
REPORT 3
(1215/52/IM)

INFILL HOUSING REVIEW - PROPOSED DISTRICT PLAN CHANGE 56: Managing Infill Housing Development

1. Purpose of Report

To seek approval from the Committee to notify proposed District Plan Change 56.

2. Executive Summary

Infill housing is not a new phenomenon as it has been occurring throughout the city for decades, especially from the 1950s onwards. However, the scale and nature of infill that has been built in recent years is now causing significant concern for residents of established residential areas.

The key finding of research into the quality of infill housing and the role of the District Plan has established that that main crux of public concern relates to **over development of a site**. Whilst infill housing is not a new phenomenon, the scale and nature of infill in recent years is now causing significant concern for neighbours. This is directly related to development pressure, rising land values and societal changes in how we live which has led to a different level of development intensity than historically experienced.

Plan Change 56 proposes to make changes to the Residential Area Chapter of the Plan to ensure an improvement in the quality of infill housing (as shown in Figure one below). There are a number of changes proposed to achieve this, but the key changes propose to:

- Reduce the height of the second permitted dwelling on-site to 4.5 metres.
- Introduce an open space requirement per site (e.g. 50m² in Outer Residential Areas, 35m² in Inner Residential Areas)
- Tighten controls on subdivision and include a new section in the Subdivision Design Guide on 'Individual Lot Design'
- Amend and introduce new policies to clarify the approach desired for infill housing and subdivision and multi-unit developments.

Plan Change 56 does not change the current philosophy of the Plan, which is to provide for infill housing in order to maintain a compact and sustainable city.

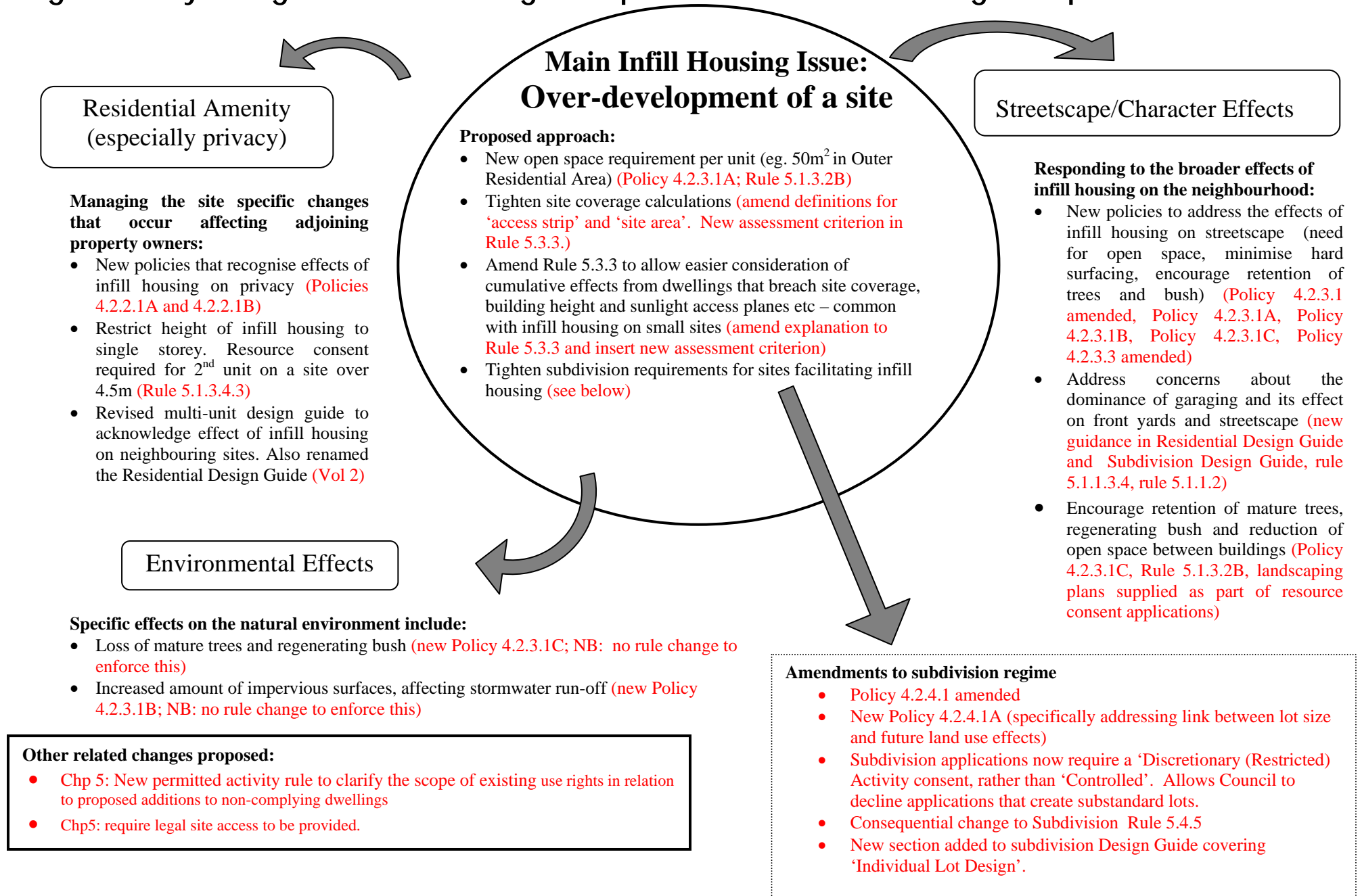
Notification of the Plan Change, if approved by Committee, will be coordinated with the public consultation programme proposed for the 'Targeted Approach to Infill Housing' discussion paper. This will ensure a combined public consultation package on the infill review as recommended at the Councillor workshop in February this year.

