

PROPOSED DISTRICT PLAN CHANGE 56 IN LOWER HUTT

EXPERT EVIDENCE: NEIL KEMP

BACKGROUND

1. My full name is Neil William Kemp. I reside in Lowry Bay, Hutt City.
2. I am a Registered Architect (Reg. No 1875) and have been in professional practice for over 40 years.
3. I hold a Bachelor of Building Science degree. I hold a Bachelor of Architecture degree with Honours. I am a Fellow of the New Zealand Institute of Architects. I am an Executive Principal of my company which employs some 135 full-time staff nationwide.
4. During my career, I have been involved with many project types including residential commissions for private clients, multi-unit residential dwellings, affordable housing, and social housing projects for Kainga Ora. With respect to the latter, currently I am my company's Project Director for the delivery of the current Kainga Ora Arlington Project in central Wellington.
5. My thesis, completed in my final year at Victoria University, was one of three parallel studies that examined the evolution of 19th and 20th Century New Zealand architecture through the lens of three well-established architectural practices that have been in existence for the same period of time.
6. On this basis I believe I offer a demonstrable degree of architectural knowledge and understanding of heritage architecture.
7. I have been approached by the Hutt Voluntary Heritage Group ("VHG") to provide an opinion on the evidence in the HCC Councillors Report – Appendix 5 "Heritage evidence of Chessa Stevens, WSP."
8. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I

express, and that except where I state I am relying on information provided by another party, the content of this evidence is within my area of expertise.

EVIDENCE

9. I understand and respect the importance of Heritage architecture on society. I support heritage values and their significance to our nation. I am an advocate for the preservation of significant heritage architecture that reflects architectural style of a particular time and place. For this to have true meaning and importance, one must recognise that over time and evolution, original architectural styles are altered and transformed without any reference to preservation. In many instances, multiple transformations of “older dwellings” have destroyed original architecture often beyond the point of rescue.
10. My understanding is that HCC are promoting the establishment of six new “Heritage Areas” within Hutt City to provide greater control over intensification legislation promoted by Central Government - the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (referred to as “the Housing Supply Act.)
11. To inform my evidence I have visually inspected properties located in proposed Petone Foreshore HA-08.
12. The proposed Petone Foreshore HA-08 lies within a Tsunami zone.
13. My understanding is that the Resource Management Act (“RMA”) definition of “Heritage” listing applies to properties with “significant heritage value” as per the Wellington Regional Councils Regional Policy Statement 9 December 2022.
14. Properties designated with a “Heritage” listing are exempt from intensification legislation.
15. My opinions relate to “Heritage Areas.” “Heritage Areas” are not defined in the intensification legislation.
16. Clause 10 of Chessa Stevens’ evidence notes *“Although the RMA defines ‘historic heritage’ and identifies its protection from inappropriate subdivision, use and development as a*

Matter of National Importance, there is currently no National Direction on how to assess historic heritage." I agree with this statement. I also conclude that the current assessment of "Heritage Areas" is subjective as there is no established measure or benchmark to apply aside from "opinion."

17. Clause 14 of Chessa Stevens' evidence states ***"It is not necessary for a Heritage Area to contain scheduled heritage items."*** By pure association this suggests the definition of "significant heritage value" no longer has relevance. I therefore conclude that any collection of buildings will meet these criteria – which is nonsense.
18. Clause 21, sections (a), (b) and (c) of Chessa Stevens' evidence define categories used to define heritage value. These categories are not nationally recognised nor is any criteria provided as to the qualifications properties must to be categorised within them.
19. Clause 34 of Chessa Stevens evidence pays reference to properties that are *"either modern or heavily modified. Therefore, these properties are not considered to contribute directly to the heritage values of the area."* Thus, how can Heritage Areas be justified when the great majority of properties they contain clearly fall under this definition?
20. With respect to Clause 43 (a) of Chessa Stevens evidence, I question the claim of "high" historic value. At best I consider this to be of "some selective" historic interest. There is no mention of "significant historic value," and I agree with this.
21. With respect to Clause 43 (b) of Chessa Stevens' evidence, 19th and 20th century subdivision patterns are common within the greater Wellington region and not just unique to HA-08.
22. With respect to Clause 43 (c) of Chessa Stevens' evidence, *"sentimental significance"* does not define *"significant historic value."*
23. With respect to Clause 43 (d) of Chessa Stevens' evidence, the definition of *"high rarity"* is not provided or quantified.

24. With respect to Clause 43 (e) of Chessa Stevens' evidence I consider that featuring *"good examples of buildings of a particular age and type, conferring a high level of representativeness"* does NOT achieve the benchmark of "significant historic value."
25. With respect to Clause 47 of Chessa Stevens' evidence, she states that her *"evidence does not discuss the definition of 'character' or the definition between 'character' and 'heritage.'"* I agree. The lines of evidence are blurred and again do not address the important relevance to "significant heritage value."
26. With respect to Clauses 81 to 83 inclusive of Chessa Stevens evidence responding to VHG's submission 157 policy recommendation, I concur with opinions provided by submitters scheduled in Clause 82 that *"properties should not be included within the proposed Heritage Areas without the consent of the property owners."* In particular, imposing a requirement of this magnitude on property owners without proper, fair and full appraisal of the financial impact with respect to property values must be fairly considered and respected.
27. Consequently, with respect to Clause 84 of Chessa Stevens' evidence, I agree with VHG that *"HCC has relied upon incomplete heritage analysis to determine heritage values sufficient for designation, and therefore as a qualifying matter."* I state this because evidence provided by Chessa Stevens heavily relies upon the asserted heritage values of property areas without truly demonstrating "significant heritage value" of these areas.
28. I submit and support that in accordance with the RMA, District Planning rules are required to control height, building setback, and the like, to preserve and protect scale and property amenity values. All property owners are required to comply with these requirements without the added imposition and cost associated resulting from subjective definition of "heritage" where "significant heritage value" has not been demonstrated.
29. With respect to Clause 88 of Chessa Stevens' evidence states *"it is not within the scope of this evidence or my area of expertise to make comment on insurance policies..."* Stevens then

presents detailed responses in subclauses (a), (b), (c), and (d) on the insurance policy impacts of heritage listings.

30. With respect to Clause 91 of Chessa Stevens' evidence she praises HCC for *"taking responsibility to protect historic heritage from inappropriate subdivision, use and development seriously, and its willingness to undertake a thorough analysis."* This is admirable praise but again fails to acknowledge the financial impact on property owners. It also assumes that HCC will actually approve *"inappropriate subdivision"* in the first instance. I conclude that Stevens assumes that society is devoid of skilled Architects and building professionals capable of producing quality and affordable living. My company and many other Architects are very proud of both the national and international awards as recognition of our work.
31. I conclude that HCC has relied upon an incomplete and subjective analysis to determine heritage values without demonstrating *"significant heritage value."* I have visited the HA-08 and have photographed street elevations of each property. Some properties may be worthy of further investigation with respect to being of significant heritage value. The great majority of properties have been developed, altered, and adjusted to progressively accommodate the rightful needs of owners over time and one presumes, in accordance with evolving District Plan requirements crossing many decades. This outcome has become a heritage value in its own right. Progressive alterations to simple buildings over time are reflective of historic needs.
32. Property owners in proposed heritage areas will be unfairly exposed to financial loss with respect to proven reduction of property values due to the imposition of DC56 poorly defined heritage designations and without consultation or any consideration of recompense for financial loss to all affected property owners. They are significant in number.
33. Reduced property values equate to either lower rates return meaning HCC will have reduced capacity to reinvest in improved amenity values to support proposed heritage areas OR to

offset losses, HCC may inflate rates for property owners within heritage areas resulting in even greater cost exposure and decreased asset values.

