

**IN THE MATTER**

of the Resource Management Act  
1991

**AND**

**IN THE MATTER**

Residential apartment addition  
(one additional storey) to the top  
of an existing commercial building  
in the Business B Environment  
Area at 1-3 Dawson Street, New  
Plymouth

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**STATEMENT OF EVIDENCE OF RICHARD ALEXANDER BAIN**

**(LANDSCAPE AND VISUAL) ON BEHALF OF REGINA PROPERTIES LIMITED**

4 AUGUST 2021

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**INTRODUCTION**

***QUALIFICATIONS AND EXPERIENCE***

1. My name is Richard Alexander Bain. I hold an honours degree in Landscape Architecture from Lincoln University (1992), and I am a registered member of the New Zealand Institute of Landscape Architects.
2. I have been working for over 29 years in New Plymouth as a self-employed Landscape Architect, specialising in site design and visual assessment.

3. I confirm that I have read the Code of Conduct for expert witnesses contained in the 2014 Environment Court Practice Note and that I agree to comply with it. I confirm I have considered all the material facts that I am aware of that might alter or detract from the opinions I express. In particular, unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

### ***ROLE***

4. I was engaged by the Applicant to prepare a Landscape and Visual Impact Assessment (LVIA) February 2021, as part of the Assessment of Environment Effects (AEE) for the project.
5. I also prepared a Landscape Memo dated 5 July 2021 Revision 3 in response to a council request for further information.
6. A copy of the LVIA and Landscape Memo is attached as **Annexure A**.

### ***SCOPE OF EVIDENCE***

7. This evidence covers the following:
  - Brief Description of the Proposal;
  - Site Context, Character and Amenity;
  - Assessment of Effects – Character and Amenity;
  - Mitigation;
  - Comments on issues raised in Submissions and Planning Officer's Report;
  - Conclusion.
8. My LVIA submitted with the Application references the planning matters relevant to my assessment. These include permitted height within the Business B Environment Area, matters over which the Council has restricted discretion for the purpose of Rule Bus 13

(building height), and ODP Overlay Rules OL63 and OL71 pertaining to urban viewshafts. Ms Martin's evidence also covers these planning matters so are not repeated in my evidence.

### ***PROPOSAL***

9. A full description of the proposal is contained within the Application/AEE and is also described in Ms Martin's evidence.

10. In preparing my evidence I have relied on the following information:

- The Application and Assessment of Environmental Effects, prepared by BTW Company 12 February 2021, the applicant's response to Further Information Requests dated 12 March 2021 and 26 May 2021, and Planning Officer's Section 42a Report, dated 28 July 2021;
- Submissions;
- Information and evidence from the Applicant and experts in the Applicant's project team;
- I have visited the site several times and have a good understanding of the landscape context of the surrounding area.
- I have visited ten submitter properties during July 2021.

### ***SITE CONTEXT, CHARACTER AND VISUAL AMENITY***

11. The following evidence describes the site's existing landscape/urban character, visual and aesthetic qualities and receiving environment.

12. The site is located at the seaward end of Dawson Street with its northern frontage bounding the coastal walkway. A three-storey commercial building occupies the seaward end of the site.

13. In terms of character, the site is within an area that has mixed commercial activity and residential apartment living, as evidenced by the Richmond Estate, (previously the Tasman Hotel) and Oceanside Apartments (plus a dental surgery to the south). The area's character is predominantly defined by relatively tall buildings for apartment living.
14. A defining characteristic of the area for residents is the extensive coastal views. This includes those who live in the Richmond Estate, Oceanside Apartments, Devonport Apartments, Clarendon Apartments, and residents on the seaward end of Dawson Street and Hine Street.

#### ***ASSESSMENT OF EFFECTS – CHARACTER AND AMENITY***

15. As identified and illustrated in my LVIA, effects of the proposal potentially impact on public views around the site, view from the Marsland Hill and Cameron Street Viewshafts, and views from private properties.

#### **Public Views**

16. Public viewpoints have been assessed and photomontages created from representative viewpoints agreed between me and council's landscape expert Erin Griffith. These are included in the LVIA within the Application.
17. My assessment concludes that the effects on public viewpoints are very low, primarily due to the setback of the proposal's top level which avoids dominance effects over users of the coastal walkway. Also, the Richmond Estate tower block reduces the scale of the proposal in the context of buildings in this area.
18. With regard to urban viewshafts identified in the ODP, the proposal will not be visible from the Cameron Street Viewshaft. From the Marsland Hill Viewshaft, the visual effects are very low due to the small scale of the proposal in its urban context.

#### **Private Views**



19. There are a number of properties with potential views of the proposal. Subsequent to my February LVIA, council notified the proposal and received submissions. Council also issued a s92 request for further information (26 May 2021) which requested, among other things, the following;

- 1. Several property owners including 2 within the Devonport Apartments, 6 within the Richmond Estate and 1 in the Oceanview apartment complex have identified that their existing views, sky and/or outlook would be blocked or partially blocked by the proposal. Noting that there are height and viewshaft encroachments, please give further consideration to effects on views from the relevant properties. If possible seeking permission from apartment owners to make an assessment from the relevant properties would be beneficial.*
- 2. Please give further consideration on effects relating to privacy, particularly on 122 St Aubyn Street.*

20. In response, I visited (with Keith Preston BTW Surveyor) eight submitter properties and prepared a Landscape Memo, dated 5 July 2021, wherein I assess the visual amenity from each property. The assessment includes images taken by Mr Preston created from a Mixed Reality Hand Set, which superimposes a model of the proposal onto a photograph taken in real time from each property. These images provide accurate guidance as to what visual elements will be hidden by the proposal from each location.

21. For two properties (Holt and Sharrock), Mr Preston was not able to visit and no hand set image was created. For these properties I have assessed effects from my visit to each of these two apartments and prepared photomontages which also inform the assessment.

22. My assessment from each submitter property is provided in the Landscape Memo, and I make the following comments by way of clarification and summary.

23. Of the ten properties visited, three live in the Oceanside Apartments, one in the Devonport Apartments, four within the Richmond Estate tower block, and three within the Richmond Estate apartment block. What nine of these properties have in common is that the proposal is located west of their apartment, with their primary view towards the sea uninterrupted. In terms of visual amenity this is important, as the proposal is in this sense peripheral to the area whereby visual amenity is primarily derived.

24. One Apartment, 1/127 Devonport Apartments (Holt) looks directly towards the sea and the proposal. This is the only property where the proposal is within an area where visual amenity is primarily derived. However, in this case, the proposal is within an expansive sea view context, and although it occupies a central part of the view, the broad seaward outlook is maintained.
25. In assessing the proposal, I am mindful of the distinction between view and visual amenity. Visual effects are a measure of the consequence of visual change on landscape values, not a measure of visual change or visibility. In assessing the visual amenity from each property, I based the level of effect on whether the potential loss of view reached a threshold whereby the occupants 'living condition' was potentially affected. Factors that contribute to the threshold being reached for this proposal include dominance/overbearing effects from the building's height, and whether the proposal is 'overly intrusive'. Parameters influencing my assessment of dominance and prominence/intrusiveness included distance, orientation to viewpoint, extent of view occupied, backdrop, perspective depth (complexity of the intervening landscape) and the nature of the viewpoint.
26. Although the Operative District Plan does not protect views other than through specific viewshaft rules, there can come a point where, by virtue of the proximity, size, and scale, a proposal renders a living area sufficiently unattractive that the proposal is unacceptable. This is quite different from a proposal blocking a view of something that was previously visible. This approach of 'threshold', whereby a loss of view affects pleasantness and coherence to a point where a proposal alters the viewer's sense of place, is in my view consistent with the definition of amenity values in the RMA. *"Amenity values means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."*
27. Using the approach, I have just outlined, apartment number 122 St Aubyn Street (MacArthur), is likely to have an altered sense of place through the building's

dominance. This is a result of proximity. From this property's perspective the proposal will be visible at close quarters from several windows and two outdoor deck areas. However, while the proposal will be dominant, the primary visual amenity for this property will remain unchanged. That is, views to the sea and coastline to the north/northeast.

