

**UA Ref:** 20/051  
**Date:** 11 January 2023  
**To:** Sophie Carter, Environmental Planner, New Plymouth District Council  
**From:** Lauren White, Principal Urban Designer  
**Re:** 51 Barrett Street – Comprehensive Residential Development

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### 1.0 BACKGROUND

This memo provides overall assessment and review of the urban design aspects of the proposed residential development at 51 Barrett Street. The application includes the development of 8 townhouse/terraced dwellings and associated sites. It is understood to be a Restricted Discretionary Activity and zoned Residential A Environment Area in the New Plymouth District Plan.

In the preparation of this memo, I have reviewed the following application documents:

- Resource Consent Application and AEE, Laura Buttimore Planning, dated 3<sup>rd</sup> November 2022
- Architectural Drawing Package, Solari Architects, Rev A dated 2 November 2022
- Architect Design Statement by Solari Architects, dated November 2022
- Landscape Design Report, Blac, dated 3 November 2022

I have not undertaken a site visit, and instead rely on information provided in the application, NPDC Online GIS Mapping, Google Streetview and other on-line resources.

I have also read the response to the S92 request (dated 8 December 2022, Laura Buttimore Planning which includes further information on preliminary concerns raised regarding the Morley Street interface.

### 2.0 GENERAL COMMENT

The proposal to develop the site comprehensively and at a higher density is supported. Its' location close to the town centre, public open spaces, cycle paths and bus services support medium density residential development. Comprehensive development enables the consideration of any potential negative effects of increased density on the adjacent neighbourhood and immediate properties.

### 3.0 ASSESSMENT FRAMEWORK

#### Statutory Guidance in the Operative District Plan

In my opinion, the most relevant policy in the Operative District Plan is Policy 6.3 which states:

*“Activities within the Residential Environment Area should be of a size, scale and visual character that do not adversely affect the amenity of the residential environment.”*

This policy generates the standards for building height, setbacks and site coverage which restrict density and together define the built form character of the New Plymouth residential areas. Specifically, it defines character in Residential A areas as “low density of buildings with large setbacks from the road”.

As a Restricted Discretionary activity, my assessment is limited to the following matters:

**Rule Res6** – Daylighting - Non-compliances in respect to the road boundary adjoining Morley Street.

Assessment Criteria:

- 1) *The extent of additional shading from the projection beyond the daylighting envelope, taking into account the amount of shadow cast and the period of time the road frontage is affected.*
- 2) *The extent to which the projection beyond the daylighting envelope is necessary due to the shape or natural and physical features of the SITE.*
- 3) *The ability to mitigate adverse effects through the use of screening, planting or alternate design.*

**Rule Res14** – Maximum coverage of the front yard is exceeded along Morley Street. The maximum permitted coverage in the front yard is 35%, with the proposed coverage along Morley Street being 59%.

Assessment Criteria:

- 1) *The adverse effects of the increased COVERAGE of the FRONT YARD on:*
  - *the streetscape of the area;*
  - *the privacy and outlook of adjoining SITES; and*
  - *the visibility for traffic leaving the SITE.*
- 2) *Any adverse visual effects on the New Plymouth entrance corridor.*
- 3) *The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the SITE.*
- 4) *The ability of existing topography or vegetation to mitigate any adverse visual effects on the streetscape.*

*5) The ability to mitigate adverse effects of the increased COVERAGE of the FRONT YARD on adjoining SITES and the streetscape through screening, planting and alternative design.*

### **Guidance in the Proposed District Plan**

The Proposed District Plan points towards residential intensification in this and other areas of the city and also, notably, removing the front yard coverage and daylighting requirements along road boundaries and instead applying a minimum front yard of 3m. This would make it consistent with many other District Plans which do not generally apply recession planes to road boundaries.

When compliance with the front yard requirement is not achieved, the following matters of discretion are proposed:

- Effect on established streetscape character of the area.
- The extent to which topography, site orientation and planting can mitigate the effects of the building or structure.
- Effect on amenity values of nearby residential properties, including outlook, privacy, shading and sense of enclosure.
- The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site.
- Whether adequate mitigation of adverse effects can be achieved through the use of screening, planting and/or alternative design

### **Non Statutory Guidance**

New Plymouth District Council is a signatory of the Urban Design Protocol (Ministry for the Environment, 2005) and is committed to promoting high quality urban design outcomes. Under the quality of “context, this document recommends quality urban design:

- takes a long term view
- recognises and builds on landscape context and character
- results in buildings and places that are adapted to local climatic conditions
- examines each project in relation to its setting and ensures that each development fits in with and enhances its surroundings
- understands the social, cultural and economic context as well as physical elements and relationships
- considers the impact on the health of the population who live and work there
- celebrates cultural identity and recognises the heritage values of a place
- ensures incremental development contributes to an agreed and coherent overall result.

