

HERITAGE IMPACT STATEMENT



No. 170 Derby Street, Penrith

April 2021 | J4870

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1.0 INTRODUCTION

1.1 Preamble

This Heritage Impact Statement (HIS) has been prepared in conjunction with a Development Application for the demolition of an existing building and the construction of a new childcare centre at No. 170 Derby Street, Penrith, New South Wales.

The site is located within the Penrith City Council area. The principal planning control for the site is the *Penrith Local Environmental Plan 2010 (LEP 2010)*. The subject site has no statutory heritage listings; however, it lies within the vicinity of a heritage item as identified by Schedule 5, Part 1 of the *LEP 2010*.

Under Part 5.10 of the *LEP 2010*:

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

(a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

This statement has been prepared at the request of the owners of the site and accompanies plans prepared by Cullen Feng Pty Ltd.

1.2 Authorship and Acknowledgements

This HIS was prepared by Elliot Nolan, B.A. (Anc.Hist.Hons), M. Mus.Herit.Stud., M.Herit.Cons (cand.), and James Phillips, B.Sc. (Arch.), B.Arch., M.Herit.Cons. (Hons), of Weir Phillips Heritage and Planning.

1.3 Limitations

An assessment of the site has not been provided because the site has no statutory heritage listings.

No Aboriginal or historical archaeology was carried out on the site.

The item within the vicinity of the site was viewed from the public domain only.

1.4 Methodology

This assessment has been prepared with reference to the *NSW Heritage Manual* update *Statements of Heritage Impact* (2002) and with reference to the Council planning controls listed under Section 1.6.

1.5 Physical Evidence

A site visit was carried out in April 2021. Unless otherwise stated, the photographs contained in this statement were taken by the authors on this occasion.

1.6 Documentary Evidence

1.6.1 Heritage Listing Sheets

- 'Victorian cottage', No. 163 Derby Street, Penrith. Item No. 698.

1.6.2 Planning Documents

- *Penrith Development Control Plan 2014*.
- *Penrith Local Environmental Plan 2010*.

1.7 Site Location

No. 170 Derby Street is located on the southern side of Derby Street between Evan Street and Doonmore Street (Figure 1). The site is identified as Lot 2, D.P. 109053.

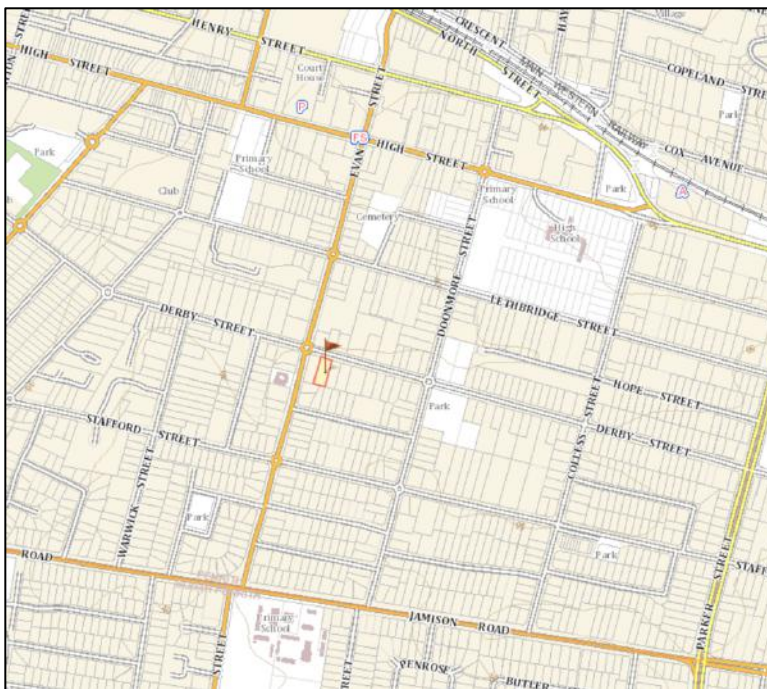


Figure 1: No. 170 Derby Street. The site location is outlined in red.
SIX Maps, 2021

2.0 ASSESSMENT OF SIGNIFICANCE

2.1 Summary of Statutory Heritage Listings

No. 170 Derby Street, Penrith:

- Is not listed as a local heritage item under Schedule 5, Part 1 of the *Penrith LEP 2010*.
- Is not listed as a State heritage item under the auspices of the *NSW Heritage Act 1977*.

- Is not located within a Heritage Conservation Area under Schedule 5, Part 2 of the *Penrith LEP 2010*.

