

REPORT 2*(1215/52/IM)*

PROPOSED DISTRICT PLAN CHANGE 38 – RESIDENTIAL CHARACTER - CONTROL OF DEMOLITION OF PRE-1930 HOUSES IN NEWTOWN, BERHAMPORE AND MT COOK

1. Purpose of Report

To seek approval from the Committee to notify proposed District Plan Change 38. District Plan Change 38 proposes to make the demolition of pre-1930's buildings in the residential areas of Newtown, Berhampore and Mt Cook a Discretionary Activity (Restricted). At present the demolition of buildings is a permitted activity in these three suburbs.

2. Recommendations

It is recommended that the Committee:

- 1. Receive the information.*
- 2. Agree to notify Proposed Plan Change 38 (attached as Appendix One of this report) in accordance with the First Schedule of the Resource Management Act 1991.*
- 3. Agree to adopt the Section 32 Report for Proposed Plan Change 38 (attached as Appendix Two of this report).*
- 4. Delegate to the Portfolio Spokesperson for Urban Development the authority to approve minor editorial changes to the proposed Plan Change prior to notification.*

3. Executive Summary

Newtown, Berhampore and Mt Cook have been identified as having a unique and special residential character. Consultation undertaken by the Council indicates that there is strong support amongst residents for increased protection of residential character in each of the three suburbs. District Plan Change 38 is proposed as a means of recognising and protecting this special residential character.

At present the demolition of buildings in Newtown, Berhampore and Mt Cook is a permitted activity. District Plan Change 38 proposes to apply an amended Rule 5.3.11 to the residential areas of Newtown, Berhampore and Mt Cook, making the demolition of pre-1930's buildings a Restricted Discretionary Activity.

It is considered that the proposed plan change is consistent with Part II of the Resource Management Act and the existing objectives and policies of the District Plan.

Proposed District Plan Change 38 is an interim plan change to provide a degree of protection to pre-1930's character dwellings in Newtown, Berhampore and Mt Cook, prior to the completion of and consultation on, a more comprehensive plan change dealing with a wider range of issues relating to residential character in these three suburbs (due to be reported back to Committee to approve for notification at the end of 2005).

4. Background

4.1 Legislative Requirements

The purpose of the Resource Management Act, 1991 (RMA) is to promote the sustainable management of natural and physical resource. In relation to the residential character of Newtown, Berhampore and Mt Cook, section 6 of the RMA requires that the Council recognises and provides for the protection of historic heritage as a matter of national importance. Section 7 requires that the Council, in achieving the purposes of the RMA, has particular regard to:

- (b) the efficient use and development of natural and physical resources:*
- (c) the maintenance and enhancement of amenity values:*
- (f) the maintenance and enhancement of the quality of the environment:*

Section 32 of the RMA requires that the Council considers alternatives, and assesses benefits and costs, before adopting any new District Plan provision. The Council must be satisfied that any proposed provision is necessary in achieving the purpose of the Act, and is the most appropriate means of achieving sustainable development.

4.2 Character of Wellington's Inner City Suburbs

Wellington City's original inner city suburbs, wedged between the CBD and the inner green belt, are increasingly recognised as an important resource. Their high visibility and original building stock make a significant contribution to Wellington City's unique character and are important in helping to define Wellington's sense of place.

Of the inner city suburbs, Thorndon, Kelburn, Aro Valley and Mt Victoria are all subject to some level of District Plan control relating to maintenance and enhancement of character and streetscape values.

In the late 1990's the Council commissioned a series of reports which evaluated the residential character of these inner city residential areas. Following these reports, and in consultation with local residents groups, the Council put in place special controls for Mt Victoria and Thorndon by way of Variation 14 to the proposed District Plan. This was followed by Plan Change 7 which addressed residential character issues in Aro Valley. Attention has now turned to Newtown, Berhampore and Mt Cook, the only remaining inner city suburbs with no specific District Plan controls relating to residential character.

