

# Local Planning Panel

3 July 2024

# Application details

422-424 Cleveland Street, Surry Hills

D/2023/997

Applicant: Toga Development and Construction

Owner: Toga Development No.38 Pty Ltd

Architect: EM BE CE

Planning: Planning Lab

Heritage: Curio Projects

# Proposal

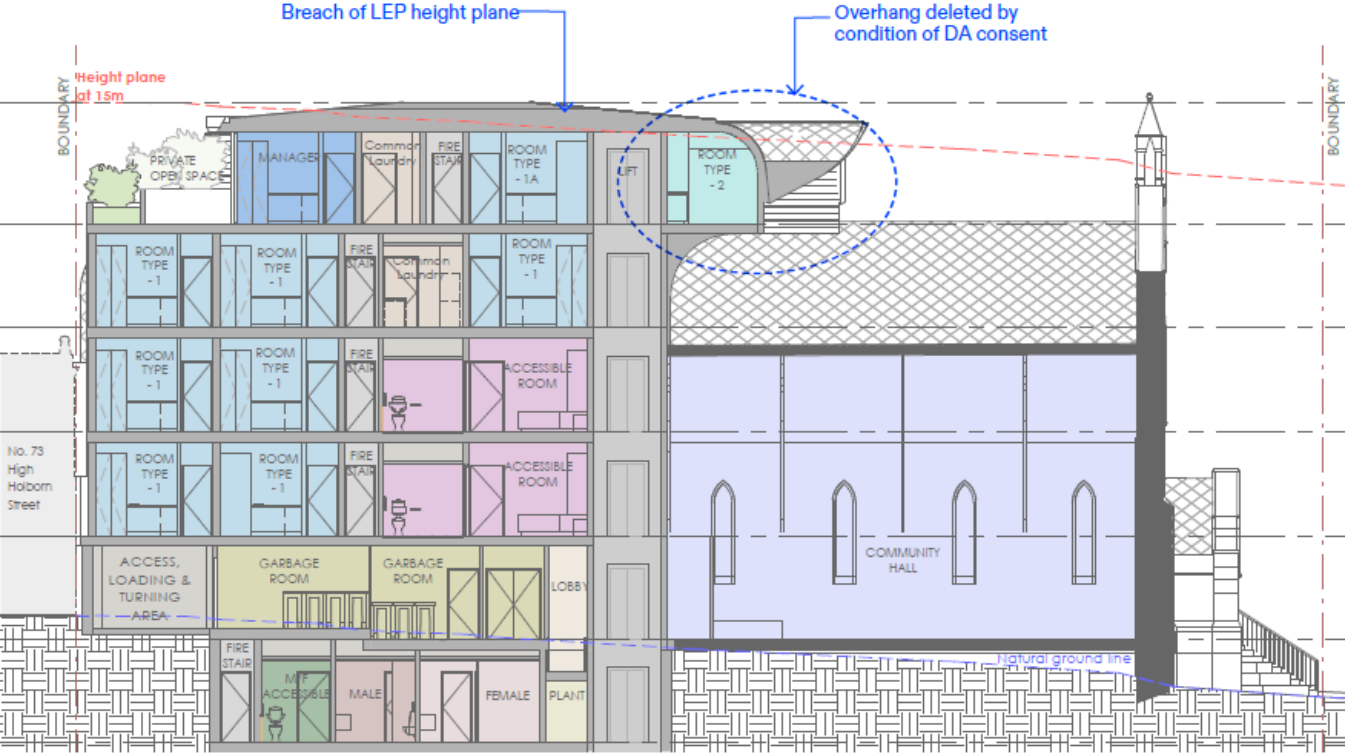
alterations and additions to the existing 'Kirk' church building to deliver a mixed-use commercial development with a five storey rear addition and excavation to create a single level basement.

proposed uses comprise a licensed restaurant on the ground and part of the first floor, with commercial office tenancies within Levels 1 to 4 of proposed rear addition.

# Recommendation

approval, subject to conditions of consent

# Existing Consent (D/2020/993)



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Render Images from previous approved DA

# Proposal



# Proposal



# Proposal





# Proposal



# Notification

- exhibition period 15 November 2023 to 14 December 2023
- 299 owners and occupiers notified
- 13 submissions received



# Submissions

Issues raised in submissions:

- overshadowing
- noise
- visual privacy
- parking and servicing
- Goodlet Lane access
- excavation

# Submissions



-  subject site
-  submitters

# Site





front of site viewed from Cleveland Street looking north



front of site looking north-west along Cleveland Street



front of site looking north-east along Cleveland Street





rear of site looking south down High Holborn Street



rear of site from High Holborn Street



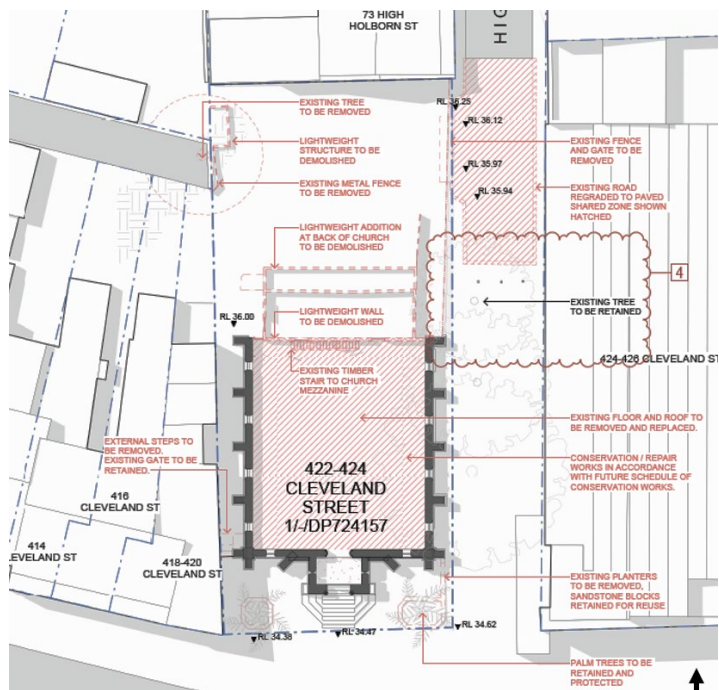
No.73 High Holborn Street adjacent to the rear site boundary



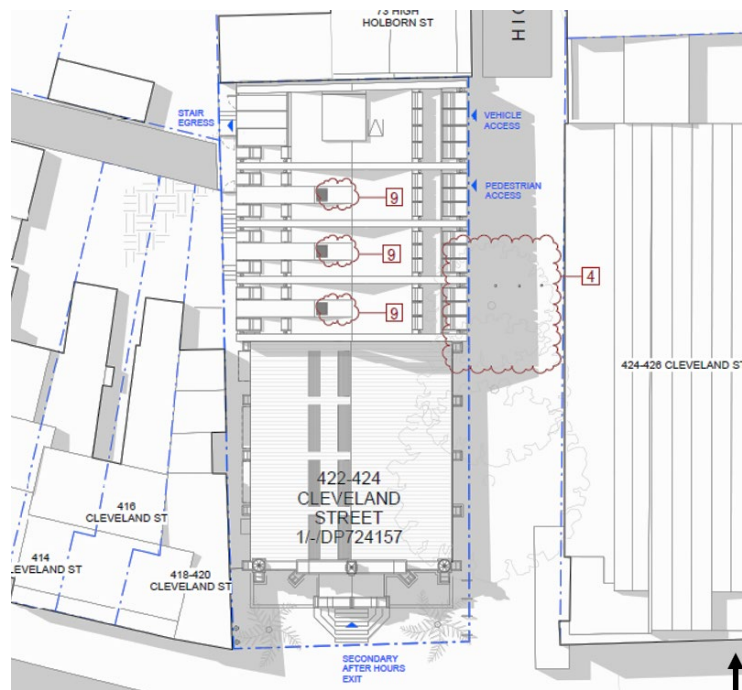
rear of existing terraces backing on to the south side of Goodlet Lane



