

20th January 2021

Luke Balchin
New Plymouth District Council

Delivered electronically to: Luke.Balchin@npdc.govt.nz

Dear Luke,

Response to RMA Section 92 Request for Further Information - LUC20/47704 - Part Two

This letter is in response to the (second) Section 92 request dated 21 October 2020. The following responses are in accordance with the numbering of requests in the Section 92 letter.

1. Function of Basement Parking Area

Please find attached in Appendix A an amended basement parking plan to replace the 'Proposed L0 Plan' submitted in Appendix B of the application (Rev 2, dated 04/09/2020). Tracking curves for manoeuvring are demonstrated on the amended plan. While the aisle spaces do not comply with AS/NZS 2890.1:2004, it is considered that parking has been reconfigured and tracking curves provided to demonstrate that vehicles are able to manoeuvre efficiently and safely such that they can exit the site in a forward gear. The lack of aisle depth is therefore not considered to adversely affect efficiency of parking nor result in cars queued back onto Brougham Street.

2. Life Expectancy of Notable Tree

Please find attached in Appendix B further consideration and validation from Bruce MacDonald of Asplundh with regard to the 20 year best estimate of useful future lifespan.

Further, the NDPC-hosted historic aerial photographs available on <https://atlas.npdc.govt.nz/historicalimagery/> have been queried for the application site as follows and explained in Figure 1 and Figure 2.

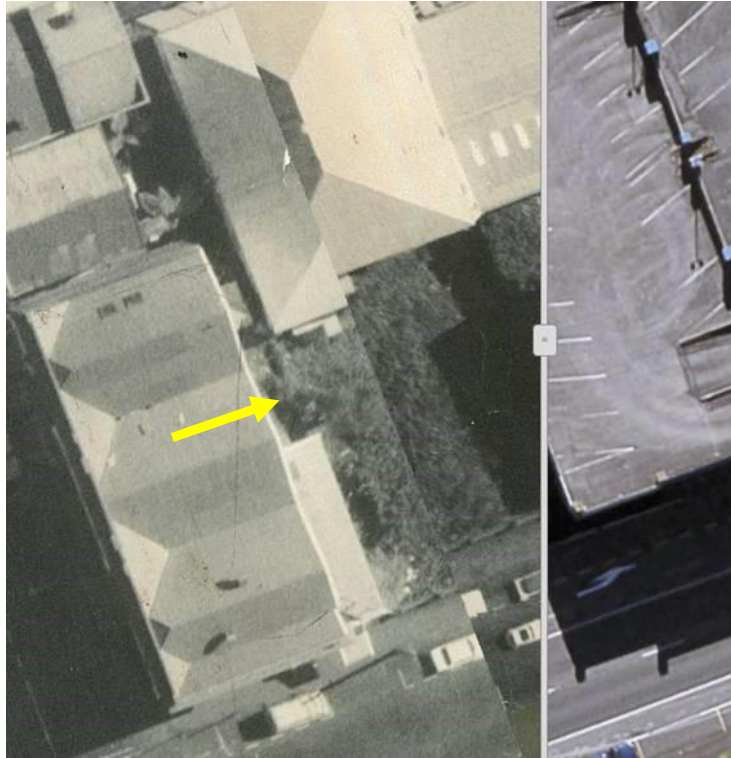


Figure 1: Aerial photo from 1970 with modern carpark building on the right-hand side of the line. What is potentially the subject tree is indicated, located toward the centre of the image.

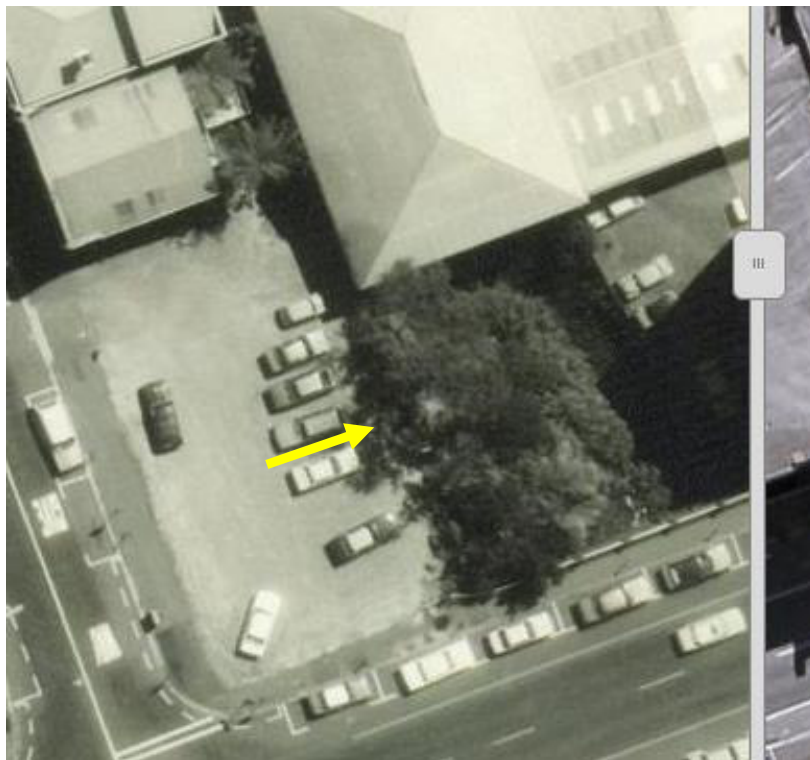


Figure 2: Aerial photo from 1983. The canopy of the subject tree (indicated) is some three car-lengths (12m +) wide, suggesting it has been growing for multiple years.

