

Before the Hearings Commissioners at the Christchurch City Council

under: the Resource Management Act 1991

in the matter of: an application by Ryman Healthcare Limited for resource consent to establish and operate a comprehensive care retirement village at 100-104 Park Terrace and 20 Dorset Street, and 78 Park Terrace, Christchurch

between: Ryman Healthcare Limited
Applicant

and: Christchurch City Council
Consent Authority

Summary of evidence of Josie Schröder on behalf of Christchurch City Council

29 January 2021

SUMMARY OF EVIDENCE OF JOSIE SCHRÖDER ON BEHALF OF CHRISTCHURCH CITY COUNCIL

Introduction

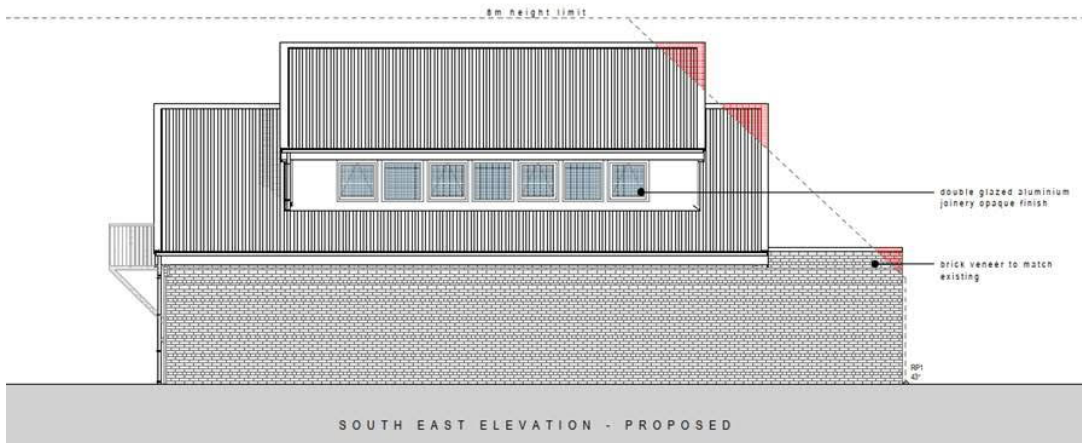
1. My name is Josie Schröder. I am the Principal Advisor Urban Design at Christchurch City Council and have provided Council's urban design advice on this application. My qualifications and experience are set out in my statement of evidence dated 27 November 2020. I repeat the code of conduct statement contained in my statement of evidence.
2. As with my evidence in chief, this summary should be read in conjunction with those of Ms Jennifer Dray, CCC Team Leader/ Landscape Architect and Mr John Thornton, CCC Arborist, with whom I have discussed the proposal and with whom I generally concur.
3. I have read the Application material and heard the evidence of the Applicant and their expert witnesses in relation to urban design and landscape matters. I have also been informed by submissions to the proposal. I have visited the site and surrounds, most recently on the 25th January 2021, with a focus on detailed design aspects discussed by Rymans urban design experts Ms Skidmore and Mr Burns.
4. In respect to urban design, I consider that the proposal, including both sites, and their context have been explained at length and in detail by Ms Skidmore, Mr McGowan and Mr Burns, including each of the boundary conditions. I note some discrepancies between my view and that of Mr Burns in a couple of instances in regard to these boundary conditions which I will cover off.
5. Further I have understand recent amendments to the proposal intended to address both concerns that I have raised and those of other experts and submitters.
6. A more detailed analysis of landscape matters related to tree type, positioning and growth has been provided by Mr Dixon, which has relevance to my evidence, but for which I will defer to the advice of Ms Dray and Mr Thornton.
7. For the purposes of my summary, I focussed my comments more generally on amendments proposed by the Applicant to the proposal, matters of clarification and outstanding areas of disagreement with the Applicant's expert urban design witnesses.

