

## MEMORANDUM

TO	Lara Fiscalini, City of Yarra	FROM	Anita Brady
RE	Victoria Gardens Expansion, 1-9 Doonside Street, Richmond	DATE	20 June 2022

### Introduction

This memorandum addresses a Section 96A Planning Application, for a combined planning scheme amendment and permit application, for the above property (your reference CREF22/00105) and specifically in relation to heritage. The application relates to a proposed major development of land associated with Victoria Gardens, albeit the heritage consideration is confined to works to, and development adjoining, the Loyal Studley Hotel at 53 Burnley Street, Richmond. The latter has an individual Heritage Overlay (HO374), and Council seeks a review of the proposal with specific reference to the potential heritage impacts on the historic hotel.

In relation to the planning application, the following have been reviewed here:

- Heritage Impacts Statement prepared by Bryce Raworth (March 2022, referred to below as the 'HIS report')
- Architectural plans and drawings prepared by Cox Architects (March 2022)
- Planning Report prepared by Urbis (April 2022, referred to below as the 'Planning Report').

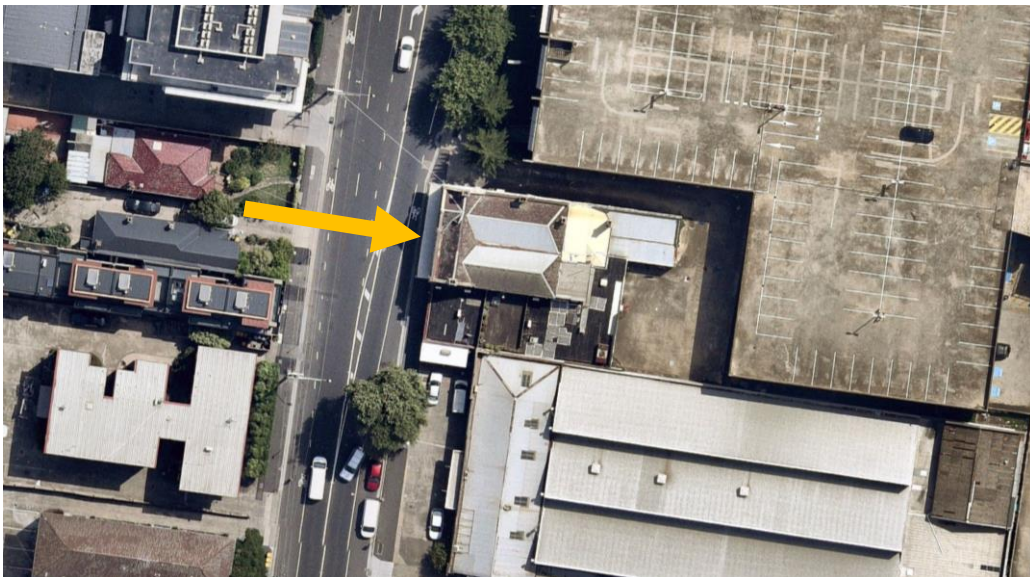


Figure 1 Recent aerial photograph, with the historic hotel indicated, facing Burnley Street  
Source: Nearmap February 2022

