

a t e l i e r
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A R C H I T E C T S

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Dear [REDACTED]

Permit application: P37427
Heritage Victoria listing: H0083
project: additions and alterations to a dwelling
address: 114 Paterson Street, Princes Hill, 3054
property owner: Sarah Stone

The owners have considered your correspondence dated 5.10.22 and 9.11.22 as well as comments made at our meeting on 26.10.22 and confirm that they respect the heritage listing of the place and your comments, however are concerned that the your commentary makes the property non-viable as a place of residence. As such, in accordance with section 101 (2) (b) of the Heritage Act 2017, request permission on the basis that refusal of the application would affect the reasonable or economic use of the registered place.

Reasonable use

The house was built, as one of nine by the current owner's ancestor, Jurtus Wombach, during the period 1889-1894 with an additional, eastern most house, built in 1911. Housing requirements and regulations have changed over the 130 or so years since their construction, in terms of internal area, facility and amenity and it is not possible to provide accommodation addressing today's expectations and standards without modification of the existing built fabric of 114 Paterson Street.

The net area of the existing house is 62.3m² which is smaller than many apartments and certainly smaller than the median house in Princes Hill. Inner suburban properties such as those found in Princes Hill commonly quite appropriately provide accommodation for families and this is not an unreasonable expectation for 114 Paterson Street. The scheme as submitted is designed to provide minimal family accommodation of three bedrooms, two study alcoves, living and dining areas, kitchen, laundry cupboard, two bathrooms and built-in storage. Note that dedicated storage is a requirement for today's contemporary dwelling and locating largely within a roofspace is a volumetrically discrete strategy that recognizes the statutory planning and heritage constraints on a property such as this. This would provide adequate accommodation for a 4 person family and is a reasonable use of the land and existing building. It should be appreciated that the terrace house is an ideal residential model for our community, providing independent living for family units with an external private open space that can accommodate a small garden/external play/hospitality space. As our community is becoming aware of the need to design for a sustainable future, the terrace house should become the flagship residential model where spaces are adequate, not large, can be supported by reasonable and not excessive servicing and benefit from established community facilities. In this context, 114 Paterson Street, from a sustainability perspective, should be afforded the opportunity to provide the level of modern facility sufficient for a family. The property location is ideally suited to young families being in close proximity to Princes Hill High School and easy & safe walking distance to Princes Hill Primary School plus large park and sports facilities also in close proximity.

Heritage Victoria
PO Box 500,
East Melbourne, 8002

Att: [REDACTED]

5 January 2023

The existing house was built under the simplest of building regulations with basic servicing. The planning and building regulations now stipulate a higher standard of construction, amenity and arrangement. Extending and modifying the house provides the possibility of:

- Secluded private open space directly related to the internal living space, as required under Rescode (clause 55.05-4)
- Rainwater storage and permeable finishes to address both conservation of water and reduction of stormwater run-off (Yarra Planning Scheme)
- Provision of adequate daylight to habitable rooms (NCC V2 Part 3.8.4)
- Provision of adequate ventilation to habitable rooms (NCC V2 Part 3.8.5)
- Heating to habitable rooms (NCC V2 Part 3.12.5)
- Thermal insulation to walls, ceiling and floors (NCC V2 Part 3.12.1)
- New electrical system throughout (AS 3000) including low energy LED lighting

Economic use

The owners have considered the economic use as the house is currently rented generating an income and put forward the following comments:

Princes Hill is a wealthy area with its proximity to the city and fantastic amenities. It is a tightly held suburb. Based on the other terraces in the row it is fair to make the conclusion that both the capital growth and rental return on the un-extended terraces (100-114) is below average. Given the nearly identical nature of 100-114 Paterson St we can use this for the below case studies;

Rental Return in current state

Princes Hill is in Victoria's top 3% for median rents – median rent according to REIV is \$750 per week.

