

Under the Resource Management Act 1991

In the matter of an application by Simon Jay and
Josie Martin in regard to RMA/2020/2000 for the
expansion of commercial activity and sculpture
gardens at 70 and 74 Rue Balguerie, Akaroa.

Urban Design Assessment of William Hemming Field

31 May 2023

Introduction

1. My name is William Hemming Field.
2. I am a Senior Urban Designer at the Christchurch City Council. I am a registered member of the New Zealand Institute of Landscape Architects, and member of the New Zealand Urban Design Forum. I have been a Senior Urban Designer for the past 2 years at the Christchurch City Council.
3. Prior to this role, I was a Senior Landscape Architect at Regenerate Christchurch for a period of 2 years, and a Principal Landscape Architect at a New Zealand based environmental consultancy for a period of twenty years.
4. From 2009-2012, I was a member of the Christchurch Urban Design Panel, providing independent design review of private and public sector developments.
5. I hold the qualifications of Bachelor of Landscape Architecture (1st Class Honours) from Lincoln University, and Bachelor of Fine Arts (University of Canterbury School of Fine Arts). I have received accredited training in and have undertaken Crime Prevention Through Environmental Design (CPTED) assessments (ISM CPI Advanced training).
6. My current role involves providing urban design advice for resource consent applications and Council projects. My experience includes providing policy advice, spatial and land use structure and outline development planning, plan change assessments for residential developments and industrial rezoning, resource consent preparation and assessment for residential and commercial developments and subdivisions, and infrastructure projects. I also have design experience in the contexts of urban and rural amenity, historic and natural settings, and ecologically sensitive design projects, and project design development and construction. As part of the above experience, I have contributed to mana whenua cultural design integration and co-design for projects.
7. I have provided expert advice to the Environment Court, the Christchurch Independent Hearings Panel, and at Council hearings.
8. I am very familiar with Akaroa having assisted with preparation of Akaroa Character Study, Christchurch City Council (2010) assessing the predominant character features of Akaroa. I have also participated as a Council staff member in the Akaroa and Lyttelton Design Review Panels.

Background

9. The initial draft of this report was prepared by Ms Josie Schroder – formerly Principal Urban Design Advisor at Christchurch City Council. Prior to Ms Schroder leaving her role at the Council, I reviewed and discussed her assessment (dated 5 January 2023) with her. In this report, I have adopted her broad conclusions and provide further advice on the additional information provided by the applicant, and recommended conditions of consent.
10. By way of background, Ms Schroder met with the agent(s) for the application (and once with Ms Martin in the early design phase) for pre application discussion, variously over the last few years. She visited the site surrounds on at least three occasions and most recently visited the site on the 27th August 2022. This included meeting with Ms Martin and walking

over the site with her discussing the intentions for the design of the site, including the potential management of site topography and access, location of external café seating and each of the boundary interfaces. However, while Ms Schroder walked each of the streets and rights of way in the vicinity of the site, she did not go onto the private properties surrounding the subject site.

11. Ms Schroder also met (via zoom) with the Applicant's planner and urban designer in September 2022 post-notification, identifying aspects of the proposal that she considered were of concern from the perspective of urban design/impacts on neighbours' amenity.
12. Subsequently, the Council received an updated plan set on the 9th December 2022, dated 30th September 2022. The amended plan set includes:
 - Site contours for the full site
 - Location of neighbouring dwellings fronting Rue Balguerie
 - Relocated Entry Building and associated landscape
 - Detail of the materials of the Entry Building
 - Location of retaining walls as a result of relocation of the Entry Building.
13. I have reviewed the application material, including:
 - Post lodgement amended plan for the café building (Seebeck Design Group Ltd – revised March 2022);
 - Entry building plans (Alessandro Quadrelli Architetto – August 2020);
 - Assessment of environmental effects (Davis Ogilvie May 2022) including site plans;
 - Urban Design Assessment provided by DCM Urban Design Ltd; and
 - Submissions
 - Amended plan set dated 30 September 2022.
22. In respect to the plans provided, requests were made for further information at each stage of the application process. More specifically an overall site plan and landscape plan was requested. Without this information it has been difficult to fully ascertain the overall impacts of the activities proposed.
14. Ms Schroder also discussed the proposal in some detail with the Council's Senior Landscape Architect, Mike Pentecost, who has also reviewed the plans and visited the site surrounds, and incorporated aspects of his commentary into this report, with more detailed comments attached as Appendix 1.
23. The following additional plans have subsequently been provided which I have reviewed.
 - 'Indicative Screening Vegetation Plan' – (2022_030 DO Giants House Akaroa D)
 - Rue Balguerie Footpath Sketch - Update 23.05.10
24. On 25th May, I visited Rue Balguerie to assess and review the identified potential impacts of the application proposal on the residential amenity of the area.