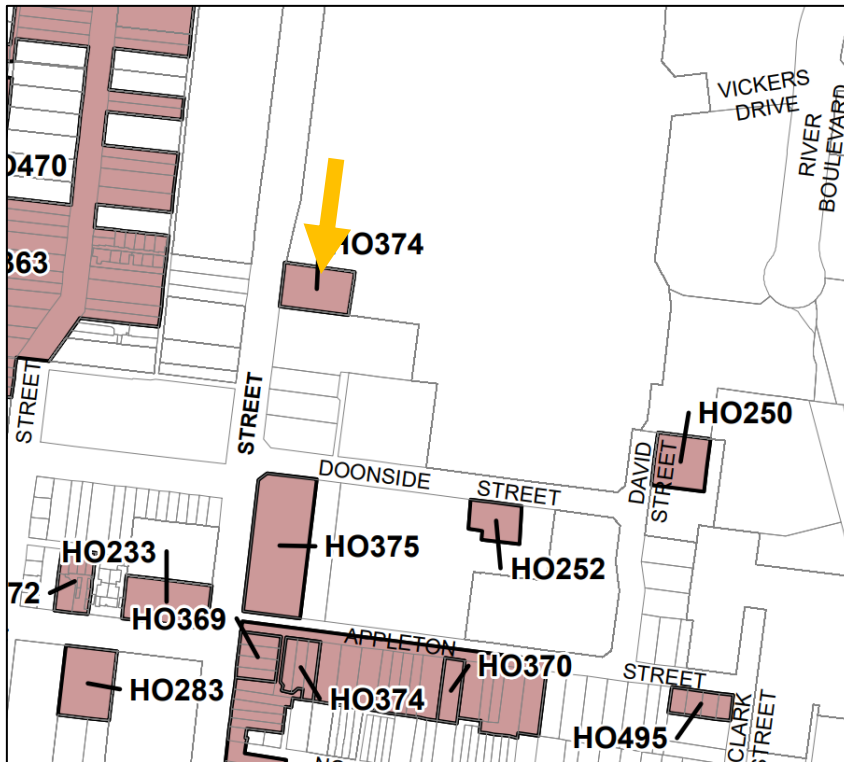


Figure 2 Yarra Heritage Overlay map, with the subject property indicated (HO374)  
Source: Planning Schemes Online



Figure 3 Former Loyal Studley Hotel

### *Design & Development Overlay*

The subject property is included in DDO2, 'Main Roads & Boulevards'. The 'Design objectives' include reference to heritage, as follows:

- To retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.
- To reinforce and enhance the distinctive heritage qualities of main roads and boulevards.

The property is also included in DDO9, 'Doonside Precinct'. While the 'Design objectives' do not reference heritage, the 'Design guidelines' do, as follows:

Before deciding on an application, the responsible authority must consider, as appropriate:

- The effect of the development on the identified heritage places within the precinct.

It is also noted that the Section 96A Planning Application seeks the deletion of DDO9, including its height limits, largely on the basis that when it was introduced into the planning scheme the surrounding area was largely industrial and since that time a number of apartment buildings have been approved and/or constructed.

The DDOs are not further commented on below.

### **Description**

The Loyal Studley Hotel is a two-storey over-painted brick building constructed in 1891 (HIS report identifies 1892), which has been altered and extended over time.

The following description is downloaded from the HERMES database:

This two-storey English Queen Anne revival style hotel has a red brick (painted over) asymmetrical facade, with extensive render dressings, and a gabled main roof with slate cladding. The left facade bay is in a gabled parapet form with the hotel name and date, as an abstracted cartouche, and an upper triangular panel, with a moulded cartouche, finial, and scrolls supporting a Tuscan pier, with a balloon. The upper level facade has three windows to each facade bay, with ogee heads and apronwork below cills. The window heads penetrate the frieze mould below the deep dentilated cornice. The roof had terra-cotta crestring and three chimneys with deeply moulded cornices.

The cantilevered verandah is an addition and, typical for a Victorian-era hotel, the ground floor facade has been altered. All of the brickwork has been painted and some roof slates replaced, along with the terra-cotta crestring. These changes either apply to areas of low stylistic expression, such as the ground level facade, or are reversible in terms of the significant upper level (paint removal).

And from the HIS report (p.4):

Historical photographs show that a small single storey addition was made to the south of the facade by 1945, presenting to Burnley Street with a ground

floor treatment that matched the original building. This addition has been further extended in more recent times, and flat roofed additions made to the rear wing.

The Loyal Studley Hotel is associated with a much larger area for which the planning scheme amendment (Victoria Gardens Expansion) is proposed. Within this larger area, it is specifically located in an area described in the Planning Report as the Doonside Precinct (1-9 Doonside Street, Richmond), which contains seven land parcels. The subject site, at 53 Burnley Street, is one of the land parcels. It adjoins, on its north and east sides, the existing Victoria Gardens Centre.

