

Plan Change 14

Qualifying Matter: Lyttelton Commercial Centre - Lower Height Limit

Christchurch City Council

Technical Report

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1. Introduction

1.1 Summary

The Lyttelton town centre (see **Appendix 1** for extent) is proposed in the commercial centres hierarchy as a Local Centre (Medium) Zone, with an associated 14m height limit. However, the special characteristics of the Lyttelton town centre warrant a lower height limit than this, with retention of the current 12m height limit proposed as a Qualifying Matter through Plan Change 14.

There are less than 80 commercial sites located within the Commercial Banks Peninsula Zone in Lyttelton. Activities within this zone include, but are not limited to, retail, offices, hospitality and public uses such as the library and local government services. They are within two largely distinct areas - Norwich Quay, which more strongly relates to the port-side context, and London Street, which is the main retail street, and the area to which the height limit is most pertinent for the reasons discussed below.

The combination of the extent of heritage listed buildings and adjacent proposed Residential Heritage Area (and adjacent existing/proposed Character Area), distinct and recognised built character, and topography impacting on sunlight access, all contribute to the rationale for a lower height limit for the Lyttelton town centre.

1.2 Legal Requirements

The matter of whether lower height limits can be applied to particular locations within Ōtautahi Christchurch should be considered under section 77O of the Resource Management Act 1991 (RMA). This relates to 'Qualifying Matters in application of intensification policies to urban non-residential areas' and identifies that:

'a specified territorial authority may modify the requirements of policy 3 in an urban non-residential zone to be less enabling of development than provided in those policies only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:

- (a) A matter of national importance that decision makers are required to recognise and provide for under section 6. Section 6(f) identifies and enables the protection of historic heritage from inappropriate subdivision, use and development. Almost the entirety of the Lyttelton township is identified as a Historic Area by Heritage New Zealand Pouhere Taonga. In addition, individual scheduled items are located within the commercial centre. A Residential Heritage Area is also proposed immediately to the north of the commercial centre, and covers most of the Lyttelton residential area, with connection to the harbour being a contributory matter.
- (j) Any other matter that makes high-density development as provided for by policy 3, as the case requires, inappropriate in an area, but only if section 77R is satisfied. The town centre is recognised as having a distinct character and strong sense of place as a result of the built form (with noted associated heritage values), including scale. In addition, Lyttelton's location on the steep, southern slopes of the Port Hills, access to sunlight is a matter that has been identified as a matter of importance to (and by) the community.

Section 77P describes the evaluation – additional to that under section 32 of the RMA – required for qualifying matters. However, section 77Q specifies a different process for 'existing qualifying matters', which includes a qualifying matter referred to in section 77O(a) that is operative in the relevant district plan when this plan change. Lyttelton, including its town centre, contains numerous buildings and settings listed within the Schedule of Significant Historic Heritage and/or Schedule of

Heritage Areas, and as noted earlier, is identified for almost its entirety as a Historic Area (see **Appendix 2**).

For section 77O(j) 'other matters', section 77R requires that the matter can only be considered as a qualifying matter if an evaluation report also identifies:

- a) The specific characteristic that makes the level of urban development required in Policy 3 in appropriate;
- b) Justifies why that characteristic makes that level of urban development inappropriate given the national significance of urban development and the objectives of the NPS UD; and
- c) Includes site specific analysis.

This report meets the requirements in section 77R in respect to the distinct character of Lyttelton's town centre, and with reference to sunlight access provided.

As such, this evaluation highlights the rationale behind identifying 'a lower height limit on sites currently located in Lyttelton's Commercial Banks Peninsula Zone' as a qualifying matter in order that sections 77O(a) and (j), 77P, 77Q, and 77R are met.

2. Background

In respect to Plan Change 14, Lyttelton is proposed as a Local Centre (Medium) within the city's hierarchy of centres. The Lyttelton commercial centre serves not just Lyttelton but the entire Lyttelton Harbour basin area. As such it offers a range of services and retail activity to the local area, as well as accommodating a significant place of employment to the city via the Lyttelton Port Company.

For these reasons amongst others, Lyttelton has been included within the Ōtautahi Christchurch urban area. As such Medium Density Residential Standards (MDRS) will apply to most of the residential area of the township. However, most of this area is also proposed as Qualifying Matters for the reasons of heritage and character values. This includes areas surrounding the commercial centre, where height limits are proposed to be restricted to 7m, as existing¹.

Lyttelton has a character quite distinct from other urban areas within Ōtautahi Christchurch due to its steep, sloping topography, colonial and Ngāi Tahu cultural heritage, portside location, street and lot layout and eclectic mix of buildings, many of which are denoted as historic heritage.

Lyttelton is located on the southern slopes of the Port Hills. The sunny aspect is to the north, compromising the extent of access to sun, in particular during the winter months. Public space within the commercial town centre, and township more widely, is limited with the focus of much of the community activity in public space on London Street and Albion Square (located on the corner of London Street and Canterbury Street). As such ensuring a good level of comfort for the users of these spaces and access to sunlight for adjacent uses/buildings has and is considered to be of high importance to the community².

¹ See Plan Change 13 and 14 for detailed provisions - Lyttelton's Residential Heritage and Character Areas.

² Lyttelton Master Plan 2012 and recent submissions on RMA/2020/1555 and RMA/2019/1330

3. Issues in Respect to Height Limits

4. Lyttelton Heritage and Character

Heritage

Lyttelton is an excellent surviving example of a planned colonial settlement dating from 1849, with aesthetic, architectural, historical, social and archaeological significance. Heritage New Zealand Pouhere Taonga listed Lyttelton as a Historic Area (List Number 7784)³ on 13 August 2009, effective from that date. The Lyttelton Township Historic Area includes almost all of the township of Lyttelton, including the town centre. This listing remains post-earthquakes.

Much of the Historic Area is also proposed as a Residential Heritage Area through Plan Change 13, and to a lesser extent is covered by an existing Character Area Overlay, which is proposed to be retained and extended through Plan Change 14. The Residential Heritage Area includes the properties immediately to the north of the Lyttelton town centre. These properties are in an elevated position above the commercial and mixed use buildings of the commercial centre framing London Street.

In addition to a range of heritage values, the significance of the area also lies in the contextual values. “The contextual value of the Heritage Area arises from the development pattern created by the relationship between the colonial grid pattern of the principal streets and the topography of the locale on the southern flank of the Port Hills. The steeply sloping terrain of the town creates a high level of visual connectivity between the properties within the town and to their port and harbour setting.”

Pre-earthquakes, Lyttelton had a wide variety of buildings of different ages and styles which collectively created an eclectic, vibrant townscape much valued by the community. The Harbourlight Theatre, built in 1917 in a Moorish style, was the largest scale building on London Street at an approximate equivalent of 3 storeys (approximately 12 metres), excluding the two decorative tower features. However, most of the buildings along London Street were 1 to 2 storeys at street level.



Figure 1: Heritage items in and around the Lyttelton town centre scheduled in the Christchurch District Plan (excerpt).

³ <https://www.heritage.org.nz/the-list/details/7784>

Post-earthquake eight scheduled buildings remain along London Street, with four of these located within the commercial area.

