

### **3.6 DEVELOPMENT GUIDELINES FOR RESIDENTIAL CONSERVATION AREAS**

(ADOPTED: 26 November 2013)

AUTHORITY: TOWN PLANNING SCHEME NO.4

#### **STATUTORY BACKGROUND**

This policy is made under Clause 78 of the City of Subiaco's Town Planning Scheme No. 4 ("the Scheme").

Clause 57 of the Scheme permits the Council to vary any requirement or standard of the Scheme or the Residential Design Codes ("the Codes") as long as the variation will not adversely affect the cultural heritage significance of that place, or any other, conservation area or place, including the streetscape or locality in which it is located.

Should there be any inconsistencies between the provisions of this policy and:

- (i) The Codes, the provisions of this policy prevail;
- (ii) Other general Council policies, the provisions of this policy prevail; and
- (iii) The relevant precinct policy, the provisions of this policy prevail.

#### **Strategic Context**

*The City of Subiaco Strategic Community Plan* identifies the importance of the city's heritage to the local community. 'A built form with heritage value that is recognised and protected' is a key strategic objective in the Plan.

*The City of Subiaco Corporate Business Plan 2012 – 2016* sets out the actions considered necessary to achieve this strategic objective. These include:

- Formulate programs to raise awareness of built heritage in the city;
- Develop Policies to assist landowners in the restoration and preservation of buildings and places; and
- Consider incentives for owners to preserve and restore heritage buildings.

#### **Purpose**

- (i) To ensure that the preparation and assessment of applications for planning approval for the development of properties within conservation areas achieve the objectives of this Policy in an accountable, comparable and consistent manner.
- (ii) To provide guidance to landowners and the City of Subiaco in preparing and assessing applications for planning approval within the Policy Area.
- (iii) To ensure that the heritage places that contribute to the domestic scale and architectural character of conservation areas are retained and that, where adaptations or extensions are necessary to ensure their ongoing sustainability,

development is innovative and contemporary and does not reduce the heritage value of the places or their contribution to the heritage significance and traditional streetscape character of the Conservation Area.

- (iv) To provide development requirements for residential development within conservation areas. These development requirements augment those of State Planning Policy 3.1 Residential Design Codes in order to ensure consistency between State and Local Planning Policy approaches in conserving the character and amenity of the Policy Area.
- (v) To provide guidance in the application of Clause 57 of the Scheme.

### **Objectives**

- (i) To conserve existing buildings identified as making a considerable or some contribution to the heritage significance and traditional streetscape character of a designated Conservation Area.
- (ii) To encourage innovative and contemporary new building developments, and alterations and additions to existing buildings, that are in harmony with, and maintain the integrity of, the Conservation Area's cultural heritage significance, its established character and visual amenity.
- (iii) To conserve the cultural heritage significance of Conservation Areas.

## **POLICY**

### **1. Development Guidelines**

The following guidelines:

- a) Relate specifically to the parts of each place that directly contribute to the public streetscape.

*Note: In this context streetscape means the total visual impression gained from any one location within a street including the natural and man-made elements. It is made up of the appearance of, and the relationships between, the buildings (in terms of design, scale, materials, colours, finishes), signs, street furniture, roads, footpaths, verges and landscaping.*

Alterations, additions or other works that are not visible from the street do not need to comply with these guidelines.

- b) Are primarily concerned with the conservation of the significant fabric and its setting.

*Note: In this context significant fabric means those parts of a contributory place (including building fabric, landscape elements and fencing) that contribute to the heritage significance and heritage character of the place within its streetscape setting (i.e. as visible from the public realm).*

- c) Need to be considered on a case-by-case basis in order to develop innovative solutions that achieve a reasonable degree of development, while still protecting key heritage features and elements as part of a wider community benefit (including, perhaps most importantly, other local residents who have invested in the Conservation Area at least in part because of its heritage

character). In accordance with Clause 57 of the Scheme, this may include the use of discretion by the Council to apply variations to standards for the purpose of achieving development without adversely impacting on heritage values.

Other development constraints, such as small lot size or limited opportunities for under-cover off-street parking, will not be accepted as a justification for variation of these guidelines, if such variation is to the detriment of the heritage significance or traditional streetscape character of the Conservation Area.