34. HCC's position on essential enhancements to the public realm that connect dwellings within proposed heritage areas appears silent. It is ill-advised to ring fence a heritage area property defined by its legal boundaries abutting the public realm without consideration to progressing significant improvements. What HCC are offering affected property owners in this respect is unclear.

35. Intensification is inevitable. Done well, our cities will thrive, communities will prosper and living conditions will improve. Warm, safe, and healthy homes will be constructed compliant with Building Code requirements. This is the ultimate objective that HCC should aspire to in support of the communities they represent and protect.

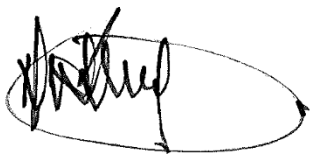
CONCLUSION

36. In conclusion and for the reasons outlined above, I Neil William Kemp provide an opinion that Hutt City Council cannot rely on the evidence provided by Chessa Stevens as it has not demonstrated the areas have significant heritage value; that heritage restrictions impose substantial costs on homeowners and that the great majority of the homes in the proposed new areas have been significantly modified over time and are devoid of heritage value.

Yours Sincerely

Neil William Kemp, BBSc, BArch (Hons), FNZIA

P 029 920 0020 E n.kemp@dgse.co.nz



Recommended Changes to Plan Change 56

Voluntary Heritage Group

21 March 2023

Black Text – Original wording of the proposed plan change

Red Text – Officer's Recommended changes, as set out in the Council Officer Report

Blue Text – Additional changes proposed by Voluntary Heritage Group

Chapter 4F Medium Density Residential Activity Area	
4F 5 Precincts and Scheduled Sites	
AMENDMENT 98 Rule 4F 5.1.3.1	<p>(a) <u>Construction or alteration of a building is a permitted activity in the Residential Heritage Precinct if:</u></p> <p>(i) The height of the building does not exceed the maximum height of buildings that were on the site on 20 August 2022.</p> <p>(ii) The number of dwellings residential units on the site does not exceed the number of dwellings residential units that were on the site on 20 August 2022.</p> <p>(b) <u>Construction or alteration of a building that does not meet the above permitted activity standard is a restricted discretionary activity</u></p> <p>Discretion is restricted to:</p> <p>(i) Impacts on the historic heritage values of the Residential Heritage Precinct from the form, bulk, height and density of the building.</p> <p>(ii) Impacts on the Residential Heritage Precinct from the position of the buildings on the site and the design and materials associated with the building.</p> <p>(iii) The consistency of the density of buildings on the site with the pattern of development associated with those buildings that contribute to the heritage values of the Residential Heritage Precinct.</p>
Chapter 4G High Residential Activity Area	
4G 1 Introduction / Zone Statement	
AMENDMENT 105 Introduction (paragraph 3).	<p><u>The High Density Residential Activity Area covers residential areas with a higher level of access to commercial activities and community facilities. This includes areas surrounding train stations, the Lower Hutt city centre and Petone metropolitan centre as well as some suburban centres.</u></p>

	<p><u>While areas in the High Density Residential Activity Area are predominantly residential in nature, non-residential activities are provided for within the Activity Area where they are compatible with residential activities.</u></p> <p><u>The planned urban built character for the High Density Residential Activity Area is high density residential development, including detached dwellings residential units, terraced housing and apartments.</u> The urban built character of an area will arise from the flexibility provided for by the Plan for individual developments to take any low to high density form. This supports increasing the capacity and choice of housing within neighbourhoods. It is anticipated that the appearance of neighbourhoods in the High Density Residential Activity Area will change over time, including through increased opportunities for terraced housing and apartments.</p>
<p>AMENDMENT 125</p> <p>Policy 4G 3.10</p>	<p>Manage the design of built development of more than three storeys and up to six storeys to achieve the best practicable outcomes for privacy, sunlight, and appearance including by:</p> <ol style="list-style-type: none"> i. <u>Encouraging buildings on front sites to be located close to the street,</u> ii. <u>Encouraging buildings to be planned to be compatible with possible future developments on neighbouring sites based on the planned urban building character including through the position of walls likely to be future common walls, accessways, communal open space and parking areas.</u>
<p>AMENDMENT 171</p> <p>Rule 4G 5.2</p>	<p><u>Note: This precinct covers areas in both the Medium Density Residential and High Density Residential Activity Area.</u></p> <p><u>Several areas within the City contain a collection of buildings that, when considered together, hold significant heritage values. Development in these areas is restricted in order to preserve their distinct heritage values that provide connection, understanding or appreciation of the history and culture in the City.</u></p> <p><u>The areas are:</u></p> <p><u>In the Medium Density Residential Activity Area</u></p> <ul style="list-style-type: none"> • <u>Moera Railway Heritage Area – This area was the result of the Hutt railway workshop move from Petone to Woburn. Single-storey residential dwellings were developed to house employees of this workshop.</u> • <u>Wainuiomata Terracrete Houses Heritage Area – Represents a series of soil cement houses constructed by Terracrete Constructions Limited in the 1950's. This significant earth building venture saw fifteen houses built in total with some initially used as state rental housing.</u> <p><u>In the High Density Residential Activity Area</u></p> <ul style="list-style-type: none"> • <u>Hardham Crescent Heritage Area and Petone State Flats Heritage Area – Developed as part of a movement between the 1940s and 1960s for additional, larger social state housing. Both sites were built by the Department of Housing Construction and feature single and two-storey flats.</u> • <u>Hutt Road Railway Heritage Area – This area is a result of a national rail system that was proposed during the 1870's. This led to a railway workshop</u>

	<p><u>being built in Petone to support operations. The Railway Department owned a significant portion of additional land around the site and constructed single-storey cottages to house the workers of the workshop. Despite the workshop moving to Woburn many of these cottages remained.</u></p> <ul style="list-style-type: none"> • <u>Petone Foreshore Heritage Area — Poses a largely intact grouping of stylistic housing from early European settlement in Petone.</u> <p><u>Building heights and density within these areas may need to be restricted to protect the historic heritage of the area.</u></p> <p><u>All activities and development within the Residential Heritage Precinct must comply with and are assessed against the provisions of the underlying Residential Activity Area unless specified otherwise below.</u></p>
<p>AMENDMENT 175</p> <p>Policy 5.2.2.1</p>	<p><u>Manage the impacts of new built development on the historic heritage of areas in the Residential Heritage Precinct by limiting building heights and density to the extent necessary to protect the historic heritage.</u></p>
<p>AMENDMENT 177</p> <p>Rule 5.2.3.1</p>	<p><u>(a) Construction or alteration of a building is a permitted activity in the Residential Heritage Precinct if:</u></p> <p><u>(i) The height of the building does not exceed the maximum height of buildings that were on the site on 20 August 2022.</u></p> <p><u>(ii) The number of dwellings residential units on the site does not exceed the number of dwellings residential units that were on the site on 20 August 2022.</u></p> <p><u>(b) Construction or alteration of a building that does not meet the above permitted activity standard is a restricted discretionary activity</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>(i) Impacts on the historic heritage values of the Residential Heritage Precinct from the form, bulk, height and density of the building.</u></p> <p><u>(ii) Impacts on the Residential Heritage Precinct from the position of the buildings on the site and the design and materials associated with the building.</u></p> <p><u>(iii) The consistency of the density of buildings on the site with the pattern of development associated with those buildings that contribute to the heritage values of the Residential Heritage Precinct.</u></p>
<p>AMENDMENT 178</p> <p>4G 5.3 Heretaunga Settlement</p>	<p><u>Within the City there are some residential areas with distinct historic heritage value, characterised by a group of buildings with distinctive form and style. It should be ensured that any alterations or modifications to these buildings are consistent with their original form, and the surrounding area, to maintain and enhance historical values, and the visual coherence of the street.</u></p>

and Riddlers
Crescent
Heritage
Precincts

The Heretaunga Settlement (Patrick Street, Adelaide Street and The Esplanade) in Petone encompasses a considerable number of Workers Dwelling Act (1905) houses, which comprised the first state housing scheme in New Zealand. The designs were selected from a design competition, and those chosen represent the work of some of the most respected architects of the period. Many of the Workers Dwelling Act houses remain intact, with only one house having been demolished.