Character

Although diminished by the earthquakes, the variety in building types and styles remains. While a mix of old and new development, overall the combination of buildings and topography create a sense of place, unified by their similarity in height, scale, grain and relationship to public space.

The Lyttelton commercial centre design guidelines currently exist within the Christchurch District Plan (2017) in the form of *Appendix 15.15.6 Design guidelines – Lyttelton Commercial Banks Peninsula Zone*. They identify the physical framework and explain the building design principles to uphold and strengthen, rather than diminish, the enduring character and identity of the Lyttelton town centre. The design of all new developments and external alterations to existing buildings within that zone in the Lyttelton town centre is assessed through the Resource Consent process against these guidelines. In respect of the key matters discussed above, the design principles include:

- *Principle 1: Reflect the context*, which acknowledges and suggests means to reflect Lyttelton’s special character.
- *Principle 2: Addressing the slope, views and existing building form*, which emphasises the need to keep in scale, so as not to dominate or diminish the streetscape as a whole.
- *Principle 5: Incorporate variety and pay attention to detail*, which advises against buildings being exactly the same height as their neighbours.
- *Principle 6: Promote sustainable building initiatives*, which encourages building design to achieve a high level of natural light penetration, thermal comfort and sunny spaces outdoors.



Figure 2: London Street, viewed east to west, with adjacent residential (heritage and character) areas to the west



Figure 3: London Street viewed east to west at eye level illustrating the built character



Figure 4: London Street viewed from the south east (cnr of London and Oxford Street, including heritage buildings)

5. Lyttelton Master Plan

The Lyttelton Master Plan⁴ was prepared in 2011 (and endorsed by Council in 2012) in collaboration with the local community and other stakeholders, to provide an agreed vision to guide severely earthquake-damaged Lyttelton’s recovery and rebuild. Key aspects of the Master Plan actions focused on building height, recognising the importance of public space amenity to the community, including:

- *Action (B1) Rebuild and recovery-supportive amendments to the Proposed Banks Peninsula District Plan* (page 94) noted that:
 - The “12m maximum height is appropriate and ensures new buildings keep within the height ranges of existing building around them. Consideration could be given to ways to encourage a set back third level to avoid overshadowing the main street.” It is noted that while a 12m height was instituted in the Christchurch District Plan, no provision was made for a third level setback. However, with a Restricted Discretionary activity

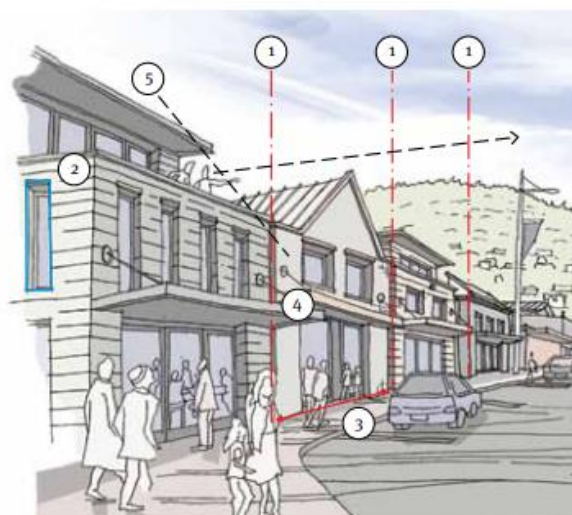
⁴ Lyttelton Master Plan, Christchurch City Council (June 2012)

status for new buildings or alterations to existing buildings, this provides opportunity to manage any potential impacts.

- The aim is *“for a successful blend of old and new (not replication) where there is variety and interest but a similarity of scale.”* This has largely been achieved through the use of statutory design guidance⁵, which were made operative in 2017 as part of the District Plan Review.
- *Action (B2) Design and character guidance* (page 99) -an evaluation of the commercial buildings in Lyttelton’s town centre , which have largely been incorporated into the consequent statutory design guidance that was subject to public consultation, that included:
 - Architectural character attributes: *“Double and single level buildings with high parapets.”*
 - Core design principles: *“Maintain the generally low built form (one to three stories) based on the height, scale and form of buildings which are still standing and those which have been lost.”*
 - An elevation illustrating some of the character elements and core design principles, including *“Buildings similar heights and proportions to their neighbours”* and *“Building set backs on the third level minimise shadows at street level while achieving views out to the harbour.”*

There is strong support for retaining the ‘vertical’ building proportions and fine grain (a series of separate building facades and architectural expression) as per the pre-earthquake condition. This elevation illustrates some of these character elements and core design principles:

1. Buildings similar heights and proportions to their neighbours. Character is maintained by emphasising each individual building with architectural variety, colour and materials.
2. Secondary design elements such as windows and trimmings reinforce the street’s vertical proportions.
3. Buildings are sited to define the edge of the street and are active at the ground floor level.
4. Verandas are included for weather protection and maintain a consistent line to their neighbours.
5. Building set backs on the third level minimise shadows at street level while achieving views out to the harbour.



▲ Artist’s impression only, demonstrating character and design elements along London Street.

Figure 5: Capturing the scale and design elements anticipated through redevelopment of London Street commercial property. Lyttelton Master Plan pg. 100, Christchurch City Council

⁵ Appendix 15.15.6 Design Guidelines – Lyttelton Commercial Banks Peninsula Zone, Christchurch District Plan

6. Height in Respect to Public Space

London Street is the focal point of Lyttelton town centre. The street runs 20° from north south, has an enclosed, intimate scale and includes eight listed heritage settings and/or items in in the two main blocks between Dublin and Oxford Streets. It is an important civic space, being the location of Albion Square (on which the Lyttelton War Memorial Cenotaph and numerous community events are located) and the weekly Lyttelton Farmers' Market (which supports local producers of food, drinks, plants, craft and entertainment and attracts hundreds of people to the centre).



Figure 6: Albion Square, in the context of London Street to the south

Elsewhere within Lyttelton there are limited spaces to sit, or to congregate, and the comfort of people utilising these spaces is an important element of this. Further, businesses provide outdoor dining and seating at both sides on London Street, and onto Albion Square, adding to the community activity and interest within these public spaces.

Human scale, a unique character and access to sunlight are important components of successful public space. The value (environmentally, socially and economically) of London Street will be compromised by a higher height of adjacent buildings, restricting sunlight access and compromising the character of the commercial town centre.

In addition to the 12m height limit, a recession plane angle applies to a street block bounded by London Street, Norwich Quay, Canterbury and Oxford Streets. As an NZTA-controlled state highway, Norwich Quay is a wider street accommodating a significant and growing volume of port-generated heavy traffic, single-sided for the majority of its length, with an open outlook to the port and beyond. While the lower ground level than that of London Street suggests taller buildings would be more appropriate within this block, the resulting loss of sunlight to both London Street and Norwich Street result in further compromised public space and less vibrant commercial activity as a result.

It's for these reasons – protecting heritage, character and access to sunlight - that building height was and is currently limited to 12m in the Lyttelton town centre.