4.3 Research and Consultation

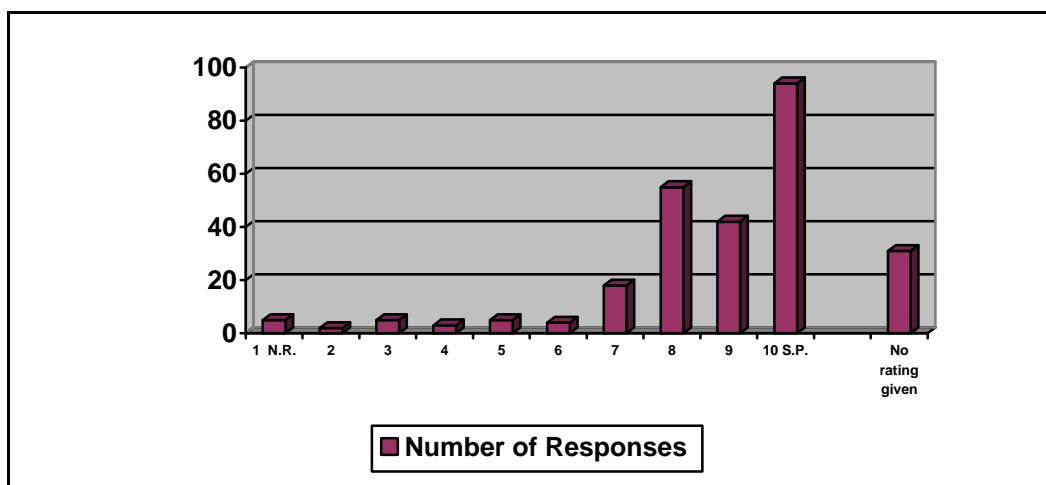
In 1999 Council commissioned an evaluation of the residential character of Newtown, Berhampore and Mt Cook (referred to as ‘the study area’). The report concluded that:

“The study area as a whole has a distinctive local character that is identifiably part of the inner city. The entire study area is of considerable significance to the city as a whole. It remains as a highly intact remnant of inner city residential housing from the first decade of the 20th century. It demonstrates historical patterns of relatively high density detached housing and expression of style and materials from a past era that are typical of Wellington inner suburbs. The significance of the area’s local character deserves recognition and suggests that new development should respect its fundamental qualities”

The study noted that these suburbs have a distinctive local character derived from the retention of a high proportion of inner city residential housing dating from the first decade of the 20th century. The age profiles of these areas have strong similarities with Thorndon and Mt Victoria in that the majority of buildings were erected prior to 1920. The character and type of residential buildings in the southern inner residential area is not particularly rare, but what remains is irreplaceable and important in defining the character of Wellington City as a whole.

In 2004 developments in the area, for example Finlay Terrace and Papawai Terrace in Mt Cook, resulted in the loss of substantial character dwellings, and generated a significant level of concern amongst local residents.

In September 2004, the Council undertook a pamphlet survey of all ratepayers in Newtown, Berhampore and Mt Cook to gauge the level of support for additional controls to retain and protect streetscape and residential character values. The pamphlet drew over 260 responses spread across all three suburbs. It asked respondents to rate the appropriate level of residential character protection on a scale of 1-10. The graph below plots the response with 1 being no additional rules or protection, and 10 being strong protection.



The majority of respondents supported increased protection for the residential character of Newtown, Berhampore and Mt Cook. Many respondents supported the retention of existing character dwellings, and greater control of infill and multi-unit developments. There was significant concern that high density infill housing was adversely affecting existing character through loss of green space and vegetation, increased traffic volumes, lack of adequate on site parking, and reduced sunlight and privacy for adjoining properties. There was strong support for some degree of design control for new developments to ensure that new buildings are in sympathy with the colonial/turn of the century character of the suburbs.

The survey was followed by a series of three workshops to discuss issues and options for providing additional protection of residential character in Newtown, Berhampore and Mt Cook. The outcomes of the survey and workshops are outlined in the following section, and in the Section 32 report attached to this report.

In summary, both the pamphlet survey and workshop indicated strong support in each of the three suburbs for additional protection of existing residential character.

5. Discussion

The purpose of this plan change is to provide a level of protection for the high number of original character houses that remain in the suburbs of Newtown, Berhampore and Mt Cook. The scope of the plan change is limited to these three suburbs as they have been the focus of the research and consultation undertaken to date.