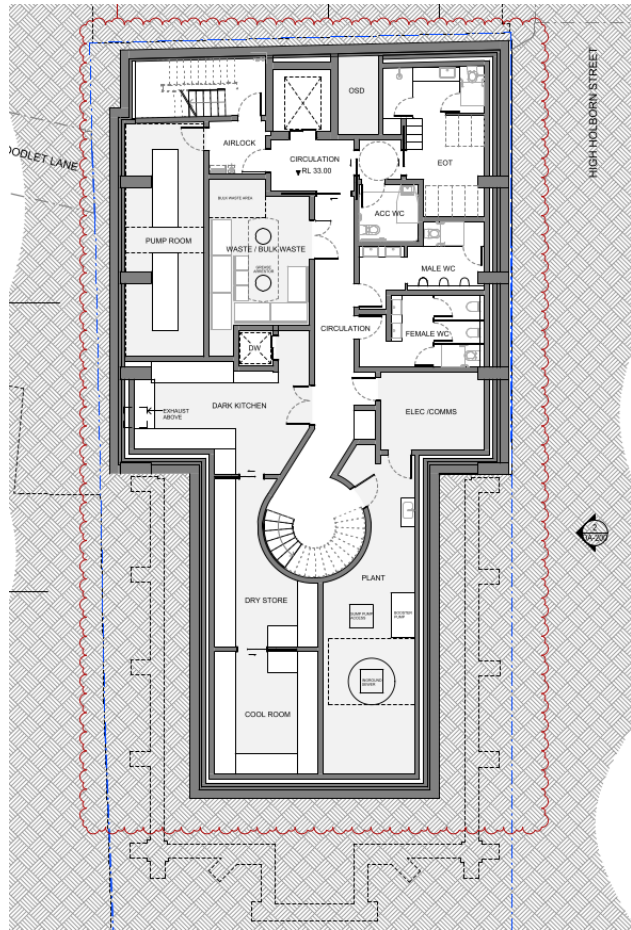
internal of existing church hall



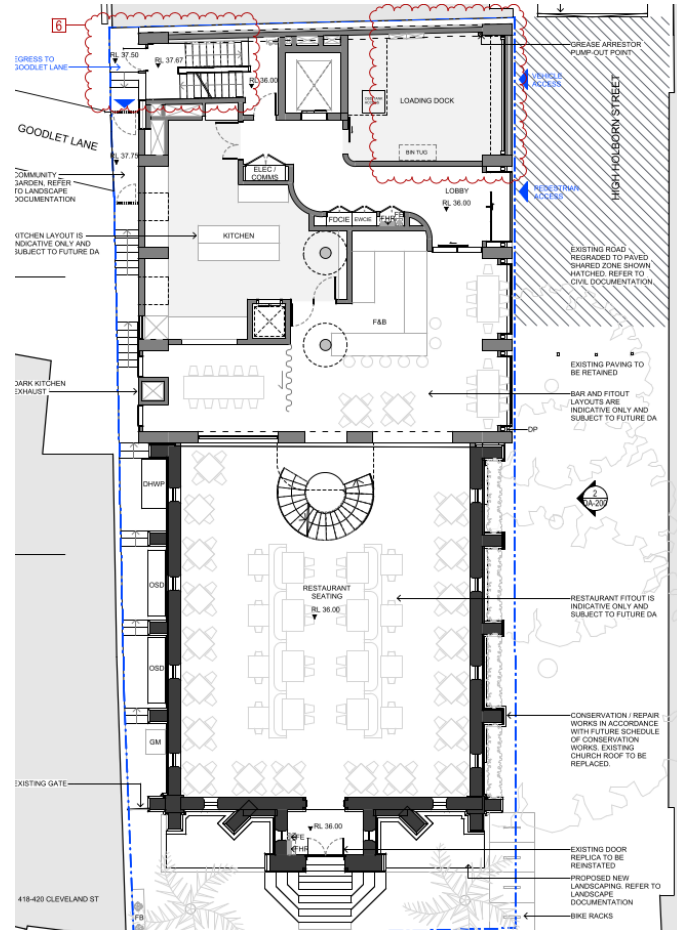
site demolition plan



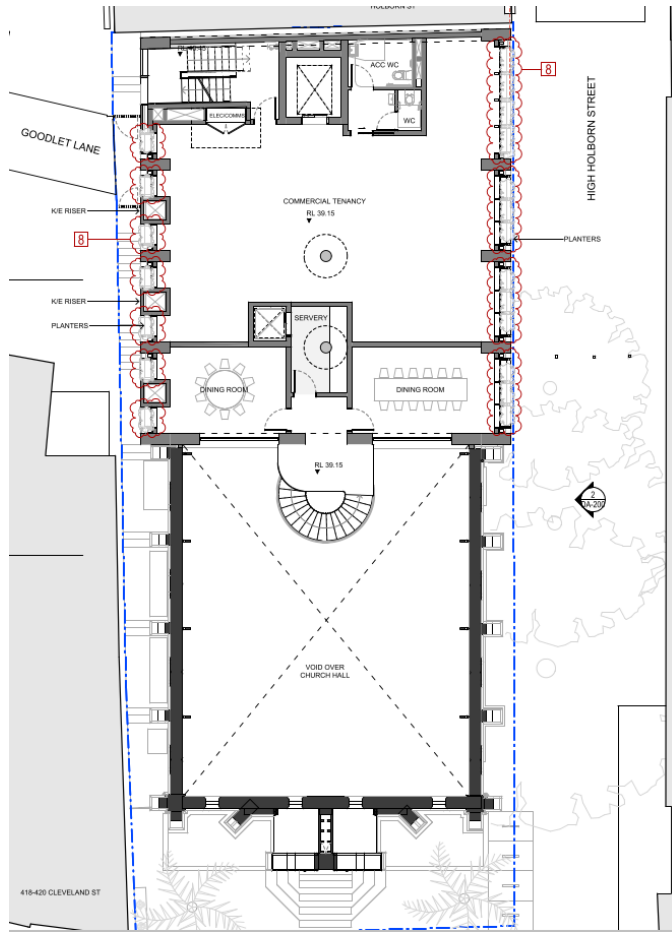
proposed site plan



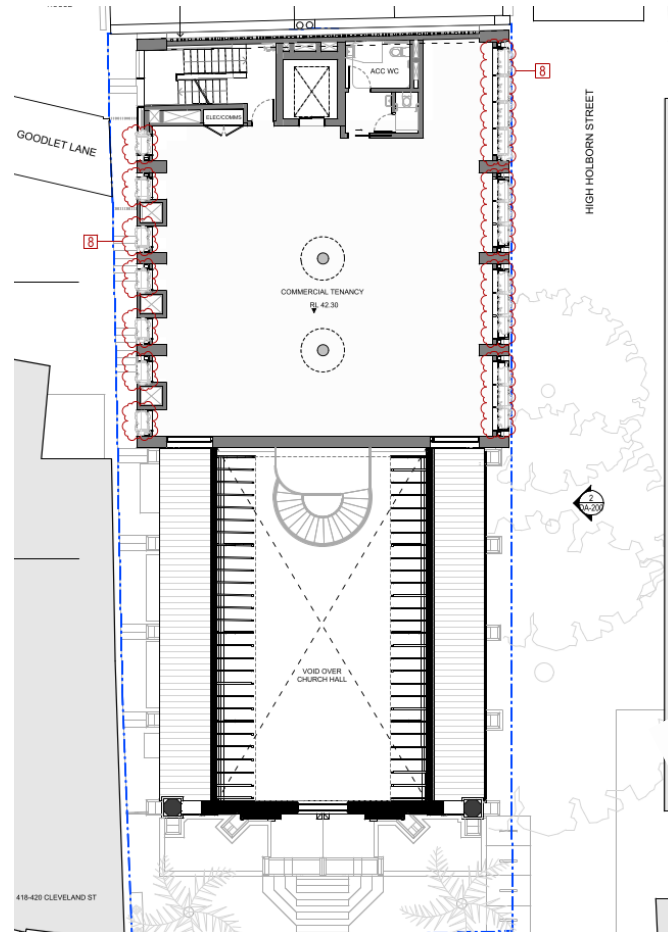