Corrections/clarifications

8. I have the following corrections to make:
 - In paragraph 28 of my urban design evidence, on the basis of planning advice, I considered the residential towers located on the Peterborough Site, now demolished, as part of the existing environment. As such I requested information from the Applicant relating to shading of the former towers in comparison to the proposal, and this informed my assessment of the proposal.
 - I understand that Council has received legal advice and as a result of this advice and based on discussions with Resource Consents Unit staff, the approach I have taken is that the towers do not form part of the existing environment as the current proposal is in substitution of them. As a result I have reviewed my assessment of overshadowing but there is no material difference in respect of the level of effect as a result.

- In paragraph 82 in respect to 4A Dorset Street, the consented Stables building, I discuss the extent of the potential for visual dominance effects on the residential amenity of future occupants. I assessed the proposal in relation to the s127 plans as I considered them the most recent. The opacity of the south facing windows was not noted on the southern elevation of those plans as illustrated below. If however, the windows are to be opaque, I would agree with Mr Burns that there will be no immediate impact from the southern view from the Stables building.

RMA/2017/2588 – Original consent elevation



RMA/2017/2588 – s127 elevation (illustrated below)



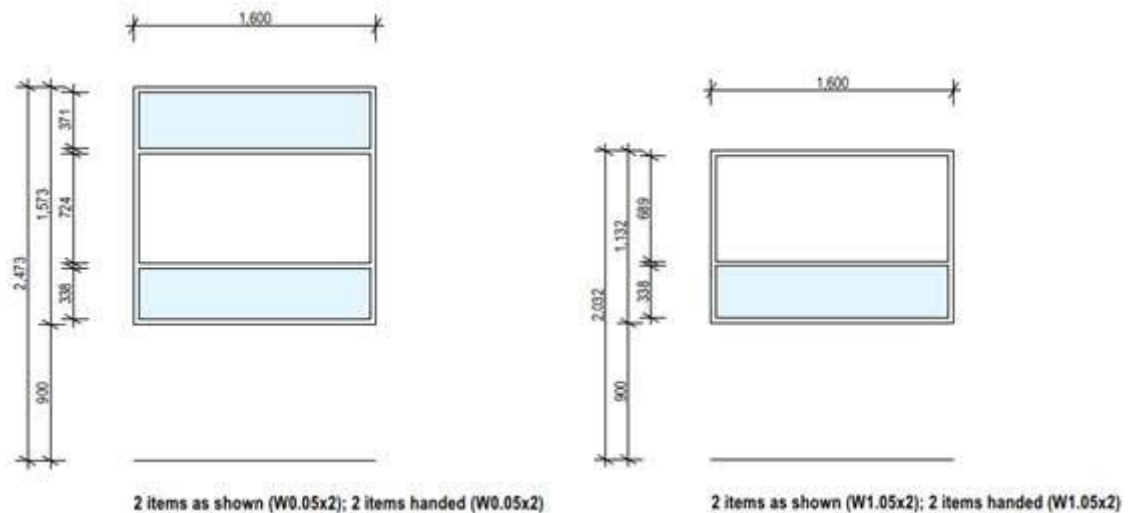
- In regard to 2 and 6 Dorset Street, I noted large windows on the southern façade in relation to these units. The building was, and is, under cover due to renovation. As such I determined the outlook using Google Earth rather than in reference to the building consent plans BCN/2019/5299. I consider this was an error. I note that the windows were, and remain, partially screened from this view as identified on the following page. I consider there still remains a visual dominance effect when standing looking out from kitchen windows but I assess this as low, rather than low-moderate as previously assessed. This is to the limited

extent of glazing and limitations to the direct outlook from them from further within the apartments.

South facing façade of 2 to 16 Dorset Street



Window detail for the south façade of 2 – 16 Dorset Street



10. In paragraph 57 of my evidence in chief I have referred to Bo8, this read B07.
11. In paragraphs 117, 118, 119 and 120 of my evidence in chief I have referred to B08. This should read B07.
12. In paragraphs 121 and 122 of my evidence in chief I have referred to B07. This should read B08.
13. In paragraph 123 references to B07 and B08 should be reversed.

