

SELWYN DISTRICT COUNCIL: PROPOSED PLAN CHANGE 29

Design of Development in the Business 1 zones

In this document, new text is shown as underlined, and removed text is shown as ~~strikethrough~~. Amendments made by Plan Change 12 are shown with a yellow background.

PLAN AMENDMENTS

- 1 **Update Policy B3.4.22 and Insert new policy B3.4.23a on managing the quality of commercial development**

POLICIES

Policy B3.4.22

Allow people freedom in their choice of the design of buildings or structures except where building design needs to be managed to:

- Avoid adverse effects on adjoining sites; ~~or~~ and
- Maintain the character of areas with outstanding natural features or landscapes values or special heritage or amenity values; and
- **Maintain and establish pleasant and attractive streets and public areas**

Explanation and Reasons

~~For most places in general~~, the District Plan does not have provisions that tell people what colour, shape or materials to use when building structures. ~~The Council thinks this is a matter of personal choice.~~ The Plan does, however have rules for the height, bulk of buildings and recession planes, to avoid adverse effects of shading and loss of privacy or outlook, on adjoining sites **and some controls to manage the effect of buildings on public spaces, particularly in town centres (the Business 1 zone).**

This means that there are relatively few rules for traditional low density residential development. However for higher density and infill housing or commercial development more active management is needed to address the effects on neighbours and public spaces because the use of setback controls has proven both inefficient and ineffective. These rules protect the privacy of neighbours and the quality of the street scene.

~~The exception to Policy B3.4.22 is in~~ Some areas that have been identified in the Plan as having either: outstanding natural features or landscapes values or special heritage or amenity values. In these areas, the Plan has design criteria for erecting a building or structure, including signs, as a permitted activity (no resource consent needed). Buildings or structures that cannot comply with the rules, may be able to be erected through the granting of a resource consent, if the proposed design is appropriate to the area.

The areas subject to building design controls due to the proximity of outstanding natural features or landscapes are identified in Part B, Section 1.4 of the Plan. Such controls affect the expansion of the townships of: Arthur's Pass, Castle Hill and Lake Coleridge, and the expansion of other townships in certain directions. It will also affect parts of the Rural Zone. This matter is addressed in the Rural Volume of the Plan.

The townships of Arthur's Pass and Castle Hill also have building design controls in their existing villages. These controls are to maintain the special building styles and associated character that exist in those villages, at present. This matter is addressed in policies 28 and 29 of this Section.

Building Act 2004

A building consent is still required for the erection, alteration or demolition of any building under the Building Act 2004, whether that building requires a resource consent or not. All buildings must comply with any relevant structural criteria in the New Zealand Building Code.

Method

- District Plan Rules
- Height of Buildings (All Zones)
- Size of Buildings (Living zones)
- Recession Planes (All Zones)
- **Urban Design Guides**

Policy B3.4.23a

Ensure that town centres are walkable and well integrated, and that development in town centres contributes to the economic and social vibrancy of the District's towns by:

- **complimenting public spaces (both those in public ownership and on-site public space) with high quality active frontage**
- **ensuring the provision of high quality public space**
- **bringing activity to street frontages by means of the positioning of buildings and active frontage along the street boundary and by internalising car parking with a site or development block**
- **providing for a high quality pedestrian experience in places the public may be present**
- **ensuring that development supports the urban structure by providing for direct and logical pedestrian routes within and through larger sites and to entranceways along pedestrian desire lines.**
- **ensuring entranceways are positioned in logical places for pedestrian access**

- **ensuring that design and layout prioritises the needs of pedestrians over the parking of cars**

Town Centres are the hub of a community and the venue for a variety of transactions. A vibrant and vital town centre results from the variety of experiences and transactions on offer from a single journey. The presence of people on the street is an essential component of a vital town centre, adding interest, excitement and commercial opportunities.

