

Response to interim questions from the Hearing Panel

Hearing of submissions on the Proposed Porirua District Plan and Variation 1 to the Proposed District Plan.

To The Hearings Panel
Copy to Porirua City Council, attention Mr Michael Rachlin
From Graeme McIndoe, Architect and Urban Designer, for PCC
Date 16 March 2023

HEALTH RELATED DOCUMENT REFERENCES

Research findings

- 1 Ms Karen Williams for Kāinga Ora provides evidence [at 7.5] on this matter. Ms Williams references a literature review that *“has identified 47 studies on the impact of sunshine and concludes there is only limited evidence linking the two.”*
- 2 I have been able to source only the summary of this study which *“was limited to daylight”*.¹ Moreover daylight and sunlight are different concepts but without the benefit of access to the full research paper I am unclear as to precisely what the authors (Aries et al) mean by the term daylight.
- 3 Taking on board Ms Williams’ interpretation that the study relates to sunshine, and thereby that the Aries et al literature review uses the terms daylight and sunlight interchangeably (which is also common), then that study does in fact offer some evidence of health benefits:
*“Health associations noted included positive association with vision and sleep quality, and reduction of depression, myopia, eyestrain, ADHD (attention-deficit/hyperactivity disorder) prevalence, and SAD (seasonal affective disorder) depressions.”*²

¹ Page 2, ‘Limitations’ in Aries, M., Aarts, M. and van Hoof, J.. Key Point Summary of Daylight and Health: A Review of the Evidence and Consequences for the Built Environment. https://www.healthdesign.org/system/files/Aries_Aarts_Van%20Hoof-2015-CHD-KPS.pdf . Accessed 1 March 2023.

² Page 2, Aries, M et al, Key Point Summary of Daylight and Health.

Potential to offset the effects of mid-winter shading with heating

- 4 MBIE identify with reference to Stats New Zealand Household Economic Survey data that in 2018/19 “almost 8% of households ... said they couldn’t afford to keep their accommodation adequately warm.”³ This MBIE document raises the risk in such situations of cold, damp and unhealthy homes; reduced spending on other essentials; dampness and mould. It states that energy hardship “has a real impact on people’s quality of life, and risks long-term negative health outcomes. It also results in increased costs for our health system.”⁴

STANDARDS APPLYING AROUND 5C MOTUHARA ROAD, PLIMMERTON

- 5 Mr David Carter lives at 5C Motuhara Road and has provided evidence challenging the maximum heights and zoning of the area around his property. I have also viewed the graphic material attached to Mr Carter’s evidence including the analytical drawings provided by architectural designer Mr Greg Hayward.
- 6 I agree that these demonstrate that there could be loss of sea views, substantially increased shading⁵ and loss of privacy, particularly to the outdoor living area at 5C Motuhara.
- 7 In my opinion, the effects described by Mr Carter are real and significant. They are also exacerbated by the 8m maximum height standard imposed on 5C Motuhara Road by proximity to the SASM. If Mr Carter were able to also construct to the 16m maximum height imposed by the HVCA which applies to his site, the cross section shows he would retain views to the west, and upper parts of such a theoretical residential building on his site would receive sun from the north.

³ MBIE: Defining Energy Hardship: A discussion document on defining and measuring energy wellbeing and hardship in Aotearoa. Nov/Dec 2021
<https://www.mbie.govt.nz/dmsdocument/17802-defining-energy-hardship-discussion-document#> Page 11. Accessed 2 March 2023

⁴ MBIE, page 11

⁵ Informed by reference to Council’s sun angles tool which is accessed from the district plan maps

8 Mr Carter identifies two remedies to address his submission:

Firstly, in the block of properties bound Beach Road, Sunset Parade to Moana Road, and the bottom of Motuhara Road that this area be reduced from High Density to Medium Density, thereby aligning building heights with these properties subject to reduced height because of the SASM overlay.

9 I do not consider that this remedy is justified:

- 9.1 The zone boundaries have been established using a set of rules which are applied city-wide and in my opinion should continue to be applied consistently. To depart in this area from the rules used to determine zoning elsewhere across the city would be irregular and arbitrary.
- 9.2 Mr Carter cites the compromise to properties next to a consented high-density development. However, given planned intensification in response to the NPS-UD development which might rise to 22m on all similar HRZ sites⁶, Mr Carter's situation represents the shading and privacy effects that are likely to typically be experienced through all parts of the HRZ.
- 9.3 Once height overlays such as response to a SASM of a HVCA have been identified, it is not in my opinion coherent zoning practice to extend the areas of additional height control beyond the identified overlay areas.