Riddlers Crescent was originally settled by the Collets, the Bassets and the Riddlers. The street is characterised by many examples of Victorian villas and cottages, erected at the turn of the century by early settlers to Petone. These are both detached and semi-detached houses.

These specific buildings in the Heretaunga Settlement (Patrick Street, Adelaide Street and The Esplanade) and Riddlers Crescent have distinct characteristics, style, form and subdivision patterns which are to be protected from unsympathetic development. Design Guidelines will apply to any alterations or additions made to specific buildings within the activity area. This is to ensure their distinct built form, style and character are maintained.

In addition to this, there are several buildings and sites within this activity area, which while having no distinct historical value, were erected during the same period and are dispersed among the other buildings. These buildings make a valuable contribution to the atmosphere and coherence of the street. They have similar development and subdivision patterns in that they contain one building per site. Additions and alterations to such buildings will also be subject to specific design guidelines, to ensure they do not affect adversely the overall coherence of the street.

It must be ensured that non-residential activities and buildings within this activity area do not adversely affect the visual coherence of the street.

The height of buildings, their proximity to site boundaries and their intensity, are all important elements of the distinctive form and character within this activity area.

It is therefore important that such aspects of any new development within this activity area be managed to reflect the existing development patterns.

The Plan will set minimum acceptable conditions for the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct.

(a) Net Site Area

The existing density of development will be retained. A specific net site area has been set to achieve this purpose.

(b) Site Coverage

Site coverage helps to control building density. A maximum acceptable site coverage has been calculated to maintain the existing density on the site.

(c) Height in Relation to Boundary

The height in relation to boundary control is used to ensure some sunlight and daylight is available to adjoining sites when a building is erected, and manages the bulk of buildings above a certain height. Compliance with the angle from the street

	<p><u>boundary is necessary to ensure the amenity values of the streetscape are maintained and enhanced. The height in relation to boundary control in this Precinct differs from the other residential areas of the City, as it reflects the existing pattern of development. The height in relation to boundary control will apply to all buildings and structures on the net site area.</u></p> <p><u>(d) — Yards</u></p> <p><u>The yard requirements have been set to reflect existing site development patterns and to ensure the visual amenity values of the residential environment are maintained and enhanced.</u></p> <p><u>(e) — Height</u></p> <p><u>The height has been set at the maximum height of existing buildings on the site. This is to ensure new development is designed to maintain the form and characteristics of the existing buildings on the site.</u></p> <p><u>(f) — Length</u></p> <p><u>The length of a building is managed to control the adverse effects of a bulky building in close proximity to a site boundary.</u></p> <p><u>(g) — Accessory Buildings</u></p> <p><u>The height of accessory buildings within this activity area will be restricted to one storey. This is to ensure accessory buildings remain secondary in size to the main dwelling on the site, which in turn is a reflection of historical development patterns.</u></p> <p><u>All activities and development within the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct must comply with and are assessed against the provisions of the underlying High Density Residential Activity Area unless specified otherwise below.</u></p>
<p>AMENDMENT 180</p> <p>Objective 4G 5.3.1.1</p>	<p><u>The historic heritage value of the collection of listed heritage buildings in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct are protected from inappropriate development.</u></p>
<p>AMENDMENT 181</p> <p>Objective 4G 5.3.1.2</p>	<p><u>Building height, scale, intensity and location does not adversely affect the heritage listed of the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct or detract from the existing patterns of development.</u></p>
<p>AMENDMENT 183</p> <p>Policy 4G 5.3.2.1</p>	<p><u>Maintain and enhance the distinctive historic characteristics of the listed heritage Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct.</u></p>

<p>AMENDMENT 184</p> <p>Policy 4G 5.3.2.2</p>	<p><u>Protect the distinctive characteristics, form and style of buildings in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct from unsympathetic development.</u></p>
<p>AMENDMENT 185</p> <p>Policy 4G 5.3.2.3</p>	<p><u>Protect the existing subdivision patterns and layout from unsympathetic development.</u></p>
<p>AMENDMENT 186</p> <p>Policy 4G 5.3.2.4</p>	<p><u>Ensure that non-residential buildings within the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct do not affect adversely the visual coherence of the street.</u></p>
<p>AMENDMENT 187</p> <p>Policy 4G 5.3.2.5</p>	<p><u>Retain the existing density of development in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct by discouraging the erection of additional residential buildings.</u></p>
<p>AMENDMENT 188</p> <p>Policy 4G 5.3.2.6</p>	<p><u>Ensure the height, scale and character of new development in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct is compatible with existing residential development.</u></p>
<p>AMENDMENT 189</p> <p>Policy 4G 5.3.2.7</p>	<p><u>Minimise detractions from the existing pattern of development in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct by managing the siting of buildings.</u></p>
<p>AMENDMENT 191</p> <p>Rule 4G 5.3.3.1</p>	<p><u>(a) — New buildings, or external alterations, external repair or external modification of an existing building or structure in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct is a restricted discretionary activity where the following standards are met:</u></p> <p><u>(i) — Minimum Net Site Area per Permitted Activity (excluding home occupations and accessory buildings):</u></p> <p><u>(1) — Patrick Street, Adelaide Street, The Esplanade, Jackson Street 370m².</u></p> <p><u>(2) — Riddlers Crescent and Hutt Road 300m².</u></p> <p><u>(ii) — Minimum Yard Requirements:</u></p> <p><u>(1) — Patrick Street, The Esplanade, Adelaide Street, Jackson Street</u></p> <p><u>Front Yard 6.0m</u></p> <p><u>South Side 1.0m</u></p>

North Side 2.0m

Rear Yard 3.0m

(2) — Riddlers Crescent, Hutt Road

Front Yard 3.0m

Side Yard 1.5m

Rear Yard 3.0m

Provided that:

In all cases, for through sites and corner sites, all road frontages shall be treated as front yards.

An accessory building may be located up to 1.0m from a side or rear boundary provided that the length of the building shall not exceed 8.0m or 25% of the length of the boundary whichever is the lesser.

(iii) — Maximum Height in Relation to Boundary:

From all site boundaries: 2.75m+ 37°.

Where the net site area boundary is immediately adjacent to an access leg to a rear net site area then the maximum height in relation to boundary shall be calculated from the furthest or outside boundary of the access leg.

(iv) — Maximum Height of Buildings and Structures:

The maximum height is that currently existing for the principal building on the site, except for accessory buildings (see below).

(v) — Maximum Site Coverage: 35%.

The eaves of a building up to a maximum depth of 0.6m shall be excluded from this measurement.

(vi) — Length of Buildings and Structures: 15m maximum.

This rule does not apply to redecoration, repair or alterations which are internal and not visible from the road or from the road frontage.

Discretion is restricted to:

(i) — Design and External Appearance of Buildings:

(ii) — For those buildings individually listed in Chapter 14G, the matters of discretion listed in section 14G 2.2.1.