The tree is therefore approximately at least 37-50 years old, and potentially older. In light of the information from the Asplundh report of Appendix B, that being that the average age of this species of tree being removed in Mt Eden due to natural decline is 40 – 50 years, plus an alignment with Council's own tree report giving the tree a ranking of 1 for life expectancy

which equates to 1-30 years, the 20 year best estimate of useful future lifespan figure is therefore considered to be rational and conservative.

3. Effects on Heritage Character Area

The request of the letter was fourfold and is repeated here for clarity:

- Please make a specific assessment of the proposals effects on the HCA.
- Please make an assessment of the proposal against the relevant parts of the City and Town Centre Design Guide;
- With respect to the Design Guide please considered the effects on the heritage buildings within the area (H-133, H-110 and H-31) and whether the proposal will overwhelm and / or have adverse effects on the heritage character and amenity values associated with those buildings; and
- Please provide a statement from a suitably qualified person regarding the effects of the building on the HCA.

With regard to points 1 and 4, please find attached (Appendix C) a report from Architect Clive Cullen in which effects of the proposal on the HCA are assessed and are adopted for this application. The statement also provides some assessment against the relevant parts of the Design Guide with respect to points 2 and 3.

With regard to point 2, refer to Table 1.

Table 1: Assessment Against Relevant Parts of City and Town Centre Design Guide

Guideline and Outcome	Assessment
<p>1. Relationship with the Surrounding Environment</p> <p>Outcome: Developments that:</p> <ul style="list-style-type: none"> - are sympathetic to the natural and cultural features of the environment; - integrate well with the character of the local streetscape and enhance the wider city or town centre; and - maintain or enhance the setting of heritage buildings and the collective value of buildings within the heritage character area. 	<p>The proposal is considered to have identified and acknowledged patterns and characteristics of the environment such as the Huatoki awa and open space aspirations, this area within the rohe of Ngāti Te Whiti, the common pattern of multi-storey buildings constructed to the street edge, the location of several historic buildings nearby, and the commercial uses of buildings in this area. Thereafter, design provides for tangata whenua cultural connections, provides better access along Huatoki Stream for its likely future uncovering, maintains the integrity of the bank of the stream.</p> <p>The proposal is consistent with alignment of other buildings along Brougham Street, with its frontage to the pedestrian-oriented environment of Brougham Street rather than the State Highway. The scale of the building is mitigated by its clean and simple glass façade with few interruptions.</p> <p>It would be neither practical nor attractive for the proposed building to copy elements of the buildings near it, noting that the Brougham Street offices are relatively short in stature and that the concrete parking building offers little aesthetically. Instead, as explained in the statement (Appendix C), the proposed building complements all buildings near it through providing a modern contrast to them and offering reflections of the heritage buildings, which is considered to overall enhance neighbouring buildings.</p> <p>The proposal therefore respects and enhances the integrity of the heritage character area, actively provides for the site and area's associations with Māori, and will be memorable as a high quality building with a light touch on the earth in this area currently more dominated by concrete buildings. Overall the proposal is consistent with identifying and responding to existing context, and provides for sense of place, consistent with the desired outcomes specified.</p>

Guideline and Outcome	Assessment
<p>2. Siting, Height, Bulk, Form and Scale</p> <p>Outcome: Developments that:</p> <ul style="list-style-type: none"> - complement existing patterns of siting and alignment; - achieve a positive height/scale relationship with neighbouring buildings, natural landforms and public spaces; and - enhance the informal pedestrian network within the city or town centre by enhancing existing or creating new pedestrian laneways. 	<p>The proposal aligns with other buildings along Brougham Street and will redefine this corner of Brougham and Powderham Streets which is currently undeveloped and does not contribute to the vibrancy of the inner city. The proposal does not result in vacant spaces, and hides its carparking in the basement.</p> <p>As explained in the statement, the height and dominating effects of the proposal are mitigated through design methods and materials, including reflectivity and transparency of glazing, and spatial separation.</p> <p>The proposal provides for connection with the adjacent Huatoki Awa area which is anticipated to be redeveloped and celebrated further in the future. The appearance of the building adjacent the river will speak to the cultural narrative of the place, and provide passive surveillance.</p> <p>Overall the building siting, alignment, street edge definition, height and scale relationships, bulk, and support of pedestrian connectivity with regard to the proposal are considered to be such the proposal is consistent with the outcomes specified.</p>
<p>3. Street Frontages</p> <p>Outcome: Street frontages that support pedestrian activity, provide visual interest and enhance the safety and comfort of city and town centres' streets and public open spaces.</p>	<p>The entrance of the building fronts the more pedestrian-active Brougham Street instead of the vehicle-oriented State Highway, and the remainder of the frontage is glass to promote interaction connection building and street users. The verandah structures on two sides of the building offer pedestrian refuge from the weather and define the entrances. Servicing, storage and carparking are located and obscured in the basement of the building, leaving predominantly active levels above-ground.</p> <p>Overall, the proposed building's frontages, ground level activities, verandahs, entrances, and servicing / storage / carparking work coherently together to achieve the outcome specified.</p>
<p>4. Building Design, Facades and Building Tops</p> <p>Outcome: Coherently designed buildings that are fit for purpose, integrate well with the streetscape and offer flexibility of use over time.</p>	<p>The building design internalises most walls and load-bearing aspects to the centre of the structure, such that visible space and 'open' floors are maintained around the outside, enhancing the character of the building from the street. The building achieves high quality light and ventilation through design as detailed in the application. The façade shall provide visual interest through clean lines, continuous glazing, cultural motifs, and reflections, and this commercial/residential mixed-use building will bring much needed vibrancy to this underdeveloped corner site and the area surrounding it. The building top has been carefully designed to mitigate effects of its height and maintain the amenity of the landscape.</p> <p>Overall the proposal offers integrated building design, internal amenity, a façade design and rooftop that altogether achieve the outcome specified.</p>
<p>5. Residential Development</p> <p>Outcome: Apartment and townhouse development that is healthy, comfortable and functional and integrates well with the adjacent streetscape.</p>	<p>Brougham Street is considered to be a pedestrian-oriented area and thus the location of the offices on the lower levels and apartment on the top is considered appropriate, so that clients can easily access the commercial businesses / services in the building. The apartment will be high-quality and amenity as will the remainder of the building, plus it will have some outdoor space, or residents can access the foreshore or Huatoki awa nearby. Being smaller than the other floors and set back away from the edges of the building, the apartment offers privacy for occupants. Informal surveillance, and having residents in inner-city New Plymouth contribute to the safety and vibrancy of the city. Overall the location, scale, design and amenity offered by the apartment are considered to achieve the outcome specified.</p>
<p>6. Efficient and Healthy Building Development</p> <p>Outcome: Promote sustainable building development that creates efficient and healthy working and living environments through minimising the use of energy, water and toxic building materials.</p>	<p>This outcome has been a significant focus of the design of the building, which will be energy (and all other inputs) efficient, utilise sustainable materials sourced from New Zealand where possible, minimise resource use once in operation (such as water) and overall have a long-term light touch on the earth. Further explanation is provided in the original application but to summarise, the proposal demonstrates energy efficiency and resource use management such that it is consistent with the outcome specified.</p>

