

Before the Hearings Commissioners at Wellington City Council

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*under:* the Resource Management Act 1991

*in the matter of:* an application by Ryman Healthcare Limited for resource consent to construct, operate and maintain a comprehensive care retirement village at 26 Donald Street and 37 Campbell Street, Karori, Wellington

*between:* **Ryman Healthcare Limited**  
*Applicant*

*and:* **Wellington City Council**  
*Consent Authority*

Statement of evidence of **Andrew Davies Burns** on behalf of  
Ryman Healthcare Limited

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Dated: 29 August 2022

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## **STATEMENT OF EVIDENCE OF ANDREW DAVIES BURNS ON BEHALF OF RYMAN HEALTHCARE LIMITED**

### **INTRODUCTION**

- 1 My full name is Andrew Davies Burns.
- 2 I am a qualified urban designer with a Diploma and Master of Arts in Urban Design (with Distinction) from the Joint Centre for Urban Design (1997, Oxford Brookes University, Oxford). I also hold a Bachelor of Architecture degree (1992, Victoria University of Wellington). I am a Chartered Member of the Royal Town Planning Institute (MRTPI) and a Fellow of the Royal Society of Arts.
- 3 I am currently employed as Director of Urban Design at McIndoe Urban Limited and have held that position since 2013.
- 4 I have 28 years' experience in urban design, architecture, planning and academia. I am co-Chair of Kāinga Ora's Wellington Design Review Panel, a member of the Property Board for Presbyterian Support Central, and an External Examiner and guest lecturer for the School of Architecture, Victoria University of Wellington. I was a Built Environment Expert for Design Council CABE (UK) and a design panel member for LB Newham. I was a director of Matrix Partnership Ltd, an urban design practice in London (2003-2013) and seconded urban design director to Arup (South Africa, 2012). Prior to these roles, I worked as an urban designer in London for Urban Initiatives Ltd and DEGW plc from 1997 to 2003.
- 5 I held part-time lectureships at Masters level in urban design at Oxford University's Department for Continuing Education, Kellogg College (August 2010 – March 2013, MSc course in Sustainable Urban Development) and Oxford Brookes University's Joint Centre for Urban Design (August 2006 – March 2013, MA course in Urban Design), and the Bartlett School of Planning, at University College London (2004 - 2006).
- 6 I have extensive experience in large scale masterplanning. In Wellington, I am masterplan lead with Athfield Architects for Johnsonville Metropolitan Centre, I led spatial plans for Petone and Hutt Central and I am involved in the masterplan and briefs for Wellington's Civic Square. In Palmerston North, I am currently leading the masterplanning for district plan changes for over 1,000 hectares of land at Aokautere and Kākātangiata that includes local centres with retirement village components. In Auckland, I masterplanned stages of Auranga and Providence Point (Drury) and Onehunga Wharf. In Christchurch, I led the masterplanning of the Retail Precinct Plan for the Canterbury Earthquake Recovery Authority. Internationally, in South Africa, I was project director for the Capital City of Tshwane (Pretoria) Masterplan. I directed numerous urban design studies for mixed use areas in the UK and continental Europe and led a 300Ha mixed use development in the Middle East.

- 7 My other relevant experience includes design review of a range of developments on behalf of Wellington City Council, Auckland City Council, and Palmerston North City Council. I co-authored housing quality assessment criteria for the Ministry of Housing and Urban Development (October 2018) and was lead author of the residential chapters of the Auckland Design Manual.

### **INVOLVEMENT WITH THE APPLICATION**

- 8 I am familiar with Ryman Healthcare Limited's (*Ryman*) resource consent application to construct and operate a comprehensive care retirement village (*Proposed Village*) at 26 Donald Street and 37 Campbell Street, Karori, Wellington (*Site*).
- 9 I was engaged by Ryman in February 2021 following the retirement of the author of the Urban Design Assessment Report dated 24 August 2020 (*Urban Design Report*) which appears at Appendix B of the Assessment of Environmental Effects (*AEE*). That report has been withdrawn.
- 10 My role has been to provide urban design advice and to assist with design development of the Proposed Village. I prepared the Urban Design Assessment (*UDA*) dated 17 July 2021.
- 11 My involvement has included:
- 11.1 Site and context assessment to inform amendments to the Proposed Village design;
  - 11.2 Wellington City Council (*Council*) engagement;
  - 11.3 Advising on design amendments following Council feedback; and
  - 11.4 Assessment and reporting.
- 12 I was closely involved with Ryman's response to Council urban design feedback. I worked alongside Ryman's inhouse architectural team to test alternative building form and façade designs. I advised on:
- 12.1 The relationship and design of Building B02's facades with its Campbell Street context;
  - 12.2 The relationship and design of Building B07's facades with its adjoining heritage context (Allen Ward VC Hall) and the Donald Street context;
  - 12.3 The design of Building B01B's upper floor facades and roof line when viewed from middle and long distances;
  - 12.4 The articulation of the pedestrian entrance connecting Building B01A with Donald Street; and
  - 12.5 The design of the pedestrian connection with Campbell Street along the northern ends of Buildings B02 and B03.

- 13 My assessment is based upon the description of the Proposed Village description contained in the evidence of Mr Richard Turner.
- 14 In preparing this statement of evidence, I have considered the following documents:
- 14.1 The AEE (September 2020);
  - 14.2 Council's further information requests and Ryman's responses;
  - 14.3 The statements of evidence of Ms Rebecca Skidmore (landscape and visual assessment), Mr Turner (planning), Mr Leo Hills (transport), Mr Isaac Bright (architecture) and Mr Dave Pearson (heritage);
  - 14.4 Planning provisions relevant to my area of expertise;
  - 14.5 Submissions relevant to my area of expertise;
  - 14.6 The Council Officer's Report (*Officer's Report*) and the Urban Design Assessment at Appendix 2 and Landscape and Visual Effects evidence at Appendix 3.
- 15 I visited the Site and its surroundings, with other technical disciplines in attendance, on 16 March 2021 and 28 June 2022. The visit in June 2022 included access to 20 Scapa Terrace and 42 Donald Street.

#### **CODE OF CONDUCT**

- 16 Although these proceedings are not before the Environment Court, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note (2014), and I agree to comply with it as if these proceedings were before the Court. My qualifications as an expert are set out above. This evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

#### **SCOPE OF EVIDENCE**

- 17 My evidence sets out the following:
- 17.1 My approach to assessing the urban design effects of the Proposed Village;
  - 17.2 The key findings of my assessment of the urban design effects of the Proposed Village;
  - 17.3 My response to the urban design matters raised in submissions;
  - 17.4 My response to the urban design matters addressed in the Officer's Report, and particularly the Urban Design Assessment dated 21 July 2022 prepared by Ms Duffell; and

17.5 My conclusions.

### **SUMMARY OF EVIDENCE**

- 18 I assessed the potential urban design effects of the Proposed Village in relation to:
- 18.1 Analysis of local and contextual conditions;
  - 18.2 Relevant planning provisions of the Wellington City Operative District Plan (*Operative Plan*) and Wellington City Proposed District Plan (*Proposed Plan*); and
  - 18.3 Urban design good practice.
- 19 My assessment is structured around an urban design framework made up of six urban design topics. This framework was informed by the Operative Plan. I have reviewed the framework in light of the Proposed District Plan and consider it remains appropriate.
- 20 My approach to assessment is supported by Ms Duffell, the Council's urban design expert.<sup>1</sup>
- 21 I was engaged by Ryman in February 2021 following the retirement of the previous urban design advisor. I was involved in the latter stages of the design development of the Proposed Village in response to Council urban design feedback.

#### **Urban structure and site planning**

- 22 I consider the Site to be well-suited for residential intensification, being close to local amenities and of a large size. The Proposed Village integrates well with the prevailing street grid and reflects the former Teachers' College layout. Accessways and entrances maintain permeability and ensure positive connections to the surrounding streets. Car parking is contained, providing optimal amenity outcomes along adjoining streets and within the Site. A rhythm of positive, high amenity open spaces is created through the sequence of courtyards between buildings.

#### **Character and urban form**

- 23 I consider greater intensity of development on the Site to be appropriate in light of the Operative and Proposed District Plan provisions (including the 'windfall sites' policy). Both Ms Duffell and I agree that it is not appropriate for new development on the Site to 'match' the surrounding residential character but that a level of 'contrast' as anticipated by the Residential Design Guide (*RDG*) is appropriate. The central portion of the Site is utilised for the taller buildings, locating them away from more sensitive edges and in

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<sup>1</sup> Council Officer's Report, Appendix 2 – Urban Design – Sarah Duffell, paragraph 3.2.

positions that contained the former Teachers' College structures. At the boundaries with streets and neighbouring properties, the Proposed Village buildings have been limited to 2 and 3 stories in height to ensure acceptable interfaces.

24 I note that the buildings at the Site's residential edges generally comply with the Operative Plan standards. The Proposed Plan permits much greater height, density and bulk. The Proposed Village design comfortably complies with the new medium density standards in the Proposed Plan on the residential boundaries, except for minor elements.

25 I undertook a detailed assessment of the existing Site, street context and neighbouring properties to set the basis for determining character and visual dominance effects. In relation to all relevant receiving environments, I conclude that character and visual dominance effects will be acceptable.

#### **Privacy and sunlight shading effects**

26 I have assessed the sunlight shading and privacy effects of the Proposed Village on all potentially affected properties including those adjoining the Site and those further away on a street-by-street basis. I considered these effects again in light of public submissions.

27 In my opinion, any privacy effects on properties that adjoin the Site will be acceptable due to the range of design techniques that have been deployed for the proposed buildings including yard setbacks, height stepping, window position and type, fencing and plant screening. I consider any privacy effects on other properties are acceptable as they are mitigated by public street separation, yard setback and planting.

28 I assessed sunlight shading effects using a methodology informed by the RDG. In my opinion, any shading on affected properties is acceptable in the context of the RDG, the shade cast by existing retained buildings, the availability of sunlight across the full year, shade from permitted fencing and shade cast by Operative Plan and Proposed Plan height, yard and recession plane compliant envelopes.

#### **Architectural concept and design**

29 In terms of design coherence and identity, I consider the Proposed Village presents a coherent design language that is consistent across the Proposed Village as a whole, but also varies according to local conditions, including the heritage context.

30 In terms of street frontages and entrance legibility, I consider all street facing buildings create positive frontages with high levels of façade articulation, glazing, balconies, entrances and front yards that reinforce the residential role of these streets. All of the Proposed Village residential buildings have legible entrances. The buildings are configured around courtyards and gardens or overlook streets and accessways offering a high level of amenity.

31 In terms of the planning guidance on internal amenity, unit sizes exceed published standards, and most are provided with private open spaces. The buildings have been arranged to provide sunny east or west facing apartments, though Building B01B has some south facing units due to site layout constraints. Sunlight access to units varies with some receiving reduced sun at midwinter though much improved at other times. Given the nature of the Proposed Village use and extensive provision of sunny communal spaces, I consider appropriate on-site amenity has been achieved.

### **Open space design**

32 The Proposed Village will provide seven types of communal space, which reinforce the Lopdell Gardens and provide quality outdoor amenity for residents. A public pocket park is provided on Donald Street referencing the former open space in this part of the Site. All communal spaces face north and receive good sun at midwinter. The public pocket park will have a positive effect on the streetscape and neighbourhood.

33 Most apartments are provided with good sized private terraces or balconies, while units facing streets benefit from deeper front yards. All spaces connect directly with internal living areas. I consider the private open space provision is appropriate for the intended Proposed Village occupants.

34 A balanced use of space for both vehicles and pedestrians creating visually attractive outcomes has been achieved with variation in surfaces promoting pedestrian priority. Fencing heights and visual connections across front boundaries has been achieved and service areas have been integrated into the Proposed Village.

### **Safety**

35 I carried out an assessment against the Ministry of Justice National Guidelines for Crime Prevention through Environmental Design (*CPTED*). I conclude that the Proposed Village establishes conditions that will deliver a suitably safe public realm as well as safe and secure on-site streets and spaces. I note that the Proposed Village maximises the potential for overlook to Campbell and Donald Streets and provides a high degree of legibility for the two Donald Street entrances.

### **Submissions**

36 I considered all of the submissions relevant to urban design and identified four common themes: site suitability and access, consistency with the RDG, neighbourhood character and fit and effects on residential amenity. I have provided a detailed response to each of these themes, including a site-by-site response to submitters who raise concerns in relation to residential amenity. I disagree with those submissions for the reasons provided in my evidence and confirm my conclusions that the urban design-related effects of the Proposed Village will be acceptable.

### **Officer's Report**

- 37 Ms Duffell and I are aligned on the urban design effects of the Proposed Village. Any differences of opinion are not material. Overall, Ms Duffell adopts the UDA and supports the Proposed Village from an urban design perspective.
- 38 The Officer's Report generally adopts Ms Sarah Duffell's report but provides more detail on shading effects. There are some differences in the assessment approach adopted by Ms Laura Brownlie and myself in relation to shading effects. Nevertheless, the Officer's Report reaches the same or similar conclusions as the UDA in relation to the shading effects on neighbouring properties.

### **Conclusion**

- 39 For the reasons set out in this statement, I support the Proposed Village from an urban design perspective.

## **APPROACH TO URBAN DESIGN ASSESSMENT**

### **Planning framework**

- 40 I understand the Proposed Village is a non-complying activity. Accordingly, my assessment considered all potential urban design effects.
- 41 The Site is zoned Outer Residential Area (*ORA*) in the Operative Plan. The UDA identifies the Operative Plan provisions of direct relevance to my assessment and I do not repeat them in this statement.<sup>2</sup> While I have assessed the Proposed Village against the relevant provisions of the Operative Plan's RDG, Ms Duffell and I agree that some aspects of the RDG are less relevant to the Proposed Village. For example, the Open Space Design guidelines have limited relevance due to the communal spaces provided within retirement villages and the different requirements of elderly residents.
- 42 The Proposed Plan was notified in July 2022. I have therefore considered the relevant provisions of the Proposed Plan in preparing my evidence.<sup>3</sup>
- 43 As well as generally updating the planning framework for Wellington City, the Proposed Plan seeks to give effect to the National Policy Statement on Urban Development and respond to the directives of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act (*EHS Act*). The Site and most of the surrounding area is zoned Medium Density Residential (*MRZ*) in the Proposed Plan.
- 44 Mr Turner's planning evidence addresses the Proposed Plan provisions in detail. Mr Turner notes the objectives and policies for the MRZ

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<sup>2</sup> UDA, page 9.

<sup>3</sup> MRZ-O1 and MRZ-P2, P3, P4 and P5 of the Proposed Plan.



include those from Schedule 3A of the EHS Act.<sup>4</sup> The overall objective is to provide for a variety of housing types and sizes that respond to housing needs and demand and the neighbourhood's planned urban built character.

45 I consider the MRZ standards are helpful and relevant to understanding the planned urban built character for the MRZ. The MRZ standards provide for residential development to have greater height and much greater density and bulk than the standards in the Operative Plan. My evidence has been informed by the differences between the built form standards of the Operative Plan and Proposed Plan, as set out in the evidence of Mr Turner.

46 Mr Turner's planning evidence notes that the Proposed Plan specifically provides for retirement villages<sup>5</sup> that (among other things) fulfil the intent of the proposed Design Guide Residential (*DGR*). Although the DGR is still subject to the planning process, for completeness, I have considered the DGR in preparing my evidence. I consider the DGR covers much of the same ground as the RDG although it categorises topics and guidelines differently and introduces additional matters.

#### **Urban design assessment framework**

47 I developed an urban design assessment framework based on a range of matters, including the Operative Plan. The assessment framework is set out at pages 9-10 of the UDA and I do not repeat it in this statement. After reviewing the relevant Proposed Plan provisions, including the DGR, I confirm that the framework remains appropriate. The following 'Assessment of Urban Design Effects' is structured according to this framework.

### **ASSESSMENT OF URBAN DESIGN EFFECTS**

#### **Topic 1: Urban Structure and Site Planning**

##### ***Existing context (receiving environment)***

48 The Site's wider context and street alignment is shaped by the Karori grid. The Karori Road spine runs approximately east-west, influencing both Donald and Campbell Streets that adjoin the Site. Campbell and Donald Streets present the most visible opportunities for any future development of the Site to relate to the Karori grid. Future buildings on the Site should (and do) align with these streets to promote integration between the Site and its context and enhance site-wide and local area legibility.

49 RDG 02.2 invites consideration of street amenity and safety that is directly related to block patterns and permeability. Surrounding residential blocks provide relatively walkable dimensions (80-100m) while the 'parent block' for the Site measures 360mx240m and is the largest single block in central Karori. This coarse grain reflects the

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<sup>5</sup> MRZ-P7 of the Proposed Plan.

historic functions on the Site. East-west links through the parent block exist and future permeability for pedestrians between Donald and Campbell Streets is important, and is addressed in the proposal.

- 50 The Site is well located with respect to local centre services. Karori Town Centre and Marsden Village are both within a 5–6 minute walk and offer a wide range of supermarket and convenience shopping as well as café, restaurant and community facilities. Two churches (St Mary’s and St Ninian’s) are nearby while Karori Pool adjoins the Site to the north. Ben Burn Park, Wrights Hill and Johnstons Hill Reserves provide attractive accessible recreational opportunities. Karori Road provides bus connections with the city.
- 51 The availability of amenities points to support for higher density residential outcomes on the Site as indicated by the Proposed Plan zoning (Figure 1).



**Figure 1: Proposed Plan zoning for Karori**

***Existing context (Site conditions)***

- 52 The Site itself presents a character and urban form conditioned by the former Teachers’ College. Several retained buildings (Allen Ward VC Hall, the Tennant Block, and the octagonal-shaped component of the Oldershaw Music Block) are to be integrated into the Proposed Village. The former Teachers’ College buildings created an overriding orthogonal structure aligned with the Karori grid (Figure 2) generating a rhythm of existing buildings and open spaces.
- 53 Much of the Site along the southern boundary is comprised of open space with a single east-west vehicle connection that interacts at several moments with the grid, notably at connections with Donald and Campbell Streets.