basement plan



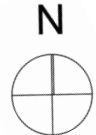
ground floor plan



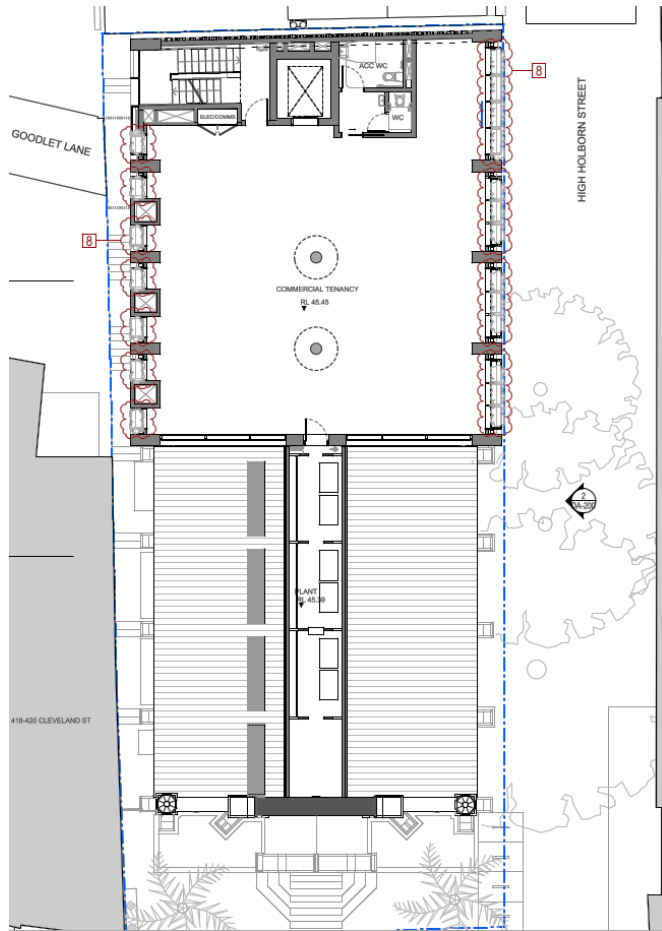
first floor plan



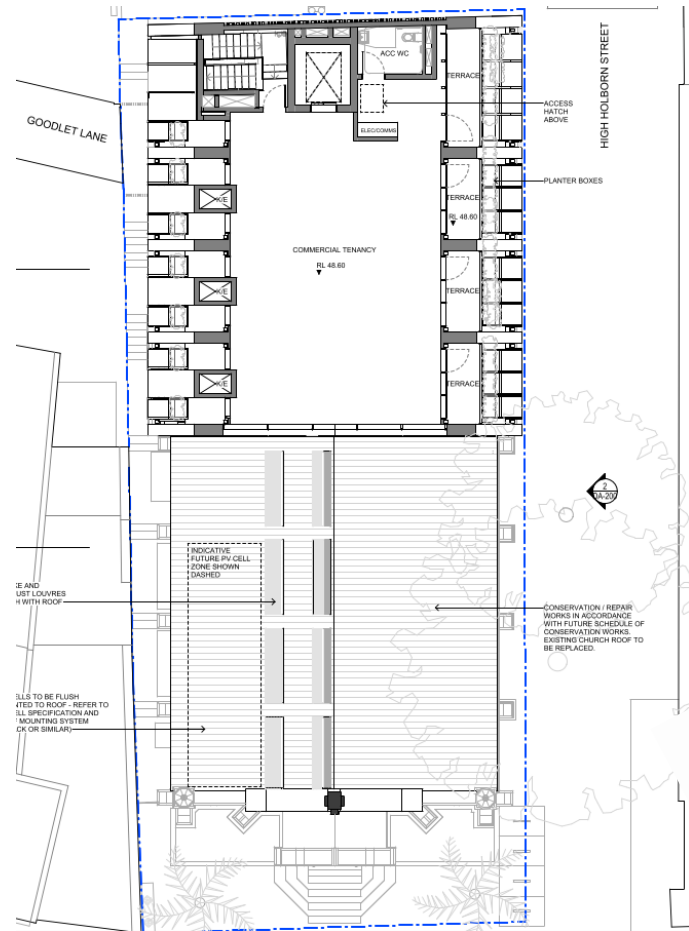
second floor plan



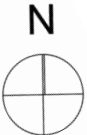


