

**WATERBROOK PRIVATE HOSPITAL, WAHROONGA
35 WATER STREET WAHROONGA**

DESIGN STATEMENT

DATE: 26TH FEBRUARY 2009

This Design Statement is provided predominately to address the Director-General's Requirements (DGR's), as issued by the Department of Planning (DOP) on 30 April 2008 (for Project Application MP 07_0151).

In particular, it addresses the Key Assessment Requirements of Urban Form and Design, Amenity Impacts on Neighbours as well as in part the Previous Land and Environment Court Judgements.

Site, Background & General Introduction

The site for the proposal is a significant and severely constrained site which serves to challenge and yet also drive the design of the proposal.

The property has been nominated for the State Heritage Register due to the heritage significance of the house known as Rippon Grange and its related landscape, gardens and support buildings. It also contains what is now acknowledged as an area of the Critically endangered ecological community (CEEC) Blue Gum High Forest (BGHF). It is located in a mostly residential neighborhood characterized by a wide variety of mostly single houses, interspersed with some institutional properties of varying scales, in a well established landscape setting.

Lack of attention and maintenance over a long period of time prior to the most recent purchase of the property, and a lack of certainty over its future means that the condition of both the heritage significant elements and the BGHF is highly degraded. To address this it requires a large initial investment of capital followed by a strong, ongoing (and costly) maintenance regime to enable their continued survival. This requires development of a scale sufficient to sustain this ongoing support while not having significant adverse impacts on the key features of the property and its surrounds, or alternatively, another as yet unidentified guaranteed source of ongoing funding.

The site has been the subject of two previous development proposals, both for Seniors Living type developments, which among other things served to draw out some of the key issues and relationships on the site.

The Land and Environment Court appeal, of which the first proposal was subject, served to clarify an agreed extent of BGHF, thereby allowing a more objective assessment of any impact subsequent proposals might have upon it.

Similarly the process of consultation with the State's peak professional Heritage body, the NSW Heritage Council/NSW Heritage Office (now the Heritage Branch of the DOP) throughout both previous applications also served to define what might be considered acceptable development in relation to the heritage significant items, areas and relationships.

As a result the proposed Hospital development is able to address these two main issues which the Court determined were the main reasons in upholding Councils rejection of the first proposal.

The proposed Hospital scheme includes the retention, conservation and adaptive re-use of Rippon Grange house to allow it to be viewed "in the round" within its restored landscape setting, along with the (modified) restoration of the existing pool and former stables building, all for use as common facilities for the hospital residents and visitors. This will enable it to remain as the focus of the development, along with the re-establishment of the connections between it and the main heritage landscape areas.

It also includes the introduction of a new hospital facility which is housed in three wings (Main, East and West) above basement parking accessed from both Water Street and Young Street. These buildings are described in further detail below.

The proposed landscape works (addressed separately to this statement) will enable the different layers of the original and existing landscape to be highlighted and strengthened, from the re-constructed BGHF to the exotic and heritage significant landscape features of the original arts & crafts gardens.

The response to the DGR's particular Key Assessment Requirements are as follows.

Urban Form and Design

Key matters to be addressed include:

- *Urban design, height, density, bulk and scale of the proposal in relation to the surrounding development, landscape and topography;*

Prepared at least in part in response to the Court findings, the Site analysis prepared for the second Seniors Living proposal identified the constraints and opportunities implicit on the site, and in effect determined the footprints of the new buildings. The same constraints and opportunities described in it are also applicable to this Hospital proposal, although the particulars of the brief for the Hospital require different responses and therefore different building forms to that required for a Seniors Living proposal, albeit within much the same envelope restrictions.

The constraints presented by the Heritage significant buildings, landscape and relationships, particularly to the northern part of the site, and the BGHF to the east and southern parts of the site mean the bulk of the built form is provided towards the centre, central west and south-western parts of the site. This has benefits in distributing this bulk away from neighboring properties and the street boundaries where the possibility of adverse impacts might be greater. Where the new built form is to be provided in some proximity to the boundary with the neighbours to the west and south west of the site, the building is situated a minimum of 10m from the boundary, to reduce any impacts and allowing the opportunity of substantial landscape screening to further mitigate any adverse impacts.

The proposed main wing is carefully located across the site and set back generously (18m) from the walls of Rippon Grange house. This allows the existing building to continue to be read as a free standing building located on the highest part of the site, and ensures the highly significant relationship between it and its formal garden components/spaces to the east and west (and to the pool) are maintained. (It should be noted that there is no evidence that any significant relationship between Rippon Grange house and the areas to its south, other than the pool, ever existed, and indeed the original gable roof of the garage precluded even a visual relationship between the main house and the former stables). The separation also allows the opportunity for substantial landscaping between the buildings, while the orientation and position of the new building in relation to Rippon Grange house, mean the full length of the new building is not read against the existing building. This, along with its modulated forms and considered use of materials helps reduce any adverse impact on the existing house.

