

**BEFORE HEARING COMMISSIONERS
IN NEW PLYMOUTH**

UNDER THE

Resource Management Act 1991 ("**Act**")

IN THE MATTER OF

An application under S88 of the Act by Te Atiawa Iwi Holdings Ltd to undertake an eight-townhouse development at 51 Barrett Street, New Plymouth for Land Use Resource consent application **LUC22/48356**

BETWEEN

**TE ATIAWA IWI HOLDINGS LIMITED
PARTNERSHIP**

Applicant

AND

NEW PLYMOUTH DISTRICT COUNCIL

Consent authority

**STATEMENT OF EVIDENCE OF BRAD LEIGH DOBSON
(LANDSCAPE ARCHITECTURE)**

Commissioner: Angela Jones

INTRODUCTION

Background, qualifications and experience

1. My full name is Brad Leigh Dobson.
2. I hold a Bachelor of Architecture Studies and Master of Landscape Architecture with distinction from Victoria University of Wellington, which I graduated from in 2013. I am a Registered Landscape Architect with the New Zealand Institute of Landscape Architects (“**NZILA**”).
3. I have practised as a Landscape Architect for 10 years. In 2022, I established Brad Landscape Architecture Collective (“**BLAC**”) Projects, a landscape architecture consultancy based out of New Plymouth and Wellington.
4. I have a broad range of experience including significant street, laneway and park upgrades, as well as medium density housing and commercial developments across the lower North Island. My involvement in those projects ranges from landscape planning, community planning, master planning, urban design, concept and detailed landscape design, and construction oversight for public and private clients.
5. I have been engaged by Egmont Dixon Limited (“**ED**”) to provide landscape architecture design expertise for this development on behalf of Te Kotahitanga o Te Atiawa (“**Te Kotahitanga**”). My involvement in the project to date includes:
 - (a) Collaborating with Te Kotahitanga, Ngāti Te Whiti (“**Mana Whenua**”), ED, Laura Buttimore Planning (“**Planner**”), Envelope Engineering Limited, AMTANZ Limited, and Solari Architects Limited (“**Architects**”) on the overall bulk and location of the proposal and preparation of the Landscape Design Report (“**LDR**”);
 - (b) Reviewing the consent application prepared by the Planner (“**the Application**”).
 - (c) Reading and commenting on the urban design review (“**UDR**”) prepared by Urban Acumen Limited.

- (d) Responding to Requests for Information (“**RFI**”) by the council officer.
 - (e) Reviewing the submission made by Leonard William and Heather Vivian Mary Jury (“the **Submitter**”)
 - (f) Reviewing the Section 42A Report and Conditions (“**Officer’s Report**”).
6. I have visited the site and the surrounding area on numerous occasions and am familiar with both.

Purpose and scope of evidence

7. The scope of my evidence is as follows:
- (a) Summarising the key landscape and urban design elements and confirming the intent of the planting design.
 - (b) Providing analysis on landscape (and residential) character and values, and the effects in response to the Submitter.
 - (c) Commenting on the visual effects on 107 Morley Street in response to the Submitter.
8. The above will be addressed under the following headings:
- (a) Residential/ Landscape Character and Values
 - (b) Proposal
 - (c) Assessment of Effects
 - (d) Response to Submission
 - (e) Council Officer’s Report and Conditions
 - (f) Conclusion

Expert witness code of conduct

9. I have been provided with a copy of the Code of Conduct for Expert Witnesses contained in the Environment Court’s 2023 Practice Note. While this is not an Environment Court hearing, I have read and agree to comply with that Code. 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 that I express.

RESIDENTIAL/ LANDSCAPE CHARACTER AND VALUES

10. Terms such as “Residential” and “Streetscape” character are aspects which contribute to the overall landscape character. In my opinion, based on NZILA guidance, land use type and style are important but should not define a landscape or place by default. While I understand that, under the Proposed District Plan (**PDP**) the term ‘residential character’ has been replaced by ‘planned character’, for completeness, I have chosen to access Residential Character prior to the overall Landscape Character and confirm my view of the associated values (amenity).