The Proposal

25. This resource consent application is for the expansion of the Giants House and Sculpture Gardens - a tourist attraction located in the settlement of Akaroa at 70 and 74 Rue Balguerie. The Giants house currently operates a café in conjunction with visitors to the house and garden, a bed and breakfast service, garden tours, an artists' gallery and workshop and a function venue for concerts at 70 Rue Balguerie.
26. The intention of the proposal is to expand and improve the visitor experience to the site, including access. It is also proposed that existing access, via a steep right of way and steps (with accessible parking provided by appointment) will no longer be available for public use.
27. The proposal includes the following:
 - A visitor entrance/services/retail building (Entry Building), at 74 Rue Balguerie, located adjacent to the street, elevated above street level, and proposed to be the only public access to the site. The amended location for the Entry Building, set back 5m from the street boundary, appears to be a maximum height of 4.62m above the existing ground level.
 - A café building (Café Building), also located at 74 Rue Balguerie, on the upper portion of the site adjacent to the south boundary of the site, and adjacent to 70 Rue Balguerie which contains the 'Giants House'. The Café Building appears to be approximately 8.9m in height excluding decorative elements, and 9.5m in height in total above existing ground level. The Café Building would contain a lift. The Café Building design is complex in form, cladding and decorative elements. Colours for the building have not been specified. An area of decorative mosaic tiles is proposed. Based on the thematic appearance of the Linton and the Sculpture Garden it is anticipated that the café building may be brightly coloured in appearance.
 - An existing area of the garden at 70 Rue Balguerie is proposed to be utilised for the expanded café seating, connected to the Café Building via a deck extending along the south side of the building.
 - An expansion of the Sculpture Garden from 70 Rue Balguerie to 74 Rue Balguerie, including access to the site from the Entry Building to the Café Building and the site overall.
 - Relocation of the existing sign from its current position at the base of the driveway, to adjacent to the Entry Building.
28. All these elements would be additions to the 'Giants House' – a tourist attraction, which includes a Category 2 heritage listed house 'Linton' and garden.
29. The proposal also includes modifications to the street design of Rue Balguerie to accommodate pedestrian access. This includes new kerb build-out, no stopping and pedestrian area line-marking, pedestrian signage, pavement widening and wheel stop edging, pedestrian kerb cutdown, and a dedicated bus stop outside 74 Rue Balguerie.
30. The primary site of the proposal, 74 Rue Balguerie, is in the Residential Banks Peninsula Zone of the Christchurch District Plan and is not subject to a heritage or character overlay. The proposal has a discretionary activity status.



Figure 1: The subject sites – 70 & 74 Rue Balguerrie.

Review of DCM Urban Design Assessment, and Submissions

31. I have reviewed the application including amended plans (dated 30/09/2022, received 9/12/2022) and the accompanying urban design assessment by DCM Urban Ltd (based on plans as notified). I have also read the submissions received that relate to urban design matters.
32. While I concur with aspects of the assessment of DCM Urban Ltd, I also consider there are matters of contention, and matters omitted from the assessment. I have also considered the matters raised in submissions that are not directly referenced by the Residential design principles. This largely relates to the impacts on adjacent neighbours.
33. Below is a precis of the areas I consider there is agreement in respect to the potential impacts, and areas of contention or omissions. In my opinion, the areas of agreement regarding the proposal are:

Site Layout and Access

- Some potential to improve the quality of access (for mobility impaired) to the activity of the Giants House. However, this has not been confirmed given the lack of documentation on this matter provided in the application.

Café Building

- The Café Building, which is proposed to be located on a separate site to 'Linton' could in effect be a residence (with qualifications) and would not have adverse visual impacts beyond what could be expected for a residential building, except for the height proposed.
- Seating associated with the café (located where existing) would be well contained within the existing courtyard garden area of 70 Rue Balguerrie such that there would be no additional visual impact beyond that now experienced.

Entry Building

- While of a differing style to residential buildings currently within the immediate area, the Entry Building is of a scale and form, and a street setback (amended to 5m from Rue Balguerie) that with an appropriate landscape plan and activity management could potentially mitigate adverse impacts of commercial use on the residential amenity of the area.

15. Areas of contention regarding the proposal are:

Site Layout and Access

- The potential for visual impacts resulting from the prominence and potential visual dominance of the combined proposed buildings, structures, and activity of the site on the residential context.
- Areas within the subject site would be visible to and create privacy impacts on neighbours, including visitors moving within the site at the various levels of the site.
- There are likely to be impacts on privacy for adjacent neighbours (72, 76 and potentially 86) resulting from visitors congregating on the street before entry, and filtering through the courtyard area adjacent to 72 Rue Balguerie.
- There are no definitive plans that demonstrate that access to the site more widely would be improved, particularly for people who are mobility impaired.

