

Urban Design Review

for Ku-ring-gai Council

DA0327/13 742, 746-748 Pacific Highway, Gordon - The Lawson Clinic

AMENDED PLANS 3.1 – Report

Report Date: 20th February 2015

These amended architectural plans have been prepared to address concerns raised by the JRPP. This follows several rounds of previously amended documents to address urban design and development issues raised during extensive consultation with the proponents from Pre-DA, DA revisions to the DA and JRPP.

The following urban design comments reflect our consideration of the amended proposal DA4 dated 18th November 2014 (JRPP issue) and is in context of previously identified urban design deficiencies.

It is clear that such a facility is in the public interest.

At question have been the proposed schemes and their success (or otherwise) of addressing the site-specific urban design issues to ensure an optimal outcome for the community as a whole and to the adjacent neighbours.

To fulfil that public interest, the proposed scheme must demonstrate it will not have a detrimental impact upon the surrounding urban character, indeed, it should enhance it. In this regard, the importance of understanding the subdivision pattern, building typologies, their scale in terms of the figure/ground spatial relationship is critical to presenting a building form that responds to and does not adversely impact upon the site specific conditions of:

- adjacent low density R2 zone
- adjacent heritage precinct
- adjacent heritage conservation area
- heritage items on the site
- landscape character objectives for Ku-ring-gai
- specific topographical characteristics
- the redevelopment potential of neighbouring sites.

DA4 revision has substantially changed the proposed development with a reduction in proposed bed numbers of only one. Most significant is that the amended scheme has sought to better utilise the topography, which has enabled the building to be lowered by a floor level along the northern component without adversely affecting bed numbers.

This is to be commended as this alone has addressed issues of privacy and visual impact to the adjacent residence to the west (22 St Johns Avenue).

The amended proposal comprises:

- 64 bed mental health inpatient care facility
- car parking for 35 vehicles including 2 accessible spaces, ambulance bay and waste loading bay
- reconfiguration of an existing car park and upgraded pedestrian and vehicular access
- retention of N° 748 Pacific Highway (Windsor House known as the Lawson Clinic) that will continue its current use as an out patient clinic
- associated infrastructure – stormwater, (fire and electrical)

The following comments are under the key items identified by the JRPP to confirm whether previous issues have been adequately addressed.

Items raised in previous urban design reports for this development are encompassed in the JRPP categories and can be separately referenced if required.

1.0 JRPP issues as per proponent's response *Letter to Council*

1.1 Isolated Site – No 744 Pacific Highway

We have reviewed the submitted options A and B proposed to demonstrate 744 Pacific Highway (though 15% below the minimum site area for R4 development) can be redeveloped to its full potential with driveway access from either the Pacific Highway, or via a right of way on the subject site. A right of way was to be established along the southern boundary utilising the existing driveway of 742 Pacific Highway to access 744 Pacific Highway.

General comments on both options are:

- some relaxation for communal open space requirements will be necessary, although this could be provided as rooftop terrace area;
- some relaxation to heritage separation from Windsor House (N° 748) will be necessary but we consider a reasonable urban design argument could be mounted that the new development retains the existing subdivision pattern and rhythm of built form and the building height controls are likely to enable a satisfactory transition (subject to detailed heritage opinion);

- private open spaces that extend to the site boundaries are not supported. All setback zones are to allow for communal (strata) access and maintenance to landscape zones to ensure a consistent landscape quality can be achieved over the long term around all RFB developments which promotes the landscape character desired in Ku-ring-gai;
- there do not appear to be any main building entries, nor accessible paths of travel from the street to the front door and lift foyer. It is unclear how pedestrians enter the building.
- The need for a substation and its location should form part of the current subject proposal and be coordinated with future redevelopment of N° 744.

Option A: This option potentially frees up the street frontage to enable a site entry and street address for pedestrians entering the site (though none is indicated on the documents).

This option would achieve the better streetscape address by maximising the amount of front landscaping that is available.

