

21 July 2022

1.0 Introduction

- 1.1 My name is Sarah Duffell; I am employed by WCC in the position of Senior Urban Design Advisor RMA in the Urban Design team. My main task in this role is to undertake urban design assessment of resource consent applications against the design-related provisions of the District Plan.
- 1.2 I have a Bachelor's degree in Regional Planning with Honours (Massey University), and a Master of Arts in Urban Design with Merit (University of Westminster). I have 19 years of experience as an urban designer, mostly within the field of design review. I am an active member of the NZ Urban Design Forum. Prior to this I have ten years of experience as a planner in both New Zealand and the UK, during which time I was a member of the NZPI.
- 1.3 I have read the Code of Conduct for Expert Witnesses as contained in the Environment Court Practice Note 2014 and I agree to comply with it as if this hearing was before the Environment Court. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2.0 Background

- 2.1 This report provides advice on urban design aspects of the proposal by Ryman Healthcare to construct a retirement facility at 26 Donald Street, extending through to Campbell Street in Karori.
- 2.2 I am familiar with this part of Karori. I have visited the application site on numerous occasions since the application was first lodged.
- 2.3 I have reviewed the original application lodged in September 2020 and subsequent updates following a Section 92 request for further information on a range of matters. This review is based on the updated package of application reports and drawings received July 2021.
- 2.4 Documents reviewed as part of this assessment for the proposed Rymans Healthcare Retirement Village at 26 Donald Street include:
 - Urban Design Report dated 16 July prepared by Andrew Burns at McIndoe Urban Ltd (UD Report)
 - Visual Simulations Revision 8 Viewpoints 01 – 15 dated 4 June 2021
 - Set of RC drawings dated 18 June 2021 & Rymans Architectural Design Statement
 - AEE dated September 2020 prepared by Mitchell Daysh
- 2.5 I have also reviewed the submissions received, most particularly those that comment on matters related to urban design.

3.0 Assessment

Applicant's Urban Design assessment

- 3.1 One of the options available when presented with an application is for the consent processing authority to adopt any or all of the application, meaning that the adopted reports or adopted parts of those reports become the position of the consent processing authority.

- 3.2 Having read the urban design report prepared by Mr Burns (McIndoe Urban), I find the structure and discussion of it to be generally logical and agreeable as an urban design assessment of the proposal. There are substantial portions of it where the WCC UD team would be likely to come to the same or similar conclusions.
- 3.3 The format of this assessment is therefore a table-format review of Mr Burns' report by its various sections, indicating whether the various parts can be adopted in full, adopted in part, or adopted with additional comments. Additional comments are added where required, although it should be noted that in all cases these just add to the view of Mr Burns rather than dispute it.
- 3.4 **The review is included in Appendix 1 of this report.**
- 3.5 **Conclusion – applicant's Urban Design assessment**
- 3.6 The Urban Design Assessment prepared by Mr Burns is a thorough document that considers a number of matters indicated as relevant by both the District Plan and the Residential Design Guide. Its conclusions are both reasoned and reasonable.
- 3.7 There are a number of matters on which further comment is given although in no instance does the view of the WCC Urban Design team contradict the conclusions reached by Mr Burns. The design and nature of signage is recommended to be further clarified but would be a suitable matter for inclusion as a consent condition.
- 4.0 **Other Urban Design-related assessment**
- 4.1 There is unavoidable cross-over between urban design advice and the advice of other subject experts such as heritage, landscape architecture and vehicle access. In general, where this occurs the WCC Urban Design Team considers that any highly specific advice of the WCC subject experts in those areas should generally be favoured but that general considerations should be included in a balanced decision.
- 4.2 The following assessments have also been specifically considered when writing this report. Although relevant to urban design concerns, their detailed evaluation has been undertaken by other WCC experts:
- Heritage Technical Report and appendix drawings by DPA Architects Ltd.
 - Landscape & Visual Effects Assessment Report dated August 2020 and addendum dated July 2021 prepared by R.A.Skidmore Urban Design Ltd (LVE Report)
 - Indicative Landscape Plan Revision S, dated 14 July 2021 prepared by Sullivan & Wall Landscape
 - Final Arboriculturists Report dated 26 May 2020 prepared by Tree Management Solutions
- 4.3 **Heritage**
- 4.4 I have read the report by Moira Smith, WCC Heritage Advisor and the applicant's heritage assessment by DPA Architects Ltd.
- 4.5 Although the College is not scheduled in the District Plan, it has been identified by Heritage New Zealand Pouhere Taonga (HNZPT) as having significant heritage values and is listed in the New Zealand Heritage List Rāangi Kōrero as a Category 1 Historic Place.
- 4.6 DPA consider the buildings at the former Teachers' College to be good examples of Modernist/Brutalist architecture in New Zealand, whereas HNZPT consider the campus to be "*one of New Zealand's finest examples of brutalist architecture, consisting of an integrated grouping of multi-storey buildings and landscape features*". Of note is that many of the buildings referred to in this statement have already been demolished under prior consents.