**Figure 2: Teachers' College site structure and the Karori grid**

***The Proposed Village***

54 I consider the structure of the Proposed Village aligns closely with the existing Site and context patterns (Figure 3). Of note is:

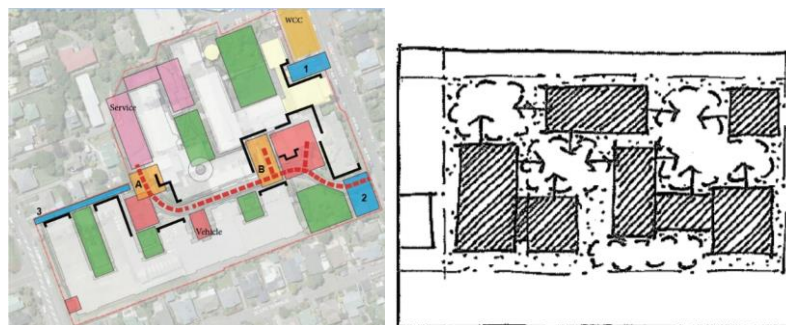
- 54.1 The continuation of the Karori grid across the Site;
- 54.2 The integration of the Tennant Block, Allen Ward VC Hall and part of the Oldershaw Block;
- 54.3 The similarity of street connections between the former Teachers' College campus and the Proposed Village;
- 54.4 The general location, massing and alignment of buildings around the central portion of the Site;
- 54.5 The similarity of the rhythms of built and open space;
- 54.6 However, the southern Site edge has been developed in place of former open space areas, tennis and cricket facilities.



**Figures 3a, 3b: Proposed site accesses and site structure**

55 I consider the Proposed Village supports RDG O2.1 by providing a clear sense of address and wayfinding. Access for residents, staff and visitors is invited at three key points reinforced by obvious entry design features and buildings that orientate towards the street (Figure 3a).

- 56 The Proposed Village layout extends the Karori and former Teachers' College grids across the Site (Figure 3b), promoting integration of the Proposed Village into its context as sought under RDG O2.1.
- 57 The retention of parts of the former Teachers' College (buildings, open space features, access and landform) allows the Proposed Village to retain meaningful links with the past and introduce new buildings into an existing pattern that is consistent with the retained buildings. It is sensible that a pedestrian entrance occurs along Donald Street, reflecting the former Teachers' College main entry adjoining the Allen Ward VC Hall. A condition of consent is proposed to ensure an appropriate design for this entry and associated structures in light of the heritage values.
- 58 In my opinion, integration of buildings and open spaces (RDG G2.1) is addressed through the primary structure for the Proposed Village being generated around existing buildings and former platforms. This site structure achieves a primary internal street with three legible access points supported by clear and confident street-fronting outcomes. The simplicity of this arrangement creates a legible outcome for what is otherwise a complex and intensely developed Site.
- 59 Safety and street amenity (RDG O2.2) is supported by the proposed internal street system providing controlled access between Donald Street and Campbell Street. This supports connections with Karori Town Centre and improves pedestrian amenity along the northern boundary connection.
- 60 Car parking provision influences street amenity (RDG G2.9). No car parking is visible along Donald or Campbell Streets and the proposed internal street is generally free from car parking (except adjacent to Building B03). At the entrances to Buildings B01B and B01A, the Indicative Landscape Plan by Sullivan + Wall shows pedestrian amenity has been prioritised. Overall, I consider vehicle dominance is minimised.
- 61 RDG G2.2 and G2.4 invite assessment of open spaces. These are to be designed in a 'positive' manner that include active edges (see Figure 9).



**Figure 4: Positive open spaces and courtyards support G2.2**

- 62 I consider the Proposed Village provides 'positive' open spaces through the sequence of courtyards and gardens created between buildings. Most of these spaces are linked visually and physically to internal accessways providing for outlook beyond the space and contributing to amenity of both the street and the space. I consider the design provides active edges to the courtyards and gardens through overlooking from apartments or care rooms and mitigation of the impact of walls through landscaping.
- 63 Courtyards between Buildings B02 – B06 are successfully overlooked by apartments and a good level of planting softens the impact of rear garage walls, achieving a good level of amenity overall.
- 64 Open spaces between B01A and B01B include part of the Lopdell Gardens. The edges of these gardens are overlooked by care rooms and apartments in adjacent buildings. Car parking walls to the west have been addressed using earth mounding, planting and surface treatment consistent with the former brutalist style. The 'quad' retains the setting of the existing Tennant Block and Oldershaw Octagon. A successful interface with buildings is achieved.
- 65 RDG G2.5 and G2.7 call for consideration of sunlight access into living spaces and open spaces of proposed dwellings and that of adjoining neighbours. To avoid repetition, I assess these matters later under 'Building Design' and 'Residential Amenity Effects'.
- 66 In relation to RDG G2.6, the proposed buildings have been designed to overlook either public or internal streets or internal courtyards. None of the apartments or care rooms rely on amenity over the boundary.
- 67 The design and access of parking is addressed under RDG G2.8 and G2.11, in particular avoiding garage dominance. In my opinion, the Proposed Village aligns well with these guidelines as follows:
- 67.1 The car parking is contained within the Site, limiting the visible effects of parking on the street and providing internal access for residents.
- 67.2 The single Campbell Street entry into car parking has a narrow frontage and access point incorporated into the overall façade of Building B02. This entry replaces the existing vehicle access – in effect a like-for-like.
- 67.3 Access to parking under Building B07 is provided from the middle of the Site. This approach relieves street frontages from vehicle and service access and improves pedestrian amenity along Donald Street.
- 67.4 The Proposed Village frontages onto Campbell and Donald Streets present an attractive ground level of residential edges without the interruption of multiple vehicle crossings.

### **Proposed Design Guide Residential**

- 68 I consider the DGR covers very similar ground to the 'Site Planning' section of the RDG under the headings 'Effective public-private interface' and 'Well-functioning sites'.<sup>6</sup> Accordingly, I do not consider the DGR would alter my assessment set out above.

### **Topic 2: Character and Urban Form**

#### **Existing context (receiving environment)**

- 69 The Proposed Village is located in a neighbourhood that presents two fundamentally different character types (Figure 5). These are:

69.1 A coarse grain, non-residential condition, comprised of Karori Pool and car park, Karori Normal School and the Site; and

69.2 A fine grain housing patterns to the south, east, west and half of the north boundary.



**Figure 5: Existing land uses surrounding the Site.**

- 70 The adjoining properties on Scapa Terrace and the western half of the northern boundary present a rear boundary interface with the Site. Donald Street and Campbell Street present two residential street edge conditions adjoining the Site.

- 71 The residential context generally comprises 1 or 2 storey detached dwellings of conventional suburban styles as shown in photos in the UDA (pages 13, 14). Housing forms include hipped or gabled roofs articulating primary and secondary massing where built elements either project or recess. Dwellings front the street with clear orientation of fenestration and entry. Frontage widths range from 7m-10m with garaging occasionally built to the pavement edge. Separation between dwellings occurs, often with planting at side boundaries.

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<sup>6</sup> G21, G23, G45, G46, G50, G51, G54, G62 and the guidelines under 'Communal open space' (G75 – G79) apply. The DGR seeks further clarity on the design for undercroft car parking (G61), ensuring that visual and physical connections to the street and ground level are maintained. I consider the proposed parking areas under Buildings B02-B06 and under B01B support this guideline.

72 A non-residential context exists at the northern boundary of the Site and includes Karori Normal School and Karori Pool. A car park and vehicular accessway establish an interface between the Site, the school and pool. The school is prominent in the street scene and the cumulative effect of the buildings is one of a more densely occupied urban place with low levels of vegetation compared to the surrounding neighbourhood. When the school, pool and former Teachers' College buildings are viewed together and considered in the context of the nearby Samuel Marsden Collegiate School, a general picture emerges of a node that departs from the conventional suburban character of the wider location.

73 I have analysed the character contexts of the three streets immediately relevant to the Site.

*Donald Street*

74 Donald Street adjoins the Site's eastern boundary and presents a mixed character of residential and non-residential activities, evidenced by the node described above. To the street's eastern side, dwellings are slightly elevated, typical of Wellington's hilly condition. Considered together with non-residential activities opposite, an asymmetrical street condition emerges for this portion of the Street, distinguishing it from typical patterns.

75 Donald Street slopes down from north to south and is especially pronounced in the vicinity of the Site. This slope breaks up the linearity of the street into visual segments akin to serial vision<sup>7</sup> where streetscapes are revealed. Serial vision emphasises the importance of memorable events and landmark structures to guide the eye through a setting. Dwellings 'step down' the street following the natural landform. The Allen Ward VC Hall presents a landmark at the crest and is an important design reference for future development of the Site.

76 Dwelling frontages vary along Donald Street, being setback 3m-10m from with some garaging at the back-edge-of-pavement. Some dwellings are elevated above street level. Front yard spaces are planted, and fencing is generally low maintaining visual connections between dwellings and the street. The legal road width is circa 15m and contributes to a sense of street enclosure.

*Campbell Street*

77 Campbell Street interfaces with the Site's western boundary and presents a more consistent and symmetrical suburban street than Donald Street. The flat topography emphasises the street's orthogonal grid pattern and linearity.

78 The dwelling setback pattern ranges from 3m-9m with occasional garaging located at the back edge of pavement. The legal road corridor is circa 20m wide and results in an open street character, emphasised

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<sup>7</sup> Townscape, Gordon Cullen (1961).

by the flat topography and frontage-to-frontage widths of 25m to 30m. The presence of Ben Burn Park augments the sense of spaciousness allowing long distance views to the hills. On-site planting to front boundaries occurs and creates a stronger vertical presence along the street edges, counterbalancing the low level of street enclosure.

#### *Scapa Terrace*

- 79 Scapa Terrace is narrower than either Donald Street or Campbell Street with a legal road width of 12m along most of its length and a 18m 'bulb' towards the centre. Frontage-to-frontage widths range from 12m -20m. The narrower width of the street and absence of grassed berms results in a more urban condition that is exacerbated by some garages built to the pavement edge. Regular dwelling positions include a consistent shallow 4m setback that creates an intimate street setting. Dwelling frontages address the street enhancing perceptions of safety.
- 80 Narrow gaps between the dwellings and the narrow street width results in more restricted views beyond the dwellings, though occasional glimpsed views to the northern hills occur. Some of these views would have previously included the top of the former Malcolm Block (as can be seen in the visual simulation from Viewpoint 6). Linear street views enhance awareness of the Karori grid. The dwellings typically occupy much of their site and are generally constructed close to their boundaries. Properties have relatively tall fences and mature vegetation along some of their northern boundaries. Views from private backyards towards the Site exist though these vary between properties depending on their position relative to the Site and ground level.
- 81 Twelve dwellings located along the northern side of Scapa Terrace share a rear boundary with the Site.<sup>8</sup> These dwellings are single storey with the exception of 49 Campbell Street, 42 Donald Street and 24 Scapa Terrace.

#### ***Existing context (Site conditions)***

- 82 The key characteristics of the Site are:
- 82.1 The Site presents a character and urban form that is conditioned by the former Teachers' College. The Allen Ward VC Hall, the Tennant Block, and the octagonal-shaped component of the Oldershaw Music Block are retained.
- 82.2 The Lopdell Gardens between the former Waghorn and Panckhurst Blocks marked the boundary between stages 1 and 2 of the former Teachers' College. Both stages were built in the 'Brutalist' style.
- 82.3 The Site is highly modified and presents a complex topographical situation that roughly divides into three zones – a flat area to

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<sup>8</sup> 42 Donald Street, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Scapa Terrace and 49 Campbell Street.



the south and north-west of the Site, a steeper escarpment line through centre of the Site, and a flat platform at the northern Donald Street edge. A 10m fall occurs across the Site northeast down to southwest.

82.4 A range of open spaces occur including: the Lopdell Gardens in the northern quad and western gully, the southeast corner, vegetation along the northern boundary and courts and grass to the southwest.

82.5 The Site edges as described in relation to the receiving environment above.

**The Proposed Village**

83 The central portion of the Site is utilised for the taller 5-6 storey (plus basement) Village Centre and care buildings B01A and B01B (Figure 6). This approach locates these larger buildings away from the Site’s more sensitive edges and in positions that once contained the 2-10 storey former Teachers’ College buildings (Figure 7). I consider this approach responds well to RDG O1.1, G1.1, G1.6, which call for proposals to address sense of place, character patterns and height.

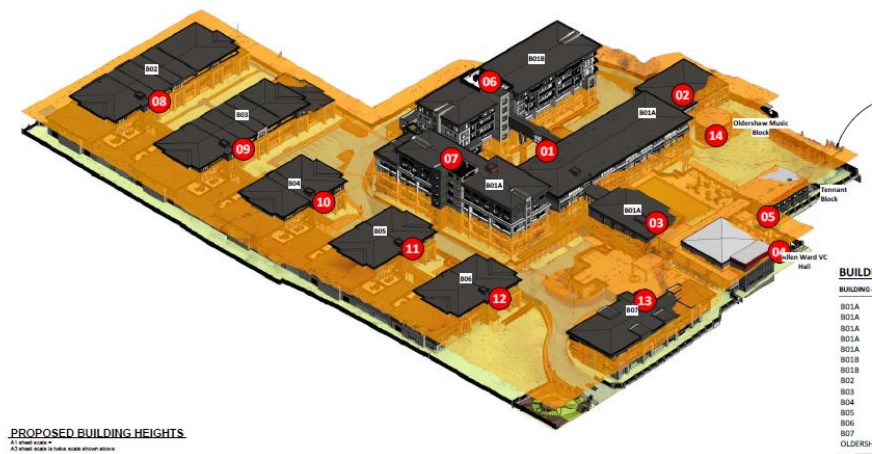


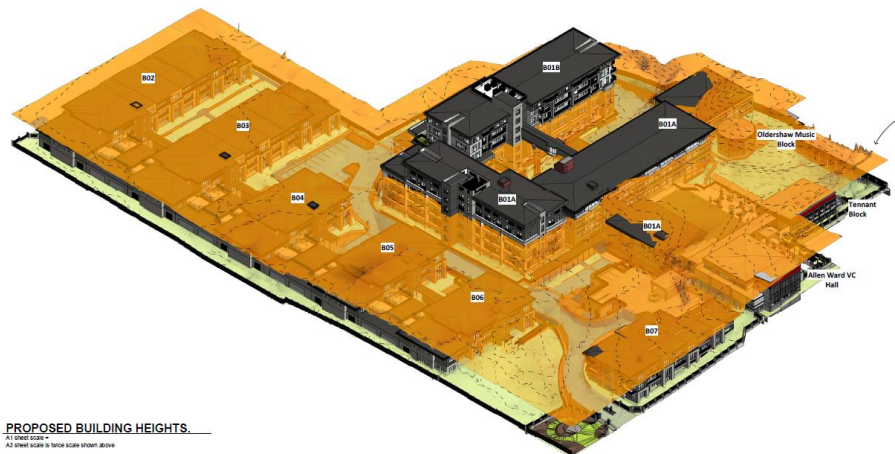
**Figure 6: Proposed Village building positions and heights**



**Figure 7: Former Teachers' College campus layout**

- 84 The centralised position of the taller buildings B01A and B01B reduces their visual presence from surrounding streets (as can be seen in the visual simulations from Viewpoints 01, 05, 06, 14). I consider this approach to be a positive urban design approach where the local street scale and character is inherently fine grain and to be a design approach that supports RDG G1.1 as it, "relate[s] to established patterns ... that determine the character of the street..."
- 85 Ryman has prepared 3D drawings showing the heights of the Proposed Village buildings relative to both the Operative Plan and Proposed Plan height standards (Figure 8). I note that Buildings B02–B06 and B07 comply with the Operative Plan 8m height limit along the southern boundary and comply with the Proposed Plan 11m height limit except for minor elements. For completeness, I note that these buildings also comply with the height in relation to boundary (HIRB) standards of both the Operative Plan and Proposed Plan.





**Figure 8: Proposed Village building heights relative to the Operative Plan (left) and Proposed Plan (right) height standards**

86 G1.2 of the RDG generally encourages consistency with neighbourhood patterns but acknowledges that contrast is appropriate in special circumstances. I recognise the landmark and heritage nature of the former Teachers' College and the contrast it provides in the wider residential neighbourhood. The Proposed Village, while of a different activity to the former Teachers' College, provides a meaningful landmark for Karori that is relevant in the context of its heritage elements, adjacency to the public pool, primary school and proximity to the centre of Karori. In my opinion, the location is a point of difference for the area and justifies a degree of contrast.

87 The following paragraphs provide an assessment of character and urban form in relation to the relevant receiving environments. I also address visual dominance effects on specific properties or groups of properties.

*Longer distance locations*

88 Buildings B01A and B01B are visible from middle to long distances, namely from Ben Burn Park and Wrights Hill, as shown in the visual simulations from viewpoints 08 and 07.

89 I consider any character and visual dominance effects of the Proposed Village on the view from Wrights Hill will be negligible given the long viewing distance (circa 1km) and wide scope of the view in which the Proposed Village forms only a small part.

90 The Proposed Village will be visually prominent from Ben Burn Park (circa 250m away) reflecting the more urban setting of the former Teachers' College. The larger forms of Building B01B (with glimpses of B01A) contrast with the foreground of finer grain suburban housing. I note the design approach breaks Building B01B into smaller visual units, particularly reducing the emphasis at the top levels. I also note that the Proposed Village sits generally within a backdrop of hills, thereby assisting integration with its context. As explained above, I

consider 'contrast' is appropriate in this context and justifies the prominence of buildings on the Site. I therefore consider the character and visual dominance effects from this viewpoint to be acceptable.

*Karori Road*

- 91 The northern end of Building B01B is visible from Karori Road across the playing fields of Karori Normal School (Viewpoint 13) though vegetation partly obscures this view. The setback distance of some 180m from Karori Road, the intervening playground and Kaori Pool, the context of school buildings and the containment of Building B01B within the distant ridgeline result in the Proposed Village having a benign impact on the Karori Road environment. Overall, I consider character and visual dominance effects to be acceptable.
- 92 221A Karori Road is to the immediate west of Karori Pool. The ground level at this property is lower than the ground level at both Building B01B and the public pathway. The separation distance between Building B01B and the lot boundary of 221A Karori Road is circa 25m, and existing mature vegetation along the public walkway and on the Site provides screening. The south façade of this dwelling includes frosted windows and a high-level strip window, and its outdoor living is oriented to the north away from the Site. For these reasons, I consider that any visual dominance effects on this property will be acceptable.
- 93 221B Karori Road is located more than 30m from the closest parts of Building B01B. The dwelling is oriented to the north away from the Site. A public pathway separates this property from the Site. For these reasons, I consider that any visual dominance effects on this property will be acceptable.

*Lewer Street*

- 94 Lewer Street does not adjoin the Site but is located some 125m (at the closest point to Building B01B) to the west of the Proposed Village. Viewpoint 11 is located on Lewer Street.
- 95 From Lewer Street, Building B01B will establish a new backdrop behind existing houses (e.g. 25 Campbell Street) with a pronounced skyline. The views will be transitory in nature as one moves along Lewer Street. This backdrop will be similar in some respects to the former Malcom and Pankhurst Blocks but will present a residential design language though a greater bulk. A juxtaposition in scale between the foreground and Proposed Village will occur due to the height of Building B01B combined with its large mass. The urban design and character outcome is one of contrast with the surrounding suburban setting. For these reasons, I consider the character and visual dominance effects will be acceptable. I also note that the residential language is an improvement over the former Teachers' College buildings.