With regard to point 3, for the reasons explained in the statement of Appendix C and in Table 1, the proposal is considered to appropriately mitigate adverse effects on the heritage buildings in the area, avoids overwhelming them, and maintains the heritage character and amenity values associated with them.

Additional assessment against the relevant provisions of the PDP is provided in Table 2.

Table 2: Assessment Against PDP Provisions

Provision	Assessment
HH-O1 - Historic heritage is recognised, protected and maintained.	<p>As explained in the statement of Appendix C, the proposal:</p> <ul style="list-style-type: none"> - Provides walkable connections to heritage aspects of the area; - Literally reflects the heritage buildings on the proposed building's glass façade, including them as part of the new building; - Avoids imitation or extended typology of the heritage buildings, therefore providing an appropriate contrast resulting in the emphasis and enhancement of the heritage buildings' styles; - Offers a building style which contributes to urban mix and interest; - Does not compete with the heritage buildings through imitation; - Mitigates effects of being dominant through the exterior appearance to reduce visual impact, and through spatial separation; - Provides some mitigation of the visual effects of the concrete carpark building on Powderham Street by blocking it from view. <p>Assessment against the relevant policies is undertaken below in this table and overall, the proposal is considered to appropriately recognise, protect and maintain historic heritage and is thus consistent with and not contrary to this objective.</p>
HH-O2 - Historic heritage is appreciated by the community and is acknowledged as important to the district's identity.	<p>For the reasons explained above, the proposal (particularly design aspects) is considered to appropriately acknowledge historic heritage as being important to New Plymouth district's identity, and provides for continued appreciation of historic heritage by the community. The proposal is consistent with and not contrary to this objective.</p>

Provision	Assessment
<p>HH-P3 - Protect and maintain heritage buildings, items and character areas from inappropriate activities by:</p> <ol style="list-style-type: none"> 1) ensuring scheduled heritage buildings and items are not demolished and/or relocated; 2) ensuring buildings, structures, spaces and other features integral to the heritage character area are not demolished and/or relocated; and 3) requiring activities on, in or surrounding heritage buildings, items and character areas to avoid adverse effects on historic heritage values where practicable. 	<p>The proposal may result in removal of a portion of a railway embankment, which is not identified as a scheduled item within the application site, however as explained in the application and the archaeological assessment provided, there are examples of the railway elsewhere in the city and thus the whole item will not be destroyed and its heritage values will remain in existence. Heritage New Zealand have granted an Archaeological Authority for the modification/removal. The modification/removal is a practicable requirement for development of the application site. No other physical heritage features are proposed to be removed. As explained earlier in the table, the proposal is otherwise designed to avoid adverse effects on historic heritage values where practicable.</p> <p>On balance, because the railway remains in other locations in the city and is not wholly destroyed, plus the proposed removal of a portion has statutory approval under the Heritage New Zealand Pouhere Taonga Act, and the proposal otherwise avoids adverse effects on historic heritage values where practicable, the proposal is considered to not be contrary to this policy.</p>
<p>HH-P5 - Manage activities that occur on or in proximity to heritage buildings and items which have the potential to adversely impact on the building or item's historic heritage values, including:</p> <ol style="list-style-type: none"> 1) erection of structures on the same site as heritage buildings and items; 2) installation of impervious surface area on the same site as heritage buildings and items; 3) relocation of structures onto sites containing heritage buildings and items; 4) relocation of heritage buildings and items; 5) alterations and additions to heritage buildings and items; 6) subdivision of land containing heritage buildings and items; and/or 7) erection of signs on heritage buildings and items. 	<p>The proposal avoids activities on the same site as scheduled heritage buildings and items, and does not involve relocation, alteration of or addition to them. The proposal is not contrary to this policy.</p>
<p>HH-P6 - In addition to HH-P5 manage activities that occur within a heritage character area, including:</p> <ol style="list-style-type: none"> 1) erection of structures; 2) alterations and additions to contributory buildings; and/or 3) total or partial demolition of contributory buildings. 	<p>No alteration of, additions to or demolition of any contributory building is proposed. For the reasons already explained, the effects of the erection of the proposed building are considered to be appropriately managed and mitigated such that the historic heritage values of the heritage character area are maintained. The proposal is considered to be consistent with this policy.</p>