2.2 Heritage Items Within the Vicinity of the Site

Refer to Figure 2 which shows a heritage plan from the *Penrith LEP 2010*. In this plan, heritage items are coloured brown and numbered and Conservation Areas are hatched red. The subject site is coloured red and annotated 'Site'.

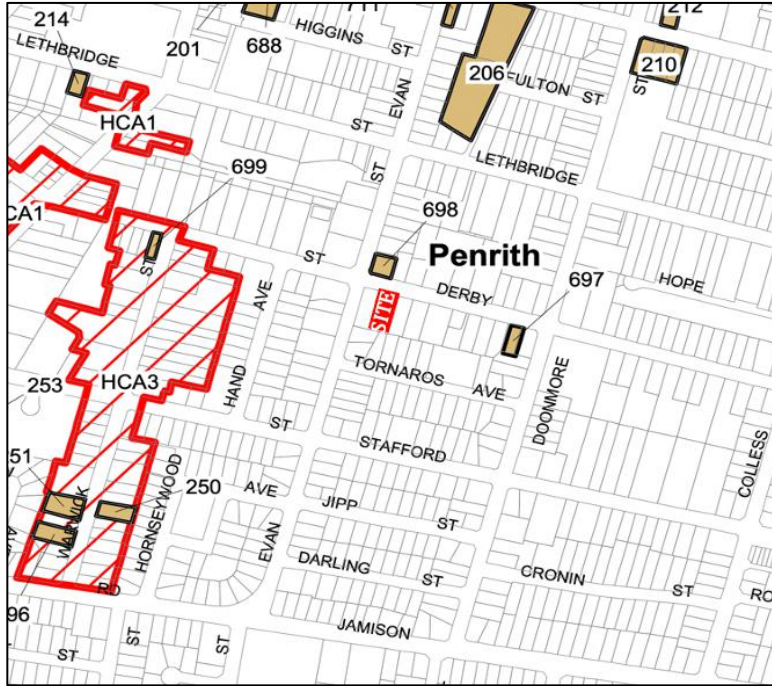


Figure 2: Detail of heritage plan showing heritage items in relation to the subject site.

Penrith LEP 2010

For the following, 'within the vicinity' has been determined with reference to physical proximity, existing and potential view corridors and the nature of the proposed works.

2.3 State Listings

There are no heritage items within the vicinity of the subject site as identified by the *NSW Heritage Act 1977*.

2.4 Local Listings

There is one heritage item within the vicinity of the site as identified by Schedule 5, Part 1 of the *Penrith LEP 2010* as follows:

2.4.1 'Victorian cottage', No. 163 Derby Street, Penrith

This item is located to the northwest of the subject site and is separated from it by Derby Street at a distance of approximately 30m. It is marked '698' in Figure 2 above.

2.4.1.1 Description

The State Heritage Inventory provides the following description for this item:

The item is a cottage at the corner of Derby Road and Evans Street. The brick cottage symmetrical elevation to Evans Street with a centred door and flanking sashed windows with half-round heads. The hipped roof is sheeted in corrugated metal and a pair of brick chimneys with corbelled stringcourse and capital. The verandah

with a bell-cast profiled roof which returns along the side and rear elevations. This large suburban allotment includes a mature tree which is a remnant of its early garden setting. The house is prominently sited at the intersection of two roads.

Refer to Figure 3 which illustrates the item.



Figure 3: Looking towards the item on the northern side of Derby Street.

2.4.1.2 History

The State Heritage Inventory provides the following history for this item:

Part of the Lambridge estate village subdivision of the 1880s.

2.4.1.3 Significance

The State Heritage Inventory provides the following Statement of Significance for this item:

A very good example of a Victorian style of residence that displays a high level of intactness of original detail and retains key features of its remnant garden setting. The dwelling exemplifies the range of building styles from the 1880s to the 1960s in Warwick Street Conservation Area.

2.4.1.4 Setting

This item is located in a residential setting with mainly one-storey dwellings (some with first-floor additions) ranging in date from the Victorian, Post-World War II periods with later infill. To the east of the item is No. 161 Derby Street, a single-storey Post-World War II building, currently used as a commercial tenancy. To the west, on the other side of Derby Road, is Nos. 165-169 Derby Street, a three-storey residential flat building. There are several three-storey residential flat buildings to the north of the item, along Evans Street.

Refer to Figures 4 to 5 which illustrate the streetscape.



Figure 4: No. 161 Derby Street to the east of the item.



Figure 5: Nos. 165-169 Derby Street to the west of the item.

2.4.1.5 View Corridors

The principal view corridor towards this item from the public domain is from Evans Street, which shows the front elevation, or Derby Street, which shows the southern and eastern elevations. There are several trees planted within the item's curtilage which, when in flower, obscure the southern and western elevations. There is no vegetation along the eastern boundary of the item so that on approach from the east along Derby Street, the eastern elevation is highly visible.