Summary of evidence

14. I have stated my belief that there are positive impacts of the proposal, particularly in regard to the activity and density of residential activity within the Central City location. I also believe that there are adverse visual and amenity impacts that are in some instances moderate to high. In respect to each of the urban design matters outlined in my evidence in chief, my conclusions are largely unchanged as a result of the expert evidence and submissions I have heard.
15. I also consider that there is a high degree of alignment in respect to the assessment of the proposal between Ms Skidmore, Mr Burns and myself, with some exceptions.
16. I consider the retirement complex supports the intent of providing for a variety of residential typologies in a high, rather than medium density environment. I consider that this is consistent with the District Plan objectives and policies as they relate to urban design matters, outlined in my evidence in chief, in the context of the Ōtautahi/Christchurch Central City.
17. The proposal will have substantive visual and functional impacts on the residential character of the area. This is in my view irrespective of the District Plan non-compliances of the proposal. Rather they are largely the result of considerable change associated with the redevelopment of two large scale central city sites.
18. I consider the scale, form, approach to building massing and density of development on the Sites is generally appropriate to the location, with the exception of some of the over-height elements and in regard to a number of street and site interfaces.
19. The design approach to both of the Sites has generally been well considered, addressing the site attributes and architectural context. The overall architectural quality in my view is high. The approach to the proposal is suggested by the Applicants design experts as "nuanced". I generally consider this is effective, with some exceptions, including:
 - The north and south facades of B02.
 - The north, end facades of B01.
 - The south façade of the western wing of B07.
 - The north façade of B07.
 - The east façade of B08.
20. In my opinion the landscape approach, including large scale tree planting is crucial to achieving an adequate level of amenity and providing visual relief to the built form, in respect to the neighbourhood context, neighbours and users of public space.
21. Amendments to the landscape approach have been proposed by the Applicant and will be discussed in more detail by Ms Dray and Mr Thornton. On the advice of Ms Dray and Mr Thornton, I consider that scale and form of tree planting needed to address the context and offset visual effects at the boundaries to the Sites will still not be achieved through the amendments proposed in some instances, but will be in others. But more generally I consider that more space is required adjacent to residential boundaries of the Sites is required to effectively accommodate larger scale trees, with variation in tree form.

22. The Chapel has been retained and repurposed on the Bishopspark Site which is positive. However I do not consider the context has not been effectively been addressed, including the retention of existing mature trees on the Bishopspark Site.
23. Amendment has been proposed to tree planting at the northern boundary of the Bishopspark Site with the Dorset Street Flats. However, I consider there remains insufficient cognisance of the heritage values of this building in its relation to the context and character of the neighbourhood, and its contribution to amenity. More specifically I consider that the interface of B01 in relation to the Flats requires a more nuanced design response.
24. On the basis that the trees will be able to effectively established, as discussed by Mr Dixon, I consider a high quality street interface will be achieved for both Sites, with the exception of Salisbury Street in relation to the Peterborough Site and B07.
25. I consider there will be adverse impacts on visual amenity and overshadowing on adjacent neighbours, which range from low to high, with the latter effects in respect to apartments at 15 Peterborough Street.
26. I concur with Ms Skidmore and Mr Burns (although he has noted one exception) that CPTED has been effectively addressed across each of the Sites.
27. I also consider that access and safety are effectively addressed where related to urban design, with the exception of the provision of cycle parking and access to it where it is provided. Mr Burns noted that cycle parking is for staff only, however I still consider both are inadequate in respect to legibility and safety. I was also of the understanding in respect the original proposal that cycle parking would be provided on site for residents of the independent apartments.
28. Some cognisance has been taken of environmental efficiencies ad sustainability initiatives.

