

PLANNING APPLICATION REPORT

36, 38 & 40 SPENCER STREET + 28 STIRLING TERRACE, ALBANY

Proposed New Residences + Adaptive Re-use of Commercial Buildings



PREPARED BY

H+H ARCHITECTS
58 Serpentine Road, Albany WA 6330

Phone: (08) 9842 5558
Email: admin@hharchitects.com.au
Web: hharchitects.com.au

ON BEHALF OF
ADVANCE HOUSING

ISSUED
AUGUST 2023

INTRODUCTION

PLANNING SUBMISSION

This report has been prepared on behalf of the owners of Lot 36, 38 & 40 Spencer Street + 28 Stirling Terrace, as part of the submission of documentation for Planning Approval with the City of Albany. The report assesses the design intent which takes in to account the Local Planning Scheme and its relationship with the Albany Heritage Precinct. The redevelopment proposes 19 medium density affordable and social housing units to the vacant Lot 215, 6 social housing units to Lot 212 and upgrades to existing commercial buildings on Lots 213 and 214.

SITE CONTEXT

The proposed development site is situated adjacent to the bustling Albany city centre and is near a range of amenities including residential, tourist accommodation, commercial, industrial and community areas. While most of the surrounding land is zoned as 'Residential,' the land on the western side of Spencer Street is classified as 'Regional Centre'. Thus, the proposed development falls under the Albany Town Centre and Albany Historic Town design policies.

The site spans over four Lots including Lots 213-215 which are zoned as R60 residential and Lot 212 which is zoned as R30 residential. The site features a moderate gradient and has long been cleared of any natural vegetation however, it does offer stunning external views of Princess Royal Harbour, Mount Clarence, and Mount Melville. There is a significant level change between the road/footpath level of Frederick Street and the current finished ground levels of Lot 215, with an existing stone retaining wall along the boundary, and this level change has informed the design response.

Notably, the proposed units will be situated directly opposite a collection of houses on Frederick and Spencer Streets, which are of significant cultural importance to the town of Albany due to their Victorian and Federation era architecture. These houses boast a range of styles and ages, with some featuring fibro cladding, brick veneer, corrugated iron roofing and simple timber-framed cottages.

A BAL Assessment Report determined the BAL as BAL-LOW across the entire site (refer to appendix 1 & appendix 1.1).

LOCAL DEVELOPMENT PLAN (2018)

When the LDP governing the development guidelines for this site was formulated, its original purpose was to facilitate the subdivision and subsequent sale of the site to suit individual buyers. When Advance Housing purchased the entirety of the site, it presented an opportunity to create a more cohesive precinct, without the pressures of making individual green title lots that were attractive to buyers. As a result, the design scheme has been adapted to align with the LDP provisions intent, while also proposing necessary adjustments to align with the current singular ownership of the entire site.



Frederick Street features buildings of historical importance and boast a wide range of architectural styles and elements.

EXISTING BUILDINGS

Located on Lot 212 are three existing buildings including the recently constructed student accommodation and two heritage listed buildings namely, Norman House and Cheyne's Stable and Outbuilding. Between Norman House and Cheyne's Stable is a mature oak tree which is believed to be visible in the first photographs of Albany in the early 1850s and 60s.

Norman House is a free standing two-storey masonry building with an external rendered finish. Norman House is believed to have been first constructed c1858 as the residence of George Cheyne, and over its lifetime has had multiple uses. Consequently, its appearance has been modified from its original strong Victorian/Georgian aesthetic overtime. Most notably it was a Boys Youth Hostel after Cr. John Norman converted it in 1946 and was later converted to a Bed & Breakfast short-term accommodation facility. The building has remained vacant for years due to its fair/poor condition and longstanding compliance issues.

Cheyne's Stable and Outbuilding is a single storey brick structure built in the mid to late 1830s as a stable and coach house for George Cheyne. The building was constructed in a vernacular style with simple detailing and modest proportions. Currently, it is used as a bike storage facility for residents of the student accommodation.

The Student Accommodation located on the eastern portion of the lot is a 2-storey contemporary building constructed in 2018.

Located on Lots 213 and 214 on the corner of Frederick and Spencer Street, Reeves Timber and Hardware are two heritage-listed buildings believed to date back to 1948. The corner building (Commercial Building 1) is a single storey warehouse building with internal loft space and is currently used as a surfing museum. The building is characterised by its Art Deco style with elements such as its round corner, smooth rendered facade, and decorative fins to the parapet.