Whilst 118 and 116 are owner occupied terraces (both extended and renovated) the others in the row are not and a study of these properties show a high turnover in tenants a rental return significantly below the median rates. The current terraces are rented at \$500-\$590 (depending on time of contract) which is 20-30% below the suburb median.

Capital Growth in current state – case study 112 Paterson St

112 Paterson St sold for \$1.25m in Jan 2021 (significantly below the median house prices for the area). The same house in November 2016 for \$1.04m. 20% growth is below both the Victorian and national average with the ABR reporting a 31% increase in house prices between 2016 and 2021.

Why the hesitance/low price given the demand for property in the area (which has consistently outperformed the rest of the market including this period). Our explanation is the lack of liveability.

Further, looking at valuation pre and post renovation at 118 Paterson St, the expected sale price doubled from \$1.2m to \$2.4m. This development isn't for profit, however, we feel the above clearly shows why a double storey extension supports the economic use of the registered place.

A scaled back proposal, without extra accommodation could not be economically justified with build costs far outstripping any potential value ad. A quick search of renovated 2 bedroom terraces in Carlton North/Princes Hill will support this.

Hence, in addition to the liveability, any renovation without significant extension of the habitable spaces would not be economical use of the space.

Response to concerns raised in your letter dated 5.10.22

1. *Interrupting the setting by obscuring views of the original dwelling from the rear laneway*

Heritage Victoria's Statement of Significance does refer to the repetitive character of the ten terraces and how they are viewed from Paterson Street but makes no reference to them being viewed from the laneway. With the existence of large trees to the rear gardens, extensions, irregular outhouses and 1.9-2m high rear fences sometimes with a 600mm creeper covered lattice fence, with 2.2m high brick privies fronting a 2.75m wide lane, the repetitive character of the houses is not discernable nor identifiable from the lane. In addition, 116 and 118 Paterson Street have received heritage permits from Heritage Victoria for significant extensions which have been built. The recent project at 118 Paterson Street was published on the Heritage Council Victoria website as a case study and has been recommended by Heritage Victoria as an example for this particular project.



view looking down north side of lane from Bagung Lane



view of 114 from lane

2. *imposing a two storey structure that is not sympathetic to the character of the terrace*

The second storey structure is proposed to be clad in a dark tile to be recessive from the red brickwork. The modular character and similarity of the scale of the tiles would provide a rapport with the existing brickwork. Note the Burra Charter requires new work to be visually distinguishable from the original heritage work and this would be achieved.

3. *providing no clear separation between the existing and proposed new sections of the dwelling*

While the separation of new and old at 118 Paterson Street could be clearly seen from Arnold Street, separation between new and old in this situation would be difficult to externally appreciate from any vantage point other than the sky and impossible to assess from the ground

4. *introducing a new build scale that is disproportionate to the original fabric being removed*

The proposal is for two storey as opposed to single storey existing structure. The proposed has a maximum height of 6.32m while the existing maximum height is 4.644 which is 36% higher than the existing height and certainly not disproportionate

5. *demolishing the second chimney and hearth, which are significant features*

Heritage Victoria's Statement of Significance refers to the architectonic elements of the façade and makes no mention of the second chimney nor its hearth. Also the second chimney to 108 and 110 Paterson Street has been previously removed.

No part of the second chimney can be seen from Paterson Street, from either in front of from oblique angles. Also the hearth inside is not visible, being within a built-in wall and consequently and speculatively may not be intact. Refer to images below.



second chimney of 114 is not visible from Paterson Street (view from across street, title line of northern properties, looking south-west)



second chimney of 114 is not visible from Paterson Street (view from across street, title line of northern properties, looking south-east)



view looking south towards built over former fireplace.