Provision	Assessment
<p>HH-P8 - Ensure that activities adjacent to or affecting heritage buildings and items avoid adverse effects on the building's or item's historic heritage values, or where avoidance is not possible, that any adverse effects are appropriately remedied or mitigated, having regard to:</p> <ol style="list-style-type: none"> 1) the particular historic heritage values present and their setting; 2) the reduction or loss of historic heritage values, including the ability to interpret the place and its relationship with other heritage buildings and items; 3) the heritage building or item's sensitivity to change or capacity to accommodate change without compromising the historic heritage values and surrounds; 4) any opportunities to enhance heritage buildings and items; 5) any assessments or advice from a suitably qualified and experienced heritage expert and/or archaeological expert; and/or 6) the outcomes of consultation with Heritage New Zealand Pouhere Taonga. 	<p>For the reasons explained earlier, the proposed activity is considered to appropriately mitigate adverse effects on nearby heritage buildings and the heritage values of both the buildings and the Heritage Character Area (their setting). It is considered that the subject heritage buildings and this Brougham / Devon / Powderham Street area as a place retain their integrity and remain able to be interpreted and appreciated. No changes are proposed to the heritage buildings themselves and as explained the changes on the proposed site do not compromise historic heritage values and surrounds but instead present an opportunity to enhance them through providing an attractive modern contrast to the heritage buildings. Assessments and advice have been sought from both a suitably qualified heritage expert (refer to Appendix C) and archaeological expert (as per the assessment provided with the application) and the conclusions and recommendations from these experts have been adopted for this application. Consultation with Heritage New Zealand Pouhere Taonga has resulted in the granting of an Archaeological Authority for the removal of the railway embankment.</p> <p>Overall, the proposal is consistent with and not contrary to this policy.</p>
<p>HH-P10 - In addition to HH-P9 ensure that new buildings and/or that additions and alterations to contributory buildings within a heritage character area are appropriately located and/or that the overall scale, form, composition and design of the structure is appropriate, having regard to:</p> <ol style="list-style-type: none"> 1) compatibility with the form, proportions, materials and setting of existing buildings or items within the heritage character area; 2) continuity or coherence of the identified special character values and streetscape qualities of the area; 3) the impact on the heritage and cultural values of the area and the relationship of the new building, alteration or addition with its setting which contributes to, or is associated with, the heritage and cultural values of the area; 4) whether the addition or alteration contributes to the long-term viability, retention or ongoing functional use of the building or item; and/or 5) whether the addition or alteration enhances the building or item by returning it to its original form. 	<p>For the reasons explained in the statement (Appendix C) and earlier in this table, the proposed building is considered to be of an appropriate form, proportion, materials and setting/location for the site and area because:</p> <ul style="list-style-type: none"> - It is compatible with and enhances the buildings within this HCA by providing an aesthetically pleasing modern contrast to them, noting that being 'compatible' does not require something to be similar or identical to another; - The character and streetscape values of this Brougham Street area remain coherent with the addition of the proposed building; - Adverse impacts on heritage and cultural values of the area have been mitigated through design methods such as reflectivity, cultural motifs celebrating cultural heritage and improved accessibility, such that the new building contributes positively to the setting of the area. <p>Overall the proposal is considered to be consistent with and not contrary to this policy.</p>