28. 122 St Aubyn Street, like all those in the Oceanside Apartments and Richmond Estate, is desirable because of its coastal proximity and aspect, which is to the north and north east. Views to the west are secondary, as this view (for those properties that have this view) includes the western expanse of New Plymouth through to the port. Paritutu (an ONFL in the Proposed District Plan) is partly visible as a distant element from some submitters' properties, but is distant and seen within its port context, which includes the power station chimney. Losing visibility of Paritutu, does not in my opinion reach a threshold whereby pleasantness and coherence (sense of place) are reduced to an unacceptable level.
29. With regard to the other properties visited, in my opinion the loss of view elements (landscape elements screened by the proposal) do not reach a threshold whereby the viewers' sense of place is adversely affected.

### **MITIGATION**

30. My LVIA and Landscape Memo does not identify any significant character or visual amenity effects. Therefore, no mitigation recommendations are then made. However, I am aware of the design process undertaken by the Applicant and their design team which is outlined in the evidence of Ms Martin. This process included several design changes to specifically address potential effects identified from submissions on a previous application submitted for land use consent for a similar proposal (an apartment addition to the existing commercial building). These measures include,
- The top-level addition is 'stepped back' on the seaward side thereby avoiding potential dominance effects on the coastal character experienced by users of the

coastal walkway. The previous proposal also extended out to Dawson Street which had a greater impact on those in Devonport Apartments.

- The façades are modulated through variation of materials, including glazing that provides contrast to the solid portions of the building.
- The roof is flat in order to be no taller than necessary.
- The existing building will be painted a grey colour, more recessive than the building is presently coloured.
- The colour of the new addition will be recessive, with cladding materially yet to be finalised.

## ***RESPONSE TO SUBMISSIONS AND NPDC SECTION 42A REPORT***

### ***Submissions***

31. I have read the submissions (16 were received) and visited ten properties as described earlier in my evidence. Given that I specifically assess effects from each property in the Landscape Memo submitted in response to council's s92 request, I do not repeat that assessment here. The memo and preceding evidence addresses the matters raised by submitters relevant to my area of expertise.

### ***Section 42A Report***

32. I have reviewed the NPDC Section 42A Report.

33. I note that at paragraph 100, 42A report author invites the "applicant's landscape expert to investigate tones which better fit within the coastal environment and other surrounding buildings in the area."

My Response: I note the recommended consent conditions appended to the 42A report regarding colour, and I have reviewed the relevant conditions in Ms Martin's evidence. Given that the final design plans will be required to be submitted to council prior to building consent lodgement, the proposed consent conditions in Ms Martin's evidence provide appropriate guidance on building colour and light reflectance.

***CONCLUSION***

34. I consider that the overall, the proposal will have acceptable effects on character and visual amenity of the surrounding area.

**Richard Bain**

**4 August 2021**

**Annexure A**

**Landscape and Visual Impact Assessment (LVIA) 11 February 2021**

**Landscape Memo 5 July 2021 Revision 3**

# Landscape and Visual Impact Assessment

## Tennent Apartment

1-3 Dawson Street  
New Plymouth



11 February 2021

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# TENNENT APARTMENT, DAWSON ST, NEW PLYMOUTH

## LANDSCAPE AND VISUAL AMENITY

### Preamble

A previous application was lodged in 2020 that included an Landscape and Visual Impact Assessment (LVIA). The proposal has since been amended and is now being lodged for resource consent. To avoid confusion, rather than create a 'compare and contrast' landscape assessment between the previous proposal and the new, this LVIA assesses the new proposal without reference to the 2020 lodged proposal.

### 1. Introduction

This Landscape and Visual Impact Assessment (LVIA) forms part of the proposal's Assessment of Environment Effects, and focuses on the visual effects of the proposal on urban character and amenity, and effects on urban viewshafts recognised in the New Plymouth Operative District Plan (ODP).

This LVIA references the ODP rules, and effects on amenity values as defined in Part 2 of the Resource Management Act.

Where likely significant landscape and visual effects of the proposal are identified, recommendations are made on how these effects can be avoided, remedied or mitigated.

#### Supporting Documents

*Architectural Drawings, BOON Ltd, November 2020*

#### Assessment Approach

This assessment of potential landscape and visual effects uses the following approach.

- Review relevant planning provisions of the ODP and PDP;
- Identify and describe the existing landscape and/or urban context;
- Identify and describe the proposed activity/development;
- Identify the potentially affected parties and viewing audience;
- Identify, analyse impact of potential effects on landscape, visual and amenity values;
- Avoidance, remedy or mitigation of adverse effects.

An assessment of the Cameron Street and Marsland Hill Urban Viewshafts is provided.

Several inspections of the subject site and surrounding urban context have been completed by [bluemarble](#), and liaison with NPDC council officers was undertaken to establish agreed viewpoints for assessment. These are illustrated in **Appendix A: Public Viewpoint Visualisations**.

Viewpoints include positions adjacent to the site and its street approaches, as well as the New Plymouth Coastal Walkway, and the two urban viewshafts in which the project is located. These viewpoints reflect agreed public places where the effects of the proposal should be considered in order to provide an **overall assessment** of how the proposal may affect the character and visual amenity of the surrounding area.

Private viewpoints are not included in the set of agreed viewpoints, are assessed in this LVIA.

## 2. Planning Context

### Operative District Plan

Objectives and Policies relevant to this application are fully documented in the Application planner's report.

The site is located within the Business B Environment Area (Bus B) on Maps C24a and C24b of the ODP. This environment area is characterised by larger scale, bulky buildings, oriented towards motorised customers, with parking typically provided on site. The site represents the western edge of the city's Bus B zone, with land on the opposite side of Dawson Street being Bus D and Res B.

The Business B Environment Area has a permitted height limit of 10m.

The proposal will exceed the maximum permitted building height, making the proposal *Restricted Discretionary* with assessment criteria listed as ;

The relevant matters over which the Council has restricted discretion for the purpose of *Rule Bus 13* (building height) are:

1. *The extent to which the extra height Of the proposed building will:*
  - a. *Adversely affect the character and visual amenity of the surrounding area;*
  - b. *Have an overbearing effect on sites within the Residential Environment Area;*
  - c. *Adversely affect outstanding and regionally significant landscapes;*
  - d. *Intrude and/or block an urban viewshaft; and*
  - e. *Adversely affect the natural character of the coastal environment.*

2. *The extent to which the site layout, separation distances, topography, planting or set backs can mitigate the adverse effects of the extra height.*

The ODP also contains an Overlay Rule - Urban Viewshafts that recognises the importance of views from certain public places in New Plymouth. The site is located within both the Marsland Hill and Cameron Street Viewshaft.

**Urban Viewshafts:**

OL63 Cameron Street Viewshaft

OL71 Marsland Hill Viewshaft

The degree of visibility and extent of intrusion into these viewshafts is described in Chapter 6 of this report.

The site is within section 3 of the Cameron Street viewshaft, which has a permitted height of 10m, and within section 3 of the Marsland Hill viewshaft which has a permitted height of 14m. However, in both cases the maximum height for the underlying environment area, applies. Therefore the permitted height for buildings within both viewshafts for the site is 10 metres.

The relevant matters over which the Council has restricted discretion for the purpose of OL63 & OL71 (building height within the viewshaft) are:

1. *The extent of intrusion of the additional HEIGHT of the STRUCTURE into the viewshaft, and the elements of the view affected (see section 3 of the planning maps).*
2. *The extent to which the core of the view is impinged upon by the additional HEIGHT of the STRUCTURE (refer to "view details" in section 3 of the planning maps).*
3. *Whether the STRUCTURE results in the removal of existing intrusions or increases the quality of the view.*
4. *Whether the additional HEIGHT of the STRUCTURE will frame the view.*
5. *The proximity of the STRUCTURE to the inside edge of the viewshaft.*

There is a notable tree (ID 357) adjacent to the property that is part of a group of six *Metrosideros excelsa*, Pohutukawa. Although close to the site, no part of its canopy extends into the property.