- 4.7 I note Ms Smith’s inclusion of a point outlined in the 2018 Heritage New Zealand Pouhere Taonga (HNZPT) assessment of the site that the original layout of buildings and spaces on the site “*made best use of its undulating landscape to assure sensitive placement within the residential suburb of Karori.*” The current application, while possibly not achieving the level of original heritage protection that would have been desirable, at least refers to this previous arrangement of buildings in the new layout.
- 4.8 I also agree with Ms Smith’s view that loss of so many of the original buildings is regrettable but that retention and seismic upgrade of several original buildings in the new proposal is supported as a link to the site’s history. Because many of these retained buildings and features are on the Donald Street side of the site around the Allen Ward VC Hall, Tennant Block and street side courtyard, there will be continued visual reference to the past use of this site as part of the streetscape of this area which is an agreeable Urban Design outcome.
- 4.9 **Landscape and Visual Impact assessment**
- 4.10 The applicant’s LVA report (August 2020) and addendum (June 2021) have been reviewed by the Council’s consultant Landscape Architect, Angela McArthur. I have read all the relevant reports.
- 4.11 In respect of the LVA report and its review, I note that there is a lot of crossover in assessment content between urban design assessment and visual impact/landscape assessment. Ms Skidmore frequently makes comment on matters such as building form and detailing and the relationship between buildings and spaces, and Ms McArthur has considered the character provisions of the Residential Design Guide (RDG).
- 4.12 Ms McArthur’s report outlines the assessment methodology used for assessing the landscape and visual effects, pursuant to the guidance given by the NZ Institute of Landscape Architects (Best Practice Notes 2010). A consistent terminology is therefore established between the reports of both assessors in regard to the **magnitude of change** and the **effect of change**. Both reports make a distinction between the degree of change being experienced from the public realm (streets, parks etc) and from private properties. Mr Burns’ report covers the issue to some extent as well.
- 4.13 Following changes to several aspects of the proposal, there is an addendum to Ms Skidmore’s original report in which she comments specifically on the exterior changes to Buildings B01B, B02 and B07. I generally agree with the following statements she makes about the specific buildings:
- B01B - “design changes result in a more nuanced approach that will better integrate the building forms with their surrounding context”
 - B02 – “façade treatment now relates more strongly to the grain and rhythm of the surrounding residential built environment...”
 - B07 – “The design changes seek to achieve a more nuanced contextual fit, by creating a finer grain of visual components within the building form.”
- 4.14 As noted by both the experts in this matter, change itself does not necessarily constitute an adverse landscape or visual effect. What matters is the magnitude of visual change. All the applicant’s reports and the WCC landscape advisor appear to agree that the magnitude of change on the site will be high, and that there are both public and privately-owned spaces that will be affected by this.
- 4.15 The Urban Design Team will not comment on the specific conclusions drawn by the relevant experts, but the following points are noted:
- The design changes to buildings B01B, B02 and B07 achieve a better contextual relationship
 - The proposal will appropriately reinforce the prominent and distinctive character of the site
 - The site layout responds to the topography, history and nature of the surrounding context
 - The degree of change on the site is high, especially when considering the streetscape environments of Donald Street, Scapa Terrace and Campbell Street

- In most locations, there is the opportunity to introduce mitigating measures such as transition of bulk, setback and landscaping to moderate the visual effects of the buildings.
- There are several properties on Scapa Terrace where a drainage requirement will prohibit landscaping on the applicant's site, but this would presumably not affect the ability of Scapa Terrace property owners to increase screening on their own sites if they desired. In this area, the building achieves setback and bulk transition.
- The 'windfall' nature of this site indicates that a degree of change is to be expected. In most cases, this is adequately managed.

4.16 Ms Mc Arthur also comments on the proposed site landscaping – a matter which the Urban Design Team is happy should be assessed in this instance by a qualified Landscape Architect. She notes that several matters related to landscaping should be required as conditions of consent, which removes these matters from further Urban Design assessment and is an agreeable approach.

5.0 **Submissions**

5.1 75 submissions were received to the application. Of the submissions received, submissions 1, 15, 16, 17, 22, 32, 38, 40, 41, 43, 45, 46, 47, 48, 49, 50, 52, 53, 54, 55, 56, 57, 58, 60, 62, 65, 68, 70, 72, 73, 74 and 75 were particularly closely considered for their comments on urban design.

5.2 The main concerns raised by submitters relate to

- The overall character of the development and its perceived compatibility with the area
- The height and visual dominance of B01B
- For submitters with adjacent properties, the visual bulk and dominance of buildings B02 - B06
- Possible loss of sunlight
- Possible loss of privacy
- Loss of access to long-range or skyline views
- Impact on ecosystems and biodiversity
- Noise and light spill beyond the boundary
- Perceived loss of community recreation opportunities and green spaces
- Applicability of the Residential Design Guide

5.3 There are also submissions that support the development on the following grounds:

- Provision of a retirement facility that many feel is desired
- High quality of design and materials
- Increasing options to age within the Karori community and diversification of local housing options
- The support it will generate for local organisations and projects
- Provision of employment

5.4 *Comments made about traffic safety and parking, wind generation, infrastructure, landscaping, and construction effects will be addressed by other advisors.*

5.5 **Character of the development.**

5.5.1 Multiple submissions state an opposition to the 'character' of the development but do not specify what they consider this to mean. In some cases this appears to refer to the size and shape and placement of buildings, but it could also refer in some submissions to the architectural style or building type.

5.5.2 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. This part of Karori is not noted in the District Plan as having

attributes of character worthy of special mention or protection due to consistency, indicating that new developments have more latitude in type and expression - provided they are not detractive.