Buildings within the commercial centre are predominantly 1 and 2 storey, with recently consented developments proposed up to 3 storeys in height (at the time of writing), with one development

proposal consented at 4 storeys plus roof top terrace, adjacent to London Street. Proposals to date, both pre-application (provided to Council in confidence) and those that have been lodged for resource consent, over two storeys have provided for mixed use, with the upper floor(s) for residential, rather than commercial, activity⁶. (see **Appendix 3** for detail)

Where of a higher height, the upper floor levels have been designed to limit visual dominance and overshadowing effects on public space, including by providing light weight or setback upper floors, or visual breaks in the streetscene to the north of London Street. This variety has allowed sunlight to penetrate from the north, and sightlines to the harbour to be retained from the residential (heritage) dwellings located above London Street.



Figure 7: Side elevation (east elevation) RMA/2021/3095 illustrating the relationship of development to the north of London Street and the proposed Residential Heritage Area located above (right). The full height of the proposal is 10.6m from street level but both gable roofs and a 1.5 storey section provide for sunlight access from the north (hills) and sightlines from above to the south (harbour).

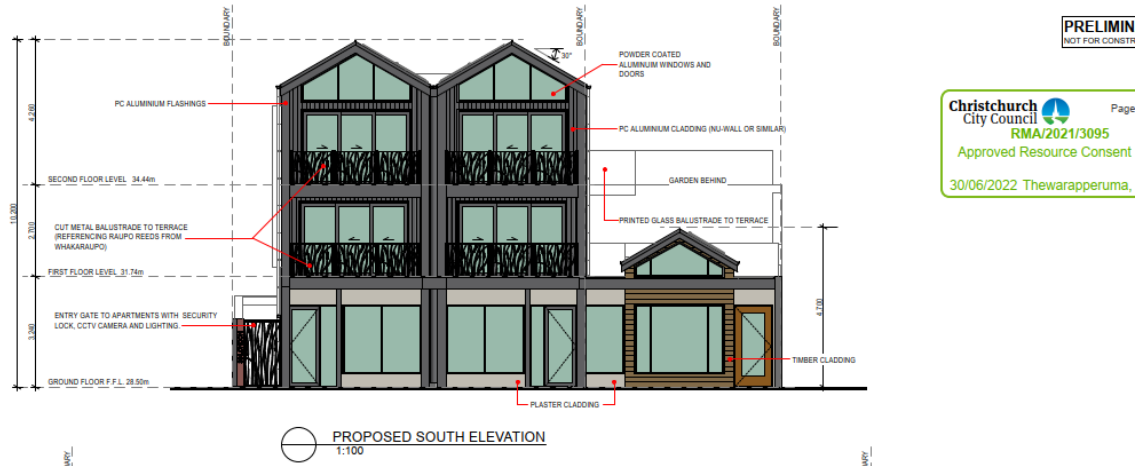


Figure 8: RMA/2021/3095 London Street elevation (south)

⁶ The most significant in scale to date being “Colletts Corner”, located on the corner of Oxford and London Streets, containing 4 storeys (one below street level) of mixed activities, predominantly to a height of 12m.

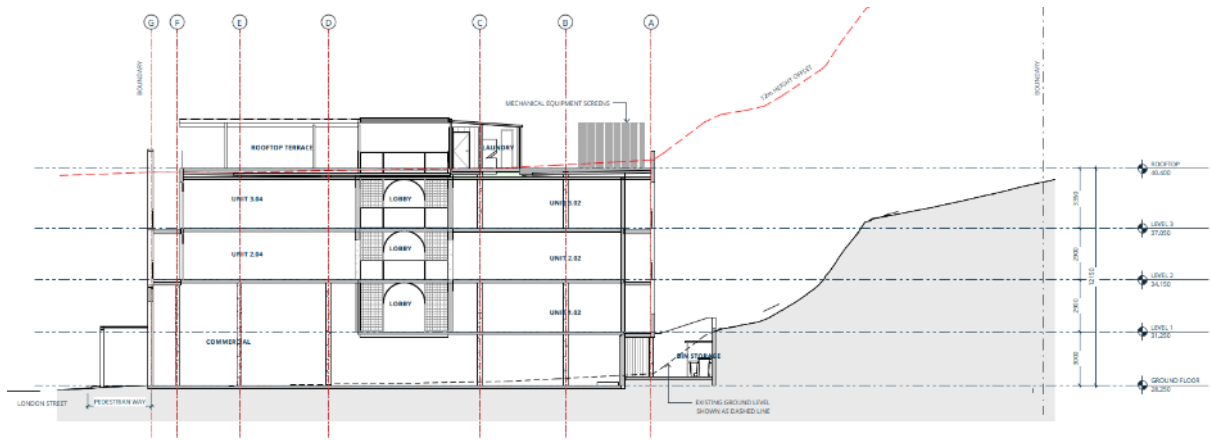


Figure 9: RMA/2022/801 – Side elevation (east) - a consented 4 storey development with lightweight roof terrace. Equivalent in height to the former Harbourlight Theatre, located on the subject site at 24 London Street. (See **Appendix 3** for more detail), with artists impression of the proposed building within the adjacent built context.

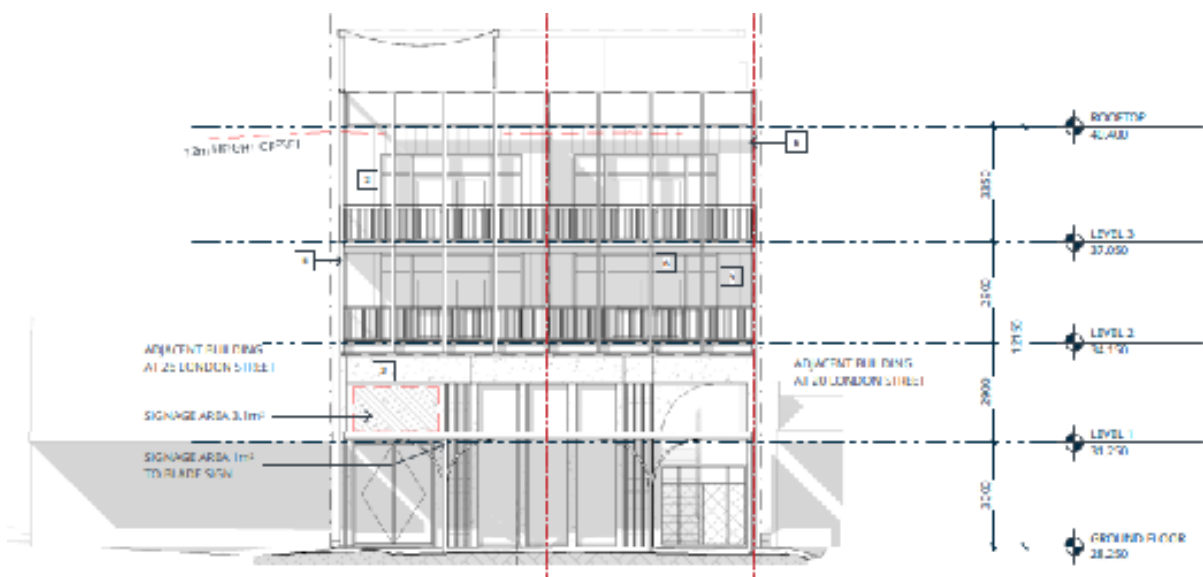


Figure 10: RMA/2022/801 - London Street elevation (south)



Figure 12: RMA/2022/801 – Proposal illustrated within the context

7. District Plan Provisions – Options

To inform Plan Change 14, the Council has therefore assessed what constitutes ‘building heights and density of urban form commensurate with the level of commercial activities and community services’ in the context of Lyttelton town centre.