3. Recommendations

It is recommended that the Committee:

1. *Receives the information.*
2. *Agrees to notify Proposed Plan Change 56 (attached as Appendix One of this report) in accordance with the First Schedule of the Resource Management Act 1991. Please note that an annotated version of the changes is attached as Appendix Four this report.*
3. *Agrees to adopt the Section 32 Report for Proposed Plan Change 56 (attached as Appendix Two of this report).*
4. *Notes that the notification of Plan Change 56 will be coordinated with the release of the discussion paper on a targeted approach to infill housing to ensure a combined public consultation package on infill housing is presented to the public.*
5. *Delegates to the Portfolio Leader for Urban Development the authority to approve minor editorial changes to the proposed Plan Change, and the authority to sign off on the final plan change documentation prior to notification.*

Fig 1: Poorly Designed Infill Housing – Proposed District Plan Change Responses



4. Background

Wellington City is experiencing considerable pressure on our existing urban areas from infill housing development. There is evidence in some areas that development is impacting on valued suburban character and amenity as a result of poor design quality.

There has been community unease about the scale and intensity of residential infill for some time, and as a result, the Council has identified this as a priority issue within the Long Term Council Community Plan 2006 (LTCCP).

4.1 Methodology of Plan Change

Council has responded with an action plan to review the way infill is managed. The overall review is split into two parts, the first to address immediate concerns from the adverse effects of residential infill, and the second to take a more strategic view of how infill should be managed around the city.

Part 1 – Proposed District Plan Change 56 – Managing Infill Housing Development

This examines the specific District Plan provisions affecting the adverse effects of infill development in residential areas, focussing more closely on infill in the Outer Residential Area. This work is designed to respond quickly to immediate concerns with infill housing by amending crucial rules in the District Plan that affect the quality of infill housing.

Part 2 – Targeting residential infill and intensification

This project reviews the Council's current approach to infill (allowing it almost anywhere), with the objective of developing a more refined approach for the location of infill development. The review will consider areas where greater intensification may be appropriate and areas where residential growth may be constrained. Any change to the current approach will be reflected in amendments to the Urban Development Strategy and, in time, in the District Plan as part of its rolling review of each chapter of the Plan.

Part 2 is still in its infancy and no decisions have been made on this issue yet that are relevant to this plan change.

4.2 Why the current Plan supports infill housing

The District Plan supports residential infill because of the **benefits** it brings to the city, including:

- Facilitating population growth, and with it economic diversity and cultural vibrancy
- Sustainable management and efficient use of resources through increased population and housing densities (i.e. compact city), reducing urban sprawl and protecting the greenbelt
- Meeting the future housing needs of an aging population and changing household compositions and also the need for affordable housing (i.e. increasing number of single and small person households)
- Efficient use of infrastructure and community services (e.g. water, storm water, libraries, swimming pools, community centres).

Unfortunately, the benefits of infill housing are not often easily recognised or appreciated by individuals due to their immediate intrusion and cumulative impact on

already established suburbs. Instead, what individuals most commonly associate with infill are the specific adverse effects associated with particular developments.

4.3 Research

A significant amount of research has been completed to better understand the issues experienced in Wellington from infill housing. The research included:

- Literature review on infill housing
- Council officer and external expert interviews
- Desk top study of 10 suburbs in Wellington
- November Residents Satisfaction Survey's
- Focus groups of Wellington residents

Outlined below are the main findings from the focus group research, which were influential in developing the proposed changes to the District Plan:

Residents can identify benefits of residential infill, in that it can:

- prevent urban sprawl
- increase community diversity and vibrancy
- reduce reliance on cars and increases viability of services and public transport generated from higher population levels
- enable more affordable housing
- increase housing choice and cater to the needs of an ageing population.

However, residents often associate infill development as:

- being unattractive and using poor quality materials
- being unsympathetic to existing housing and neighbourhood
- reducing privacy, views and sunlight
- increasing noise levels.

In the public mind, residential infill is most strongly associated with developers, who are seen to be motivated by profit and have no attachment or no long term commitment to suburbs.

Problems residents experienced in the built form relate to:

- loss of space and overcrowding
- visual dominance
- loss of privacy, views and outlook
- lack of adequate landscaping
- varying housing styles affecting existing neighbourhood character
- changing community - influx of transients and erosion of community.

Problems residents perceive with regulation:

- Council doing too little to regulate against the worst excesses of infill housing
- too easy for developers to breach guidelines, residents should have a greater say in the consent process when privacy, views and access significantly impacted
- building envelope should be reviewed, capped and enforced
- building density should relate to neighbourhood, it should be capped and enforced
- provision needed for planting and green areas.