Residential Character

11. The UDR provides a comprehensive and accurate description of the wider urban context, summarising it as being “varied, particularly along Morley Street”.
12. Morley Street (between Barrett Street and Wallace Place) and the south side of Barrett Street can be characterised as generally (with exceptions) low density with variable edge conditions including: detached dwellings (single and double storey) on individual sites with a mix of setbacks, private gardens and low or high fences and with garages setbacks, at the street or not at all; and some large retaining at residences on the slope of Morley Street. Notable exceptions to this are 45 and 47 Barrett Street, adjacent to the proposal site, which is a single storey dense unit development. The adjacent former hospital site is distinctly different with an uncertain future, but notably zoned medium density in the PDP.
13. The buildings on the west corners of Morley and Barrett Streets alongside the mature vegetation contribute to the character of this intersection/streetscape even though the sites are bordered by high fencing.
14. The vegetation on the former hospital site offers a natural character to this intersection and defines the corner, but visually it is closed off to the public.

15. In summary, due to the varied nature of the area and evident change over time of the residential character, I summarise the residential character as generally low-residential with inconsistent street frontages, while noting the clear exceptions to this adjacent to the site.

Landscape Character

16. The natural context has been influenced by volcanic and coastal processes and subsequent regenerating and planted native and exotic vegetation.
17. Urban development has significantly contributed to, and modified, the landscape character over time, such as the significant footprint of the asphalt streets and associated vehicle activity, and the residential development.
18. The nearby Western and Sanders Parks provide the overall “leafy” appearance to the area along with scattered mature vegetation across public and private properties.
19. The topography via Morley Street significantly contributes to the character and experience of the area. In particular:
- (a) The visual experience as you ascend or descend Morley Street over the change in topography - sea views/open sky/view of corner sites at Barrett and Morley Street intersection.
 - (b) The transition in grade on Morley Street from flat to sloping up or down creates a noticeable threshold (both tangible and associative) which contributes to the experience of the intersection and corner sites (including the proposal site). When travelling south the site reveals itself as you rise along Morley Street walking, cycling or driving.

20. There is no distinctive cultural identity in the area. However, the landscape in general and specific nearby areas are known to hold meaning to Mana Whenua, which is addressed in the Application, and Mr Tuuta's evidence.

Summary

21. The landscape character of the area is defined by the underlying topography, enhanced by the overall “leafy” nature of the area, and

includes low-density residential areas and wide asphalt streets with associated activities. There are well-defined corners at the intersection of Morley and Barrett Street, with the exception of the Proposal site.

Landscape Values (Amenity)

22. Te Tangi a te Manu: New Zealand Landscape Assessment Guidelines, (“NZLAG”) authored by the NZILA 2022, describes landscape values as *“the aspects that are important or special or meaningful... related to each of a landscape’s dimensions—or, more typically, the interaction between the dimensions. Values can relate to the landscape’s physical condition, meanings associated with certain landscape attributes, and a landscape’s aesthetic or perceptual qualities”*.

23. Based on the summary of the Residential/ Landscape Character I consider the landscape values of the site and general area are:

Views

- (a) Framed open sky as you ascend or descend Morley Street and the physical or perceived ‘connection’ to the distant landscapes, which reinforce connection with place.
- (b) The presence of mature vegetation across the neighbourhood/ townscape and the related bird life and fauna.
- (c) Access to direct or dappled sunlight across private sites.

Streetscape

- (d) A varied, predominately residential streetscape set in a “leafy” neighbourhood which presents a sense of quality to the environment.

Experiential

- (e) The experience of traversing the underlying natural land formation connecting user to place.
- (f) The threshold represented by the change in grade well defined corner sites at the intersection of Morley and Barrett Street (with exception of the proposal site).
- (g) Access to direct or perceived open sky, sunlight or views from public or private outdoor areas.

Cultural

- (h) The intrinsic connection of mana whenua to the area.
- (i) The physical and perceived connections to the surrounding landscape.

PROPOSAL

- 24. The proposal has been fully described in the Application and referenced design reports. I summarise below the key landscape and urban design elements of the proposal relevant to my evidence.
- 25. The proposal is a medium density housing development comprising eight units on a corner site. While the development is a new style for the residential area, the building and planting design have sought to assist it to integrate with the local streetscape. Notably the Proposal:
 - (a) Deliberately addresses the corner with the architecture, and positions the carparking with access off Barrett Street to address safety and conceal the view of parking.
 - (b) Aims to mitigate its bulk and location through architectural measures (height, positioning, form, materials, colour and detailing) and landscape (materials, screening and planting in various forms).
 - (c) Native large grade trees, vertical climbing vines and a mix of shrubs and ground covers are positioned to complement the architecture and continue the presence of private vegetation on the street and the overall landscape.
 - (d) The proposal incorporates native planting to all four boundaries and internally throughout the development. Street edge planting has been selected and positioned to contribute to the aesthetic of the surrounding areas and create a visual buffer between the development and the busy roads. A mix of shade and sun has allowed the use of many beautiful natives to provide year-round interest. Plants chosen are hardy and can handle site conditions. The flowers and berries of the Renga renga, Turutu, Wharariki and Koromiko will be great for attracting native birds.