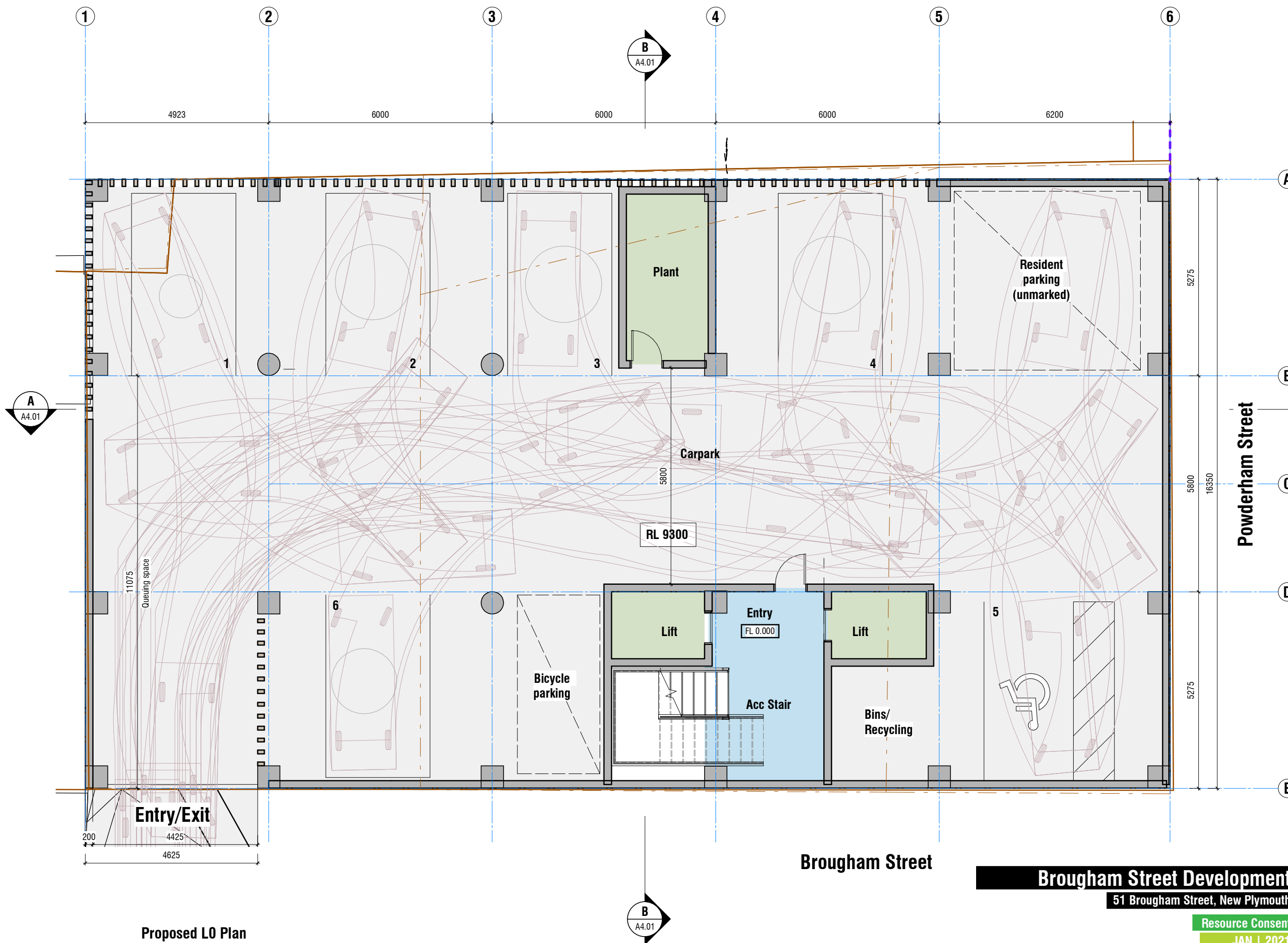
Revisiting bullet point 1 of point 3, for the reasons explained in the statement of Appendix C and in the above Table 1 and Table 2, adverse effects of the proposal are considered to have been appropriately avoided, remedied or mitigated such that they are acceptable.

Yours sincerely,



**Darelle Martin Assoc.NZPI
Intermediate Planner**

APPENDIX A AMENDED L0 PLAN



Building Floor Areas:

- LEVEL 0:**
- 13 Carparks (covered)
 - Floor area 54m² approx
- LEVEL 1:**
- Floor Area (total): 463m² approx
 - Tenancy 1: 223m²
 - Tenancy 2: 119m²
- LEVEL 2,3,4,5:**
- Floor Area (total): 450m² approx
 - Tenancy 1: 239m²
 - Tenancy 2: 148m²
- LEVEL 6:**
- Apartment: 216m²

Parking Notes

Parking to comply with AS/NZS 2890.1:2004

Proposed L0 Plan
Scale 1 : 100 (A3)

Brougham Street

Brougham Street Development
51 Brougham Street, New Plymouth

Resource Consent
JAN | 2021

BOON
teamarchitects

job	a3	drawing no	rev	drawing title	print date
6400	1 : 100	A2.01		Proposed L0 Plan	12/01/2021 11:04:42 am

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APPENDIX B

ARBORIST REPORT – ADDITIONAL INFORMATION

ADDITIONAL INFORMATION

16 November 2020

Attn: Darelle Martin
BTW Company
179 Courtenay Street
New Plymouth 4310

Dear Darelle

RE: ADDITIONAL ARBORICULTURAL EVIDENCE, AGONIS FLEXUOSA

The following information is supplementary to the arborist report dated 19th September 2019, which is addressed to Murali Bhasker of BOON Team Architects. This report focuses on the sustainability of a category 2 protected tree, *Agonis flexuosa* (DP Item 97) in relation to a proposed building development near the trees location.

Within this report it is stated that the best estimate of useful future lifespan would be 20 years. This estimate was based on observations of other *agonis flexuosa*, both existing and removed, within New Plymouth, Auckland and the Tasman District along with known species specifics and Myrtaceae family characteristics. *Agonis flexuosa* is part of the Myrtaceae family consisting of well-known species such as *Melaleuca*, *Callistemon* and New Zealand native *kanuka/manuka*, mostly all of which are considered short lived species.

Observations of *Agonis flexuosa* within the immediate locality to the subject tree at 49 Brougham Street include the large specimen growing on Powderham outside Sir Victor Davies Memorial Gardens, and two species growing with the courthouse gardens on Robe Street. These three trees are all showing characteristics of a species that is fast growing but do not have the defence mechanisms to reduce and limit the onset of decay and detrimental pathogens that slower growing tree species inhibit. These trees have been subjected to arboricultural maintenance to remove dead branches due to common decline and resulting from internal decay.

Further a field in Auckland, the established and leafy suburbs of Mt Eden contain many *Agonis flexuosa* used as both street tree and landscape specimens. Many of these trees are now being removed and replaced due to natural decline, the average age of the trees being removed is around 40 - 50 years ¹.

In recent years a large and significant *agonis flexuosa* was growing within the coastal settlement of Kaiteriteri in the Tasman District. This tree was of similar size (and possibly age) to the Brougham street tree. Practical arboricultural intervention failed to save the tree which soon succumbed to natural senescence and was removed ².