The NPDC Proposed District Plan includes the Residential Design Guide. Given the Proposed Plan is still awaiting the decisions and subsequent adoption by Council and is also, by definition, a guideline only, it carries limited weight. It does recognise the need to balance compatibility with context with the need to accommodate new housing types and styles. It identifies frontage setback setbacks, together with the alignment and orientation of buildings determine the spatial character, safety and visual appeal of the streetscape and recommends new development reflect the consistent pattern of existing development. With respect to managing greater building bulk/scale, the guide recommends:

- Designing large developments to appear as a collection of separate distinct buildings and using a variety of house plans. Applying variations in height and setbacks between adjacent units or groups of units and/or introducing gaps between them.
- Providing each unit or group of units with a separate roof form to reflect the scale of adjacent dwellings.
- Using secondary elements such as balconies, bay windows or other projecting elements and/or recessed elements to break up the mass of the building.
- Varying colour, materials and design detail (e.g. balcony profiles and balustrade details)

#### **4.0 URBAN DESIGN ASSESSMENT**

From an urban design perspective, and recognising the limited scope of matters for assessment, the primary issues to be assessed is the potential integration (or otherwise) of the development with its immediate environment and its impact on the form and amenity of streetscape.

The infringement of the front yard recession plane and maximum coverage along Morley Street has the potential to change the immediate character of the street and its associated amenity. This could occur through:

- the visual dominance of built form and shading on the users of the street due to the reduced setback of built form at upper levels ;
- the lack of privacy and passive surveillance of the street due to the proximity of passersby and internal spaces and the resultant lack of glazing on the street facing facades; and
- the lack of vegetation along the street which contributes to overall street character and residential identity.

#### **Context**

The Architect Design Statement describes the existing context of Morley Street and Barret Street and appropriately highlights the differences between them. As an arterial road, Morley Street accommodates a greater level of traffic and also the bus route. Barrett Street is a quieter street but still includes a number of “infill” developments and attached smaller dwellings. Both streets have a variety of front yard setbacks; while dwellings are typically setback from the street

boundary, there are many instances where single storey garages are built at the street boundary.

While both streets have wide carriageways, that of Morley Street appears narrower due to the identification of cyclepaths and bus stops. While Barrett Street has a relatively consistent character along its comparatively shorter length, Morley Street is characterised by a variety of street interface conditions including:

- Long frontages of open space (e.g. Western Park)
- Some significant and tall trees close to the street boundary
- Changes in ground level along the interface
- Non-residential activity (further to the north)

The intersection of Morley Street and Barrett Street also has a variety of conditions on each corner including:

- Double storey dwellings;
- A variety of setbacks as well as single storey garages built to the street boundary;
- A large land holding on the north east corner with a significant mature vegetated boundary and the potential to redevelop under Residential B provisions (Operative Plan) or at an even higher density depending on the outcome of the Proposed District Plan; and
- Level changes along the street boundary and associated retaining walls and fencing (e.g. 54 Barrett Street across the intersection)

In summary, I consider the surrounding context to be somewhat varied, particularly along Morley Street and capable of accommodating a variety of residential typologies and forms. The corner location, in particular, presents an opportunity for a landmark development and this may well be echoed through future redevelopment of the north eastern corner.

I also note that the NZ Urban Design Protocol (Ministry for the Environment, 2015) identifies context and character as two key urban design qualities which contribute to high quality urban design. While it recommends that development “recognises and builds on landscape context and character” and “ensures each development fits in and enhances its surroundings” it also recognises that “towns and cities are part of a constantly evolving relationship between people, land, culture and the wider environment” and that quality urban design “takes a long term view”, “understands the social, cultural, and economic context as well as physical elements and relationships” and that “character is dynamic and evolving, not static”.

### General Comment

With respect to responding to these streets appropriately, there are a number of aspects of the proposal that I support, namely:

- The built form addressing, activating and defining Morley Street as a primary route while vehicle entry is provided from Barret Street;
- Maximising the number of doors to the street from dwellings;
- The primary pedestrian entry located on Morley Street;
- The variety of setbacks along Morley Street and the variation in façade dimension and material;
- The lack of vehicle crossings over the cyclepath and the avoidance of conflict/safety concerns; and
- The architectural treatment/expression of the corner.