Below is a short summary of the options considered, with the key difference being a height difference of 2m, with a maximum height scenario of 12m or 14m. To be at least consistent with the Local Centre (Medium) Zone across Ōtautahi Christchurch, a height limit above 14m has not been proposed as an option.

It is proposed to retain the status quo in respect to the Restricted Discretionary Activity status, in association with the statutory design guidance, to ensure ongoing management of the heritage and character values discussed. The evaluation of the options is discussed in more detail in **Appendix 4**.

Impact of Lower Height Limit in the Lyttelton town centre on development capacity

Heights	Total Developable Floor Area
12m (4 storey)	86,400m ²
14m (5 storey)	108,000m ²
Difference	21,600m ²
Note: 21,600m ² equates to 288 x 1 bed or 144 x 2 bed (including circulation and excluding outdoor living space, bike storage and service space).	

Assumptions:

- 36,000m² in Commercial Banks Peninsula Zone (75 sites total)
- 36,000m² @ 60% (site coverage standard) = 21,600m² ground level area available for development
- 2m height difference equates at most to one storey
- Likely upper floor use – residential
- 300m² - 4 x 1 bed or 2 x 2 bed
- Note – floor space could also be office, hotel space etc.
- No current impact from recession planes (no public space in block contained by Oxford, Canterbury, London Streets and Norwich Quay) and therefore not equated into the floor area.

The following options in respect to the management of height were considered:

Option 1: Status Quo

Retain the current maximum building height of 12m and associated provisions in Lyttelton’s Commercial Banks Peninsula Zone.

Option 2: Increase maximum building height

Increase the maximum building height to 14m to align with the Local Centre (Medium) Zone.

Option 3: Use an alternative control to maximum building height

Increase the building height to 14m in line with the Local Centre (Medium) Zone in association with a recession plane to limit the impact of height on London Street and Albion Square.

8. Conclusion

It is noted that in itself 2m of apparent additional height does not appear of significance and may provide an increase in flexibility in respect to the floor to ceiling heights of a 4 storey building. However, all of the existing buildings, both pre and post-earthquake (including those consented at the time of writing), are less 12m or less (equivalent to 4 storey) with the majority of buildings being two storey or less.

The Restricted Discretionary Activity status, as is proposed to be retained, provides for the opportunity to evaluate any proposed increase in height in association with the management of character values. Given the special characteristics of Lyttelton and its town centre summarised above, the outcome of this process is that a 12m building height limit is to be proposed within Lyttelton's Local Centre (Medium) Zone.

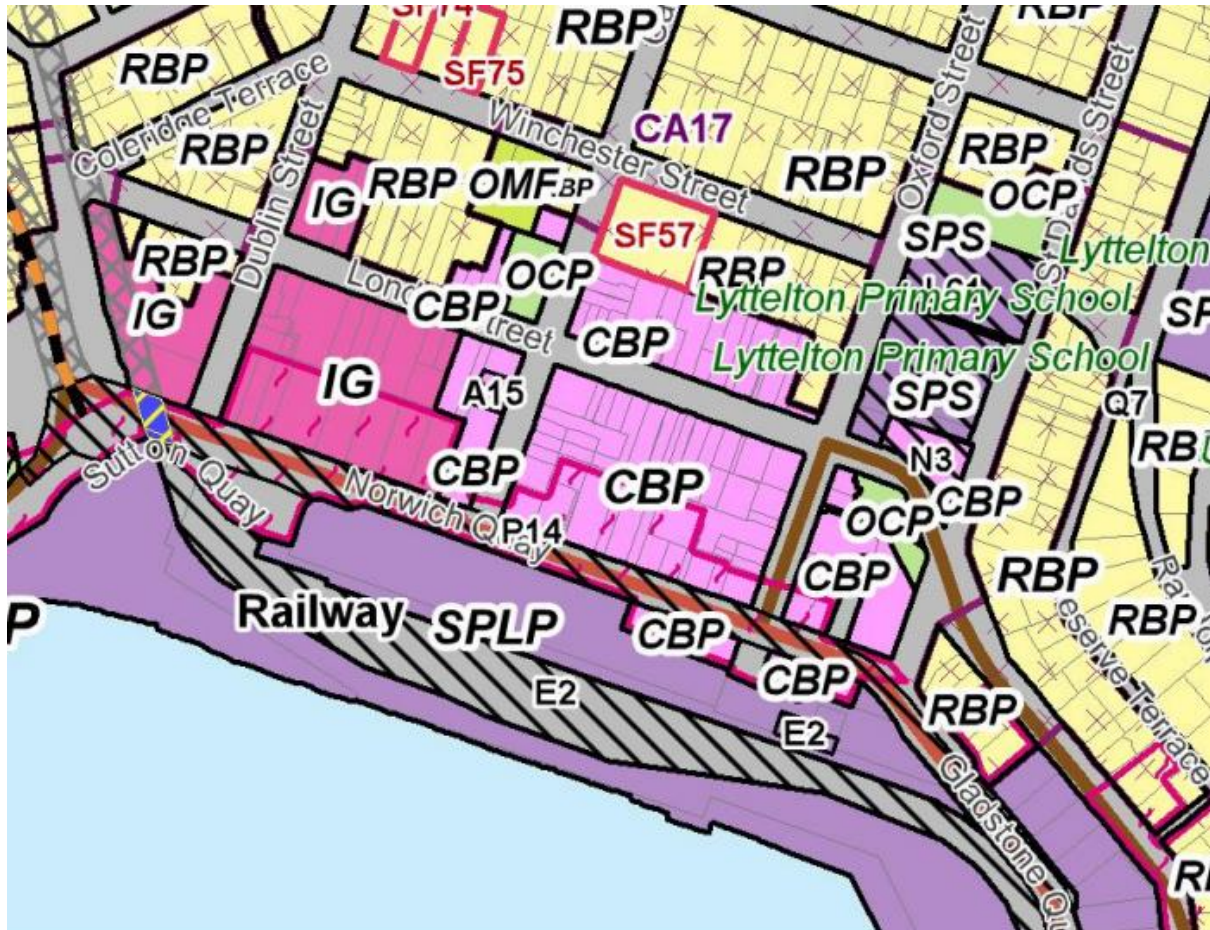
There are less than 80 commercial sites located within the Commercial Banks Peninsula Zone in Lyttelton. Activities within this zone include but are not limited to retail, office, hospitality and public uses. In effect the difference in height limit of 2m may equate to 1 storey in real terms i.e. from the ability to build 4 versus 5 storeys, subject to design control if retained. This is illustrated

A 14m height limit for development in the Local Centre (Medium Zone) is considered inappropriate for the Lyttelton town centre. Policy 3(d) of the NPS-UD requires that, within neighbourhood centre zones, District Plans should enable building heights and density of urban form commensurate with the level of commercial activities and community services (subject to providing for qualifying matters (Policy 4)).