Also close to the site is the Honeyfield Drinking Fountain, Heritage item 101 in the ODP.

**Proposed District Plan**

The PDP was publicly notified in September 2019. Objectives and Policies, relating to Notable Trees, Urban Viewshafts, proximity to a Public Access Corridor, and the Coastal Environment have been reviewed and considered as part of this LVIA. A Full description of the relevant PDP Objectives and Policies can be found in the Application planner's report.

The only PDP rules relevant to the proposal that have legal effect are those regarding Notable Trees. Notwithstanding that this assessment considers that no part of the notable tree extends into the site, there will be no building activity within the root protection area, trimming, or any other activity within the root protection zone.

### 3. Landscape Context

The site is located at the seaward end of Dawson Street with its northern frontage bounding the coastal walkway. A three storey commercial building occupies most of the property with a carpark accessed off Dawson Street. In terms of both character and zoning, the site represents the western end of the city's business area. West of the site is predominantly residential in character, despite Business D zoning applying to much of the block west of Dawson Street. The property sits within a group of relatively tall buildings that extend east from Dawson Street to Queen Street, and south to Young Street.

Apartments occupy many of these taller buildings, in particular; the Richmond Estate (8 storeys high) that dominates the eastern end of this block, Devonport Apartments (4 storeys high), and the new Oceanview apartment block (3 storeys high) newly built immediately adjacent. There are also three apartments on the opposite side of Dawson Street, each 2 storeys high.

This block of buildings, originally commercial, is transitioning to apartment living. Richmond Estate was originally a hotel, and the new Oceanview apartments next door to the site was previously occupied by a dental surgery that has moved to the street end of the property. The building south of the site was a gym for many years and is currently vacant.

The reasons for this transition is obvious. This block of buildings directly fronts the coastal walkway, affording close and open views of the sea, albeit there is an intervening railway line. The PDP also signals the desirability of increased residential living in the CBD.

### 4. Proposal

The proposal is described in detail within the consent Application, with drawings & images supplied by BOON, the project architects. The proposal is to add an additional floor to the existing building along with an addition to the south. The intended use of the addition is for residential living, with the existing building continuing to be used for commercial activity.

Of particular relevance to this assessment is the additional height of the building over and above the permitted 10m height, and its potential effect on character and amenity.

As shown on the architects' drawings (SK3.01-3.05), the addition is above the ODP permitted 10m height, shown as a purpled dashed line. The drawings also show the height of the existing building as a red dashed line.

The height of the proposed building is 15.4 metres above the original ground level (GL) along the building's northern edge (ie 5.4m over-height), and up to 12.1 metres above GL at the southern end (ie 2.1m over-height). As is clearly shown on SK3.01, the top of building is more or less level, with the lowering ground level of Dawson Street towards the sea causing additional height exceedance. The existing building also exceeds the permitted height limit. The proposed building is up to 3.5m taller than the existing building.

The new building's top level above the existing building will be predominantly clad in contrasting materials and colours to that of the existing building with 'pop-in' window openings to create relief in the facade, and to maintain views. The western and eastern facades of the southern addition are predominantly glazed. The southern wall of the southern addition will be a solid fire-rated wall with few windows.

The existing portion of the building will remain the same in form, albeit it will be repainted. The proposal will create a building that although an addition, will be taller and longer than the existing. Images showing the form of the proposal is shown on the **Public Viewpoint Visualisations**, attached as **Appendix A**.

## 5. Viewing Audience

Generally the building is most visible from public viewpoints at various points on the coastal walkway, with some additional views from adjacent streets, particularly Hine and Dawson Street. Views from these locations are generally with the site viewed against the city with Richmond Estate a dominant backdrop. There are some views, such as from Dawson Street and its environs whereby the building is viewed against the sea.

### Public Audience

An inspection of the site and its visibility from areas within and around the site reveals that the building may be visible from several positions. **Appendix A** of this report shows views from representative public locations that have been agreed with Council's planner and landscape expert as being important to assess for the purposes of the consent application.

### Private Audience

Private receptors are identified by this assessment and are shown in **Figure 1: Private Receptors**, and **Photographs 1-10** that follow. Receptors are identified as those who have views that are equal to, or greater than slightly discernible. Where the proposal will have no discernible change, potential effects on these receptors are not assessed, even if they happen to be a neighbouring property.

The extent to which the over-height portion of the building affects public and private visual amenity is described in the following chapter.

**Viewshaft Audience**

The site falls within the Cameron Street and Marsland Hill Viewshafts. Visualisations from these two viewshafts are shown in **Appendix B**. It is anticipated that the viewing audience from these two viewshafts are primarily experiencing broad extended views over the city. Marsland Hill is viewed by pedestrians only, as there is no vehicle access to the viewpoint location. Therefore these views are assumed to be longer in duration and more static. Conversely, the Cameron Street viewshaft is more of a transitory view as vehicles, pedestrians and cyclist descend the hill.

The extent to which the over-height portion of the building affects the viewshafts is described in the following chapter.





**Figure 1: Private receptors**

Private Viewpoints		
Receptor	Address	Viewpoint
A	8 Hine Street	Individual house
B	2,4,4A Dawson Street	Group of three town houses
C	122A St Aubyn Street	Oceanside Apartment
D	100,120 St Aubyn Street	Richmond Estate Apartments
E	131 St Aubyn Street	Devonport Apartments
F	16 Dawson Street	The Dawson Motel
G	141 St Aubyn Street	Fast Food and Dwelling
H	8 Dawson Street	Group of four townhouses
I	122 St Aubyn Street	Oceanside Apartment
J	16 Hine Street	Individual house



**Photo 1: View from outside 8 Hine Street (Receptor A).**



**Photo 1a: View of receptor from site.**



**Photo 2: View from outside 4 Dawson St (Receptor B).**



**Photo 2a: View of receptor from site.**





**Photo 3: View showing Oceanside Apartments (Receptor C).**



**Photo 4A: 2010 view from Richmond Estate Apartment**

**Photo 4: View showing Richmond Estate (Receptor D) and site.**





**Photo 5: View showing Devonport Apartments (Receptor E) and site.**



**Figure 6: View from outside Dawson Motel (Receptor F).**



**Figure 6a: View of motel facing site.**



**Figure 7: View from outside 141 St Aubyn Street (Receptor G).**



**Figure 7a: View of receptor from site.**



**Figure 8: View from outside 8 Dawson Street (Receptor H).**



**Figure 8a: View of receptor from site.**





**Figure 9: View of 122 St Aubyn Street (Receptor I) & site.**



**Figure 10: View from outside 16 Hine Street (Receptor J).**



**Figure 10a: View of receptor from site.**

## 6. Landscape & Visual Effects Assessment

The proposal to extend the building's height above the 10 metre permitted height could potentially create character and amenity effects for the identified viewing audiences. Views include static views, transient views, and sequential views. To assess visual amenity, analysis is provided below for the representative **Public Viewpoints (Appendix A)**, and New Plymouth **Urban Viewshafts (Appendix B)**, as well as identified **Private Viewpoints**. Table 1 below lists the rating and definitions for assessment.

Table 1: Effects Rating and Definitions

Rating	Indicative Examples
Negligible	The proposal will have no discernible change or have a neutral effect on the existing landscape character or viewer.
Very Low	The proposal may have slightly discernible or the distance of the viewer from the proposal is such that it is difficult to discern the proposal and consequently has little overall effect.
Low (Minor*)	The proposal may be discernible within the landscape, but will not have a marked effect on the overall quality of the landscape or affect the viewer. The proposal will have a small effect or change.
Moderate	The proposal will form a visible and recognisable new element within the landscape and would be discernible and have a noticeable effect on the overall quality of the landscape and/or affect to the viewer.
High	The proposal will form a significant and new element within the landscape and will affect the overall landscape character and/or affect to the viewer. Existing views are materially changed.
Very High	The proposal will result in a visible and immediately apparent element within the landscape and will result in a permanent change to the overall landscape character and/or affect to the viewer. Primary views are restricted.
Extreme	The proposal will result in the loss of key attributes thereby creating a significant change in landscape character and the proposal becomes the overwhelmingly dominant feature and may obscure primary views.
Effects can be adverse or beneficial	
<b>*Determination of Minor</b>  A consent can be publicly notified if is the decision maker considers that the activity will have or is likely to have adverse effects that are more than minor. Where public notification is not required, limited notification must be given to those who are affected in a minor or more than minor way (but not less than minor). In relation to this assessment a 'Low' would generally equate to ' <b>minor</b> '.	