The east wing is located to the east & south east of the main wing, directly to the south-west of the former croquet lawn and to the west of the existing pathway running north south through the site. An 11.3m separation is provided to the main wing to maintain a visual and physical connection between the landscape to the north (more formal, exotic landscape) and south (native bush landscape – BGHF) of these buildings. It's north elevation is set back from that of the main hospital wing in order to open up the outlook to the east from the east side of Rippon Grange house, and

it's modulated footprint & form is in direct response to the BGHF, with the aim of minimizing adverse impacts upon it.

The existing roof ridge of Rippon Grange house was recommended by the Heritage Council as a maximum height for any new buildings on the site, in order to maintain its predominance on the site. This has been adopted as a guiding principle for the new Hospital scheme. The main Hospital wing to the south of Rippon Grange house has a maximum roof height to the top floor no higher than the ridge of Rippon Grange house, and this height generally presents as approximately 3.5 stories to the carriage loop forecourt upon entry from Water St. The top floor envelope is also well setback from the main building line and broken up into smaller forms to reduce any impact upon Rippon Grange house in accordance with Heritage Office recommendations. This has the added benefit of allowing the existing landscape of mature trees to be read as a backdrop, as the property is entered from Water St. The new buildings also sit well within the height and scale of the existing mature trees that surround them, and the careful placement of the new buildings around the significant existing trees, based on detailed and specific arboricultural advice in each case, allows the new buildings to sit comfortably amongst them.

The east wing is of a similar height above ground to the main wing, but also steps down the site within its footprint, following the topography. Similarly the west wing steps down the site to follow the fall of the land, so as to limit any impacts upon neighbouring properties. Due to the closer proximity, it is designed to present a more domestic scale to the west boundary, and the built form is, for the most part, accordingly within the 45° height envelope plane suggested by the KMC residential DCP.

In relation to other neighbouring properties, the new buildings present varying heights. While the adjacent property in Water St (No 33) is an equivalent height to Rippon Grange house, the sloping site means many of the neighbouring properties, including those across Young St, are located downhill from the new buildings. This obviously requires careful management to minimize adverse impacts, and this is addressed by the location of the bulk of the new built form well away, and well screened, from those properties. This issue similarly occurs elsewhere in the surrounding area, such as the neighbouring properties in Billyard Avenue, where many houses of two levels present as three stories to the street or neighbours or with Knox Prep school in Cleveland Street, which towers over its (much closer) neighbours.

There is no FSR restriction on this site, however the density of the development is appropriate for the size of the site. The large site and scale of the existing landscape means that larger buildings can be accommodated with little adverse impact on the surrounds. The larger buildings here are also a result of the approach taken to increase the height of the buildings so as to reduce the footprint. The volume of accommodation provided is sustainable in terms of the capacity of the site and the surrounding community and indeed is arguably required to ensure the ongoing maintenance & viability of both the BGHF and the heritage items, to the benefit of the community.

The bulk and scale of the development is similarly appropriate to the size of the site, allowing enough accommodation to ensure the ongoing viability of the site, as noted above, while minimizing impact on the street and surrounding buildings with generous, landscaped setbacks. The bulk and scale of the new buildings will also fit comfortably within the mature landscape setting and in relation to the existing heritage listed items.

- *Impact on streetscape/landscape; and*

The overall development will have a positive impact on the streetscape due to the improvements in presentation to the street of Rippon Grange house and improvements to the landscape. The new buildings will have little real impact on the streetscape due to the extensive setbacks from both streets, including over 60m to Water St, and over 29m (including BGHF) from Young St.

Similarly there will be an overall positive impact on the landscape both on and surrounding the site, due to the proposed restoration works to the existing heritage listed landscape items and the BGHF.

- *Details of proposed areas of and nature of landscaping and open space.*

While the landscape works are generally detailed elsewhere, the net effect of the proposed works will help to restore both the heritage listed landscape elements and gardens to their former glory, and the BGHF to a more sustainable, viable and representative community. The formal landscape areas east and west of Rippon Grange house will also have their highly significant relationship to the house restored.

Amenity Impacts on Neighbours

- *Visual impact, privacy and overshadowing*

The site, despite its large size, has a limited number of neighbours – there are 8 bounding properties (not including 64 Billyard Ave, owned by the applicant) and there are between 7 and 12 properties across the road (Water St or Young St) that might be directly impacted. The size of the site and the restrictions imposed on the proposal by the site conditions alone limit significant amenity impacts on neighbours to those located adjacent to the western boundary and either end of the southern boundary.

The restrictions imposed on the site by the BGHF and the items/areas of heritage significance (including trees) mean that little or no amenity impact is likely for properties facing the site across Water Street and Young Street north of Randolph Street. Properties in Young Street south of Randolph Street, and the three central properties on the southern boundary (No's 50, 52 & 62 Billyard Ave) may have glimpses of the new buildings through the BGHF and new landscaping. However the distances both to property boundaries (from 30m to 56m) and to buildings (from 68m to 89m), in combination with the new and existing landscaping means that little amenity impact is likely.