- 5.5.3 Therefore, buildings of a different type, size, height and architectural expression could be introduced into an area and be considered complementary.
- 5.5.4 Any degree of intensification on this site is going to represent a change for the neighbourhood, particularly as large parts of the site were previously retained as unbuilt spaces for sports use or landscaping. The issue appears to be that 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 - which is characterised by a highly suburban development pattern laid down over the course of in excess of 100 years. This would not be considered to be an efficient use of most of a windfall site.
- 5.5.5 Therefore, 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. (Amenity considerations are dealt with in later discussion.)

5.6 Height and visual dominance of B01B and other buildings.

- 5.6.1 The location and heights of the buildings on the site are shown in the following diagram¹.



Figure 12: Proposed building heights

- 5.6.2 Several submissions refer to the excessive height of Building B01B (mainly in terms of visual impact) and consider that this should be reduced. On such a large site it is useful to consider the impact of buildings at both long and short range when considering whether height is excessive.
- 5.6.3 In respect of Building B01B, this is located near the centre of a wider street block. It would be 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 was not directly adjacent to public roads, parks, or amenity spaces so as to reduce the visual dominance by distance. This has been done.

¹ Page 18 Urban Design report

- 5.6.4 At the points where other buildings are adjacent to privately-owned residential properties in Scapa Terrace and Campbell Street, the setback and heights of buildings are compliant with the requirements of the District Plan and they are only slightly over height. These are the rules that would apply to any other form or type of development in this location as well. Although the buildings will definitely be visible, this does not automatically equate to unreasonable visual dominance.
- 5.6.5 The report of Mr Burns also makes reference to the previous conditions on the site in terms of building placement and heights. This in itself would not be justification for redevelopment of the site in the same manner, but Mr Burns also notes that the topography, size and shape of the site in relation to the context (which he assesses in detail) make this a commendable approach for future development for a number of reasons. He also comments that the previous development on the site having 'departure and difference' with in the neighbourhood helps to justify a degree of contrast continuing on the site. This is not an unreasonable approach.

5.7 Possible loss of sunlight

- 5.7.1 Most of the concerns around sunlight are submitted by residents of Scapa Terrace and Campbell Street, and it is clear that they fall into two distinct categories:
- Scapa Terrace properties where sunlight loss may be experienced on a rear yard
 - Campbell Street and Donald Street properties where sunlight loss and shading are mostly experienced on front yards.
- A detailed assessment of shading on each property has been undertaken by the planner and forms part of their S42A report for the hearing. This information should also be referred to when considering access to sunlight and possible shading.
- 5.7.2 In respect of the Scapa Terrace properties, the fact that the building complies with height and setback rules along this boundary cannot be ignored. Several submitters raise the issue that despite this, it is the length of the building that makes this condition both unexpected and intolerable.
- 5.7.3 It is undeniable that many Scapa Terrace properties will experience a loss of sunlight compared to what they currently enjoy, and undeniable that the impact on a private outdoor living space at the rear of a house would be upsetting for a homeowner.
- 5.7.4 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.
- 5.7.5 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, and there would also be sunlight loss behind a 2-metre high solid boundary fence - which we do not have any information about. In summer, when more use of outdoor spaces might reasonably be expected, no additional shadows appear to be cast to the south beyond the site boundary.
- 5.7.6 In respect of Donald and Campbell Street properties, the increase in shading falls mainly on front yards, which might not be expected to be as extensively used for outdoor living as private rear yards. Additionally, the increased or altered shading mainly impacts these properties in the winter months and comprises short periods in either the morning (Campbell Street properties) and the late afternoon (Donald Street properties.) These are generally outside the times of day when outdoor living spaces are most used, particularly in winter.
- 5.7.7 It is acknowledged that shading to adjacent properties will increase, and it would appear that the Scapa Terrace properties are more affected than many other sites. In winter, the shading will

extend over houses and possibly impact on the amount of solar gain currently enjoyed by interior spaces. However, shading could also be cast by alternative development.

5.8 Possible loss of privacy

- 5.8.1 Some submitters are concerned about visual privacy and overlooking from the southern elevation of buildings B02 – B06, and some mention loss of privacy from building B01B.
- 5.8.2 There are relatively few living room windows on this elevation. At first floor level along this elevation the windows have a setback of around 6 metres, and at second floor level the setback is over 20 metres setback. (See diagram).

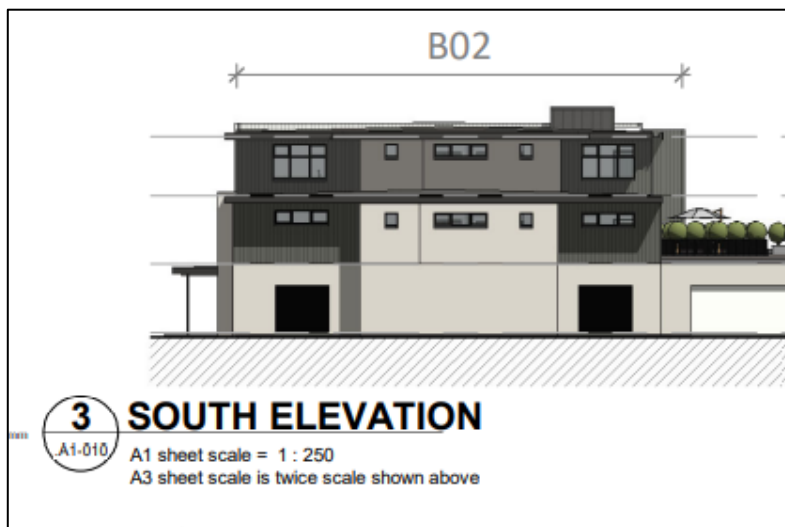


Diagram 1: Typical south elevation, showing combination of window size, setback and sill height to minimise overlooking.²