In assessing proposals Council will be guided by the extent to which any external additions or alterations to existing buildings, or the construction of new buildings, accessory buildings and structures meets the relevant design performance standards specified in the Residential Heritage Precinct Design Guide.

<p>AMENDMENT 192</p> <p>Rule 4G 5.3.3.2</p>	<p>(a) Construction or alteration of an accessory building in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct is a permitted activity if:</p> <p>(i) The height of the accessory building does not exceed 3.5m.</p> <p>(ii) The accessory building is located to the rear of the front elevation.</p> <p>(iii) Development Standards 4G 5.2.3.1 are complied with.</p> <p>(b) Construction or alteration of an accessory building that does not comply with one or more of the standards listed above is a restricted discretionary activity.</p> <p><u>Discretion is restricted to:</u></p> <p>(i) The effects on the amenity of adjoining sites.</p> <p>(ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</p> <p>(iii) Design and External Appearance of Buildings:</p> <p>In assessing proposals Council will be guided by the extent to which any new accessory buildings or additions or alterations to existing accessory buildings meets the relevant design performance standards specified in the Residential Heritage Precinct Design Guide.</p>
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Chapter 5A Central Commercial Activity Area

2.4 Managing Adaptations and Additions

<p>A. Re-use of Existing Buildings</p>	<p>Assessment Guidelines</p> <ol style="list-style-type: none"> 1. <i>Building reuse through additions and alterations should respond to the history and character of recognised heritage places (refer to Chapter 14F for listed Heritage Buildings);</i> 2. <i>Extensions or alterations to existing high quality buildings should be in harmony with the old structure and should not dominate the original building;</i> 3. <i>High quality materials and finishes should be used that relate to the patterns and colours of the existing building. Contrasting surfaces and architectural elements may be considered depending on their ability to create an interesting and harmonious composition with the original building</i>
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Chapter 5B Petone Commercial Activity Area

5B 1.2.1 Area 1 - Distinctive Character and Built Form of the Area on Jackson Street generally between Victoria and Cuba Streets

	<p>Issue</p> <p>Buildings and structures on both sides of Jackson Street generally bounded by</p>
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	Victoria and Cuba Streets have a distinctive built form, style and character. It is important that these characteristics are retained and enhanced.
AMENDMENT 258	Objective To ensure that the distinctive built form The significant historic heritage values, style, and character of buildings and structures in the area between Victoria and Cuba Streets <u>Jackson Street Heritage Precinct</u> are retained and enhanced.
AMENDMENT 259	Policy a) External alterations, repairs, or modifications to existing buildings and structures plus and the construction of new buildings and structures in the area bounded by Victoria and Cuba Streets must <u>Jackson Street Heritage Precinct</u> comply with the specified design performance standards. b) External alterations, repairs, or modifications to existing buildings and structures and the construction of new buildings and structures in Area 1 outside the Jackson Street Heritage Precinct respect the significant historic heritage values, style, and character of the Jackson Street Heritage Precinct.
AMENDMENT 260	Explanation and Reasons The area on both sides of Jackson Street bounded generally by Victoria and Cuba Streets consists of a mix of one and two storeyed buildings, with small frontage retail activities and commercial activities at road level, and residential flats or offices above. Many of the buildings in this area were built between 1926 and 1940. A large number of buildings have decorative parapets and present an imposing impression from the road. This area has a distinctive built form, style and character, <u>arising from the significant historic heritage values of the Jackson Street Heritage Precinct.</u> It is important that these characteristics are retained and enhanced. Council does not seek to prevent or prohibit the repair, alteration, modification or redevelopment of existing buildings or structures. Any such changes to the external facade of existing buildings or redevelopment must not compromise the existing built form and character of the area and will be assessed in accordance with design performance standards specified in Appendix Petone Commercial 1. Signs on buildings not only provide an important commercial function but also add to the character and vitality of the area. The design of their position, size, shape, colour and lettering style must be carefully considered and assimilated into the design of the building as a whole. Therefore, it is important that all signs are compatible and sympathetic with the distinctive character of the area. This being the case all signs, (except those that are temporary for a period of three months) require a resource consent and will be assessed in accordance with the design performance standards specified in Appendix Petone Commercial 1.
5B 1.2.3 Area 2 – Character and Building Form and Quality within Area 2 – Petone Mixed Use	
AMENDMENT 262	One of the highly valued areas of Petone is the foreshore and beach. The foreshore and beach is valued for its recreation (active and passive), cultural,

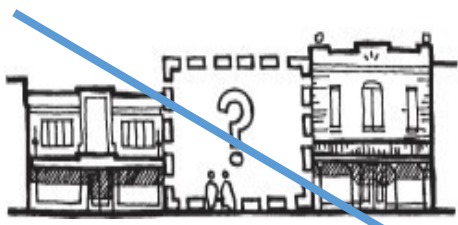
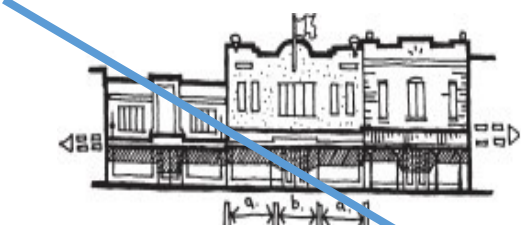
<p><i>Explanations and Reasons (paragraphs 6 and 13)</i></p>	<p>natural and historic values. Creating a landscaped frontage along The Esplanade responds to these values and provides an attractive environment. Protecting sunlight access to the beach year round from over- height buildings or buildings located close to The Esplanade frontage would support the ongoing use and enjoyment of the beach environment.</p> <p>Adjacent to the Petone Mixed Use Area are areas with different values. Jackson Street between Victoria Street and Cuba Street (Petone Commercial Activity Area – Area 1) is recognised for its historic heritage values and distinctive character and built form. Development within the Petone Mixed Use Area adjacent to that section of Jackson Street should recognise and respond to the values, character and form of the adjacent area. The Te Puni Urupa is surrounded by the Petone Mixed Use Area and is recognised for its cultural values (Community Iwi Activity Area). Development adjacent to the urupa is to be managed to protect the cultural values of this area through the use of height controls and design requirements.</p>
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5B 2.1.1.1 Area 1 Permitted Activities – Conditions

<p>AMENDMENT 268 5B 2.1.1.1(b)</p>	<p>(b) — Maximum Height of Buildings and Structures: (i) — 10m within the Jackson Street Heritage Precinct (ii) — 22m where not within the Jackson Street Heritage Precinct Maximum Height of Buildings and Structures: 10.0m.</p>
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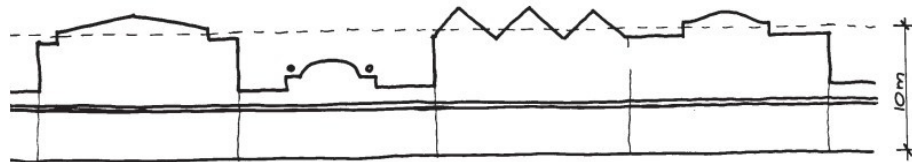
Chapter 5B Appendices – Appendix Petone Commercial 1