## **2. Development pattern (lot subdivision or amalgamation)**

The significance of the Conservation Area, and of the individual contributory places, relies in part on the original setting and context of each building, inclusive of the pattern of development along the street. Further subdivision or amalgamation will not generally be supported by the Council unless it is satisfied that

- a) The proposal will not adversely impact on the significant fabric or setting of any contributory place.
- b) The proposal will not adversely impact on the heritage significance of the Conservation Area or the heritage character of the streetscape.
- c) The proposal will reflect the traditional patterns and proportions of the existing lots in the Conservation Area.
- d) Any proposed demolition of existing building(s) is consistent with the guidelines for demolition in this Planning Policy.
- e) Any lot that is created is capable of being developed in a manner that is compatible with the key features/elements of the precinct (inclusive of scale and setbacks), as identified in the Policy for the specific Conservation Area.
- f) Any proposed development on the subdivided/amalgamated site is consistent with the guidelines for new development in this Planning Policy.

## **3. Demolition**

In considering an application for demolition the Council shall have due regard to the following:

- a) Applications for demolition of a building, or any part of a building that is visible from the street, will be required to demonstrate that the building fabric to be demolished does not contribute to the heritage significance or traditional streetscape character of the Conservation Area.
- b) If it is considered that it is not reasonable to retain the building or that it is unsafe for occupation, the Council may consider demolition approval of a contributory building on the grounds of structural inadequacy, as demonstrated by structural condition assessment (prepared by a qualified structural engineer).
- c) If there is evidence that structural inadequacy is a result of a long-term lack of maintenance (otherwise known as demolition by neglect), reconstruction to a known earlier state may be required.
- d) Demolition approval will not be considered for a contributory building solely on the grounds of economic/other gain for redevelopment of the land.

- e) Demolition of non-contributory buildings is permissible, however the Council may defer consideration of the application for demolition of any building that addresses the main street frontage(s) until there is a planning approval granted for a new building that complies with this Planning Policy.

It is strongly recommended that where demolition of all or part of a building is contemplated, the applicant liaise with the city in the first instance to discuss the heritage implications.

#### **4. Maintenance**

Where issues relating to current or potential deterioration of the significant fabric are identified, maintenance or repair is strongly encouraged, but is not required under this Planning Policy.

#### **5. Contributory buildings**

##### **5.1 Alterations to contributory buildings**

In considering an application for alterations to contributory buildings, the Council shall have due regard to the following:

- a) Alterations should not remove, change or obscure original materials or detailing (except as part of required conservation works). This includes, but is not limited to, works impacting on roof form, materials and details; wall finishes and details; verandahs and verandah details; windows and window openings; and doors and door openings.
- b) Alterations should not introduce new 'heritage' detailing that is inconsistent with the style of the building and/or the physical or documentary evidence, as this distorts an understanding of the original character and design of the place.
- c) Where it can be demonstrated that original fabric has been previously removed or unsympathetically altered, restoration/reconstruction of the street front facades to their original form and detailing is strongly encouraged, where practical. This should always be based on evidence such as remaining traces of earlier fabric and old photographs, or by direct comparison with the original fabric remaining to other places of the same age, style, scale and level of detail.
- d) If the significant fabric has deteriorated to the point where it requires replacement, the use of 'like for like' materials and detailing is strongly encouraged. However, the introduction of alternative materials and techniques that have a similar appearance to the original may also be acceptable, provided the new fabric will not adversely impact on the streetscape character of the place.
- e) Traditional painted surfaces can be repainted in any complementary colour scheme.

##### **5.2 Additions – general design issues**

- a) Additions should be carefully designed to:
  - Respect the scale, massing and proportions of the existing building and its key design elements;
  - Involve the least possible alteration to the significant fabric, and not

- remove or obscure significant elements/details;
- Enable the design and scale of the original building to be readily understood;
- Ensure the original part of the building remains the prominent element in streetscape views.

Particular consideration must be given to the original:

- Plan form;
  - Height of the wall plate;
  - Proportions of door and window openings;
  - Roof form and pitch;
  - Width and style of eaves overhangs;
  - Balance of walls to openings;
  - Balance of different materials and colours.
- b) In terms of the detailing, materials and finishes, additions may be in the same general style as the existing building or designed in an openly contemporary, but still sympathetic, manner.