- 5.8.3 The first-floor level windows have raised sills and in order to look downwards out the window an occupant would have to be standing directly beside the window. These windows appear to have been included mainly to admit light and make the façade appear less blank, and would be very unlikely to contribute to overlooking or loss of privacy to adjacent sites. Decks at this level are either set back or proposed to have landscaping on the south side as screening.
- 5.8.4 Setback of the upper floor windows will address the issue of direct overlooking into rear yards, with the intervening roof form screening much of any view. By way of example, the possible views downwards from the upper floor window onto the property at 18 Scapa Terrace (and many others of similar type) are likely to be as illustrated by the blue lines on the section below (diagram 2).

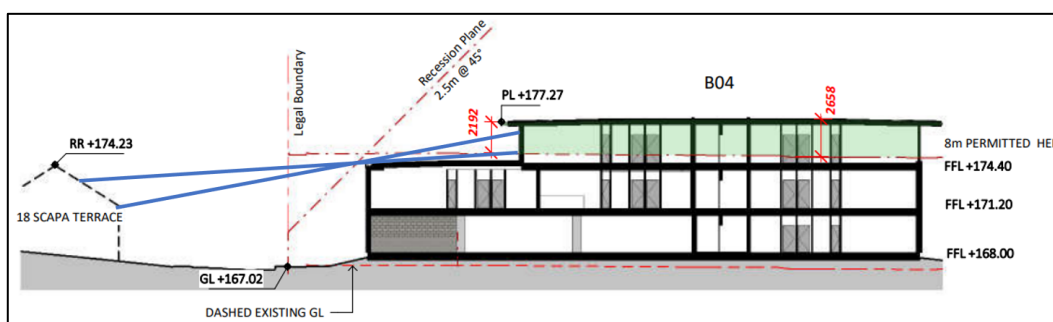


Diagram 2: Example of lower and upper sill views for second floor.

² Plan A2-010

- 5.8.5 Much the same argument of distance and elevation can be applied to minimising loss of privacy to the outdoor living spaces of Scapa Terrace properties.
- 5.8.6 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.
- 5.8.7 In respect of loss of privacy, it is also worthwhile considering when the ‘ability to overlook’ reaches the point of ‘unreasonable loss of privacy’. The Residential Design Guide discusses privacy between living spaces on adjacent sites in sections G3.14 (internal spaces) and G4.6 and 4.7 (outdoor spaces). These sections are attached to this report as Appendix 2.
- 5.8.8 In the above guidance, it is noted that “*complete protection privacy will not always be possible*”, particularly for outdoor spaces, and that what constitutes an acceptable level of privacy can be affected by factors such as the intimacy of activity potentially being observed, the ease of overlooking, other distracting views and cultural expectations. G 4.7 also notes that “Privacy effects are also reduced where viewers must move right to a window, or to the edge of a deck, where they will be in full view from neighbouring properties, to obtain that view.
- 5.8.9 The issue here is while a view of adjacent back yards may technically be obtainable, what must also be considered is whether it is likely that residents of the complex are likely to spend unreasonable amounts of time each day directly observing the activities in those back yards, or trying to observe activities inside houses. I consider this unlikely for the following reasons:
- Upper floor apartments enjoy open long-range views.
 - Most of the apartment views are oriented obliquely to the location of adjacent yards.
 - Interior spaces are likely to be arranged and used to protect privacy into those spaces.
 - Outdoor decks in the development will probably only be used for any period of time in pleasant weather, as will the outdoor yards of adjacent houses. In Wellington’s climate, this is not a majority of days per year.
 - The distance between decks and yards on adjacent sites means that in general, activity there would be observed in ‘overview’ rather than detail.
- 5.8.10 It is therefore considered that 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.

5.9 Possible effects on outlook, and loss existing long-range or skyline views

- 5.9.1 There are houses adjacent to the site, in particular on the north side of Scapa Terrace, that have enjoyed an open outlook with a northerly aspect for many decades. The longer-range views with no buildings in close proximity adds to the amenity of these dwellings particularly at upper levels but is not specifically protected by any legal or District Plan mechanism.
- 5.9.2 The proposed development will be a significant change in outlook for these sites. However, when comparing the development along the south boundary with a development being compliant with the bulk and location standards, the latter would also potentially impact on skyline views. The height and setback rules of the Plan are used to protect ‘reasonable’ access to light and provide space between buildings, not to ensure no change occurs. These rules are met along the Scapa Terrace boundaries and while the impact on long range views is noted, trying to preserve the sort of views enjoyed now would severely constrain use of the site in an efficient manner for this type of use and would not be a reason for Urban Design opposition to the overall proposal.

5.10 Impact on ecosystems and biodiversity

- 5.10.1 A large-scale development will, by its very nature, disturb the existing ecosystems of the site. There is no flora or fauna on the site that currently has specific protection, however it is known

that biodiversity in Karori has improved in recent decades, in part due to the establishment of Zealandia, more active rat control by local residents and increased awareness around the negative impact of domestic cats on wildlife.