*Donald Street*

- 96 Building B07 will front Donald Street. It is aligned with the street and setback 4.5m-6m, similar to local setback patterns. This building will be located on a steeply sloping part of the street, south of the retained

Allen Ward VC Hall and Tennant Block. A publicly accessible pocket park will be provided adjacent to Building B07 that retains some of the existing planting and the general location of existing open green space, which I consider supports RDG G1.4 "*Retaining mature vegetation helps to maintain local character and integrate development into the neighbourhood...*".

- 97 Building B07 exceeds the Operative Plan 8m height standard by a maximum of 3.4m at the southern end of the building. The retained Allen Ward VC Hall exceeds the height standard by 1.53m and provides a context of increased height along Donald Street. Building B07 and the Allen Ward VC Hall comply with the Proposed Plan 11m height standard (except for a small eave/roof breach at the southwest corner). In my opinion, Building B07 provides an appropriate transition in form, type and use from the Allen Ward VC Hall to the existing suburban context. Buildings B07 and B06 appear to step down Donald Street to the south (Figure 9).



**Figure 9: Allen Ward VC Hall and Building B07 front Donald Street. Building B06 is set back from the Donald Street boundary.**

- 98 RDG G1.1, G1.3, G1.6, G1.7, G1.11, G1.10 and G1.12 invite proposals to respond to neighbourhood character and landform. I consider Building B07 has been designed to relate to the Donald Street context consistent with the RDG in the following ways:
- 98.1 Frontage orientated to and aligned with the street consistent with the Karori and Donald Street grid;
  - 98.2 Design of façade elements and eave fascia to relate to the Allen Ward VC Hall;
  - 98.3 Stepping of façade frames to articulate bulk, to respond to the sloping topography of the street and to reflect the stepping of existing dwellings;
  - 98.4 3 storey height that is within the '1 storey' juxtaposition that achieves consistency;
  - 98.5 Modulation of the street façade into smaller units that relate to the scale of existing dwellings along the street;
  - 98.6 Articulated southern façade that acknowledges the pocket park; and
  - 98.7 Typical residential type fenced boundaries and planted yards.

- 99 When viewed from the northern end of the Donald Street boundary, the changes brought about by the Proposed Village will be less obvious. The general impression from Viewpoint 02 is of minimal change. The heritage elements of the Tennant Block and Allen Ward VC Hall are retained, while a pedestrian street entry connects directly to the street, repeating the former Teachers' College entry position.
- 100 The visual dominance of the Allen Ward VC Hall forms part of the existing environment. The bulkiness of the Hall provides a context of increased scale that drives the design response for Building B07 as mediator with the existing fine grain housing. The juxtaposition created by the Hall will be less marked once Building B07 is established. The character of Donald Street is acknowledged in the design of Building B07, which assists with integration of the Proposed Village into the existing residential environment. I consider Building B07 to provide an appropriate and positive streetscape response.
- 101 Overall, I consider character and visual dominance effects on Donald Street to be acceptable.

*Existing Donald Street dwellings*

- 102 Existing dwellings opposite the Site are separated from the Site by Donald Street with frontage-to-frontage distances ranging from 21m-29m. Various amounts of intervening planting occur, though I acknowledge any such planting could be removed. Some of these dwellings are set up and back from the street.
- 103 The outlook for those dwellings that more directly face the retained heritage buildings (23, 25, 27, 29, 31) will remain largely unchanged. I consider visual dominance and character effects to be acceptable.
- 104 The outlook for dwellings opposite Building B07 along the eastern side of Donald Street (33, 35, 37, 39) will change. The change in outlook for 33, 35, 37, and 39 Donald Street will be from a foreground view of open green space to a view onto a 3-storey apartment building that has been designed to relate to the Donald Street context as described at paragraph 98. Given the residential zoning of the Site, it is not unreasonable to expect a residential development to emerge on what was previously undeveloped land. I consider visual dominance and character effects on 33, 35, 37, 39 Donald Street to be acceptable. In addition to those reasons, I also note that:

104.1 Building B07 generally complies with the Proposed Plan 11m height standard; and

104.2 "3-storey attached and detached dwellings, and low-rise apartments", are anticipated by the Proposed Plan objectives and policies that give effect to the EHS Act (see in particular policy MRZ-P2).

- 105 41 Donald Street will retain its outlook over open green space to the southeast corner of the Site, and I consider visual dominance and character effects on this property to be acceptable.
- 106 42 Donald Street shares a side boundary with the Site and currently enjoys an outlook over open green space to the southeast corner. The outlook from this property will be over the proposed pocket park and I consider effects on this property to be visual dominance and character acceptable.

*Campbell Street*

- 107 Building B02 will front Campbell Street. This building is aligned with the street and setback 6m, similar to local setback patterns of 5m-7m. The building is 70m in length and 3 storeys in height, stepping down to 2 storeys at either end. As a result, the character of this part of Campbell Street will change from open grassed space to a continuous residential edge.
- 108 Building B02 exceeds the Operative Plan 8m height standard by a maximum of 2.67m, but complies with the recessions planes at the residential boundaries. Building B02 complies with the Proposed Plan 11m height and HIRB standards.
- 109 I consider Building B02 presents an acceptable design with respect to the character of its context (consistent with the RDG) as it:
- 109.1 Provides a building alignment consistent with the Karori and Campbell Street grid and a frontage setback of 6m similar to the existing setback patterns of 5m-7m.
  - 109.2 Subdivides the overall form of the building into groups. Macro-scale subdivision visually reduces the building's overall length and mass.
  - 109.3 Steps from 3 to 2 storeys at either end creating compatible outcomes at the interface with existing 1-2 storey houses and assisting with the visual grouping noted above.
  - 109.4 Establishes a 2-storey height datum using a series of 'frames' with a visually recessive top level, promoting relational qualities with the 1-2 storey suburban context.
  - 109.5 Sits comfortably in the context of the 20m wide legal road with frontage-to-frontage width of 25-30m (UDA, Figure 20). Height-to-width ratios of 1:2.3 to 1:2.8 are created that align with accepted urban design theory<sup>9</sup>.

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<sup>9</sup> Ratios of 1:2 to 1:3 set a desirable range to provide comfortable street enclosure allowing balanced views of both façade and sky. A ratio of 1:4 provides weak enclosure whereas 1:1 creates a stronger urban condition.

- 109.6 Utilises deep eaves, balconies, domestic fenestration, and projecting roof elements that offer identifiable residential qualities.
- 109.7 Adopts a fine roof fascia with subtle expression of skyline through balcony-roof elements and projecting frames. This fascia avoids a busy and potentially more dominant 'top'.
- 109.8 Creates a high level of façade modulation through the projection and recession of forms. This modulation avoids large flat facades that would lead to visual dominance. High levels of modulation and articulation through window / balcony fenestration also visually reduces the building mass into smaller units.
- 109.9 Identifies individual frontages and entrances at ground level onto Campbell Street with front gardens, reflecting individual entrances elsewhere along the street.
- 109.10 Provides a typical residential style fenced boundary with vegetated front yards.
- 110 In addition, I also note that Building B02 height complies with the Proposed Plan height and HIRB standards and the objectives and policies regarding 3-storey buildings mentioned earlier also apply. These factors support my view that the proposal is consistent with the planned urban character for the area.
- 111 Overall, I consider the visual dominance and character effects on Campbell Street to be acceptable.
- Existing Campbell Street dwellings*
- 112 The outlook from the Campbell Street properties fronting the street opposite the Site (32, 34, 36, 38, 40) will change from a foreground view of open green space to a view onto a 2 and 3-storey apartment building with compatible qualities described at paragraph 109. Given the residential zoning of the Site, it is not unreasonable to expect a residential development to emerge on what was previously undeveloped land. The Campbell Street separation (frontage-to-frontage distances of 25m-30m) and existing yard planting will also reduce effects on dwelling outlook. For these reasons, I consider visual dominance and character effects on these properties to be acceptable. In addition to those reasons, I also note that Building B02 complies with the Proposed Plan 11m height standard and the objectives and policies regarding 3-storey buildings mentioned earlier also apply.
- 113 27/1 and 27/2 Campbell Street do not adjoin the Site and are separated by the RSA Hall at 27A Campbell Street. These properties contain 2 storey dwellings with primary outdoor areas positioned to the north of the dwellings facing away from the Site. They appear to provide living areas at ground level. I do not consider the primary outlook for these dwellings to be towards the Site and consider any visual dominance and character effects to be acceptable.



- 114 27A Campbell Street adjoins the Site and is occupied by the RSA Hall. The Hall has a non-residential function, contained within a utilitarian shed-type structure with minimal windows oriented towards the Site. Indoor-outdoor relationship does not occur or is very limited. Given the building's use and façade arrangement, I do not consider visual dominance or character impacts to arise and consider any such effects of the Proposed Village on this property to be acceptable.
- 115 29 Campbell Street adjoins the Site and accommodates a childcare facility 'Karori Kids'. This dwelling is oriented north-south with play spaces at either end. Eastern window fenestration is limited to mostly high-level windows. The 6-storey (plus basement) Building B01B will introduce a change over the eastern boundary and is located 23m-24.5m away from Karori Kids.
- 116 Along the southern part of the eastern boundary, existing planting (that could be removed) and proposed planting (12 x conical coniferous trees, 3m height) will provide screening. I consider that planting coupled with the 23m setback will mitigate visual dominance impacts to an appropriate level. The northern portion of the eastern boundary is more exposed. However, proposed planting in this area includes 3 x Titoki trees (7m height / 4m spread) that will provide reasonable screening of Building B01B from the Karori Kids building and its northern open space once mature. While minor adverse visual dominance effects will occur, overall, I assess these effects to be acceptable given the non-residential activities of 29 Campbell Street, the limited window outlook to the east and the level of screening and generous setback.
- 117 33A Campbell Street is a 2-storey private dwelling sharing its southern boundary with the Site. The south façade does not include window fenestration at the upper level. Any visual connection with the Site will be from the primary open space to the east of the dwelling.
- 118 Building B03 sits opposite this open space area and is comprised of a 2-storey form is setback 4.1m at the boundary. I consider the general 2-storey relationship is acceptable. The northern end of Building B03 is wider than a typical suburban dwelling and therefore has the potential to create visual dominance effects. Proposed planting along the north face of Building B03 includes four 6m tall trees (Upright Maidenhair) with 2.5m spread and eight 'White Cedar' 5m tall coniferous trees. I consider these will effectively interrupt the experience of Building B03's width and 'soften' this outlook. For these reasons, I consider any visual dominance and character effects on this property will be acceptable.

*Scapa Terrace*

- 119 Scapa Terrace has a high level of visual containment that, as a result, generally limits views beyond the dwellings. Ms Duffell offers a different conclusion and considers that the single storey nature of the dwellings creates an "open aspect northwards". My assessment is informed by the visual simulations prepared by Ryman and I consider the foreground presence of Scapa Terrace dwellings will remain the

dominant experience along this street. Any views beyond will be interrupted.

- 120 Principal views are east-west along the street. Street character will therefore be affected by the Proposed Village to a limited degree. Street users may get glimpses north towards the Site (onto the upper levels of Buildings B01B and B02-B06) as shown in the visual simulations from viewpoints 06, 14, and 15. However, in my view, any effects from these glimpses of the Proposed Village are limited by the overriding foreground presence of existing dwellings and the constrained nature of these views. I consider the Proposed Village will acknowledge and respect the visual character of Scapa Terrace. For these reasons, I consider any visual dominance and character effects on Scapa Terrace users will be acceptable.

*8, 10, 12, 14, 16, 18, 20, 22 Scapa Terrace*

- 121 Along the southern boundary of the Site, the Proposed Village presents 2 storey forms that offer a compatible and compliant height relationship with the adjoining Scapa Terrace dwellings. This relationship aligns with RDG G1.6 that seeks compatible height relationships. This 2-storey interface, along with the recession plane compliance, helps reduce visual dominance impacts on the Scapa Terrace properties and transitions the scale of the 3 storey elements of Buildings B02-B06 into the Scapa Terrace setting.
- 122 Along the Scapa Terrace boundary, Buildings B02-B06 have been modulated to read as individual forms at 1st floor and above (as shown in the rendered views in Figure 10). The ground level is a single connected garage structure that will be generally screened by fencing and planting. The individual upper-level forms are oriented north-south to align their narrower south elevations with the Scapa Terrace boundary. Each elevation is 18.9m in width with a 17.8m separation between forms. This elevation width is in-scale with the adjoining houses that present rear facades ranging from 11m-20m, while the upper-level gaps between forms present more generous separation than exists between the Scapa Terrace properties. I consider the Proposed Village aligns with the outcomes sought under RDG G1.7 that asks proposals to relate to existing building dimensions and spacing.



**Figure 10: Rendered views from the rear of 20 (left) and 24 Scapa Terrace (larger versions of these images are at Appendix F)**

- 123 The top level of Buildings B02-B06 are 15.2m-16.5m away from the Scapa Terrace boundary (at their closest points) and back-to-back

separation at the top-level ranges from 23m-29m. This degree of horizontal separation, with intervening planting, helps to mitigate visual dominance of the upper parts of Buildings B02-B06.

- 124 The ground level of Buildings B05 and B06 sit below neighbouring properties at 8, 10, 12 and 14 Scapa Terrace reducing building bulk. Proposed native planting along the boundary will range from 3m to 5m to 8m in height and help mitigate bulk. Considering all of these factors, I determine the visual dominance and character effects on these properties to be acceptable.
- 125 Buildings B03 and B04 have similar ground levels to 16-22 Scapa Terrace. I understand that stormwater management requirements between B03 and B05 (adjacent to 16, 18, 20, 22 Scapa Terrace) prevents tall tree planting (restricted to shrubs and low trees between 3m and 5m height). Accordingly, these properties are more likely to experience visual dominance effects compared to the properties addressed in the paragraph above. Some of these properties (16 and 22 Scapa Terrace) are mostly aligned with the gaps between Buildings B03/B04 and B04/B05 that will help mitigate effects on those dwellings. I note that the rendered views provided by Ryman for 16 and 20 Scapa Terrace (at Appendix F) indicate reasonable levels of screening. Considering all these factors, I determine the visual dominance and character effects on these properties to be acceptable.
- 126 I also note that a Proposed Plan compliant residential development could have significantly greater levels of bulk and form than the Proposed Village with greater visual dominance effects on Scapa Terrace properties (Appendix C), also noting the objectives and policies regarding 3-storey buildings mentioned earlier.

*2-Storey dwellings: 49 Campbell Street and 24 Scapa Terrace*

- 127 The property at 49 Campbell Street shares a common boundary with the Site adjacent to Building B02 and is part of the rear line of Scapa Terrace houses. This house is 2 storeys and includes upper-level windows oriented towards the Site. Notwithstanding the lower proposed site level at this location, the upper-level northern outlook from 49 Campbell Street will be towards the 1st floor of Building B02 with the proposed 2nd floor (top level) also likely to be in view. 24 Scapa Terrace sits opposite Building B03 that has a proposed ground level lower than this neighbour. 24 Scapa Terrace includes an upper level that presents windows looking north over the Site. This upper-level view will be onto the 1st floor corner of Building B03 but channelled between Buildings B02 and B03.
- 128 As 2 storey dwellings, both 49 Campbell Street and 24 Scapa Terrace will experience a significant change to their northern upper-level outlook. I have viewed the Council deposited plans for both properties. At the upper level, 49 Campbell Street contains bedrooms, a study and toilet and 24 Scapa Terrace contains a bedroom, study and ensuite. Outlook from bedrooms is generally considered less critical than from living spaces in terms of residential amenity. Nevertheless, the bedroom outlook from both properties will change from views over an

open grassed area to views onto the Proposed Village with a bulk and scale greater than surrounding housing. However, the Site is residentially zoned and the Site's 'windfall' status means the Operative Plan anticipates a degree of departure from conventional suburban outcomes and a higher level of development density on the Site. Considering these factors together, I consider visual dominance and character effects to be acceptable.

- 129 Further, as noted at paragraph 126, a residential development form compliant with the Proposed Plan medium density standards would result in greater visual dominance and character effects on these properties, also noting the objectives and policies regarding 3-storey buildings mentioned earlier.

*6 Scapa Terrace and 42 Donald Street*

- 130 These properties are located at the eastern end of Scapa Terrace will continue to adjoin open space on the Site. They will experience a predominantly planted northern backdrop with the majority of existing vegetation retained. Building B07 (3 storeys) is located 34m away from the boundary of the closest property (42 Donald Street) with intervening planting and a pocket park. I consider any visual dominance and character effects on these two properties to be acceptable.

***Proposed Design Guide Residential***

- 131 The DGR covers very similar ground to the 'Character' section of the RDG under the headings 'Responding to the natural environment' and 'High-quality buildings'.<sup>10</sup> Accordingly, I do not consider the DGR would alter my assessment set out above.

**Topic 3: Residential Amenity Effects**

***Overview***

- 132 Residential amenity effects include visual dominance, privacy and shading effects. Visual dominance effects are addressed in the previous section. This section addresses the potential privacy and shading effects of the Proposed Village.

- 133 The Operative Plan requires residential amenity effects to be managed through compatible siting, scale and intensity of new development. Adverse effects on neighbouring properties are to be avoided or mitigated to ensure reasonable levels of amenity are maintained. RDG G2.7 and G4.7 call for assessment of shading and privacy effects on neighbours.

*Privacy effects*

- 134 For my assessment of privacy from overlooking I have referred to the RDG that asks for "reasonable standards of privacy" to be maintained. The RDG acknowledges that total privacy is not reasonably achievable and for adjacent dwellings (G4.7) "it is not expected that existing levels

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<sup>10</sup> G1, G2, G3, G5, G6, G106, and G107 apply.

*of privacy will be maintained*” but that parts of private space will have a high degree of visual privacy and other parts may be overlooked. The RDG also states that privacy may be addressed at both sides of the boundary. I have considered these parameters in my assessments.

- 135 The DGR also calls for assessment of privacy from overlooking, with similar guidelines to the RDG. Accordingly, the DGR would not affect my assessment approach.

