

7 March 2023

Manager  
 Planning Assessment  
 City of Sydney  
 GPO Box 1591  
 Sydney NSW 2001

by email to [dasubmissions@cityofsydney.nsw.gov.au](mailto:dasubmissions@cityofsydney.nsw.gov.au)

Attention Mr Joe Wang

DA/2022/826 - 79 Wigram Road Glebe 2037

Dear Mr Wang

This Development Application (DA) seeks approval to:

- Build a rear multi storey pavilion extension that will exceed the permitted height on Council's Height of Buildings (HOB) and Height of Storeys (HOS) Maps and proposes that a third storey can be read as an attic notwithstanding that it that does not comply with various applicable planning controls
- Excavate the rear garden to facilitate rear access from Wigram Lane for off street parking which will require the removal of an established tree

The submitted Architectural Drawings (Figure 1) highlights significant bulk and scale of the pavilion and how incongruous it will be to the character of the Toxteth Heritage Conservation Area.

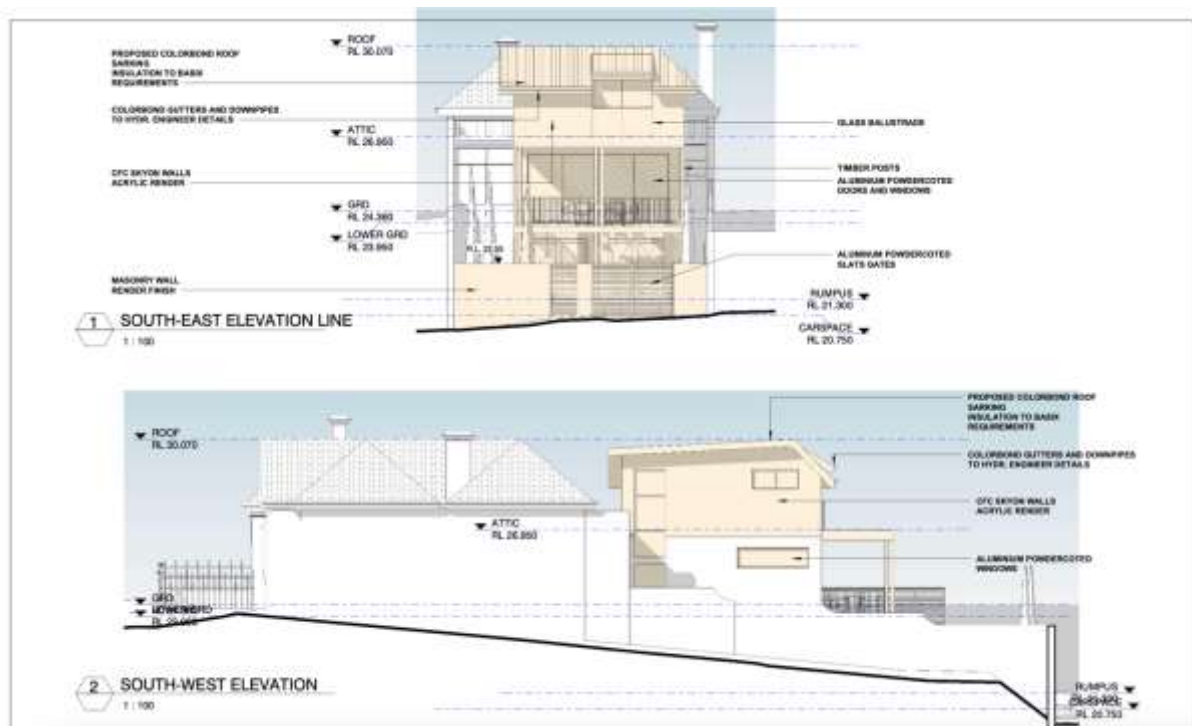


Figure 1- South East and South West Elevations of the proposed rear extension

The bulk and scale of this proposal would be more acceptable to the character of the Toxteth HCA if the following redesign were to occur:

- The external elevations to the master bedroom etc atop the rear extension reads as an attic entirely within a hipped roof profile
- All windows within the hipped roof to follow the controls for dormer windows
- Sliding doors with a glass balustrade that suggests a balcony profile are removed
- Tree replacement and appropriate landscaping be used to both maintain and improve the existing tree canopy whilst diminishing the impact of the height, bulk and scale of the development

It must be noted that Wigram Lane is more than a rear lane. It is the front street access and elevation to the terrace row development of Glebe Gardens Townhouse apartments. The subject site is located diagonally opposite.