An inviting and walkable town centre allows people to combine shopping and other activities (such as using the library or meeting with friends). The social fabric of the town is strengthened by the opportunities for chance encounters. There are health benefits from allowing people to incorporate walking into their daily routine. But people will only walk around a centre if it is safe, attractive and convenient.

The integration of adjacent sites is important for the economic success of the centre, increasing opportunities for multi-use visits and broadening the range of activities taking place in the centre.

For these reasons, a centre must have a layout which supports pedestrian activity and buildings must be designed to bring interest and activity to streets and areas where people may be present. Developments which turn their backs on the street and neighbouring development and which do not contribute to a pleasant and convenient pedestrian experience will undermine the opportunity for a community hub to be developed.

The plan differentiates between small developments (with floor areas below 450m²) and large ones.

Small developments have a reduced scale of effects, but there is more potential for adverse cumulative effects from development which is undertaken at different times. Effects are managed with bottom line standards designed to ensure regular development with good street interaction.

Large developments have a greater scale of effects but can be designed comprehensively and include on-site public space. These proposals need a greater degree of scrutiny, so they are restricted discretionary activities, but assessment can include the overall effects of the development on the environment (rather than rigid compliance with standards).

In general, for new areas such as greenfield sites, it is expected that car parking will be internalised, with streets lined with buildings. Where large sites are being progressively developed, this should be done in such a way as to enable the future achievement of this intention. In particular, car parking should not be positioned in such a way that it precludes the future development of those parts of the site with road frontage.

Methods

District Plan Rules (Business 1 zones)

- Streetscene
- Retail Activities
- On-Site Public Spaces

- Entranceways
- External finish
- Landscaping
- Urban Design Guides

Policy B3.4.23b

Support the use of building or landscaping concept plans or ideas developed for townships in Selwyn District where such plans or ideas:

- Are appropriate to the proposed activity;
- Do not contravene any District Plan policies or rules; and
- The builder/developer is interested in using them.

2 Insert new policy B4.3.6 on Medium Density Housing

Policy B3.4.27

Allow for Medium Density and Comprehensive housing in Business 1 zones provided it has the same standard of design and site layout as in residential areas

The plan encourages medium density housing in town centres to make efficient use of land and support walkability. But it is expected that such areas will have a similar amenity to any other residential area, for the benefit of both the residents and the people who use the town centre.

[renumber subsequent policies and amend table 4.3.1 to reflect renumbering]

3 Insert new policy B4.3.6 on rezoning

Policy B4.3.6

Only rezone land for business if it has an appropriate shape to allow for the creation of a high quality town or smaller centre environment

The usability of business land is highly dependent on its shape. If land is rezoned without regard to how it can be used, the result can be a town centre or neighbourhood centre where a high quality built environment is difficult to achieve.

Examples of the type of development which the Council is seeking to avoid are:

- Shops which sit behind large areas of car parking
- Shops which turn their backs on the road or other public areas
- Shops on one side of a road only in town centres

Often, due to the shape of the land rezoned, it is difficult to achieve an improved urban form, for instance because the shape of the zone is not deep enough for two rows of shops to face each other across a street. It is therefore important that an

application for rezoning demonstrates how the land can be used a way that will result in a high quality built environment, as described in Policy 3.4.23a.

In instances where a high quality built environment is not possible or would depend to a great extent on the form of development chosen, then site specific rules may be required, either to restrict what can be done on the site, or the form of development which occurs.

The Council's *Commerical Design Guide* is a useful reference on how the shape of land may constrain development options.