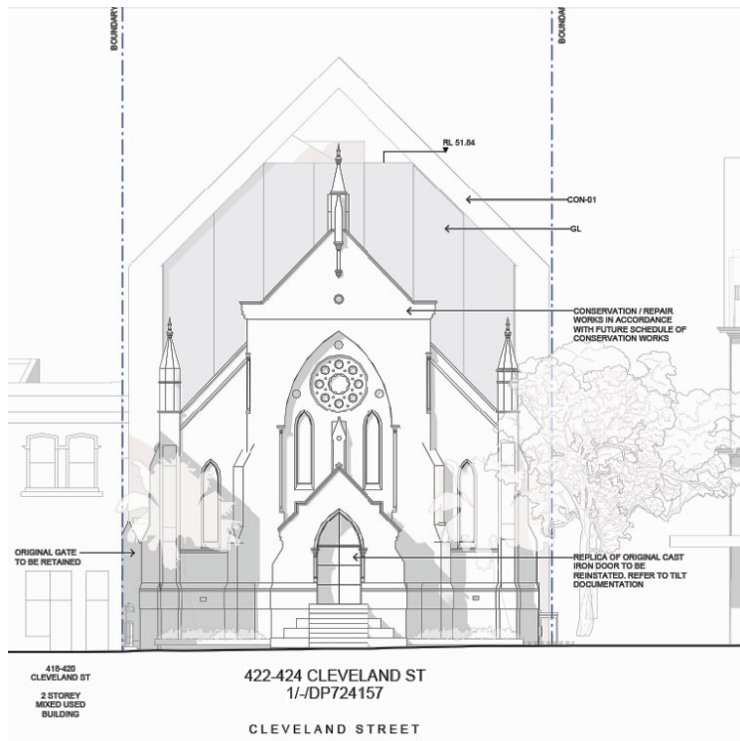


third floor plan

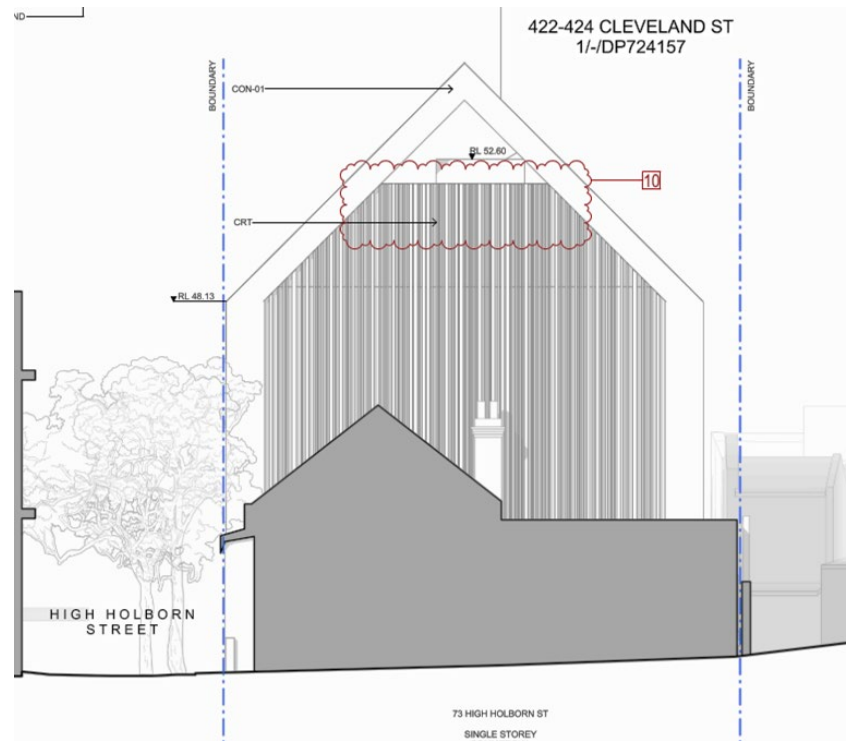


fourth floor plan

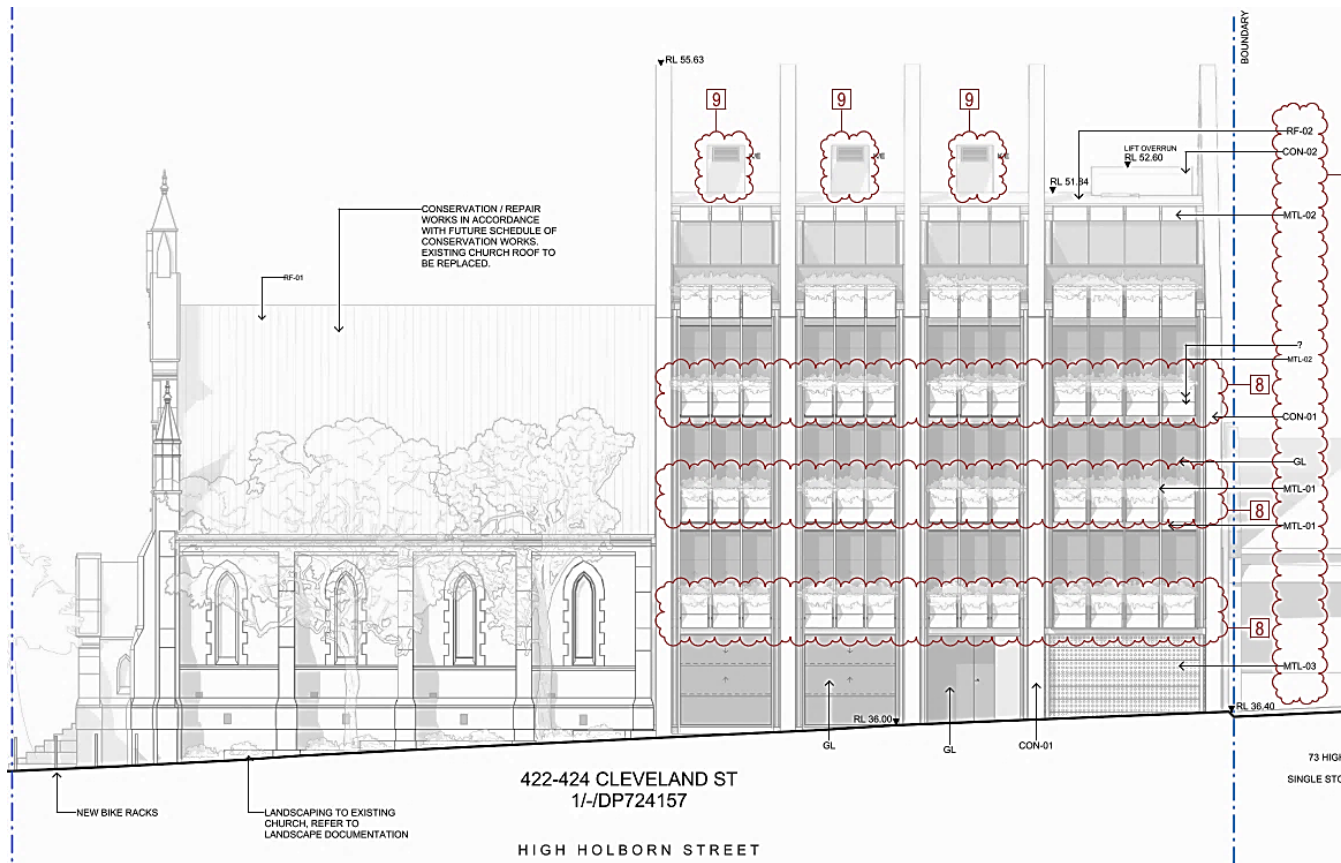




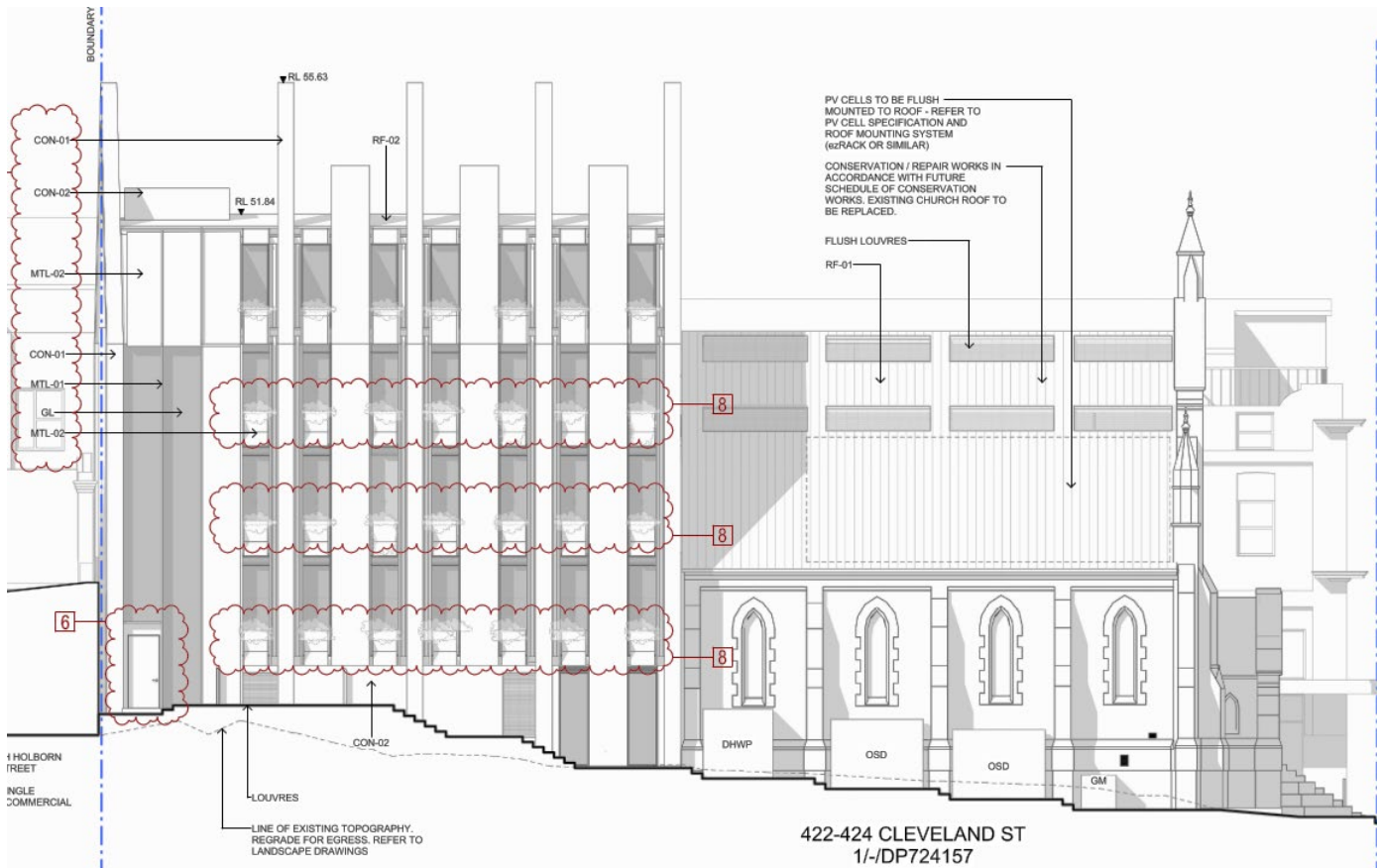
front elevation (south)