Café Building

- The scale of the Café Building in respect to height and resultant visual impact.

Entry Building

- The landscape treatment requires more consideration to effectively address the residential and landscape character of the area.
- The internal layout of the Entry Building would direct visitors towards an area of the subject site where there would be direct impacts on privacy and visual impacts for the adjacent neighbour at 72 Rue Balguerie.
- There would be visual impacts on the outlook from 76 Rue Balguerie because of the eastern elevation of the Entry Building, extent of hardscape and lack of mitigation, and potentially in respect to the design and use of the vehicle access and potentially servicing.

Signage

- It is unclear as to the specific position for the relocation of the signage. I consider the signage has the potential to be incongruous with both the Entry Building, and impact on the residential quality of the street.

Summary of Submissions Relating to Urban Design

34. In this evidence I have not discussed individual submissions but have addressed the matters raised through submissions.
35. It is noted that there is considerable support for the proposal indicated through the number of positive submissions received. However, many of these submitters did not state a reason for their support, except for stating an improvement to access to the attraction, or support of the attraction as a Garden of Significance.
36. Most submitters in opposition to the proposal appear to be people who reside, either permanently or part time in Akaroa. The key matters raised by submitters that relate to urban design are:
 - Visual impact
 - Context – buildings would not be in keeping with the residential neighbourhood character, or colonial context of Akaroa, the proposal does not fit with the pattern of development, sculptures could be visually dominant, and loss of original site planting.
 - Streetscene – the proposal would encroach onto the road reserve, altering the residential character of the street, visual bulk, and dominance within the streetscene.
 - Building height – the impacts on views of the over-height Café Building.
 - Building designs – inappropriate styles and materials, extent of glass, impact on historic character of ‘Linton’ (the historic house in the Giant’s Garden), and alternately support of the design approach that provides contrast between contemporary and heritage architecture.
 - Loss of residential amenity for neighbours, including privacy, outlook and views, insufficient landscape mitigation.
 - Improved access, particularly for mobility impaired people, and conversely the view that the zig zag path and steps impede improved access.

Area and Site Context

The Area Context

37. Akaroa more generally is recognised as a settlement of heritage importance, with more specific identification of areas or features of heritage or character value through the Christchurch District Plan. The vicinity of the proposal within Akaroa is not identified for specific character or heritage values.
38. Rue Balguerrie intersects with Rue Lavaud, forming a commercial/community hub. Following the base of the valley from the harbour at the west towards the hills to the east, the valley transitions from urban to semi-rural to rural. Aligned with this, residential character and heritage values are more prominent in the lower parts of the valley. The houses in this location are generally older and closer to the street than found in the mid reaches of the valley. In addition, in the lower parts of the valley, houses and sites are level with and have a strong connection to Rue Balguerrie, except where the stream intervenes.



Figure 2: Rue Balguerrie – character and more urban quality of the lower aspect of the valley (looking south-west).



Figure 3: Rue Balguerrie – mid valley with the transition to suburban/semi-rural character (looking east).

39. In contrast in the vicinity of the proposal, on the southern side of the valley, the development pattern is of a more suburban typology with a much wider breadth of housing age and style, site size and topographical variation, comprising an area of small valleys, ridgelines, and knolls. Sites are generally well vegetated and separated from neighbours. In contrast to this suburban character there is a semi-rural character to the northern side of the valley in this locale.



Figure 4: View across to 70 (Linton) and 74 (subject site) Rue Balguerrie from Settlers Hill (to the north of the subject sites).

40. Rue Balguerrie itself is typical of many streets in Akaroa, particularly within the upper parts of the settlement's valleys, with a relatively informal character with kerb on only one side of the street – the southern side - and no footpath. The northern side of the street simply runs into the grassed/vegetated edge land adjacent.



Figure 5: The more rural character opposite the subject site on Rue Balguerrie, looking to the east from the intersection with Rue Cachalot.

41. To the north of Rue Balguerrie and opposite the subject site, the base and northern side of the valley is more rural in character, with larger sites, a stream, open land and forested area. Farm buildings typifying a rural landscape are located almost opposite the site of the proposed entry building. This rural area on the north side of Rue Balguerrie contributes to the rural amenity values of the context providing for an attractive rural outlook for residents on the southern more developed residential area.

Site Context

42. Private houses surround the subject site, some of which overlook it, or are located adjacent or below the upper reaches of the site. Housing is relatively dispersed across the hillside with vegetation predominant, but with more condensed residential development immediately adjacent to Rue Balguerie and the site of the proposed visitor entry building.



Figure 6: 76 Rue Balguerie, with the Linton to the rear, and the site of the Entry Building to the right of the image.