As such, the existing provisions, Option 1 – Status Quo, including the 12m height limited and restricted discretionary activity assessment remains appropriate. This provides the option to assess any increase in height on its merits to provide for a scale of building that does not unduly result in visual dominance effects, and sightlines, in regard to the character and heritage, and manage levels of shading such that its role as an important community gathering and socialising space, and commercial heart, is not overly compromised.

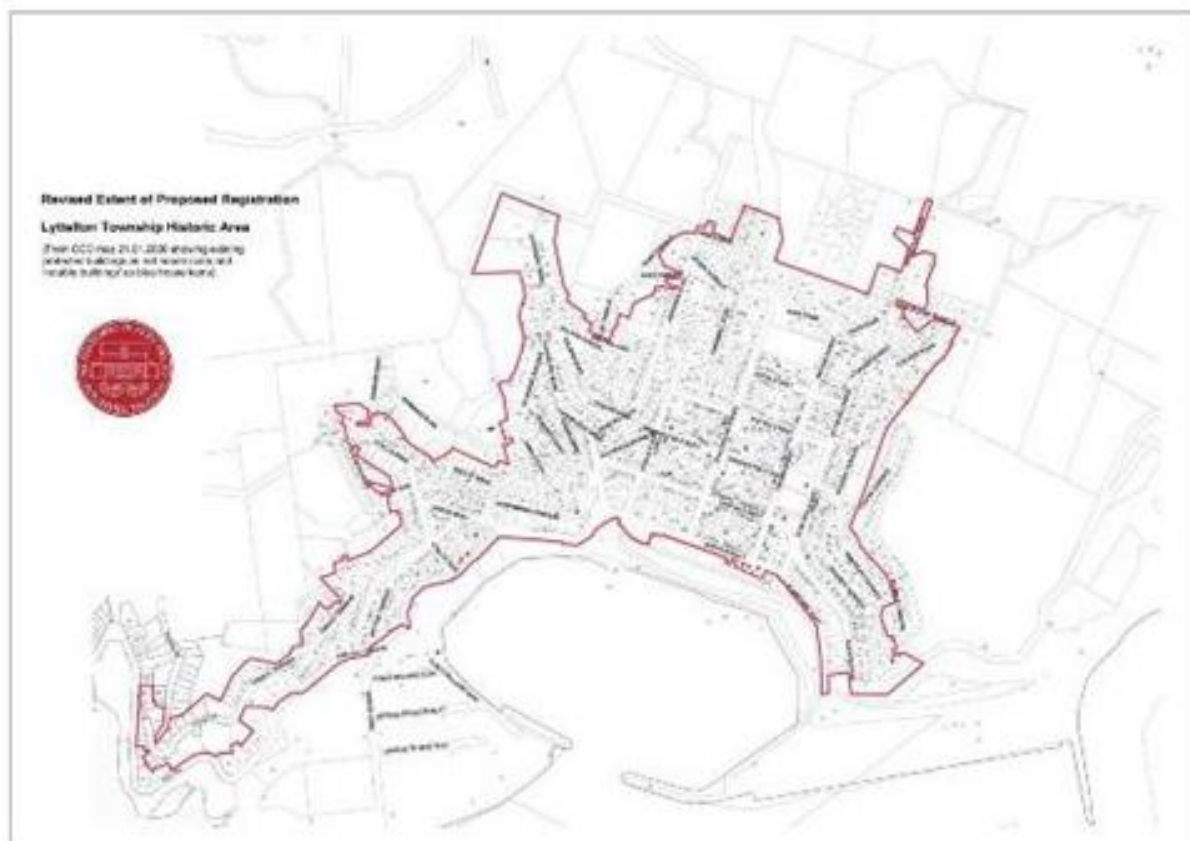
Appendix 1: Lyttelton Local Centre Zone Extent

The existing Commercial Banks Peninsula Zone (CBP) extent is proposed to be retained (identified in light pink below) and identified as a Local (Medium) Centre in the hierarchy of commercial centres. The Residential Banks Peninsula Zone (RBP) identified as yellow will be rezone Medium Density Residential (MRZ). However, proposed the Residential Heritage Area, and existing Character Areas proposed to be retained and expanded (denoted by CA17) would cover the entirety of the MRZ shown below.



Appendix 2: Lyttelton Township Historic Area

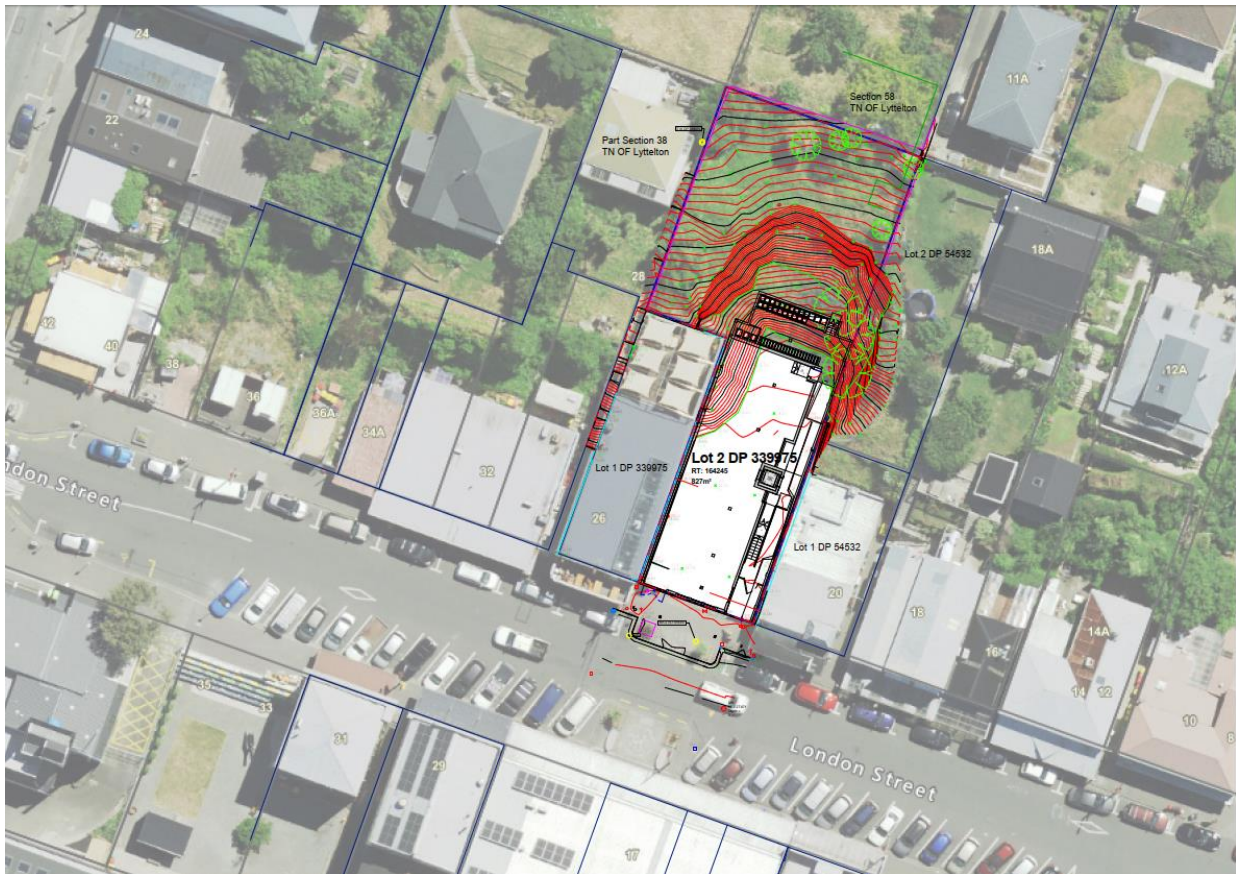
Reference: <https://www.heritage.org.nz/the-list/details/7784>