Amendments to the Proposal

29. I concur with Mr Burns that painting of the south stair core of B07 in a more recessive colour (it appears as a deep grey) will reduce its visual impact on 76 Park Terrace, such that I consider the level of impact on this property will be low-moderate.
30. I defer to the advice of Ms Dray and Mr Thornton in respect to the amendment to tree planting at the boundary with Dorset Street in terms of their effectiveness in respect to form and growth, but consider that the trees will make a positive contribution to the character of that street.
31. I defer to the advice of Ms Dray and Mr Thornton in regard to the amendment to the tree species and their location on the northern boundary of the Bishopspark Site in terms of the effectiveness in respect to their form and growth. However I do not consider that this change will lessen the visual dominance and visible scale of the northern facades of B01 in respect to the heritage values of the Dorset Street Flats.
32. I agree with Ms Dray in respect the amendments made to tree planting strategy for the Peterborough Site adjacent to Park Terrace. I consider that both the proposed scale of planting (allowing for growth to natural form and scale) will contribute positively to the context, further providing visual interest and legibility to the site and its entry points.

33. However I am concerned that the form and scale of the proposed fastigate Oak on the corner of Salisbury Street and Park Terrace, while providing greater legibility will further reinforce the vertical scale of building in respect to Salisbury Street.
34. Further, amendments have been proposed to the tree species on the northern boundary with Salisbury Street. I understand from Ms Dray that the intent is provide for a tree that will grow within the limited area available. However as discussed in more detail below, I still do not consider that an effective street interface has been achieved.

Outstanding issues

35. I generally concur with the areas of dispute between Ms Skidmore, Mr Burns and myself in regard to urban design matters as outlined in their summaries of their evidence.

Context

36. I recognise the difficulties in retaining large scale trees on-site particularly when a basement covering almost the full extent of the site is proposed. However in my view the large scale trees, existing or proposed, provide a contextual element to the proposal as described by both myself and Ms Dray in our evidence in chief, and in respect to the Chapel by Ms Richmond. This is irrespective of whether the trees provide mitigation (referenced by Ms Skidmore as screening) or contribute as a "green foil" to the context.
37. Ms Dray in her landscape report summary, paragraphs 7 and 8, explains in some detail the value of trees beyond screening for mitigation. I concur and consider that trees add to the visual complexity of the urban area, and more specifically to the subject neighbourhood, and to the contextual values, ecological values, identity and sense of place, matters also raised by Dr Roper-Lyndsey in her submission. I consider that large scale trees are part of the context in this locale and contribute to its character and amenity, and more fundamentally to the expectations of a high quality environment.
38. I also consider that trees can reinforce the grain of a neighbourhood, providing visual breaks within the built form. I have been informed by both Ms Dray and Mr Thornton that in respect to proposed trees within the Sites that, with the exception of the Common Lime and the amended trees discussed by Mr Dixon in relation to boundary treatments, that the trees proposed will not achieve a height that will penetrate the rooflines of the buildings.
39. There are some larger tree species proposed internally to the site in respect of the Bishopspark Site, especially in the promenade courtyard (dementia wings) for example. There are breaks in the buildings provided by courtyard spaces with planting within in them, which will allow for views to the trees within. However all of the trees, with the exceptions identified by Mr Dixon, are proposed to be maintained to a maximum of 8m in height. This is within the context of buildings of 14m to 25m.
40. I consider that the heritage values of the Dorset Street flats, including their setting, contribute to the character values and amenity of the neighbourhood. I consider that these values as they contribute to the Dorset Street context and neighbourhood amenity will be diminished by the visual impact of the north elevations of B01.