However, there may be potential safety issues for vehicles trying to enter the site from the highway where another vehicle is trying to leave. This section of the highway starts the merge of three lanes into two. This may require specific on-site traffic management so cars can reverse and wait to allow entering cars free access off the highway despite the development likely being a total of only 12 units.

Option B: The street frontage is significantly impacted if a two-way driveway is accommodated directly from the Pacific Highway into the site in addition to a building entry (which does not appear on the concept). The impact is partly accentuated because the minimum street frontage (KLEP CL6.5) on a minimal lot size is 24 metres and 744 Pacific Highway has a frontage of 22.86 metres. A one-way driveway would not be appropriate given the highway location and need to allow vehicles to enter and leave the site without obstructing the traffic flow.

However, we also find that Option B will likely provide better sightlines for vehicles as the driveway access is wider and free of visual obstacles such as fences which is the case for Option A.

1.2 Setbacks to the northern boundary (heritage items) and western boundary (R2 zone interface) to be increased

The amended scheme slightly increases the northern setback by 500mm. This brings the building line into a range of 4.027 to 6.76 metres although it is noted that only 16% of the northern wall face (4.1 metres) is located at, or greater than, 6 metres from the boundary with the majority of building mass within the 4 to 5 metre range. This is not supported.

This lack of support should be understood in terms that acknowledge the stand alone heritage issues that a) the proposed setback technically meets the heritage requirements for St Johns Church and Windsor House; and b) the reduced building height (rather than the setback) has had the greatest impact on improving the overall interface between the St John's Heritage Precinct.

The proposed setback from the northern boundary is a related but slightly different urban design issue that needs to be considered in terms of proposed building typology/mass/form and its effect upon:

- Urban context - the figure-ground composition of surrounding urban fabric;
- Architectural sensitivity - the interface between land use zones and heritage items;
- Landscape character - whether it is able to provide sufficient screening and achieve the landscape character (subject to council's landscape officer's review);
- Available landscape area for perimeter planting - the paved outdoor space along the northern boundary reduces available deep soil to a range of 2.5 to 4.5 metres north and 5 metres from the western boundary (subject to council's landscape officer's review);
- Setback requirements for R4 - consistency with the setback requirements of RFBs, Commercial and Mixed-use residential development in the local centres that nominate a minimum of 6 metres as being required to deliver the desired Ku-ring-gai urban/landscape character. This considers their larger building typologies (compared to single residential dwellings) of which a hospital typology is more closely related to commercial building (in the absence of specific hospital development controls);
- Site location within the Local Centre - the site is on the fringe of the local centre and thus a more suburban interface rather than urban interface solution is appropriate; and
- R4 land use zone - future changes of building typology/height and/bulk on the neighbouring site, and specifically within the sensitive heritage context;
- Equitable setback obligations - the St Johns site being zoned R4 attracts future RFB setback and building separation obligations.

We generally agree with the proponent's interpretation that the existing context of the Op Shop and Church Hall could be considered institutional and that the proposed hospital is an extension of that institutional character.

Taking the existing context, we need to consider the building typologies and proposed setbacks in an institutional sense at the interface with St Johns. The proposed hospital is a large building (approximately 1224m² building footprint) with a northern wall length of 25.6 metres compared to the scale of St John's Church, Hall, Op Shop, and Windsor House, and a 60 metre wall length addressing neighbouring detached residential homes to the west. The need to provide setbacks that therefore complement the significantly differing scale of building typology is clear.

If we place this in the context of setback controls for all R4 zoned sites in Ku-ring-gai which apply to this site, we find a minimum of 6 metres (more on steep zone interface sites) is required in which to achieve Ku-ring-gai's desired urban and landscape character.

Again this is more acutely applicable to the subject site because it is located on the fringe of the Local Centre, and interfaces with R2 low-density residential dwellings on a falling topography to the west.