Lyttelton Township Historic Area. Extent of Registration map.
Copyright: NZ Historic Places Trust. Date: 1/08/2009.

Appendix 3: Example - Consented Proposal RMA/2022/801

Noting that all information following is drawn from the resource consent application for the development proposal.

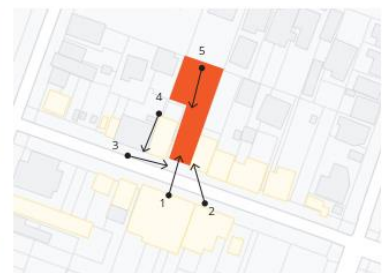


Site Context: Illustrating the fine grain of the subdivision pattern adjacent to London Street. Noting the subject site has a significant change in topography and extends such that it is adjacent to the proposed Residential Heritage Area.

STREET VIEWS TOWARDS THE SITE



VIEWS FROM THE SITE



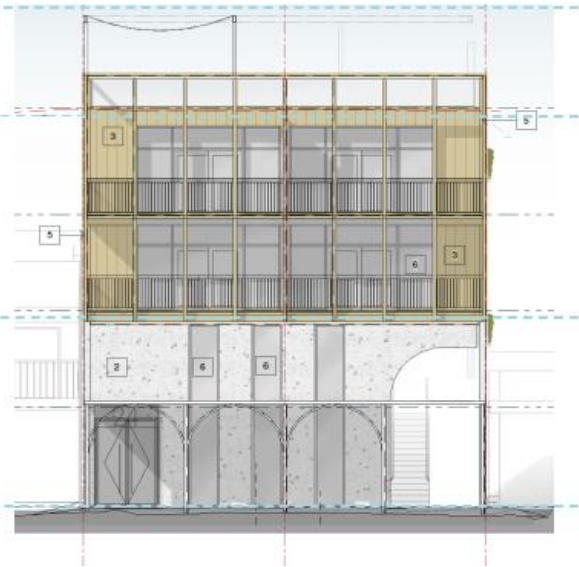
Nestled in between two existing buildings, the proposed building's facade follows the same street edge.
The site offers views over London Street and out to Lyttelton Harbour. From the back of the site at the top of the green space, residents can watch the colourful port and the comings and goings of ships. The hills in the distance offer a quiet backdrop to the busy port.

Site context including London Street streetscene, and sightlines to the harbour from the upper part of the site, adjacent to the Proposed Residential Heritage Area.

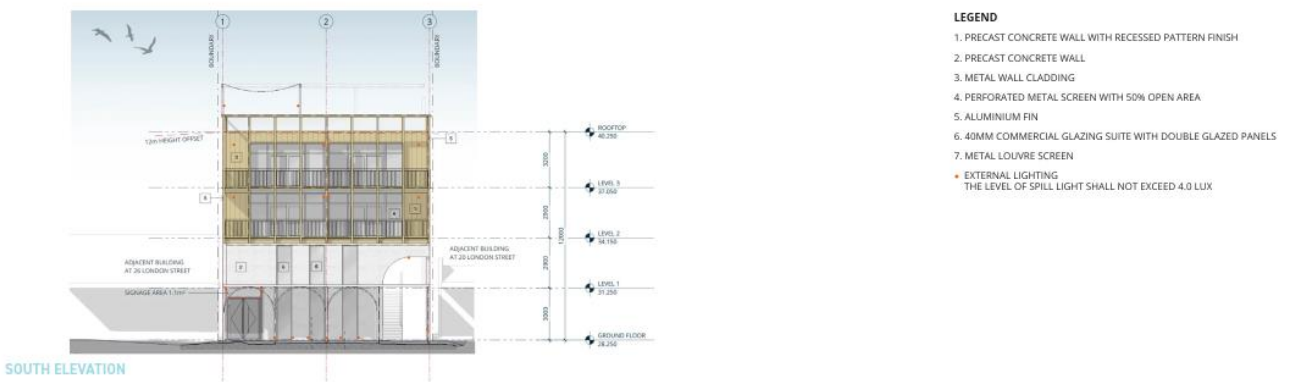
FORMER THE HARBOUR LIGHT THEATRE



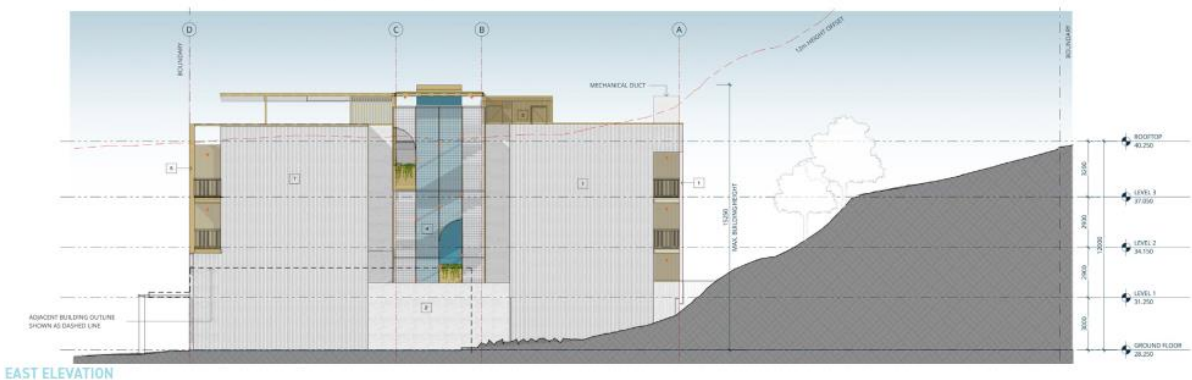
THE PROPOSAL



Comparison with the former Harbourlight Theatre (demolished) and current 12m height limit, noting consideration of the architectural character, form and scale.



SOUTH ELEVATION



EAST ELEVATION

Street and side elevations of the proposed development including an illustration in the change in topography from south (left) to north (right) of the site.