The subject site has a high degree of visibility from the item as it is opposite to the south. Vegetation at the front of the site and established street trees presently obscure the building on the site from the item.

Refer to Figures 6 to 9 which illustrate view corridors towards and from the item.



Figure 6: Looking towards the item on approach from the east along Derby Street.



Figure 7: Looking towards the item on approach from the west along Derby Street.



Figure 8: Looking towards the item on approach from the north along Evans Street.



Figure 9: Looking south from outside the item towards the subject site.

2.4.1.6 Curtilage

This item has a lot boundary curtilage. It is identified as Lot Y, D.P. 389668.

3.0 SITE OF THE PROPOSED WORKS

For the following, refer to Figure 10, an aerial photograph over the site, and to the survey that accompanies this application. The subject site is outlined in white.



Figure 10: Aerial photograph of No. 170 Derby Street.
SIX Maps, 2021

The subject site comprises a large rectangular allotment with frontage to Derby Street. The lot contains a freestanding single-storey building set towards the front of the lot and oriented to Derby Street. The site is bound to the west by a timber paling fence, to the east and southwest by a metal fence, to the southeast by a metal fence on a block retaining wall. The total site area is 1,296m².

The building is predominantly constructed from weatherboard cladding with a hipped roof clad in terracotta tiles. The building, originally a dwelling, is now used as medical consulting rooms. It has undergone significant alterations and additions over time.

The front garden comprises a concrete paved parking area along the northern and eastern boundaries, as well as established trees and small plantings (described further below). A second concrete paved driveway runs along the western boundary to the rear of the site which is an open space with lawn and mature trees on the southern boundary. There is a timber shed with a pitched roof clad in corrugated steel located on the southwestern boundary.

The Arboricultural Impact Assessment (December 2020) by Bradshaw Consulting Arborists that accompanies this application assesses 24 trees on and within the vicinity of the site.

The following trees are identified.

- 1 x *Lophostemon confertus* (Brush Box).
- 3 x *Phoenix canariensis* (Canary Island Date Palm).
- 1 x *Eucalyptus tereticornis* (Forest Red Gum).
- 1 x *Corymbia maculate* (Lemon Scented Gum).
- 1 x *Grevillea robusta* (Silky Oak).
- 3 x *Ligustrum lucidum* (Privet).
- 1 x *Callistemon viminalis* (Weeping Bottle Brush).
- 5 x *Lagerstroemia indica* (Crepe Myrtle).
- 4 x *Archontophoenix cunninghamiana* (Bangalow Palm).

- 3 x *Washingtonia robusta* (Cotton Palm).
- 1 x *Cupressocyparis leylandii* (Leighton Green).

Refer to Figure 11, which reproduces a location map of the trees assessed.

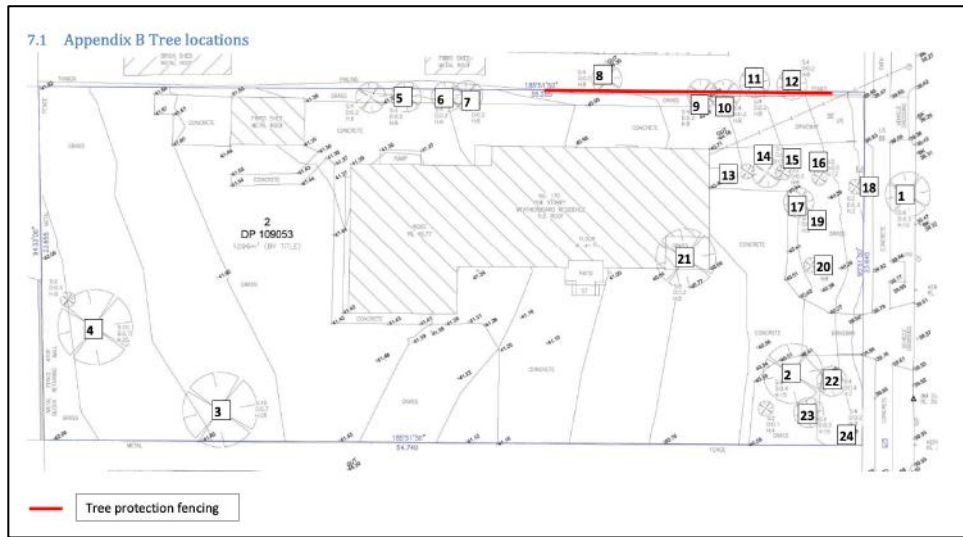


Figure 11: Tree locations.
Bradshaw Consulting Arborists, 2020

All 24 trees have been assessed to have very low to moderate landscape significance and retention value.