While an institutional use, the hospital is in a sub-urban rather than densely urban context. As such, the perception of differing scale of building typologies is emphasised or diminished in large part by the separation between built form (as well as height, articulation and architectural treatment of the built form etc) and the ability to provide landscape that establishes a continuity of character at the interface and how the spatial character and formal rhythm is perceived from the low density urban fabric (to the west and east). Additionally it must accommodate the possibility of a higher density bulkier RFB typology that foreseeably may replace the existing 'institutional buildings' (to the north).

The proposed setback to the northern boundary has not satisfied these considerations.

This leads into a further, related issue that has not been adequately addressed by the amended northern setback and this goes to equity of development potential.

As we have established, the St John's Church precinct in the area directly adjacent to the subject site is zoned R4.

Therefore, if the St John's site is redeveloped, (as has been indicated by the St Johns representative during submissions to the JRPP) the SEPP 65 (RFDC / Apartment Design Guide-Draft) building separations and rear and side setback requirements (ADG-CLs 2F and 2H) will need to be demonstrated (subject to meeting the sensitive heritage considerations within their own site).

Our review finds that the proposed northern setback does not adequately consider an equitable distribution of setbacks between the sites and is likely to impact upon the ability of St Johns to redevelop their site to its fullest potential. The St Johns representative expressed their potential interest in future redevelopment (subject to available future finance of which none was currently available), however, St Johns has not extinguished its right to future redevelopment in favour of the subject development.

A foreseeable counter argument is that the subject site is not an RFB development therefore the SEPP 65 separations do not apply. This is true, however, it still needs to ensure the neighbouring site

that is governed by SEPP 65 can meet its development obligations equitably. To ascertain that, we need to consider how the proposed hospital will function.

The proposed hospital is intending to accommodate patients in a residential capacity on a 24-hour basis (regardless that it will be short-term). The internal layout along the northern side supports this view, comprising of group lounges, an outdoor area and bedrooms.

Hence, its use would be considered on merit to require similar separation requirements for visual and acoustic privacy, landscape and outlook amenity if adjacent to a future RFB and vice versa.

It is further noted that commercial buildings also attract similar separation and setback requirements where adjacent to mixed use or residential development under Ku-ring-gai's Local Centre DCP.

The reduced setback on the subject site would potentially need to be accommodated on the St Johns site to achieve RFDC/ADG requirements. This is unacceptable.

It is reasonable to expect that all sites provide equitable setbacks between properties where future redevelopment may occur. Therefore, the subject development needs to observe a minimum 6 metre setback from their shared boundary with St Johns (measured parallel to the northern boundary alignment) so that St Johns is not hindered in its ability to redevelop the site under an R4 zone.

The proponents have argued that 4 metres is sufficient setback to enable adequate planting between the sites. However, our review finds that this is reduced down to 2.5 metres where the ground level, covered outdoor area is located. Further comments on landscape are subject to Council's landscape officer's review and outside the scope of this report.

As an observation, it remains unclear why the proposed northern setback has not achieved a minimum of 6 metres. This is in context of the properties to the south and south-east being zoned R4, with no heritage considerations yet the setback currently proposed to the south is approximately 26 metres. By contrast, the northern component is the sensitive part of the development with heritage items to the north, north-west and east and Heritage Conservation Area in close proximity and should be accommodating the 6 metre minimum setbacks.

Our urban design opinion is that an increased northern setback will further enhance the interface relationship to existing and future heritage setting and is likely to provide an unobstructed view to landscape from the Pacific Highway to the rear of N^o 748 (Windsor House) as one enters the site as a pedestrian. Further comments on heritage are subject to Council's heritage consultant and outside the scope of this report.

Amendments to the western setback also appear to be generally minimal in nature and confined to the recessed components rather than increasing the overall building line setback. However, this is generally satisfactory having been previously increased from earlier schemes. The reduction to building height, discussed in item 1.4 has assisted in reducing perceived impacts of bulk along the western side.

It is also acknowledged that the property owner at 3 Bushlands Avenue to the south expressed concerns about overlooking and general privacy amenity due to the proximity and height of the previous scheme.