*Shading effects*

- 136 For my assessment of shading effects, I utilised sunlight shading diagrams prepared by Ryman and tabular analysis prepared by Mitchell Daysh. These shading diagrams identify shading at midwinter, the vernal (spring) equinox and at midsummer.
- 137 In response to a request from Council, shade cast by 2m tall, permitted boundary fence has been tested (Appendix C). Ryman has provided examples of fence shading at midwinter (8:30am, midday and 3pm). I have considered the effects of this shading in my response to submissions.
- 138 The shading diagrams do not show shading from existing or proposed planting but that planting would provide further shade over affected properties where it extends above fence height.
- 139 The Operative Plan does not provide an objective standard for assessing shading effects on neighbours, although it is normal practice for the built form standards to guide such assessments. The RDG also provide guidelines for sunlight to new dwellings, which provide some indication of a measure of reasonable sunlight. The RDG focuses on mid-winter shade over and above other times of the year and considers 4+ hours of sun into living areas and 3+ hours of sun onto outdoor spaces to provide acceptable levels of sun. The RDG further defines the surface area onto which sunlight needs to fall to meet those guidelines as being a “*substantial proportion*”. I consider that to be at least half the subject open space area or more. Regarding sun into internal living areas, I have used the extent of sunlight hitting the rear façade as a proxy for sun entering a space through a window.
- 140 My assessment adopts the RDG guidelines (as agreed with Ms Duffell) to provide an initial ‘sieving’ of shading effects. Where sunlight access to neighbouring properties will meet those guidelines, I consider the amenity impact of the Proposed Village is acceptable. Where sunlight access to neighbouring properties will not meet those guidelines, I reviewed the impacts further in relation to the following additional factors:
- 140.1 Sunlight and shade conditions at the vernal equinox and at mid-summer (including the time, length and location of shading);
- 140.2 Implications of shade cast by envelopes that comply with Operative Plan and Proposed Plan height, yard and HIRB standards. I acknowledge the Operative Plan and Proposed Plan standards do not create a permitted baseline. However, I

consider this shading is a relevant factor to consider in determining whether reasonable amenity is maintained. The planning context and the related change expected in the environment helps inform an assessment of the appropriateness of amenity effects. In my experience, breaches of standards that are designed to maintain a level of amenity are looked at more closely in resource consent processes, given the greater potential to cause unanticipated amenity effects.

140.3 Implications of shading that is experienced as a result of any retained Teachers' College buildings.

140.4 Any specific use of, or structures on, the subject area.

141 In my evidence, I provide a brief summary of my shading assessment. For brevity, I do not repeat the description of the times of the year and day that shading effects will occur as this information is covered in both the UDA and the Council Officer's Report.

142 The DGR does not set out prescriptive considerations for sunlight access and allows a more open interpretation of what constitutes appropriate sunlight access. I consider the above assessment approach remains appropriate.

### ***Karori Road Properties***

#### *221A Karori Road*

143 This a residential property to the immediate west of Karori Pool. The ground level of this property is lower than the level of both Building B01B and the public pathway. There is a generous separation distance to northern façade of Building B01B while proposed planting and public path vegetation occurs at the interface. The dwelling faces north and its open spaces are to the north and west away from the Site. All these factors help ensure that the dwelling and outdoor living area of 221A Karori Road is screened from overlooking views from Building B01B. I consider any overlooking and privacy effects to be acceptable.

144 The property experiences no shading at mid-winter or the equinox. Mid-summer shading exists from 7am, but is gone by 8:45am. I consider any sunlight shading effects to be acceptable.

#### *221B Karori Road*

145 This property faces north and is 33m away from the northwest corner of Building B01B. The dwelling's outdoor living area faces north. Council land and pathway separates the property from the Site. For these reasons, I consider any overlooking and privacy effects to be acceptable.

146 The property experiences no shading at mid-winter or the equinox. Mid-summer shading exists from 7am-8:15am. I consider sunlight shading effects to be acceptable.

### ***Donald Street Properties***

- 147 25-43 Donald Street are located opposite the Site and the street will provide acceptable separation from the Proposed Village. For these reasons, I consider any overlooking and privacy effects to be acceptable.
- 148 Based on the shading diagrams, the residential properties at 25-51 and 44-58 Donald Street will receive negligible shading from the Proposed Village or will receive 4+ hours of sun onto a substantial proportion of the primary outdoor area and facades at mid-winter. Accordingly, I consider sunlight shading effects on these properties to be acceptable.
- 149 The Kaori Pool is an indoor facility with no indoor-outdoor activity. Sunlight access is considered to be of low importance. Limited shading occurs at mid-summer from 7am – 9am only. I consider sunlight shading effects to be acceptable.

### ***Campbell Street Properties***

#### ***33A Campbell Street***

- 150 This 2-storey dwelling is located at the northern boundary of Site. The upper-level southern façade of 33A Campbell Street does not appear to include windows. The ground floor includes a window that is partly screened by a shed structure and dense planting. Reviewing aerial photography and observing the boundary, the primary outdoor area for this house is located to the eastern side of the dwelling. Mature planting occurs along both sides of the boundary between the property and the Site.
- 151 The dwelling itself will sit opposite the gap between the northern end of Buildings B02 and B03 while the outdoor area will be opposite the northern end of Building B03. The southern property boundary of the 33A Campbell Street is relatively close (4.1m) to the 2-storey northern end of Building B03. The landscape plan indicates planting of 4 x Maidenhair Trees and 8 x White Cedar trees. Building B03 is elevated by approximately 1m relative to the subject neighbour but the proposed north elevation of Building B03 includes high-level windows. It is therefore unlikely that overlooking of 33A Campbell Street's primary outdoor space or ground level window will occur and I consider any privacy effects to be acceptable.
- 152 The property receives 4+ hours of sun onto a substantial proportion of the primary outdoor area and related facades at midwinter. Overall, I consider any sunlight shading effects to be acceptable.

#### ***29 Campbell Street (Karori Kids)***

- 153 This property accommodates a childcare facility only and adjoins the Site along two of its boundaries (south and east). The southern boundary includes an outdoor play space, and a further play space occurs along the western boundary. The southern façade of the building includes three windows, and the building is set back 16m from the boundary with the Site. The Ako Pai Marae (now demolished) was located along the eastern boundary of the property.

- 154 The 2-storey end of Building B03 will be located 4.1m off the boundary with 29 Campbell Street, however the majority of the 29 Campbell Street boundary is opposite open space, vehicle access and parking removing any potential for overlooking. Proposed vegetation will provide some screening of views from the northeast corner units of Building B03. Level 1 windows on the north facade of Building B03 are high-level only, which will restrict overlooking. The proposed pedestrian path along the boundary will replace a similar access condition that exists, though with pedestrian only rather than vehicular movement. Overlooking will be screened at ground level by fencing and planting. Overall, I consider privacy effects on the southern play space and façade of Karori Kids to be acceptable.
- 155 The eastern boundary of Karori Kids will adjoin the proposed access way and is separated by 21.1m from the 7-storey Building B01B (with a 23m-24.5m separation from the Karori Kids building itself). Proposed planting at this boundary includes 12 White Cedar trees and some mature planting exists along the southern part of the boundary on the Karori Kids site. Some views from care apartments onto the Karori Kids rear play space will occur, but these will be filtered by planting and are 23m away (a typical street width). Therefore, I consider that any overlooking towards the Karori Kids' rear play area will be acceptable.
- 156 The property receives 4+ hours of sun onto the rear play area at mid-winter. The western play area (and grassed northern area) is free of shade by 11:00am and also receive 4+ hours of sun. Overall, I consider any sunlight shading effects to be acceptable.

*27A Campbell Street (RSA hall)*

- 157 The RSA hall is a simple utilitarian building that is primarily arranged to provide internalised space for events rather than for indoor - outdoor amenity. A few small windows are located high up on the eastern wall of the building facing the Site. Based on the characteristics of this property, I consider that any privacy effects are acceptable.
- 158 The property is used for non-residential purposes and does not have outdoor / indoor living spaces. Therefore, it is less sensitive to the effects of shading. Partial shading occurs from 08:30-09:45am at midwinter and the property receives 4+ hours of sun. Overall, I consider sunlight shading effects to be acceptable.

*Campbell Street (east side)*

- 159 This section addresses the properties at 15, 17, 17A/17B, 19, 19A, 21, 21A, 23, 25, 27/1, 27/2, 31, 31A, 31B and 51 Campbell Street.
- 160 None of these properties directly adjoin the Site. Any overlooking will be screened or interrupted by other neighbours, or set back over considerable viewing distances to negate overlooking concerns. Accordingly, I consider any adverse privacy effects will be acceptable.
- 161 All properties receive 4+ hours of sun at mid-winter. Overall, I consider sunlight shading effects to be acceptable.



*Campbell Street (west side)*

- 162 This section addresses the properties at 28/28A, 30, 32, 34, 36, 38, 40 and 42 Campbell Street. Properties 32, 36, 38 and 40 on the western side are directly opposite the Site, separated by Campbell Street.
- 163 Campbell Street has wide frontage-to-frontage widths ranging from 25m-30m providing a good level of separation from Building B02. These properties tend to locate their outdoor living spaces to the west oriented away from the Site. I consider privacy effects on these properties to be acceptable.
- 164 All of these properties receive 4+ hours of sun onto a substantial proportion of the primary outdoor area and facades at mid-winter. Overall, I consider sunlight shading effects to be acceptable.

***Scapa Terrace Properties***

- 165 This section addresses the properties at 6 to 24 Scapa Terrace, 42 Donald Street and 49 Campbell Street, which share boundaries with the Site.

*Overlooking / privacy effects*

- 166 These properties include some form of private outdoor space along their rear interface with the Site. These spaces are oriented to the north, include boundary fencing and varied planting. Occasionally these rear areas include parking / garaging. To understand the internal layout of the houses I have reviewed Council property files (some which are not up to date), studied aerial photography and made observations during site visits. The general patterns indicate the tendency for living/kitchen/dining areas to open north onto back gardens, facing their rear boundaries.
- 167 Buildings B02-B06 are located along this common boundary and are arranged as follows:
- 167.1 5.5m from the boundary with 16 to 24 Scapa Terrace and 49 Campbell Street.
- 167.2 4.2m from the boundary with 6 to 14 Scapa Terrace and 42 Donald Street.
- 167.3 Proposed building heights closest to the boundary are 2 storeys, stepping up to 3 storeys at 15.2m to 16.5m from the boundary. Upper-level building-to-building separation varies from 20m-26.5m.
- 167.4 The windows of Buildings B02-B06 facing the boundary are shown on Ryman drawing RC35.
- 168 The ground (garage) level of Buildings B02-B06 have no windows and no overlooking will occur. The eastern corner of Building B06 (opposite 8 Scapa Terrace) includes windows however these will be screened by fencing, preventing overlooking.

- 169 At the 1st floor of Buildings B02-B06, proposed windows are high-level only and do not permit direct views to Scapa Terrace properties.
- 170 At the 2nd floor (top level) of Buildings B02-B06, the 15.2-16.5m setback, foreground roof of Buildings B02-B06 and tree planting limits views such that they are generally onto the roofs of single storey neighbours. Interrupted views onto rear facades may occur at 8, 10, 12 and 14 Scapa Terrace due to the lower ground level of the proposed buildings in this area. However, I consider the 25m separation distance and intervening 5m-8m tall, proposed tree planting will mitigate overlooking. In all cases, I consider any privacy effects will be acceptable.
- 171 Views from the proposed outdoor 1st floor level terraces between Buildings B02-B06 will be screened by 1.5m tall planting as proposed in the landscape plan and also mitigated by the foreground presence of the garage roof and planting along the boundary. I again consider any privacy effects will be acceptable.
- 172 42 Donald Street has significant separation from any proposed buildings (Building B07 is 34m away and Building B06 is some 50m away) and plant screening will be provided by the proposed pocket park. I consider any privacy effects to be acceptable.
- 173 Any overlooking of 49 Campbell Street from the 2<sup>nd</sup> floor of Building B02 will be limited due both to angle of view being interrupted by the foreground roof of Building B02, the 20m building-to-building separation distance and planting. I note the position of the rear garden on this property is opposite the gap between B02 and B03, which reduces overlooking. Privacy effects from the ground and 1<sup>st</sup> floor will not occur for the reasons discussed above. I consider any privacy effects to be acceptable.

*Sunlight Shading Effects*

*6 Scapa Terrace*

- 174 Receives 4+ hours of sun onto a substantial proportion of the primary outdoor area and rear façade at mid-winter. I consider sunlight shading effects to be acceptable.

*8 Scapa Terrace*

- 175 Receives 4+ hours of sun onto a substantial proportion of the primary outdoor area and rear façade at mid-winter. I consider sunlight shading effects to be acceptable.

*10 Scapa Terrace*

- 176 Receives 4+ hours of sun onto a substantial proportion of the primary outdoor area and rear façade at mid-winter. I consider sunlight shading effects to be acceptable.

*12 Scapa Terrace*

- 177 Receives 4 hours of sun onto a substantial proportion of the primary outdoor area and rear façade at mid-winter from 10am to 2pm. Shade

over more than half of the primary outdoor area occurs from 08:30 until 10am and reappears around 2pm. The primary outdoor area is only completely free from shade from 12:00 to 1pm. A rear garage exists to the northeast corner and would likely cast some shadow across the garden in the morning. Shade generated by an envelope that complies with Operative Plan and Proposed Plan height, HIRB and yards casts greater than that of the Proposed Village. Shade from a 2m high permitted fence casts significant shade at midwinter. I consider sunlight shading effects to be acceptable.

#### *14 Scapa Terrace*

178 As the RDG guideline will not be met at this property, I have considered the potential shading effects in more detail. Taking into account the following factors, I consider shading effects to be acceptable:

178.1 At the equinox, the rear garden is generally free of shade from 8:00am until early afternoon and a substantial proportion receives sun through to 4:45pm. Shading on the rear façade only occurs from 5:15pm.

178.2 At mid-summer, there is no shading on this property.

178.3 An envelope that complies with Operative Plan and Proposed Plan height, HIRB and yards standards creates greater shading than that generated by the Proposed Village throughout mid-winter and the equinox.

178.4 Shade generated by 2m fencing casts significant shade at midwinter. Existing tree planting above fence height would also cast shade.

178.5 No unusual use of, or structures on, the property.

#### *16 Scapa Terrace*

179 As the RDG guideline will not be met at this property, I have considered the potential shading effects in more detail. Taking into account the following factors, I determine shading effects to be acceptable:

179.1 At the equinox, the rear garden is generally free of shade from 8am until 3pm and a substantial proportion receives sun through to 4:30pm with shade only affecting the rear façade from 5:30pm.

179.2 At mid-summer, there is no shading on this property.

179.3 An envelope that complies with Operative Plan and Proposed Plan height, HIRB and yards standards creates greater shading than that generated by the Proposed Village throughout mid-winter and the equinox.

179.4 Shade generated by 2m fencing casts significant shade at midwinter. Existing tree planting above fence height would also cast shade.

179.5 A shed appears to exist along the eastern side of the rear garden that would likely cast some shade on the rear garden in the morning.

*18 Scapa Terrace*

180 As the RDG guideline will not be met at this property, I have considered the potential shading effects in more detail. Taking into account the following factors, I determine shading effects to be acceptable:

180.1 At the equinox, the rear garden is generally free of shade from 08:00am until early afternoon. By 3pm around half of the rear garden is in shade that increases through to sundown. The rear façade receives some shade from 4:45pm and is in full shade from 5:15pm.

180.2 At mid-summer, there is no shading on this property.

180.3 An envelope that complies with Operative Plan and Proposed Plan height, HIRB and yards standards creates greater shading than that generated by the Proposed Village throughout mid-winter and the equinox.

180.4 Shade generated by 2m fencing casts significant shade at midwinter. Existing tree planting above fence height would also cast shade.

180.5 No unusual use of, or structures on, the property.

*20 Scapa Terrace*

181 At mid-winter, the rear façade receives 4hrs of sun between 9am and 1pm indicating sun penetration into the dwelling conforms with the RDG guideline. However, as the RDG guideline relating to outdoor living space will not be met at this property, I have considered the potential shading effects in more detail. Taking into account the following factors, I determine shading effects to be acceptable:

181.1 At the equinox, the rear garden is free of shade from 8am until 4pm with any shade during this time falling on the garage roof only. Beyond this time until sundown shade increases and by 5pm the rear garden is fully shaded. Shade occurs on the rear façade from 5pm.

181.2 At mid-summer, there is no shading on this property.

181.3 An envelope that complies with Operative Plan and Proposed Plan height, HIRB and yards standards creates greater shading than that generated by the Proposed Village throughout mid-winter and the equinox.

181.4 Shade generated by 2m fencing casts significant shade at midwinter. Existing tree planting above fence height would also cast shade.

181.5 A large rear garage exists to the northwest corner of the property adjoining the boundary with the Site. This garage would be likely to cast some shade across the rear garden.

*22 Scapa Terrace*

182 As the RDG guideline will not be met at this property, I have considered the potential shading effects in more detail. Taking into account the following factors, I determine shading effects to be acceptable:

182.1 At the equinox, the rear garden receives excellent sun from 8am until just before 3pm, with shade on the rear façade occurring from 4:30pm.

182.2 At mid-summer, there is no shading on this property.

182.3 An envelope that complies with Operative Plan and Proposed Plan height, HIRB and yards standards creates greater shading than that generated by the Proposed Village throughout mid-winter and the equinox.

182.4 Shade generated by 2m fencing casts significant shade at midwinter. Existing tree planting above fence height would also cast shade.

182.5 No unusual use of, or structures on, the property.

*24 Scapa Terrace*

183 As the RDG guideline relating to outdoor living space will not be met at this property, I have considered the potential shading effects in more detail. Taking into account the following factors, I determine shading effects to be acceptable:

183.1 At the equinox, the rear garden is generally free of shade from 8am until 4:15pm with sun on the rear façade until 5pm.

183.2 At mid-summer, there is no shading on this property.

183.3 An envelope that complies with Operative Plan and Proposed Plan height, HIRB and yards standards creates greater shading than that generated by the Proposed Village throughout mid-winter and the equinox.

183.4 Shade generated by 2m fencing casts significant shade at midwinter. Existing tree planting above fence height would also cast shade.

183.5 No unusual use of, or structures on, the property.

*26 Scapa Terrace / 51 Campbell Street*

184 Receives 4+ hours of sun onto a substantial proportion of the primary outdoor area and rear and side façades at mid-winter. I consider shading effects to be acceptable.

- 49 Campbell St*
- 185 Receives 4+ hours of sun onto a substantial proportion of the primary outdoor area and the east-facing (rear) façade at mid-winter. I consider shading effects to be acceptable.
- 42 Donald Street*
- 186 Receives 4+ hours of sun onto a substantial proportion of the primary outdoor area and facades at mid-winter. I consider sunlight shading effects to be acceptable.
- Scapa Terrace South Side*
- 187 These properties do not directly adjoin the Site. Some of these properties will experience some shading from the Proposed Village for a very short time in the late afternoon. I consider sunlight shading effects to be acceptable.
- Other Properties*
- 188 A number of other properties on Cargill Street, Firth Terrace and Cooper Street have also been considered in relation to mid-winter shading effects. Any shading effects occur at the very beginning or at the very end of the day and are of short duration. I consider shading effects to be acceptable.