The properties bounding to the west (33 Water Street, 3 & 5 Plymouth Close) and south west (44 & 46 Billyard Avenue) have the most exposure to the proposed new buildings, and the new buildings have accordingly been designed to address this. The bulk of the new built form is located towards the centre of the site. The proposed West wing is separated by a well planted boundary setback of min. 10m to the western and south western boundaries, and is scaled down in height and stepped down the hill so as to present a more domestic scaled impact. Indeed the bulk of the west wing is limited to three stories above existing ground level, and mostly falls within the 45° building envelope control plane from the boundary suggested by the KMC residential DCP. The southern façade of this wing, facing towards 44 & 46 Billyard Ave presents similarly as 2 stories of accommodation over a single story undercroft/service level, due to the slope of the land.

The fenestration facing the western boundary is all proposed to be screened to limit any privacy or overlooking issues while also limiting excess solar loading. Similarly there are limited window openings to the southern façade.

The western end of the main wing, which does present as 4 stories (plus a much recessed top floor) has more limited fenestration to lessen any impact on privacy. It should be noted that the roof height of the adjacent property at 33 Water St is higher than that of the proposed building.

The combination of the orientation of the site with the siting and design of the new buildings mean that there is only limited overshadowing of any adjacent properties. Those likely to be affected are the properties at 3 & 5 Plymouth Close (early morning 21 June), 44 Billyard Ave (mid day 21 June) and 46 Billyard Ave (late afternoon 21 June), however the new buildings are not likely to significantly affect the amount of direct solar access these properties already receive between 9am and 3pm, and each should still be able to receive the recommended amount in this period (noting that the solar access to 44 Billyard Ave may be affected by existing trees, including the Leightons Green Cypress's planted adjacent to the boundary by the previous or current owners of that property).

Previous Land and Environment Court Judgements

Key matters to be addressed include:

- *Outline/comparison of proposal with previous Court judgements;*

While we have provided a site plan indicating the outline of the first scheme that was the subject of the Court appeal, in comparison with the proposed Hospital scheme, it is our understanding that the bulk of this comparison will be described in the main Environmental Assessment.

- *Response to Court findings by proposal (ie how have concerns been addressed).*

The Court made a number of findings, the bulk of which were concentrated on the main issues of the BGHF and Heritage. However there was some comment made regarding "Context, siting and the character". The following is in response to those findings.

98 (part) As required by the Heritage Office it would need to be lower in height than proposed and under the 2001 'Conservation Plan' be single storey plus attic in height as a maximum. Therefore, any development within that curtilage would need to be subservient to the heritage significance of 'Rippon Grange'.

As recommended by the Court, the Hospital proposal is lower than the original (Court) proposal, and has been designed to comply with the recommendations of the Heritage Council and to be subservient to Rippon Grange, as noted above. The maximum height suggested by the 2001 Draft Conservation Plan referred to by the Court has been superseded by the Conservation Management Plan (issue C) which has in turn been endorsed by the Heritage Office, and the Hospital proposal complies with this.

99 The area of land that might be built upon would be much less than the proposed 22% site coverage. This can be confirmed by overlaying both the extent of the BGHF as identified by Dr Smith and the original heritage curtilage.

It should be noted that the heritage curtilage, including the original Draft Conservation Plan curtilage, does not preclude development, and indeed the heritage curtilage identified in the Heritage Council endorsed CMP includes the whole of the main site. The site coverage in the Hospital proposal, [16.8%] is significantly less than the 22% referred to by the Court.

100 *In particular Buildings B1 and B2 close to Rippon Grange are built within the original curtilage and in our opinion do not respect the heritage significance of the building and gardens. Buildings F, C and D are sited within the BGHF and would be likely to adversely affect the health and vigour of this critically endangered ecological community, Buildings B1, B2, F, C and part of A are also sited within the original heritage curtilage and we consider would adversely impact on the heritage significance of the Rippon Grange and gardens, Thus the proposal would have excessive site coverage, and encroach on the heritage significance of Rippon Grange house and its gardens and must fail as a result.*

The buildings nominated by the court do not exist in this proposal, and the whole site is now included as the curtilage. The main hospital wing is generally further to the south of the location of the original B1 and B2, in comparison with Rippon Grange house, is lower in height and complies with the recommendations of the Heritage Council in order to respect the heritage significance of Rippon Grange. Only one building (the East wing) directly impacts upon the BGHF footprint, and the impact of this is addressed extensively and separately to this statement. The overall site coverage of the proposed Hospital development is also significantly less than the original proposal.

We also take the opportunity here to respond to the additional Court finding:

62 *One would have thought that the importance of Rippon Grange and its setting would have become more clear with further historical information being obtained over the five year period between 2001 and 2006. Instead Mr Lumby supported a lesser curtilage.*

The Court presupposes that the 'importance of Rippon Grange... becoming more clear' necessarily means that it becomes more important. Indeed further historical information gathered on the property containing Rippon Grange as a part of updating the CMP for endorsement seemed to suggest the opposite was true. Similarly an increase in the curtilage does not mean an increase in area that cannot be built upon.