### **5.3 Additions – location and scale**

- a) No additions are permitted within the front setback of the existing building, unless it can be clearly demonstrated that the new structure will not:
- Dominate the contributory building;
  - Obscure streetscape views of the building (or an adjacent contributory building);
  - Obscure views or access to the main entrance to the building.
  - Adversely impact on the heritage character of the Conservation Area.
- b) For additions to the side of the house, there should be a minimum set back of 1.2m from the closest section of the existing front wall of the building, unless it can be demonstrated that the new structure will not:
- Obscure an understanding of the scale/design/setting of the original building;
  - Adversely impact on streetscape views of the building (or an adjacent contributory building);
- c) Single storey, rear additions are preferred.
- d) Loft additions may be constructed where there is sufficient space within the existing roof, or where the alterations to the roofline will be largely concealed from public views. Dormer windows or skylights should generally be located on the rear roof plane or towards the rear of side roof planes, and must not be prominent in streetscape views.
- e) Second storey additions over the main roof line of the original building (excluding rear wings or skillion additions), or to the side of the main part of the house, will not be supported.
- f) A two-storey addition will be supported at the rear of the building, provided such additions are set back from the main ridgeline and are not visually prominent in pedestrian views from the street. Minimum visibility should be achieved by working within a general building envelope defined by sight lines from the opposite side of the street.

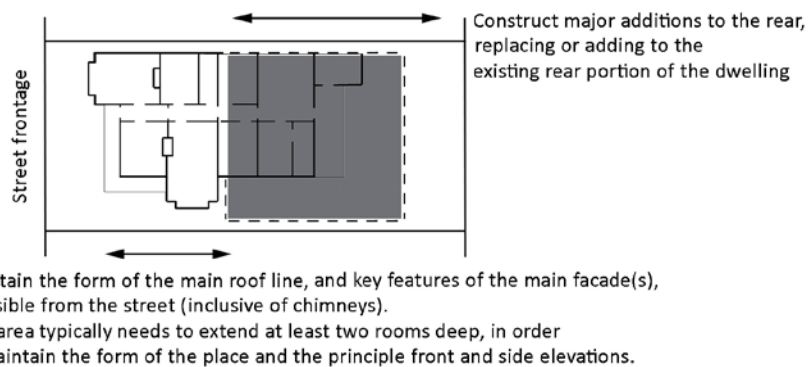


Figure 1: General location for additions and alterations to the original external fabric (indicative sketch only, not to scale)

## 6. Non-contributory buildings

Alterations and additions to non-contributory buildings present an opportunity for innovative new works, which harmonise with the contributory buildings within the Conservation Area, without falsely mimicking heritage detailing.

### 6.1 General

- a) Where the place was constructed in the period during which the majority of contributory buildings were erected, but has been extensively altered over time, alterations to the existing fabric may aim to return the place towards a known earlier state. As far as possible, this should be based on evidence such as remaining traces of earlier fabric, old photographs, or comparison with other places of the same age, style and level of detail.

Such works should comply with the guidelines for alterations and additions to contributory buildings.

- b) Alternatively, new works may aim to modernise the place in a sympathetic manner by applying the guidelines for new building development.

## 7. Off street parking for existing buildings

Specific requirements for the Conservation area include:

- a) Garages accessed from the street are to be set a minimum of 1.2m behind the original front wall of the building. Where the main façade steps back from the street, the 1.2m is to be measured from the frontage closest to the new garage.
- b) Carports are not generally permitted forward of the main facade (as per the guidelines for additions and new buildings).
- c) A single-width hardstand for car parking may be permitted forward of the primary building line, if this provides the only opportunity to meet off-street parking requirements and/or supports an overall heritage outcome for the place.
- d) Any new garages or carports visible from the street frontage(s) of existing buildings shall be designed as secondary elements that do not obscure views of the building or negatively impact on streetscape views.
- e) Any new driveways and hardstands off the street shall be designed to minimise

the visual and physical impact on the setting of the contributory buildings and the streetscape.

- f) There is to be a maximum of one, single width crossover per lot.

Where the Council is satisfied that car parking cannot physically be provided off a rear or side ROW, and the required amount of on-site parking cannot be provided without adversely impacting on the heritage values of the Conservation Area, the Council may approve a variation to the City of Subiaco's standard on-site parking requirements in order to achieve a positive heritage outcome that is consistent with this Planning Policy.

## **8. New Building Development**

The construction of a new building will only be considered where the guidelines for development pattern and demolition have been met (as above).

Where appropriate opportunities exist for the development of a new building, innovative solutions are encouraged, subject to the following broad guidelines.