Refer to the photograph on the front of this statement and to Figures 12 to 18 below, which illustrate the site of the proposed works, including the trees proposed for removal.



Figure 12: The front elevation of the building, including a view of Tree 21 (Canary Island Date Palm).



Figure 13: The western elevation showing the front entry.



Figure 14: Rear elevation.



Figure 15: Shed at the rear of the site.



Figure 16: Rear garden.



Figure 17: Driveway on the western boundary.



Figure 18: Parking area on the eastern boundary.

4.0 THE PROPOSAL

The following should be read in conjunction with the plans prepared by Cullen Feng Pty Ltd that accompany this application:

It is proposed to remove all the existing structures and majority of the vegetation and to construct a new two-storey (plus basement) childcare centre. The following is noted:

- The childcare centre will accommodate 80 children between the ages of zero (0) to six (6) with a total of four (4) classrooms.

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- The basement will comprise 13 car spaces for staff members and eight (8) car spaces for visitors for a total of 21 car spaces.
 - The basement will have separate entry and exit driveways in a similar location to the existing driveways.
 - There will be new vegetation planted along the northern, southern, eastern and western boundaries.

The following materials and finishes include the following:

- Rendered and painted walls.
- Timber-look cladding in similar tone to Western Red Cedar.
- Powdercoated aluminium in Dulux Platypus Kinetic Pearl or similar – windows and doors.
- Powdercoated aluminium perforated screen in light bronze – signage.
- Aluminium-framed glass screens.
- Painted timber lapped and capped fencing.
- Painted or powdercoated metal balustrade fencing.
- ColorBond Matt Basalt - roof and wall cladding.

5.0 EFFECT OF WORK

5.1 Methods of Assessment

The following is a merit-based assessment. It does not consider compliance or otherwise with Council's numerical controls except where non-compliance would result in a heritage impact. Refer to the Statement of Environmental Effects, prepared by others.

The following assessment is made with an understanding of the objectives and controls provided by the *Penrith LEP 2010* and the *Penrith DCP 2014*.

5.2 Effect of Work on Heritage Items Within the Vicinity

'Victorian cottage', No. 163 Derby Street, Penrith

The proposed works will have a minimal and acceptable impact on this heritage item for the following reasons:

- The area immediately within the vicinity of the item is largely characterised by two and three-storey buildings along Derby and Evans Streets. These buildings are greater in height and scale than the proposed childcare centre.
- The item is located to the northwest of the site and is separated from it by a distance of approximately 30m.
- The proposed building will not block or reduce significant view corridors to and from the item because appropriate front setbacks have been provided. The front elevation of the item is best viewed from Evans Street.
- The building will be two-storeys in height which is consistent with the prevailing pattern of development in the area surrounding the item, which includes buildings of up to three-storeys and which are greater in scale than the proposed building.
- The proposed building is well-designed and well-articulated. The façade composition includes vertically proportioned windows and a porch with powdercoated aluminium posts which will help it to relate to the Victorian style of the item, while remaining clearly contemporary in its materials.
- The use of neutral, plain colours in the form of warm grey render will enable the building to be unobtrusive in the setting of the item.
- The building will be set back from the front boundary and otherwise screened by vegetation which will help to integrate it into the streetscape over time.
- The proposed signage is consistent with the controls provided by Section C9 of the *DCP 2014* and will not be intrusive in the setting of the item.

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- The proposed works will, overall, have no impact on the ability for the public to understand or appreciate the historic and aesthetic significance of the heritage item as a cottage constructed in the Victorian period.

6.0 CONCLUSION

This Heritage Impact Statement has been prepared in conjunction with a Development Application for the removal of an existing building and the construction of a new childcare centre at No. 170 Derby Street, Penrith, New South Wales. The subject site has no statutory heritage listings but lies within the vicinity of a heritage item under Schedule 5, Part 1 of the *Penrith LEP 2010*.

The proposed new childcare centre will have a minimal and acceptable impact on the setting of the heritage item because it is sufficiently separated from the item and will not block view corridors to and from the item or have any impact on its fabric. The proposed building is well-designed and will sympathetically relate to the style of the period while reading as contemporary in its materiality. The building will be unobtrusive in the setting of the item due to its neutral, plain colours and vegetation that will help to integrate it into the streetscape.

The proposed works fulfil the aims and objectives of the *Penrith LEP 2010* and the *Penrith DCP 2014* by improving the quality and diversity of childcare options in Penrith while respecting the heritage significance of the area in which it lies.