**Topic 4: Architectural Concept and Design**  
***Design coherence and identity***

- 189 Objective O3.1 and G3.1 of the RDG refer to the coherent design of an individual building, however I consider it equally relevant to discuss the coherence of the masterplan as an assemblage of buildings.
- 190 The Proposed Village presents a design language that is consistent across the Village as a whole but also varies according to site conditions and local context. Different parts of the Site conform to four character areas. I describe these as Areas A, B, C and D, addressing Campbell Street / Scapa Terrace, Donald Street, the former Teacher’s College cluster and the open green space at the southeast corner. The proposed building and open space design reinforces its parent character area.
- 191 Each building appropriately supports the activities it contains, most notably the layout and amenity of apartments. The Village Centre utilises heritage buildings, lending identity and character to those parts of the Proposed Village that provide a focus for residents and visitors. Service areas are visually contained and utilise areas of existing landform with poor amenity and steep retaining. Each building has resolved issues of planning, formal composition and visual presentation to a high degree. This resolution is evident in the variation required of the different buildings according to their position on the Site and broader role within the Proposed Village
- 192 Overall, I consider the design of the Proposed Village and its buildings to be coherent.

### **Street frontages and entrance legibility**

- 193 The Proposed Village presents new buildings that directly face and overlook Campbell Street and Donald Street. This layout supports G3.2 that calls for developments to “*face the street*”.
- 194 Campbell Street is addressed by Building B02 and includes individual ground level entrances that provide “*frequent connections to the street*” (G3.5). Generous levels of glazing, patios, balconies acknowledge Campbell Street as the primary frontage and provide a “*sense of human scale*” (G3.6).
- 195 Donald Street is addressed by Building B07 in a positive manner that responds to the slope of the street through a stepped façade. Generous levels of glazing, patios and balconies engage with the street (G3.2, G3.6). Building B07 includes a subtly castellated top that offers skyline variation and reflects the façade design of frames at lower levels. This approach supports RDG G3.8 that calls for the tops of buildings to be integrated with the overall building composition. The building top reflects the emphasis at the top of the Allen Ward VC Hall.
- 196 G3.17 and G3.18 seek visible, safe and attractive entrances to buildings. Communal entrances to apartment blocks provide dignified addresses, clearly signalled by change in façade design and strong vertical expression of the building cores. Entrances are appropriately located to open onto the surrounding streets or onto the new internal accessway or courtyards.
- 197 The Village Centre (Building B01A) provides services and connects with the main pedestrian entrance onto Donald Street. This approach creates an attractive street node and invites public engagement.
- 198 The site-wide arrival points provide a clear, legible arrival hierarchy.
- 199 Overall, I consider the Proposed Village street frontages and entrances will be legible.

### **Planning and amenity**

- 200 Internal residential amenity (sunlight, open space, unit layout, liveability) are considered in the RDG (G3.9 to G3.16) reflecting Operative Plan direction to provide high quality living environments (Policy 4.2.4.2).
- 201 Proposed apartment buildings B02 – B07 have their own legible entry, core and circulation connected to street or shared accessways (G3.10). For most buildings, core areas connect through with glazing enhancing orientation and views to the outside.
- 202 All buildings are configured around shared courtyards or gardens or overlook streets/accessways that offer a high level of amenity for each apartment. At 18-30m wide, the courtyards provide separation to reduce direct views between units (G3.14). Proposed planting will screen direct views from the accessway towards lower-level northern

units of Buildings B04, B05 and B06. General privacy from pathways will be achieved through planting at the interface with ground-level units.

- 203 RDG G3.9 and G2.5 call for sunlight to be optimised into living areas. An assessment of sunlight access into the apartments and care rooms and private outdoor spaces has been carried out using 3D sun shading studies (at midwinter) provided by Ryman. As a general principle, the buildings have been arranged to provide either east or west facing apartments (except part of Building B01B) with morning or afternoon sun. Common areas have been designed and oriented to receive sunlight.
- 204 Each building presents apartments with varying levels of sunlight access into internal living spaces and outdoor areas. 41% of apartments receive a level of sun that generally complies with the RDG (3-4+ hours). 39% of apartments receive 1-3 hours sunlight, and 20% receive little or no sun. Sunlight access at the equinox and mid-summer provides greater levels of sunlight (5-6hrs) into each unit.
- 205 The Proposed Village is not a conventional medium density residential development and therefore different expectations for sunlight apply<sup>11</sup>. A range of apartment options are provided with high, medium and low levels of sun. I understand this is a desirable and appropriate outcome for a retirement village. If residents want access to sun that they cannot achieve within their apartment, they have the option of using the sunny north-facing lounge and open space facilities in the Village Centre. The Proposed Village is fully ventilated, heated and insulated and therefore I am satisfied that the units will all be warm.
- 206 Overall, I consider the Proposed Village's sunlight outcome to be acceptable for a retirement village that is comprehensively designed.
- 207 Apartments are a combination of single and dual aspect. All units have generously glazed facades facing streets and spaces. All unit types provide flexible open plan kitchen / dining / living areas. Unit sizes are 60m<sup>2</sup> (1 bed), 84m<sup>2</sup> (2 bed), 104m<sup>2</sup> (3 bed) and exceed published guidance on apartment sizes.<sup>12</sup>
- 208 Privacy between apartments is well-resolved (G3.14, G3.15). Frontage-to-frontage separation is 18.4m-20m for Buildings B02-B06. For Buildings B01B and B01A, the separation across the Lopdell Gardens is greater (30m). Between the south façade of Building B01B (ALS) and the northern ends of Buildings B05 and B06 the internal street provides some 15m frontage-to-frontage separation. These levels of separation are appropriate to remove concerns over short-range views between units. Within the repurposed Tennant Building that sits close to the new

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<sup>11</sup> Statement of Evidence of Mr Isaac Bright, paragraph 89.

<sup>12</sup> Proposed Plan: 1 bed: 40sq.m, 2+ bed: 55sq.m. Auckland Design Manual: 1 bed 50m<sup>2</sup>, 2 bed 75m<sup>2</sup>, 3 bed 100m<sup>2</sup>.



Council car park the approach provides screen planting at the boundary. This ensures direct views from car park users are prevented.

- 209 Overall, I consider the Proposed Village will offer a high level of internal amenity for its residents.

***Proposed Design Guide Residential***

- 210 The DGR addresses similar issues to the 'Building Design' section of the RDG under the headings 'High-quality buildings' and 'Effective public-private interface'.<sup>13</sup> Accordingly, I do not consider the DGR would alter my assessment set out above.

***Topic 5: Open Space Design***

- 211 This section provides an urban design assessment of the Proposed Village's open space. I note the evidence of Ms Skidmore provides an assessment of landscape and visual effects.

***Public and communal open spaces***

- 212 Seven different types of open space are provided throughout the Proposed Village as follows:

212.1 Public pocket park (340sq.m);

212.2 Garden area between the pocket park and Building B06 (1,300sq.m);

212.3 Lopdell Gardens between Buildings B01B and B01A (1,220sq.m);

212.4 Lopdell Gardens between the Oldershaw octagonal building and the Tennant Block (1,310sq.m);

212.5 Courtyards between B02-B06 (1,800sq.m);

212.6 Bowling Green and quad area north of Building B01A (970sq.m);  
and

212.7 Allan Ward VC Hall terrace courtyard (250sq.m).

- 213 The spaces above are distributed to retain and enhance the existing Lopdell Gardens and to deliver quality open space for the new residential apartments and care rooms. These outcomes align well with the RDG O4.1 and O4.2, which seek quality open space provision for dwellings.

- 214 The Proposed Village delivers a publicly accessible pocket park along Donald Street (with no street edge fencing), reflecting the former location of open green space on the Site. This outcome supports RDG

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<sup>13</sup> The suite of guidelines under 'Ground floor interface and frontage' are relevant and G106 – G109 and G114 – G133.

O4.4 that seeks landscape design to have a "...positive effect on the streetscape and neighbourhood".

- 215 The existing Lopdell Gardens provide quality landscaped areas with existing and new planting and form a focus to the Proposed Village as anticipated by RDG G4.5. The northern gardens complement the proposed bowling green providing an enhanced perception of openness within the Site.
- 216 RDG G4.5 invites developments to consider providing shared open space that exhibits specific characteristics (focal point, connected to dwellings, access controlled, sunny, views, usable). The Proposed Village provides a range of shared spaces for residents to meet, observe activity and that fosters social cohesion within the Village. Shared courtyard spaces are created between Buildings B02-B06. These incorporate planting, hard surfaces, seating and pergolas to provide attractive spaces for residents. The courtyards have comfortable proportions (18-20m wide with lengths related to the adjacent building). The largest courtyard is some 900m<sup>2</sup> (Buildings B02/B03) and the smallest is around 215m<sup>2</sup> (Buildings B04/B05). The other courtyards are circa 340m<sup>2</sup>. The courtyards are overlooked by adjoining apartments and terrace spaces at courtyard level.
- 217 Courtyards between Buildings B03-B04 and B04-B05 are less successful due to the proximity of parking and vehicle access. However, I am comfortable with the proposed plant screening to address vehicle intrusion between Buildings B03-B04. Roading within the courtyard between Buildings B04-B05 will be of a higher quality surface to achieve a 'shared space' outcome.
- 218 With regard to sunlight access into communal and 'public' open spaces, all spaces are open to the north and will receive good levels of sun during the middle of the day through to 3:30pm at mid-winter or in the morning. Sunlight access increases at the equinox and mid-summer.
- 219 Overall, I consider the Proposed Village will provide high quality public and communal open spaces.

***Private open spaces***

- 220 The RDG anticipates private open space to be provided for each dwelling with specific amenity targets related to size, dimensions, slope, orientation, sunlight and position relative to internal living areas (RDG G4.1, 4.2, 4.3, 4.4). The proposed DGR removes most of these 'metric' targets and simplifies expectations to spaces that are appropriate to the dwelling type.
- 221 Given the nature of the Proposed Village as a retirement village, the level of private open space provided for each apartment and care unit is different from that normally anticipated in a multi-unit development. The provision of extensive communal open spaces across the Proposed Village supplements any private spaces and ensures all residents have access to suitable outdoor areas. Most apartment units in the Proposed

Village are provided with good sized 8-10m<sup>2</sup> terraces or balconies (and up to 45m<sup>2</sup> for the southern-most units in Buildings B02-B06). Units facing streets (e.g. B07) benefit from deeper front yards and have spaces up to 60m<sup>2</sup>. All terraces / balconies connect directly with internal living areas as anticipated by G4.2. Assisted Living Suites in Building B01B do not have private outdoor areas and three apartments in the retained Tennant Block do not have private outdoor areas. The Tennant Block units are large (circa 130m<sup>2</sup>) and located adjacent to the quad and Lopdell Gardens. I am comfortable with the level of amenity these units will provide.

222 RDG G4.3 calls for minimum levels of sunlight access onto private terraces and balconies. I have previously determined the level of shading that falls onto the facades and adjacent private open spaces of specific buildings (paragraphs 203-206) and conclude that acceptable sunlight access is provided.

223 Overall, I consider the Proposed Village will provide adequate private open spaces.

***Accessways, fencing and servicing***

224 RDG G4.9 seeks a balanced use of space for both vehicles and pedestrians creating visually attractive outcomes. This has been previously discussed under Topic 1. I have noted the changes to roading surfaces at several points along the internal accessway will assist in promoting pedestrian priority and help to reduce vehicle speeds vis-à-vis reduction in vehicle dominance as sought by G4.11.

225 Front fencing has been addressed previously and I am satisfied that an appropriate fencing height and degree of visual permeability has been achieved in accordance with G4.17.

226 All service areas have been integrated into the Proposed Village and will be suitably screened from view in accordance with G4.18.

227 Overall, I consider the design of accessways, fencing and service areas have been well resolved.

***Proposed Design Guide Residential***

228 The DGR covers very similar ground to the 'Open Space' section of the RDG under the headings 'Effective public-private interface' and 'Well functioning sites'.<sup>14</sup> Accordingly, I do not consider the DGR would alter my assessment set out above.

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<sup>14</sup> G43 / G44 (fencing), G75 - G89 (open spaces) and G90 - G105 (service / storage)

## **Topic 6: Safety**

### **Overview and safety context**

- 229 The CPTED<sup>15</sup> assessment focuses on safety and security in the public realm and on-site streets and spaces. The design and management of building access control, and the safety and security of people and sensitive facilities within buildings are excluded from this assessment.
- 230 The type and nature of the setting establishes conditions with which to calibrate my CPTED assessment. Relevant matters include:
- 230.1 The large-scale nature of the Proposed Village that caters to visitors as well as residents and therefore as a destination safety / security in the streets and spaces around it is important.
- 230.2 The Proposed Village is in a suburban setting at a town centre fringe along collector routes with bus access. Therefore, pedestrian movement along the streets can be expected day or night.
- 230.3 The Site itself is gated and will be secured after hours, though accessible during the day. The Pocket Park will remain accessible 24/7 but includes good visibility from the street.
- 230.4 Karori Pool and car park abuts the northern boundary as does a relatively concealed public pathway.
- 231 I have assessed the Proposed Village against the seven qualities of well designed, safer places in the UDA, but do not repeat the detail of that assessment here. In summary, I consider the Proposed Village establishes conditions that will deliver a suitably safe public realm as well as safe and secure on-site streets and spaces. I noted that the potential for overlooking to Campbell and Donald Streets has been optimised and a high degree of legibility achieved for the two Donald Street entrances.
- 232 The Council proposes additional wind mitigation through planting along the Donald Street edge to the Pocket Park. From a CPTED perspective this planting will need to be of a low-growing species maintained at a height that permits good visual connections between footpath and park (say 1.2m).

### **Proposed Design Guide Residential**

- 233 The DGR addresses safety under 'Effective public-private interface' and 'Well-functioning sites', specifically referring to passive surveillance, visibility over fencing and visual connections for people. Additional guidelines on lighting (G63 – G72) are included. Given the more comprehensive approach adopted in my evidence utilising CPTED

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<sup>15</sup> Ministry of Justice National Guidelines for Crime Prevention through Environmental Design in New Zealand, Seven Qualities of Safer Places (2005).

principles, I do not consider the DGR would alter my assessment set out above.

## **RESPONSE TO SUBMISSIONS**

234 I have reviewed all of the submissions lodged on the application and respond to those submissions that address urban design related matters. Submissions are made both in support of and opposition to the Proposed Village. I have grouped the urban design-related issues raised in submissions under the following four themes:

234.1 Site suitability and access;

234.2 Consistency with the RDG;

234.3 Neighbourhood character and fit; and

234.4 Effects on residential amenity (outlook and visual dominance, sunlight shading, and privacy from overlooking).

### **Site suitability and access**

235 A number of submitters<sup>16</sup> have noted the Site is a suitable location for a retirement village. They refer to the accessibility of both the Karori Town Centre and City Centre and public transport provision to other amenities (Zealandia, Otari Bush). Other submitters refer to the 'windfall' status of the Site.<sup>17</sup>

236 I agree with these submissions and have assessed the strategic fit of the Site for a retirement village. I conclude that the Proposed Village aligns well with the spatial patterns of the former Teacher's College, supports the Site's landmark quality, and optimises the accessibility of local amenities. I also agree that the Site fits neatly into the characteristics of a "windfall site". Its large size (3 hectares) supports new on-site character without loss of existing off-site character.

### **Consistency with Residential Design Guide (RDG)**

237 Several submitters<sup>18</sup> refer to the level of consistency between the 'design and scale' of the Proposed Village and the RDG. They say the Proposed Village is inconsistent with the RDG. One submitter<sup>19</sup> refers selectively to RDG guidelines and is of the opinion the Proposed Village "fails on numerous counts".

238 I disagree with those submissions. My evidence provides a holistic assessment of the Proposed Village against the RDG. I note most submissions on this point selectively refer to design and scale and it is

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<sup>16</sup> Submission 3 (Prescott), 4 (Hesom-Williams), 5 (Heynes), 6 (Cave), 7 (Carr) and 9 (Lamb).

<sup>17</sup> Submission 20 (Marshall) and 75 (King and McKinnon-King).

<sup>18</sup> Submission 46 (Mattlin), 49 (Gestro) and 54 (Brandon).

<sup>19</sup> Submission 65 (Responsible Development Karori).

not clear what aspects of the RDG they are assessing the Proposed Village against, nor whether their views have been considered 'in-the-round' relative to all aspects of the Proposed Village. The RDG requires that every guideline relevant to the project be considered. It further states that responding to existing character will be a priority in the areas identified in the Guide's appendices. The Site and local area are not identified in the Guide's appendices.

- 239 I consider the Character, Site Planning and Building Design sections of the RDG to be relevant to design and scale. I consider the Open Space Design section to be less relevant to design and scale as it relates to buildings.
- 240 With regard to Character, I have analysed those matters identified at G1.1 that determine whether an area has established patterns. I note both fine grain residential and coarse grain non-residential characteristics. I have also determined (G1.2) that the Site acts as a point of difference for the area and justifies a degree of contrast (versus consistency). I consider the Proposed Village to distribute height in an appropriate manner and to present appropriate street and boundary interfaces nuanced relative to local conditions. I have determined character and dominance effects on all potentially affected neighbours to be acceptable.
- 241 With regard to Site Planning, I consider the Proposed Village has been well-planned. It optimises the Site's large size but acknowledges the former Teachers' College and varied topography. It reinforces the prevailing Karori grid, establishing integration and legibility with the street context. I observe that buildings and open spaces courtyards and gardens have been 'designed together' creating good amenity outcome for dwellings. Access to and through the Site reflects historic access points and car parking is contained away from streets, improving pedestrian amenity.
- 242 With regard to Building Design, I consider the Proposed Village resolves complex masterplanning issues, integrating new buildings and retained heritage buildings. Building design solutions respond well to the Site's different areas and high levels of façade articulation, balconies and entrances help reinforce the residential role of streets. Clear, safe and dignified residential entries are provided to the various buildings. A mix of unit types are proposed, and sizes exceed published standards. Sunlight access into units varies however the Proposed Village is not a conventional medium density residential development and therefore different expectations for sunlight apply.
- 243 Overall, I consider that the Proposed Village presents a high degree of consistency with relevant RDG matters useful in assessing design and scale.

### **Neighbourhood Character and Fit**

- 244 A number of opposing submissions<sup>20</sup> consider the Proposed Village is not compatible with the surrounding residential setting and is out of character or out of scale with the area. Other submissions support the general location and note the designs are “*complementary to the location*” and “*not at all intrusive to the neighbourhood*”.<sup>21</sup>
- 245 I have assessed the matter of character in detail in my evidence. I have formed my opinions based on the framework set out in the RDG and have analysed neighbourhood and street-based character contexts. I have drawn conclusions around the matter of ‘consistency or contrast’ (RDG G1.2) noting that a degree of contrast is appropriate. I have assessed the Proposed Village against the receiving environment, including the character ‘fit’ within specific street contexts around the Site and from more distant viewing positions. I consider the Proposed Village to achieve an appropriate level of compatibility with its local context, while acknowledging a degree of contrast reflecting the Site’s former functions.
- 246 I have also considered the Proposed Plan context that enables more intensive residential development on the MRZ-zoned Site and surrounding area, while also encouraging high quality development that does not meet relevant permitted standards.<sup>22</sup> The greater bulk and scale envisaged by the Proposed Plan MRZ standards set new parameters for residential character in the zone. New development is not encouraged to relate to existing low-density housing under the Proposed Plan. This planning context reinforces my conclusions that the Proposed Village is an appropriate outcome for the Site, noting, as I have addressed earlier, that the Proposed Village is of a high quality.