## Public Views - Assessment

Table 2: **Public Views** Assessment of Effects – Refer also to Appendix A

Viewpoint	Viewpoint Description	Assessment of Effects on Character and Amenity Professional judgment is used to determine the overall significance of change (see Table 3 over for definitions).
A	View west from coastal walkway	<p>This viewpoint represents pedestrians and cyclists travelling west who enter Regina Place from the coastal walkway. This is where the proposal will be potentially most visually dominant. The building will be seen in the context of the Oceanside Apartments and Richmond Estate complex.</p> <p>The proposal will not affect coastal views from this viewpoint and character effects are minimal given the built context. The additional height, while noticeable does not constitute an adverse amenity or character effect. Most of Regina Place is built up and overlooks walkway users. Given the extent of the coastal walkway, of which this viewpoint is no more or less important, the significance of change to the overall coastal walkway experience/amenity is <b>very low</b>.</p>
B	View from Honeyfield fountain	<p>This viewpoint represents pedestrians and cyclists travelling east who approach from Regina Place towards site, and for those who encounter the Honeyfield Fountain, a Heritage item (ID 101) in the ODP. The proposal will be viewed at close quarters, with the over-height portion obvious, albeit set against sky and not within eye level.</p> <p>The proposal will not affect coastal views from this viewpoint and character affects are small given the existing view of the current building. The additional height does not create a dominance effect, in part due to the top level being set back from the protruding balcony. The additional height, while noticeable, does not constitute an adverse amenity or character effect, and does not subsume the fountain by reducing its apparent scale beyond a small degree. The spaciousness around the fountain and backdrop remain predominantly the same, albeit a small loss of sky. Given the above, the significance of change, to users of this part of the walkway and fountain, is assessed as <b>very low</b>.</p>

C	View from Regina Place	<p>This view is from a similar direction to Viewpoint B but is further back and represents an approach view. Pedestrians and cyclists are primarily oriented along the walkway (Regina Place) with buildings as an inland backdrop, although the green space on the right between the viewer and building make the building obvious and a focal point. The primary user experience is the coastal journey, which in this area includes buildings on the inland side of Regina Place. The over-height portion of the proposal does not change this experience to any material extent. There is a reduction in sky above the site and the building will appear longer due to the addition on the southern side.</p> <p>The significance of change to the character and amenity of this area from this viewpoint is <b>very low</b>.</p>
D	View from Kawaroa Park crossing	<p>Viewpoint D is from the railway crossing where users of the coastal walkway travelling east see the site as they transition from Kawaroa Park to Regina Place. The proposal from this vantage point is 230m from the site will add height and bulk to the skyline, which dominated by Richmond Estate. The primary experience of coastal edge travel, within the context of urban New Plymouth will remain unchanged.</p> <p>From this viewpoint the significance of change to the area's character and amenity is <b>very low</b>.</p>
E	View from Hine Street	<p>Viewpoint E is from Hine Street and represents the public view as pedestrians, cyclists and vehicle head west on this relatively quiet street. There are predominately clear open views of the sea and distant coastline at the end of the street, with the existing building on site framing this view. The proposal will increase the height of this 'frame', thereby intensifying the sea view. There will be a loss of sky from the extension that represents a small change in visual impact.</p> <p>From this viewpoint the significance of change to the area's character and amenity is <b>low beneficial</b>.</p>
F	View from Dawson Street/SH45	<p>Viewpoint F represents public views from the intersection of Dawson Street and SH45 whereby there is a relatively close and open view of sea. This view reinforces the city's proximity to the coast and Dawson Street is one of the few in the central part of the city that extends so close to the ocean. The Honeyfield Fountain sits at the end of the street. The proposal's additional height does not interrupt/reduce any views of the sea from this viewpoint. The southern extension will not affect visibility of the sea and the extent of over-height on the southern extension will not be especially noticeable given its context with taller buildings such as the Richmond Estate behind.</p> <p>The significance of change to the character and amenity of this area is <b>very low</b>.</p>

G	View from Kawaroa Point	<p>This view is from the coastal walkway as it rounds the bend seaward of the Kawaroa pools and faces the city. Travelling east from the port, this is the first view of the central part of the city from the coastal walkway. The distance to the site from this vantage point is 320 metres, and dominated by the foreground view of ocean, with Richmond Estate the focal building. The proposal will not create any loss of sea view. The building will appear taller and more bulky and will reduce the perceived scale of Richmond Estate, albeit to a small degree. The new glazed portions of the building creates perceptual openness between the building and sea - not turning its back to sea as commercial buildings in this area have previously done.</p> <p>From this viewpoint the significance of change to the area's character and amenity is assessed as <b>moderate beneficial</b>.</p>
<b>Urban Viewshafts</b> Assessment of Effects – Refer also to Appendix B		
Urban Viewshaft	Cameron Street viewshaft	<p>Computer modelling demonstrates that the building will not be visible within the Cameron Street Viewshaft due to the intervening Pohutukawa trees located on Queen Street. The significance of change to the character and amenity of this area is <b>no change</b>.</p>



Urban Viewshaft	<h2>Marsland Hill Pukaka viewshaft</h2>	<p>The building will be visible within the Marsland Hill (Pukaka) Urban Viewshaft, as illustrated in <b>Appendix B</b>.</p> <p>The Marsland Hill Viewshaft is one of three within the District Plan (the others being Mt Moturoa and Churchill Heights) that despite being called viewshafts, are really panoramas. The other urban viewshafts within the District Plan are linear and have clearly identifiable focal points from a precise origin. Marsland Hill, Mt Moturoa, and Churchill Heights have broad panoramic 360 degree views with no one focal point or vista necessarily more important than another. Having said that, it is assumed that views of the sea and mountain are central to the views' enjoyment.</p> <p>The Marsland Hill viewshaft is further complicated by the number of trees planted on the hillside that prevents views out over the city. The effect of this is that the panorama is broken up into a number of 'portions', the focus of which varies depending on where viewers are located.</p> <p>With regard to this proposal, the only portion of the Marsland Hill viewshaft that looks over the subject site, is through a narrow area framed by trees. This is from where the photograph in <b>Appendix B</b> is taken. Therefore, in assessing effects from Marsland Hill, one must be mindful that any particular portion may change (because trees come and go) and that the view should be considered within the broader panorama.</p> <p>The portion of the viewshaft and context in which this proposal will be viewed is within an intensive and eclectic part of the city including the clock tower, Len Lye Centre, the Devonport Apartments and Richmond Estate. The large Pohutukawa trees located along the edges of Young and Queen Streets are also dominant within this view.</p> <p>The proposal is located at the seaward end of the viewshaft resulting in a very small reduction of visible sea. The building does not protrude above others and so does not dominate the view in any way. In this context the building will not be noticeable as any kind of distinctive element that affects the overall city scene.</p> <p>The significance of change to the viewshaft is <b>negligible</b>.</p>
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## Private Views - Assessment

To assist the decision maker in understanding the visual effects of the proposal, an assessment of each receptor is provided, irrespective of whether they have provided written approval. Where written approvals have been provided, this is noted.

Table 3: **Private Views** Assessment of Effects - Refer also to Map and Photos - Chapter 5.