6. *crowding and distorting the front chimney with the 'raised lantern'.*

The walk-in robe form has been gathered behind and beside the chimney in order to ensure it is concealed from street view courtesy of the raised parapet. See image below which would be unaffected by the proposal



7. *treat a major addition as a visual entity by separating it from the existing building, joining the two with unobtrusive link*

As described above, an unobtrusive link would not be externally visible to the passer-by

8. *plan form, roof massing and pitch should relate to the existing building*
 The proposal does relate to the existing building. If the direction is that it should match the existing building, there is no requirement nor desirability to replicate aspects of the existing building within the Burra Charter. With regard to extensions, Article 22 of the Burra Charter states:

Article 22. New work

22.1 New work such as additions or other changes to the place may be acceptable where it respects and does not distort or obscure the cultural significance of the place, or detract from its interpretation and appreciation.

22.2 New work should be readily identifiable as such, but must respect and have minimal impact on the cultural significance of the place.

Further the Burra Charter's explanatory notes state:
New work should respect the significance of a place through consideration of its siting, bulk, form, scale, character, colour, texture and material. Imitation should generally be avoided.

The reference by the Burra Charter to avoiding imitation is unambiguous.

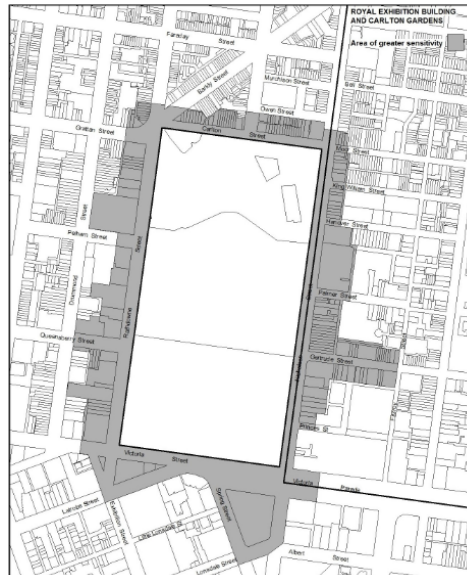
9. *window pattern should relate to original windows in size, proportion, rhythm and opening pattern.*

As per article 22 of the Burra Charter, replicating windows is inappropriate and dilutes the historic value and authenticity of the heritage fabric through mimicry

Responses to City of Yarra comments dated 4.10.22

1. *It is considered that the application does not satisfy the objectives of Clause 22.14-2 of the Yarra Planning Scheme.*

Clause 22.14.2 of the Yarra Planning Scheme applies to a World Heritage Environs Area of Greater Sensitivity demarcated by Yarra's plan below. The subject house is outside this area.



Clause 22.14-2 of the Yarra Planning Scheme states:

- *To protect significant views and vistas to the Royal Exhibition Building and Carlton Gardens.*
- *To maintain and conserve the significant historic character (built form and landscapes) of the area.*
- *To ensure new development in the area has regard to the prominence and visibility of the Royal Exhibition Building and Carlton Gardens.*

The scheme has no impact on the geographical areas referred to in the first and third dot points. With regard to the second dot point, the scheme respects the streetscape of Paterson Street and does not impact any significant landscapes. The rear of the existing house cannot be considered to be of significant historic character. It is the repetitious nature of the houses which can only truly be appreciated from the street that is the meritorious aspect of its heritage listing.

2. *That the proposed partial removal of the main front roof form of the subject building would not be supported under Clause 22.02-5.1 of the Yarra Planning Scheme, nor the seriously entertained incoming Heritage policy (Clause 15.03-1L, Amendment C269). As a building of state significance, the proposed partial removal of the main front roof form of the subject building should not be supported.*

The partial removal of the front roof form of the house facilitates an increased ceiling height to accommodate a diminutive walk-in-robe. The increased roof has been arranged to be concealed behind the parapet and chimney and so does not impact the streetscape.

3. *That full demolition of the red face brick privy at the rear of the site, which is identified as a Contributory element within the broader Princes Hill Precinct (H0329), would not be supported under Clause 22.02-5.1 of the Yarra Planning Scheme. As a contributory element associated with a building of state significance, the proposed full demolition of the privy at the rear should not be supported.*

Having reviewed the Victorian Heritage Database Report Princes Hill Precinct (H0329), there is no reference to the privy of 114 Paterson Street, nor is there any specific reference to privies in general. The privies at the rear of 116 and 118 were given permission to be demolished.