5.1 Pressure for development

The Section 32 report attached to this report contains figures relating to applications for building consent to demolish buildings from 1995-2005. The figures indicate that Newtown, Berhampore and Mt Cook are absorbing a higher level of residential demolition compared to the suburbs of Thorndon and Mt Victoria that have had Rule 5.3.11 in place since 1998.

It is considered that this pressure for demolition is likely to continue, due in part to the current relaxed planning controls, but also the close proximity to the CBD, Massey University campus and Wellington Hospital which appears to be generating demand for additional residential units.

5.2 Comprehensive approach to residential character

From a District Plan perspective there are two aspects to providing character protection:

1. Protecting those buildings, spaces and other features that contribute to the existing character in each street and neighbourhood; and
2. Ensuring that new buildings and developments recognise and enhance the character of the street and neighbourhood.

The District Plan Team will bring to Committee a comprehensive proposed plan change relating to residential character in Newtown, Berhampore and Mt Cook in

November/December 2005. That plan change will address the full range of residential character issues raised through public consultation, and will address both the protection of existing character and the control of new development.

In the meantime, in recognition of the pressure for demolition and multi-unit residential development particularly in Newtown and Mt Cook, and the level of public concern about recent residential developments in the area, it is proposed to notify a plan change relating to the demolition of pre-1930's dwellings.

5.3 Proposed Plan Change

Proposed plan change 38 proposes to apply Rule 5.3.11 (relating to the demolition of pre-1930's residential buildings) to the areas zoned as Inner Residential Area in Newtown, Berhampore and Mt Cook. The rule will provide a degree of protection for pre-1930 character dwellings in each suburb, and will allow the Council to assess (by way of a Restricted Discretionary Activity resource consent) the contribution made by the existing dwelling to the streetscape character of the surrounding area.

The proposed plan change is an interim measure. Importantly, it will provide the Council with a means to manage the demolition of character houses during the consultation period prior to the notification of the comprehensive plan change referred to in section 5.2 above.

Plan Change 38 proposes to apply the rule as it is presently applied in Thorndon and Mt Victoria, with one significant amendment.

In Thorndon and Mt Victoria the control of demolition applies to the primary form of the building. The primary form is defined as:

PRIMARY FORM (FOR THE PURPOSE OF RULE 5.3.11): means the simple form that is central to and the basis of the dwelling. It is typically the largest identifiable form or combination of relatively equal sized geometrically simple and box-like forms.

The focus on primary form works reasonably well in situations where the character can be appreciated from a distance and the finer details of the façade become harder to distinguish. In this situation it is principally the bulk of, separation of and rooflines of buildings that determine the visual character.

As a rule, the suburbs of Newtown, Berhampore and Mt Cook are not 'experienced' from a distance. The special character of these suburbs is more commonly viewed from the street or adjoining public spaces. In this situation it is considered that the architectural features and elements on individual houses is as important in determining streetscape and neighbourhood character as the primary form of the building. It is therefore proposed to extend the definition of demolition in Newtown, Berhampore and Mt Cook to include the removal or destruction of pre-1930 architectural features and elements from a dwelling's 'primary elevation(s)'. In most instances the 'primary elevation' will be the elevation that fronts onto the street, however in some instances a building's main elevation is oriented away from the street towards a view or outlook. This is usually due to the topography of the site, normally where the ground level slopes

steeply away from the street frontage. In this situation it is proposed to apply Rule 5.3.11 to both the street and main elevations. A definition of 'primary elevation' is included in the proposed plan change to clarify which elevation(s) on a building would be subject to the pre-1930's rule.