43. The subject site comprises of 70 and 74 Rue Balguerie. The main area of the site is located on a ridgeline, adjacent to Linton and the established garden around it. Linton is accessed by a steep drive from Rue Balguerie.



Figures 7 and 8: The existing driveway and entry to 70 Rue Balguerie, the site of the Giants House.

44. The Café Building is proposed to be located to the east of Linton, with the café accessed from the same general level as Linton. The existing terraced garden at this level is proposed as a seating area for the café.



Figure 9: The area proposed for seating associated with the Café Building, noting the level of enclosure (viewed from the direction of Linton to the east).

45. A stairway structure (already consented) would connect the upper level of the Café Building to the storage below and to the newly established area of garden (previously the bush clad slope) to the north-east containing cherry blossom trees, amongst other planting, as well as proposed connecting paths to the Entry Building.



Figure 10: The stair structure linking the upper floor of the Café Building and Linton, with the 74 Rue Balguerie, the new area of garden.

46. At the base of the slope immediately adjacent to the street is the location for the Entry Building at 74 Rue Balguerie, which contains an existing small residential building with a grassed access on the eastern boundary to the larger area of site behind. A change in level separates the existing residential building from the street, as is the case with the neighbouring houses.



Figure 11: Location of the Entry Building (centre of photo) with neighbouring houses (72 and 76 Rue Balguerie).



Figure 12: Location of the Entry Building (centre of photo) with neighbouring houses – 72 (right) and 76 (left) Rue Balguerie.

Urban Design Assessment

Activity Status and Non-compliances

47. The site is zoned Residential Banks Peninsula. The proposal is for a non-residential activity of a size that results in a discretionary activity status, as such discretion is unlimited. While considering aspects of the Christchurch District Plan 14.15.1 Residential Design Principles, I have looked more broadly at the proposal in respect to both urban design and landscape matters.
48. The Café Building is over-height at approximately 9.5m maximum above ground level, rather than 7m height limit.
49. The immediate area, except for 70 Rue Balguerie containing ‘Linton’, does not have character or heritage status under the Christchurch District Plan.
50. The proposal has been assessed against a combination of:

- 14.15.1 Residential design principles
 - 14.15.3 Impacts on neighbouring property.
51. The matters raised through submissions (as they relate to urban design) are as follows:
- Neighbourhood context and compatibility
 - Streetscene
 - Building design and layout
 - Residential amenity for neighbours
 - Access
 - Signage.
52. Further information was sought in respect to the proposed transition of visitors from the Entry Building to the middle and upper reaches of the site has still not yet been confirmed by the applicant.
53. It is noted that 70 Rue Balguerie (the Giants House) is already well-established with only minor changes proposed that are intended to integrate the activities of the two sites. The proposal is predominantly in respect to 74 Rue Balguerie, and as such this is the focus of the following assessment.

Neighbourhood Context and Compatibility

54. The subject site is highly visible within the context of the valley from multiple locations. This is due to its openness and the colourful appearance of sculptures and the Linton building and other features such as flags and poles, and signage. The site has been designed to attract attention as a visitor destination.
55. As noted earlier there is considerable variation within the vicinity in site size and proximity of buildings to each other, location of the buildings as related to site boundaries, and the variation in the extent of the footprints and styles of buildings proposed on the site within the upper reaches of the valley. I consider that in respect to the placement of new buildings within this context that the proposal is reflective of this variation, and as such is compatible in this respect.
56. Another key characteristic of the neighbourhood context is the vegetated quality of the hill slopes and valleys, with buildings and structures set within this. Previously, much of 74 Rue Balguerie contained native vegetation with 'Linton' set within this context. Most of this vegetation has been removed to extend the sculpture garden and establish the proposal. As a result, the visibility of 'Linton' has increased, and the consented metal staircase linking 70 and 74 Rue Balguerie is also visually apparent from some viewpoints.



Figure 13: Linton to the rear of the subject site, and the staircase linking 70 and 74 Rue Balguerie.

57. In my opinion, the Café Building would also be visually prominent from within the valley, given the proposed location on the upper reaches of the site, its form, height, and architectural design appearance with large areas of glazing and upward-angled front eaves, and likely colouration. In association with other site structures and elements, the overall proposal has the potential to be visually dominant and contrast with this largely residential context.
58. Paths (and associated retaining walls and handrails) are proposed, albeit only indicatively identified as part of the proposal, to connect the lower and upper reaches of the site from the Entry Building to the Café Building. I understand that further sculptures and structures within this vicinity are also anticipated. Furthermore, visual attention would be drawn to the site because of visitor activity and the likely vivid character of the extended sculpture garden (based on the appearance of the existing garden). In my opinion, the combination of these elements would result in an apparent commercial attraction rather than a residential neighbourhood character on the site, which would be incongruous with the valley's residential and rural character.
59. The eastern side of the subject site has been planted with deciduous cherry trees with garden beds established and sculptures underway. Differing types of hedge planting are establishing around most of the perimeter of the site, except for the parts of the boundaries within the vicinity of the Entry Building. Much of the remainder of the site is open with grass areas.
60. I consider that the planting on site to date would be insufficient to visually mitigate the commercial nature of the proposal with the deciduous cherry trees well below and to the east of the Café Building.
61. The existing hedging would in time help to mitigate (to some extent) the visual effects on some immediate neighbours.
62. The applicant has provided an 'Indicative Screening Vegetation Plan', dated 2/5/2023. This plan proposes eastern and southern boundary planting of *Griselinia littoralis* (kāpuka /broadleaf) and/or *Pittosporum tenuifolium* (kōhūhū) and/or *Elegia capensis* (Horsetail