- 5.10.2 Several submissions raise concern around the issue of vermin and loss of local biodiversity, however rodents are unlikely to become a problem for the local area once the site is completed and managed as a residential facility.
- 5.10.3 The subsequent landscaping of the site will be commented on by the Landscape advisor. The landscaping proposed is generally confined to beautifying spaces between buildings but will allow local species to return to the site once the development is complete. There is no real reason to expect that developing the site in the manner proposed will increase pests.
- 5.10.4 Any increase in the quantity or diversity of landscaping and the use of planting for measures such as stormwater control or on-site food production would be supported by the Urban Design team.

5.11 Noise and light spill beyond the boundary

- 5.11.1 As a collection of residences for the older generation, the facility is considered unlikely to generate unreasonable noise.
- 5.11.2 A number of submitters raise the issue of tyre squeal on the floor of the garage adjacent to their properties. The applicant and vehicle access advisors would be best placed to advise on this.
- 5.11.3 Any exterior lights on the buildings should be oriented to maximise legibility and minimise light spill. This could be required as a condition of consent.

5.12 Perceived loss of community amenity - recreation opportunities and green spaces

- 5.12.1 Previously, a substantial proportion of the site (and particularly its southern side) was unbuilt and comprised outdoor sports areas or landscaping. While the site was in use as an education facility the community enjoyed these spaces with little restriction – somewhat of a ‘windfall’ benefit enjoyed for many decades, but not formalised by council ownership or designation of any of these spaces for recreation or outdoor space use.
- 5.12.2 Despite offering both formal and informal accessibility, the previous uses were never required or obliged to be provided. The proposed development does result in the loss of informal recreation and/or amenity space but not of any formally identified recreation or green space opportunities in Karori.
- 5.12.3 Whilst public accessibility through large block sites is a commendable Urban Design outcome and is a condition that previously existed, it is also noted that there is already another through-block connection on public land to the immediate north of the site. Additionally, Ryman are under no formal obligation to provide any additional publicly accessible green space, open space or recreation opportunities for the community, and the need for additional parking for Karori Pool has already been addressed by an alteration on the Donald Street side of the site.

5.13 Applicability of the Residential Design Guide

- 5.13.1 Several submissions raise the issue of non-compliance of the development with the Residential Design Guide, mainly in the areas of character and provision of outdoor living space for residents.
- 5.13.2 I agree with the assessment of Mr Burns in respect of general applicability of the Residential Design Guide, which can be found on Page 8 of his report. In summary he notes:

“I have therefore assessed the proposal for its level of consistency with those aspects of the RDG that I consider relevant to the Site and proposal. The RDG sets out an assessment

framework that includes: 1) Character; 2) Site Planning, 3) Building Design; and, 4) Open Space Design.

Of these topics, those addressing Character, Site Planning and Building Design are most relevant given the nature of the proposal as a retirement village. Open Space Design calls for a level of private open space per dwelling that is less relevant for a retirement village.³

5.13.3 I also agree that is not particularly relevant to apply the same standards for matters such as outdoor living space to these retirement units as to other residential developments. They are not typical 'multi unit' houses for a number of reasons, including:

- The development is an 'apartment style' proposition that caters for a target market of older residents. Many residents do not desire sizeable outdoor spaces for reasons of practicality or maintenance.
- Many of the living units have a private balcony.
- There are landscaped spaces throughout the campus available for both relaxation and socialising.
- The development provides many other opportunities on-site for physical recreation.
- The site is closely located to Ben Burn Park, Karori Pool and several local sports clubs if more extensive space or active use of outdoor space is desired.

5.13.4 The application is therefore considered to make reference to the Residential Design Guide as far as would be considered reasonable in the circumstances. Character, site planning and building design are well-considered, and provision of open space is adequate for the typology.

5.14 Other urban design concerns raised by the submitters include the following matters

5.14.1 The design of the small park on Donald Street, including safety and privacy

One submitter is concerned about safety and lack of privacy relating to the small park on Donald Street. This space is proposed to be landscaped as a garden area with seating. To the west, the plans indicate the majority of existing vegetation to remain. The design of this space anticipates non-active recreation, therefore consider the possibility of noise nuisance to be low. The submitter requests a higher fence but a higher or more solid fence on a north elevation will increase the amount of shading on the property to the south. A fence above 1.8 metres high would also decrease passive surveillance opportunities from the adjacent property that would help discourage any anti-social behaviour. No change to the design of the park would be suggested as a result of the submitter's concern.

5.14.2 Boundary landscaping – southern edge

The unsuitability of some of the mitigation proposed for the boundary between the site and several Scapa Terrace properties should be commented on by the Landscape advisor.

What should be noted as an urban design concern is that there is a difference between landscaping that provides visual screening, and landscaping which moderates the visual impact of something. It is unreasonable in this instance to expect that landscaping would screen all views of the development and even if it could, landscaping of that scale would most likely have a detrimental effect on sunlight access, particularly to rear yards. What needs to be achieved here is a suitable degree of visual softening of the south wall(s) of the facility, balancing sunlight access and considering the viewpoints from where this landscaping will be most beneficial.

5.15 Urban Design summary of submitters concerns

5.15.1 Many submitters state support for development of a retirement village on this site, but outline concerns about the form it is proposed to take. Some other submitters are in support, and some

³ McIndoe Urban report page 8

are entirely in opposition to the proposal. Many submitters ask for the development to be 'reduced' but in many submissions it is not fully clear whether this applies to density, height, setback or coverage or something else.