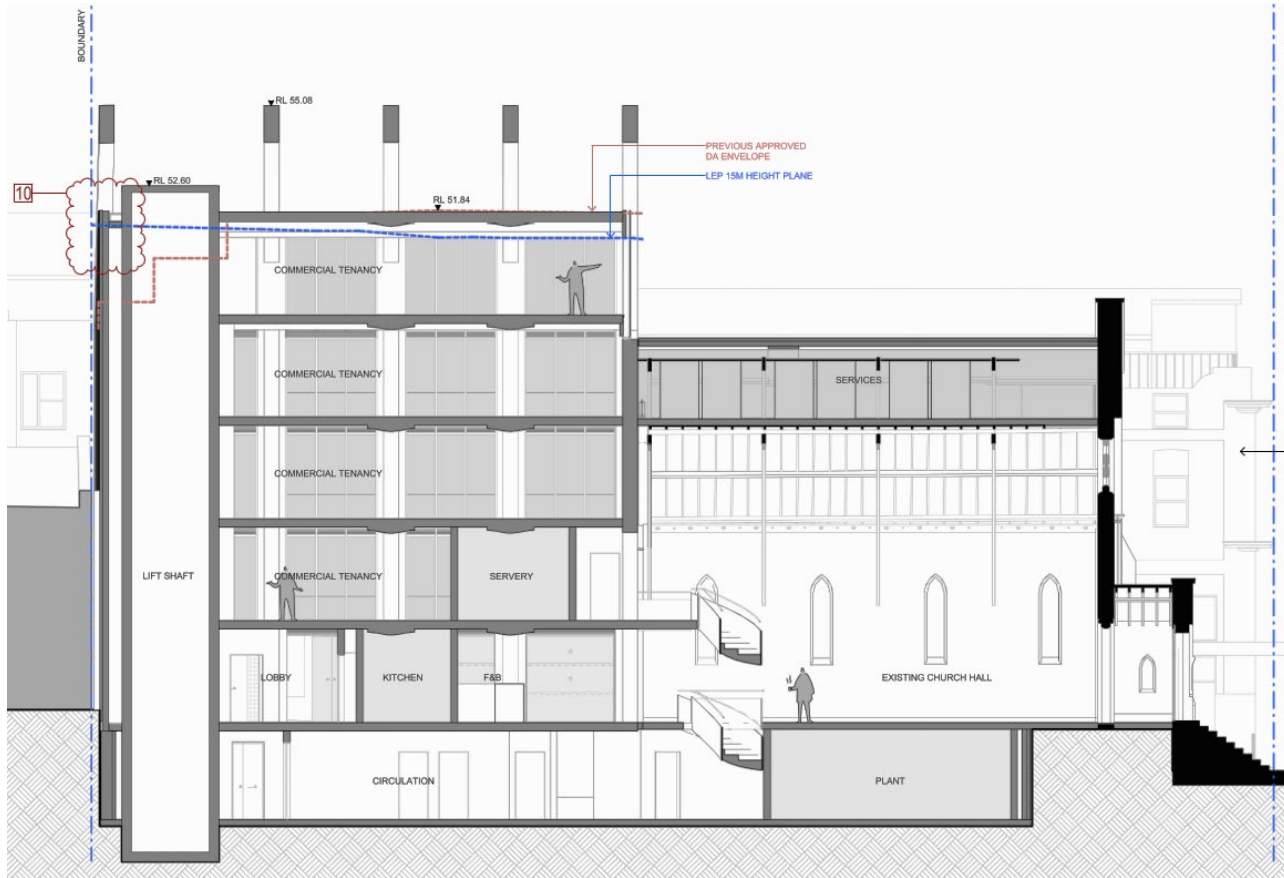
rear elevation (north)



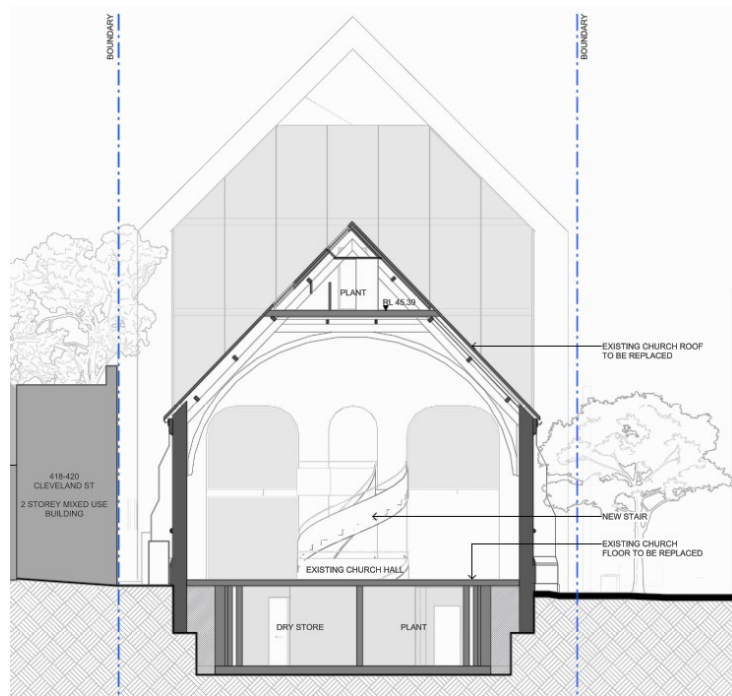
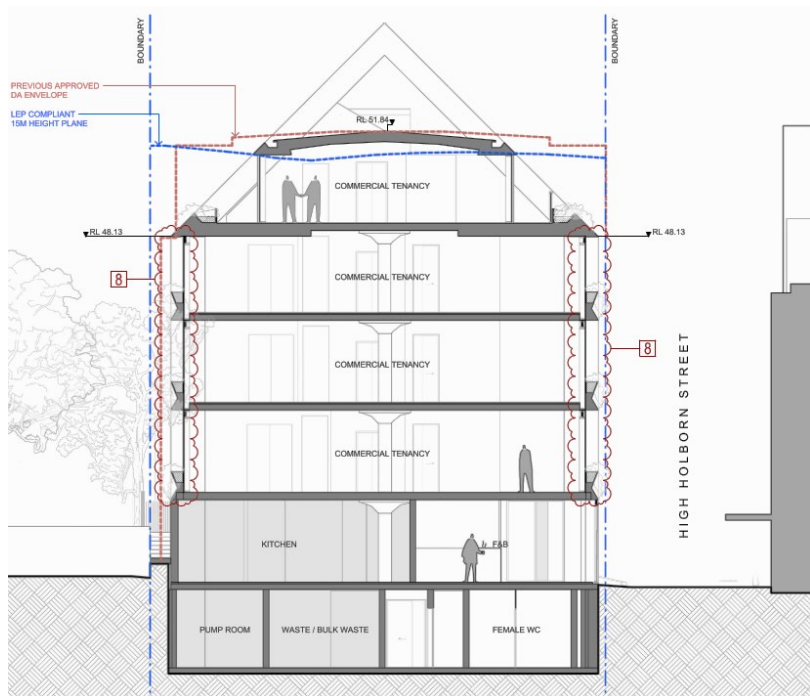
High Holborn Street side elevation (east)



side elevation (west)