restio – an exotic species originating from South Africa). I do not consider that *Elegia capensis* is a suitable plant for the purposes of boundary planting because it would be ineffective to provide sufficient screening. No details of the proposed grades or spacings of plants are given.

63. This new planting information does not specifically address the following issues.
- Integration with the residential amenity and character of the area,
 - Providing a balance of planting to visually soften proposed buildings, paths, and associated activity within the site.
 - Providing any substantial tree planting in key locations on the site to visually separate proposed buildings and integrate them into a setting akin to a residential garden.
 - Full mitigation of visual and privacy impacts on all the adjacent neighbours.
 - Responding specifically to the residential and rural amenity of the streetscene character.

Site access

64. Improved site access was provided as a key reason for many of the submitters' support for the proposal. Currently, access for visitors to the Giants House is via a steep, shared driveway and following, stone steps up to the garden.
65. Current access for people with a mobility impairment is by prior arrangement only. It is proposed that both forms of current access will be stopped, and access will be via the Entry Building only to paths within the site.
66. The topography of the site is steep and only an indicative plan showing how access for visitors who are mobility impaired would be provided.
67. In my opinion, a plan showing how an accessible access (complying with NZS 4121:2001) should be included as part of the application to confirm the feasibility of achieving compliance (if this is required), and to ascertain the likely visual impacts of paths, retaining walls and handrails on the residential character as part of the proposal. This would also help with informing the preparation of a more comprehensive landscape proposal.
68. If a compliant accessway is not achievable via an accessible path, then other options such as providing a platform or stair lift (or other option) may have further visual impacts on the residential amenity of the area if included as part of the proposal later.

Building design

Café Building

69. The Café Building is set into the hillside at the level change between 70 and 74 Rue Balguerie at the approximately 20m above the street footpath level.
70. In relation to Linton, the Café Building is proposed to be approximately 22m away. At this separation distance any visual impact on the heritage values of Linton and its curtilage would be minimal, in my view.
71. I consider that the proposed location of the Café Building reflects a similar balance of built development to open space to the surrounding area.

72. The Café Building proposal has a groundfloor footprint area of a domestic scale at 96m². The combination of design and materials of the building is intended to add interest and draw attention to the building. In addition, the building is proposed to be approximately 2.5m in height above that permitted within this residential zone. The additional height is articulated through a rising roof form to the north-west aspect of the building.
73. When viewed from sites above, the Café Building would largely read as a single storey building. The roof form, comprised of various sections/heights and angles rather than a single expanse, would appear as visually modulated, which is likely to help limit any potential adverse visual impact when viewed from above.



Figure 14: View north-west from within the gardens of Linton towards the location of the Café Building (behind the mosaic Isola Bella at the centre of the image).

74. When viewed from neighbouring sites to the east of the subject site, I consider the visibility of the additional height of the Café Building would be negligible. The combination of the narrow footprint and proposed domestic-type cladding materials and form, and established planting on the east side of the site, would help mitigate potential adverse visual effects of the Café Building when viewed from the east.
75. However, there are elements that are or would be in proximity to the Café Building that would increase the visual impact of the building and lessen its residential character of the site. This includes:
- the additional height of the proposed building,
 - the extent of glazing and visibility of internal display and café areas,
 - the existing stair structure,
 - potentially retaining walls of the proposed footpaths, flat areas, and ramps, and
 - the movement of people on the site,
 - vivid appearance of colourful sculptures and potential paint colours of the proposed buildings.

76. This would be particularly the case when viewed from the north-west in public space or the properties below the site. I consider that the cumulative visual impact of these elements would adversely affect the residential amenity of the area.
77. The additional building height is proposed to be on the north façade facing Rue Balguerrie. In my opinion, this upward view and slope would further emphasise the visual scale of the building making it prominent in the context of the site when viewed from Rue Balguerrie.
78. In combination with the potential for hardscape elements and other structures, it is my opinion that the additional height of the Café Building without further on-site mitigation, is likely to result in a more evident commercial use of the site.
79. I consider that an effective landscape plan, including medium-scale evergreen and deciduous trees located on the north-western side of the subject site, could assist in the mitigation of these effects such that they would be reduced to a more negligible level of visual and amenity impact. Currently, I consider the proposed 'Indicative Screening Vegetation Plan' does not achieve this.