Part 1: Building Shape

<p>AMENDMENT 284</p>	<p>1.1 Background Given the quality of old building stock fronting Jackson Street within the Jackson Street Heritage Precinct, refurbishments or new developments should reinforce the visual cohesion of the existing facades. Refurbishment or renovation of existing buildings should relate to the historical design traditions within the street.</p> <p>1.2 Design Performance Standards The design performance standards for the assessment of building shape are: 1. The extent to which building refurbishment or new development is designed with consideration for both; a) The historical design characteristics with Jackson Street b) Those buildings adjacent to the proposed refurbishment or redevelopment. See Figure 1</p> <p>Figure 1</p> <div style="display: flex; justify-content: space-around;"> <div data-bbox="379 1733 839 2007">  <p><i>What to do with the space?</i></p> </div> <div data-bbox="868 1733 1391 2007">  <p><i>Make it part of the street!</i></p> </div> </div>
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2. The extent to which building refurbishment, renovation or replacement is designed to maintain the compatibility of cornice lines, floor to floor heights where these are strongly expressed, sign bands and other elements in adjacent buildings and strives to unify the street as a whole.
3. That buildings be built to maintain the compatibility of the streetscape frontage.
Explanation: Buildings in Jackson Street are generally built up to the front boundary and this is a common unifying element in the streetscape. However, it is appropriate to consider situations where a building and the space created between the building and the street may together contribute to an interesting streetscape as a result of contrast.
- ~~4. For buildings within the Jackson Street Heritage Precinct itself, the extent to which the new building is compatible with adjacent building heights.
Explanation: Buildings in the area are generally single or two storey in nature. To encourage the strengthening of the traditional linear street form new developments will comply with this height requirement.~~
 See Figure 2

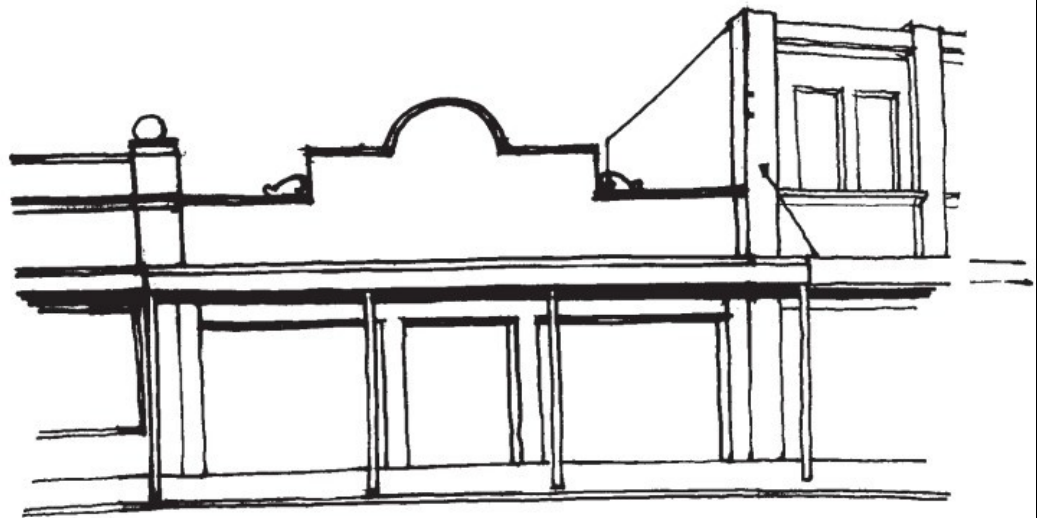
Figure 2



Generally consistent facade height

- ~~5. For buildings within Area 1 outside the Jackson Street Heritage Precinct, building heights may be up to six storeys, but should be designed to mitigate visual dominance and provide a coherent and definite transition in height occurring outside the boundaries of the Heritage Precinct.~~

Figure 3



Single storey designed to abut adjacent two storey building

Part 2: Buildings on Corner Sites

2.1 Background

Opportunities exist at each street corner to emphasise the character of the building (and therefore the streetscape) and to make the building form three dimensional by creating an L-shaped facade.

Due to the prominence of corner sites, buildings in these locations have the potential to become landmarks. Emphasis can be achieved by chamfering the corner and introducing special elements such as towers, turrets, clocks and elaborate decoration, and corner entrances. Emphasis is also achieved by encouraging stronger vertical elements, such as doorways with a pediment, or full height columns. Where all the corner buildings at one intersection have used their position to advantage, the street pattern benefits from the drama created. Corner buildings also act as "book ends" for the buildings in between.

See Figure 4.

2.2 Design Performance Standards

The design performance standards for the assessment of buildings on corners are:

1. The extent to which refurbishment or redesign of corner buildings emphasises their corner location.
2. The extent to which building renovation or redevelopment includes the use of vertical elaboration in parapet and/or corner tower architectural features. Corner entrances and canopies with strong facade modulation will evoke a particular focus, acknowledge and celebrate the corner with all levels of the building.

Figure 4



Strong building design on corners will enhance the facade quality of the street

Part 3: Building Modulation

3.1 Background

The modulation of a building is the way the design divides up the facade into horizontal and vertical elements, resulting in a three-dimensional pattern.

In Jackson Street the pattern is often symmetrical and provides a rhythm along the street with horizontal elements overpowering the vertical. Strong horizontal bands define the levels in the building. These are particularly the line of the verandah, cornice line and the parapet silhouette.

See Figures 5 & 6.

Figure 5

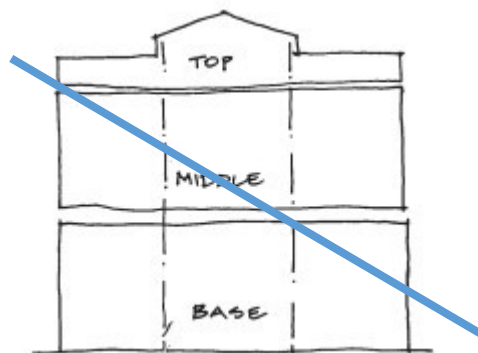
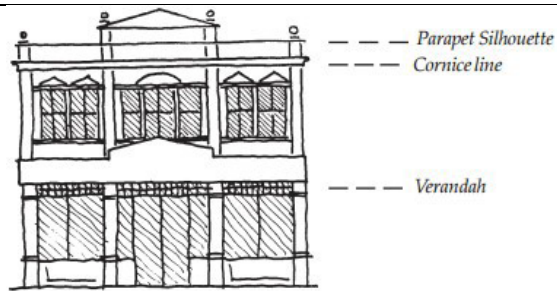


Figure 6



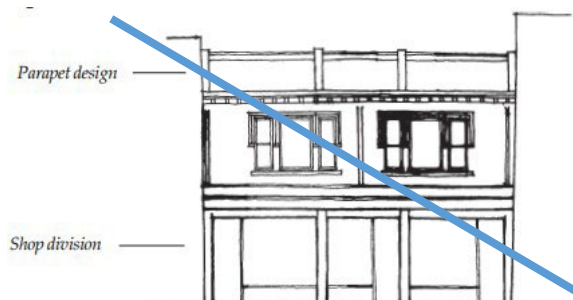
3.2 Design Performance Standards

The design performance standards for assessing building modulation are:

1. The extent to which building designs create a total building shape which reflect the traditional horizontal and vertical proportions and symmetry of building in Jackson Street.
2. The extent to which building designs emphasis the traditional strong horizontal elements of the verandah, cornice line and the parapet silhouette.
3. The extent to which the vertical lines will be less accentuated in the building design and occur as the structural bay columns of the building and the details of individual components such as doorways and shop front details.
4. The extent to which buildings which are continuous across a number of street level shops include modulation which is consistent at first floor level but is broken into rhythmical bays at parapet level to reflect the shop division below.

See Figure 7.

Figure 7



Part 4: Wall Materials and Openings

4.1 Background

The buildings in Jackson Street are predominately (80%) plastered brick work or reinforced concrete, while 20% are of weatherboards over timber. Sometimes one is made to look like another. A monolithic form dominates, i.e. the building appears to be solid with openings shown as punctuation rather than transparent.