Receptor	Viewpoint Description	Assessment of Effects on Character and Amenity Professional judgment is used to determine the overall significance of change (see Table 3 over for definitions).	Additional Mitigation Required
A	8 Hine Street	<p>This property has open views towards the site from its front door and windows that face east (see <b>Photo 1</b>). The addition will be visible but will not protrude into views of the sea or coastline. There will be small loss of sky. The distance to the site (75m) is sufficiently great that there will be no overbearing or dominance effects.</p> <p>Given distance and small magnitude of change, the significance of effect for the residents of 8 Hine Street is <b>very low</b>.</p>	No
B	2,4,4A Dawson Street	<p>These receptors are three double storey apartments that 'step up' Dawson Street opposite the site. These properties have elevated views towards the sea and have open view of the site as part of their seaward orientation. Each apartment has a slightly different orientation but the overall nature of the visibility is similar, therefore these three are assessed as a group. <b>Photo 2</b> shows the view from outside number 4 Dawson Street, the middle apartment.</p> <p>The additional height of the building will be noticeable for each apartment, but will not affect views of the sea or coastline as the building is already taller than the apartments. The southern extension will in effect make the building appear longer but not closer.</p> <p>Given orientation, no loss of sea or coastal views, the significance of effect for the residents of 2,4,4A Dawson Street is assessed as <b>very low</b>.</p>	No

C	122A St Aubyn Street	<p>This receptor is a new apartment duplex known as Oceanside Apartments that is located immediately east of the site. <b>Photo 3</b> shows the position of these apartments in relation to the existing building. The apartments are lower than the existing building, therefore there are no views over the top of it. Dominance effects are reduced by the few windows on the side closest to the site. The apartments are oriented towards the sea and to the northeast for views of the coastline and ocean. The proposal will not impact on views from these apartments.</p> <p>Given orientation, no loss of sea or coastal views, the significance of effect for the residents of the Oceanside Apartments is assessed as <b>low</b>.</p>	No
D	100,120 St Aubyn Street	<p>This receptor is the collective group of apartments known as Richmond Estate. <b>Photo 4</b> shows the position of the tower block and lower apartments in relation to the site. <b>Photo 4a</b> shows a photo taken in 2010 of the view from a second storey apartment. This shows that the proposal is unlikely to affect views for apartments up to three storeys. For those taller, the over-height portion of the proposal is likely to reduce views to of the coastal edge and sea to the west. The impact will be lesser for the highest apartments, most likely affecting those on the 3rd-5th storeys. Overall, the additional height will reduce views in one direction only and given the panoramic view that that these apartments experience, the loss of view is small, particularly given distance, which is 65m from the towers to the site.</p> <p>From the Richmond Estate the significance of change to the area's character and amenity is <b>moderate</b> for apartments on levels 4 &amp; 5, and very <b>low</b> for those above and below these levels.</p>	No

E	131 Aubyn Street	<p>This receptor is the collective group of apartments know as the Devonport Flats. The flats comprise four storeys and are located on the south side of St Aubyn Street. The western end of complex on St Aubyn Street look directly over the site to the sea beyond. The position of the Devenport Apartments relative to the site is shown in <b>Photo 5</b>. The architects' plan on SK3.05 shows the relative distance and elevation between the two properties. These suggest that those looking out from the top level of the Devonport Flats will look into the top part of the proposal, thereby reducing sea views. The extension onto the southern side of the existing building will make the over-height portion appear closer.</p> <p>The extent of this effect has not been empirically tested by visiting the apartments. Any such loss of view is within the context of a broad 180 degree view from the flats, therefore the potential loss of view from the flats is unlikely to affect the wider outlook.</p> <p>From the five top level flats the significance of change to the area's character and amenity is potentially <b>moderate</b>. For flats east of the five at the western end the significance of effect is assessed as <b>low</b>, and for those on lower levels, the significance of effect is assessed as <b>no effect</b>.</p>	No
F	16 Dawson Street	<p>This receptor is the two storey Dawson Motel that has a potentially open view down Dawson Street to the sea, looking across the edge of the site. However, the motel windows that face this direction are small - akin to letting in light rather than maximising a view. There are no ranch sliders or balconies facing the site. See also <b>Photo 6</b> for face of the motel that is orientated towards the site.</p> <p>Given distance and the motel's orientation away from the site, the significance of effect is <b>negligible</b>.</p>	No
G	141 Aubyn Street	<p>This receptor is a two storey building with a fast food activity on the ground floor and residential activity above. The top floor has a clear open view down Dawson Street to the site. The over-height portion will be clearly visible but will not reduce sea views. The southern extension will be noticeable as a linear exception but will not result loss of sea or a dominance effect. Refer to <b>Photo 7</b> that shows the view from outside the site.</p> <p>Given distance, orientation and elevation, the significance of effect is <b>negligible</b>.</p>	No

H	8 Dawson Street	<p>This is a group of dwellings housed within one building at the corner of St Aubyn Dawson Streets. These units have views down the street of the site from their front yards and windows, (refer to <b>Photo 8</b>) The view from the windows is peripheral. The over-height portion will be clearly visible but will not reduce sea views. The southern extension will make the building appear longer but the overweigh will not affect sea views and distance avoids dominance effects.</p> <p>Given distance, orientation and elevation, the significance of effect is <b>negligible</b>.</p>	No
I	131 St Aubyn Street	<p>122 St Aubyn Street is one of three apartments that make up the 'Oceanside' apartments and is set 'behind' the other two that directly face the ocean with sea views in between and over - the other two Oceanside apartments blocking foreground views, except for the narrow gap between them. 122 faces seaward and north east (Refer to <b>Photo 9</b>) with the existing GQ building preventing views to the northwest. The proposal will have no impact on existing views from this receptor. There will be a small loss of 'sky', which given the orientation and broad outlook of 122 is assessed as minimal. The proposal is also far enough away from the 122 that there will not be any dominance effects.</p> <p>Given, outlook, and orientation, the significance of effect is <b>negligible</b>.</p>	No
J	16 Hine Street	<p>The receptor is a new two storey dwelling that has open views east along the coastal edge. <b>Photo 10</b> shows the view from outside the property. From the second storey the site will be clearly visible, albeit 150m away, thereby eliminating any potential dominance effects. While visible, the over-height portion will not interrupt any sea views. The Tasman Tower block sits as a dominant backdrop.</p> <p>Given, orientation, distance, and backdrop and, the significance of effect is <b>very low</b>.</p>	No

## 7. Mitigation

### **Avoidance, remedy or mitigation of adverse effects**

The effects of the proposed building over 10m in height on urban character and amenity are limited to a small reduction of sea views from some parts of the surrounding area. These include both public and private views.

Effects are largely ameliorated by the presence of other buildings that provide the urban context in which this building forms part, particularly the Richmond Estate. The over-height portion primarily affects views of the sea and coastline from some specific positions. Mitigation is limited to the impacts of the building as a new visible element. Such mitigation includes the materiality of the roof and cladding, colour, and building modulation.

In this regard, specific mitigation measures are;

- the addition is 'stepped back' on the seaward side thereby avoiding any dominance effects on the coastal walkway;
- there is a high degree of glazing that provides modulation to the façades and provides a degree of transparency.
- the roof is flat in order to be no taller than necessary;
- the existing building will be painted a grey colour, more recessive than the building is presently coloured;
- the southern extension comprise a material with a neutral palette;
- the colour of the new addition will be recessive, with cladding material yet to be finalised.

The specific design of the new addition means that the proposal by and large avoids character and amenity effects, and where there are effects, there can be a relatively high degree of certainty about who is impacted and the nature of the effect.

Because the over-height portion of the building will be mostly viewed against the sky, the building is articulated in such a way as to maximise texture and transparency. This mitigates effects from those considered potentially impacted.

## 8. Conclusions

With regard to NPDC District Plan Urban Viewshafts, the building will not be visible within the Cameron Street viewshaft. The building is visible within the Marsland Hill viewshaft but the extent of the intrusion is low given the viewing distance, the broad nature of the view, and urban context.