Entry Building

80. As noted within the context section of this assessment there is some coherency regarding the character of the upper valley area of Rue Balguerrie. This includes:
- the building setbacks,
 - levels of vegetation,
 - the relatively small scale and form of buildings,
 - with low angled gable roof forms and materials, to some degree adjacent to Rue Balguerrie.

However, the distinctive architectural or character values at the more urban/west end of the valley are not as distinctive or coherent within the vicinity of the subject site. There are varying ages and styles of buildings within the immediate locale, from Rue Cachalot to the east, surrounding the subject site.

81. I consider that the Entry Building, in terms of the pattern and grain of development along Rue Balguerrie (i.e., smaller buildings on smaller sites), would be appropriate in respect to addressing this aspect of the residential character.
82. The amended Entry Building setback from the road boundary proposed at 5m would be more consistent with the adjacent building setbacks along Rue Balguerrie which are approximately 7m or greater. This increased setback would lessen the visual impact of the building as discussed in respect to the streetscene.
83. The proposed Entry Building is relatively low in height and set in part into the topography of the site, reducing the overall visual scale of the building against the backdrop of the hillside to the rear. While stylistically different to adjacent buildings - more contemporary in design character, there is some architectural diversity within the locale making it consistent with this.

84. The increased setback and the level change to the street, and if an appropriate landscape response is provided as part of the proposal, could assist with mitigating the extent and scale of proposed glazing and commercial activity of the street-facing facade.
85. Currently, I consider the proposed 'Indicative Screening Vegetation Plan' does not achieve this.

Impacts on Neighbouring Properties

86. Some areas within the subject site I consider would be visible to, and create privacy impacts on, neighbours via overlooking. This includes from visitors moving within the site at the various levels and locations.
87. I am concerned that visitors utilising the proposed main access staircase and pathways would be both highly visible to, and would overlook neighbours within their properties, and in some instances (72 and 76 Rue Balguerie) within their dwellings, impacting on their privacy and quality of life.
88. Visitors filtering from the Entry Building to the garden would be immediately adjacent to and have direct sightlines into the living and bedroom windows of 72 Rue Balguerie. In time, the proposed 'Indicative Screening Vegetation Plan' may help to alleviate the sightlines between these properties with proposed boundary planting. The applicant has not provided any certainty that this proposed planting mitigation is adequate in relation to levels and sightlines, and how the proposed planting species, grades, spacing would address potential adverse effects on the neighbours. Furthermore, no existing or proposed boundary fencing (acoustic or not) is indicated on the plan.
89. In addition, there is a likelihood that visitors would congregate in the street outside adjoining residential properties before entry to the site and into the Entry Building, further impacting on the residential amenity by creating additional noise, vehicle movement, overlooking of private areas.
90. The amended building setback in association with an effective landscape proposal could assist with reducing the potential visual impact of visitors to the site on neighbours by better shepherding and containing visitors within an intermediary and well planted entry building forecourt area off the street. Currently, the street setback largely appears to be open and primarily hardscape, with limited indication of how visitors to the site are intended to be managed. This area has not been addressed by the proposed 'Indicative Screening Vegetation Plan'.

Signage

91. Existing signage is proposed to be utilised. The proposed relocation position is assumed (not indicated on application plans) to be near the Entry Building at the street boundary from its current location at the base of the shared driveway for 70 Rue Balguerie. As the sign itself will not change the expected level of visual effect from this signage alone will not change. This sign is however very brightly coloured and is combined with other signage in the street adding to the commercial appearance of the proposal.



Figure 15: View looking toward the application site from Rue Balguerrie showing existing signage.



Figure 16: View at the top of the existing shared driveway access showing existing signage.

92. At the top of the driveway to the Giants House more signage is apparent that presumably would need to be relocated also. This signage in combination with the street signage would create a significant proliferation of signs within the street scene increasing the commercial appearance of the streetscene in this location.
93. Depending on the proposed location and scale of signage at the street, I consider this is likely to be incongruous with the residential character and quality of this street. It has the potential to further impact on the quality of life for nearby residents (72 & 76 Rue Balguerrie in particular) in respect to their outlook and enjoyment of their properties and a pleasant neighbourhood environment.
94. I do however consider that a well-considered landscape proposal for the site could potentially integrate limited signage to an extent that mitigates commercial appearance of the proposal from the street and neighbours' views.