**Assessment against Relevant Criteria in Operative District Plan: Daylighting/Recession Plane on Morley Street**

When assessing the infringements of the recession plane on Morley Street, my comment against the **relevant criteria** of the Operative Plan is as below:

*1) The extent of additional shading from the projection beyond the daylighting envelope, taking into account the amount of shadow cast and the period of time the road frontage is affected.*

When compared to the permitted baseline, the length of Block A and its location close to the street boundary results in greater shading of the footpath in the morning, both in total length and in time, particularly in winter. In my opinion this is an acceptable outcome given the positive contribution the building length makes to Morley Street (activation, passive surveillance and spatial definition). If the site was to be subdivided into two and developed with two double storey dwellings fronting Morley Street, the shading outcome would likely be similar.

I note that there is a bus stop located along the street in this location which is likely to be shaded during the morning. However, there appears to be no material difference between the proposal and the permitted baseline in this regard. In addition, it is likely that passengers in the morning would be heading into the town centre (as opposed to south) and waiting on the other side of the road.

*2) The extent to which the projection beyond the daylighting envelope is necessary due to the shape or natural and physical features of the SITE.*

Whilst the building projection into the front yard is a direct result of the site shape/width and proposed density (for example, a duplex with a shallower floor plan could likely comply with the required setback), I can appreciate the benefits of the proposal in this regard, namely:

- The activation of the Morley Street frontage through the numbers of front doors and windows;
- the provision of adequate private ground level open space at the rear;
- the provision of one car park per unit (and reverse maneuvering);

- the demarcation of a separate pedestrian footpath connecting all units to Barrett Street, and
- the provision of landscaping (along both the eastern boundary fence and adjacent to the footpath).

In addition, while the step in Block A exacerbates the infringement, it creates visual interest on the street and reduces perceived building bulk as well as allows for additional soft landscaping in the central open space.

*3) The ability to mitigate adverse effects through the use of screening, planting or alternate design.*

In my view, the purpose/intent/outcome of the daylighting requirement is to restrict the scale and height of built form on the street boundary, thereby keeping a sense of spaciousness on the street. The lack of a specific front yard building setback allows built form (of one storey) to be placed at or close to the street boundary (and this is evidenced in surrounding streets). The key potential outcome to assess is therefore the effect of greater building height close to the street boundary on the amenity of the street.

In summary, I consider the infringement of the recession plane acceptable given the varied context, the corner location, the advantages it affords the development internally and the design techniques employed to mitigate the potential effect of greater building mass/bulk close to the street boundary namely:

- the step in Block A which provides visual interest and reduces potential visual dominance;
- the difference in façade colour/material between Block A and B;
- the gabled roof forms in Block A which reduce perception of scale by visually dividing the block; and
- the setback of the ground floor/cantilever of the first floor which also add interest.

**Assessment against Relevant Criteria in Operative District Plan: Daylighting/Recession Plane on Barrett Street**

There is a minor infringement on the Barrett Street Road frontage. I consider this acceptable given its limited size and the benefit the roof form has with respect to reflecting the corner location and providing visual interest.

**Assessment against Relevant Criteria in Operative District Plan: Coverage in Front Yard on Morley Street**

In my view, the purpose of the maximum front yard coverage standard is to allow for variation in setback within the front yard, restrict the amount of building close to the street boundary as well as provide the opportunity for landscaping. It also provides for a separation distance between habitable rooms and the street which contributes to internal privacy and enables passive surveillance of the street (windows are less likely to be screened with blinds/curtains).

With respect to assessing the infringement of the permitted maximum coverage in the front yard along Morley Street the relevant criteria and assessment are:

*1) The adverse effects of the increased COVERAGE of the FRONT YARD on:*

*- the streetscape of the area;*

The increased coverage results in proportionally less landscaping, a perception of increased density and potential cumulative effects of building dominance and shading along the frontage. Placing buildings close to the street boundary also risks either loss of internal privacy or the absence of windows to provide passive surveillance (and thereby real and perceived safety) of the street.

The proposal includes planting and screening along the street interface. The internal layout of Units 1 – 4 have the kitchen and circulation space located along the street boundary and a window which looks out over the street. Given these internal uses at ground (which are not primary living spaces) and that the window has a conventional sill height, I consider there to be minor effects on internal privacy generated from the reduced setback and it likely that sightlines towards the street will be maintained without the excessive use of curtains/blinds to maintain privacy.

The transition between public footpath and internal living spaces is also assisted by the use of timber screening and planting. I do however consider there to be a risk that the vegetation can mature to result in the prevention of sightlines over the street (and natural light penetration to internal rooms). *Tecomanthe speciosa* is a particularly vigorous climber that has the potential to obscure sightlines and visual connections with the street. To that end, and recognising the cultural symbolism embedded in these battens, I would recommend that the climbers be restricted to the bin store areas only. This could be a condition of consent and subject to a detailed landscaping plan.