The proposed setback to the southern boundary with 1 Bushlands Avenue (zoned R4) is 26.032 metres and the diagonal separation wall-face to wall-face to 3 Bushlands Avenue (zoned R2) is approximately 24 metres (measured from submitted plans). This adequately mitigates perceived adverse impacts and adequately considers the falling topography. Additionally, if the proposed building is moved slightly further to the south, we would expect to find that the setback from the southern boundary (1 Bushlands Avenue) and building separation (3 Bushlands Avenue) will satisfactorily address the concerns raised by these property owners subject to solar access comparisons to confirm there are no additional impacts.

The large southern setback provides generous available deep soil to ensure screen planting between the sites can be provided (that will not interfere with solar amenity) to enhance the landscape character.

Sought variations to building height controls and their impact on these interface properties are discussed in item 1.4 but we find proposed setbacks satisfactorily address the concerns of 3 Bushlands Avenue.

1.3 Measures to mitigate the effects of the long western elevation of the main building

Proposed continuous building length does not achieve an optimal context for the zone interface, however, can be generally supported. The western wall is articulated (although both receding and protruding elements are quite uniformly proportioned communicating no particular architectural hierarchy which will tend to dilute the effect of breaking the wall plane). While adequate, and a definite improvement in the resolution of the building base, the resolution of the western articulation could have been better composed.

The reduced height across the northern component has significantly addressed concerns of building bulk that accentuated the perception of excessive building length and is satisfactory.

Impacts to visual amenity caused by the excessive building length and height, and impacts upon privacy and solar access identified by the neighbouring property owner at 22 St Johns Avenue have been adequately addressed.

1.4 Measures to address or otherwise comply with the excessive building height at the northern and southern ends of the main building, taking into account its location at a zone interface

The reduced building height to the northern part of the western side adequately satisfies the performance objectives for the zone interface. Sought variations to building height at the south require further consideration.

Overall, the proposed amendments are supported as having generally attained an improved relationship to the ground plane, a more efficient use of building volume, and an improved interrelationship between building entry, treatment, patient and staff areas, landscape, and a generally better outcome for the neighbouring properties to the west.

This is discussed as follows:

Heritage interface - The amended scheme has decreased the building height across the northern component of the proposed hospital and relocated this mass to the lower ground level at the southern end where there had previously been a substantial wasted void.

The amended height results in the northern end of the hospital being below the ridge heights of the heritage item (Church) and below the Op Shop and Church Hall that are in close proximity to the shared boundary.

As such, the impact of building height upon the adjacent St Johns Heritage Precinct generally and cemetery in particular has been significantly reduced so the hospital no longer visually dominates the precinct.

R2 Zone interface - There remains a component towards the southern end that seeks to vary the permitted height of 11.5m by up to a maximum of 1.3 metres. The area of the variation has been somewhat reduced from the previous scheme.

This needs to be considered in combination with the proposed setbacks from the R2 zone to the west.

Our urban design opinion is that this variation can be accepted on merit for the following reasons: the overall design improvements, the overall reduced impact to the R2 zone, and that the area of non-compliance being confined. The maximum height variation being sought is stated as being

1.3 metres commencing along the edge of the western wall from a point approximately 8 metres north of the far southern end of the proposed building and extending across the width of the proposed building. The component seeking the greatest height variation closest to 3 Bushlands Avenue accommodates the fire stair, has no openings and is opposite the neighbouring garage located at the far rear of 3 Bushlands Avenue. This combination is not considered to present an unacceptable impact to the privacy or solar amenity of 3 Bushlands Avenue and we consider it unlikely to present future unacceptable outcomes if 3 Bushlands Avenue is redeveloped.