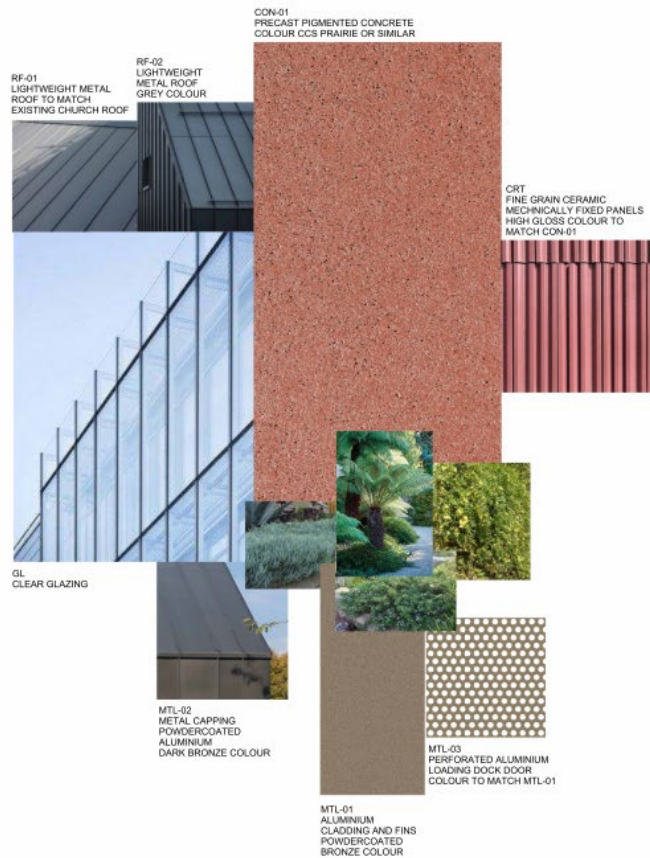


long section



short sections

# Materials



# Compliance with key LEP standards

	control	proposed	compliance
height	15m	16.6m*	no
floor space ratio	2:1  (1,159sqm)	1.99:1  (1,157sqm)	yes

*\* height to the top of the principal building form – maximum height of 19.53m to top of architectural roof features*



# Compliance with DCP controls

	control	Proposed	compliance
height in storeys	2 storeys	5 storeys	no
deep soil	10% (57.9sqm)	0% (0sqm)	no
tree canopy	15% within 10 years of completion	0%	no

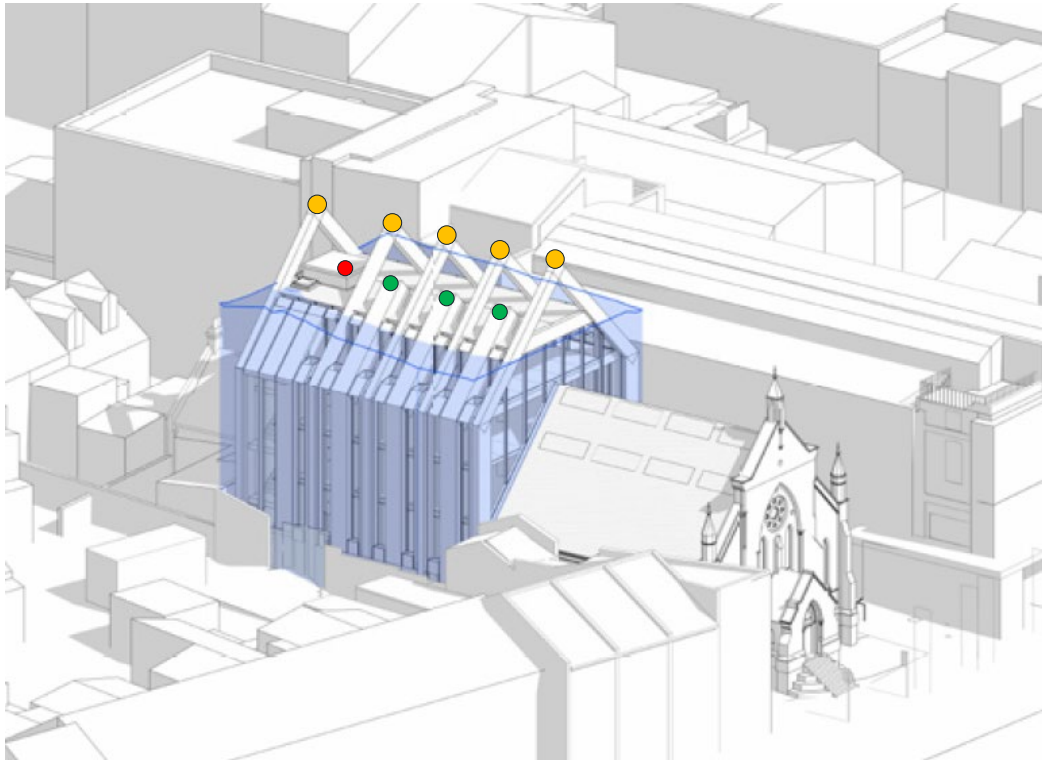
# Hours of operation

	base hours & extended hours	proposed hours	recommendation
Tuesday to Sunday	7am to 10pm (base) 10pm to midnight (extended)	7am to 10pm (base hours)	permissible
Thursday, Friday, Saturday	7am to 10pm (base) 10pm to midnight (extended)	7am to midnight (extended)	permissible

# Issues

- height, bulk and massing
- overshadowing
- visual privacy
- deep soil / landscaping

# Height, Bulk and Massing



**15m** – LEP height plane



**16.6m** - max height of principal building envelope (lift overrun)



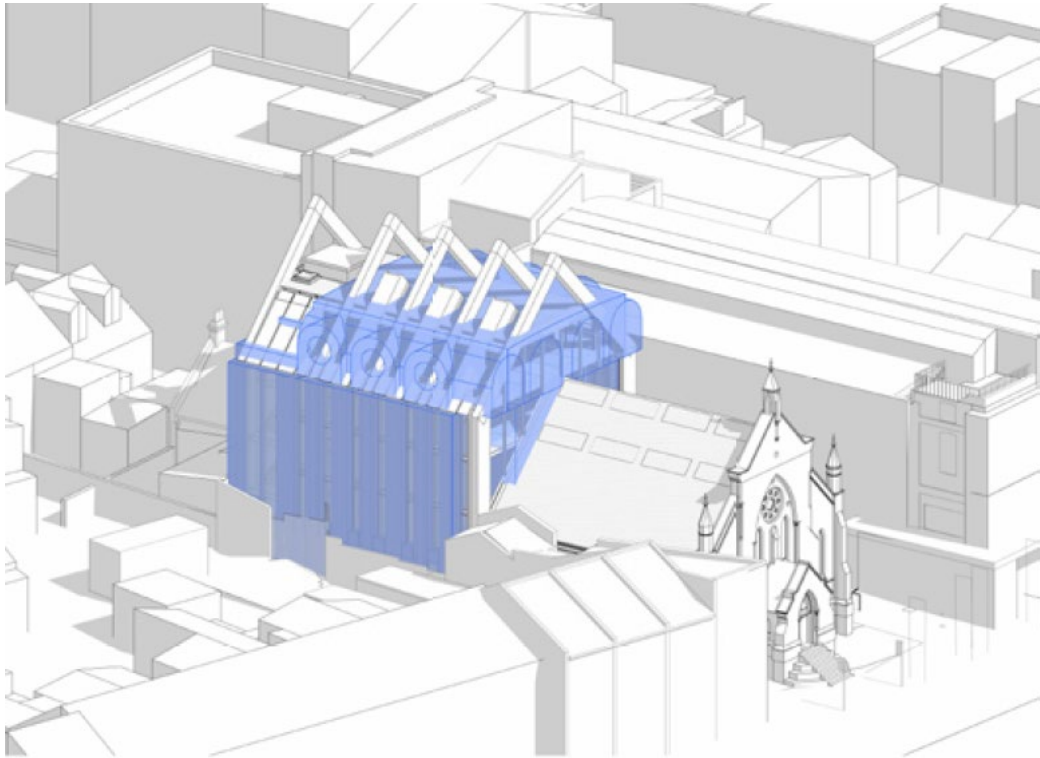
**16.9m** – height of proposed exhaust flues\*