Streetscene

95. The amendment to the proposal to set the Entry Building back from Rue Balguerrie to a 5m setback from the road boundary provides the opportunity for a more coherent and attractive streetscene. An appropriate landscape design response, both within the

application site and in respect to limited use of the public road reserve for access, is in my opinion required.

Proposed Rue Balguerie Streetscape Modifications

96. I have reviewed the Rue Balguerie proposed street modifications plan and make the following comments:
- i. I consider that the proposed modifications would improve pedestrian access to the application site by providing for greater pedestrian vehicle separation, and access width with the proposed 'no stopping' markings and wheel stops being added.
 - ii. The proposed no stopping lines are likely to redistribute some on-street parking, including parking related to visitors to the application site, to other parts of the street. This may adversely affect some residential properties in the immediate area.
 - iii. The proposed dedicated on-street bus stop adjacent to the application site would for periods of time add to the commercial appearance of the proposal in this residential area.
 - iv. The proposed timber wheel stops (CCC SD 626) would be appropriate along this rural street edge. I have some concern that the western (downhill end) is likely to get hit by vehicles as they approach on this side of the road.
 - v. Need confirmation that the proposed wheel stops can be installed without adversely affecting any underground infrastructure.
 - vi. From Watson Street upwards on Rue Balguerie, I consider that some pedestrians are still likely to walk on the road if they are already on the southern footpath of Rue Balguerie which stops at this point.
 - vii. Overall, I consider that the section of Rue Balguerie above Watson Street should be designed and modified more comprehensively to provide for footpaths on both sides of the road, a visitor bus and car turning area, and streetscape enhancements to retain a residential (and rural) character of this area.
 - viii. If this application is approved, the visitor capacity of 'The Giants House' as an attraction may increase putting more pressure of the Rue Balguerie to accommodate arriving visitors. To address this, I consider that the traffic volumes and movements (including pedestrians) should be monitored regularly, and if required, further traffic management measures may be required.

Conclusion

97. In my opinion, the residential environment of Rue Balguerie and the quality of life for residents is likely to be adversely affected by the proposed combination of factors in the application as it has been lodged.
98. These include the congregation of visitors at the site and street frontage, the visual impact of the combined aspects of the commercial activity on the residential amenity adversely affecting the surrounding residents' appreciation of the pleasantness and coherence of the area.
99. In my opinion, if the application is approved, the applicant should be required to provide:

- 1) A Landscape Mitigation Plan, that addresses the following adverse effects:
 - The commercial character of streetscene. In my opinion, this could potentially be achieved by creating a landscape treatment that is consistent with the residential character of the area and that provides planting and hard landscape treatments that visual integrate the proposal into the street scene.
 - Softening of the likely visual impacts of carefully placed and designed limited signage along the street frontage. Additional temporary signage should be avoided in my opinion.
 - Privacy of neighbours, through screening of views between the site and neighbouring properties. This could be achieved, through appropriately scaled screen planting and fencing of boundaries.
 - Visual impact of the over-height proposed Café Building. This could potentially be achieved by providing carefully located specimen trees within the site in front of and to the rear of the building providing for partial screening, a visual backdrop, and vegetation between the existing and proposed buildings breaking up the combined mass of these buildings.
 - Address the potential visual impacts of service areas such as bins and other utilities.
 - Existing vegetation to be retained and protected.
 - Softening of the likely visual impacts of retaining walls and users on the front slope of the site if access paths are constructed. Currently, the feasibility, location, and gradients of these have not been determined in the application.
 - The overall the cumulative visual effects of proposed structures, paths and movement on the site associated with the proposed commercial activity through softening and screening with planting.
- 2) A Traffic Management and Monitoring Plan, that addresses the following adverse effects and issues:
 - The management and monitoring of the number, frequency, and duration of car and bus visits, parking, waiting, and engine idling in the vicinity of the site.
 - Provides for bus driver education about appropriate bus turning options and conditions of consent.
 - Monitors the visitor numbers and demand affecting the street environment particularly in relation to crowds or groups of people, parking, pedestrian movements and behaviours, and vehicle turning.

100. In conclusion, I consider that as the application stands, many conditions of consent are required to address the potential adverse effects of the proposal on the residential and rural amenity of the area. In my opinion, the proposal needs to be more carefully considered and managed than the application currently provides for.

101. If the application is approved, I consider that a comprehensive landscape proposal is required and that an operational management and monitoring plan should be required to ensure that the conditions are addressed on an ongoing basis by the business operator

(applicant) and their service providers, and so that residents in the area also clearly understand the operational requirements of any consent approval.