Often the thickness of the wall is emphasised by the built up reveal around openings, creating a shadow pattern. This can occur at parapet level where the thickness of the wall can be seen on its edges and cut outs.

There is a hierarchy in the size of the windows of a building, progressing from large at street level, and reducing in size and scale in the levels of the facade.

Along the street level, shop front glass covers most of the wall area, responding to the retailers need for display space. However structural columns are expressed at each bay and windows generally start a minimum 600mm above the footpath the shop fronts are divided by glazing bars to increase interest and reduce the scale. Often decorative tiles are used below sill level and the upper panes of glass are lead lights.

See Figure 8.

At first floor level, windows occur rhythmically along the facade, either as single vertical units at frequent intervals, or in groups of windows, where the proportion is square or rectangular. Some buildings have reinforced the shape of groups of windows by making them into bay windows.

Figure 8



*Building appears solid, windows built up to create depth.
Shop front design reflects structural bays.*

4.2 Design Performance Standards

The design performance standards for the assessment of wall materials and openings are:

1. The extent to which the building design reflects the traditional pattern of wall materials and openings.
2. The extent to which the building will appear monolithic rather than having a skin or veneer.

3. The extent to which building designs have discrete openings, and decoration which provides a rhythmical pattern within the monolithic form.
4. The extent to which building designs follow the general pattern of display windows at ground floor and rhythmic units on upper floor. If windows are grouped their segments will be highlighted by solid glazing bars. The extent to which openings may be embellished with decorative surrounds which together with the variation in groups, will add interest to the building facade.
5. Large bands of glass uninterrupted by areas of wall, or patterns of glazing bars ARE NOT acceptable as they do not respond to the street's history or character.

Part 5: Silhouette, Parapets and Cornices

5.1 Background

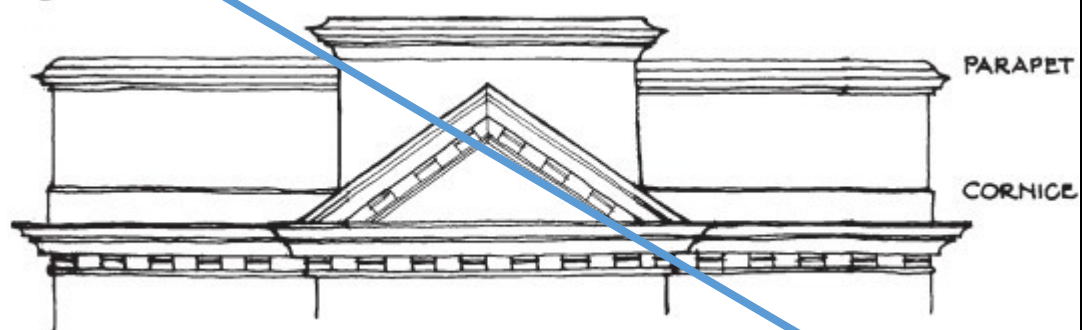
Due to the varied heights of buildings and their definite parapet patterns along the street the silhouette is varied and interesting. It provides a vitality to the streetscape above the verandah which is very visible to the pedestrian at street level. Many of the buildings have lost much of the embellishment of earlier times. Accurate reconstruction of missing external details is encouraged on heritage buildings.

The parapet creates an illusion of height. This, together with decorative features including an intricate parapet outline and embellishments, and below, ornate cornice lines and or applied signs and decoration, create imposing facades to the buildings.

Almost all the buildings have a strong cornice line applied to the face of the building. This strong horizontal line, emphasised by the shadow it creates underneath, is a dominant feature.

See Figure 9.

Figure 9



5.2 Design Performance Standards

The design performance standards for the assessment of silhouette, parapets and cornices are:

1. The extent to which building design includes a parapet, the size and proportions of which shall relate to the rest of the building, both in height and complexity and the design of adjacent buildings.
2. The extent to which the buildings design includes decorative skyline features, these might include urns, balls, balustrades etc. constructed in modern materials which are not heavy masonry and therefore able to be fixed without compromising structural stability. Other appropriate parapet features include pediments, towers or cupolas, flag poles and turrets.
3. That buildings design will include a cornice line.

Part 6: Decoration and Colour

6.1 Background

Both decoration and colour, whilst being an integral part of a buildings character, can be replaced, added to or altered. These elements provide an opportunity to emphasise the character of the street itself.

Decoration should generally be applied as a complex pattern of small scale elements, which add up to an overall pattern and give an identity to the building. Decoration also indicates scale, adds stability and visual delight, and creates shadow effects.

See Figure 10.

Many older buildings in Jackson street have had their decorative features removed, partly in response to the perceived earthquake danger, and partly as architectural style changes to a more "modern" and uncluttered style. It is now recognised that the decorative features are important both to the character of individual buildings, and to the vitality of the street. Accurate reconstruction of missing external details is encouraged on heritage buildings.

Figure 10



Use of colour adds interest and depth to building design

6.2 Design Performance Standards

The design performance standards for decoration and colour are:

1. The extent to which the building design modulates its street facades with structural and decorative elements which recognise and respond to the diversity of the street in general and their neighbours in particular.
2. The extent to which renovations and alterations to older buildings reintroduce decorative features.
3. The extent to which colour schemes for buildings are designed to emphasise the decorative and structural elements of the facade.
4. The extent to which the overall colour scheme relates to both above and below verandah level.

Part 7: Verandahs

7.1 Background

The function of the verandah is protection from wind rain and summer sun. It was originally designed as an integral part of the building and was used to achieve a visual transition from facade to street.

Verandahs occur on almost all buildings, with corner buildings being the main exceptions. There are two traditional shapes. These are flat verandahs held up with hangers, or sloping verandahs with posts

Many buildings with flat verandahs have windows just above the verandah. This allows natural light into the high stud shops at street level.

Although the verandah was built primarily as a transitional shelter space, it also forms an enclosed space of human scale at street level. The arcade like

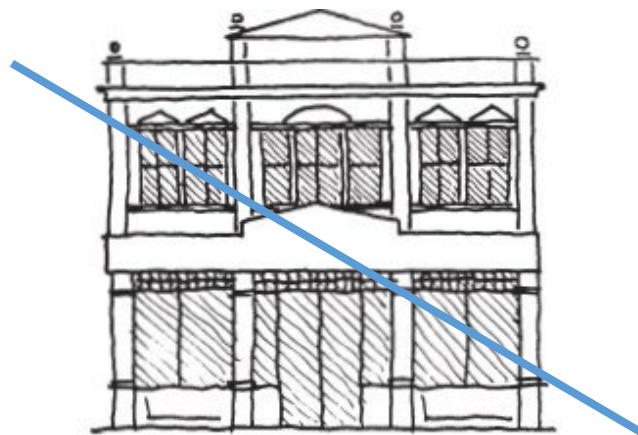
atmosphere created by verandah posts is visually attractive to the pedestrian and provide separation from traffic. The use of verandah posts in Jackson Street is encouraged.

Verandah fascias are flat horizontal bands used as a facing to the street. Their main use is for applying signs, which indicate the name of the business available.

When verandahs are designed as an integral part of the building the fascia was often deep and modulated, reflecting the forms of the parapet, emphasising a detail or entry.

See Figure 11.

Figure 11



Verandah design complements the total building design

7.2 Design Performance Standards

The design performance standards for verandahs are:

1. The extent to which building designs include verandahs based upon traditional designs.
2. The extent to which verandah designs include a modulated hierarchy of fascia elements (perhaps responding to a significant point of entry) and vertical modelling of verandah details to emphasize variety of form and reflects features of the building.