41. My understanding of character in an urban context is that it is a combination of the elements of the built and natural environment. This may include a mix of land uses, building types, styles and ages, public or private spaces, site layout, street patterns, topography and vegetation, each influencing the level of distinctiveness of an area. For example, the combination of the scale and form of development, and heritage values of the Dorset Street flats, in combination with the more intimate context of Dorset Street, provides a distinctly different character and context to that of Salisbury Street or Park Terrace for instance.
42. Mr McGowan in his summary in paragraph 28, provides an elevation of Dorset Street to illustrate the relationship of B03 to the remainder of buildings along the street. I draw attention however to the juxtaposition of the two storey Dorset Street Flats with the scale of B01 behind.
43. In paragraph 63 of his evidence, Mr Burns has stated "height and scale juxtaposition occur when the lower and finer grain existing buildings at 90 and 84 Park Terrace are considered (for the Bishopspark Site) or 76 Park Terrace (for the Peterborough Site). This is an inevitable outcome for an area planned for intensification and that has been subject to a significant loss of existing built fabric through the earthquakes. In such cases the ability to mitigate visual dominance through creating relational scale qualities in the form and façade of new buildings are mechanisms that can be deployed."
44. I note that while I did not hear directly the evidence of Mr Garlick, I understand that he spoke of aspects such as the "looming presence" and "overbearing" building in relation to B01 and the Dorset Street Flats, and further the importance of the use of the rear garden, particularly once reinstated, as contributing to residential amenity. This has been further discussed by Mr and Mrs Roper-Lyndsey in their submissions.
45. My concern is that a similar response to the refinement of the scale of building applied to 76 Park Terrace has not been applied to the northern elevations of B01 or consideration of the setbacks and/or tree planting in respect of the Dorset Street Flats. The Dorset Street Flats are in my view at least equivalent if not of more importance to the context of the neighbourhood as the relative scale and amenity of the buildings of Park Terrace noted above. A more nuanced design approach, increased building setback and/or change to the scale and form of planting may better achieve this.

Street interfaces

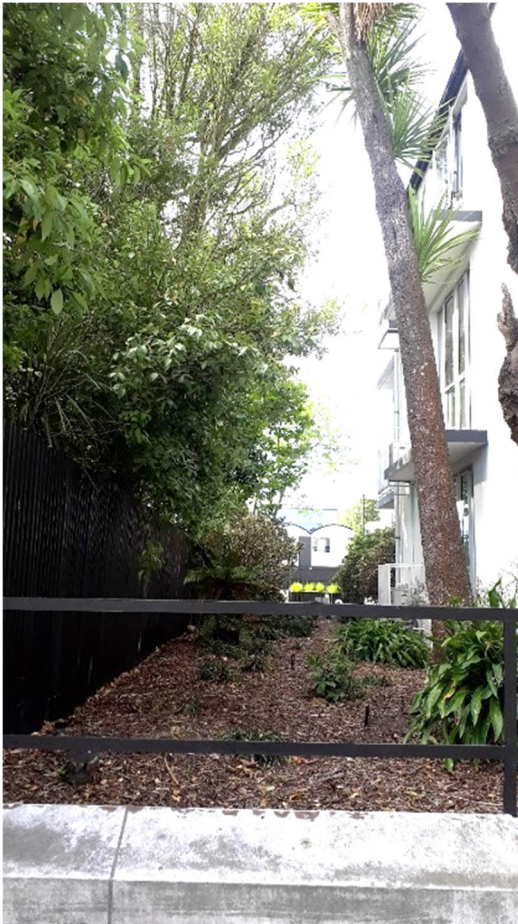
46. In regard to the Salisbury Street interface, I do not consider that Salisbury Street is a more urban environment than Park Terrace, rather I consider that it has a lesser amenity derived from the extensive hardscape of the public space of the street, and the edge conditions including vacant sites. I do not agree with Mr Burns as originally stated in his summary of evidence that the "B07 frontage to Salisbury Street is appropriately differentiated... reflecting the hierarchy of the streets." Rather I consider that more focus has been placed on the interface with Park Terrace through the design process, with less consideration of the amenity and quality of the interface of Salisbury Street, or the nuanced approach utilised elsewhere on the Peterborough Site.
47. The north and south elevations of B02 are still in my view incongruous with more finely detailed aspects of the proposal including the interface directly between B02 and Park

