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MEMO

Project: Brougham Street Commercial Development - 45-51 Brougham Street

To: Luke Balchin - Senior Environmental Planner, NPDC

From: Richard Bain - Principal Landscape Architect, Bluemarble

Date: 30 July 2020

Subject: Peer Review of Landscape & Visual Impact Assessment

PEER REVIEW OF LANDSCAPE AND VISUAL AMENITY EFFECTS.

1. ASSESSMENT REVEIW

I have been commissioned by New Plymouth District Council to carry out a peer review of the *Landscape and Visual Impact Assessment* 21 July 2020, prepared for KD Holdings Limited by Boon architects - authored by Daniel McEwan Landscape Architect.

The brief required that in undertaking the peer review I carry out a site visit, liaise with Boon to agree public viewpoints, review the application and the landscape and visual assessment (LVIA), and prepare a report for Council using peer review methodology.

I carried out a site investigation of the proposed site and its surrounding environment on the 29th May 2020, and visited the site with the applicant's team on the 15th June 2020. These two visits included a walk around the immediate CBD and down Brougham Street to the Puke Ariki museum and foreshore. Subsequently, a number of public viewpoints were

identified and these, as well as the three urban viewshafts which overlay the site, are included in the Boon LVIA.

I have also attended a meeting (27 July 2020) to discuss (without prejudice) the draft LVIA and in particular the proposed mitigation measures.

2. REVIEW METHODOLOGY

My review methodology examines to what extent the Boon landscape and visual assessment has covered the following matters:

- a) Landscape matters in the Operative and Proposed District Plan District Plans (ODP & PDP);
- b) Description of the existing landscape and/or urban context;
- c) Description of the proposed development;
- d) Viewing catchment and viewing audience;
- e) Preparation of photomontages which accurately reflect the viewing audience;
- f) Ranking of landscape and visual effects;
- g) Identification of proposed landscape and visual mitigation;
- h) Conclusions about anticipated landscape and visual effects. Do the conclusions of the assessment identify the areas of public concern, issues arising out of the statutory documents, and does the overall conclusion reflect the findings of the assessment?

3. PEER REVIEW

a) Landscape matters in the Operative and Proposed District Plan District Plans;

The Boon LVIA considers that the site's over-height in relation to permitted activities in the ODP & PDP is the primary visibility issue. I note that the PDP is not operative and therefore its permitted height limits have limited relevance in assessing this proposal.

I agree that the relevant rules that provide the policy framework for this proposal are

- Rule Bus12, maximum height of buildings within Business A environment.
- Rules OL63, OL71, OL75 maximum height within District Plan Viewshafts
- Rule OL50 (TREE-R10 in the PDP) Proposed removal of notable tree.

Each of these rules is described in the LVIA with the relevant assessment criteria.

The LVIA refers to the proposed 17m height limit in the PDP, using this in-part to assess the over-height portion of the building. However, the increased height limit in the PDP is just one of a number of measures that are proposed for the city. For example, the PDP proposes a City Centre Zone (in which the site is located) and refers to the *City and Town Centre Design Guide*. This guide references a defined pedestrian frontage and

heritage character area. Both of these are relevant to the site, The guide recommends, amongst other things, that new buildings complement the height and scale of neighbouring buildings. Therefore, in referring only to the 17m height limit, the LVIA rather cherry picks the PDP in regard to assessing the impacts of this proposal. In my view, reference to the PDP and all of its matters (not just height limits) relevant to the site would be useful.

b) Description of the existing landscape and/or urban context;

The local environment is described but only supplemented with one photograph - a google street view panorama. The existing environment is described as being characterised by larger buildings of mixed use - reference made to hotels, apartments and the council carpark building. The description also maintains that the buildings in the immediate area are primarily oriented towards motorised transport and that at the local setting exhibits little amenity - several heritage buildings being the exception.

The Notable tree is fully described, as is the Huatoki Steam. The sculpture on the corner of the site is not referred to, presumably because it is to be removed.