Level & Use	Unit number	Number of bedrooms	Floor Area (NFA)	Terrace Area per unit	Outdoor area
Ground Floor (Commercial)	-	-	222m ²	-	-
1 (Residential)	Unit 1.01	1 bedroom	51m ²	8.0m ²	-
	Unit 1.02	1 bedroom	45m ²	8.0m ²	-

2 (Residential)	Unit 2.01	1 bedroom	51m ²	8.0m ²	-
	Unit 2.02	1 bedroom	45m ²	8.0m ²	-
	Unit 2.03	1 bedroom	52m ²	9.0m ²	-
	Unit 2.04	1 bedroom	47m ²	9.0m ²	-
3 (Residential)	Unit 3.01	1 bedroom	51m ²	8.0m ²	-
	Unit 3.02	1 bedroom	45m ²	8.0m ²	-
	Unit 3.03	1 bedroom	52m ²	9.0m ²	-
	Unit 3.04	1 bedroom	47m ²	9.0m ²	-
Rooftop (Residential Communal Space)	-	-	-	-	128m ²
Landscaped/undeveloped hillside					425m ²



Artist's impression of the proposal within the context of London Street.

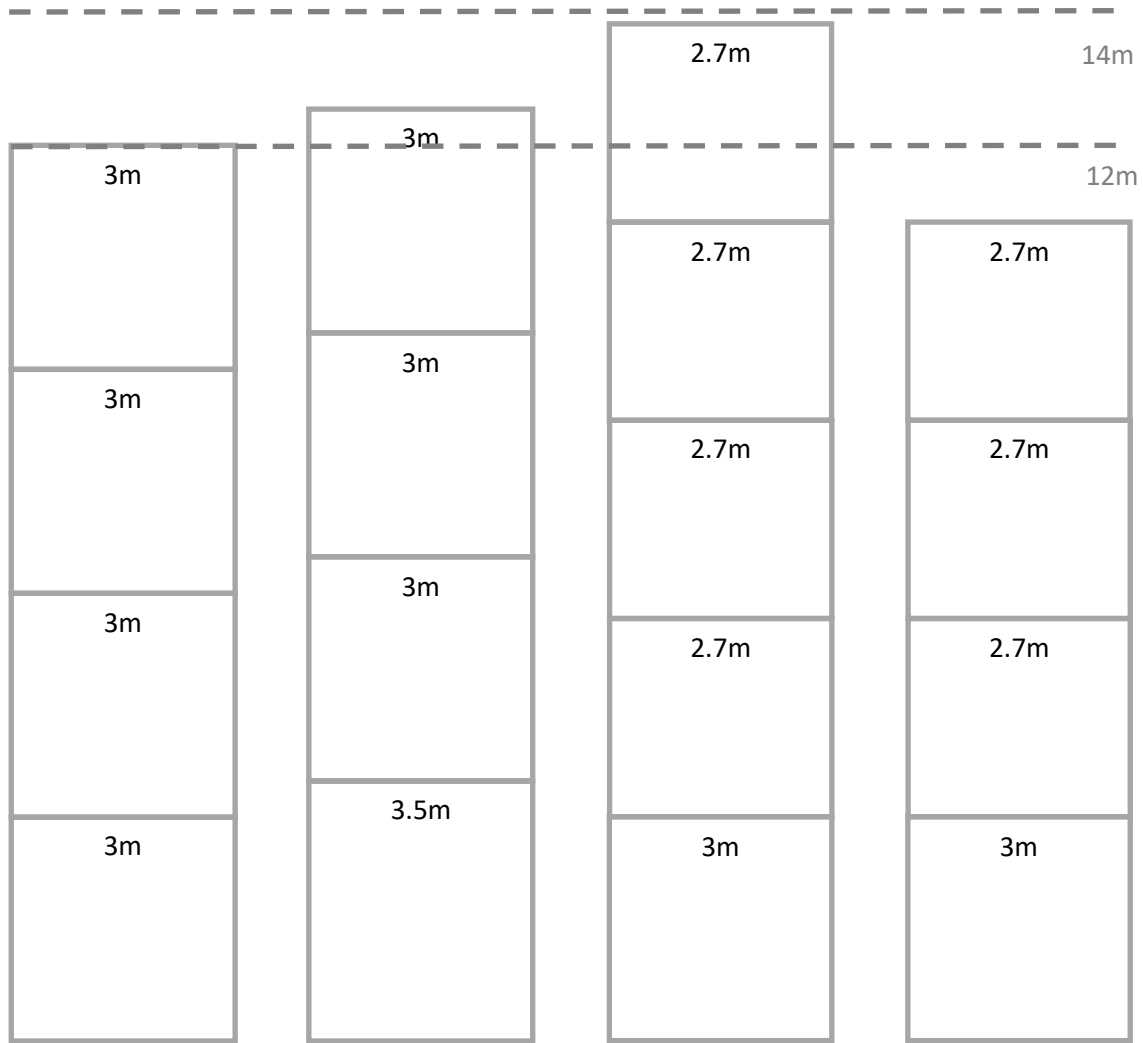
Appendix 4: Evaluation of Options

Options	Efficiency	Effectiveness
<p>Option 1 – Apply Policy 3 of the NPS UD without a qualifying matter Retain the current maximum building height of 12m and associated provisions.</p>	<p>Costs</p> <ul style="list-style-type: none"> • Development capacity is potentially reduced (dependent upon design approach and site limitations, and inconsistent with Local (Medium) Centre Zones elsewhere in the city (by 2m, or potentially 1 storey see Appendix 5). • Reduction in potential development capacity potentially compromises economic benefits of additional floor area, likely associated residential population and vibrancy. • May have a limited effect on the wider economic growth of the city as a whole as a consequence. <p>Benefits</p> <p>Environmental: The lower height limit better reflects the community’s expectations for the area as expressed through the Lyttelton Master Plan and the District Plan Review of 2017, including in respect to:</p> <ul style="list-style-type: none"> - Location on the steep, southern slopes of the Port Hills and will better provide access to sunlight to mitigate its effect on overshadowing; and - Unique and nationally recognised (by Heritage New Zealand Heritage Pouhere Taonga) character arising from its colonial and Ngāi Tahu cultural heritage, portside location, street and lot layout and eclectic mix of buildings. <p>The lower height limit</p> <ul style="list-style-type: none"> • Reflects the community’s expectations for the area as expressed through the Lyttelton Master Plan and the District Plan Review of 2017. • Allows for better management of building height and scale via the Restricted Discretionary Activity pathway (which is already in play see Appendix 6). • Provides for outlook to the harbour from sites for proposed Residential Heritage Areas above and to the north of London Street, for which one of the heritage attributes is connection with the harbour, and prominence of dwellings in respect to views from elsewhere. • The Restricted Discretionary Activity Status is enabling and allows for consideration of higher heights than those permitted in association with the retention of character and/or heritage values. 	<p>Finely balanced to provide opportunity for additional height where appropriate, but likely some economic cost of the potential for reduction in floor area.</p> <p>Effective to s6 matters and the retention of character values, but less so in meeting the NPS UD in provision of additional floor area. However, the Restricted Discretionary Activity status enables opportunity for additional height (as illustrated in Appendix 3).</p> <p>The option is not effective at meeting the direction of Policy 3d of the NPS UD in terms of providing, within and adjacent to local zones, building heights and density of urban form that are commensurate with the level of commercial activities and community services. It does however meet the direction of Policy 4 of the NPS UD (modification of building height and density requirements) in order to accommodate a qualifying matter (heritage impacts in this case).</p>