Terrace. While angled away from the street boundary, the north and south elevations are tall, blank and of a potentially highly reflective colour and material. I consider these elevations will be visually incongruous within the street environment and result in a visual dominance effect to users of the street. Ms Skidmore noted in her response the transience of users in respect of this. While I do not consider that people will stand and look at these elevations, in my understanding of this environment as a resident of Ōtautahi/Christchurch and a user of this area there are many local residents and regular users of this area.

Residential amenity

48. Following the discussion between the Commissioners and the Applicant's expert witness, I undertook a further site visit to better understand the edge conditions of the sites where they were of issue, particularly in regard to 15 Peterborough Street. I noted, as illustrated overleaf, the minimal extent of medium or large scale vegetation adjacent to the western boundary of 15 Peterborough Street. Rather I noted that most of the vegetation was within the subject site, and did not extend for the full length of the boundary with Peterborough Street.

View from Peterborough Street along the western boundary of 15 Peterborough Street



View from the north-west to 15 Peterborough Street across the subject site.



49. As such I do not consider that the on-site vegetation of 15 Peterborough Street in itself has any substantive impact on the potential amenity provided though access to sunlight. Further, I consider that there is a significant difference in the outlook filtered through vegetation, if present, and the solid form of a building. As such I still conclude that amenity effects on west facing apartments at levels 3 and 4 will have shading and visual dominance effects that are moderate to high.
50. In regard to the comments of Mr Burns in regard to the boundary conditions relating to 6/17 Salisbury Street, including having only “very small, high level windows, I have provided the photo below taken on January 25th 2021, also indicating lower level windows, albeit partially obstructed by the fence and adjacent garage. However in respect to my assessment of the visual dominance effects and this property, I also took into account the use of the outdoor living space, which I consider an extension of interior living space.



51. In regard to 5 Salisbury Street and the submission of Mr and Mrs Goodland, noting the site is currently vacant, I consider that there will be an adverse amenity impact resulting from shading on the north east corner of their site during the winter afternoon. From my

knowledge of site layout, particularly of multi-unit development, which is considerable, a likely design response to this site would be to locate outdoor living space or living areas to this aspect. I have assessed the extent of overshadowing as low-moderate or equivalent to minor, on the basis of the area of overshadowing, the length of time that it will likely occur, and the time of year, noting the proximity of the overshadowing to the property boundary.

52. I agree with Mr Burns in respect to the Centro Hotel, and the reliance on outlook to the west given the potential for the scale of redevelopment of the adjacent residential site, and the distance to the proposed development.

Matters raised in discussion

53. I concur with Ms Skidmore as to the reasoning she outlined in her presentation in regard to the level of sensitivity of commercial activity versus residential activity, including level of transience, type of use, nature of activity undertaken including focus of activity. I also consider there are degrees of sensitivity dependent on the commercial activities.
54. There have been a number of references to the Ōtautahi/Christchurch Urban Design Panel throughout the hearing of the proposal, by both the Applicant, their expert witnesses and submitters. I would like to note the independence of this Panel, including their advice provided by way of recommendations as a pre application phase of the proposal, from that of Christchurch City Council staff advice and my own expert advice in respect of this proposal. I would also note that the Terms of Reference of this Panel does not include scope to look at amenity impacts on neighbours.

Conclusion

55. I consider there are positive impacts of the proposal, particularly in regard to the range of typologies in the Central City location. I consider that the scale of activity in the whole is appropriate to this inner city location. I also consider that the broad structuring elements of the proposal and the design principles upon which the proposal was developed are sound from an urban design perspective.
56. However, I also believe that further nuance in the design response to the context is required, and that there will be adverse visual and amenity impacts, albeit on a limited number of properties, that will be moderate to high.