Generally, the description of the local area is brief, and does not contain much analytical information about the scale and height of buildings in the area that could inform a basis on which the proposal could be assessed. For example, there are no heights provided for any of the nearby buildings. Likewise there is no discussion of the heritage buildings on Brougham Street and how they relate to the street and each other. More discussion on the role of taller buildings in the CBD would also be useful in providing context for the proposal. The PDP refers to the pattern of taller buildings in the CBD and provides a rationale for where taller buildings are best located. Reference to this in the LVIA would provide a contextual basis on which to assess the impact of the proposal.

c) Description of the proposed development;

The proposal is fully described in the consent application and its relevant landscape and amenity attributes reiterated in the LVIA, in particular its height which ranges from 23.14m to 25.5m above ground level. Also, the proposal's visible features are described, such as a fully glazed facade with exposed timber structural elements. Internal walls are pushed towards the centre to create visual and sunlight permeability through the glazing. These statements suggest these elements are intended to avoid or mitigate effects.

The application, architects drawings, and visualisations in the LVIA provide a clear understanding of the form and scale of the building. What is less clear are the materials and colours of the top floor apartment, and the pedestrian interface with Brougham and Powderham Streets. There are no visualisations in the LVIA that show the interface with the stream.

d) Viewing catchment and viewing audience;

The LVIA states that *as the Consent is being publicly notified identifying individual private receptors is not part of this assessment*. The appropriateness of not assessing private receptors is a planning matter on which I make no comment.

The visual catchment includes a 1.5km radius from the centre of the site. This has been defined by the assessing the line of sight. However, there is no methodology or rationale for identifying the view catchment to the west and east. Given the height of the building, my assessment is that it will be visible well beyond 1.5km east and west. It would have been useful if Boon had prepared a visual catchment map to show which areas of the City will be able to see the proposed building.

The visual absorption capability is assessed as *high primarily due to the existing built form and urban fabric providing good capacity for the proposed building to be absorbed into the existing environment*. There is brief discussion as to how this capability is assessed, relying on the low existing amenity of the area - including low quality footpaths, traffic, low permeability of other buildings, and the site itself being a loose seal carpark. While I agree with this descriptions, they do not necessarily justify increased height. It would be useful if this evaluation related to the scale and height of the proposal.

e) Preparation of photomontages which accurately reflect the viewing audience;

Montages for all viewpoints are provided. These are accurately created using appropriate methodology and are very helpful in assessing effects. Permitted height lines are also shown which is also helpful. In order for the visualisations to more fully inform the effects assessment, it would be useful if some could be printed at a A3 size, in particular, Viewpoints C, D, & E and Viewshafts 1 & 2 (Marsland Hill & Victoria Road). Larger prints of these images would be useful in understanding the scale of the proposal and potential dominance effects.

f) Ranking of landscape and visual effects;

The Boon LVIA uses a methodology based on four guidance documents which represent common practice in the landscape assessment profession, and uses a visual absorption capability (VAC) approach to identify the landscape's ability to receive the proposed change, by way of resilience and capacity.

The methodology for ranking of effects uses a five point 'actual effects level' scale ranging from **very low** to **very high**, noting that effects can be **positive** or **negative**. The descriptor for **Low** is *effects that are noticeable but are likely too small to generate 'negative' effects that would require additional mitigation*.

The LVIA contends that the building will contribute positively to the local area by lifting the areas overall quality. I agree that the site would benefit from a high quality building, but what about a tall one? How does the over-height contribute to the character of the area?

The LVIA assesses landscape effects separately from visual effects. With regard to character effects the assessment contends that *local area is characterised by a high degree of variability in built form scale and appearance which means the proposed building can be more readily accommodated without compromising any distinguishing urban character*. How does the area's variability in form and scale more readily accommodate the proposal? In my opinion there needs to be more analysis of the heights of the buildings in area in order to provide basis for assessing the effect of character from the proposal.

Visual effects assesses twelve public viewpoints and three viewshaft locations. These viewpoints are as agreed with council.

Each viewpoint is described and then assessed, concluding with an overall visual effect level rating from **Very Low** to **Very High**. The descriptors for these ratings can be found under the methodology chapter of the LVIA. Slightly confusingly, another set of descriptors is found under Appendix B. For example, under methodology the descriptor for a **Low actual effect** is *effects that are noticeable but are like too small to general negative effects would require mitigation*. In Appendix B, Level of Effect uses a seven point scale with Low described as

Low – Use – the development/ activity would:

- *have a low level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is seen; and/ or*
- *have a low level effect on the perceived amenity derived from it*
- *no more than minor visual effects under RMA, no more than minor effects on view, which includes less than minor, minor component of a wider view*

So for the overall visual effect for each viewpoint, it is unclear which level of effect descriptor is applicable?