4 Insert new rules 16.9 – 16.12 to manage the design and layout of commercial buildings

RULES

16.9 SMALL SCALE COMMERCIAL DEVELOPMENTS (LESS THAN 450m²)

Permitted Activities

16.9.1 Except for buildings used as a dwelling, buildings or developments with a total gross floor area of less than 450m² and up to 20 on-site car parking spaces shall be a permitted activity in the Business 1 zone provided that:

16.9.1.1 No car parking or vehicular access is provided between the frontage of any building and a legal road (or any accessway from which the public will access the site if it does not have access to a legal road); and

16.9.1.2 At least 60% (by length) of each building frontage which fronts or directly faces on-site public space, or a road or other area where the public have a legal right of access, shall be installed and maintained as active commercial frontage; and

16.9.1.3 The maximum height of any fence between any building façade and the street or a private Right of Way or shared access over which the allotment has legal access, shall be 1m; and

16.9.1.4 Every building adjoining or within 3m of a road boundary shall be provided with a verandah to the following standards:

- a) Verandahs shall be set at least 0.5m behind the kerb face; and**
- b) Verandahs shall have a minimum depth 3m except where this would entail a breach of rule a, above; and**

- c) Verandahs shall extend along the entire frontage of the building facing the road boundary, and shall adjoin verandahs on adjacent buildings

Discretionary Activities

- 16.9.2 Any building or structure which does not comply with rule 16.9.1 shall be a discretionary activity

16.10 LARGE DEVELOPMENTS

Restricted Discretionary Activities

- 16.10.1 Any development in the Business 1 zone (other than Comprehensive Residential Development) with a gross floor area of 450m² or more shall be a restricted discretionary activity

- 16.10.2 Under rule 16.10.1, Council has restricted the exercise of its discretion to:

16.10.3.1 The extent to which the development:

- a) Is visually integrated with the surrounding buildings by means of its scale, including the transition in size between it and adjacent buildings and any architectural measures to mitigate this; and
- b) Contributes to a varied and visually appealing streetscene through:
 - the subdivision of ground floor facades into traditional scale modules with a width of 5-10m;
 - the continuation of existing building lines;
 - the use of regularity of detailing (such as windows and architectural detailing) on upper floors and that such detailing is consistent with neighbours where appropriate; and
- c) Avoids or disguises roof mounted equipment such as airconditioning units

16.10.3.2 The design and location of active frontage and entranceways to buildings to:

- a) create on-site public space which is attractive and convenient for pedestrians; and
- b) address other public space such as roads with active frontage

16.10.3.3 The extent to which the design and layout of the site provides and addresses (for instance through active frontage) well located people oriented space

appropriate to the scale and nature of activities on site; and

16.10.3.4 The extent to which the site layout provides direct, logical and attractive pedestrian routes within and through the site as part of a comprehensive walking network for the wider area, providing access to and from:

- a) Main attractions on the site such as community facilities, the main entrances to shops, or public space; and
- b) Main attractions on adjoining sites; and
- c) Points of access to surrounding areas including roads, reserves and walkways; and
- d) Public transport facilities

16.10.3.5 The extent to which the development would maintain and provide continuous building lines, active frontage and verandahs along street boundaries and main pedestrian routes, particularly where adjacent to established retail activities; and

16.10.3.6 The design and layout of the site in relation to the location of car parking areas so that these are

- a) Located at the rear or side of developments; and
- b) Not located between buildings and a road; and
- c) Generally located where they are internalised within the development block; and
- d) For large greenfield sites being developed progressively, that car-parking is not generally located at or within 20m of the boundaries of sites where it may compromise the establishment of buildings adjacent to the road; and

16.10.3.7 The design and location of landscaping to mitigate the visual effect of development and to define the edges of streets and other space accessible to the public; and

16.10.3.8 The provision of appropriate servicing for the proposed activities; and

16.10.3.9 The degree of compliance with the matters listed under 16.9.1

Note: On-site public space refers to the whole area where people can be expected to be present. People oriented space (rule 16.10.3) refers to that part of the on-site space which has high pedestrian amenity, or to adjacent public space. Examples of people oriented space include:

- legal roads and public reserves;

- “Private Streets”: areas of private land where buildings with a majority of active frontage are directly opposite each other with pedestrian facilities on both sides of an accessway with no more than 2 rows of parking; with a total width of no more than 20m of surface accessible to vehicles.
- “Pedestrian Precincts”: traffic-free street or lanes faced by active frontage on both sides
- “Pedestrian Parades”: wide footpaths (min 6m width) in front of shops, providing space for pedestrian activities, separated from car parking by landscaping.
- “Nooks and Corners”: Making use of larger areas of leftover space (min 6m*6m, excluding 1.8m width through-walkways), separated from car parking by landscaping.
- “Pedestrian Squares”: enclosed on 2 or more sides by active frontage for at least 60% of their perimeter, and where vehicles are not permitted.