### **Effects on Residential Amenity**

- 247 A number of residents of surrounding properties raise concerns about the effects of the Proposed Village on the amenity they enjoy. I have considered the points raised in relation to outlook and visual dominance, sunlight shading, and privacy from overlooking in the sections below.
- 248 As noted in the evidence of Ms Skidmore, Ryman contacted submitters who live in properties adjoining the Site to offer visits by myself and Ms Skidmore. Two offers were taken up and we visited 20 Scapa Terrace on 28 June 2022 and 42 Donald Street on 29 June 2022. This visit was useful to clarify internal / external layout arrangements, views and use of spaces within these dwellings.
- 249 In addition to my assessment of effects on neighbour amenity under the Operative Plan, I am mindful of the new regulatory context

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<sup>20</sup> Submission 15 (O’Hagan), 50 (van Amelsfort), 54 (Brandon), 56 (Cooper), 58 (Moran), 60 (Spratt), 70 (Moore) and 73 (King).

<sup>21</sup> Submission 14 (Jansen).

<sup>22</sup> Wellington Proposed DP MRZ\_S1 to MRZ-S13.

provided by the Proposed Plan. The Site and surrounding area are proposed to be zoned MRZ. I note that a much-changed urban form is encouraged under the Proposed Plan. That form provides for increased density (over that of the Operative Plan's Outer Residential Area) and adjusts amenity expectations that are also significantly different to those under the Operative Plan.

- 250 I have organised my responses below on a street-by-street basis. Similar effects often occur based on the location of the submitter relative to the Site and there is simplicity in addressing each street in turn.

**Submitter #15: 53 Campbell Street**

- 251 The submission by J O'Hagen raises concerns about height, outlook and dominance effects of the Proposed Village.
- 252 The submitter's property does not adjoin the Site boundary but is located some 47m to the south. It is separated from the Site by Scapa Terrace with dwellings at 49 Campbell Street, 51 Campbell Street and 24 Scapa Terrace located between the submitter's dwelling and the Site. 49 Campbell Street and 24 Scapa Terrace are 2-storey dwellings. From this property, viewing distance towards the taller B01B building is circa 140m. At ground level, these views will be screened or interrupted by the foreground presence of existing dwellings combined with the lower 2 and 3 storey Buildings B02-B06. These factors mean that Building B01B will not dominate ground level outlook.
- 253 I note the submitter refers generally to effects on other "surrounding houses". I provide comment on other submitters closer to the Site below.

**Submitter #55: 38 Campbell Street**

- 254 The submission by J Eyles raises concerns about sunlight shading, privacy and outlook effects of Building B02. The submitter's property is located on the west side of Campbell Street opposite the Site. It contains a single-level dwelling with a solid brick wall, planting and carport to the front.
- 255 I have considered effects on this property in my evidence. I provided an assessment of Building B02 as it relates to and affects Campbell Street and potentially affected Campbell Street properties. I consider Building B02 successfully integrates with its residential context by deploying a range of techniques. I also note Building B02 complies with the Proposed Plan height standard, sits well within the recession planes and proposed setbacks of 5.8m – 7.2m are considerably greater than the Proposed Plan standard. For these reasons, I consider an acceptable outlook for this property will be maintained.
- 256 Shading over the submitter's property from the Proposed Village occurs at midwinter from 8:30am until 9:30am and is gone by 9:45am. There



is no shade cast by the Proposed Village at either the equinox or at midsummer. I consider the shading effects to be acceptable.

- 257 With regard to privacy from overlooking, Campbell Street has wide frontage-to-frontage widths ranging from 25m-30m. This width provides a good level of separation from Building B02 and will ensure undue overlooking is avoided. The property's primary outdoor living space is located to the west oriented away from the Site offering ample opportunity for sunbathing and ensuring amenity is maintained. I consider privacy effects on this property to be acceptable.

***Submitters #56: 49 Campbell Street***

- 258 The submission by A and J Cooper raises concerns about sunlight shading, privacy and outlook effects that will be experienced on this property. The submitter's property adjoins the southern boundary of the Site and contains a 2-storey dwelling. The primary outdoor living space is located to the rear of the dwelling adjoining both 24 Scapa Terrace and the Site.
- 259 I have considered effects on this property in my evidence. The submitter states that building heights range from 3 to 7 storeys. That is incorrect, with the lower height being 2 storeys and upper height being 6 storeys plus basement. Height is particularly relevant as those parts of proposed buildings closest to this submitter's property are 2-storey, stepping up to 3 storeys some 20m from their dwelling.
- 260 From the ground level of this property, the outlook will be towards 2-storey residential façades with typical boundary fencing and planting of 5m-8m in height. I consider this an acceptable outlook. From the upper level of this property a significant change to the northern bedroom outlook will occur, however the Site is zoned for residential development. As my evidence notes, the Proposed Village aligns Buildings B02-B06 such that the narrow ends face the Scapa Terrace boundary. This alignment enables gaps of 17.8m in width between B02/B03, reducing impacts on outlook. The height step from 2 to 3 storeys also provides height compatibility at the boundary. For these reasons, I consider the Proposed Village will result in an acceptable outlook for this property. In addition, I note that, under the Proposed Plan, residential development of a greater height and bulk and located closer to the boundary than Building B02 could be anticipated (Appendices D and E). Appendix C illustrates a form compliant with the Proposed Plan bulk and location standards that could occur on the Site along the boundary with the property.
- 261 With regard to shading, the rear garden receives 4+ hours of sun at mid-winter (8:45am-2:15pm). Considerable shade falls onto part of the property's north (side) façade though ground floor windows at the eastern end of the north façade are free from shade until 11am. The east-facing (rear) façade receives 4+ hours of sun and appears to be the primary façade opening onto the rear garden. Comparison with shade cast by an envelope compliant with Operative Plan and Proposed Plan height, HIRB and yards standards indicates significantly greater

shade would be cast over the property than that generated by the Proposed Village. Shade cast by a 2m permitted fence also casts significant shade. For these reasons, I confirm my assessment that sunlight shading effects will be acceptable.

- 262 With regard to privacy from overlooking, I disagree with the submitter that proposed buildings will overlook their backyard. I describe the measures taken to avoid overlooking into this neighbour's open space at paragraph 173 I confirm my assessment that privacy effects will be acceptable.

***Submitter #60: 32 Campbell Street***

- 263 The submission by J and D Spratt raises concerns about sunlight shading, privacy and outlook / dominance effects that will be experienced on this property. The submitter's 2-storey property is located on the western side of Campbell Street opposite the northern corner of the Site. The primary outdoor living space is located to the rear (west) of the dwelling oriented away from the Site.
- 264 I have considered outlook / dominance effects at paragraphs 112 In addition, I would note that from the submitter's property oblique, rather than direct, views will be obtained towards Building B02 with the 2-storey portion of the building in the foreground. Further, although Building B01B will be visible, it will be located some 115m to the east and views will be interrupted by a foreground of existing dwellings. For these reasons, I consider an acceptable outlook for this property will be maintained.
- 265 With regard to shading, the submitter notes Council RDG guideline that internal living areas are to achieve a minimum of 4 hours sun at midwinter. My analysis of the Ryman shading studies demonstrates that shading occurs from 8:30am but is gone before 9am in midwinter. No shading occurs at the equinox. At mid-summer, shading occurs from 7:00am – 7:30am. I confirm my assessment that sunlight shading effects will be acceptable and the RDG guideline is easily achieved.
- 266 With regard to privacy from overlooking the submitter states that they will lose privacy because Building B02 is "directly opposite". I disagree for the reasons set out at paragraphs 163-164. The property is directly opposite 33 Campbell Street, an existing single storey dwelling and sits diagonally across from the 2-storey northern end of Building B02. The primary outdoor area appears to be located to the rear facing away from the Site. I confirm my assessment that privacy effects on this property will be acceptable.

***Submitter #1: 58 Donald Street***

- 267 The submission by H Hu raises concerns about sunlight shading effects that will be experienced on this property. The submitter's property is located 100m to the south and some 100m from the closest boundary of the Site. The property contains a single storey dwelling. The primary outdoor living space is located to the rear (west) of the dwelling.

268 With regard to shading, at midwinter, the only shade cast on the property is at 4:30 (sunset). That shade only falls on the car park within the front yard. No shading occurs at the equinox or midsummer. I consider sunlight shading effects to be negligible, and the level of amenity currently enjoyed by the property will be maintained.

**Submitter #22: 46 Donald Street**

269 The submission by D Powell raises concerns about building height and consequential sunlight shading effects that will be experienced on this property. A reduction in height is sought to "*decrease the height of buildings to eliminate significant shading*".

270 The submitter's property does not adjoin the Site boundary but is located some 45m to the south. It is separated from the Site by Scapa Terrace with dwellings at 42 and 44 Donald Street located between the submitter's dwelling and the Site.

271 The submitter's property contains a single storey dwelling. The primary outdoor living space is located to the rear (west) of the dwelling and partly to the north (a deck with shade sails).

272 I have considered effects of shading on this property at paragraph 148. At midwinter, shading only falls on the property from 4:15pm until sunset (4:30pm). No shading occurs at mid-summer or the equinox. I consider sunlight shading effects to be negligible, and the level of amenity currently enjoyed by the property to be maintained.

**Submitter #48: 21 Donald Street**

273 The submission by V Carpenter raises concerns about privacy effects that will be experienced on this property.

274 The property contains a 2-storey dwelling with small outdoor living spaces to the north and west (street boundary) of the dwelling. The property is located on the eastern side of Campbell Street opposite Karori Pool and the Council car park. The closest part of the Proposed Village to the property is the retained Tennant Block. This building is set back behind the Council car park and is some 46m away. An existing substation at the Karori Pool street front is opposite the property and will interrupt views to the Site.

275 Overlooking of the property from the Proposed Village, particularly the Tennant Block, will not occur. I consider privacy effects to be acceptable.

**Submitter #74: 37 Donald Street**

276 The submission by B and M Major raises concerns about the size of the Proposed Village buildings, the change in outlook from this property and sunlight shading.

277 The property contains a 2-storey dwelling and is located opposite Building B07 on the eastern side of Donald Street. The primary outdoor

living space is at the rear (east) side of the property. A pre-school business is located on the ground floor.

- 278 The evidence of Ms Skidmore addresses the visual change that will be experienced by this property. I have also assessed these effects from a character 'fit' perspective. I consider the design techniques deployed are successful and Building B07 helps to transition the relationship between suburban housing and the Allen Ward VC Hall. The Site is zoned for residential development so the change in outlook is anticipated. For these reasons, I consider the new outlook from the submitter's property to be acceptable. I also note Building B07 complies with the Proposed Plan 11m height standard (apart from a small breach at the southwest eave/roof) and provides a more generous 5m-6.5m setback than the Proposed Plan yard standard.
- 279 With regard to shading, only the existing retained buildings (Tennant Block / Allen Ward VC Hall) cast shade on the property, so that any shading effects are existing. I note this property receives 4+ hours of sunlight at midwinter.

***Submitter #16: 26 Scapa Terrace***

- 280 The submission by F Tyler raises concerns of proposed building height generally and sunlight shading that will be experienced on this property. The submitter requests that "*...construction is prohibited... to a point when these will not shade any parts of the property*".
- 281 The submitter's property is located on the north side of Scapa Terrace but does not adjoin the Site. 49 Campbell Street sits between the property and the Site. The submitter's property contains a single-level dwelling with a primary outdoor space to the rear (east).
- 282 In relation to the general concerns around height, I refer to my evidence in relation to 'Neighbourhood Character and Fit' above. I also note the proposed buildings closest to this submitter's property comply with the Operative Plan 8m height standard near the boundary and the Proposed Plan 11m height standard in all cases.
- 283 With regard to shading, I note this property is generally free from shade except from 3:15-4:30pm at midwinter and receives 4+ hours of sun. No shading occurs at midsummer or the equinox. I consider shading effects to be acceptable.

***Submitter #38: 14 Scapa Terrace***

- 284 The submission by B Carruthers raises concerns of shading and privacy that will be experienced on this property. The submitter's property is located on the north side of Scapa Terrace with a rear boundary adjoining the Site. It contains a single-level dwelling with carport to the front and primary outdoor spaces to the rear (north).
- 285 I have considered shading effects on this property at paragraph 205 above. This property receives 1.5 hours of sun onto a substantial proportion of the primary outdoor area and rear façade at mid-winter

between 9:15am and 10:45am and continues (though reduced) until 12:45pm. Shade then falls on the rear façade from 1:45pm. At the equinox, the rear garden is generally free of shade from 8:00am until early afternoon and a substantial proportion receives sun through to 4:45pm. Shading on the rear façade only occurs from 5:15pm. At mid-summer, there is no shading on this property. I also note that shade from a 2m tall, permitted fence also casts significant shade over the rear garden at 8:30am and midday. I have also considered that shade generated by an envelope compliant with Operative Plan and Proposed Plan height, HIRB and yards standards would be greater than shade cast by the Proposed Village. I confirm my assessment that shading on the property will be acceptable.

286 I have assessed privacy effects on this property at paragraphs 165-171.

287 I have reviewed proposed window positions and cross-sections through the Proposed Village and the property to assure myself that sight-lines will not allow direct short-range views. At ground level the garage extends along the full Scapa Terrace boundary, it has no windows facing the property and no overlooking will occur. At 1st floor, the proposed windows are high-level only and do not permit direct views onto the property. At 2nd floor (top level), the high-level windows, deep setback, foreground roof of proposed Buildings and tree planting all successfully restrict views. I confirm my assessment that privacy effects on this property are acceptable.

***Submitters #39: 15 Scapa Terrace***

288 J McArdle raises concerns of sunlight shading and building height relative to the District Plan. The property is located 43m south of the Site and is separated from the Site by Scapa Terrace itself and the property at 16 Scapa Terrace. A 2-storey dwelling (upper-level habitable spaces, lower level garage) exists on the property. A primary outdoor space is located to the rear of the dwelling oriented away from the Site and a front yard space also exists.

289 In relation to this submitter's general concerns around building scale, I refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above.

290 With regard to shading, the property will experience some shading at midwinter from the Proposed Village in the late afternoon from 4:15pm (onto the car park only) through to 4:30pm / sunset. No shading occurs at midsummer or the equinox. I consider sunlight shading effects to be negligible, and the level of amenity currently enjoyed by the property to be maintained.

***Submitter #40: 5 Scapa Terrace***

291 The submission by S Minson raises concerns of building height and consequential shading impacts on all neighbouring properties, not just those on the immediate boundary. The submission requests that building height should be reduced to "*eliminate significant shading*

*impact on surrounding properties, particularly on Scapa terrace side of the development."* The submitter's property is located on the southern side of the street, separated from the Site by 6 Scapa Terrace and the street. It contains a two-storey dwelling with primary outdoor areas to the rear away from the Site.

- 292 I have assessed sunlight shading effects in detail in my evidence, including the properties along either side of Scapa Terrace. I comment on the submitter's property specifically. This property will experience some shading at midwinter from the Proposed Village in the late afternoon from 4pm through to 4:30pm / sunset. No shading occurs at midsummer or the equinox. I consider sunlight shading effects to be negligible, and the level of amenity currently enjoyed by the property to be maintained.

**Submitter #43: 13 Scapa Terrace**

- 293 The submission by J Wallace raises concerns of scale / character and sunlight shading from the Proposed Village on this property. The submission also notes that "*residents living within the village ... will receive little or no sun all year round*". A further concern relates to inconsistency with the RDG. The submitter's property is located on the southern side of the street, separated from the Site by 14 Scapa Terrace and the street. It contains a two-storey dwelling (garage only at ground level) with primary outdoor areas to the rear away from the Site.
- 294 I have addressed matters of building scale and character in my evidence and also refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above. I have also addressed the matter of consistency with the RDG and would refer to my response to submissions under the heading 'Consistency with Residential Design Guide' above.
- 295 I have assessed sunlight shading effects in detail in my evidence, including on the submitter's property. This property will experience some shading at midwinter from the Proposed Village in the late afternoon from 4:15pm through to 4:30pm / sunset. No shading occurs at midsummer or the equinox. I consider sunlight shading effects to be negligible, and the level of amenity currently enjoyed by the property to be maintained.
- 296 I have assessed the level of sunlight available to future Ryman residents. I note that sunlight access into units varies however the Proposed Village is not a conventional medium density residential development and therefore different expectations for sunlight apply. The proposed high quality communal spaces and village amenities help compensate for reduced sunlight access at some units.

**Submitter #45: 18 Scapa Terrace**

- 297 The submission by M Hamilton raises concerns about the general design and scale of the Proposed Village, its compatibility with Scapa Terrace properties and alignment with the Operative Plan and RDG. In

relation to the subject property, specific concerns include sunlight shading and privacy. The submission requests additional setback of Buildings B02 – B06 from the boundary and that Buildings B02 – B06 be reduced in height to 2 levels. The submission is also concerned about the on-site amenity of future Ryman residents, particularly sunlight access.

- 298 The submitter's property adjoins the southern boundary of the Site. It contains a single level dwelling with the primary outdoor living area to the north of the dwelling. Dense planting exists along the northern boundary of the property.
- 299 I have addressed matters of scale and character compatibility in my evidence and also refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above.
- 300 I note that the Buildings B02-B06 comply with Operative Plan recession plane and height standards at the boundary and provide greater setbacks than the Operative Plan requires. The proposed building widths are not out-of-scale with Scapa Terrace dwellings, while much greater gaps are provided between upper-level forms than occur between neighbouring dwellings. RDG guideline G1.6 recommends using "transitional forms" at the interface and I consider this approach has been adopted by Buildings B02-B06.
- 301 I have also identified the increased built form outcomes that would be enabled under the Proposed Plan bulk and location standards. Ryman has prepared a comparative illustration of a residential development compliant with these standards (Appendix C). I acknowledge this illustration is not a permitted baseline, but simply provides an indication of the planned urban built character now expected in the MRZ and related expected changes in people's amenity. I consider this illustration to present greater scale and bulk at the boundary compared to the Proposed Village.
- 302 Both the Operative Plan and Proposed Plan support my view that the scale of the Proposed Village is acceptable.
- 303 With regard to shading, this property does not receive a level of sunlight that aligns with the Operative Plan RDG guideline (4+ hours at midwinter). The property receives 2 hours of sun onto a substantial proportion of the primary outdoor area and rear façade at mid-winter from 10:00am to 11:45am. In the early morning and again from 1:45pm the garden and rear facade is shaded. No part of the outdoor area is entirely free from shade at any time. In assessing shading effects on this property I have taken into account a range of factors. At the equinox, the rear garden is generally free of shade from 8:00am until early afternoon and a substantial proportion receives sun through to 4:45pm. Shading on the rear façade only occurs from 5:15pm. At mid-summer, there is no shading on this property. Shade from a 2m tall, permitted fence also casts significant shade over the rear garden at 8:30am and midday at midwinter. I have also considered that shade

generated by envelopes compliant with Operative Plan and Proposed Plan height, HIRB and yards standards would be greater than shade cast by the Proposed Village. Taking all these factors into account, I consider that shading on the property will be acceptable.