5.4 District Plan Objectives and Policies

With regards the issue of the demolition of pre-1930's residential dwellings in Newtown, Berhampore and Mt Cook the following Objectives and Policies are particularly relevant:

Objective 4.2.1 *To promote the efficient use and development of natural and physical resources in Residential Areas*

Policy 4.2.1.1 *Encourage new urban development to locate within the established urban area.*

Objective 4.2.2 *To maintain and enhance the amenity values of Residential Areas.*

Policy 4.2.2.1 *Control the potential adverse effects of residential activities.*

Objective 4.2.3 *To maintain and enhance the physical character of Residential Areas and identified areas of special streetscape or townscape character.*

Policy 4.2.3.1 *Control the siting, scale and intensity of new residential buildings to reflect the differences between older and more recent suburban Residential Areas.*

Policy 4.2.3.2 *Maintain the special character of identified residential character areas.*

The District Plan policies require that a balance be struck between the promotion of residential intensification and the maintenance of the existing character and amenity of the city's residential areas. At present in Newtown, Berhampore and Mt Cook the District Plan rules could be considered to be weighted towards the promotion of residential intensification, as there is no control on the demolition of existing buildings, or the construction of up to two units on a site. Construction of three or more units on a site requires consent, with applications being considered against the provisions of the multi-unit design guide.

In recent years there has been growing recognition that Wellington's inner city suburbs and their character houses are a valuable resource. This is acknowledged in both the Built Heritage Policy (2005) and the Sense of Place Strategy recently prepared by the Council.

On this basis it is considered that Proposed District Plan Change 38 strikes an appropriate balance between the different objectives and policies in the District Plan. It does not seek to prevent residential intensification in Newtown, Berhampore and Mt Cook, but seeks to ensure that in achieving intensification we do not lose the key characteristics that make these suburbs special. The plan change has also sought to

allow reasonable freedom for property owners to undertake work on their houses, while at the same time providing a degree of protection for the architectural features that contribute to the streetscape and neighbourhood character.

Overall it is considered that Proposed District Plan Change 38 is consistent with the objectives and policies of the District Plan.

6. Conclusions

Proposed District Plan Change 38 is an interim plan change to provide a degree of protection for pre-1930's character dwellings in Newtown, Berhampore and Mt Cook, prior to completion of and consultation on a more comprehensive plan change dealing with a full range of issue relating to residential character in these suburbs.

The suburbs of Newtown, Berhampore and Mt Cook have a distinctive local character derived from the retention of a high proportion of inner city residential housing dating from the late 19th century and the early decades of the 20th century. The age profile of the southern inner residential area (Mt Cook, Newtown and Berhampore) has strong similarities with Thorndon and Mt Victoria in that the majority of buildings were erected prior to 1920. While the character and type of residential buildings in the southern inner residential area is not particularly rare, what remains is irreplaceable and important in defining the character of Wellington City as a whole.

Proposed Plan Change 38 would place controls on the removal or demolition of both the 'primary form' and 'primary elevation(s)' of pre-1930's houses in Newtown, Berhampore and Mt Cook in recognition of the important contribution made by these character houses to the suburb's streetscape and neighbourhood character .

It is considered that the proposed plan change is consistent with Part II of the Resource Management Act and the existing objectives and policies of the District Plan.

Contact Officer: *Jeremy Blake, Senior Policy Advisor, District Plan Team.*

Supporting Information

a) Strategic fit

In particular, the recommendations in this paper are consistent with the strategic outcomes and objectives relating to the Built Environment;

1.1 Liveable City

Wellington is a memorable, beautiful city, celebrating its distinctive landmarks, defining features and heritage.

1.4 Compact City

Wellington is a compact city with mixed land-use, structured around a vibrant city and suburban centres, and connected by major transport corridors.

The project is consistent with the Council Sense of Place initiative.

b) Annual Plan reference

Relates to updating the District Plan

c) Annual Plan and Long Term Financial Strategy implications

Nil. Project is part of the District Plan Team budget.

d) Treaty of Waitangi implications

There are no specific Treaty of Waitangi implications

e) Pre-Consultation

Internal:

- Urban Strategy, Resource Consents
- Urban Strategy, Principal Planner
- Urban Strategy, Heritage Advisors

External:

- Ngati Toa & Tenth Trust (Te Atiawa)
- Greater Wellington (Regional Council)
- Ministry for the Environment
- Workshop for Architects, Conservation Architects and Historic Places Trust (8 March 2005)
- Workshop for Newtown Residents Association (21 March 2005)
- Workshop for Mt Cook Residents (23 March 2005)

f) Legal implications

The timing and notification of this plan change have been reviewed by the Council's legal advisors.