Illustrations of these concepts are provided in the Council’s *Commercial Design Guide*

16.11 RETAIL FRONTING ON-SITE PUBLIC SPACE/S

16.11.1 In the Business 1 zone, where retail activities front on-site public space/s rather than public space/s, they are a permitted activity if the site layout complies with the following:

16.11.1.1 shop frontages must be separated from car parking by a footpath and landscaping area with a minimum combined width of 3m; and

16.11.1.2 The area specified in 16.11.1.1 above must include an unobstructed sealed footpath of no less than 1.8m in width.

16.12 BUILDINGS AND EXTERNAL FINISH

Permitted Activities

16.12.1 In the Business 1 zone, buildings and structures shall be a permitted activity if the exterior cladding of any wall or elevation (excluding glazing) complies with the following:

16.12.1.1 It is made from or clad in natural stone or with natural or stained timber; or

16.12.1.2 When graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, the exterior finish of at least 75% of any elevation (including any signage, whether attached to the elevation, painted on it, or otherwise provided), meets the following standards:

a) Is within greyness groups A and B.

b) Is greyness group C, with reflectance value (RV) rating of no more than 40%.

16.12.2 In the Business 1 zone, buildings shall be a permitted activity if the external finish of the roof complies with the following:

16.12.2.1 All roof areas shall be finished in colours with a reflectance value (RV) rating of no more than 40% and fall within the greyness groups A, B and C.

Non Complying Activities

16.12.3 Any building or structure which does not comply with rule 16.12.1 shall be a non-complying activity

16.12.4 The installation of exterior security shutters in the business 1 zone shall be a non-complying activity

- 5 Insert new rules 16.13 – 16.15 to manage the design and layout of dwellings in the commercial zone**

16.13 DWELLINGS

16.13.1 In the Business 1 zone, dwellings shall be a permitted activity if the following standards are met:

16.13.1.1 They have the exclusive use of an allotment with a minimum area of 500m².

16.13.1.2 The allotment contains a minimum 10m x 15m building area.

16.13.1.3 Any dwelling shall be set back at least 3m from any road boundary or any accessway or right of way over which the dwelling has legal use.

16.13.1.4 Site coverage does not exceed 40%

16.13.1.4 Any garage where a vehicle door faces the road, a private Right of Way or shared access over which the dwelling has legal use, shall be set back a minimum of 5.5m from the road boundary, private Right of Way, or shared access.

- 16.13.1.5** **No garage or accessory building is to be located between the front facade of the dwelling and the road boundary, or the private Right of Way or shared access by which the allotment is accessed.**
- 16.13.1.6** **Any dwelling or principle building, excluding garages or accessory buildings, shall be set back a minimum of 2m from any internal boundary. Buildings may however be sited along an internal boundary if the building shares a common wall with another building on an adjoining site.**
- 16.13.1.7** **Any dwelling shall be sited at least 2m from any other dwelling, unless it is attached to that dwelling.**
- 16.13.1.8** **No set back is required for any garage or accessory building from an internal boundary, provided that the total length of garages or accessory buildings adjacent to the internal boundary do not exceed 7m and provided those garages or accessory buildings comply with a 45 degree recession plane measured from 2.5m above ground level at the boundary.**
- 16.13.1.9** **All balconies at first floor level and above may only be located in a façade that faces a road boundary or an internal boundary shared with land vested or designated with Council for stormwater, recreation or esplanade reserve/ strip purposes.**
- 16.13.1.10** **Any windows at first floor level or above must:**
- **face a road boundary, or an internal boundary shared with land vested or designated with Council for stormwater, recreation or esplanade reserve/ strip purposes; or**
 - **Be set back a minimum of 10m from an internal boundary; or**
 - **Have a sill height of at least 1.6m above internal floor level; or**
 - **Be obscure glazed, and either non-opening or top- hinged, and be associated with a bathroom, toilet, or hallway.**