Proposed Plan Change 56 aims to address these concerns, particularly in the areas of over development of a site, streetscape/character effects, residential amenity and environmental effects. However, some issues are not within the scope of the District Plan, and are discussed below in section 5.3 of this report.

4.4 Consultation

In addition to the focus group research, residents satisfaction survey and the statutory consultation required by the RMA, a wide variety of people were interviewed during the research phase to ensure Officers had canvassed a wide variety of perspectives on the infill housing issues.

On the 12th of April 2007 a briefing session was held with local Residents' Associations and other interested residents who have contacted the Council about their particular infill housing concerns. Issues surrounding the current approach and concerns with infill were discussed. The concept of developing a more refined approach for the location of infill development, including areas of intensification were also touched on.

More extensive consultation with the public generally will occur as the plan change is notified. A longer submissions period for the plan change will allow individuals and interest groups plenty of time to consider the plan change and have their queries addressed by Council Planning staff before lodging a submission. This consultation will be coordinated with the release of the public discussion document on a 'targeted Approach to Infill Housing'.

4.5 Strategy and Policy Context

In reviewing the specific current District Plan provisions that influence the quality and management of residential infill housing, attention has also been given to a range of relevant national, regional and local level documents, plans and strategies.

National Direction

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use and development of natural and physical resources to enable people to provide for their health and safety. The Act also contains an explicit obligation for Territorial Authorities to *maintain and enhance amenity values* and the *quality of the environment* and allow for the *efficient use and development of natural and physical resources* (s7 RMA).

Regional Strategies and Policies

The **draft Wellington Regional Strategy** is relevant in that it outlines a vision for the future management of the region. It includes a focus on protecting the character of traditional low-density suburbs by managing infill carefully.

This strategic direction at the regional scale is being incorporated into the review of the **Regional Policy Statement**. This planning document is currently undergoing its 10 year review. In considering the proposed options to improve infill, officers have had regard to the Regional Policy Statement and are of the view that the approach adopted is consistent with its content where relevant.

City Council Strategies and Plans

The **Urban Development Strategy** outlines the Council's approach to growth management over the next 50 years. The strategy aims to direct growth to where the

benefits are greatest, where adverse effects are minimised, and delivers on quality. It includes concepts such as the growth spine to guide how and where future population growth should occur.

Population projections indicate that Wellington City will grow by 33,000 people in the next twenty five years. This level of growth will require approximately 19,000 new homes. With the current trend towards smaller households it is anticipated that demand for higher density dwellings will continue to increase.

The **Sense of Place Plan** aims to ensure that what makes Wellington special is preserved while the city grows. In preparing the Sense of Place Plan, research was undertaken to determine what Wellingtonian's treasure about their city, and what gives the city its unique character or essence. From the range of factors identified, the following are relevant to this proposed plan change include:

- the compact and integrated urban layout
- the distinct character of communities, neighbourhoods, urban quarters and suburban centres – people and buildings – and the city's confident, unpretentious personality.

5. Discussion

5.1 Scope and Approach of Plan Change

This plan change aims to ensure that the adverse effects associated with residential infill are better managed in order to reduce the effect it has on the amenity of surrounding neighbours and the character of the suburbs. This plan change purposefully does not involve a comprehensive review of the residential rules, but rather focuses on making a handful of pivotal changes to the rules to improve the way that residential infill fits into existing suburbs.

It should also be stressed that not all infill is below standard and of poor quality. Examples of well designed and high quality infill that fit cohesively within their environs, can be found throughout the city. This plan change is aimed at raising the bar to ensure all developments reach those standards set in good developments.

5.2 Key Issues and proposed changes

An illustrated version of the proposed changes is presented in Figure 1 of this report. The sub-headings below give a more detailed account of the issues raised and how this proposed plan change aims to address these concerns. It is important to note that the proposed changes are a package and need to be considered as such.

5.2.1 Over development of a site

During the course of researching and better understanding the issues associated with infill housing, it has been established that the main root of public concern relates to **over development of a site**.

In the past, where infill housing has occurred in established neighbourhoods, it has been of a nature and scale that has matched the existing neighbourhood pattern, blending easily with its environs. This is evident in most suburbs throughout

Wellington, where examples of well proportioned infill dwellings with amenable sized gardens can be found.

Whilst the planning controls of the 1960's, 1970's and 1980's were more restrictive in some areas than those of today, landowners expectations regarding what was a quality, liveable residential dwelling and the desire for the 'typical kiwi section' effectively acted as a self regulating tool against overdevelopment. The market was as such that dwellings often did not take up the full potential provided by the planning rules of the day.



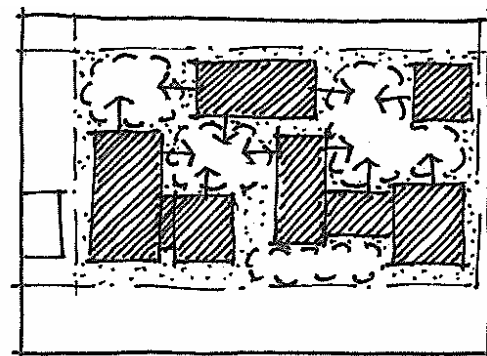
However, in more recent times, development pressures (as a result of an expanding population, large increase in the number of small households and rising land values) as well as changes in society around the way we live (low maintenance sections, desire for larger homes) has lead to a different level of intensity than previously experienced. The result being, that people are prepared to build and live much more intensively on smaller sections than previously seen. Whilst the people moving into such accommodation are accepting of their situation, often it is the surrounding residents that feel the effects of such increased density.