## HERITAGE CONTEXT

The dwelling is one of a group of three Victorian or Italianate style villas located at 77, 79 and 81 Wigram Road Glebe and their architectural form and embellishments would suggest they were constructed by the same builder. The Glebe Society's research notes that by 1900 the 3 allotments were in the ownership of a James Stedman (a Sydney importer, later a successful confectionary manufacturer) after having purchased 2 of them from prominent local builder, Henry Beeson and who likely may have been the appointed builder of the group. Beeson built approximately 100 homes in Glebe between 1890 and 1920. Most are of the same style. The three dwellings have a history of common characteristics, remaining in the same ownership until 1952. (per research of land ownership records and Certificates of Titles).



Figure 2 – 79 Wigram Road Glebe

The dwellings are in the Toxteth Heritage Conservation Area (HCA) as defined within the City of Sydney Local Environment Plan (LEP) 2012 and is classified as a “Contributory Items” to the HCA.

Clause 3.9.14 (1) of the City of Sydney Development Control Plan (DCP) 2012 states:  
*Development to a heritage item or within a Heritage Conservation Area or special character area is to be consistent with the policy guidelines contained within the Heritage Inventory Assessment Report*

The Statement of Significance within the Heritage Inventory Assessment Sheet states:  
*...Contributory development displays the following characteristics: predominantly single storey scale, some two storey scale...*

Recommended Management provides SPECIFIC POLICIES and in relation to (b) Rear Development includes:  
*...Encourage Victorian style dormers which have less impact to the rear...*  
*...Do not exceed the existing built scale...*  
*...Encourage low impact single story additions...*

And for (f) Landscaping:  
*...Retain the high percentage of landscaping which contributes to the character of Glebe...*  
*...Encourage trees to provide visual consistency to inconsistent streetscapes...*

In the context of the above The Glebe Society Inc (TGSi) makes the following comments:

## COMPLIANCE WITH HERITAGE AND PLANNING CONTROLS

### Pavilion Addition

Section 4.1.4.4 of the DCP permits pavilion additions. Specific to this proposal is subclause (1) which reads: *“The roof pitch of pavilion additions must respect the roof pitch of the existing building, and be suitable to the particular building and its setting as shown in Figure 4.9 Example of a pavilion addition. “*

The DCP illustration example follows

Figure 4.9  
Example of a  
pavilion addition

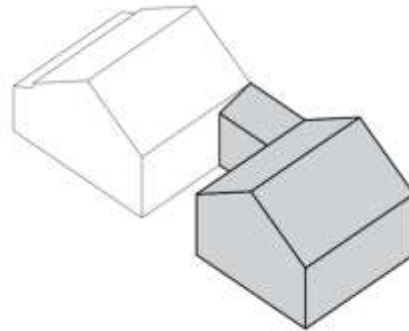


Figure 3 – indicative Pavilion addition as illustrated In the City of Sydney DCP

Regarding the existing setting, the original roof form is generally hipped around a central core, with one gable elevation facing Wigram Road. The identical original roof form exists at the adjoining 77 and 81 Wigram Road properties.

Both 77 and 81 have been consistent with their hipped roof forms for their respective rear extensions (see Figures 5 and 6).

Contrary to the above Planning Control and the overall setting of the 3 dwellings, the proposal seeks to ignore the hipped roof setting of 77 and 81 and propose a full height wall to the south west (visible from Wigram Lane) and north west elevations (not visible), and a mid-height wall to the other two elevations with a token representation of a hipped roof element.

The proposal can easily be interpreted as a three storey development as detailed in the south east and north west elevations images shown in Figure 1.. The full length window and double sliding door places the interpretation beyond doubt.

A 2 storey pavilion addition with a true attic in the roof proposal would still need to satisfy the Planning Controls in respect of the following:

### Additional Storeys

Section 4.1.4.6 states:

*Upper floor additions to the rear that retain the main form of a building and do not exceed the main roof ridge height are generally more acceptable than changes that alter the height, scale or form of the original building...*

*(1) Additional storeys to the main building or street frontage are generally not supported where:*

*(a) a building is part of an intact group or streetscape;*

*(c) the character of an area is part of its heritage significance and the additional storey would compromise the character.*

*(4) Where the rear of a terrace group displays a consistent form and strong rhythm visible from a public space, additions are restricted to the ground floor.*

It is clear that a third storey is not permissible in this location, however an attic within an acceptable roof form may be permitted and as such the roof form should satisfy the following Planning Controls.