- (e) The selected planting aims to reintroduce many beautiful plants that existed in Ngamotu and more specifically Ōtumaikuku, and were important culturally to Mana Whenua.
- (f) Fencing is restricted to areas where necessary only, and kept low at the street to promote engagement.
- (g) Is informed by Te Kotahitanga and mana whenua's cultural narratives and land development principles, such as cultural expression, water sensitive design, native planting, safety and housing.

EFFECTS ON CHARACTER AND VALUES (AMENITY)

Scope

- 26. I understand the application is a Restricted Discretionary Activity and therefore effects of the activity are limited to those relevant matters of discretion outlined in the PDP.
- 27. I note that the Council Officer's Report and planning evidence of Ms Buttimore concludes that the PDP effectively has superseded the ODP and therefore effects standards MDZ- S3,5,6 and 7 are the most relevant.
- 28. I address the assessment criteria for these matters of discretion by addressing the effect of the Proposal on residential and landscape character and associated values.

Summary

- 29. Based on the design elements outlined above, I consider that the proposed housing development will successfully integrate into the existing residential area and overall landscape.
- 30. While the proposal introduces a new style of architecture to the street, this change in my opinion is not adverse, and offers positive effects on the character and amenity of the area.
- 31. I recognise that the new buildings are a different density to the general surrounding, but due to its corner location this would not be discordant to the surrounding streetscapes.

32. Planting will further contribute to the continuation of private vegetated street frontages and more broadly continue the 'leafy' nature of the surrounding landscape.
33. I consider that the effects on residential and overall landscape character, and subsequently the values (amenity) of the locality, would be overall **Very Low – Low** with **Moderate** positive effects. The rationale for my findings is as set out below.

Effects

34. I have assessed the magnitude of effects on landscape values individually using the NZLAG seven-point scale.

Assessment	Very-Low	Low	Low-Moderate	Moderate	Moderate-High	High	Very-High
	Low			Moderate		High	

Views

35. The proposal does not obstruct the views up or down Morley Street. It infills the site, which is currently open and to a greater extent than the previous building or ODP baseline; however, to no greater extent than its adjacent corner sites, architecture and vegetation combined or PDP baseline. Together with the other corner sites I consider the Proposal's highly detailed architecture and planting will mature to frame these views and create complimentary visual interest on this corner.
36. The proposal is denser than many other nearby properties, but the immediate environment surrounding the Proposal is varied. The corner site, along with the condition of the other corners, supports its articulation. The proposal remains residential in character with tree planting at the street to continue streetscape vegetation patterns and the 'leafy' nature of the area.
37. I assess the overall effects on the views as **Very-Low**.

Vegetation

38. As summarised above, the proposal incorporates planting across the development to continue the 'leafy' nature of the area and create a visual buffer between the development and the busy roads.
39. Medium sized native trees with significance to Mana Whenua, Ake Ake and Tītoki, are positioned to scale down the mass of the architecture and car parking at the street edge, and are supported by groupings of Horoeka and Three Kings Climber/ Vine.
40. I estimate that the mass of landscaping equates to the same or more than currently exists (excluding lawn) on-site with more variety, greater appropriateness and more trees capable of adding to the 'leafy' nature of the surrounding environment.
41. I assess the overall effects as being **Moderately** positive.

Streetscape

42. I agree with the conclusion of the UDR that the proposal is "generally supportable" based on the adoption of recommended changes and conditions which, to my knowledge, have occurred.
43. The proposal will evolve the residential character of both Morley and Barrett Street in alignment with the direction of the PDP and Medium Density Housing Standards. Landscapes and residential areas change over time and it's how this is managed which is important.
44. I have considered the non-compliances with the PDP and don't see these resulting in adverse effects on the residential or landscape character.
45. High quality natural materials have been used to break up the potential dominance of the mass, creating a sense of individual addresses and quality facades.
46. The proposal addresses the corner successfully. Block A, although positioned near the street edge with limited landscaping in places, successfully creates an engaging street edge through the articulation of the

facades, incorporation of windows, front doors and interaction with the landscape.