Problems associated with over development of a site will often include an impact on residential amenity (especially privacy for neighbouring properties), an impact on the streetscape/character of a neighbourhood (i.e. smaller/irregular shaped lot sizes, two or three storey housing) and environmental effects (i.e. loss of mature trees and vegetation).

Open Space Requirement

One such effect of over development of a site is lack of gardens and open space between dwellings.

While a greater amount of outdoor space will generally increase the amenity and individual enjoyment of most types of dwellings, it also has a very important role in providing a sense of spaciousness within a neighbourhood. In a practical sense, open space provides vital gaps between buildings and a respite from the built environment. It also plays a key role in ensuring neighbours have a sense of collective spaciousness and do not feel 'crammed in' by buildings. Having some outdoor space attached to every unit (that is not driveway) is an elementary part of the site planning for a quality, liveable residential development – if this is done well from the out-set, personal amenity is a positive consequence the process.



Positive open spaces between buildings

At present there is no rule in the District Plan requiring minimum ground level areas of open space for individual dwellings. The only instances where ground floor open space is applied, is for multi-unit developments involving 3 or more houses on one site. However, even in these instances, ground level open space is often substituted by an

elevated deck to maximise building footprints, or provide additional units and vehicle manoeuvring space.

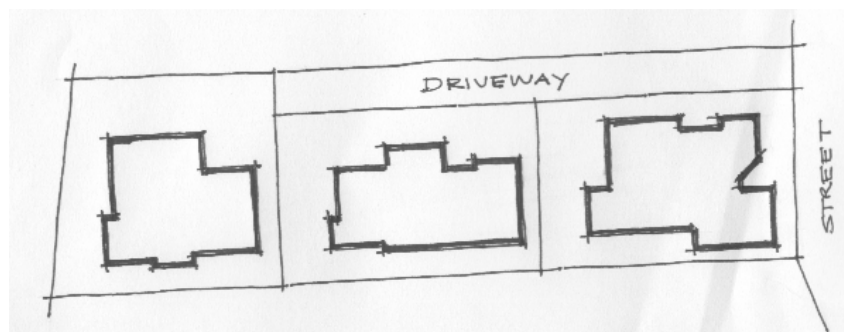
To address this, a new rule is proposed that will introduce a ground level open space requirement per household. In the case of inner residential areas the on-site ground level open space shall be a minimum of 35 square metres per household unit (as recently adopted on Plan Change 39 for Newtown, Berhampore and Mt Cook) and in the case of outer residential areas, the on-site ground level open space will be a minimum of 50 square metres per household unit. (Refer to Policy 4.2.3.1A; Rule 5.1.3.2B in Appendix 1).

The intention of the new rule is to require a minimum amount of open space to be provided on-site. The rule recognises that a minimum open space requirement is needed for all dwellings, not just intensive multi-unit developments. Having some outdoor space attached to every unit is a fundamental part of the site planning for a quality, liveable residential development. It will also ensure a sense of spaciousness in the neighbourhood.

The rule will work in combination with site coverage and the car parking requirements to manage the density of development on a site. Failure to provide the full amount of open space sends a signal that the site may be overdeveloped.

Subdivision

The size and shape of allotments created on the subdivision of land is directly linked to the scale, size and type of residential buildings able to be constructed on site and the quality of space around those buildings. Infill subdivision typically results in smaller allotments being created due to the absence of a 'minimum lot size' requirement in the Plan. The removal of the minimum lot size provision from the 1994 Plan was deliberate. It acknowledged the lack of large sections able to be subdivided. It was seen as a way to help achieve infill within established suburbs and came from a philosophy (that is still valid today) that provided the dwelling and space around it was well designed, the size of the section was less relevant.



Typical subdivision plan for a site redevelopment to create infill housing

The effectiveness of the 'Controlled Activity' consent category has been significantly undermined in the past 10 years since the Plan was first drafted. While there are some good examples of small lots with well designed dwellings, there are also many examples where the Controlled Activity subdivision rule meant that good design has not always been achieved. The intent of the control status was for Council to provide certainty to applicants that the consent would be granted, but that the Council could still work to achieve better outcomes by imposing conditions on the consent. RMA case law developed over the past 10 years has interpreted this intent differently and has significantly narrowed the scope of consent conditions able to be imposed.

There is also clear evidence from reviews of consent applications that some developers deliberately use the 'Controlled Activity' subdivision process to avoid the stricter multi-unit assessment process (and associated assessment against the multi-unit design guide). This is achieved through first subdividing land and then building units as a permitted activity on newly created allotments.

In light of these concerns with the Controlled Activity rule, it is proposed that subdivision become a Discretionary (Restricted) Activity. It will ensure proposed allotments are well designed and able to easily accommodate residential activities that are compatible with the character of the surrounding neighbourhood. The proposed rule will capture those developments which currently use subdivision as a loophole to avoiding a stricter land use assessment process. The new rule will not unnecessarily net larger scale subdivisions as those are already treated as 'Discretionary Unrestricted' in the current rules (Refer to amended Rule 5.4.5 in Appendix 1).