	<p>Risk of acting/not acting</p> <p>A site by site analysis has not been undertaken in respect to the character values given the public process undertaken as part of the District Plan Review including associated design guidance informed by a parallel public submissions process. There has been minimal change within the town centre since this time.</p> <p>Shading analysis has not been undertaken due to the significant variance in topography, requiring substantive modelling. At this stage it is considered that the benefits of undertaking this extensive work are not justifiable, when other considerations can be applied.</p>	
<p>Option 2: Increase maximum building height</p> <p>Increase the maximum building height to 14m to align with the Local Centre (Medium) Zone, while retaining (with some alteration) the Lyttelton Town Centre statutory design guidelines to manage character.</p>	<p>Costs</p> <ul style="list-style-type: none"> Impacts on use and enjoyment of public space (overshadowing, visual impact, impacts on heritage and character values), and to a degree private space. <p>Benefits</p> <ul style="list-style-type: none"> Increased development capacity. Additional floor area may assist development feasibility issues unique to Lyttelton, such as the incidence of long, narrow sites and requirement for archaeological surveys where necessary. <p>Risk of acting / not acting</p> <p>As above</p>	<p>Implements the NPS UD in regard to consistency and commensurate height with other Local Centre (Medium) Zones and breadth of activities.</p> <p>Falls short in meeting the objective of a well-functioning urban environment.</p>
<p>Option 3: Use an alternative control to maximum building height</p> <p>Increase the building height to 14m in line with the Local Centre (Medium) Zone in association with a</p>	<p>Costs</p> <ul style="list-style-type: none"> Development capacity is potentially reduced (dependent upon design approach and site limitations, and inconsistent with Local (Medium) Centre Zones elsewhere in the city (by 2m, or potentially 1 storey see Appendix 5). Reduction in potential development capacity potentially compromises economic benefits of additional floor area, likely associated residential population and vibrancy. May have a limited effect on the wider economic growth of the city as a whole as a consequence. Controlling height via the recession plane is: 	<p>Implements the NPS UD in regard to consistency and commensurate height with other Local Centre (Medium) Zones and breadth of activities.</p> <p>Falls short in meeting the objective of a well-functioning urban environment.</p>

<p>recession plane to limit the impact of height on London Street and Albion Square, while retaining (with some alteration) the Lyttelton Town Centre statutory design guidelines to manage character.</p>	<ul style="list-style-type: none"> ○ Potentially more complex (and expensive) means (for both developers and Council’s Resource Consents staff) of doing so. ○ Does not provide a height limit per se, other than the intersection of the upper ends of the recession planes, which could potentially be higher than both 12m or 14m depending on the size of the site (larger sites, including any resulting from the amalgamation of yet to be redeveloped sites on Norwich Quay, could potentially build higher than 12m or 14m). ○ Could result in development contrary to the core design principles identified with respect to the Lyttelton Master Plan and with an adverse effect on building form relative to that of existing development. 	
	<p>Benefits</p> <ul style="list-style-type: none"> ● Controlling height via the recession plane better reflects and is more appropriate to Lyttelton’s: <ul style="list-style-type: none"> ○ Location on the steep, southern slopes of the Port Hills and will better provide access to sunlight to mitigate its effect on overshadowing. ○ Core design principle within the town centre regarding designing for the microclimate by using setbacks (i.e. on the third level to minimise shadows at street level while providing for outlook to the harbour from residential sites above and to the north of London Street). 	
	<p>Risk of acting/not acting As above</p>	

Appendix 5: Height and Storey Scenarios



- 4 Storey
- Total Height: 12m
- Good floor to ceiling height (2.7m)
- Roof form within upper level or reduced floor level heights
- Additional opportunity via RDA

- 4 Storey
- Total Height: 12.5m
- Good floor to ceiling height (2.7m) including generous ground floor
- If 14m height limit - ample opportunity for roof form, or RDA with roof form within upper level, or height dispersed through levels

- 5 Storey
- Total Height: 13.8m
- Minimal floor to ceiling height (2.4m) for quality living space, or versatility for other uses
- Minimal roof form and limited opportunity to disperse through levels, likely request for additional height

- 4 Storey
- Total Height: 11.1m
- Minimal floor to ceiling height (2.4m) for quality living space or versatility for other uses
- Provision for roof form through levels

Appendix 6: Christchurch District Plan Provisions (2017)

In relation to character/design, height and sunlight.

Commercial Banks Peninsula Zone	Christchurch District Plan (2017)
Design rule	<p>15.6.1.3 Restricted discretionary activities: RD3(a) Activities listed in Rule 15.6.1.1 P3 to P22 in Lyttelton or Akaroa which involve the erection of a building, relocatable building or relocation of a building, external additions or alterations to a building, which meet the activity specific standards in Rule 15.6.1.1 and built form standards in Rule 15.6.2. The Council’s discretion shall be limited to (b) Lyttelton Design Guidelines (Appendix 15.15.6).</p>
Reason for rule	<p>15.13.1 Urban design: (a) The extent to which the development: (i) Recognises and reinforces the centre’s role, context, and character, including any natural, heritage or cultural assets. (ii) Promotes active engagement with, and contributes to the vibrancy and attractiveness of, any adjacent streets, lanes or public spaces. (iii) Takes account of the nearest buildings in respect to the exterior design, architectural form, scale and detailing of the building. (iv) Provides a human scale and minimises building bulk while having regard to the functional requirements of the activity.</p>
Height rule	<p>15.6.2.1 Maximum building height: (a)(i) Maximum height of any building shall be 12m.</p>
Reason for rule	<p>15.13.3.1 Maximum building height: (a) The extent to which an increase in height of the development: (v) Contributes to variety I the scale of buildings in a centre, and creates landmarks on corner sites. (vii) Results in adverse on adjoining residential zones or on the character, quality and use of public open space. (viii) Contributes to the visual dominance of the building when viewed from the surrounding area, having regard to the anticipated scale and form of buildings in the surrounding environment.</p>
Access to sunlight rule	<p>15.6.2.5 Sunlight and outlook at boundary with a residential zone or any public space: (a) Where a site boundary adjoins a residential zone, or public space (other than a road) in the block between London Street, Norwich Quay, Oxford Street and Canterbury Street, no part of any building shall project beyond a building envelope contained by a 45 degree recession plane measured at any point 2 metres above the site boundary, unless specified below. (b) Where sites are located within a Flood Management Area, recession plane breaches created by the need to raise floor levels shall not be limited or publicly notified.</p>
Reason for rule	<p>15.13.3.4 Sunlight and outlook at boundary with a residential zone: (a) The extent to which building intrusion into a recession plane: (ii) Overshadows and impacts on the outdoor living spaces and main living areas of residential buildings, and/or activities undertaken within the space affected, while having regard to the time of year that over shadowing is expected to occur. (b) The extent to which shading by buildings impacts on the use and amenity values of London Street in Lyttelton or other public space.</p>