10 Mr Carter's second proposed remedy is:

Secondly, that under the relevant Proposed District Plan Rules to use the 'Qualifying Matters' option that allows Councils to not increase density through new building or development in areas that are subject to Coastal Hazard/Erosion overlays. In particular that the Council applies this to the Plimmerton foreshore due to the identified coastal hazard/erosion zones that exist

I cannot comment on this as it is outside my sphere of expertise.

⁶ Except those where the maximum height is 36m, and also those where due to an overlay of Height Variation Control Area [HVCA], the height may be reduced from 22m to 16m.

HYBRID PERMITTED ACTIVITY THRESHOLD IN THE HRZ

11 I have been asked to provide *advice as to whether the permitted activity threshold in HRZ should be a hybrid of residential units and number of buildings, to allow more than 3 residential units in one building subject to a 6 storey height limit (taking account of potential permutations in building ownership arrangements).*

Threshold rationale

12 In my opinion, there should be no change to the unit thresholds. That is because as the number of units increases to four or more the building becomes larger and off-site effects more significant. Critically, the design task to address these effectively and achieve a well-functioning on-site residential environment also becomes more complex. The combination of magnitude of effects and complexity of design task means that suitable design control is necessary. The need for control applies equally to townhouses that are unlikely to be higher than three storeys, and apartments which may rise to six.

13 Off-site effects include positive frontage to the street; addressing visual monotony; and visual bulk as presented to neighbours and at the street edge. The design task on-site relates to addressing sunlight, outlook and daylight; convenient safe and legible shared access; internal privacy; and convenient and visually discreet servicing. All of these matters are addressed by the Residential Design Guide, but for multi-unit housing of four or more units would not in my opinion be addressed effectively by standards alone.

14 Prior to the NPS-UD and MDRS, the convention in district plans was to use a threshold of three or more units as a trigger for RDA assessment. For consistency with that the MDRS threshold that minimum threshold is raised to four. I consider that a four-unit threshold is reasonable and necessary for both townhouse and apartment development in combination with the standards that apply.

15 The planned six-storey environment means that greater skill will be needed in design to anticipate the potential effects of future development

on adjoining sites and to design accordingly. This is a further factor militating against increasing the RDA threshold beyond four.

Quality of development that may be expected

16 In my experience of design review in relation to multi-unit developments, while ideally all would be of sufficient quality to be 'permitted', around a quarter of applications might be classified as very good/exemplary and in effect 'permissible' in their initial iteration. More than half are generally good but with some readily adjustable attributes which a developer is willing and able to address to achieve an acceptable outcome. The remaining 1 in 10 or so are of irredeemably poor quality, proposed by developers who are unwilling or may be unable to address the significant matters required to achieve an acceptable outcome. I have found these proportions apply broadly across all developments. However small developments are more likely to be in the second and third categories because they are less likely to have a suitably skilled and experienced designer or architect involved. In my opinion and from this experience, leverage allowed by an RDA application over those small developments of four and above is needed to ensure acceptable results.

Calculating a modified unit threshold for apartment development

17 Considering the scenario of 'permitting' a six-storey apartment building, while there are examples of apartment buildings with one unit per floor those are highly unusual and unviable except possibly at the very 'top end' of development. There would almost always be at least two units per floor but often three, four or more to justify the provision of lifts and the other services infrastructure needed. That means while a six-unit threshold would be the theoretical minimum that would not permit typical six-storey apartment development, a realistic minimum of 12 would be required. I do not recommend either of these scenarios for reasons already identified.

18 Furthermore, a threshold of six apartment units would 'permit' three-storey walk-up apartments with a central stair and three apartments stacked both sides. Being familiar with that development type I consider these raise design issues which justify scrutiny with an RDA application.

Relating an RDA threshold to the number of buildings

- 19 The threshold should not be linked to the number of buildings as most multi-unit developments are a single building and these single buildings can be very large. If the number of buildings in a development were to be the threshold, a number of split consents for very large single buildings could be expected as applicants seek to avoid an RDA consent process, and there is a high risk that many of those would be of poor quality.

Ownership scenarios

- 20 It is likely that any multi-unit development will be constructed by a single developer as build-for-rent (by a private entity or a social housing provider such as Kāinga Ora) or for sale of units to individual householders. These building ownership arrangements will have no bearing on the threshold for an RDA application as irrespective of the ownership structure and owner the same district plan constraints apply. If that is the case then the same level of scrutiny should and will be applied to design quality.

END