Subdivision as a Discretionary Activity will allow the Council greater ability to negotiate with landowners to get better outcomes and ultimately decline poorly designed and substandard subdivision applications. Council will be able to ensure good subdivision design to reduce adverse amenity and streetscape effects.

Removing subdivision from the Controlled Activity category status follows a trend already established with other 'activities' in the Plan where Controlled Activity category has been removed in favour of a 'discretionary' approach e.g. the design of Central Area buildings.

Further to this, a new section is proposed in the Subdivision Design Guide which is purely dedicated to individual lot design. This new section focuses on small scale infill subdivision and requires that applicants clearly demonstrate that a proposed allotment can accommodate acceptable levels of amenity and that it fits cohesively within an already established neighbourhood. New information requirements showing indicative building footprints, parking and access provision should demonstrate that the lots created within the subdivision provide a realistic means of addressing the District Plan standards for building (refer to new Policy 4.2.4.1A and 'Individual Lot Design' in the Subdivision Design Guide in Appendix 1).

Site Coverage

Site coverage is the one tool in the Plan that seeks to prevent over development of a site. With no minimum lot size provision, it becomes particularly important for smaller sites where a building, parking space and vehicle access may quickly use up a large proportion of the site.

One particular issue with site coverage is that greater development potential is possible if a 'unit title' subdivision was pursued as opposed to a freehold 'fee simple' subdivision. Two apparently small changes are proposed to readdress this imbalance, to ensure that no one form of land tenure will be more advantageous than another, when it comes to development potential under the Plan.

Specifically, amendments are proposed to the 'access strip' and 'site area' definitions to help better define these spaces and tighten site coverage calculations. Often these areas become tangled in land tenure options and it is anticipated that the proposed changes ensure site coverage calculations become 'tenure neutral'. Further, a new assessment criterion is proposed which will ensure planners focus on the issue when they consider applications to breach site coverage (refer to definitions section and Rule 5.3.3 in Appendix 1).

Summary

It is anticipated that these changes will help ensure that from the very early stages of site planning, the setting for the new dwelling is provided and that it will integrate into the neighbourhood. Once the development has been built, the proposed open space requirement will help to soften the visual impact of new buildings, provide space for trees to be planted and create on-site private outdoor amenity for residents.

5.2.2 Residential Amenity

An over developed site can also result in impacts on the amenity of adjoining neighbours. When infill is situated very close to the property boundary, or indeed a two storey house overlooks its single storey neighbours, adjoining properties often experience significant and unreasonable overlooking into their homes and private garden space. Another common cause of frustration experienced by residents is the feeling of being hemmed in or dominated by their visual surroundings as a result of larger scale infill buildings.

Simply put, the existing provisions in the District Plan in the Outer Residential Area allow for a second unit to a height of 8 metres as permitted as of right (additional height can be also achieved by ground level excavation). Provided the plans meet the sunlight access planes, 35% site coverage and parking provisions the new dwelling does not need to take into consideration any impact on privacy to neighbouring properties. It is worth noting that the impact on privacy was a particular cause of concern for the focus groups.

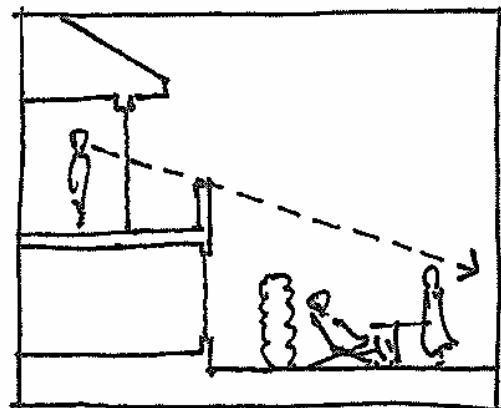


Two additional 2-storey units in the rear yard reduce residential amenity for existing dwelling and adjoining sites.

Rule to restrict height of 2nd unit on a site

Given that the most common forms of intrusion of new infill housing relates to two or three storey dwellings that often have a direct line of vision into neighbouring properties, new policies have been drafted that recognise the effects of infill housing on privacy (refer to Policy 4.2.2.1A and 4.2.2.1B in Appendix 1). In addition a new rule is proposed that will restrict the permitted height of infill housing to a single storey (or 4.5 metres). This would mean that a resource consent would be required for a second unit on site over 4.5 metres in height in Outer Residential Areas (Refer to Rule 5.1.3.4.3). In doing this, a development up to a height of 8 metres would be assessed against the newly named Residential Design Guide.

It is recognised that peoples perception of what privacy is will differ. The rule is not intended to preserve complete privacy – what it is designed to do is maintain adjoining neighbour amenity to ensure residents are not suffering unreasonable levels of overlooking as a result of new development. The rule sets a height restriction for the second unit on a site but still allows for infill housing to occur as of right. The proposed change narrows in on



Screening with balcony balustrade

the key issue being the height and scale of additional dwellings on a site. It sets the permitted activities standards at a level where the Council can be certain that the effects do not unduly affecting neighbouring properties.