The council retains discretion over matters pertaining to height over 10m within the Business B Environment Area in the District Plan. This assessment of effects concludes that the effects of the proposal to raise the building height above the permitted height will have effects on the character and visual amenity of the surrounding area that are acceptable.

**Richard Bain**

Registered Landscape Architect




## APPENDICES

A: Public Viewpoint Visualisations

B: Urban Viewshaft Visualisations





Public Viewpoint 

Tennent Apartment Project

# PUBLIC VIEWPOINT VISUALISATIONS

9 February 2021





Tennent Apartment Project  
**Viewpoint A - Existing**  
View west towards site from coastal walkway





Tennent Apartment Project

# Viewpoint A - Proposed

View west towards site from coastal walkway





Tennent Apartment Project

## Viewpoint B - Existing

View towards site from Honeyfield fountain





Tennent Apartment Project

## Viewpoint B - Proposed

View towards site from Honeyfield fountain

Original Photo Richard Bain | 50mm | 12 November 2019





Tennent Apartment Project

## Viewpoint C - Existing

View towards site from Regina Place





Tennent Apartment Project

## Viewpoint C - Proposed

View towards site from Regina Place





Tennent Apartment Project  
**Viewpoint D - Existing**  
View towards site from Kawaroa Park crossing





Tennent Apartment Project

# Viewpoint D - Proposed Extents

View towards site from Kawaroa Park crossing





Tennent Apartment Project  
**Viewpoint E - Existing**  
View towards site from Hine Street





Tennent Apartment Project

# Viewpoint E - Proposed Extents

View towards site from Hine Street





Tennent Apartment Project

# Viewpoint F - Existing

View towards site from Dawson/SH45





Tennent Apartment Project

# Viewpoint F - Proposed

View towards site from Dawson/SH45





Tennent Apartment Project

# Viewpoint G - Existing

View towards Site from Kawaroa Point

Original Photo Richard Bain | 50mm | 13 November 2019





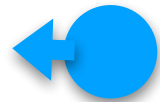
Tennent Apartment Project  
**Viewpoint G - Proposed**  
View towards Site from Kawaroa Point

Original Photo Richard Bain | 50mm | 13 November 2019





Urban viewshaft origin



Tennent Apartment Project

# URBAN VIEWSHAFT VISUALISATIONS

9 February 2021

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Tennent Apartment Project

# Marsland Hill - Existing

View from Marsland Hill viewshaft origin





Tennent Apartment Project

# Marsland Hill - Proposed

View from Marsland Hill viewshaft origin

Original Photo Richard Bain | 50mm | 3 November 2019





Tennent Apartment Project

# Cameron Street - Existing

View from Cameron Street viewshaft origin





Tennent Apartment Project

# Cameron Street - Proposed

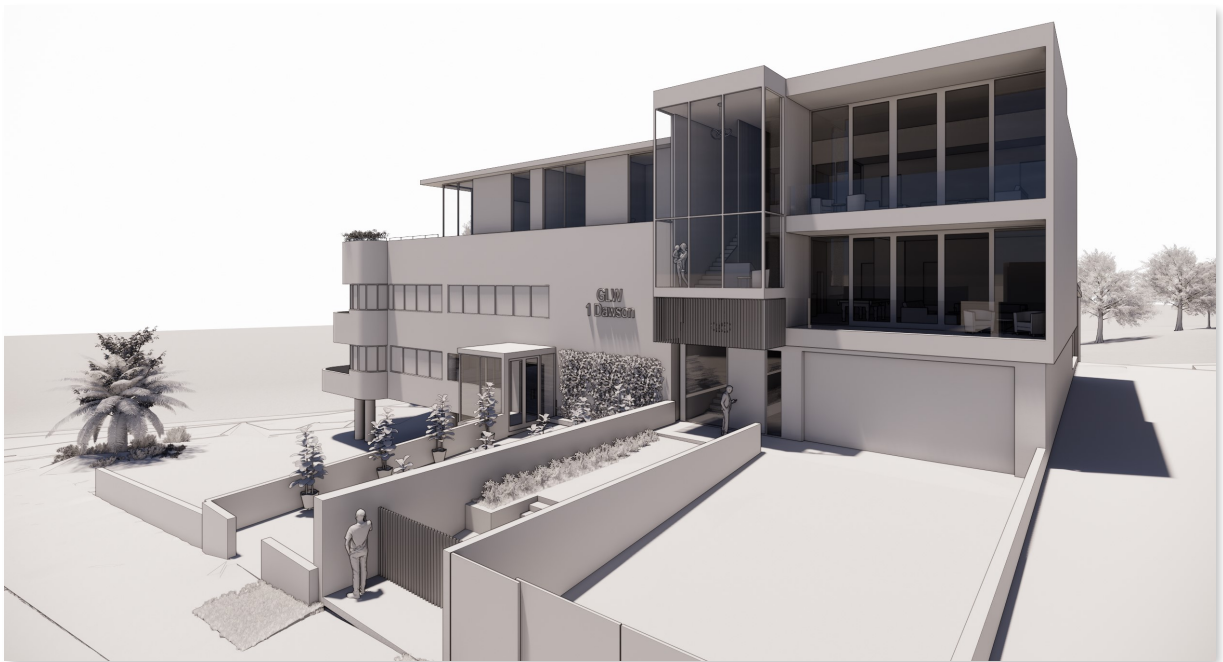
View from Cameron Street viewshaft origin



# Landscape and Visual Impact Assessment Tennent Apartment

1 & 3 Dawson Street  
New Plymouth

**Memo (s92 response): 5 July 2021 Revision 3**



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A world of difference

## 1. Introduction

This memo should be read in conjunction with the Bluemarble Landscape and Visual Impact Assessment (LVIA) dated 23 January 2020, and Assessment of 122 St Aubyn Street dated 01 April 2020.

This memo responds to a council request (s92) for further information dated 26 May 2021, and specifically addresses items 2 and 3 of the request.

2. *Several property owners including 2 within the Devonport Apartments, 6 within the Richmond Estate and 1 in the Oceanview apartment complex have identified that their existing views, sky and/or outlook would be blocked or partially blocked by the proposal. Noting that there are height and viewshaft encroachments, please give further consideration to effects on views from the relevant properties. If possible seeking permission from apartment owners to make an assessment from the relevant properties would be beneficial.*
3. *Please give further consideration on effects relating to privacy, particularly on 122 St Aubyn Street.*

The s92 request also requests further information on shade effects. Shading diagrams and assessment are covered separately by Boon Architects.

## 2. Submitter visits

To respond to the s92 request, Keith Preston (Surveyor) and I visited the following submitter's properties. The location of these properties is shown on the first page of **Appendix 1**.

Submitter visits by Richard Bain (bluemarble) and Keith Preston (BTW)			
Property Owner	Property Address	Date of Visit	Notes
Hurlstone	1B/120 St Aubyn Street	10 June 2021	Second storey level of the middle block of Richmond Estate.
Comber	122A St Aubyn Street	11 June 2021	Oceanside' Apartment neighbours to the existing subject site seaward building.
MacArthur	122 St Aubyn Street	11 June 2021	Oceanside' Apartment neighbours to the carpark part of the subject site.
Sharrock	4/120 St Aubyn Street	11 June 2021	Fourth floor level of Richmond Estate tower block (Keith Preston not present).
Stewart	11/120 St Aubyn Street	11 June 2021	Second storey level on the western end of the middle block of Richmond Estate.
Hey	1A/120 St Aubyn Street	11 June 2021	Did not visit apartment interior as owner away but did view from outside stairs at invitation of Lyn White.

Submitter visits by Richard Bain (bluemarble) and Keith Preston (BTW)			
<b>White</b>	2/120 St Aubyn Street	11 June 2021	Doesn't presently reside at this apartment but is the owner and enabled our entry. She lives elsewhere on the site (no view) and also owns an apartment in the Devonport Apartments which was not visited.
<b>Pease</b>	3/120 St Aubyn Street	18 June 2021	Third floor level of Richmond Estate tower block.
<b>Clegg</b>	10/120 St Aubyn Street	18 June 2021	First storey level of the middle block of Richmond Estate.
<b>Holt</b>	1 Devonport Apartments	18 June 2021	Top level of Devonport Apartment block directly opposite subject site. (Keith Preston not present).