Part 8: Under Verandahs

8.1 Background

Shop fronts are the dominant visual element under the verandah, competing with each other to provide the commodities and services we require. Well designed shop fronts can enhance the street and compliment the design of the buildings

in which they are set. Many existing shop fronts are subject to pressure for regular refurbishment, to maintain a “progressive” retailing image for the occupants, and so many have a relatively short life span. Because of this, and to maintain an overall street character, guidelines are desirable for existing and future occupants, developers and designers.

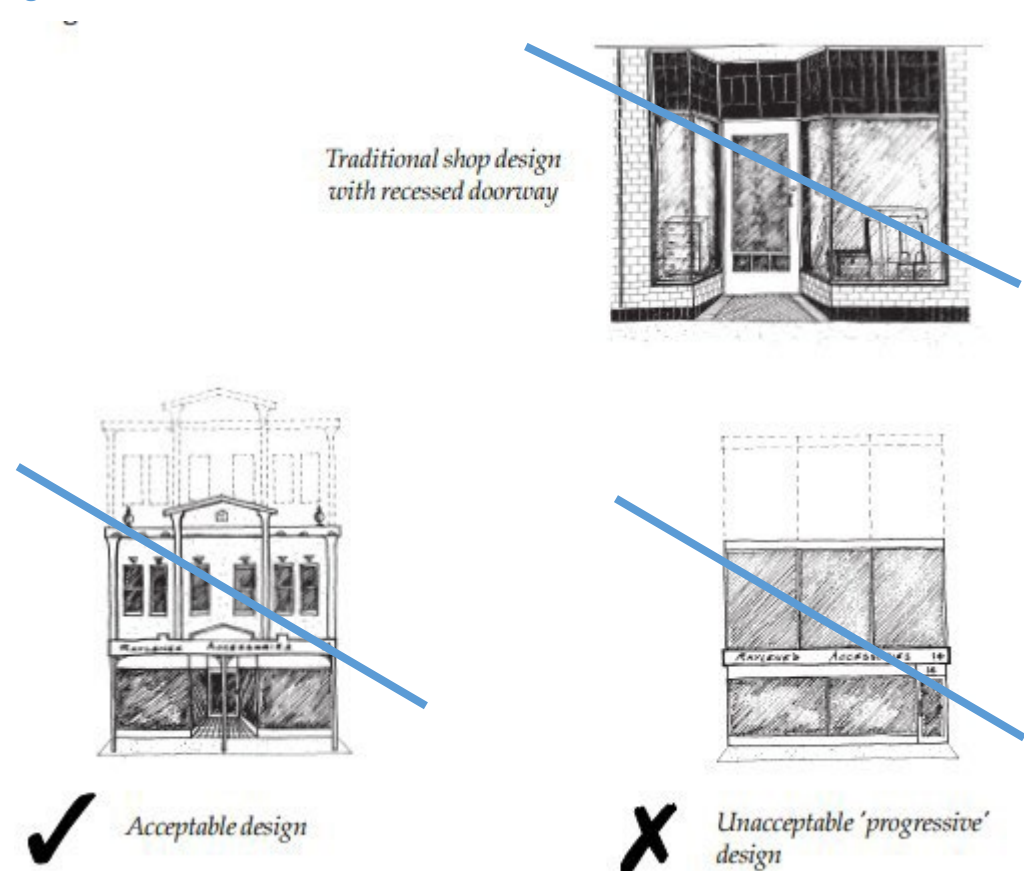
Entrances to shops are traditionally either centrally located with display windows each side (larger shop fronts) or recessed on one side of a more dominant display window. The recess allows a space for the shopper to pause and browse. A succession of these recesses, often reflecting the structural bays of the building above, provides a rhythm along the footpath and the street.

See Figure 12.

The position of the doorways within the bays of shops can be emphasised by a reflecting pattern on the verandah fascia, by a corresponding placement of verandah posts.

The use of glazing bars within shop fronts are an important historical detail. They give an intimate feel, consistent with the size of the shop behind, and introduce an opportunity for tile and leadlight decoration

Figure 12



The design performance standards for under verandahs are:

1. The extent to which new building, renovation or alteration design reflects traditional designs in the street. Entrances to shops should be either centrally located with display windows either side or recessed on one side of a more dominant display window.
2. The extent to which small retail units (or small frontage units to larger retail floor space) are included to re-establish a reference to rhythm of original building modulation.
3. Recess doorways are preferred.
4. The extent to which detailed design features within the shop front will coordinate with the overall horizontal and vertical symmetry of the facade design.
5. During renovation or reconstruction the extent to which structural or decorative references to the facade above the verandah are reintroduced.

Part 9: Signs and Lighting

9.1 Background

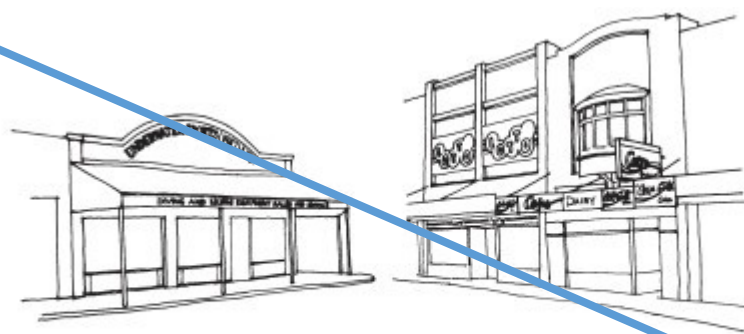
Advertising signs can have a dramatic effect on the whole appearance of a building facade, and character of the street as a whole. This effect can be positive or detrimental to the streetscape and quality of the environment.

Signs on facades or fascias are not isolated entities: they are part of the building facade. It is accepted that signs are an essential part of the commercial character of the area, but a balance must be achieved between commercialism and architectural and streetscape quality. In Jackson Street signage is a significant part of the vibrant, colourful street image, but this is not encouraged to the extent that appreciation of the architectural, historical and character qualities are unduly compromised.

The design of their position, size, shape, colour and, for signs, lettering style, must be carefully considered and assimilated into the design of the building as a whole. The result will either detract from or add to both the character and vitality of the street, the building, and the activity carried out within the building.

See Figure 13.

Figure 13



Signs designed to enhance the building design ✓ X Signs clutter and diminish the effect of the building design

As a general rule, signs were originally painted or formed in plaster work on flat panels of the building facade : on the pediment or parapet, under the cornice line, on a frieze panel between floors, on glass panes in windows, or on the verandah fascia.

The layout of signs were always symmetrical about a central axis, and signs were rectangular or followed the shape of the architectural surfaces to which they were applied (e.g. a pediment). Lines were horizontal or curved, with an accompanying decorative pattern.

Letters were generally dark on a light background, and gold leaf was used on glass. The most common lettering styles, especially in older buildings, were Antique, Fat Clarendon and Sans Serif.

Less common were Tuscan, Fat faces, Fat Italics, Fat Gothic

and Sans Serif Compressed. See Figure 14.

Usually only one type face was used, except where one described the owner, and another the type of business.

A well lit shop front or building and attractive window displays tend to attract customers and increase trade. In addition well lit shops and under verandah areas are a method of providing security both to premises and passing pedestrians. Strip fluorescent should be avoided in favour of spot lighting or lighting which emphasise the architectural patterns, e.g. structural bays, verandahs posts, lead lighting.