Most importantly, the rule still retains opportunities for smaller households (eg. elderly, single parent households, young couples) to find or build dwellings that will suit their particular needs without placing undue restrictions on them.

It also allows for larger scale development of up to 8 metres in Outer Residential Areas, albeit in a more comprehensive manner (under the Residential Design Guide). The assessment of larger scale infill against Residential Design Guide is much more likely to result in a more cohesively designed development that responds to the concerns of adjoining neighbours and to the wider environment. In this way, it acts as an incentive for landowners to achieve greater building height by going through the design assessment process.

Residential Design Guide (previously known as Multi-Unit Design Guide)

The renamed Residential Design Guide signals a shift by Council in how that guide will be applied. A review of the guide showed that many of the issues associated with 'multi-unit developments' applied equally to infill housing, especially where the infill housing was 2 or more stories high. Much of the original content from the multi-unit version has been reviewed and carried over together with new content specifically focusing on infill and its effect on adjoining properties. The Guide's previous 'inward amenity focus' has been expanded to acknowledge amenity effects of the development beyond the site. This will ensure better outcomes for adjoining neighbours of such developments.

Infill developments, particularly those featuring dwellings of two or more stories, can create as much effect on adjoining neighbours as multi-unit developments, so it is appropriate that such developments are assessed against a Design Guide which covers issues of intensive residential design. It ensures that all development types that have the potential to create particular effects will be able to be assessed against the same set of guidelines, thereby not favouring one development approach over another.

5.2.3 Streetscape and Character Effects

Streetscape character

Infill housing will frequently have an adverse effect on the character and appearance of the streetscape and on the skyline and therefore require sensitive design. This is a particular problem in areas characterised by flatter terrain where new housing roof lines or walls can be seen from long distances, or where a newly erected dwelling impedes on an important visual space beyond. It is important to ensure that in such areas, the new development responds appropriately to the streetscape character.

Inconsistent and awkwardly shaped lots, disruption of neighbourhood pattern (i.e. building in the front yard of a section), out of scale buildings, different roof forms and use of materials are all issues that have continually been flagged as areas of concern during the course of research for this proposed plan change. The success with which a development relates to neighbourhood character is largely determined by decisions about location, form height, setbacks and



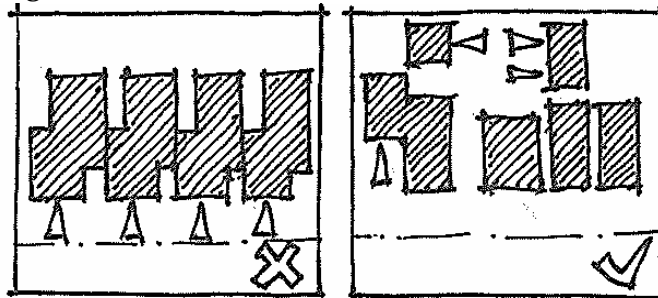
Good infill development, set amongst existing trees, helps maintain streetscape

building type. If these are considered at the time of site planning, it is likely that a successful relation to built context can be achieved.

The amended and new policies proposed in plan change 56 explicitly recognise these issues and have been strengthened to better recognise neighbourhood context (Refer to amended Policies 4.2.3.1 and 4.2.3.3 and new Policies 4.2.3.1A, 4.2.3.1B and 4.2.3.1C in Appendix 1). As discussed, changes have been made to the Subdivision and Residential Design Guide Design Guides, including a new section in the Subdivision Design Guide covering individual lot design which will help with streetscape and character considerations.

Parking and Garaging

The visual dominance of parking spaces, garaging and associated double width vehicle crossings often associated with infill developments can result in significant adverse effects on the streetscape of a neighbourhood. The rewritten Residential and Subdivision Design Guides specifically focus on this and actively discourage hardstand parking in front yards and the dominance of street garaging. They seek to ensure that front yards and the dwelling to be the focal point of a street, rather than parked cars and a sea of garage roller shutter doors. Rule 5.1.1.3.4 has been amended to reduce the permitted width of vehicle crossings in the Inner Residential Area from 6 metres (a double width access crossing) to 3.7 metres (a single access crossing). This will help to improve streetscape in these highly valued character areas and the loss of valuable on-street car parking spaces in these congested streets close to town. It should be noted that it is proposed to retain the existing vehicle crossing requirement of up to 6 metres in the Outer Residential Area, subject to on-going monitoring of that rule.



Avoiding edges dominated by garage doors

Landscaping

Inadequate landscaping provision on infill housing sites is also an issue that has risen in recent years. In many examples, lawn space is substituted with impervious surfaces such as concrete, asphalt or paving to make space for the additional car parking required. Landscaping is often carried out as an afterthought towards the end of the project with the effect on the streetscape being harsh and unattractive.

As well as displaying aesthetic benefits, landscaping should be functional. It can serve a variety of purposes – increase privacy, improve safety and security, reduce maintenance, provide sitting-out areas, make efficient use of space, provide protection from the effects of weather, provide wildlife habitats and minimise the intrusiveness of noise pollution. This plan change aims to promote these benefits by adopting new policies that minimise the need for hard surfacing, encourage the retention of trees and vegetation and require landscaping plans as part of resource consent applications so that they can be assessed at the time the consent is processed (Refer to amended Policy 4.2.3.3, specifically Policy 4.2.3.1C and Rule 5.1.3.2B in Appendix 1).