### **Significance**

From the HERMES database (and identified as being from the Yarra Yarra Heritage Gap Study (2007):

What is significant?

The former Loyal Studley Hotel at 53 Burnley Street, Richmond is significant to the extent of the nineteenth century fabric.

Built in 1891 for owner Patrick Carmody, the hotel was designed by architect James Wood in the English Queen Anne Revival style. It is a two-storey red brick (since over-painted) building with an asymmetrical facade, extensive render dressings and a gabled main roof with slate roof-cladding.

Non-original alterations and additions to the building are not significant.

How is it significant?

The former Loyal Studley Hotel at 53 Burnley Street, Richmond is historically, socially and aesthetically significant to the locality of Richmond and the City of Yarra.

Why is it significant?

The former Loyal Studley Hotel is aesthetically significant (Criterion E):

-as an early example of the English Queen Anne Revival manner, applied to a suburban hotel, despite alterations.

-as a stylistic precedent for later architecturally significant hotels, such as the Perseverance and the Daniel O'Connell, built up to twenty years later, and the work of the talented architect, James Wood.

The former Loyal Studley Hotel is historically and socially significant (Criteria A & G):

-as a public gathering place over a long period and the site of one of the key hotels in the small nearby Yarraberg settlement over an even longer period.

### **Proposed development**

The proposed development will be located to the south and south-east of the historic hotel. There will be no change to the north of the hotel.

The proposal for the Doonside Precinct, as per the Planning Report (p.8), is as follows:

The permit application proposal is for the development of six key buildings, across one, predominately two-storey mixed-use podium (containing a mix of retail and commercial uses), and a two storey basement car park. The six buildings including two taller residential buildings: Buildings 2 and 3 are between 14 and 16 storeys in height, and four perimeter residential apartment buildings: Buildings 1 and 4 to 6 which range between 7 and 10 storeys. Publicly accessible open space is integrated throughout the development, including pedestrian linkages, forecourts and a Market Hall.

And (Planning Report pp. 36-37):

The proposed development comprises six (6) distinct building forms integrated with the existing heritage building at No. 53 Burnley Street, which are all interlinked through the podium levels, shared walkways and open space areas...The proposed development will also integrate with the existing built form of the Victoria Gardens Shopping Centre to the north.

...Building 1 is proposed to front Burnley Street and Buildings 4, 5 and 6 will front Doonside Street. Buildings 2 and 3 are setback behind, internal to the subject site. All buildings with a frontage to Burnley or Doonside Street have a podium presentation to the street.

Regarding the historic hotel (Planning Report pp. 75-76):

The proposal seeks to retain most of the front portion of the existing two-storey brick building, while the rear portion of the building will be demolished to allow for the new development...

The demolition works proposed are contained to the rear portion and southern wing of the building, including later alterations and additions which are of no heritage significance.

The primary, three-dimensional heritage fabric of the Former Loyal Studley Hotel is to be retained, and restored and integrated appropriately into the design of the new built form to be adapted to return to its original use as a Hotel/Pub.

...The form and materiality of Building 1, including the use of light grey precast concrete, terracotta tiles, dark metal balustrade and clear glazing, will ensure the new development is visually disparate from the original, retained heritage fabric, particularly considering the proposed setback.

The ground level additions will be located to the rear and adjacent to the heritage place, providing new life to the building and connecting it with the surrounding contemporary development.

From the HIS report (p.17 onwards):

The works will also involve demolition of part of the former Loyal Studley Hotel, including the whole of the rear wing including the skillion and flat roofed elements, and the single storey addition to the south of the facade. The main two storey envelope with hipped roofs will be retained to a depth of approximately 16.8 metres and incorporated into the new development,

albeit with some alteration. This includes the removal of one door and a 2.5 metre length of wall to the ground floor of the north elevation to create a new opening.