Located to the south of the corner building is a single-storey commercial building (Commercial Building 2). The original shop structure is typical of the Federation and Inter-war years, and it appears to date from an earlier period, perhaps remodelled with Art Deco features in 1948 when the adjoining building was built. It was previously used as an office and joinery shop, and was also known to be tenanted as a studio space for a local artist. The building is currently used as a retail space and for storage.



Norman House



Cheyne's Stable and Outbuilding & Oak (Magnolia) Tree



New Student Accommodation (2018)



Commercial Building One



Commercial Building Two

DESIGN INTENT

RESIDENTIAL UNITS (LOT 215) APPEARANCE, OUTLOOK & AMENITIES

The design of the proposed residential units has been carefully crafted to meet the specific needs of future residents while also considering the well-being of the neighbourhood and the surrounding area. The development is comprised of 19 units arranged in two rows, with a linear layout that is both straightforward and easily understood by pedestrians. The first row, which fronts Frederick Street, includes ten three-bedroom units (affordable housing - built to sell). The second row, situated behind a private road, contains nine two-bedroom units (social housing - built to rent). The design of each unit maintains a form and scale that is consistent with neighbouring houses in the area, the majority of which are single storey homes. To ensure that the building blends seamlessly into the scale of Frederick Street, the units fronting Frederick Street utilise the existing steep level change at the boundary to achieve two-storeys, whilst only presenting as single-storey to the street. This decision not only ensures that the appropriate scale is maintained in relation to the surrounding streetscape, but also allows views of the Princess Royal Harbour across the roof-tops of the units from neighbouring houses located uphill.

To achieve contemporary and high-quality living spaces whilst also considering the neighbourhood character, the design of the proposed residences along Frederick Street incorporate architectural forms that resemble traditional terrace housing, with simple gable roof forms clad with grey-toned Colorbond profiled steel, and wall materials that include profiled painted weatherboards and sheeting in fibre-cement. Windows and doors have vertical proportions, consistent with traditional styles, and the overall architectural expression is modest and sympathetic to the vernacular.

Each of the three-unit types includes ample private open space, meeting minimum R-code requirements. The sunken courtyard design ensures that residents have access to beautiful private outdoor areas, while eliminating the need for large privacy fences along the streets.

Outlooks are carefully focused on the north and south, with central living, dining, and kitchens exposed to northern light for optimal passive heating, cooling, and ventilation. South-facing outlooks frame stunning views of the harbour, while ground-level outdoor areas provide maximum privacy behind retaining walls extending up to the first-floor level. Overall, the design of the proposed residences reflects a commitment to high quality, sensitivity to the streetscape, and a desire to provide diverse housing options that meet the changing needs of the community.



Perspective of the three bedroom units from the private internal road which runs through the site.



Perspective of the three bedroom units from Frederick street



Perspective of the two bedroom units from Cheyne's Stable & outbuilding

SOCIAL HOUSING (LOT 212) APPEARANCE, OUTLOOK & AMENITIES

The design for the new Norman House will create 6 social housing units co-located within a traditional 'maisonette' style building that is based on the design of the original Norman House, but better activating the site with connections to adjoining buildings and spaces, and providing much needed affordable housing central to the town.

The social housing has been thoughtfully designed to fit into the site's historic context whilst also offering high-quality and contemporary living standards that address all aspects of performance and compliance. Conceived as a modern interpretation of the Victorian/Georgian era in which Norman House is believed to have been originally constructed, featuring traditional masonry walls with lightweight timber balustrades and verandas, vertically-proportioned doors and windows, and a steeply-pitched hipped roof that matches the Norman House roof in pitch, using traditional dark colours. The units have been strategically placed to allow for substantial glazed areas to the north, providing natural ventilation and passive cooling and heating to the main habitable spaces. The south-facing balconies offer beautiful views of the historically significant Magnolia tree and Princess Royal Harbour. A central bridge connects the two buildings, leading tenants to front doors that face in towards Lot 212. The demolition of Norman House is addressed in a comprehensive heritage impact statement submitted as part of the JDAP planning application (refer to appendix 2).



North facade of the New Norman House.



Outlooks connected by a central stair are focused towards views of the Penny Post building.