5.2.4 Environmental Effects

Increased hard surfaced areas and loss of mature trees and regenerating bush as a result of new infill development has also come under much criticism. Frequently,

existing trees are removed to make way for infill housing and many resultant examples around the city do not leave enough room to provide 'like for like' landscaping treatments. For example, small scale grasses and shrubs along the edge of a house do not provide a satisfactory alternative to the large, mature trees that once dominated a side or rear yard. Whilst it is recognised that the modern lifestyle patterns do not necessarily desire active gardening spaces that were common in the past, the amenity and greenery value of vegetation in providing a respite from the built environment is hugely important. The presence of existing mature trees on site offers the opportunity to maintain a sense of continuity and obtain an established appearance for new development.

Further, increased hard surfacing in an infill housing development not only has a negative impact on streetscape values, it can affect the permeability of a site, increasing storm water run-off.

For these reasons, new policies have been drafted to actively promote landscaping and green space, as well as the requirement for landscaping plans to be supplied as part of the resource consent applications. Applicants will need to demonstrate what vegetation is to be retained and if trees have been removed prior to development, what measures are being taken to mitigate the overall loss.

The amended and new policies relating to mitigating environmental effects is contained in Appendix 1 of this report.

5.3 Other Issues not covered by plan change

Several issues have arisen during the course of research for this plan change that are of a concern to residents but are not strictly material planning considerations or can necessarily be dealt with at this stage.

'Cheap' buildings materials used

One such issue is the use of 'cheap' looking materials or materials that do not match the style of the surrounding neighbourhood. The Building Act/Code restricts the Council's ability to require certain building materials be used in favour of others, provided a certain material is an 'approved solution' under the Code. This means that individuals are free to design the appearance of their building in any way they feel is appropriate, so long as it meets the standards set out in the Code. As the District Plan is not able to set stricter controls than the Building Code, this plan change is only able to guide the scale and nature of development to ensure it fits cohesively into its new neighbourhood.

Architectural style of new dwellings

Closely linked to the use of materials is the architectural style of infill housing and its effect on streetscape character. Concern has been raised that the style of infill housing is at odds with already established neighbourhoods. Architecture is a subjective matter and it is difficult to exercise control over. The diversity of housing styles is marked feature of the Outer Residential Area and at the same time architects firmly believe personal expression and style is not an area where Council should exercise control over. For these reasons, Plan Change 56 does not look to stipulate preferred architectural styles, but seeks to guide the scale and nature of infill housing through the use of its Design Guides.

Parking and vehicle access

Demand for on-site and kerbside parking, community safety and increased congestion are also issues that have been highlighted as areas of concern. The existing provisions in the Plan require that one car parking space per dwelling is required for a new

development in the Outer Residential Area. Differing opinions exist on the way parking is managed in the Plan. Traffic engineers ideally believe that 2 spaces per dwelling should be provided for, where other groups state that Council should encourage no parking in a push to promote less reliance on cars and greater use of public transport. On this point, it is considered that the status quo is appropriate.

This plan change has looked at reducing the width of vehicle crossings in the Inner Residential Area from 6 metres (a double width access crossing) to 3.7 metres (a single access crossing) and has also proposed the inclusion of an additional visitor parking space for every 4 units on a site. Issues regarding community safety and increased congestion on suburban streets are aspects that are being considered in the Parking Policy that is currently being reviewed by Council.

Value of infill housing not compatible with surrounding dwellings

Another issue that has come under criticism is that many people feel infill housing is not of the same 'value' as surrounding dwellings and as such, housing values in the area are decreased. There is no clear process for Council to require that new infill homes be of a certain value. Private mechanisms may be a possible tool (i.e. private covenants on titles such as those used in Greenfield subdivisions). Very often degradation of a neighbourhood is more closely related to economic factors rather than a density issue and there is no evidence to suggest that infill housing is indeed devaluing neighbourhoods.

5.4 Other planning tools considered, but not proposed

The attached section 32 report fully outlines the various options considered in developing this plan change, but it is necessary to briefly highlight three key options that were considered, but are not proposed in this plan change.

Reducing the number of units per site to one (instead of two)

This would have the effect of requiring a resource consent to create a second unit on a site. The primary reason for not adopting this option was that it could significantly undermine the Council's greater goal of encouraging development within the urban area. Whilst it would enable Council to exercise full control over the form and scale of additional dwellings on a site; on balance it was considered that the adverse effects from this level of control did not outweigh the benefits. The option proposed (limiting the height of the permitted 2nd unit) allows for infill at a scale that the Council can be confident that the effects will be minimised.

Re-introduction of a minimum lot size

Again, whilst the Council continues to seek infill with the established residential areas, re-introducing a minimum lot size provision would likely conflict with that greater goal. With most of Wellington's flat sites now largely redeveloped, it is the hilly, more marginal sites now being used for infill housing. It will become more and more difficult to find sites that could meet a 400-500m² lot minimum. The philosophy that subdivision should follow on the construction of designed dwelling, and with other changes proposed (especially open space requirement and subdivision as a discretionary activity) it is considered that re-introducing minimum lot size is not necessary at this stage.