I also consider the 2.1m high feature screen fencing (as indicated on the Blac Site Plan L1.0) located along alongside private open spaces of Unit 5 overly dominant on the street given its location/proximity to the street boundary and in relation to the cumulative effects of building within the front yard. Unit 5 has two private outdoor areas, namely one located to the north which is a secondary space accessed from the kitchen and open to the pedestrian walkway due to a 1.2m fence, and one more private (albeit less sunny) to the south, directly accessed from the internal living space. Recognising the need to balance street amenity, entry legibility and amenity with privacy for residents of Unit 5, I recommend that the height of the fence to the north of the dwelling be a maximum of 1.5m to reduce the potential visual effect on the streetscape as well as transition more easily to the 1.2m fence along the walkway. A slightly lower fence will enable some privacy in this secondary outdoor space while allowing a more perceptible break between blocks, and a more legible entry to the development from Morley Street.

In summary, and assuming the above recommendations can be adopted, the planting, screening/fencing and resultant transition from public street to private internal space which will still allow internal privacy, some landscaping and passive surveillance of the street, I consider the infringement supportable.

*- the privacy and outlook of adjoining SITES; and*



The increased coverage has a potential effect on 127 Morley Street to the south. However, Block B complies with the recession plan along the southern boundary and is comparable with the permitted baseline.

I note also that the step in Block B (albeit not in the front yard itself) is helpful in mitigating the perception of bulk and density.

*- the visibility for traffic leaving the SITE.*

N/A for urban design

*3) Any adverse visual effects on the New Plymouth entrance corridor.*

N/A

*4) The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the SITE.*

Addressed above.

*5) The ability of existing topography or vegetation to mitigate any adverse visual effects on the streetscape.*

There is no opportunity to use level changes to mitigate potential effects of excessive coverage. Opportunities to use landscaping to soften the effect/extent of building form in the front yard have been maximised. The gap between Block A and Block B provides a visual break and sightline through to the internal area of the site. Specimen trees are provided where possible and the plant beds and climbers contribute to landscape amenity along the street. It's also worth noting that the absence of any driveway crossing, parking areas or garaging on this street frontage/front yard is a good urban design outcome, enabling planting and activating the frontage.

*6) The ability to mitigate adverse effects of the increased COVERAGE of the FRONT YARD on adjoining SITES and the streetscape through screening, planting and alternative design.*

This is covered by above discussion, namely the proposed landscaping and fencing strategy and associated recommendations.

## 5.0 COMMENTARY ON NON-STATUTORY GUIDANCE

The proposal exhibits a number of best practice urban design qualities described in non-statutory guidance discussed in Section 3 above. Whilst responding to and reflecting context and consistent front yard setbacks is a key outcome sought by this guidance, the ability to deviate from the status quo and the ability to mitigate effects through good design is also recognised.

## 6.0 CONCLUSION

The site represents a good location and opportunity for medium density housing and the proposed design is logical and well considered. The key issue for urban design assessment is the potential effects of building siting, scale and form along Morley Street which could lead to visual dominance, perceptions of higher density, lack of landscaping and loss of privacy and surveillance.

The bulk of the development along Morley Street is greater than that permitted by the Operative Plan and typical in the area and will represent a change in the immediate context. However, the existing context is varied and given the potential future statutory context, is likely to continue to change and intensify.

This context, along with the status of the road and corner location, and the architectural and landscaping design make this generally supportable from an urban design perspective. Whilst the proposal results in infringements of the recession plane and front yard coverage, the design of the built form and landscaping serves to deliver an urban design outcome that is positive for Morley Street and consistent with general urban design best practice.

This support is however based on the adoption of the following recommendations/conditions of consent:

### **Landscaping in front yards of Units 2 - 4:**

The applicant has agreed to a condition of consent which includes the maintenance of the tecomanthe speciosa climber for a period of two years (by contractor) after which this vegetation will be maintained by the Residents Association. Whilst this is appreciated, I am unconvinced as to whether or not this will result in the retention of sightlines from habitable room windows to the street. I recommend that the condition of consent ensure tecomanthe speciosa is planted only to screen bike storage areas and not bin store areas where it might eventually obscure the kitchen windows.

### **Fencing on Morley Street Boundary for Unit 5**

I recommend that the feature fencing facing Morley Street north of Unit 5 is reduced to a maximum height to 1.5m. I consider a feature fence with a variable height (1.2m to 1.5m) a good solution for balancing privacy, ensuring legibility of entry and reducing perceived bulk along the frontage. I accept the need to retain a higher fence around the southern private open space and acknowledge that its partial visual permeability and variable height (1.8m to 2.1m) will also transition well to the 1.8m rear fencing along the boundary with 107 Morley Street.

Subject to the resolution of the planting and fencing discussed above, I support the application.

FIN

Please do not hesitate to contact me for further comment or clarification should you need it.