COMMERCIAL ZONE (LOT 213 & 214) APPEARANCE & AMENITIES

The proposed redevelopment plan aims to create three tenancies in Commercial Building one and one within Commercial Building two whilst preserving and enhancing aesthetically significant architectural elements and removing intrusive fabric. Changes to the buildings includes the removal of intrusive fabric such as some of the existing cladding, removal of windows on the south elevation, the roof structure, and the rear end of the building. A smaller footprint will allow for parking to the rear of the building whilst the area on the first floor will cantilever over the ground floor, allowing space for a third tenancy. A new Art Deco inspired verandah will improve the building curb appeal whilst maintaining the character of the existing building. Materiality used are consistent with the heritage precinct guidelines such as use of Zinalume roofing. Tenancies achieve the requirements for Net lettable area as commercial building one measures 258m² NLA and commercial building two measures 136m² NLA. The tenancies will remain facing Spencer Street and important heritage elements will not be removed in accordance with the heritage policies. The alterations to Reeves Timber Yard & Hardware are addressed in a comprehensive heritage impact statement submitted as part of the JDAP planning application (refer to appendix 3).



Commercial Building One



Commercial Building Two

WASTE MANAGEMENT & SCREENING

To ensure effective waste management practices are implemented at the site, a waste management consultant has been engaged for the project. Each residence is provided with ample internal waste storage to accommodate two days' worth of waste generation. The projected waste generation and its management plan is documented in a comprehensive Waste Management Plan submitted as part of the JDAP planning application (refer to appendix 4).

To minimise potential negative impacts on the street caused by clutter and rubbish storage, a common bin store, located within the site, will service the waste generated by the 19 two- and three-bedroom units on Lot 215. This semi-enclosed structure is well screened from the street and residents, maintaining the character of the street while reducing the time bins are left unattended and minimizing the risk of vermin. The common store facilitates an easy and efficient cleaning process, whilst appropriately ventilated to eliminate any potential health and safety risks.

SERVICING

The sites stormwater drainage is to be managed on site and released into the nearby drainage system in accordance with Better Urban Water Management Guidelines, as approved by the City of Albany.

ROADS

To ensure effective traffic management practices are implemented at the site, a traffic management consultant has been engaged for the project. The local traffic impact and its management is documented in a comprehensive Transport Impact Statement Report submitted as part of the JDAP planning application (refer to appendix 6).

To facilitate access to the private residential units, a common driveway runs through the site from west to east and has a reserve width of 6m. The driveway is single-direction and enters the site between the existing commercial buildings located on lots 213 and 214 and exits further south, allowing vehicles to move through the site in forward gear to ensure that traffic flows smoothly and safely.

EXISTING RIGHT OF CARRIAGEWAY EASEMENT

To create a pedestrian friendly environment for residents, the development proposes to convert the existing right of way carriage-way easement into a pedestrian-only footpath. The new path will stretch from the southern boundary of the two-bedroom units all the way down to Cheyne's Stable and Outbuilding, improving the internal circulation for residents and enhancing connectivity to Stirling Terrace - an active hub of amenities. By creating this pathway, a safer and more inviting environment is fostered for pedestrians while simultaneously improving accessibility and convenience for residents and facilitating passive surveillance. This addition not only improves the overall functionality of the development, but it also aligns with the Local Development Plan (LDP) guidelines for a more sustainable, walkable community.



South facing outlooks from the two bedrom (rentable) units frame stunning views of the harbour and Penny Post Building.



A private common road runs East to West through the site.



South facing outlooks from the Social housing units frame stunning views of the harbour and Penny Post building.

COMPLIANCE

The proposed new residence complies with most constraints affecting the site as determined by the R-Codes and local authorities including height restrictions, boundary setbacks, plot ratio, overshadowing, garage widths, outdoor living space requirements and major openings. As per the requirements of the Planning Application, the following addresses all issues relating to compliance and outlines issues that have affected our decision to seek a variation for these items.

ALBANY HERITAGE PROTECTION POLICY - NORMAN HOUSE

The City of Albany's Heritage Protection Local Planning Policy in part states that demolition of places having historic significance should be avoided and proposed demolition will require clear justification. The proponent requests that the City provide a relaxation of policy to the demolition and reconstitution of Norman House along Stirling terrace as the existing building is unable to be feasibly upgraded and made compliant to achieve the equivalent accommodation. The economic and social justification for this is provided by Advance Housing in accordance with State Planning Policy 3.5 (refer to appendix 8) whilst the heritage impacts are addressed by the Heritage Impact Statement (refer to appendix 2).