Differing building heights and site coverage for suburbs

The idea of removing the generic building height and site coverage requirement across the Outer Residential Area (up to 8 metres) and tailoring different heights and site coverage for different suburbs has not been mooted in this plan change. The future plan change which will deal with a targeted approach to infill and intensification (i.e.

Part 2 as discussed in 4.4 of this report) may need to amend height limits to reflect the outcomes sought in those areas of change/no change. Any proposal to amend the generic building heights and site coverage would pre-empt the 'targeting' policy work and for this reason will be dealt with at a later time.

5.5 Relationship to the housing affordability issue

Housing affordability is influenced by many factors:

- who is building the housing
- land supply (i.e. Greenfield's, Brownfield's and infill subdivision in existing suburbs)
- planning controls
- the availability of bank credit
- housing preference
- residential investment market.

With so many different drivers, it is difficult to say with certainty how the infill housing review (and specifically plan change 56) will influence housing affordability. With a burgeoning elderly population and an increase in the number of 1-2 people households, it is clear that a market does exist for smaller homes requiring less maintenance. The approach adopted in this plan change ensures that those opportunities are still available.

The discussion document on a targeted approach to infill housing outlines that affordable housing could be achieved in areas where greater intensification is provided for. This would off-set the high land values in such areas to ensure affordable housing is provided as part of these new intensive development areas. Allowing more units on a given area of land will help to drive down the value of the individual units (provided this is supported by other regulation to enforce it).

5.6 Additional Proposed Residential Rule Amendments

Two other issues are proposed to be included in this plan change. Neither are specifically infill related issues, but both changes are needed to the Residential Area rules as outlined below.

The first issue on **existing use rights** first arose as part of the discussions on Plan Change 39 (Character controls in Newtown, Berhampore and Mt Cook) where it became apparent that many 'so-called' complying additions to properties were triggering a resource consent due to non-compliances of the existing building on the site. With many older buildings, particularly those in character areas, not complying with the bulk and location provisions of the Plan this is a widespread issue. It triggers a number of consents, much to the surprise of landowners and architects. Because of the non-compliance created by the existing building, undertaking 'complying' additions and alterations to these buildings requires an assessment to consider the combined effect of the proposed work and the areas of non-compliance. A proposed new permitted activity rule is included in the Plan to outline the scope of activities that may be carried out on an existing 'non-complying' building. This will provide clarity and greater certainty to landowners.

The second issue, regarding the need for all sites to **provide legal access**, comes as a result of recent examples in the city where informal site access arrangements have fallen over. This has caused significant issues for the landowner concerned but also opens up potential problems for traffic congestion in the vicinity of the affected site. The Plan does not currently specify that site access must be formalised by a legal

instrument, though it is generally understood that this be the case. To ensure that this position is clear, it is proposed to clarify an existing site access provision (section 5.1.1.3.2) to state that the site access provided must be formalised by a legal right of way instrument where the access can't to be provided directly from a public road.

6. Conclusion

Proposed District Plan Change 56 focuses on ensuring that new buildings and developments in Residential Areas recognise and enhance the existing context of the suburbs.

The changes do not seek to prevent or discourage residential intensification of Residential Areas, rather they seek to enhance the quality of infill, subdivision and new multi-unit developments and ensure that they are compatible with Wellington's vibrant and varied suburban character.

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Supporting Information

Strategic fit

In particular, the recommendations in this paper are consistent with the strategic outcomes and objectives relating to the Urban Development Strategy;

1.1 (a) More liveable: Wellington will be a great place to be, offering a variety of places to live, work and play within a high quality public environment.

1.1 (b) More sustainable: Wellington's urban form will support an efficient and sustainable use of our rural and natural resources and promote prosperity and social well-being over the long term.

1.3 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's Sense of Place initiative.

2) LTCCP/Annual Plan reference and long term financial impact

LTCCP for 2006/07-2015/16 identifies the improvement of how residential infill is managed as one of the Council's main priorities. Relates to the ongoing review of the District Plan. Project C533 – District Plan

3) Treaty of Waitangi considerations

All District Plan work is required to take into account the principles of the Treaty of Waitangi (refer to section 8 of the Resource Management Act 1991).

4) Decision-Making

The proposed changes to the District Plan are not significant in that they amend existing provisions that were adopted after following required Council decision making and Resource Management Act processes.

5) Consultation

a) Research and Communication

Internal:

- Planning and Urban Design Officers Workshop (25 January 2007)
- Councillor and Senior Management Workshop (19 February 2007)

External:

- Briefing session Residents Association representatives (12 April 2007)

b) Statutory Consultation

Statutory consultation under clause 3 of the RMA has been undertaken

c) Consultation with Maori

Ngati Toa and the Wellington Tenth Trust have been advised of the Proposed Plan Change

6) Legal Implications

The Proposed Plan Change will be processed in accordance with the requirements of the Resource Management Act 1991

7) Consistency with existing policy

Operative District Plan

The proposed plan change is consistent with the approach of updating of the District Plan and to enable its continued smooth functioning.

Urban Development Strategy

The proposal is consistent with the Urban Development Strategy.