- 304 With regard to privacy, I have assessed effects on this property in detail in my evidence and also respond specifically here. I have described the 5.5m setback of the Proposed Village at the boundary and the much greater 15.2m-16.5m top-level setback. The building-to-building separation for this property is 18.3m at ground and first level and 29.3m at the top-level.
- 305 I have reviewed proposed window positions and cross-sections through the Proposed Village and the property to assure myself that sight-lines will not allow direct short-range views. At ground level, the undercroft parking extends along the full Scapa Terrace boundary, the garage has no windows and no overlooking will occur. At the first floor of Building B04, proposed windows are high-level only and do not permit direct views onto the property. At the second floor (top level) of Building B04, the high-level windows, deep setback, foreground roof of the buildings and tree planting all successfully restrict views. I consider privacy effects are acceptable.
- 306 I refer to the comparative illustration of a form compliant with the Proposed Plan height, HIRB and yard standards at paragraph 301 (Appendix C). I consider this comparator could present greater overlooking effects than the Proposed Village.
- 307 With regard to concerns for the on-site amenity of Rymans future residents, I refer to my response to submitter #43 above.

***Submitter #49: 6 Scapa Terrace***

- 308 The submission by B Gestro raises concerns about the dominance effects of the Proposed Village, loss of views to the south-west, character and sunlight shading. It also raises concerns about consistency with the RDG. The submitter's property adjoins the southern boundary of the Site and contains a single-level dwelling. It is located adjacent to an area of the Site that contains dense vegetation. There are no proposed buildings in this area and the vegetated quality of this area will be retained.
- 309 This property will experience a predominantly planted northern backdrop with the majority of existing vegetation remaining. I consider any visual dominance effects to be acceptable. I refer to the evidence of Ms Skidmore in relation to loss of views.
- 310 With regard to matters of building scale and character, I refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above. I have also addressed the matter of consistency with the RDG and refer to my response to submissions under the heading 'Consistency with Residential Design Guide' above.



311 With regard to shading, this property receives 4+ hours of sun onto a substantial proportion of the primary outdoor area and rear façade at mid-winter. Shade touches the boundary of the property at 3:15pm with extensive shade across open spaces and rear facades from 3:45pm until sundown. Shade generated by envelopes compliant with Operative Plan and Proposed Plan height, HIRB and yards standards is significantly greater than that of the Proposed Village. I consider sunlight shading effects to be acceptable.

***Submitter #50: 12 Scapa Terrace***

312 The submission by J and K van Amelsfort raises concerns about the character, scale and dominance of Buildings B01B and B02 – B07 and the sunlight shading and privacy effects on their property. The submitter's property adjoins the southern boundary of the Site and contains a single-level dwelling with a primary outdoor area to the north facing the Site. The submission confirms that arrangement and notes that the key living areas face north towards the Site.

313 With regard to matters of building scale and character I refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above. I address visual dominance on the submitter's property at paragraphs 121-126 of my evidence. I consider any visual dominance effects to be acceptable.

314 With regard to shading, this property receives at least 4 hours of sun onto a substantial proportion of the primary outdoor area and rear façade at mid-winter from 10am to 2pm. Shade over more than half of the primary outdoor area occurs from 08:30 until 10am and reappears around 2:30pm. The primary outdoor area is free from shade from 12:00 to 1pm. A rear garage is located to the northeast corner and would likely cast some shadow across the garden in the morning. Shade from a 2m tall, permitted fence also casts significant shade over the rear garden at 8:30am and midday at midwinter. I have also considered that shade generated by envelopes compliant with Operative Plan and Proposed Plan height, HIRB and yards standards would be greater than shade cast by the Proposed Village. I consider sunlight shading effects to be acceptable.

315 With regard to privacy, I have assessed effects on this property in my evidence and also respond specifically here. The building-to-building separation between this property and the Proposed Village is 15.5m at the ground and first level, and 25.2m at the top-level of Building B05. However, this property is mostly located opposite the single storey garage between Buildings B05 and B06, thus removing the presence of upper-level apartments along the boundary. Views from the proposed terrace will be screened by fencing and 1.5m tall planting. There is a possibility of views from the sides of Buildings B05 and B06, however these would be oblique and for that reason I consider overlooking will be avoided. The windows along the south elevation of Buildings B05 and B06 are high-level windows that when combined with the deep setback, foreground roof of the buildings and tree planting will avoid overlooking. Overall, I consider privacy effects will be acceptable.

**Submitter #54: 23 Scapa Terrace**

- 316 The submission by R Brandon raises concerns about the character and scale of the proposed buildings, inconsistency with the RDG and sunlight shading effects on their property. The submitter's property is located on the southern side of the street, separated from the Site by the 2-storey dwelling at 24 Scapa Terrace and the street. It contains a single storey dwelling with a garage to site frontage and primary outdoor areas to the rear away from the Site.
- 317 With regard to matters of building scale and character, I refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above. I have also addressed the matter of consistency with the RDG and refer to my response to submissions under the heading "Consistency with Residential Design Guide' above.
- 318 With regard to shading, this property will experience some shading at midwinter from the Proposed Village in the late afternoon from 4:15pm (on the garage) through to 4:30pm / sunset. No shading occurs at midsummer or the equinox. I consider sunlight shading effects to be negligible, and the level of amenity currently enjoyed by the property to be maintained.

**Submitter #57: 20 Scapa Terrace**

- 319 The submission by A Leikis and V Porter raises concerns about sunlight shading and privacy effects from the Proposed Village on their property. This property adjoins the southern boundary of the Site and contains a single-level dwelling with living areas and a primary outdoor area to the north facing the Site. I visited this property with Ms Skidmore and Ms Beck in June 2022. The rear outdoor area contains a deck that steps down to a well-planted garden area with vegetation extending above fence height. This area includes a trampoline to the eastern edge and a garage to the west. The dwelling presents an open plan kitchen/dining/sitting area to the rear with windows facing west and a larger living room to the street edge facing away from the Site. The rear of the dwelling also include a bedroom with windows facing west.
- 320 With regard to shading, this property receives 0.75 hours of sun onto a limited though useable portion of the primary outdoor area at mid-winter between 9:15-9:30am and 2:15-2:45pm. At mid-winter the rear façade receives 4hrs of sun between 9am and 1pm indicating sun penetration into the dwelling conforms with the RDG guideline. At all other times, most of the garden area and parts of the rear façade are in shade. A rear garage exists to the northwest corner and would likely cast some shadow across the garden in the afternoon. In my assessment of shading effects on this property I have taken into account a range of factors. At the equinox, the rear garden is generally free of shade from 8am until 4pm. Shade occurs on the rear façade from 5pm. At mid-summer, there is no shading on this property. Shade from a 2m tall, permitted fence would cast significant shade over the rear garden at 8:30am and midday at midwinter. I have also considered that shade generated by envelopes compliant with

Operative Plan and Proposed Plan height, HIRB and yards standards would be greater than shade cast by the Proposed Village. Taking all of these factors into account, I consider that shading on the property will be acceptable.

- 321 With regard to privacy, I have assessed effects on this property in detail in my evidence and also respond specifically here. I have described the 5.5m setback of the Proposed Village at the boundary and the much greater 16.5m top-level setback. The building-to-building separation for this property is 14.5m at ground and first level and 25.5m at the top-level of Building B04. This property sits partly opposite the single storey garage between Buildings B03 and B04 and partly opposite Building B04 itself. Views from the proposed terrace above the garage will be screened by fencing and 1.5m tall planting. Any views from the first and second levels of Building B04 will be avoided by use of high-level windows, the deep 25.5m setback of the top level, the foreground roof of the buildings and 3m-5m tall tree planting. A rendered view from the rear of this property has been provided by Ryman (Appendix F). This view indicates the possibility of views from the eastern side of Building B03, however these will be oblique. Overall, I consider privacy effects are acceptable.

***Submitter #58: 16 Scapa Terrace***

- 322 The submission by C Moran raises concerns about sunlight shading and privacy, as well as the character and the scale of buildings dominating outlook from the backyard. This property adjoins the southern boundary of the Site. It contains a single-level dwelling. Dense planting is located adjacent to the Site boundary on the submitter's property, evident in the renders prepared by Ryman that I understand were based on photographs.
- 323 I address visual dominance on the submitter's property at paragraphs 121-126 of my evidence. I consider any visual dominance effects to be acceptable.
- 324 With regard to matters of building scale and character, I refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above.
- 325 With regard to sunlight shading, the property receives 1.5 hours of sun onto a substantial proportion of the primary outdoor area and rear façade at mid-winter between 12:45pm and 2:15pm. Sun reaches a reduced portion of the outdoor area and rear façade at other times between 9am and 2:45pm. No part of the outdoor area is entirely free from shade at any time. In my assessment of shading effects on this property I have taken into account a range of factors. At the equinox, the rear garden is generally free of shade from 8am until 3pm and a substantial proportion receives sun through to 4:30pm. Shade occurs on the rear façade from 5:30pm. At mid-summer, there is no shading on this property. Shade from a 2m tall, permitted fence would cast significant shade over the rear garden at 8:30am and midday at midwinter. I have also considered that shade generated by envelopes

compliant with Operative Plan and Proposed Plan height, HIRB and yards standards would be greater than shade cast by the Proposed Village. Taking all these factors into account, I consider that shading on the property will be acceptable.

- 326 I have addressed privacy effects on this property in my evidence and also respond specifically here. This property is located opposite the single level garage connecting Buildings B04 and B05, thus removing the presence of upper-level apartments along their boundary. The separation distance between the rear face of the dwelling and the proposed single-level building is 18.2m. The horizontal separation distance to the upper setback of Building B05 is more than 30m. Views from the proposed terrace between Buildings B04 and B05 will be screened by fencing and 1.5m tall planting. There is a possibility views from the sides of Buildings B04 and B05 will occur, however given the oblique nature of these views, I consider overlooking is avoided. Windows along the south elevation of Buildings B04 and B05 are high-level that when combined with the deep setback, foreground roof of the buildings and tree planting will avoid overlooking. Overall, I consider privacy effects will be acceptable.

***Submitter #62: 11 Scapa Terrace***

- 327 The submission by B Dunstan raises concerns about sunlight shading, views and the height of the buildings. The submitter's property is located on the southern side of the street, separated from the Site by 12 Scapa Terrace and the street. It contains a two-storey dwelling with the second level contained within the roofline. The dwelling is elevated slightly above street level. Primary outdoor space is located to the rear away from the Site.
- 328 The evidence of Ms Skidmore addresses impacts on views.
- 329 With regard to matters of building scale, I refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above.
- 330 In relation to shading, this property will experience very limited shading from the Proposed Village at midwinter at 4:30pm / sunset. No shading occurs at midsummer or the equinox. I consider sunlight shading effects to be negligible, and the level of amenity currently enjoyed by the property to be maintained.

***Submitter #70: 8 Scapa Terrace***

- 331 The submitter address is provided as 17 Paddington Grove but the submission refers to living at 8 Scapa Terrace. The submission by M Moore raises concerns of privacy, shading and outlook on their property. The submitter is also concerned about the general character and scale of buildings relative to the surrounding area. This property adjoins the Site's southern boundary. It contains a single storey dwelling with primary outdoor areas to the north facing the Site.

- 332 I address visual dominance on the submitter's property at paragraphs 122-127 of my evidence. I consider any visual dominance effects to be acceptable.
- 333 With regard to matters of building scale, I refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above.
- 334 With regard to sunlight shading, this property receives 4+ hours of sun onto a substantial proportion of the primary outdoor area and rear façade at mid-winter. Full shade occurs over the open space and rear facade from 3pm till sundown. At the equinox shade touched the rear boundary of the property at 3pm and fully shades the rear area by 4:45pm. At midsummer no shade falls on this property. Shade from a 2m tall, permitted fence would cast significant shade over the rear garden at 8:30am and by midday shades most of the rear garden. I have also considered that shade generated by envelopes compliant with Operative Plan and Proposed Plan height, HIRB and yards standards would be greater than shade cast by the Proposed Village. Taking all these factors into account, I consider that shading on the property will be acceptable.
- 335 I have addressed privacy effects on this property in my evidence and also respond specifically here. Half of the rear boundary of this property is located opposite Building B06 with the balance opposite open green space. This design approach means there are no apartment units along the eastern half of the property's rear boundary. Building B06 includes a ground level apartment with windows facing south. The ground level of Building B06 is below that of 8 Scapa Terrace. When combined with the proposed 1800mm fence, no visual connection from this ground level apartment will be possible onto the rear of the property. The separation distance between the rear face of the submitter's dwelling and the first floor of Building B06 is 9.2m – 12.7m, and at the top-level the distance is 21.5m – 25m. Any views from the first or second floor windows along the south elevation of Building B06 are restricted due to the high-level window design, deep (20+m) setback, foreground roof of the buildings and tree planting. For these reasons, I consider privacy effects will be acceptable.

***Submitter #72: 22 Scapa Terrace***

- 336 The submission by B and T Ingham raises concerns of privacy, shading and outlook on their property. The submitter is also concerned about the general character and scale of buildings relative to the surrounding area and consistency with the RDG. This property adjoins the Site's southern boundary. It contains a single storey dwelling with primary outdoor areas to the north facing the Site.
- 337 I address visual dominance on the submitter's property at paragraph 121-126 of my evidence. I consider any visual dominance effects to be acceptable.

- 338 With regard to matters of building scale and character, I refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above. I have also addressed the matter of consistency with the RDG and refer to my response to submissions under the heading "Consistency with Residential Design Guide' above.
- 339 With regard to shading, this property receives 3.25 hours of sun onto a substantial proportion of the primary outdoor area and rear façade at midwinter between 9:45am - 1pm. In my assessment of shading effects on this property I have taken into account a range of factors. At the equinox, the rear garden receives excellent sun from 8am until just before 3pm, with shade on the rear façade occurring only from 4:30pm. At mid-summer, there is no shading on this property. Shade from a 2m tall, permitted fence would cast significant shade over the rear garden at 8:30am and midday. I have also considered that shade generated envelopes compliant with Operative Plan and Proposed Plan height, HIRB and yards standards would be greater than shade cast by the Proposed Village. Taking all these factors into account, I consider that shading on the property will be acceptable.
- 340 With regard to privacy, I have assessed effects on this property in detail in my evidence and also respond specifically here. The building-to-building separation for this property is 12.2m at ground and first level and 23.2 – 24.4m at top-level. This property sits partly opposite Building B03 and partly opposite the single storey garage between Buildings B03 and B04. Views from the proposed terrace will be screened by fencing and 1.5m tall planting. Any views from the first or second floor windows along the south elevation of Building B06 are restricted due to the high-level window design, deep (20+m) setback, foreground roof of proposed Buildings and tree planting. Overall, I consider privacy effects will be acceptable.

***Submitter #75: 24 Scapa Terrace***

- 341 The submission by D King and A McKinnon-King raises concerns about sunlight shading, privacy and visual dominance effects experienced on this property. In particular, the submission raises concerns about the effects experienced from the ground floor living space and outdoor living space, together with the upstairs primary bedroom. The submission also notes concern over effects on the wider context and surrounding streets.
- 342 This property adjoins the southern boundary of the Site and contains a 2-storey dwelling. The dwelling layout locates living spaces (family room and dining room) to the north, opening out to an outdoor deck and terrace area. A bedroom is located on the northern side of the upper level.
- 343 I address visual dominance on the submitter's property at paragraphs 132 and 133 of my evidence. I consider any visual dominance effects to be acceptable. I refer to the comparative illustration (Appendix C) of a building compliant with the Proposed Plan height, HIRB and yards.

I consider this comparator could present greater visual dominance effects than the Proposed Village.

- 344 I have assessed the effects of the Proposed Village on the wider context and surround streets in detail earlier in my evidence. I have assessed compatibility with neighbourhood character and specifically the streets system around the Site. I have considered each street in turn and provided a detailed analysis of the effects of the Proposed Village on the receiving environment. I refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above.
- 345 With regard to shading, I have taken into account a range of factors in my assessment of shading effects on this property. This property receives 1.5 hours of sun onto a substantial proportion of the primary outdoor area and rear façade at midwinter. Some morning sun (9-9:15am) and afternoon sun (2:00-3:15pm) occurs. At the equinox, the rear garden receives is generally free from shade from 8am until 4:15pm. The rear façade is free from shade until 5pm. At mid-summer, there is no shading on this property. Shade from a 2m tall, permitted fence would cast significant shade over the rear garden at 8:30am and midday. I have also considered that shade generated by envelopes compliant with Operative Plan and Proposed Plan height, HIRB and yards standards would be greater than shade cast by the Proposed Village. Taking all these factors into account, I consider that shading on the property will be acceptable.
- 346 With regard to privacy, I have assessed effects on this property in detail in my evidence and also respond specifically here. A render has been provided by Ryman (Appendix F) to confirm the visual condition at the rear of this property. This image helps to understand the likely overlooking impacts. The building-to-building separation for this property is 12.3m at ground and first level and 24.3 – 25.5m at top-level. This property sits partly opposite Building B03 and partly opposite the single storey garage between Buildings B02 and B03. Views from the proposed terrace will be screened by fencing and 1.5m tall planting. Any views from the first or second floor windows along the south elevation of Building B03 are restricted due to the high-level window design, deep (20+m) setback, foreground roof of proposed Buildings and tree planting. The render indicates the possibility of views from the east side of Building B02, but these will be oblique and the extensive proposed planting will avoid overlooking. Overall, I consider privacy effects are acceptable.
- 347 I note that the comparative illustration (Appendix C) of a form compliant with the Proposed Plan bulk and location standards could present greater overlooking effects than the Proposed Village.

***Submitter #46: 36 Cooper Street***

- 348 The submission by J Mattlin raises concerns of privacy, shading and outlook from their property. The submitter is also concerned about the general character and scale of buildings relative to the surrounding

area, visual dominance and consistency with the RDG. The property does not adjoin the Site boundary but is located some 47m to the east separated by 41 Donald Street and Donald Street itself. The property contains a single storey dwelling with a primary outdoor area facing west.