The narrative around each viewpoint is appropriate and well considered, although there is no analysis or rationale that supports the contention that the building can be concluded to of *high quality aesthetic*.

I have reviewed all of the viewpoints and visited each to ascertain to what extent the assessment concurs with my own. Overall, I consider that the effects ratings in the LVIA are understated. Using the descriptor of **Low** in the LVIA, it contends that for the vast majority of the viewpoints the effects *are noticeable but are like too small to general negative effects would require mitigation*. In my opinion, given that the building is 9.14m to 11.5m over-height, I have rated effects generally 'one step' higher than the

LVIA. The table below summarises the LVIA and my assessment using both the five and seven point scale descriptors. Please note that I have not repeated the full descriptors unnecessarily.

Viewpoint	Effect Type' Five point scale		Level of Effect' Seven point scale	
	Boon	Peer Reviewer	Boon	Peer Reviewer
A	<p>Low Effects that are noticeable but are likely too small to generate 'negative' effects that would require additional mitigation.</p>	<p>Moderate Effects that are noticeable that cumulatively may be more significant but can generally be mitigated to an appropriate level</p>	<p>Low have a low level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is seen; and/ or have a low level effect on the perceived amenity derived from it no more than minor visual effects under RMA, no more than minor effects on view, which includes less than minor, minor component of a wider view</p>	<p>Moderate have a moderate level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is see; and/ or have a moderate level of effect on the perceived amenity derived from it visual effects of some significance, visible and recognisable new element, may have a noticeable impact on viewers</p>
B	Low	Moderate	Low	Moderate

Viewpoint	Effect Type' Five point scale		Level of Effect' Seven point scale	
	Boon	Peer Reviewer	Boon	Peer Reviewer
C	Low	High Effects that are significant on their own likely to represent an inappropriate development however may be reduced to a lower effect through appropriate mitigation measures	Low	High have a high level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is see; and/ or have a high level of effect on the perceived amenity derived from it high visual effect, significant and apparent change affecting overall landscape character
D	Low	Moderate	Low	Moderate
E	Low	Moderate	Low	Moderate
F	Low	Low	Low	Low
G	Low	Moderate	Low	Moderate
H	Very Low Barely noticeable effect that requires no mitigation.	Low	Very Low have a very low level of effect on the character or key attributes of the receiving environment and/ or the vista within which it is seen; and/ or. have a very low level effect on the perceived amenity derived from it	Low
I	Very Low	Very Low	Very Low	Very Low
J	Very Low	Very Low	Very Low	Very Low
K	Low	Low	Low	Low

Viewpoint	Effect Type' Five point scale		Level of Effect' Seven point scale	
	Boon	Peer Reviewer	Boon	Peer Reviewer
L	Very Low	Very Low	Very Low	Very Low
Viewshaft 1 Marsland Hill	Low	Moderate	Low	Moderate
Viewshaft 2 Vicotiral Road	Moderate	Moderate	Moderate	Moderate
Viewshaft 3 Cameron Street	Very Low	Very Low	Very Low	Very Low

Shading

Shading effects are briefly assessed. Shading diagrams are not included in the LVIA and no reference is made to the shading diagrams in the application. From my understanding of the shading diagrams in the application, there do not appear to be any adverse shading effects over and above a permitted height building, except possibly on parts of the Nice hotel. A more detailed assessment of this may need to be undertaken to determine whether shading does in fact extend to portion of the hotel complex.

g) Identification of proposed landscape and visual mitigation;

Mitigation is divided into existing and proposed measures. Existing measures include the glazed facade that provides visual permeability and connectivity, structural timber, and green star building status.

The visual permeability of the building is referred throughout the LVIA as one the main mitigation measures in regard to the buildings over-height. I agree with this in principle but there are a number of unknowns that require clarification in this matter. Firstly, is the glass tinted? In other words, how transparent will it be in practice. Secondly will the glass create glare? Thirdly, will the permeability become ineffective if office occupants install blinds and the like?

The LVIA states *softening of the top-level 3-bedroom apartment is to be considered. The top-level parapet causes the most significant impact of the over height portion of the proposed building due to the visual weighting of this element.* I agree that the top level apartment adds visual weight to the building. There is little detail in the proposal about the visual aspects of this. Is glazing similar to that shown on the main building? What are the colours and materials of the structure? The LVIA suggests that mitigation of the top level apartment could include;

Re-design of the top-level apartment to have a lighter roof element and with more visual permeability through the apartment.