On each visit, the property owner or an owner's representative was present and was invited to show us the viewpoints from within their property that were of concern. I took 28mm and 50mm focal length photos from each location and Keith Preston took representative views using a Mixed Reality Device Hand Set (MRHS), which shows the proposal superimposed over a realtime photo.

### 3. Assessment

A set of images is attached (Appendix 1), which shows representative views from each submitter's property. In all cases, there is more than one view from each property. Generally, views are from seaward facing windows & doors, western facing windows, and outside deck areas. The images attached are not from every viewpoint within each property, but represent the views available.

The following assessment describes the visual amenity from each property and an assessment of the level of effect based on my professional judgment. I have read the submissions and also listened first hand to owner's concerns. Notwithstanding the genuine concerns that submitter's have on potential impacts, my assessment is based in differentiating between visual change and visual effect, and placing any potential loss of visual amenity into context. In particular, I give consideration to amenity values as defined in the RMA "*those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes (s 2 RM4)*", as well as Operative District Plan assessment criteria for restricted discretionary activity (Bus 13), specifically;

1. *The extent to which the extra height Of the proposed building will:*
  - a. *Adversely affect the character and visual amenity of the surrounding area;*
  - b. *Have an overbearing effect on sites within the Residential Environment Area;*
  - c. *Adversely affect outstanding and regionally significant landscapes;*
  - d. *Intrude and/or block an urban viewshaft; and*

e. *Adversely affect the natural character of the coastal environment.*

2. *The extent to which the site layout, separation distances, topography, planting or set backs can mitigate the adverse effects of the extra height.*

Notes:

Other relevant rules such as OL63 & OL71 are covered in earlier assessments.

For ease of cross referencing text with images, the order of the submitter list is in the same order as the images in **Appendix 1**.

Assessment of Potential Visual Effects	
Submitter	Description of View and Assessment
<b>Hurlstone</b> 1B/120 St Aubyn Street	This property is the largest apartment in the Richmond Estate and has a long seaward frontage of windows and outdoor deck, from its second storey location. The proposal will prevent visibility through the existing carpark area on the subject site which includes views of Paritutu. However, in the context of the close and expansive views of the foreshore and sea which occupies the main visual aspect of this property the loss of view from the proposal is small.
<b>Comber</b> 122A St Aubyn Street	Located directly adjacent to the site, this property's views are seaward and to the north-east. The only views towards the subject site are via small windows that look into the carpark area. A number of windows on this side of the apartment are opaque and provide reflected light only (as opposed to visibility). The proposal will be close and visible from the clear windows that face the submitter but visual amenity from the high amenity areas is unchanged.
<b>MacArthur</b> 122 St Aubyn Street	This property is located adjacent to the subject site carpark and has views from both its two levels. This includes from first floor bedrooms, stairwell, and and second floor window and deck. While there is a view across the subject site carpark to the west, the primary visual amenity is from views northeast across the Richmond Estate carpark and thought to the ocean beyond. The proposal will not affect the primary views experienced by this submitter. Having said that, the proposal is located very close to this submitter and will be highly noticeable. This could create a dominance effect, some of which could be reduced by building colour (the model used in the images has the proposed building as black - this dark colour intensifies potential dominance effects). However, there is no escaping that due to proximity, this submitter may feel overlooked and will lose 'sky space', noting that permitted activity on the application site could create similar effects.
<b>Sharrock</b> 4/120 St Aubyn Street	This property is located within the Richmond Estates tower block and has extensive elevated views up and down the coast. The proposal will be visible to the west. Presently this view extends to Paritutu and includes two of the Sugar Loaf Islands, pōhutukawa trees at Kawaroa and the rocky foreshore. These elements will still be visible with the proposal.



Assessment of Potential Visual Effects	
<b>Stewart</b> 11/120 St Aubyn Street	This property is located at the western end of the Richmond Estate complex and is a two storey apartment. There are extensive views from a number of doors and windows on both levels and from a prominent outside deck area. The views from this property are primarily seaward and to the north-east. The views to the west are minimal - just a glimpse through the subject site carpark to houses on the other side of Dawson Street. The proposal will not prevent any views from this property apart from the aforementioned view towards Dawson Street.
<b>Hey</b> 1A/120 St Aubyn Street	This property is located next to the Hurlstone apartment on its eastern side. Access to the apartment was not possible but we were able to assess the visual amenity from seaward external staircase. The images in <b>Appendix 1</b> are taken from this staircase. The primary view is seaward and to the north-east. To the west, part of Paritutu is visible over the carpark area on the subject site. The proposal will prevent views of Paritutu but the affect on overall visual amenity from this very low, noting that Paritutu while noticeable is not dominant, being located 4km away.
<b>White</b> 2/120 St Aubyn Street	This apartment is located in the tower block with broad views up and down the coast. To the west Paritutu, the power station chimney and two of the Sugar Loaf Islands are visible as distant elements. The proposal will prevent views of all these elements to some extent, depending on which part of the apartment the viewer is located. Overall, the primary visual amenity available to this apartment is maintained as the open and spectacular seaward and north-eastern views dominate visual amenity.
<b>Pease</b> 3/120 St Aubyn Street	The views experienced by this apartment are similar to that of 2/120 described above, except that this apartment is one storey higher. Therefore, the loss of outlook to the west is lesser. Paritutu and two of the Sugar Loaf Islands will still be visible from this property.
<b>Clegg</b> 10/120 St Aubyn Street	Located on level 1, this is a long apartment in the middle block of Richmond Estate and includes an outdoor deck area that faces the sea. The proposal will not prevent any views from this apartment.
<b>Holt</b> 1/127 Devonport Apartments	This apartment is located on the top level of the Devonport Apartments and has two large windows that look directly over the site towards the sea. This view also extends east and west with the proposal located in the centre. The proposal will reduce views of the sea for the width of the proposal but sea views west and east will remain. The proposal will be visible as an intervening element between the viewer and the sea and will create a moderate effect on character experienced from this property.

## 4. Summary

The visit to submitters' properties provided an opportunity to assess visual effects first hand. The nature of effects falls into two groups: those potentially affected by shade effects, and those potentially affected by visual effects.

Potential shade effects area assessed separately by Boon Architects.

Taking the restricted discretionary status of the activity and permitted activities into consideration, potential visual effects relate to (in no particular order) the properties of Hurlstone, Sharrock, Hey White, Pease, and Holt. These are the properties in elevated positions that currently experience views over or through the existing site. Of these, Holt (1 Devonport Apartments) is the only property whereby the proposal is 'front and centre', located directly between the submitter's only north facing windows and the sea. The proposal will be highly noticeable but its effect on the overall quality of the landscape is not materially changed. The sea is still predominantly visible as part of an expansive outlook.

Based on amenity as defined in the RMA, in my opinion, no submitter will experience a loss of coherence or pleasantness from a loss of view. In terms of Operative District Plan assessment criteria, the character and visual amenity of the surrounding area will remain substantially unaffected. The loss of views, in the context of the visual amenity available, is small in scale and small in percentage or proportion of view available.

In short, the proposal creates identifiable material visual change, but the effect is limited, and does not alter the fundamentally seaward view and outlook experienced from submitter's properties.

### 122 St Aubyn Street

With regard to 122 St Aubyn Street, (MacArthur), their only view across the subject site is via the carpark area behind the existing building. Permitted activity on the application site (e.g. a 10m high building built on the boundary) could block this view. The submitter will be overlooked but there is no Operative District Plan assessment criteria that explicitly requires privacy in this environment area. Privacy is explicitly listed as one of the assessment criteria for over-height buildings in the residential environment area, but not business. However, this property will likely experience dominance effects, but as an amenity effect, this does not necessarily translate to a loss of pleasantness or coherence (notwithstanding shade effects), especially when compared to permitted activity. The primary visual amenity from 122 St Aubyn Street derives from its north-eastern orientation and sea views which will be unaffected.

