.3 Building Envelope for a Single Dwelling - A1 (i) Overshadowing and reduction of sunlight

Represor's Signature



Date

28 / 10 / 2016

LAUNCESTON  
CITY COUNCIL



Town Hall St John Street Launceston Tasmania  
PO Box 396 Launceston Tasmania 7250

T 03 6323 3000 F 03 6323 3001 TTY 03 6323 3003  
E council@launceston.tas.gov.au www.launceston.tas.gov.au

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<b>Action Officer</b>			<b>Date Received</b>		



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**From:** Outlook account team  
**Sent:** Monday, 31 October 2016 11:03 AM  
**To:** Contact Us  
**Subject:** Comment on 82-90 Balfour St redevelopment application.

APPLICATION NUMBER: DA0425/2016  
Location: 82-90 Balfour St, LAUNCESTON.

Comment on application:

I have two/three or three questions/concerns with this application:

1 There seems to be no mention of how the development might affect **the availability of on-street car parking spaces in King St**. King St is quite narrow and already parking is not permitted opposite the existing rear of Balfour St driveways. This is because cars exiting driveway onto such a narrow lane, need 'swing room' to be able to turn into the lane. At present, there are only 8 parking spaces in the street, yet including corner King St blocks, there are 9 King St properties and 3 rear-entrance Balfour St properties. (As it is, we find the Resident parking system does not guarantee us any on-street parking when we get home from work. We are a two car household and realistically, putting two vehicles in our back driveway doesn't work. We would like to park outside our cottage in but it is rare to find a space there. Indeed, one unknown person parks a couple of vans outside our house for weeks on end, without moving them: i.e. 'long term storage')

2 I see that **two power poles will be removed from King St**. At a street meeting of residents with Council some years ago, we asked that all poles be removed, as there is an ongoing issue with access for emergency vehicles, recycling and garbage vehicles in this narrow street. I hope that **all** the poles might be removed from King street (i.e. that the power for the properties on the north side of King St be connected underground.) As well as improving access, it might also free up one parking space further up the street.

3 I'm unable to quite tell from the plans how much the proposed developments will extend towards the back (i.e. to the King St boundary). From my place, I like being **able to see the West Launceston hillside**, both from my kitchen, from my back steps and also from my backyard. I can see that the roofline of the proposed developments will be no higher than that of the existing cottages (one of which is ours), but while this is a good thing, from the Balfour St skyline perspective, I think that the new two storey housing will extend deeper into the blocks than the neighbouring Heritage cottages (76-80 Balfour). In other words, I don't want to lose what view I have.

Yours faithfully

Garry Stannus