- 5.15.2 Responding to the concerns about development intensity, in my view it would not be reasonable to expect that any development on this site matches the patterns of the surrounding area which is largely characterised by buildings on individual sections. This is indicated by both the understanding that this is a 'windfall' site, and by the difference in functional typology between this development and the surrounding houses.⁴ Ryman are not proposing a development of stand-alone houses on the site therefore a different building form to accommodate the intended use is a reasonable solution. This is a medium-density, apartment-style retirement village, designed as a comprehensive entity for a large site.
- 5.15.3 However, even the windfall sites policy requires that new development on such sites is not incompatible with the character or amenity of the surrounding area. The issue here is what degree of variation for a different type of use on the site would be acceptable within the low-density of the surrounding neighbourhood.
- 5.15.4 The applicant has responded to the size and shape of the site, and its frontages, in a considered manner. The design of the building is modern, but not overtly contrasting. The height is greater than expected in some locations and the proposal exceeds site coverage, but care has been taken to place both height and mass in a position where the impact on adjacent residential properties is moderated or can be managed.
- 5.15.5 Many submitters, and notably those who live on adjacent sites, are unhappy with the degree of change proposed particularly where they have for many decades enjoyed unobstructed views and full northerly sunlight access. This discomfort is acknowledged.
- 5.15.6 The test of whether the degree of change is 'reasonable' will always be to consider what could be permitted to be built there as of right, and whether any identified adverse effects have been adequately mitigated. I am satisfied that the urban design-related effects on the south boundary may not be much different to that of alternative development that was built to comply with the permitted bulk and location standards, and that the building form has been arranged to reflect this. Although the change appears substantial to submitters due to the adjacent land currently being unbuilt it is not considered unreasonable – but I note that further comments around the nature of landscaping to mitigate visual effects are required from the Landscape advisor.
- 5.15.7 Having read the submissions raising urban design concerns and while recognising that there is discomfort around the degree of change, I am generally satisfied that subject to clarifying details on a few small matters the concerns of submitters are either unfounded, may be addressed, or are within the limits of expected change for this site, particularly at the site edges.

6.0 Overall summary and final conclusion

- 6.1 This proposal has been extensively reviewed by a number of subject-relevant experts with a degree of crossover between various experts commenting on urban design-related matters. There is general agreement between these experts particularly in terms of the LVA reports. **The applicant's and WCC Urban Design advisors share a similar view on the main urban design aspects of the proposal and the applicant's UD report can be ADOPTED.**
- 6.2 It is not unreasonable to expect a residential-type development to emerge on what was previously undeveloped land that has a residential zoning.

⁴ Typology is classification of building by use type.

- 6.3 Due to the size of the site, the degree of change being experienced within the context is significant, however the site layout and building form still communicate a type of residential use that would not be unexpected within a suburban context.
- 6.4 The new buildings on the site have been designed, massed and located in accordance with the required setbacks and use other measures such as architectural variation orientation and bulk transition to reduce effects on adjoining properties.
- 6.5 Site layout, new building mass and placement and use of pre-existing buildings on the site are respectful of the previous use in terms of the community's understanding of the site and the desire to retain some of the site's heritage.
- 6.6 The architectural style chosen is contemporary and appears as a larger-scaled apartment-style form but with references to both residential features and the buildings being retained on the site. Overall, the relationship between these outcomes is an acceptable fit for the context.
- 6.6 Traffic, parking and servicing have been managed in an acceptable way and will not be visually dominant beyond the boundaries of the site. Access to the site is clear and logical.
- 6.7 The site layout allows for light and sun, and landscaped spaces between buildings. The proposed landscaping will be assessed by the Landscape Advisor.
- 6.8 Any outstanding UD matters can be managed by conditions. Urban Design would support the conditions requested by the WCC Heritage and Landscape advisors.

The proposal has Urban Design support.

If the application is approved, the following are recommended:

- a) Suggested conditions
- *A condition that requires final UD team approval of the design and placement all gateway/entry signage.*
 - *A condition requiring final UD or Landscape Advisor approval of all outdoor lighting.*
- b) Suggested advice notes
- *None*

Report peer reviewed by: Farzad Zamani, Team Leader Design Review, Urban Design Team.

APPENDIX 1: Review of applicant’s Urban Design report

Section	WCC UD position	Additional comments
1.0 Introduction		
1.1 Overview	Adopt	
1.2 Scope and involvement	Adopt the part referring to the relevant sets of plans.	The balance of this section relates to the applicant’s urban designer outlining the engagement with the project
1.3 Parallel assessments relevant to Urban Design	Adopt	
1.4 Approach to assessment	Adopt in part, with additional comments	<p>Activity status, zoning and discussion of windfall site are all acceptable. Emphasis on policy 4.2.1.5 allowing intensification of windfall sites subject to not detracting from the character and amenity of neighbourhoods is agreed and supported as a key principle for this site.</p> <p>Multi-unit design and relevance of the RDG to the proposal:</p> <p>Mr Burns’ assessment states that the proposal to be assessed as a multi-unit development and the RDG used, but makes no further judgement on whether this is a practical approach for this site. I consider that assessing this development in the manner of a more typical multi-unit housing development is impractical and that more helpfully, it should be considered comprehensively based on its use type.</p> <p>Following from that, I agree with Mr Burns that character, site planning and building design are the most relevant topics for assessment.</p> <p>The UD assessment framework outlined is acceptable.</p>
2.0 Overview of the proposal		
Discussion	Adopt	