**Richard Bain**  
Landscape Architect

5 July 2021



## Methodology and Images

The following images have been prepared and supplied by BTW Company.

The existing views were taken at the time of visiting each property using a Mixed Reality Device Hand Set (MRHS). These views are not the only ones taken from each property but are representative of the outlook or view experienced by each submitter.

The potential views were also taken at the time visiting each property, and show the existing view with a computer model of the proposal overlaid onto the existing real time photograph.

BTW can supply a full explanation of the HRHS's methodology if required.

The images provide a realistic image of the scale and position of the proposal as viewed from the position the image was taken. The red or blue lines on the images are reference lines used at the time to ensure either model is correctly positioned.

The HRHS images show the model in its entirety and do not crop out intervening structures. However, for the purposes of assessing visual effects, the images provide useful and valid images which support and inform the written assessment.

There are two properties, 4/120 St Aubyn Street (Sharrock), and 1 Devonport Apartments (Holt), where the HRHS was not available. In these two instances images have been created using 3D survey scan data. The site has been scanned in order to provide accurate information for preparation of the shading studies and can also be used to show visibility - hence images are provided for the Sharrock and Holt properties.

## Tennent Apartment Project

# Submitter Visual Amenity Images

Appendix 1 | July 2021 | Print at A3

Gardener - 6/120 St Aubyn Street	→
Hurlstone - 1B/120 St Aubyn	→
Sharrock - 4/120 St Aubyn Street	→
Pease - 3/120 St Aubyn Street	→
White - 2/120 St Aubyn Street	→
Hey- 1A/120 St Aubyn Street	→
Clegg - 10/120 St Aubyn Street	→
Williams - 16/120 St Aubyn Street	→



Submitter Properties

Comber 122A St Aubyn Street



Submitter Properties

Holt - 1 Devonport Apartments







Tennent Apartment Project

## 1B/120 St Aubyn Street (Hurlstone)

Existing view from outside deck





Tennent Apartment Project

1B/120 St Aubyn Street (Hurlstone)

Potential view from outside deck





Tennent Apartment Project

# 122A St Aubyn Street (Comber)

Existing view from scullery window





Tennent Apartment Project

# 122A St Aubyn Street (Comber)

Potential view from scullery window

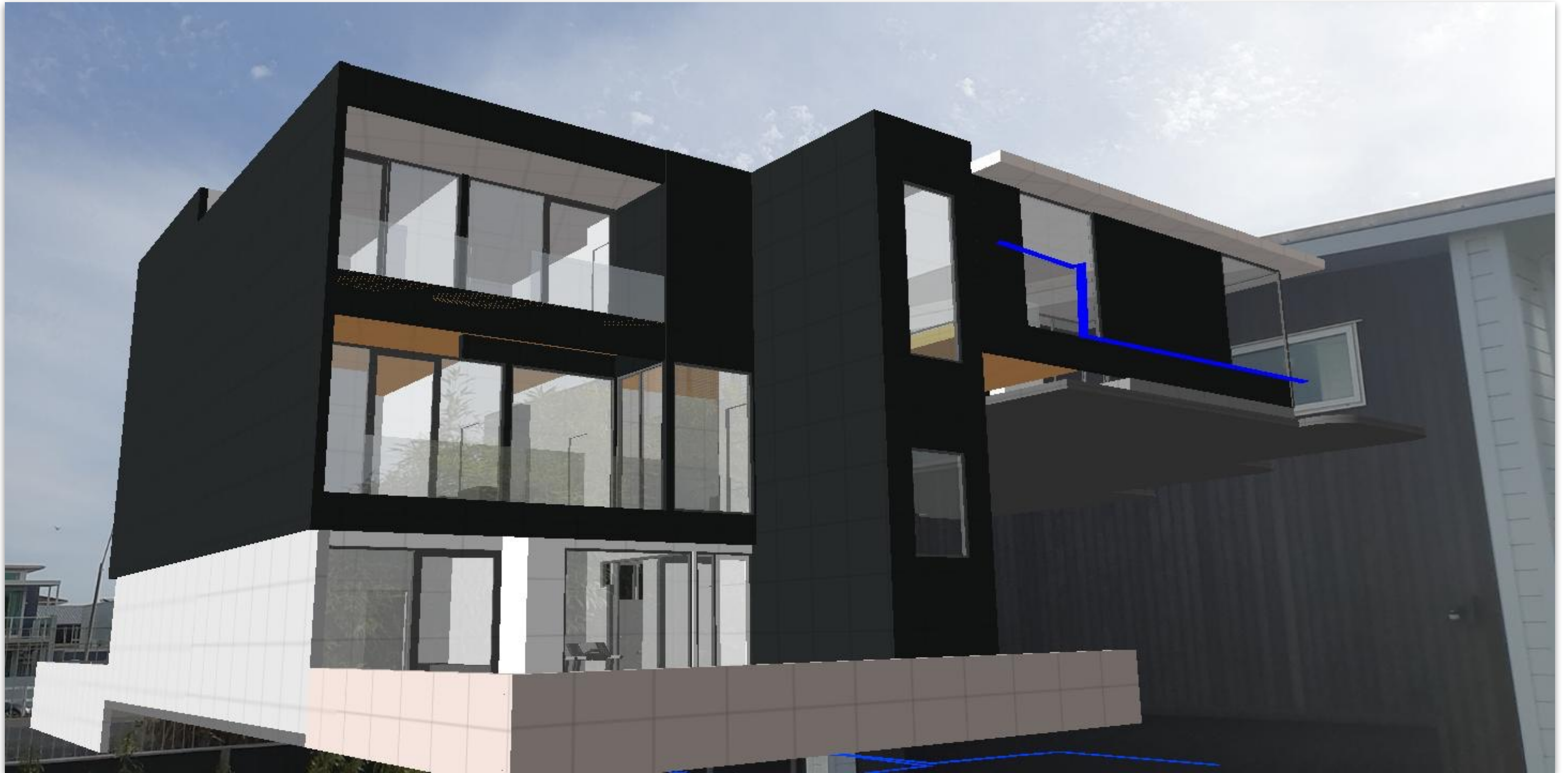


Tennent Apartment Project

122 St Aubyn Street (Macarthur)

Existing view from lower bedroom doors





Tennent Apartment Project

122 St Aubyn Street (Macarthur)

Potential view from room lower bedroom doors



Tennent Apartment Project

## 4/120 St Aubyn Street (Sharrock)

Existing view from west facing window





Tennent Apartment Project

4/120 St Aubyn Street (Sharrocks)

Potential view from west facing window





Tennent Apartment Project

11/120 St Aubyn Street (Stewart)

Existing view west from outdoor deck



Tennent Apartment Project

11/120 St Aubyn Street (Stewart)

Potential view west from outdoor deck





Tennent Apartment Project

## 1A/120 St Aubyn Street (Hey)

Existing view from outdoor stairs adjacent to apartment





Tennent Apartment Project

# 1A/120 St Aubyn Street (Hey)

Potential view from outdoor stairs adjacent to apartment





Tennent Apartment Project

## 2/120 St Aubyn Street (White)

Existing view from west facing window





Tennent Apartment Project

## 2/120 St Aubyn Street (White)

Potential view from west facing window



Tennent Apartment Project

## 3/120 St Aubyn Street (Pease)

Existing view from west facing window





Tennent Apartment Project

3/120 St Aubyn Street (Pease)

Potential view from west facing window



Tennent Apartment Project

# 10/120 St Aubyn Street (Clegg)

Existing view from outdoor deck





Tennent Apartment Project

# 10/120 St Aubyn Street (Clegg)

Potential view from view from outdoor deck





Tennent Apartment Project

# 1 Devonport Apartments (Holt)

Existing view from seaward facing window





Tennent Apartment Project

# 1 Devonport Apartments (Holt)

Potential view from seaward facing window