- 349 With regard to matters of building scale and character, I refer to my response to submissions under the heading 'Neighbourhood Character and Fit' above. I have also addressed the matter of consistency with the RDG and refer to my response to submissions under the heading "Consistency with Residential Design Guide' above. I would make a further observation that visual dominance effects on this property are likely to be acceptable given the foreground presence of 37, 39 and 41 Donald Street of which 37 and 41 are 2-storey. I also note that the taller Building B01B is some 200m from the property, Building B06 is 114m away and Building B07 is 65m away that reduces the dominance of these structures.
- 350 With regard to shading, the property will experience some shading at midwinter from existing retained buildings only at 4:15pm until sunset. At the equinox, shading occurs at the end of the day from 5:45pm and falls on the rear garden. No shading occurs at midsummer. I consider sunlight shading effects to be negligible, and the level of amenity currently enjoyed by the property to be maintained.
- 351 With regard to privacy, this property is separated from the Proposed Village by Donald Street properties. I have noted the separation distances (paragraph 348) between the property and Buildings B06, B07 and B01B. Given these high levels of separation, I am comfortable that the property will not experience adverse privacy effects.

***Submitter #52: 7 Cargill Street***

- 352 The submission by R and C Blair raises concerns of shading on "neighbouring properties" but I have assumed the submitter is concerned about shading effects on their property. The property does not adjoin the Site boundary but is located some 60m to the west separated by 36, 38, 40 Campbell Street and Campbell street itself. The property contains a single storey dwelling with a primary outdoor area facing north towards Cargill Street. The property has a heavily planted eastern side boundary screening views towards the Site.
- 353 With regard to shading, this property is only shaded at 8:30am at midwinter, with shade gone by 8:45am. No shading occurs at midsummer or the equinox. I consider sunlight shading effects to be negligible, and the level of amenity currently enjoyed by the property to be maintained. In relation to shading on neighbouring properties, I refer to my responses to other submissions.

**RESPONSE TO COUNCIL OFFICER'S REPORT**

- 354 I have reviewed the urban design report for Council prepared by Ms Duffell and the Officer's Report prepared by Ms Brownlie.



355 Ms Duffell's report agrees with the UDA on which this evidence is based on all matters of substance. Any differences of opinion are not material. Overall, Ms Duffell adopts the UDA and supports the Proposed Village from an urban design perspective. Of particular note are the following comments in support of the Proposed Village:

355.1 New developments are not required to match surrounding houses, but that buildings of a different type, size, height and architectural expression can be introduced. Efficient use of the Site through a more intensive form that does not match the existing character, but complements it is the ideal solution:

Although the change appears substantial to submitters due to the adjacent land currently being unbuilt it is not considered unreasonable...<sup>23</sup>

355.2 In relation to character, scale and visual dominance:

The requirement to 'not detract from local character or amenity' in Policy 5.2.1.5 does not require that new development matches the style, size or look of the surrounding housing, and notes that it could take a number of forms... Therefore, buildings of a different type, size, height and architectural expression could be introduced into an area and be considered complementary.<sup>24</sup>

... many submitters consider that a complementary development would be not much more than the layout that was previously on the site or that it would be developed more in the style of the surrounding neighbourhood ... This would not be considered to be an efficient use of most of a windfall site.<sup>25</sup>

... in order to make more efficient use of the site a more intensive form that does not 'match' the character of the existing surroundings but rather complements it, appears to be the ideal solution.<sup>26</sup>

355.3 The location of taller Building B01B follows good urban design as it is located on the Site where its effects can be moderated, away from the Site's edges to reduce visual dominance:

Building B01B ... is located near the centre of a wider street block... [consistent with].... a principle of good urban design to locate height, where this might have potential to impact on the surroundings, in a location where the height could be moderated by placement and topography, and where

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<sup>23</sup> 5.15.6

<sup>24</sup> 5.5.2 – 5.5.3.

<sup>25</sup> 5.5.4.

<sup>26</sup> 5.5.5.

was not directly adjacent to public roads, parks, or amenity spaces so as to reduce the visual dominance by distance. This has been done.<sup>27</sup>

#### 355.4 In relation to shading effects:

In respect of the Scapa Terrace properties, the fact that the building complies with height and setback rules along this boundary cannot be ignored...<sup>28</sup> Ryman have recognised the potential impact by moderating the bulk and height of the building along the south boundary, and by orienting the blocks of buildings north-south to achieve good solar gain for not only the apartments but the sites to the south...<sup>29</sup> Rear yards of Scapa Terrace properties will experience more shadow in mid-winter. Without speculating on any alternative building form(s) that might be considered more agreeable to submitters, it's possible that they could also cast some shadow into these properties...<sup>30</sup>

#### 355.5 In relation to privacy effects:

Loss of privacy from Building B01B to adjacent sites is considered to be an unwarranted concern due to the distance from the interior living spaces of the units in this building to any adjacent residential living areas...<sup>31</sup> the design and layout of the proposed development is unlikely to result in unreasonable loss of privacy to adjacent sites, to the extent feared by submitters.<sup>32</sup>

- 356 The Officer's Report generally adopts Ms Duffell's Report but provides more detail on shading effects. Ms Brownlie questions the relevance of shading cast by the former demolished Teachers' College buildings.<sup>33</sup> I have not drawn comparisons with that shade and confirm my conclusions do not rely on shade from demolished buildings. The Officer's Report also questions the relevance of shading from an envelope compliant with the Operative Plan height, recession plane and yard standards.<sup>34</sup> I agree this line does not reflect a permitted baseline. However, I also agree with Ms Brownlie that it is helpful to see where the shadow cast from that envelope would fall on adjoining properties.<sup>35</sup> Ryman have also modelled the shade that would be cast by an envelope compliant with the Proposed Plan height, HIRB and yard standards. Again, this line does not reflect a permitted baseline, but I consider it to be helpful. The evidence of Mr Turner addresses the

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<sup>27</sup> 5.6.3.

<sup>28</sup> 5.7.2.

<sup>29</sup> 5.7.4.

<sup>30</sup> 5.7.5.

<sup>31</sup> 5.8.10.

<sup>32</sup> 5.8.6.

<sup>33</sup> Paragraph 142, Officers Report

<sup>34</sup> Paragraph 142, Officers Report

<sup>35</sup> Paragraph 142, Officers Report

relevance of these shading lines in more detail. I have considered these factors, along with a range of other factors, in my assessment of shading effects as set out in my evidence.

- 357 Despite differences in assessment approach, the Officer's Report reaches the same or similar conclusions as the UDA in relation to the shading effects on neighbouring properties. There are no material areas of disagreement.

### **CONCLUSION**

- 358 I have made a thorough urban design assessment of the Proposed Village, structured around relevant Operative and Proposed District Plan provisions, site-specific conditions and urban design good practice. The findings of my assessments indicate a high level of consistency with the identified assessment framework.
- 359 For the reasons set out in this report, I consider that the Proposed Village has acceptable urban design-related effects and can be supported from an urban design perspective.

**Andrew Davies Burns**  
**29 August 2022**

## APPENDIX A: SUNLIGHT SHADING FROM 2M PERMITTED FENCING

8:30am



### LEGEND:

DASHED LINE INDICATING AREA OF  
FENCE CASTING SHADOW



EXTENT OF SHADOW - 1.8M HIGH FENCE



EXTENT OF SHADOW - 2M HIGH FENCE




### **NOTE:**


FOR CLARITY BUILDING SHADOWS ARE NOT INDICATED

12 noon



**LEGEND:**

DASHED LINE INDICATING AREA OF FENCE CASTING SHADOW 

EXTENT OF SHADOW - 1.8M HIGH FENCE 

EXTENT OF SHADOW - 2M HIGH FENCE 

**NOTE:**  
FOR CLARITY BUILDING SHADOWS ARE NOT INDICATED

3:00pm



**LEGEND:**

DASHED LINE INDICATING AREA OF  
FENCE CASTING SHADOW



EXTENT OF SHADOW - 1.8M HIGH FENCE



EXTENT OF SHADOW - 2M HIGH FENCE



**NOTE:**

FOR CLARITY BUILDING SHADOWS ARE NOT INDICATED

**APPENDIX B: SUNLIGHT SHADING FROM AN ENVELOPE  
COMPLIANT WITH THE PROPOSED PLAN HEIGHT, HIRB AND YARD  
STANDARDS**



08:30 22 JUNE



12:00 22 JUNE



16:30 22 JUNE



0700 22 DECEMBER



2000 22 DECEMBER





0800 23 SEPTEMBER



1200 23 SEPTEMBER

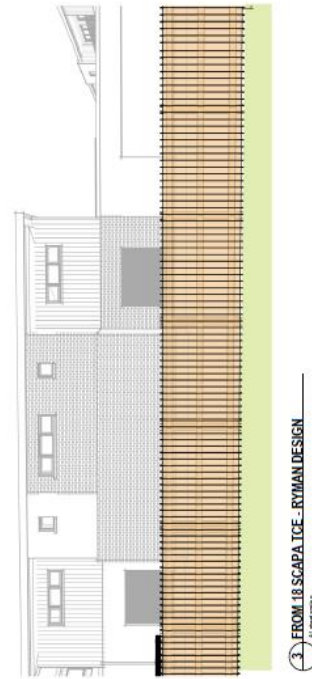
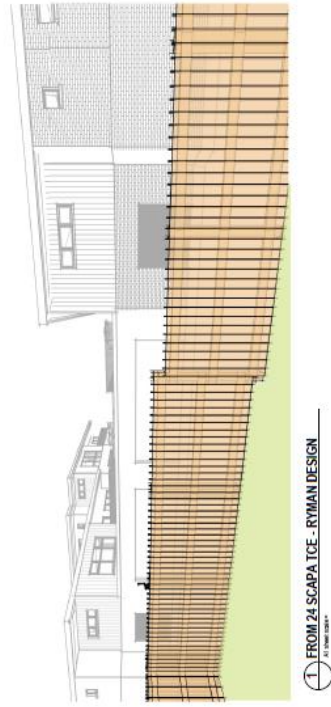


1800 23 SEPTEMBER

**APPENDIX C: A DEVELOPMENT COMPLIANT WITH THE PROPOSED PLAN HEIGHT, HIRB AND YARD STANDARDS**

(Prepared by Ryman)

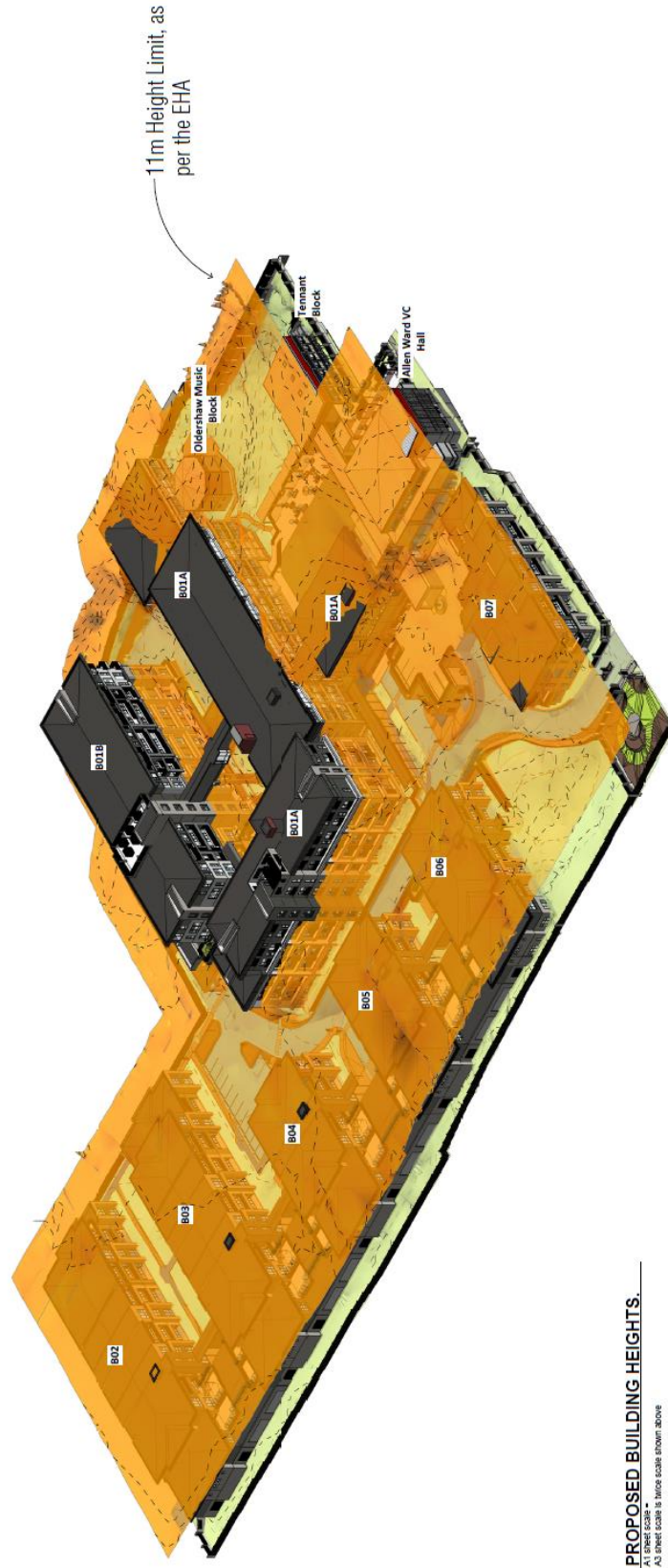
**SCAPA TCE BOUNDARY ASSESSMENT - 3D'S**



SK07

# APPENDIX D: MDRS HEIGHT LIMIT COMPARISON

(Prepared by Ryman)



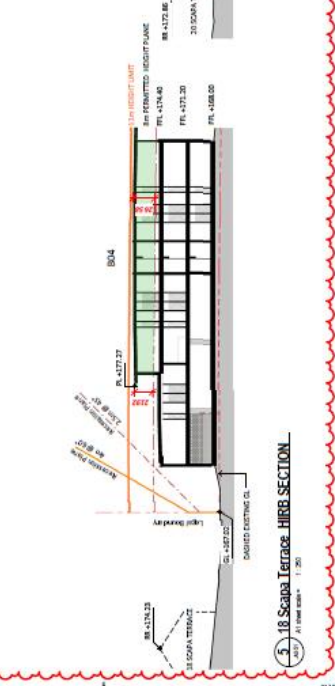
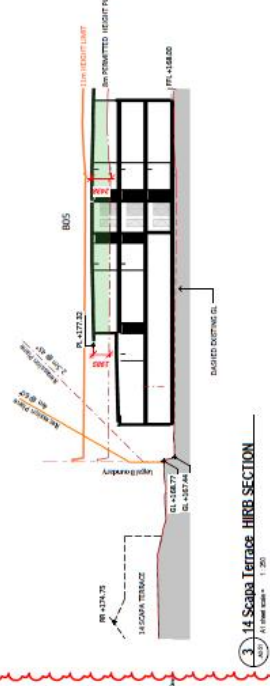
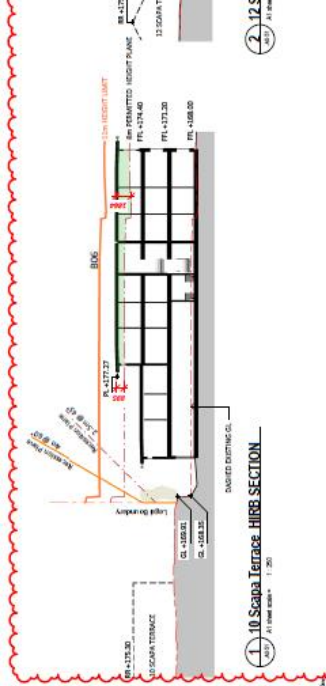
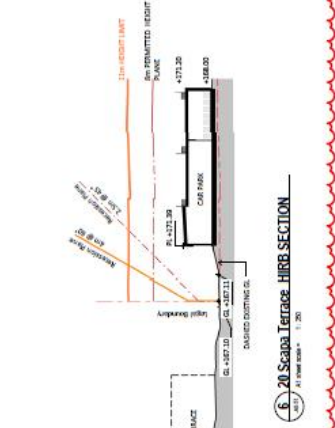
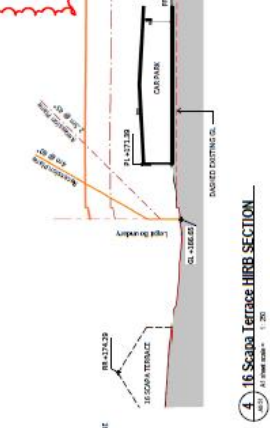
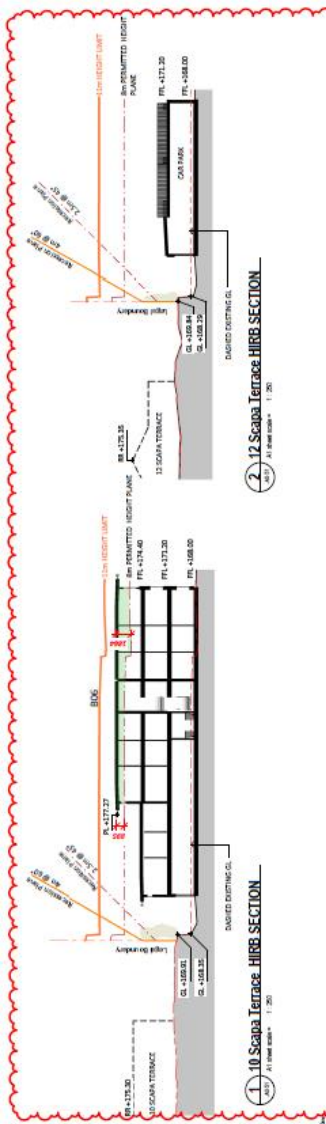
# APPENDIX E: MDRS HEIGHT AND HIRB COMPARISON

(Prepared by Ryman)



**SURVEY DATA:** NOTES & DIMENSIONS INDICATING HEIGHTS INCLUDING PROPOSED (INCL. ROOF HEIGHTS) & EXISTING HEIGHTS ARE TAKEN FROM THE SURVEY DATA PROVIDED BY THE CLIENT. SURVEY DATA REFER TO ASSASSMENT PACE. DIMENSIONS ARE IN FEET (QUANTITY).  
 PL - PROPOSED LEVEL  
 EL - EXISTING LEVEL  
 GL - GROUND LEVEL  
 ① - SECTION NOT NUMBERED THIS SHEET  
**NOTES:**  
 REFERENCE TO INCREASE BUILDING OUTSIDE THE HIRB HEIGHT LIMIT

**SITE PLAN LEGEND** 11/2009  
 THIS SHEET TO BE READ WITH SEPARATE SHEET A05 S1



## APPENDIX F: RENDERED VIEW EXAMPLES

(Prepared by Ryman)



20 Scapa Tce



24 Scapa Tce



16 Scapa Tce