### **8.1 General design issues**

- a) Any new buildings must respect and harmonise with nearby contributory places, without falsely mimicking heritage detailing.

*Note: Nearby contributory places include any contributory places on the five lots on either side of the proposed development, on both sides of the street that the subject building is oriented towards. More significance will be given to development in the immediate locality (that is closer to the proposed development).*

- b) Contemporary designs should respond to, and interpret, the articulation and detail of nearby contributory buildings in a modern, innovative and sympathetic way, without mimicking these buildings. This requires careful attention to design aspects such as roof pitch and form, eaves overhang, street front plan form, location of main entries, front verandahs, window and door proportions and configuration, materials and colours.
- c) 'Faux' or 'mock' heritage designs and applied 'heritage' detailing detract from an understanding and appreciation of the original buildings and will not be supported.
- d) In the event that demolition of a contributory building is supported under clause 3 (or the place is destroyed by fire or another unanticipated event), reconstruction of the facade and roof to a known earlier state (as visible from the street) may be required if the place is a key element of the streetscape and/or part of a larger complex, such as a duplex.

### **8.2 Orientation and development pattern**

- a) The orientation of new buildings must match the traditional orientation of contributory buildings along the street.
- b) Development on corner blocks is to respect the traditional pattern of development and streetscape character of both frontages.

### 8.3 Setbacks and orientation

- a) New buildings shall be constructed with setbacks from the front boundaries similar to the typical setbacks of nearby contributory buildings.
- b) A new building should not be built forward of an adjacent contributory building, unless it can be clearly demonstrated that this will not adversely impact on the heritage or streetscape values of the Conservation Area and/or its component parts.
- c) For the extent that side boundaries are clearly visible from the street, they should be similar to the typical setbacks for nearby contributory buildings on blocks of a similar size.

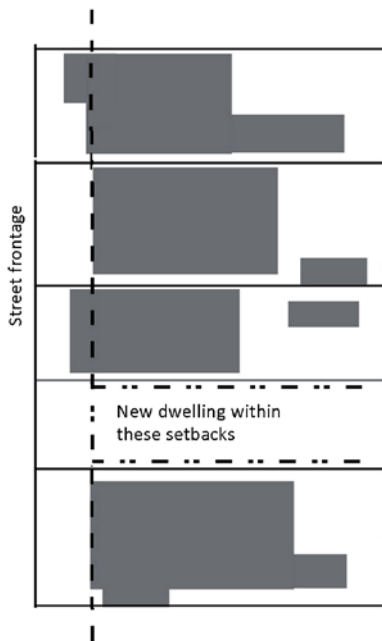


Figure 2: Setbacks for new buildings  
(Indicative sketch only, not to scale)

### 8.4 Scale and form

- a) New buildings, as viewed from the street frontage(s), should be of similar form, bulk, scale, proportions, height and level of articulation as the contributory buildings in the Conservation Area.  

In particular, the manner in which articulation is used, and the height, size and shape of the roof, are key elements that can help a contemporary building blend into a heritage streetscape.
- b) Buildings that present as two storeys to the street frontage will not be permitted.
- c) New buildings can have a two storey section at the rear, provided the two storey section is set back from the main ridgeline and is not visually prominent in pedestrian views from the opposite side of the street.



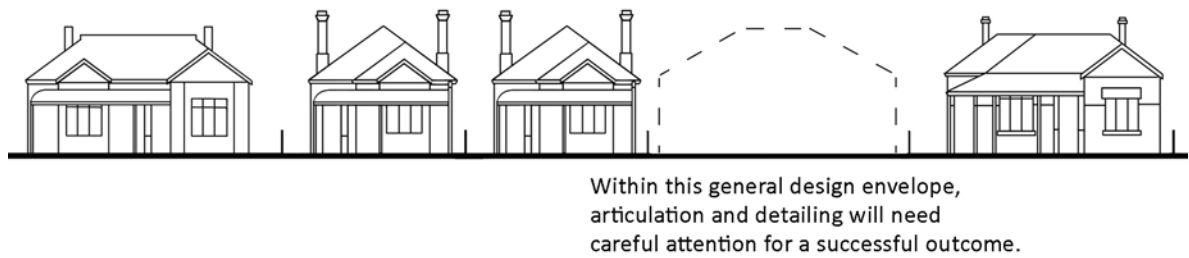


Figure 3: Example of a broad design envelope for a new building. Two storey wings can be included at the rear, provided these are not visually prominent in streetscape views.