102. Based on the New Zealand Institute of Landscape Architects' 7-point assessment scale below, I consider that as the application stands, the overall anticipated level of adverse effects of this proposal is likely to be 'Moderate-High' on the residential amenity of the immediate area around the application site for the reasons explained in this report.

very low	low	low-mod	moderate	mod-high	high	very high
low		moderate			high	

Appendix I: Additional Landscape Commentary – Mike Pentecost

It is noted that the following commentary was provided prior to the amended plans received in September 2022, which increased the Entry Building street setback from 1.3m to 5m.

I visited the site yesterday (25 August 2022) and viewed the site from the street, as well as visiting Settlers Hill to get an idea of the broader scale visual effects. The visit was useful, and helped confirm some things as well as raising some further questions:

- The existing Plum tree, adjacent to Rue Balguerie – by eye it appears that the soil level at the base of the tree is significantly higher than the top of kerb at the road edge. There is a lot of construction proposed around this tree with the steps and retaining walls likely to require excavation, which could result in loss of the tree. More detail around how this tree is accommodated in the building frontage would be helpful.
- The proposed landscape at frontage – The front entrance building is an interesting and different architectural form, and very different from the surrounding dwellings. The surrounding dwellings (and general style of Akaroa itself) are varied and eclectic, and in my opinion (whilst different) the proposed entry building would not necessarily bring significant adverse visual effects. This of course has an element of subjectivity, so a ‘softening’ of the frontage would moderate the presence of the structure and help to settle it into the hillside. I do agree that it has a ‘commercial’ appearance as opposed to residential – especially with regards to the glazing.
- The proposed landscape will have an effect on the ability to mitigate the presence of visitors gathering around this point (one question is if there is enough room at the entrance and within the building to accommodate expected crowds?), with the possibility that plantings could screen the entrance and small gathering area? The concept image also shows that space at the entrance could be quite limited for space?
- If the building were moved further from the boundary there would be more opportunities to reduce the impacts of both the building and any associated effects. This would also provide more opportunity for landscape treatment at the street frontage as well as lessen the presence of the glazed frontage.
- The proposed cafe and decking area - the effects of the additional deck and its intended use are difficult to judge without more detail of any landscape and planting (screening etc). The Café building itself would be visible from nearby houses and to a lesser extent the road, which would have a cumulative effect – adding to the built structure on the hillside when viewed from across the valley. However, the visit to Settlers Hill indicated that this would not create significant adverse landscape and/or visual effects due to the presence of dwellings, which would allow the proposed café to be absorbed into the surrounding landscape when viewed from this distance. It is noted that the proposed café building exceeds the 7m height line, which may influence its visibility from closer range – although my opinion on-site was that it would not elevate any adverse effects above minor, if a permitted baseline approach was taken.
- Having seen the existing condition, the steps and ramp make more sense – but the question remains as to how they will interface with the existing grass verge – and how visitors park and

access the site from the street (assuming that at times there will be a larger number of visitors at any one time). To my mind this will also be related to the proximity of the entrance building to the road frontage, and the available space between the road frontage and ticket sales point.

Summary:

I came to the conclusion that the primary risk area is the entrance building at the road frontage, as its proximity to the street as well as its form and function will have potential for adverse effects on residents close by. My on-site observations were that there may be some opportunity to lessen the visual impacts to the street with landscaping / screening etc, but that this would be unlikely to provide a solution for some of the potential adverse effects related to the function of the entrance (the possibility of the space available not catering for the numbers of people, and the resultant effects on the road and road frontage).

The Café and proposed decking area also had potential to overlook nearby neighbours, although my observations from across the valley would suggest that the effects from the greater landscape would be less than minor due to the already developed nature of the hillside – with any visual effects of the proposed café being readily absorbed by the surrounding landscape from this distance. The primary concern related to this part of the proposal is the effects on nearby neighbours – which with currently available information is difficult to predict. The applicants desire to allow for the flexibility in the evolution of the garden and grounds is also understood – as the appeal and character of ‘The Giants House’ stems from this.

My suggestions are as follows:

- For the road frontage we request a detailed landscape plan which takes into account the comments provided, this would need to include methodology for retaining the existing tree if it is to be part of the proposal as well as plant detail, retaining wall detail, plant schedule and specification. As this is primarily public realm, I believe we need to have some certainty as to the treatment and be able to provide this for any submitter. I also think there would be greater opportunities to mitigate adverse effects if the building were to be moved further from the road frontage as per our earlier discussions.
- For the decking area as shown on the supplied plan, I think that the size and relationship of the deck to the café would indicate that it is likely to be a transitional space rather than an outdoor dining space. This will likely be a cumulative effect, with existing visitor numbers rising and people being concentrated in these areas as they enter the café. Given the desire to maintain flexibility within the garden design, would it be workable to request that this issue is allowed for in a more conceptual plan showing how this is mitigated (screening trees or structures etc) - this way there could be confidence that the effects will be managed, as well as allowing flexibility in the detail?

Mike Pentecost

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