However, this support is qualified by being subject to the building being moved further south to achieve a minimum northern setback of 6 metres as previously discussed; that moving the building does not adversely and unacceptably impact upon the rear garden area or living spaces of 3 Bushlands Avenue; and that there is no area exceeding the permitted height in addition to the current sought variation. It is suggested the proponents investigate whether moving the building provides additional opportunities to further relocate building mass from the upper level to the lower level, which may mitigate the need for a cl 4.6 variation to height.

If there are no unacceptable impacts for the neighbouring R2 properties demonstrated, the proponent would need to demonstrate unequivocally why moving the building south cannot otherwise be done.

Setback - The amended proposal seeks to vary KDCP setback controls for a zone interface, however, we find that the amendments generally satisfy the objectives, that topography plays a role in the height variation, that the overall permitted height is appropriate for an interface site, and that the neighbouring properties will not be unacceptably impacted because the building mass that had previously caused the most impact has been removed.

1.5 Measures to mitigate the excessive height of walls for driveways to the south of the main building

The amendments are supported. There is an improved relationship of ground levels, impacts to N° 744 have been reduced, the car parks achieve an improved functional flow and building levels better relate to the finished ground levels at entries.

1.6 Demonstration that access to the area of open space to the south is practical and safe

Access is via a ramp (non-accessible) along the western side of the building or from the Lower Ground/Basement level at grade.

This addresses the previous issues with poorly coordinated ground levels.

It is noted that the proponent has stated that this garden area to the south is “*envisaged to have minimal use*” (*Letter to Council, City Plan Services, p6 item 2.6*). This further suggests the building

could be moved further south to enable a 6 metre minimum setback along the northern boundary as previously discussed.

1.7 Demonstration of compliance with the parking requirements of Council or RMS or proper justification for any variations

No urban design comment other than noting two accessible spaces are provided adjacent to the main building entry that can service both the day clinic (Windsor House) and the new hospital, which is supported.

The new car parking arrangement has rationalised parking areas and has better coordinated vehicular movements through the site.

1.8 Provision of a completely consistent set of amended plans

Satisfactory.

1.9 Address the non-complying stormwater drainage issues as per the Council officer's report

No urban design comment.

1.10 A building design that better adjusts to the significant north/south gradient of the site, that does not result in unused underbuilding void and reduces the impact on interface properties to the west, potentially by stepping the building into differing levels

Generally satisfactory – subject to achieving a 6 metre setback along the northern boundary and possibly exploring opportunities to relocate massing to available lower level void areas..

2.0 Additional Urban design queries and comments

2.1 Landscape

The additional pedestrian path along the driveway of N° 742 is supported in principle, however, it is unclear how this would operate if a vehicular right of way were initiated for redevelopment of N° 744. Also, this path terminates in stacked car parking spaces making its purpose unclear.

2.2 Built Form

It is unclear why there are aluminium shading devices on the southern façade as they are redundant for solar control although they may provide a design feature.

The fixed screen on the eastern facade is in front of a rendered and painted finished wall. This will need to be detailed to ensure the wall can be efficiently accessed for maintenance/repainting.

2.3 Infrastructure

There does not appear to be any provision for a substation on the site. It is foreseeable that one would be required. This should be accommodated at DA stage to ensure its position does not adversely impact on building entries, heritage item(s) or the landscape character.

2.4 Solar Access

It was previously requested that 'Views from the Sun' solar access diagrams be submitted as these clearly demonstrate all areas that receive sunlight.

Solar access diagrams are also to include 9am, 12pm and 3pm intervals generally and where detailed studies for mid-winter are provided, hourly intervals.

'Views from the Sun' solar diagrams are to include all surrounding built form adjacent to the site that is causing shadows or is being over-shadowed by the proposed development.

This is to ensure a clear comparison of impacts to all interface properties can be considered particularly when the building is moved slightly to the south.

3.0 SUMMARY

We find there is a public interest in the concept of a mental health facility on the site.

The amended application largely addresses the urban design issues raised during the DA process and JRPP review. There remains one key issue still to be addressed which is to provide a minimum 6 metre setback along the northern boundary with St John's Church measured parallel to the northern boundary alignment.