### 8.5 Off street parking

- a) Where practical, access for garages and carports must be from the rear or side lanes.

Where this cannot be reasonably achieved, garages or carports should be set back from the main frontage of the building by at least 1.2m and comprise no more than 33% of the frontage.

## 9. Front boundary fences

The treatment of the front boundary and of the return boundaries (back to the front walls of the building) makes a major impact on the streetscape character of a Conservation Area.

- a) Development approval will be required for any fences that are not consistent with these guidelines.
- b) Front fencing is required where this has been a traditional development characteristic of the streetscape.
- c) All new fences shall be designed to complement the style of the existing building and the traditional streetscape character.
- d) New fences should be designed to retain clear public views to the front of each house and open streetscape views.
- e) Fences in traditional styles (appropriate to the age, style and scale of the building) are preferred for contributory buildings.
- f) Modern fence styles of a simple design, that are complementary to the style of the house and do not intrude on streetscape views, are also acceptable. These should generally have visually permeable infill panels, with simple vertical proportions and minimal ornate detailing.
- g) Fence panels shall not exceed 1.2m above footpath level, with up to 1.5m permitted for the capping of slender posts. The main panels of masonry walls should be limited to around 600mm above footpath level.
- h) Large masonry posts will only be acceptable where used for traditional fence styles to the street frontage of a large villa on a wide block.
- i) High masonry walls, high solid infill panels and horizontal boarding will not be supported.

## **10. Incidental development**

The installation of renewable energy systems, such as solar panels, is becoming increasingly desirable and may potentially be a necessity with the move towards sustainable living. Other contemporary services, such as air-conditioning and television aerials, are also typically considered to be part of modern living standards.

At the same time, rainwater tanks are once again becoming popular to address water requirements.

Specific requirements arising from heritage issues include:

- a) Any new rainwater tanks, solar systems, climate control systems or other modern services are to be installed in locations that are not intrusive in public views to the place.
- b) Service meters and other related infrastructure must be placed in a location that is not readily visible from the street.

## **11. Public Realm**

The public realm (comprising the roadways, lanes, footpaths, verges, gutters, street trees, street lighting etc) makes an important contribution to the cultural heritage values of the Conservation Area. Maintaining these areas in a good condition, conserving any identified heritage elements and ensuring that all new works are compatible with the heritage values of the Conservation Area, are important conservation measures.

- a) All private proposals for changes to the verge area must be submitted to the city for approval.

## **12. Assistance**

Owners of places located within a conservation area can obtain complimentary professional architectural and conservation advice through the City of Subiaco's Heritage Advisory Service. This will help ensure that specific proposals meet all the relevant heritage conservation requirements of this policy.

## **13. Development Application Requirements**

The information required by the City of Subiaco to accompany a Development Application is set out in Clause 25 of the Scheme.

Property owners intending to make alterations and additions to their properties are urged to consult with the Heritage Officer at the City of Subiaco at the earliest stage of the design process.

If any proposed works do not comply with these guidelines, or if the applicant otherwise needs to demonstrate the impact(s) of the proposal, the city may also require the submission of a Heritage Impact Statement to assist the Council in determining a Development Application. The Heritage Impact Statement is to be professionally prepared at the owners expense and must address:

- How will the proposed works affect the significant fabric and heritage character of the place?

- How the proposed works affect the heritage significance and traditional streetscape character of the Conservation Area?
- What alternatives have been considered to ameliorate any adverse impacts?
- Will the proposal result in any heritage conservation benefits that may offset any adverse impacts?

*Note: The Heritage Council of WA has produced a guide and form for the preparation of Heritage Impact Statements. This information is available on the Heritage Council's website.*

If any individual place is also included on the City of Subiaco's Register of Places of Cultural Heritage Significance adopted under the Scheme, and/or on the State Heritage Register, other specific requirements may apply (please check with the Heritage Officer at the City of Subiaco for details).

#### **14. Works not requiring development approval**

Normal maintenance and internal alterations can be undertaken without development approval, provided the works do not adversely affect the significant fabric of the place.

As an example, works that would have an adverse impact on a principal façade include painting or rendering previously unpainted face brickwork; replacing deteriorated timber window frames with new steel framed windows; or installing pvc downpipes.