

Re: Application for a resource consent KD Holdings LTD

I cannot attend the hearing scheduled for the 24th February and would like this written statement to be read by the commissioner as it contains my concerns with this project as summarized in my original resource consent submission and in relation to the documents that have subsequently been released.

I Have opposed the application on the grounds it will breach the height restrictions contained in the Operational DP by 12 '5 meters and if / when the proposed DP comes into effect it will still be 8 meters over. This breach will adversely impact the Heritage *Character Area* and the protected view shafts between the sea and the high places of New Plymouth.

The New Plymouth Central Area Urban Design Framework 2013 DM1398140

Lays out the *Vision* and *Principles* for future developments within the Central Urban Area of New Plymouth. Pages 30 – 33 are of significance when assessing the merits of the proposed rule breach on Building height restrictions within this area, which in no way have been addressed by the applicant nor adequately considered by the Council Planner in his report.

There are many glaring inconsistencies in the Planners report. On the one hand see section 79 of the report he talks about the PDP and the future direction of the CBD to allow taller buildings but states these new proposals do not yet have legal effect.

He dismisses out of hand any adverse effects of the proposed 25.5-meter height of the building on the character of the area by suggesting “that the cultural support it has received alongside of the council’s intention to open up the Huatoki stream (following the purchase of the metro centre by the NPDC and presumably its intention to demolish the Carpark building on the other side of the stream) *outweigh any moderate adverse effects from the over height component of the building* “

Thus, he does acknowledge that there are adverse effects from the height of the building on the surrounding area. Presumably believing that this justifies ignoring this aspect of the adverse effects of the building’s height in his report.

See page 31 Good Urban Manners Design Criteria
Building Appearance

“The extent to which a buildings scale including height and width, is in keeping with the surrounding environment and contributes to streetscape amenity”.

The map on page 33 illustrates how grossly out of character is the proposed breach of height sought by the applicant. It will clearly impact on the visual amenity of the surrounding urban area by towering over all the 2 or 3 story buildings that characterize that area of Devon street. An obvious case in point is the neighboring heritage building at 41 Brougham street.

The Len Lye Building that sits beside the White Heart is a perfect example of a modern splash of architecture that enhances its surrounding by not overwhelming them, staying close to the height restrictions of the NPDC district plan.

Why cannot the applicant design a building that stays within the rules of this zone: a three- or four-story building would not have such monumental adverse effects on the area. It would then stay within keeping of the heights of the few, nearby buildings that are in excess 14-meter rule,

The Peer review of landscape and visual amenity effects prepared by Richard Bain of Blue Marble, asks’: *A tall building on the subject site could potentially interrupt the city’s existing building height patten, begging the question How tall is too tall?Given the city’s existing building height*

pattern, the proposal in my view is taller than desirable.” Mr. Bain suggests in his report that a building height of 4 stories or 21.5 meters height might avoid potential adverse effects.

Adverse effects on View shafts

The question of the impact on view shafts has been addressed by Mr. Bain’s review. He considers that with regards to the Victoria road view shaft effects will be moderate and that the view shaft from Marsland hill will be dominated by this building. It will mean that the green space currently enjoyed from the foreshore will be eclipsed by a glass structure.

In summary I am not satisfied that the applicant has attempted to fully mitigate the significant adverse effects the height of this building will have on the surrounding identified heritage building area of the CBD. I would ask them to consider reducing the height of the building at least in keeping with the PDP which, as the Planner has noted, is not currently legally in effect, but at least will allow the building to exceed the current height restriction of 14 meters.

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