FOOTPATH

The deemed to comply requirements of the R-codes requires a separate 1.2m wide pedestrian path for the internal access to each unit. Each unit does have a private 1.2m wide access pathway from the common driveway to the entry door.

LETTERBOXES

The existing LDP asks for provision to be made for a common letterbox for all residential units, to be located at a private street entrance off Frederick Street. However, we have considered the specific requirements of this proposal and have determined that the best letterbox design outcome is individual letterboxes for the 10 units that front Spencer Street, and a communal letterbox location for the 9 units that front the private driveway located at the top of the central pedestrian path. This design outcome better prioritises the convenience for residents.

NET LETTABLE AREA

Commercial building One has a NLA of 443m² exceeding the maximum NLA of non-residential use to M1 being 270 m² as stipulated in the existing LDP. This is the result of the proposal converting commercial building one to a two-storey building where the LDP presumed it would remain as a one-storey building. The NLA of the ground floor tenancy is 185m² while the first floor has two tenancies totaling 285m². The proposal adds significant value to the heart of Albany by increasing the number of tenancies in the area increasing the opportunities for activation as well as rental returns for the proponent.

OVERLOOKING & OVERSHADOWING

Mitigation of overlooking onto the adjacent site is achieved through the strategic implementation of balcony screening. Despite the occurrence of five minor instances of overlooking, we maintain the perspective that these incursions do not present any significant concerns. One instance arises over a crossover, another overlooks a roofed carport, and two others marginally cross the boundary line and extend into unoccupied spaces.

The most notable instance of incursion pertains to the garden area of the neighbouring existing ancillary accommodation. It is worth noting that this incursion does not impact the primary outdoor area of residence; rather, residents appear to utilise the bigger outdoor space situated to the south of the property. Given these considerations and the paramount importance of ensuring ample major openings and balcony spaces for wellbeing of residents the enjoyment of the beautiful views offered by the site, we firmly believe that these incursions do not pose an issue. The Visual privacy compliance is demonstrated in an overlooking diagram as part of the JDAP application package (refer to appendix 5 - drawing SK.26).

There is one occurrence of overshadowing to the neighbouring site. The shadow falls over an ancillary dwelling which is positioned on the site's boundary setback line. This minor incursion does not impact the primary outdoor area of residence; rather, residents utilise the bigger outdoor space situated to the south of the property. The overshadowing compliance is demonstrated in an overshadowing diagram as part of the JDAP application package (refer to appendix 5 - drawing SK.27).

PARKING

The LDP requires two-bedroom units (social housing - built to rent) to have two parking spaces per unit, however the proposed design provides just one car bay per two-bedroom unit. We believe one parking spot for each tenancy will be ample space due to the central location of the site where it is feasible for residents to walk to the CBD for their day to day living needs. Advance Housing also acknowledges that the majority of tenants in this demographic are unlikely to have multiple cars per household. Reducing car bays promotes a more sustainable and economical way of living. The three-bedroom units (affordable housing - built to sell) include two parking bays per unit as required by the R-Codes.

According to the LDP, lots 213 and 214 are required to have 10 parking bays each, and an additional 2 bays are needed for the service corridor behind the commercial building. However, the LDP did not consider that Commercial Building one would be occupied as a two-storey tenancy, which has a greater gross floor area and therefore requires more parking spaces. To address this, the parking provisions were calculated based on the parking requirements outlined in the Albany Town Centre policy. As a result, a total of 20 car bays have been allocated, including 16 new bays and 4 existing bays on Spencer Street.

Similarly, for the residential units on Lot 215, there are more units than the LDP originally anticipated. To meet the visitor parking requirements, provisions have been calculated according to the R-codes, which specify 5 visitor bays. Of these, 3 bays are shared with the commercial parking zone. We request a relaxation of parking requirements to allow for joint use of parking bays by the commercial and residential tenants. This request is in accordance with the Albany Town Centre Policy which states parking bays may be provided jointly of one owner of separate building types given the peak hours of the uses of the buildings do not overlap.

