

BOON

**BEFORE THE INDEPENDENT HEARING COMMISSIONER WASLEY APPOINTED BY THE NEW
PLYMOUTH DISTRICT COUNCIL**

UNDER

the Resource Management Act 1991
("RMA")

IN THE MATTER

of an application under section 88 of the Act
by **REGINA PROPERTIES LIMITED** to the **NEW
PLYMOUTH DISTRICT COUNCIL** for
alterations and extensions/additions to an
existing commercial building to establish a
new residential rooftop apartment at 1 and
3 Dawson Street, New Plymouth.

**SUMMARY STATEMENT OF EVIDENCE OF EMILY KATHRYN BATCHELOR ON BEHALF OF REGINA
PROPERTIES LIMITED**

23 September 2021

BOON.CO.NZ

A/ 131 Courtenay St, New Plymouth 4310 P/ +64 6 757 3200 E/ office@boon.co.nz

ARCHITECTURE INTERIOR LANDSCAPE URBAN DESIGN DEVELOPMENT BUILDING COMPLIANCE PROJECT MANAGEMENT

teamarchitects



New Zealand
Institute of Architects
Incorporated

1.0 INTRODUCTION

- 1.1 This summary statement of evidence provides an executive summary of my evidence submitted on 04 August 2021.
- 1.2 It also responds to relevant matters of the submitters' expert evidence.

2.0 SUMMARY OF EVIDENCE

My primary statement of evidence comprises the following key findings and conclusions:

- 2.1 This application for resource consent involves the retention of the existing 3 storey 1990's office building at 1 Dawson Street, and the currently vacant land at 3 Dawson Street. The development will enable the creation of a new 3 storey house which is in part built on top of the existing building, and in part a new building on 3 Dawson Street.
- 2.2 The project has the capacity to demonstrate the adaptive re-use of existing infrastructure, reinvigorate the currently vacant area, enhance the existing urban form, and create inner city living in New Plymouth.
- 2.3 The design concept focuses on a modern residence, which is sympathetic in scale, to the existing building at 1 Dawson Street. The design intent is that the residence be visually distinct from the commercial building by use of materiality and colour, but to also provide a cohesive unification of the two. Final cladding selections and colours are yet to be decided, but will be of neutral nature.
- 2.4 The addition and extension have been carefully designed in consideration with the bulk and form of the existing building to mitigate visual dominance effects of the new extensions.
- 2.5 A rigorous and significant design process has been undertaken over a number of months to ensure an optimum design solution was achieved to fulfill the project brief, site and context constraints, and operational efficiency.
- 2.6 Utilising modern industry standard software and survey data provided by registered cadastral surveyors at BTW Company Ltd (BTW), a thorough and extensive analysis of the shading effects caused by both the proposed development, and that of a permitted baseline development, have been generated.
- 2.7 The shading diagrams produced focus on the effects at sunrise and sunset for the eastern and western neighbouring properties during the summer and winter solstice, and spring and autumn equinox dates.
- 2.8 The proposed development will create shading effects on properties to the west at sunrise and to the east at sunset.
- 2.9 The properties to the east (who will experience shading effects towards sunset) have been analysed in more detail for the effects of the proposed and a permitted development, utilising 3D diagrams, and graphical representations. This includes 122 St Aubyn Street, 122A St Aubyn Street, 122B St Aubyn Street, and the Richmond Estate dwellings as a whole.
- 2.10 There is a varying degree of shading which will be created on the various properties, at different times of the day and year.
- 2.11 122A St Aubyn Street will receive the greatest amount of additional shading of all of the analysed properties. The shading will be experienced on the northern façade of the building, from February to October. The majority of the additional shading effects

created by the proposed development would also occur under a permitted baseline development.

- 2.12 The shading diagram drawings produced by BOON have been independently peer reviewed by Ardern Peters Architects (engaged by NPDC). Their review process overall found the BOON modelling and documentation to provide an accurate representation of the proposed additions and shading effects.