¹ Craig Webb, consultant arborist, Auckland.

² Brad Cadwallader, consultant arborist, Nelson

ADDITIONAL INFORMATION**Observations**

The image below is of the Brougham Street agonis taken from Google Street view in 2019 shows a thinning canopy that is often associated with the onset of tree decline in health and vigour.



The image below of the same tree (Brougham St) taken by Google Street view in 2009 show a full and healthy canopy.



ADDITIONAL INFORMATION

The Robe Street agonis growing on the frontage of the New Plymouth courthouse is indicative of a younger species that is displaying symptoms of less than optimum health. The image below is taken from Google Street view in 2019, the bottom image of the same tree is taken from Google Street view in 2008 and depicts a healthier tree with a thick canopy cover.



ADDITIONAL INFORMATION

The larger tree species outside the New Plymouth courthouse were planted in about 1967, at the time the courthouse opened. Near the main entrance to the courthouse is a large *agonis flexuosa* that is displaying sparse foliage coverage and contains large decay pockets, both at the base and within several branches. Normally, a healthy *agonis flexuosa* will have a full canopy cover, the percentage of healthy leaf cover will reduce as the species declines.

The image below shows the sparse canopy cover within the *agonis flexuosa* growing outside the New Plymouth courthouse. This is typical of *agonis flexuosa* that are in less than optimum health.



APPENDIX C

STATEMENT REGARDING EFFECTS ON THE HERITAGE CHARACTER AREA

CLIVE CULLEN ARCHITECT

NZIA Practice, Registered Architect

53 Collins St, Hawera 4610

Tel 027 551 9979

Email – clivecullen.architect@xtra.co.nz

RESOURCE CONSENT APPLICATION (LUC20/47704) – FURTHER INFORMATION KD HOLDINGS LTD – 49 BROUGHAM STREET, NEW PLYMOUTH

1. INTRODUCTION

Referring to the request from NPDC dated 21 October 2020 (a copy of the this is in Appendix A) for more information on the application, I report as noted below in Section 2.

I am a registered Architect with experience in heritage restoration and conservation work.
Refer to Appendix E for my full CV.

2 REPORT

2.1 BACKGROUND TO THE PROPOSED BUILDING: VISUAL DESCRIPTION OF BUILDING

The proposed building is a contemporary modern building using 21st century materials and design – This is covered in more detail in the architect's design statement.

The walkway through the building at footpath level is designed to reinforce the connection to the heritage values of the Huatoki River by encouraging use and movement through the building from the urban streets to the river and associated reserve

The glazed façade, being translucent, will help to reduce the solidity of the building. This will be achieved by fritting – using a Maori inspired motif screened onto the glass façade.

The glazed façade also will, to some extent, literally reflect the adjacent heritage buildings, to “include” them as part of the new building. This in a similar way that the Len Lye Centre does relative to the White Hart Hotel. Refer also to the photo in Appendix D.

2.2 ASSESSMENT OF THE PROPOSAL AGAINST THE RELEVANT PARTS OF THE CITY AND TOWN CENTRE DESIGN GUIDE

Relevant sections of the design Guide are summarised as follows:

Heritage character areas - The District Plan identifies and maps a heritage character area in the city centre, primarily to recognise a concentration of scheduled heritage buildings, but also to recognise streets, open spaces, the Huatoki Stream, street furniture and art that contribute to heritage character in the city centre. It also recognises contributory buildings that add visual interest or play an important role in the historic character of the area, but which are not scheduled in the District Plan as heritage buildings. Apart from the buildings located in the heritage character area, the character within the remaining parts of the city centre is diverse in terms of building height, scale, type and style. This adds to the overall vibrancy and ongoing development of heritage for the future, not just heritage from the past.

The Design Guide also emphasises the relationship of Ngāti Te Whiti hapu with the Huatoki and under Section 1: Relationship with the Surrounding Environment discusses development being sympathetic with cultural features of the environment, adopting Kaupapa Māori design principles, preventing further enclosure of the Huatoki Stream. The effects and impact, of the proposed building and proposal in general, relative to significance to Maori is described in more detail in the Cultural Impact Assessment prepared by Ngāti Te Whiti Hapū. The input from this has been used to develop the revised proposal.

Overall Assessment relative to the Design Guide

The building has been designed to interface with the Huatoki Stream and the future development of the adjoining Metro Plaza site.

The site currently adds little to the HCA, and possibly detracts from it.

The notable tree has no historic/heritage value – it is notable because of its size only. This issue is dealt with separately.

Relative to being sensitive to the relationship of Te Atiawa to the Huatoki and Te Ao Maori Design principles: These are enhanced by the connection between the street to the Huatoki river and use of a modern interpretation of Maori design motifs on the exterior glazing drawing on a rich Ngāti Te Whiti cultural narrative. This also adds to the inclusion of building a relationship between mana whenua with the CBD area in the built form of the city.

Within the HCA zone there are examples of old yet modern buildings sitting comfortably with heritage buildings to provide a diverse CBD.

This includes:

- The White Hart Hotel / clock tower / Len Lye Centre
- The Public Trust Building / King and Queen Hotel Suites

Refer also to photos in Appendix D

ASSESSMENT RELATIVE TO NPDC REQUEST

Referring to the request from NPDC dated 21 October 2020 (a copy of the this is in Appendix A) for more information on the application, the specific items addressed are as follows:

a Assessment of the proposal's effects on the HCA

The council note (in their letter) that "... Despite a majority of ***the site and building not being located*** within the Heritage Character Area (HCA) the ***site is partially subject to the HCA where the works overspill*** into the Council owned land to the east..."