3.0 Urban Design assessment		
3.1 Character and Urban form		
Context and analysis of existing conditions	Adopt	
Residential context	Adopt	
Non-residential context	Adopt	
All specific street context assessments	Adopt	The streets context assessments cover Campbell Street, Scapa Terrace and Donald Street, along with an overall streets assessment. This is considered to adequately cover the streets considered most affected by the proposal.
The site – character, landform, vegetation	Adopt	
The proposal (character and urban form)	Adopt in part	Note that the visual presence of the proposed taller buildings will be similar within the context to those previously on the site. In terms of contrast v consistency, it's unclear what is meant by the reference to the setting having 'ongoing heritage value' but I do consider that it has local familiarity due to the long timespan of occupancy by an educational facility. I also agree with the conclusion that the buildings associated with prior use justify to a degree the continued expression of contrast on the site rather than a response that conforms more closely to the single-dwelling character of a lot of the residential surroundings.
Karori Road	Adopt	
Lewer Street	Adopt in part	This relates to Viewpoint 11 and Building B01B. I agree with Mr Burns' view that the outcome is of contrast but consider that the issue of whether the building has a more residential aesthetic than the previous buildings is marginal. The bulk, scale and form of the new building has more of an institutional- style appearance, aligned with what it is. However, I agree that the effect of this is moderated by the placement and setback of the building and when considered within the context of the overall site,

		this contrast is a tolerable outcome.
More distant viewing points	Adopt	
Donald Street	Adopt	
Campbell Street	Adopt, with additional comments	<p>I agree that the principal challenge presented by B02 is optimising use of this previously vacant part of the site while establishing an acceptable relationship to context.</p> <p>The discussion around the height-to-width relationship between the building and Campbell Street is very agreeable and is a strong argument in favour of this building achieving a 'comfortable' relationship with the street physical characteristics of the street.</p> <p>Additionally, I consider that contrast with the surrounding development patterns is acceptable based on this type of use. Retirement complexes are frequently large-scale in nature and are increasingly rising to several storeys in height. Within the residential context, it's acceptable for a large-scale retirement village to look like a retirement village, which this does.</p>
Scapa Terrace	Adopt, with additional comments	<p>I am not completely agreed with Mr Burns' view that Scapa Terrace has a high level of visual containment which screens views beyond the dwellings. Particularly along the northern side, most of the houses are single-storey and set at street level. This creates a relatively open aspect northwards that will be impacted by the dwellings along the applicant's south boundary.</p> <p>I note that the two storey part of the buildings on the applicant's south boundary are compliant with height and setback requirements, and further note that care has been taken in the design to moderate building bulk in this area by way of transition of volumes, orientation and landscaping. For Scapa Terrace properties, there will be an undeniable change in character that will be more apparent to houses on the north side than on the south due to proximity.</p> <p>Mr Burns includes a comprehensive discussion about the effect of this change, carefully analysing matters such as form and scale, visual dominance, separation,</p>

		height relationships and any possible loss of privacy. I agree with his conclusion that <i>“the recognition of this site as a windfall site means that the District Plan anticipates some degree of departure from conventional suburban outcomes and a higher level of development density on the site.”</i> Mr Burns concludes that the adverse visual dominance effects will be minor.
Conclusions	Adopt	I agree with the conclusions related to character and urban form (page 29 of the UD report.)
3.2 Urban Structure and Site Planning		
Context and analysis of existing conditions	Adopt, with additional comments	As part of the previous use, access was available through the site between Donald Street and Campbell Street on an internal road. Whilst not a public road use of the road was not restricted. This is an aspect of the previous site condition that is not carried through to the new site layout. I agree with the observation that the availability and quality of local amenities, as well as their close location to the site, point to clear opportunities for higher density residential outcomes.
The proposal	Adopt, with additional comments	Discussion is generally agreeable. The report tends to focus on the benefits of the new proposal, while touching only relatively lightly on the more substantial issue of the degree of change facing Campbell Street. This includes not only loss of the previously more open through-block access, but the matter of introduction of a substantial built mass into this part of the site. Worth noting is that the proposal has undergone a number of substantial design revisions particularly to buildings B02 and B07 to address the concerns previously raised about contextual relationship.
Conclusions	Adopt	I agree with the conclusions about Urban Structure and Site Planning (page 37 of the UD report).
3.3 Residential Amenity Effects		

Overview	Adopt	Mr Burns outlines in this section the ways in which he has interpreted the various requirements of the District Plan in relation to shading and sunlight. Having assessed this methodology, I consider it presents a logical and reasonable approach to sunlight access and amenity, which is agreeable to the WCC Design Review Team in this instance.
Scapa Terrace properties	Adopt	The report notes that properties have not been visited to confirm the location of the principal outdoor living spaces, however I am comfortable with the position that these are at the rear of the houses abutting the applicant's site due to orientation and maximising privacy. (This is confirmed by the WCC planner's site visits, and report.) The assessment is adequately detailed for each of the possibly affected properties. Urban Design is generally satisfied with the conclusions drawn, for both overlooking/privacy and sunlight access/shading. <i>(Refer also to the WCC planner's S42A report for more detailed analysis, with which there is urban design agreement.)</i>
Donald Street properties	Adopt	The assessment is adequately detailed for each of the possibly affected properties. Urban Design is satisfied with the conclusions drawn, for both overlooking/privacy and sunlight shading.
Campbell Street properties	Adopt	The assessment is adequately detailed for each of the possibly affected properties. In respect of the property at 29 Campbell Street, although this facility occupies a building that was a previously a house I don't consider the use as a childcare centre to be residential in nature. Therefore, it would not be reasonable to apply the usual privacy expectations of a private household to this property. I also agree that planting and distance would moderate any possible ability to look into the outdoor space on this site. Urban Design is satisfied with the conclusions drawn, for both overlooking/privacy and sunlight shading.
Other properties	Adopt	
Conclusions	Adopt	I agree with the conclusions about Residential Amenity (page 49 of the UD report).