PUBLIC ACCESS WAYS

The LDP required public pedestrian accessways off Frederick Street and Spencer Street to facilitate movement throughout the site. However, as the lots have been sold as one instead of three as originally expected and the residences are for private use, the design has been updated to prioritize internal movement within the site. An internal path has been created, starting from the private road central to the residential units and extending south through the site. This path passes by Cheyne's Stable and Outhouse, runs beyond the social housing and ends at Stirling Terrace. By using this path, residents can move throughout the site with greater ease whilst enjoying a greater sense of privacy and security. We do not believe it is appropriate for the general public to walk through the site and Spencer Street provides a direct connection between Frederick Street and Stirling Terrace already.

PUBLIC OPEN SPACE

As per the LDP requirements, a minimum of 30% public open space is required. However, due to an increase in residential units to the site and its proximity to nearby public open space, no provisions for open space have been made. Residents are able to access high quality public open space within 5 minute's walk of the site including the RSL Memorial Gardens, the ANZAC Peace Park and Lawley Park. To uphold the maximum yield of the site, it is proposed that the developer makes a cash payment in lieu of providing land for open space. This proposal is in line with LPSC 2.3 public open space in residential areas policy and the City of Albany Local Planning Scheme No.1 (as was relevant at the time).

VEHICLE ACCESS

Originally the LDP for this site proposed a single vehicle access from Frederick Street on the basis that the site was sold as individual lots and it would be otherwise difficult to manage access between site frontages. The proposed site plan currently includes five crossovers allowing direct vehicle access to residences from the primary street and increasing the activation of Frederick Street. We note that all existing residences within the vicinity of the site on Frederick Street have vehicle crossovers directly onto the street. To minimise the impact of double-parking bays per unit the design proposes that for the three-bedroom units, a single parking bay at the front of the house with an additional bay at the lower storey. We believe this is the best design practice to be able to provide 2 car parking spots per three-bedroom unit. We believe cars reversing onto Frederick Street will not be a problem given that there is ample sight distance from the proposed crossovers on Frederick Street from both directions, low traffic volumes, and a wide road reserve.

VIEW CORRIDORS

Both LPS1 and LPS2 mention the protection of a view corridor from Frederick Street to the Penny Post building and the existing oak tree. However, this view corridor does not appear to currently exist, and would only be created if a large gap in the development envelope was established along Frederick Street. As shown below, views are currently limited when looking south from Frederick Street (both as a pedestrian and someone in a vehicle) because of the height of the existing boundary fence, which blocks all views. Private views from residences located directly across the road may be impacted, however, private views are not protected and would be affected by any future development envelope on the subject site. These houses on the north side of Frederick Street are elevated considerably above the finished floor level of the new units on the south side of Frederick St (Landgate contour information suggests that there is at least 2.5m elevation difference between the lots either side of the road, suggesting that houses on the opposite side of the road will still have a clear view over the roof line of the new units). Figure 1 shows a photo taken at eye level from the proposed view corridor location in the LDP. It reveals that currently, views of the Penny Post building and existing oak tree are fully obstructed by the existing 1.8m high boundary fence. Therefore, the impact of the proposed development will not drastically alter the existing views. Figure 2 demonstrates that views of the Penny Post building will still be visible from the public access point located at the Earl and Rowley Street intersection, further up the hill. This is a credit to the proposed redevelopment maintaining an appropriate scale relative to its surroundings. We request that an exemption be made to accommodate an amendment to the LDP with regard to this view corridor, noting that single-storey height development only is proposed along Frederick Street, which greatly mitigates the potential visual impact in the context of Frederick Street.



Figure 1. Current visibility of the Penny Post building and existing oak tree as seen from the proposed view corridor (X) at eye height is minimal due to the existing 1.8m high boundary fence.



Figure 2. A public access point at the Earl Street and Rowley Street intersection (X) provides a view corridor of Penny Post. (Proposed development not visible from this perspective).

CONCLUSION

We believe that this project will provide much needed social and affordable housing to the people of Albany while activating a vacant space so close to the heart of the city. We trust that the information provided, including the full details in this report in conjunction with the transport impact report, waste management plan, BAL assessment, heritage impact statements and the architectural drawing package will be given full consideration, and the design will be assessed on its merits and the opportunities and constraints affecting the subject site. We feel we have addressed all the policy and regulatory requirements, whilst also balancing the needs of the landowner and future occupants in the design of this new residence and renovation of existing heritage buildings.