The multi-storey form of Building 1 is to be constructed partially within the HO374 area. As presents to Burnley Street, Building 1 will have a two storey podium form. The west elevation of the podium is set back 2.5 metres from Burnley Street and there is a 5.4 metre wide void to the south of the retained heritage building. The height of the podium approximates the level of the chimneys to the heritage building.

The tower element of Building 1 rises to a maximum height of ten storeys to the rear of the retained heritage building, at a setback of approximately 15.7 metres from the facade...The tower levels to the south have a 5.5 metre setback from Burnley Street and 9.5 metre setback from the south elevation of the heritage building.

HIS report (p.20):

As part of the proposal, it is recommended that conservation works are undertaken to the retained portion of the heritage building, as this will help to maintain the heritage significance of the place. While such works can be guided by historical photographs of the place, a detailed inspection of the subject site would be required to confirm the appropriate scope. It is suggested that such works would include removal of non-original paint and redundant accretions, repair of roofing, pointing, decorative cement dressings and timber framed windows as required, as well as introduction of a sympathetic ground floor facade treatment. A schedule of conservation works could be prepared as a condition of any permit issued for the redevelopment.

### **Analysis of heritage issues and comments on heritage impacts**

As noted, the focus of this analysis and comments is on the proposed development as relates to the historic Loyal Studley Hotel at 53 Burnley Street, Richmond, which has an individual Heritage Overlay control (HO374). Under the Overlay, external land development, building and paint controls apply, but no internal or tree controls.

The documentation in the Cox Architects plans, accepting that the plans cover a substantial development, is lacking in detail in relation to the heritage building, its treatment and the proposed adjoining Building 1. The elevations especially lack this detail, making it difficult to assess aspects of the proposal.

This analysis also recognises that this area of Richmond is anticipated to be subject to substantial development and that low-scale heritage buildings in the general area are, and will increasingly, be seen near and adjoining substantial modern buildings including tower developments. Developments of this type have already been constructed and/or approved in the general area, as set out on p.23 of the 'Planning Report'. However, some of these are at some distance from the subject site, and not all adjoin or are in a Heritage Overlay place as is the case here. Nevertheless, this sets up a situation where the normally relevant parts of Yarra's local heritage policy at Clause 22.02 cannot be expected to fully apply; and nor those of the proposed new local heritage policy at Clause 15.03-1L (as per Amendment C269).

It is also understood that at present, and unlike some of the local and nearby areas where substantial buildings have been constructed and/or approved, the site of HO374 is not subject to a zone or a DDO or DPO which currently anticipates substantial height. This distinguishes the site, again at present, from similarly proposed developments immediately to the south on Burnley and Doonside streets.

Turning to the proposed works:

The proposed **extent of demolition** is acceptable. While the demolition to the rear includes original and early fabric, it is accepted that this is altered and/or utilitarian fabric, and on that basis is of more limited heritage interest. The main front part of the building, including the original primary roof form, is being retained, which is supported.

The proposed **conservation works** are also supported.

An **alteration to the north elevation** of the hotel building is identified in the plans (TP-15-03) as follows:

Existing door and wall to be demolished. nom 2.5m wide x 3.15m high

This alteration appears to be about one third(?) of the way along the wall, with the wall being highly visible to Burnley Street, albeit it is a side wall. The HIS report describes it as 'the removal of one door and a 2.5 metre length of wall to the ground floor of the north elevation to create a new opening'. There is otherwise limited detail provided in the documentation.

On the impact of this work, the HIS report also notes:

The opening to be introduced to the north elevation of the hotel is designed to provide connection with a new pocket garden that is proposed to the north side of the heritage building. Although these works involve removal of a section of original wall, the fabric is not of any particular note, being of conventional construction, while the existing door to be removed is not original. The opening is situated at a setback from the street, preserving the form of the west end of the building to the depth of the gabled bay. The new opening is a relatively minor alteration in a secondary elevation that can be accommodated without adverse impact.