47. Rubbish areas, although positioned at the street on Block A, are predominately screened by the architecture timber veil and incorporated planting.
48. The landscaping, although limited in places, remains a contributing factor in the softening of the building through climbers, shrubs and trees. Over time this will significantly contribute alongside the architectural efforts to mitigate the bulk of the building. I don't believe the landscape is required to mitigate the architecture aesthetic and see this being a positive addition to the overall residential and landscape character.
49. The purposeful, architectural design of the bike storage, in combination with the trees, low shrubs and climbers, combine to scale and screen the carpark. The parking surface is a high-quality concrete and treatment and articulated to break up the mass of the surface to appear less like a traditional carpark (asphalt with painted lines).
50. I have considered potential cumulative effects. This type of development under the PDP is likely to become more common in this area. The PDP has the provisions to manage this transition. In my opinion the successful adoption of medium density will ultimately result from proposals derived by professional's experienced in the application of medium density design guidance, and applying this with creativity to site.
51. In summary, I believe the potential negative effects of the scale and density of the development and non-compliances have been adequately mitigated and the development brings visual interest to this site. On balance, I assess the overall effects to be **Low**.

Experiential - Offsite

52. The proposal uses recognised urban design rationale and applies attention to architecture and landscape design together to create buildings that will enhance the experience of this corner site.

53. The development, in combination with the adjacent eastern corner sites and natural changes in typography (when travelling on Morley Street), will contribute to a quality experience at this threshold.
54. I therefore assess the overall effects as **Very Low**. Further, I believe the effects will be positive and/or enhance the environment for the aforementioned reasons.

Experiential - Onsite

55. The development provides single or double private outdoor living spaces with at least one orientating north.
56. Outdoor spaces have been sized to provide adequate space for at least the intended number of occupants to sit around a typical sized outdoor living furniture set, leaving room for clothes drying.
57. The north orientated spaces, although facing toward the carpark due to the constraints of the site, have purposely not been screened/ fully privatised and left open to create a sense of community between occupants of the development. Units 1 and 5 have also been designed with low fencing to encourage engagement with the adjacent street.
58. The rear outdoor space in Units 5-8 have space for larger groups and a more private experience. These are south-facing, meaning the access to direct sunlight will be limited. However, north-side areas have been provided also.
59. Planting has been used to soften the divide between the park and outdoor spaces, and the carpark has been designed to appear more appealing than a standard carpark.

60. I therefore assess the overall effects as **Low**.

Cultural

61. The proposed architecture and landscape have been influenced by Mana Whenua engagement and has been expressed in a way supported by them as appropriate.

62. Although different to existing styles of architecture/ design expressions I don't consider it inappropriate, rather an example of architecture styles in the area changing over time which has occurred throughout this area.
63. I therefore assess the overall effects as **Very Low** and believe the effects would be positive regarding Mana Whenua.

RESPONSE TO SUBMISSION

64. I have read the submission received from the Submitter, being owners of 107 Morley Street.
65. Relevant to my scope, the submission raises the following concerns regarding the Proposal:
- (a) The effects of the Proposal on residential/ landscape character and values (amenity).
 - (b) The development's ability to maintain or enhance the current site and surrounding environment.
 - (c) The visual impact of the development on 107 Morley Street.

The effects of the Proposal on Residential/ Landscape Character and landscape values (amenity).

66. Based on the analysis in the above evidence I have concluded the effects to be **Very Low - Low** and have the opinion the effects would be positive in some respects.
67. I have not assessed specific individual values raised by the Submitter. However, I believe they have been captured in the overall assessment.

The developments' ability to maintain or enhance the current site and surrounding environment.

68. I consider the site is currently low quality.
69. Based on the analysis in the above evidence I have concluded, on balance, that the effects of the proposal on the Residential/ Landscape Character and value is **Very Low - Low** and believe there are **Moderate** positive effects.

70. On balance, it is therefore my opinion that the development will enhance the site and surrounding area.

The visual impact of the development on 107 Morley Street (“neighbour”)

71. The visual impact on the neighbour has not been assessed in the above evidence. I therefore provide the analysis here noting this not a comprehensive Visual Assessment.