Reduction in scale of the top floor apartment testing project feasibility against allowing for more open space/deck area on the top level.

I agree that these proposed measures could reduce the effects of the over-height and encourage exploration of these measures.

Two further measures are proposed to reduce effects.

Vegetated wall façade to the south façade. As the proposed building mass has an adverse effect primarily of concern in the Victoria Road viewshaft and within the Marsland Hill/Pūkākā viewshaft due to the lost amenity value of the notable tree. Some form of planting on portions of the project area is to be considered in mitigating effects of the proposed building in these key views.

Planted elements to the Huatoki Stream edge of the proposed building. Soft-scaping and vegetation are to be considered in support of the retained Kentia Palms to mitigate the adverse effects as a result of lost amenity with the proposed removal of the notable tree.

A vegetated wall would potentially reduce glare from the external glazing could be worth exploring. However, in my opinion the effects of over-height could be intensified if the whole of southern facade changed from visually permeable to a green wall - notwithstanding that maintaining planting of the southern face of a wall would be no easy task.

I agree that the additional planting of the Huatoki is beneficial to the project, although this is probably more of an offset than mitigation with regard to over-height.

I agree with the LVIA's assessment that effects from the removal of the notable tree can be offset by additional planting and opening off the Huatoki Stream.

h) Conclusions about anticipated landscape and visual effects. Do the conclusions of the assessment identify the areas of public concern, issues arising out of the statutory documents, and does the overall conclusion reflect the findings of the assessment?

The conclusion states the with the *exception of the Victoria Road viewshaft*, the proposed building will *sit well within the existing context*. Further, the *overall building aesthetic affords 'positive' amenity to the existing urban form providing a landmark building as a precedent for green building practices that encourage better quality buildings within the CBD providing better activation of the area and its surrounding elements which aligns with the NPDC 'Blueprint key directive' for the 'Central City'*.

Overall, it is my opinion that the effects ratings for the proposal are understated and that there is little rationale for it sitting well within the existing context, particularly given that there is little analysis of the heights and of buildings in the area and or analysis of the building pattern in the CBD. The assertion that it will be landmark building does not justify its over-height. The building does not need to be this tall to be a landmark building, the Len Lye centre being a case in point.

I do agree that the building has the potential to activate the area which broadly aligns with the NPDC blueprint and PDP.

With new access to portions of the Huatoki Stream further amenity value is gained to help mitigate any adverse effects in removal of the notable tree by opening the stream edge to more daylight and visibility and more human scale interaction.

This conclusion about the notable follows from the analysis in the body of the LVIA, although the opening of the stream edge is only partially achieved with this project.

Considering a permitted 17m high development under the PDP and If mitigation measures are implemented to remove or reduce adverse effects associated with the over height portion of the proposed building and lost amenity in removal of the notable tree, it is considered that the overall impact on landscape character and amenity value will be Low.

I agree that there is potential to mitigate effects, but as discussed earlier in my review I disagree that a 17m building represents a permitted building by which to assess this proposal.

In summary of this assessment of effects on landscape character and amenity value of the proposed development to construct a building up to 11.5m above the permitted building height. It is considered that with the mitigation measures the overall impact on the surrounding area and wider context will be acceptable.

I would suggest that the conclusion that the *overall impact will be acceptable* relies on the recommended mitigation measures being able to reduce effects, which at this point is uncertain.

Recommendations

1. An analysis be provided to show the heights and scale of buildings around the site and greater CBD; to show how the building fits within the pattern of development that currently exists. It may also assist the assessment to identify to what extent the proposal fits within the City Centre Zone of the Proposed District Plan, including reference to the City and Town Centre Design Guide.
2. Design alternatives and/or more certain descriptions of materials and colours be provided for the top level apartment.
3. A3 visualisations be created for Viewpoints C, D, & E and Viewshafts 1 & 2 (Marsland Hill & Victoria Road). Larger prints of these images would be useful in understanding the scale of the proposal and potential dominance effects, and would enable assessment to be made by having images that can relate to actual on-site views at a similar scale.

Please contact me anytime if you wish to discuss any aspect of this review.

Richard Bain

Landscape Architect