## Ensuring Sympathetic Roof Alterations and Additions

Section 4.1.5.1 of the DCP states:

*(1) Roof alterations and additions must*

*(c) Respect the form, pitch, eaves and ridge lines of the original building*

*(6) Windows in roof extensions must relate to the proportion and orientation of the original windows in the building*

The proposal for the roof in its current form in respect to this Planning Control does not comply.

## Rear Roof Extensions

Section 4.1.5.5 of the DCP states:

*...“The design of rear roof extensions needs to consider impacts on the building’s heritage significance, particularly where it is part of an intact pair or row. This is particularly important where the rear elevation is visible from an adjoining public place such as a reserve, square, major street or laneway.*

*In the case of buildings greater than 5m in width, multiple traditional dormers maybe more appropriate solution than a single rear roof extension”*

All three in the group are directly visible to the rear from the Arthur (Paddy) Gray Reserve, with 77 and 79 being directly opposite. Both 77 and 81 have undertaken previous rear extensions that include consistent hip roof profiles.



Figure 4 – Rear 79 Wigram Rd  
Figure 5 – Rear 77 Wigram Road



Figure 6 – Rear 81 Wigram Road (with dormer)



Figure 7 – Glebe Gardens – Wigram Lane

The proposed window facing Wigram Lane, reads as a full length sliding double doors adjacent a glazed balustrade.

The proposal in its current form, does not comply with this Planning Control.

The proposal further overlooks the SPECIFIC POLICIES within the Heritage Impact Assessment Report as it relates to rear development (as stated earlier in this submission), they are to...

*...Identify and protect consistent rear forms...*

...Encourage Victorian style dormers which have less impact to the rear...  
as demonstrated by 77 and 81 Wigram Road and Glebe Gardens on the opposite side of Wigram Lane

## LEP Controls

The Height of Storeys Map (HOS) determines that the property is subject to a restriction of 1 storey and the Height of Buildings Map (HOB) determines that the property is subject to a 6m building height.



Figure 8 – HOS map



Figure 9 HOB Map

It is noted that the restrictions on HOB and HOS generally follow the same pattern in relation to the properties that front Wigram Road and Wigram Lane.

The Applicant has made a Section 4.6 Application for the City of Sydney not to enforce the HOB control. Amongst other justification, the Applicant nominates that the proposed works are similar to other rear additions with rear terraces of neighbouring dwellings that front Wigram Lane including the adjoining 81.

As indicated in Figure 6, the rear extension to 81 includes a hip roof profile with a compliant dormer window within the rear roof attic extension. Its bulk, scale and roof form are consistent with the immediate neighbouring characteristic.

The redesigned third storey as a true attic with the consistent roof form and dormer window(s) would greatly assist the Section 4.6 Application.

## LANDSCAPING

The proposal includes the removal of a small to medium tree from the rear landscaping to make way for an off-street parking facility with direct access to Wigram Lane.

The DA checklist for Residential “Alterations or Additions” requires an Arborist’s Report for the pruning or removal of a tree unless the tree is exempt from the provisions of the DCP. No such Report is provided.

A qualified Arborist’s Report will confirm the age, health and condition of the tree and whether it is acceptable for the tree to be sacrificed and replaced by one or more acceptable tree species.

The City of Sydney Landscape Code – Volume 1 also includes a DA checklist, including the requirements when removing trees to facilitate a Development.

The on line DA documentation for this proposal does not address this matter. It is particularly relevant for 2 reasons.

Firstly, the current City of Sydney Draft Urban Forest Strategy advises that the reduction in the tree canopy cover in Glebe on privately owned land is due to over development. The draft Strategy seeks to reverse the trend with increased targets at development time. Although the strategy and targets are in draft form, it

would be environmentally irresponsible not to replace this tree elsewhere within the landscaping if it must be removed.

The extent of canopy cover in Glebe between 2008 and 2022 is unacceptable.