The implication of this is that the full requirements of the HCA is not necessarily required for the main part of the building.

The part of the building that "spills" onto the council owned land to the east has no implication relative to the HCA. It is small, at the back and is not visually seen against any of the significant aspects of the heritage buildings. Having said that, my assessments relative to specific aspects of the requirements of the HCA are addressed below.

b Assessment of the proposal against the relevant parts of the City and Town Centre Design Guide;

This is covered in a separate submission and also as noted above.

c With respect to the Design Guide the effects on the heritage buildings within the area (H-133, H-110 and H-31) and whether the proposal will overwhelm ... those buildings;

There are four heritage buildings within close proximity to the site and they are all within the HCA:

H-31 (Key Lime Pie Salon, and Area 41 Restaurant – 41 – 43 Brougham Street) - immediately adjacent to the north
H-110 (TAFT) - on the Brougham St / Powderham St to the west on the NW corner opposite the site
H-133 (Social Kitchen – Salvation Army Young Peoples Hall – 38 – 40 Powderham Street) – adjacent to the west of the corner building on Powderham Street

The NPDC Proposed District Plan map attached as Appendix B shows the location of these buildings

The site of the proposed building is noted as 45, 49 and 51 Brougham Street, plus a small area to the eastern side. This is shown in detail on the architect's drawings.

Relative to the heritage buildings:

H-31 (Key Lime Pie Salon, and Area 41 Restaurant) – This will be the most affected building -

The proposed building is approximately 3 - 4 times the height, and also on the uphill side

This will therefore make it considerably larger and potentially dominant.

Mitigating this is the exterior appearance. The transparency and fritted glass as well as the simple clean shape will help to reduce the visual impact.

Refer also to the photos in Appendix C

By contrast there is the "blocky" shaping of the concrete carpark to the east, the solid "blocky" façade of the building on the downhill side and to a lesser extent the solidity of the Grand Central Hotel opposite.

The proposed building will also in some ways help mitigate the visual effect of the concrete car park building (on Powderham St) by blocking it from view. The proposed building will effectively screen and reduce comparison of the carp park building with the heritage buildings.

H-110 (TAFT) - The proposed building is approximately 3 times the height, but is on the opposite side of the street. This all makes the issue of height / being overwhelmed reduced by separation. As noted above, the exterior appearance of the proposed building will help mitigate the issue of bulk. This situation is comparative to the visual relationship / juxtaposition of the Len Lye Centre to the Whit Hart Hotel.

H-133 (Social Kitchen – Salvation Army Young Peoples Hall) – This will be the least affected building as it is both over the street and around the corner from the proposed building.

While the proposed building is approximately 3 times the height, it considerably separated as noted above. This all makes the issue of height / being overwhelmed considerably diminished, to the point of it not being an issue.

While the Design Guide asks that:

"... New buildings in the heritage character area should aim to be no more than one storey above the height of adjoining buildings when viewed from the street..."

In this case, the glazed façade mitigates the effect of scale difference by being “lightweight” in appearance and feel.

The proposed building is on only one side of the heritage building H-31, rather than both sides.

The existing building next to heritage building at 41 Brougham Street is by contrast solid and blocky.

d Effects on the heritage character and amenity values associated with those buildings;

As noted above in the summary of the visual appearance, the proposed building is designed in contemporary materials and is specifically not imitating or extending any of the heritage typologies of the adjacent heritage buildings.

It will therefore present a contrast to the existing buildings, so by comparison will emphasise and enhance their style. It will not be competing with them by trying to copy or imitate, while also reflecting the ‘heritage’ aesthetic on to its own glass façade.

Amenity Value

From a visual perspective, having a modern building rather than a replica or similarly styled appearance will provide a better contrast and add to the urban mix and interest. The value of the heritage buildings is each on their own rather than as a precinct, (the buildings at 41 and 43 Brougham St do however work together as a pair) so there should not be a competing context that blurs the line between what is actual heritage with a possible modern look alike.

Providing a distinctive modern building continues a diverse mix in the central city. This should be encouraged rather than paying lip service in replicating from past eras.

The entrance foyer at ground floor creates a link between Brougham Street and the adjoining Huatoki Stream. This will add to the active as well as the passive public amenity value of the building. People will be able to use the pathway through the building as part of using as much of what the centre of town has to offer. More people making use of this will provide more opportunity to experience the adjacent heritage buildings than might have been the case.

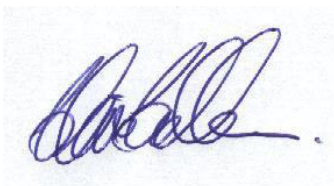
3 CONCLUSIONS

Based on the above, I conclude the following:

The proposed building will not adversely affect the heritage values associated with the Heritage Character Area or the nearby heritage buildings;

While large, the mitigation measures included in the design offset the issue of potentially “overwhelming” the nearby heritage buildings;

It will add to the amenity of the area in terms of adding connection to Maori cultural values related to the area as well as adding the ongoing mix of old heritage building and modern ones.



Clive Cullen

Date 18 January 2021

APPENDIX A

Section of NPDC letter dated 21 October 2020

Requesting further information to better understand your proposal's effect on the environment and the ways any adverse effects might be mitigated.

The specific issues addressed in this report include those items highlighted in ***bold italics***

3. Effects on Heritage Character Area – Despite a majority of the site and building not being located within the Heritage Character Area (HCA) the site is partially subject to the HCA where the works overspill into the Council owned land to the east. This land is subject to the HCA.