72. The aspects considered are:

- (a) Recession plane breaches.
- (b) South elevation design of Block B

Recession plane

73. It is my understanding that the proposal does not breach the ODP or the PDP recession planes along the neighbour's northern boundary, but does along the Morley Street recession plane. The effects based on shading diagrams produced by the Architects show this resulting in an increased shading to the front yard and garage of the neighbour during the winter solstice from 3pm – 5pm when compared to the ODP baseline example, but not the PDP baseline. The breach also restricts access to open sky toward the north-west. However, the extent is not known and would vary from different positions, therefore I cannot comment on the magnitude of this but to say it would increase the overall sense of enclosure to some extent. The Proposal breaches the eastern ODP recession plane but is considered negligible regarding effects on the neighbour.

74. As has been raised in UDR and other documents it is uncommon to have a street facing recession plane and this has been removed in the PDP and replaced with 1.5m standard setback which the Proposal complies with.

South Elevation – Block B

75. I have reviewed the south elevation of Block B and rationale for its design in the Architect's Design Statement.
76. The design utilises a good-quality cladding material in dark grey. Being a darker colour, this may further exacerbate the experience of shading.

However, I also recognise darker cladding helps recede building mass but is generally more effective from a greater viewing distance:

- (a) Window shrouds provide visual interest and some privacy from various views. I find them appropriately scaled to provide the occupants with views without being overly intrusive to the neighbour. The small bathroom windows will be frosted, and the large half height windows have been positioned in front of beds in secondary bedrooms. This therefore restricts the main activity to the sides and rear of the room, and reduces the potential overlooking effect. However, privacy/ overlooking concerns from the first floor windows to the neighbour are not eliminated.
- (b) The mass of the block and roofs have been steeped to successfully give the appearance of two smaller buildings joined together. Further modulation in the cladding to reinforce the two masses or further articulate them as four separate units would be advantageous to break up the elevation.
- (c) The proposed 2m high solid timber fence will screen most of the ground floor and the associated activity from the neighbour.
- (d) Planting in the back of Block B is low, and will not provide any visual mitigation to the neighbour. The neighbour has some existing vegetation but, in my opinion, this would be insignificant as visual mitigation from most viewing locations. I note this is the south side of the development and planting options are limited.
- (e) I have assessed the ODP and PDP permitted baselines prepared by the Architects against proposal and do not see any additional visual impact from the Proposal on the neighbour other than the shading effect as mentioned above. I consider that the proposal will create less visual effects on 107 Morley Street than the baseline model shown by the Architects for the PDP, which enables a three-storey dwelling with a third storey balcony overlooking 107 Morley Street. This is likely in my opinion to have greater overlooking and privacy effects than that proposed.
- (f) In summary, I believe the design has taken steps to create an appealing design and to address the visual impacts on the

neighbour. Vegetation is constrained and doesn't further contribute to visual mitigation. Additional external privacy screening to the first floor windows and further modulation of the block to create visual interest could be considered. Based on the seven-point scale reference above I assess the effects to be **Low**.

COUNCIL OFFICER REPORT AND CONDITIONS

77. I have reviewed the Council Officer's Report for the Application as it relates to my area of expertise, and do not have any comments or clarifications to make.
78. I support the Hard and Soft Landscaping Conditions: 10 – 13 proposed under Appendix 1 of the Section 42A report.

CONCLUSION

79. The proposal is a new architectural expression to the area.
80. The proposal takes steps to address non-compliances and to assimilate the scale and form of the development into the existing residential and landscape character and without adverse effect on the values (amenity) associated with the area.
81. The proposal evolves the residential and landscape character in a way predicted by the PDP and does so using credible urban design measures.
82. The proposal enhances the existing site, and subsequently the experience of the area, by positioning a culturally-inspired building and landscape to uplift the quality of the site and define the corner.
83. The landscape design can be relied on to meaningfully mitigate the bulk of the development while enhancing the overall architecture and experience.
84. The proposal uses recognised design techniques to address visual impacts on the 107 Morley Street site.
85. Measures have been implemented to reduce overlooking effects. Additional screening of windows could be considered but would have adverse effects on the resident's access to open views and sunlight. The effects are no more than shown in the PDP baseline.

86. The proposal in comparison to the ODP permitted baseline increases shading and screening of open sky. However, it is comparable to the PDP baseline example.
87. In summary, the proposal represents a quality medium density residential development assimilated into the evolving landscape.

1 August 2023
Brad Dobson