3.0 SUBMITTERS EVIDENCE

I have read the Statement of Evidence of Bill Jackson on behalf of the Group of objectors, 11 August 2021 and have the following comments:

- 3.1 Paragraph 4.3 questions the necessity of the structural upgrades of the existing building, and suggests that it is only required due to the addition of the house and pool. This is incorrect. To clarify:
- A detailed structural seismic assessment was undertaken by Red Jacket Engineering in 2020 to the latest Ministry of Building Industry and Employment (MBIE) guidelines.
 - The building was assessed both with, and without the rooftop additions.
 - The existing building, constructed in 1996 (designed to the loadings code at the time which is now superseded), was determined to have a score of less than 33% NBS (new building standard) and therefore classed as Earthquake Prone.
 - New Plymouth District Council were consulted to agree on a reasonably practicable level of seismic strengthening, which was required to be 70% NBS.
- 3.2 Paragraph 4.4 presents two photographs of the Richmond Estate dwellings.
- It is unclear what date and time of day the photographs were taken. It is therefore difficult to comment further.
- 3.3 Paragraph 5.1 makes comment on the images include in the Landscape and Visual Assessment (LVIA).
- Mr. Jackson states in one of the comments that he has 'marked up the windows as I believe they will actually look with tinted glass and in certain lights', and in another that 'the glass will appear black'. The applicant has no intention to tint the glass in this project.
- 3.4 Paragraph 5.2 questions the inclusion in the shading assessment of 120 St Aubyn Street (unit 11), owned by Kayleen and Larry Stewart. This property has been considered in conjunction with the Richmond Estate dwellings as a whole. To further clarify:
- In September, the Richmond Estate as a whole will receive additional shading (with a proposed and with a permitted development) for a total of 1.5 hours of the day. For the Richmond Estate, September is one of the months of the year with the highest amount of additional shading.
 - During that time, the additional shading will begin at the lower levels of the building on the western side, and move upwards and across.

- At 4.30pm, there is no additional shading to any buildings of the Richmond Estate.
- At 5.00pm, the Stewart's property will receive additional shading on the Northern façade to the lower floor level, and outdoor deck area. At 5.00pm there will be no additional shading to the Clegg or Hurlstone properties. The amount of shading is similar with the proposed and a permitted development.
- At 5.30pm, the Stewart's property will receive additional shading on the Northern façade to the upper floor level. The Clegg's property will receive additional shading to their northern façade and balcony area. At 5.30pm there will be no additional shading to the Hurlstone's property. The amount of shading is similar with the proposed and a permitted development.
- At 6.00pm, all three properties mentioned will receive additional shading to the Northern façade. By 6.00pm, most of the outdoor areas for each of these properties are already in shade. The amount of shading is similar with the proposed and a permitted development.
- The sun will set at 6.19pm on the 21st of September.
- In summary, in September, the Stewarts will experience approximately 1.5 hours of additional shading. The Clegg's will experience approximately 1.0 hours of additional shading. The Hurlstone's will experience approximately 0.5 hours of additional shading.

3.5 Paragraph 5.3 questions a number of architectural design items which I would like to address.

- Firstly, Mr Jackson questions the dominance of the proposed building, particular when viewed from the North Elevation. For this, I make the following two points:
 - By nature, an elevation drawing can be misleading in terms of communicating the actual experience when viewed in real life. An elevation is a two-dimensional, flat representation of one façade which does not clearly show depth. This is why the three dimensional views were created in the LVIA for a more realistic understanding.
 - Secondly, the elevation drawing which Mr Jackson has referenced is a drawing which also included the outline of the previous design for the property. The intention for this drawing was to communicate the significant reduction in scale that the revised design achieves from earlier iterations. This drawing has since been removed from the final set for clarity.
- Secondly, Mr Jackson again assumes that the glass will be tinted. As previously mentioned, there is no intention to tint the glass.
- Finally, I note that the example of better urban design that Mr Jackson provides (i.e. The Reef Apartments) was designed by himself, as listed in the opening paragraphs of his submission.

3.6 Paragraph 7.4 questions additional items on the roof.

- Mr Jackson states that the existing building roof top plant runs the entire length of the southern boundary of 1 Dawson Street. This is not correct. The existing plant occupies only a small area of the existing roof top.
- The proposed location for the new outdoor plant equipment is to be at ground level on the Eastern side of 1 Dawson Street between the building and the fence.

3.7 In Paragraph 9, Mr Jackson suggests a number of mitigation measures which I would like to comment on.

- Paragraph 9.2 – suggests converting the top floor of the office into an apartment. As mentioned in section 6.4 of my evidence, our client has advised that the commercial viability of the project relies on retaining the existing commercial building. We understand that this requires all existing office floors to be retained.
- In response to Paragraph 9.3 I note that the swimming pool does not provide level access. The floor level of the house is approximately 1m above the existing roof level, and the pool is approximately 1.5m above the existing roof level. So the pool is approximately 500mm above the floor level of the house.



Emily Batchelor

Boon Team Architects Ltd

23 September 2021