3.4 Architectural Concept and Building Design		
Design coherence and identity	Adopt	
Street frontages and entrance legibility	Adopt	
Planning and amenity	Adopt	<p>Also noted that due to the nature of the facility, there will be a high degree of on-site user familiarity for both residents and visitors.</p> <p>The assessment of each individual building for amenity is acceptable – I agree that in this instance, moderation of the usual expectations for multi-unit development is acceptable due to the nature of the facility and the observation that occupants have access to many other lounge and open space areas to help supplement any perceived shortfall in individual units. I agree that all the residential units will achieve comfortable, liveable conditions.</p>
Conclusion	Adopt	I agree with the conclusions about architectural concept and building design (page 55 of the UD report.)
3.5 Open Space Design		
Public and communal open space Private open spaces	Adopt	<p>I agree that the design will result in an environment where residents all have access to quality open space.</p> <p>Service areas have been adequately integrated. Vehicle dominance has been reduced as required by the RDG.</p>
Conclusion		I agree with the conclusions about Open Space Design (page 58 of the UD report).
3.6 Crime Prevention through Environmental Design		
All sections	Adopt, with additional	The application does not provide detailed information about signage, however this is a matter that could be addressed by a condition for later approval.

	comments	
4 Conclusions		
All sections	Adopt	The conclusions reached in this section are acceptable.

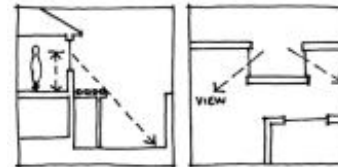
APPENDIX 2: Residential Design Guide references

Privacy for internal spaces

G3.14 Position windows or otherwise restrict or direct outlook so that the short-range view from one dwelling is not directly into the main internal living areas of any neighbouring dwellings both within the development, or on adjacent sites.

Many areas in a house require privacy, and this should be able to be achieved by considering privacy issues at the site planning stage and by the careful design and placement of windows. Such measures to achieve privacy need not unduly affect the outlook or daylight to the dwelling, and may avoid the need for residents to resort to screening devices such as blinds or curtains.

While total privacy is not reasonably achievable, housing can be designed so that in the normal course of events – sitting at the dining table, on in a living room, or working in the kitchen, the view is not directly into the main windows or into the private space associated with an apartment or development on a neighbouring site. Distance increases privacy, so privacy generally ceases to be of concern with views across a street.



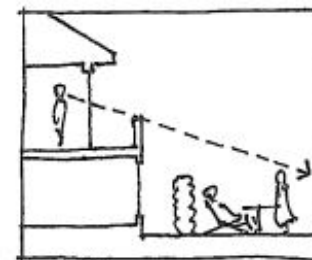
Visual privacy by screening, position and orientation of windows

Privacy for open spaces

G4.6 Protect the private open spaces of dwellings from being directly overlooked by careful positioning and planning, distance, screening devices or landscaping.

Just what an acceptable level of privacy consists of in any situation depends on a range of factors. These include the intimacy of the activities being overlooked, their frequency and the frequency and ease of overlooking, other distracting views, the direction of the line of view and cultural expectations. Complete protection of privacy will not always be possible. It is anticipated that a small proportion of the private space associated with the dwelling - that nearest to the living area, will have a high level of visual privacy. Other parts of the open space may be overlooked to varying degrees.

For example, the principal area of open space, or decks or balconies provided as a means of satisfying the private open space requirements for each dwelling should not be subject to direct short range overlooking over around two-thirds of their area.



Screening with balcony balustrade

G4.7 Plan outdoor living areas and position upper level windows of main living areas so that they do not have a direct short-range view into the private outdoor space of adjacent dwellings. This can be achieved by screening or otherwise restricting direct views from new development into the main private open spaces of nearby dwellings.

It is not expected that existing levels of privacy will be maintained, however consideration should be given to providing privacy to parts of neighbouring existing lots that are directly connected to the dwelling.

Complete protection of privacy will not always be possible. It is anticipated that a small proportion of the private space associated with the dwelling - that nearest to the living area, will have a high level of visual privacy. Other parts of the open space may be overlooked to varying degrees.

Direct, close range views are most likely to cause loss of privacy. However, while a neighbouring open space may be visible, privacy effects are likely to be acceptable in situations where the principal view from the overlooking space is directed away from neighbouring outdoor space, and where views are at an acute angle. Privacy effects are also reduced when viewers must move right to a window, or to the edge of a deck, where they will be in full view from neighbouring properties, to obtain that view.

While new development will address privacy issues, privacy may be addressed at both sides of the boundary. If privacy is important to neighbours, and space and topography allow this, they may also need to contribute with planting or screening on their lot.