The privy at the subject property is in poor condition – refer to images below. In addition it makes almost no contribution to the rear lane – also refer to image below.



4. *That the overall height of the proposed rear addition must be minimised using lowest possible floor-to-ceiling heights and employing design techniques that ensure that the finished height is fully or almost fully concealed in views from Arnold Street.*

The floor to ceiling heights have been set as follows:

Ground floor

- Bathroom 2400mm
- living room: 2820mm
- dining room & kitchen: 2600mm plus raised section to 3900mm (generated from the line of the existing parapet wall)

First floor

- Bedroom 1/Study/Ensuite 2700mm with lowered mansard to east side starting at 1300mm.
- Walk-in-robe 2200 (east & west sides) -2500mm (centre) – following pitch of existing roof

Due to the slope of the land down to the rear lane, the proposed extension is not visible from the street as shown on the Paterson Street sightline drawing 2110WD20

5. *If partially visible from Arnold Street, that the external appearance of the proposed rear addition must be designed to blend in with the character and appearance of the surrounding heritage buildings so that its visibility is as inconspicuous as possible.*

The subject property has two terrace house properties between it and Arnold Street, 116 & 118 Paterson Street, which both have contemporary extensions to the rear of the heritage fabric. There is a gap between the boundary wall of 116 Paterson Street and the rear extension of 118 Paterson Street, through which the proposal may be visible as per image below. The western boundary of 114 is over 10m from the Arnold Street title boundary of 118, and further again when viewed from the street. Any part of the proposed extension to 114 is visible from Arnold Street, the black modular tiled cladding will present as a silhouette.



view from Arnold Street looking east

Provision of additional information requested in your letter dated 5.10.22

1. Updated Heritage Impact Statement – refer to attached
2. A response to Council's objection – refer to above
3. Submission of amended plans – the owners have reflected on this request and have endorsed the currently submitted drawings

Response to your letter dated 9.11.22

1. *Therefore any proposal for a two storey addition along any part of the row will be problematic because a two storey scale will not be sympathetic and subservient to the place.*

The dark tile clad second storey has been designed to be not visible from Paterson Street and subservient to the heritage fabric as seen from the rear lane.

2. *With regards to specific queries raised in the meeting, we repeat our written advice that the two chimneys and fireplaces are significant features and should be retained, even if not functional.*

As per the drawn scheme, the front chimney and fireplace with hearth is to be fully retained as is. As described above the second chimney cannot be seen from the title line of the southern side of Paterson Street and the internal fireplace has been fully built over and may not exist

3. *The proposal to lower the ceiling in the second room from the front to create additional space above is not considered appropriate as it would result in demolition and alteration of the original room proportions, interruption of the original roof form and distortion of the original plan form.*

The second room has no cornice or ceiling rose, is quite plain in appearance and in itself could not be regarded as historically significant. Lowering the ceiling will effect the proportions but will not effect any historical merit of the room.

4. *Heritage Victoria is concerned that the design approach has not begun with an assessment of the whole place and understanding of its cultural heritage significance. This should be the starting point for any proposal as it will provide a clear picture of significant fabric and spaces and guide any proposal for new works.*

Heritage Victoria's comment does not recognise our six year analysis and involvement with these Patterson Street terraces, the granting of a heritage permit and successful extension of 118 Paterson Street. The cultural significance of the row of terraces is appreciated from Paterson Street and not from the rear lane. The owner's brief is to create a family home with sufficient spaces and amenity to accommodate a family and maintain a living connection with their ancestor, Jurtus Wombach, who built the original dwellings. The scheme achieves this with no visible impact to the Paterson Street streetscape.

Should you require any further information to satisfy the RFI, we request an extension of time to respond. Should you regard an aspect of the application as unsatisfactory or propose any conditions to a heritage permit, please advise before issuing any notices so we might be able to address before issue. Should you have any queries, please do not hesitate to call.

Yours sincerely,



David Wagner