Where the proposed opening will preserve the form of the gabled bay, then in a general sense this aspect of the proposal is acceptable. However, more detail would normally be required to confirm this conclusion, so the acceptability of the opening is qualified here. It is also recommended that the size of the opening be minimised, and that it be setback from the façade to Burnley Street and from the gabled bay visible to the north side wall, as far as possible.

Turning to the proposed **Building 1** which will adjoin the heritage building on its east side (up to 10-11 storeys) and will be set-off on its south side (up to 12-13 storeys). There are north and south sections to this proposed building. Also, to reiterate, the documentation in the architectural plans including the elevations make it difficult to assess aspects of the proposal, including the potential impacts as relate to Building 1.

The proposed materials are not commented on, other than to note that they are generally typical of the contemporary materials seen in similar developments, including developments which adjoin heritage buildings.

For the **south section of Building 1** there is a setback, or separation, of 5.2m to the south side of the retained part of the hotel building, which increases at the upper levels. This building, to Burnley Street, will also have a two-storey podium on its west side which will be set back from Burnley Street by 2.5m; this will place it behind the façade line of the hotel, which has no setback to Burnley Street. The west setback also increases at the upper levels. According to the HIS report, the height of the podium is approximate to the level of the chimneys to the heritage building. While this is difficult to discern from the documentation, it is acceptable if that is the case.

The location of the south section of Building 1 also appears to be outside the extent of HO374, and the HIS report describes it as being outside the Heritage Overlay. This means that the sensitivity of the proposed development to the south side of the heritage building is less, especially in this evolving area of Richmond. This, together with understanding that the overarching strategic direction of this general area will increasingly result in low scale heritage buildings being seen in close proximity to modern tower buildings, means that the south section of Building 1 is generally acceptable.

However, the **north section of Building 1** to the east side of the hotel is included in HO374 for a substantial extent; it also appears to have no setback or separation from the rear of the heritage building. While the new building will be constructed some 15.7 metres from the façade of the historic hotel, which equals the setback to Burnley Street, the fact of there being no setback from the rear of the heritage building to a 10-11 storey building, including no visual sense of separation, is problematic. There is also the matter of, as described in the HIS report, a 'small (1.1 metre) projection into the airspace above the rear plane of the former hotel's roof'. These appear to be vertical elements(?) to the west façade of the north section of Building 1, albeit again this is lacking in detail.

The combination of lack of separation, the 'projection into the airspace' above the rear part of the hotel, and the height of the proposed building, will result in an adverse impact. While the heritage policy is accepted to in part be set aside in this area, it is not to be set aside to this extent, especially where other current policy and strategic planning considerations do not at present give support for what is proposed for HO374. The general acceptability of the south section of Building 1, as currently proposed, also requires some greater balance or benefit to the heritage building with the proposed north section of Building 1.

Having regard for the above, it is recommended that the relationship between the north section of Building 1 and the retained hotel building, be improved. This can include one or in preference a combination of the following:

- Setback and separate the bulk of the north section of the new building from the rear of the heritage building, with a setback of about 2m recommended for the bulk of the building. This will provide the visual separation, as sought; it will also ensure that no elements (or architectural details) of the new building project over or intrude into the airspace above the heritage building. The lower levels of the north section, which are not visible from Burnley Street behind the retained heritage building or are of limited visibility, can adjoin or attach to the rear of the hotel and provide a link to the setback upper levels.
- Increase the north setback of the north section of the new building so that it is not fully sited behind the retained heritage building and frees up some space behind the building and in the north-east corner of HO374.
- Reduce the height of the north section of the building by a level.



The above suggestions would, in preference, require further review if implemented to confirm the acceptability of the outcome. Also, as emphasised here, the lack of detail in the documentation has implications for assessing aspects of the proposal, and making the recommendations included above. Again, further detail would be welcomed as well as an opportunity to review any/all of the above recommendations, where the plans are updated.