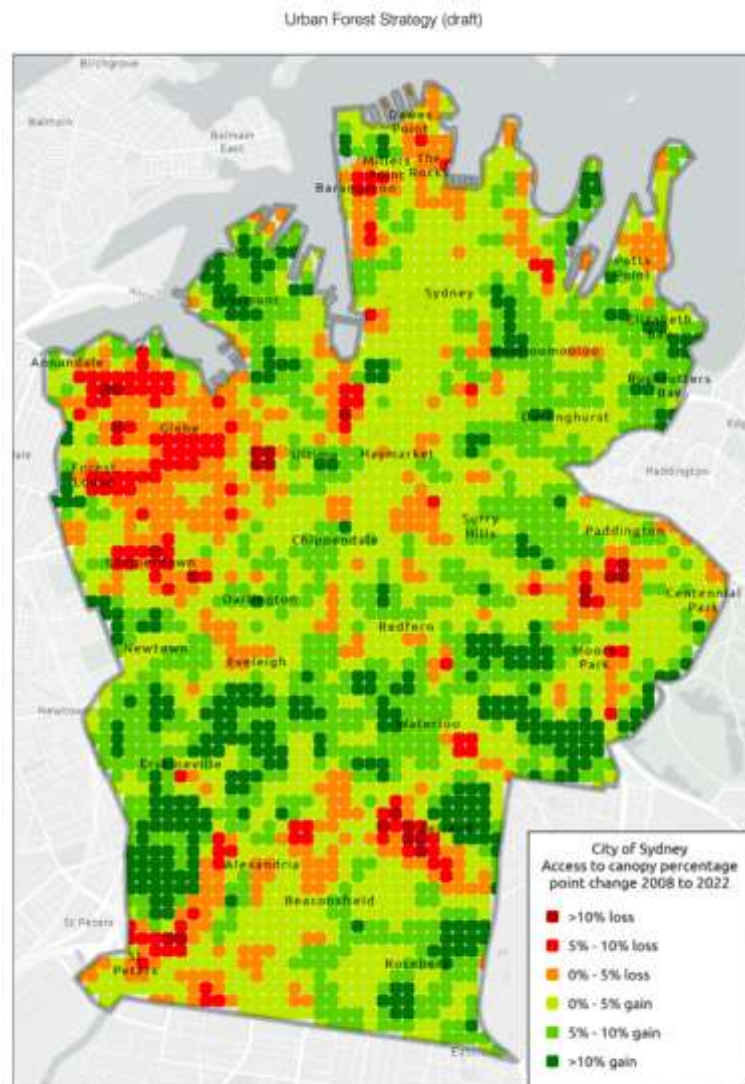


Figure 22: The gain and loss of access to canopy cover at the 100m radius buffer scale throughout our local area from 2008 to 2022.

Figure 10 – City of Sydney Urban Forest Strategy – Canopy Cover loss in Glebe since 2008

Secondly, the SPECIFIC POLICIES contained within the Heritage Inventory Assessment Report as they relate to landscaping are...

*...Retain the high percentage of landscaping which contributes to the character of Glebe...*

*...Encourage trees to provide visual consistency to inconsistent streetscapes...*

The above confirmation of the loss of tree canopy confirms that development has compromised these two listed policies

The existing tree assists to diffuse the current situation (see Figure 4), and its replacement together with additional trees will further soften the height, bulk and scale inconsistencies.

## SUMMARY AND RECOMMENDATIONS

This three-dwelling group of Victorian or Italianate Villas are largely intact across the Wigram Road elevations. All three have rear extensions undertaken at different times with the consistent characteristic of those extensions, particularly for 77 and 81 in that they have adopted a compliant hipped roof approach.

Wigram Lane has become something of second street following the Green Gardens Development such that it is no longer a traditional lane. It has direct access to the Arthur (Paddy) Gray Reserve immediately opposite the rear of 77 and 79.

The HOB and HOS controls, and therefore height, bulk and scale characteristics have been compromised by earlier developments and the Controls along Wigram Lane to accommodate those variations. That may warrant a balanced and measured consideration to future development.

However, the proposal for the master bedroom atop the rear extension reads as a third storey rather than a traditional attic, when viewed from the south west and south east elevations.

The bulk and scale of this proposal would be more acceptable to the character of the Toxteth HCA if the following redesign were to occur:

- The external elevations to the master bedroom etc atop the rear extension reads as an attic entirely within a hipped roof profile
- All windows within the hipped roof to follow the controls for dormer windows
- Sliding doors with a glass balustrade that suggests a balcony profile are removed
- Tree replacement and appropriate landscaping be used to both maintain and improve the existing tree canopy whilst diminishing the impact of the height, bulk and scale of the development

TGSI recommends that the City of Sydney request the above modifications be made to the proposal and that each is a condition of any DA approval.

Yours sincerely



---

Ian Stephenson  
President