Figure 14

Antique **SANS SERIF** **Clarendon**

Some common lettering styles

	<p>9.2 Design Performance Standards</p> <p>The design performance standards for signs and lighting are:</p> <ol style="list-style-type: none"> 1. The extent to which signs related to and assimilated into the design of the building as a whole. 2. The extent to which signs refer to the owner or name of the shop or business rather than to any product which is being retailed. 3. Signs will not be hung at an angle to the building, unless below the verandah. 4. The extent to which lighting is to be used to dramatise the shape and decoration of the building as well as to highlight signs. 5. Lighting and illuminated signage above the verandah levels must be sensitive to residential uses. Spot lighting or general floodlighting down the facade, which reinforces the architectural character of the building, or which highlights particular features or signs, are encouraged. 6. The extent to which below the verandah level lighting is provided within any design.
<p>Chapter 11 Subdivision</p>	
<p>11.1.4 Special Areas</p>	
<p>AMENDMENT 343</p>	<p>Objective 1 To ensure that land in the coastal environment, areas adjoining lakes and rivers and other environmentally sensitive areas are protected from inappropriate subdivision.</p> <p>Objective 2 Historic heritage values of <u>identified heritage precincts and heritage items</u> are protected from inappropriate subdivision.</p>
<p>AMENDMENT 344</p>	<p>Policy</p> <p>(a) To ensure that land in the coastal environment, areas adjoining rivers and lakes and other environmentally sensitive areas are not subdivided to an extent or manner where amenity values, ecological, social, cultural and recreational conditions are adversely affected.</p> <p>(b) <u>Protect the historic heritage values of heritage items and in the Historic Residential Heritage Precinct and Patrick Street Riddlers Crescent by managing density of development enabled by subdivision of land.</u></p>
<p>11.2.2.1 Standards and Terms</p>	
<p>AMENDMENT 347</p>	<p><u>Medium Density and High Density Residential Activity Area, excluding the Heretaunga Settlement Heritage Precinct, Riddlers Crescent Heritage Precinct and Historic Residential Heritage Precinct</u></p>

	Minimum size of allotment:	No minimum size required:	
	<u>Resulting allotments with residential units:-</u>	<p>(i)- For every allotment where there is an existing dwelling:-</p> <p>There shall be no increase in the degree of non-compliance with the relevant Medium Density Residential Development Standards specified in 4F 4.2.-</p> <p>For any resulting allotment where there is an existing residential unit:-</p> <p style="padding-left: 40px;">A. The subdivision complies with or does not increase the degree of non-compliance with the standards of any of the following rules:-</p> <p style="padding-left: 80px;">1. Number of units per site,-</p> <p style="padding-left: 80px;">2. Height in relation to boundary,-</p> <p style="padding-left: 80px;">3. Setbacks,-</p> <p style="padding-left: 80px;">4. Building coverage,-</p> <p style="padding-left: 80px;">5. Outdoor living space,-</p> <p style="padding-left: 80px;">6. Outlook space,-</p> <p style="padding-left: 80px;">7. Windows to street,-</p> <p style="padding-left: 80px;">8. Landscaped area, or-</p> <p style="padding-left: 40px;">B. Land use consent has been granted for non-compliance with the rules in (A), or-</p> <p style="padding-left: 40px;">C. The subdivision application is accompanied by a land use application for the non-compliances in (A) that will be determined concurrently with the subdivision application.-</p> <p>Where subdivision is proposed between dwellings residential units that share a common wall, recession plane and yard requirements shall not apply along the length of the common wall.-</p>	
	<u>Resulting allotments with no residential units:-</u>	<p>(ii)- For every allotment where there is no existing dwelling, or for which no existing land use consent for a dwelling has been granted, or is being concurrently granted (in the case of joint land use and subdivision applications):-</p> <p>It can be demonstrated that it is practicable to construct on all allotments, as a permitted activity, a dwelling which complies with all relevant Medium Density Residential Development Standards specified in 4F 4.2.-</p>	

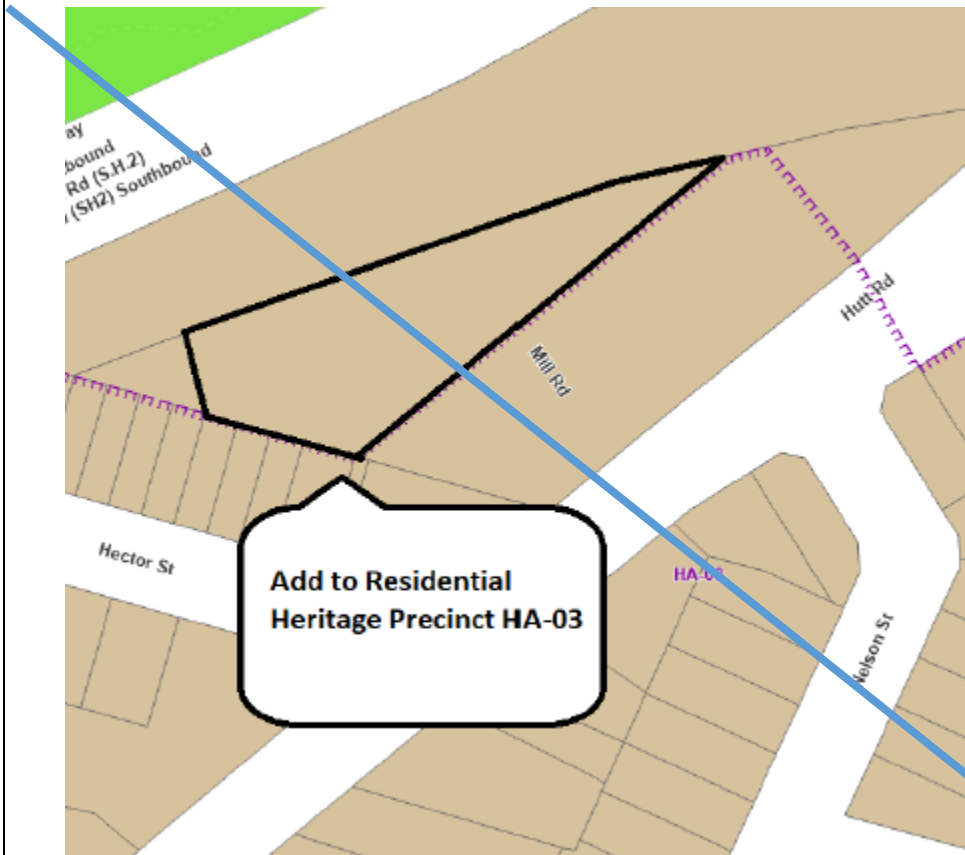
		<p><u>For any resulting allotment with no existing residential unit:-</u></p> <p>A. <u>It is practicable to construct a residential unit on the allotment as a permitted activity, or</u></p> <p>B. <u>Land use consent has been granted for the proposed use of the site (including built development), or</u></p> <p>C. <u>The subdivision application is accompanied by a land use application for the proposed use of the site that will be determined concurrently with the subdivision application.</u></p>
Minimum frontage:-	3m to ensure that there is drive-on access to the allotment.	For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment).

Recommended changes to District Plan maps

Hutt Road and Mill Road – Add properties to the Residential Heritage Precinct (HA-03)

Recommendation

Add the properties on Hutt Road and Mill Road outlined in black below to the Residential Heritage Precinct HA-03 (see section 6.3.1 of the report for details).



Bay Street and Beach Street, Petone — Add properties to the Residential Heritage Precinct (HA-08)

Recommendation

Add the properties on Beach Street and Bay Street, Petone outlined in black below to the Residential Heritage Precinct HA-08 (see section 6.3.1 of the report for details).



354, 358 and 362-364 Jackson Street, Petone — Add properties to the Jackson Street Heritage Precinct (HA-04)

Recommendation

Add 354, 358 and 362-364 Jackson Street, Petone to the Jackson Street Heritage Precinct (see section 6.3.1 of the report for details).