**19.53m** – height of architectural roof features

*\* flues are excluded from the LEP definition of 'building height'*

# Height, Bulk and Massing



Comparative building envelope of consented scheme (D/2020/997)

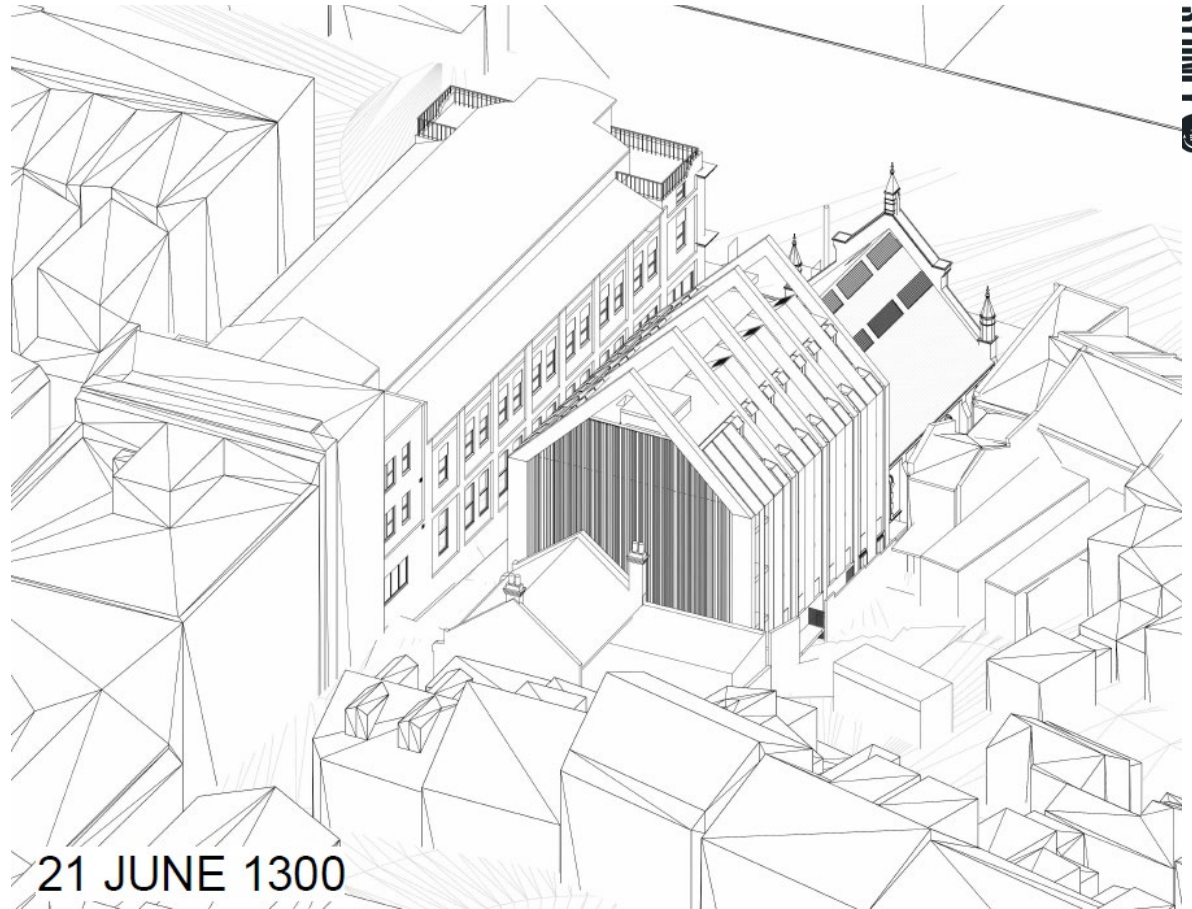
# Height, Bulk and Massing



Comparative building envelope of consented scheme (D/2020/997)

# Overshadowing

- reduced overshadowing
- improved solar access to 426 Cleveland Street

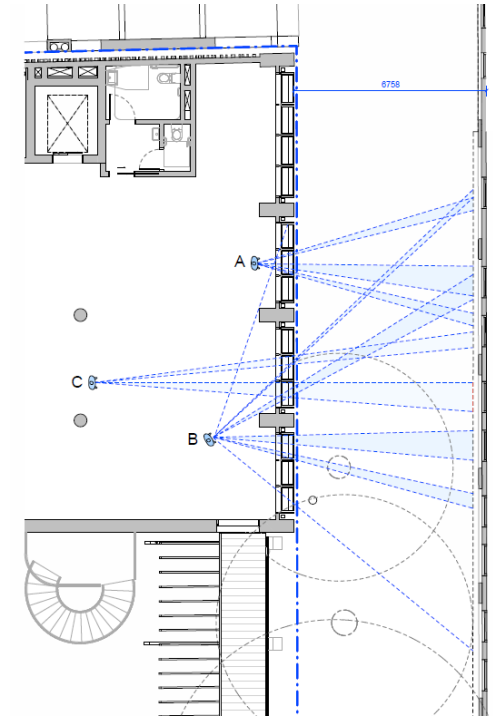
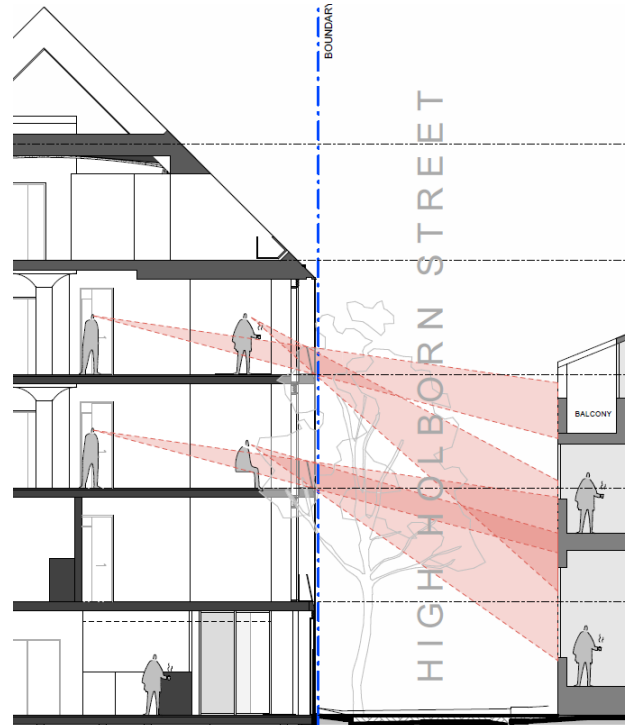


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# Visual Privacy – East and West

privacy measures:

- vertical fins
- deep columns
- raised horizontal planters/sill heights

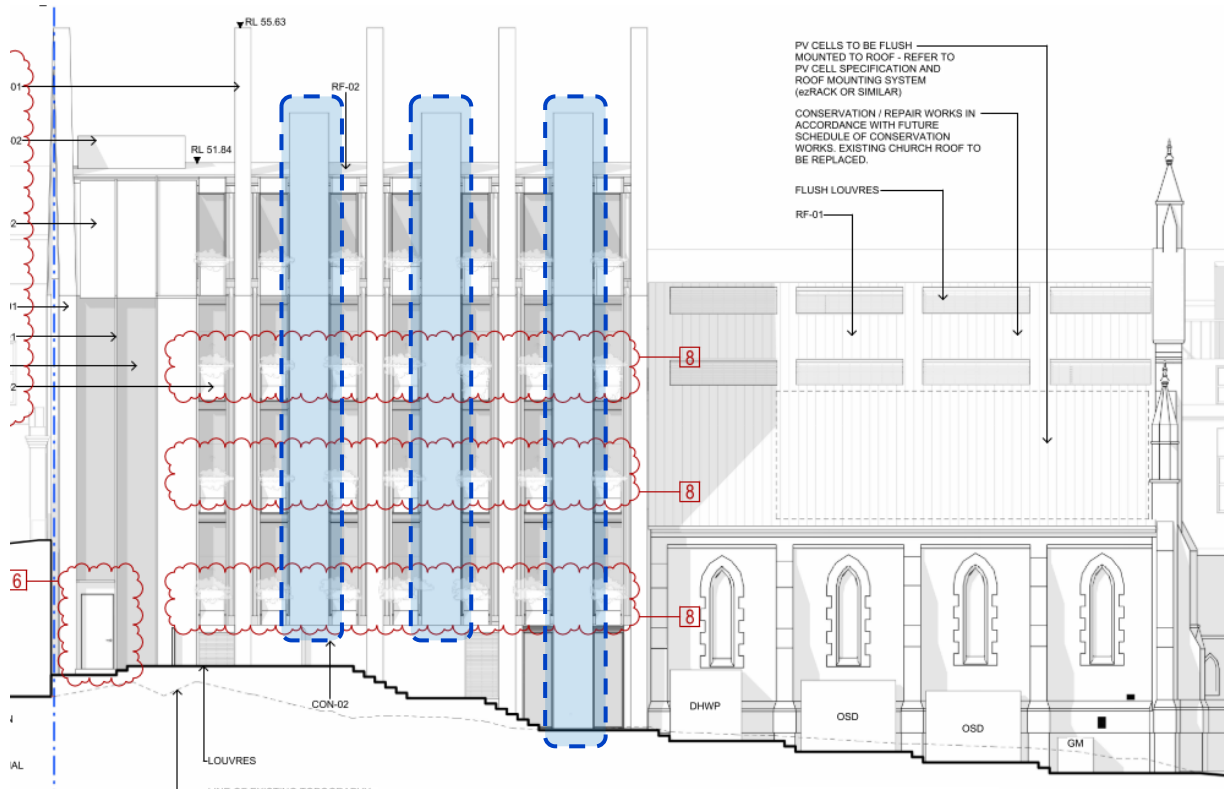




# Visual Privacy – East and West



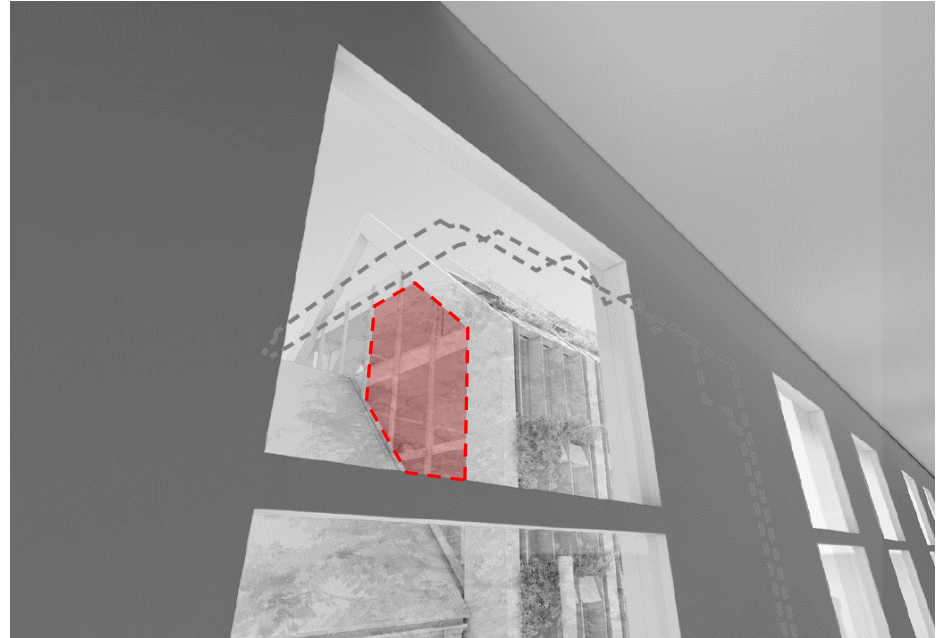
# Visual Privacy – West



# Visual Privacy – Recommended Conditions

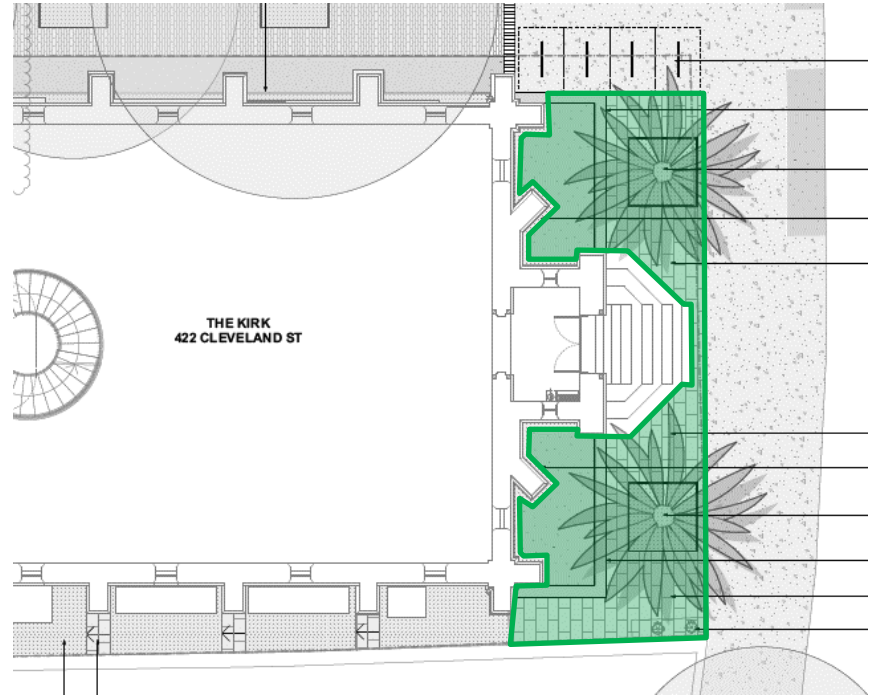
design modification conditions:

- 50% reduction in amount glazing providing unfettered direct views to east and west
- privacy fins to south facing glazing to restrict views towards apartments within 426 Cleveland Street to the east



# Deep Soil / Landscaping

- no deep soil areas proposed with minimum 3m dimension
- design mod condition recommended to increase deep soil provision within front setback
- D/2020/993 required additional permeable landscaping by condition



# Recommendation

- approval subject to conditions