Further, the properties to the north and west (across of Brougham Street) are all within the HCA and there are four heritage buildings within close proximity to the site including H-133, H-110 and H-31. Three of the four submissions received in opposition raised concerns that the building will be out of character with the HCA, will overwhelm surrounding Heritage Buildings and that the building is not consistent with the City and Town Centre Design Guide. Currently the AEE and LVIA provided to Council touches on effects on Heritage Character, however to better understand the effects of the proposal on the HCA greater consideration is required and therefore we request the following;

- a Please make a specific assessment of the proposal's effects on the HCA.***
- b Please make an assessment of the proposal against the relevant parts of the City and Town Centre Design Guide;***
- c With respect to the Design Guide please considered the effects on the heritage buildings within the area (H-133, H-110 and H-31) and whether the proposal will overwhelm and / or***
- d have adverse effects on the heritage character and amenity values associated with those buildings***

APPENDIX B

District Plan Map
Showing HCA and Heritage sites

The site of the proposed building is noted as 45, 49 and 51 Brougham Street



APPENDIX C

Views from North – along Brougham Street

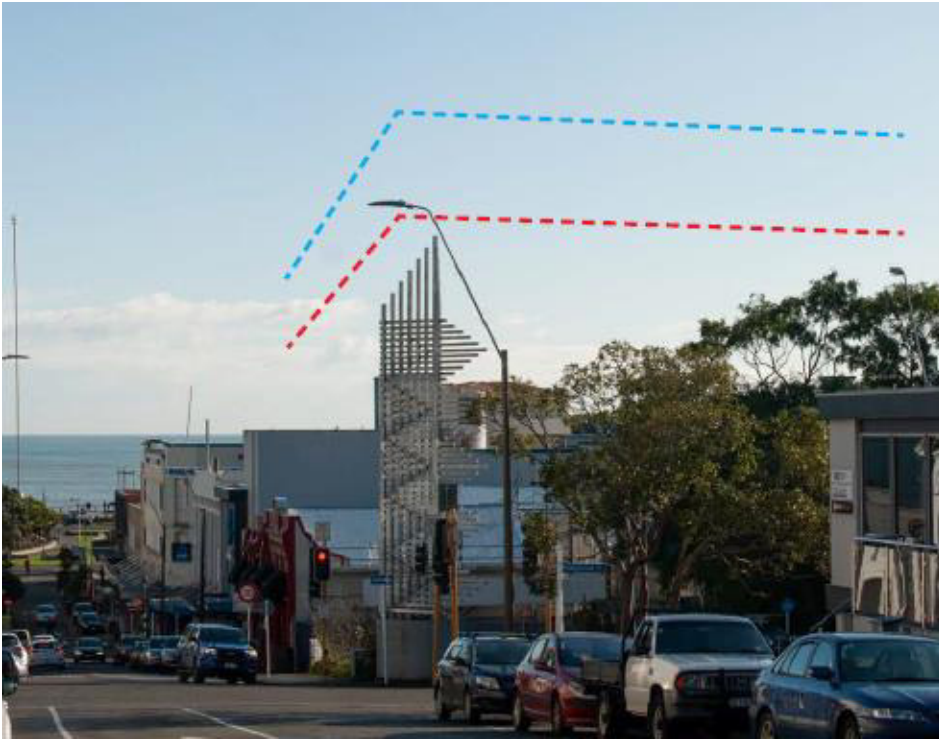


Current Site



Site with proposed building

Views from south, across Powderham Street



Current Site



Site with proposed building

APPENDIX D



Len Lye Centre and reflected image of the White Hart Hotel



Public Trust Building and King and Queen Hotel Suites

APPENDIX E

CLIVE CULLEN ARCHITECT CV and EXPERIENCE

EDUCATION

Architect and hold B Arch (Auckland 1972)
Registered Architect (1975)
ANZIA and Practice ANZIA - 1975

WORK EXPERIENCE

Working as a Registered Architect since 1975, in small and medium sized practices in New Zealand and also in larger practices in London (1975 – 79).

Principal in own practice in Auckland (1980 – 1985)

prior to setting up in Hawera in 1989, where I have worked until now.

My work has largely been residential scale, with some school and commercial projects

Since 2000 I have done a number of heritage projects, heritage reports and conservation plans

HERITAGE RESTORATION EXPERIENCE AND CONSERVATION WORK

Heritage Memberships

Member of Heritage Taranaki 2011 to present

Member of the Taranaki Branch of the New Zealand Historic Places Trust from 1995 until 2011 (when the branch structure of HPT was disbanded nationally), including being the chairman from 1999 – 2006.

Conservation Projects and Reports

Involved in a number of heritage and conservation projects, both reporting on heritage buildings and managing the restoration and building work.

These include public, church and privately owned Heritage New Zealand listed buildings including the following:

Conservation Plans and Heritage Reports

C C Ward shop, New Plymouth – Heritage Report for NPDC – 2020

Kelsey Building, New Plymouth – Heritage Report for NPDC – 2020

St Josephs Church, Waitara - Conservation Plan – 2010

Patea Public Library (Hunter Shaw Building) – Conservation Plan - 2003

Heritage Conservation Projects

St Georges Anglican Church, Patea – Restoration - Re-roof, Bell Tower, Spire re-roofing - 2006

Eltham Town Hall (in association with Salmond Reed Architects) – Heritage restoration – 2003/04

St Barnabas Church and Hall, Opunake – Church Relocation and entry additions - 1990