16.14 COMPREHENSIVE RESIDENTIAL DEVELOPMENT

Restricted Discretionary Activities — Comprehensive Residential Development

- 16.14.1** **In the Business 1 zone, comprehensive residential development shall be a restricted discretionary activity, which shall not be notified and shall not require the written approval of affected parties. Under Rule 16.14.1 the Council shall restrict the exercise of its discretion to consideration of:**

16.14.1.1 Context and Spaciousness

The extent to which comprehensive development responds to the existing context through:

- (b) Being oriented towards adjoining public spaces such as roads, parks, or reserves and presents a front façade with a good level of glazing. Visible pedestrian front entrances and low front fencing;**
- (c) Providing dwellings which relate to each other and surroundings in terms of regularity of features such as window height and detailing and a consistency in roof slope and form.**

16.14.1.2 Attractive Street Scene

The extent to which the public interface and external appearance of buildings in comprehensive developments:

- (a) Provides dwellings with visual interest when viewed from any public spaces through articulation, roof form, openings and window location;**
- (b) Provides visible entry to the dwelling when viewed from the road or the main public access to the development;**
- (c) Provides a good level of glazing and overlooking from habitable rooms towards the road and any adjacent public open spaces.**
- (d) Building design provides a balance of consistency and variety in the street scene.**
- (e) Provides open frontages which will not be enclosed by fences over 1m in height.**

16.14.1.3 Dwelling design, position and orientation

The extent to which the dwelling design, position and orientation of buildings in comprehensive developments:

- (a) Locates and orientates dwellings to define external spaces, to allow adequate sunlight and daylight into main living rooms and private outdoor spaces;**
- (b) Positions dwellings to ensure that dwellings front on to, and are accessed from, the road, private Right of Way, or shared accessways;**
- (c) Positions dwellings to capitalise on any views or natural features;**
- (d) Minimises the visual dominance of garaging and vehicle parking areas, especially as viewed from**

the street or public open spaces. The use of rear courtyards for parking is encouraged.

- (e) Incorporates attractive detailed design including provision of mailboxes and space for bin storage and collection
- (f) Provides attractive and efficient shared parking where required.

16.14.1.4 Visual and acoustic privacy

The extent to which buildings in comprehensive developments achieve visual and acoustic privacy through:

- (a) Avoiding or minimising direct views from the windows of one dwelling into another at distances less than 20m through the use of the following design devices:

The shape and position of the buildings

The location of windows e.g. off set windows and high sill windows

Intervening screening e.g. 1.8 metre high fences (not on road boundary or frontage with accessways), hedges, trees

Screening devices on balconies to ensure that they do not overlook windows or private spaces

- (b) The provision of acoustic treatment between dwellings through enhancing separation between openings, effective solid acoustic screening and by locating noise sensitive spaces from noisy activities (e.g. separation of bedrooms from service areas and garages).

16.14.1.5 Private outdoor living spaces

The extent to which comprehensive developments provide private outdoor living spaces that:

- (a) Have the primary outdoor living space directly accessible from an internal living room;
- (b) Have any secondary outdoor living spaces such as balconies directly accessible from living rooms or bedrooms;
- (c) Are located so that the principle private outdoor living space will receive sunshine for a reasonable portion of the day in winter;
- (d) Are located so that the principle outdoor living space is not directly overlooked by windows or balconies of neighbouring dwellings;
- (e) The extent to which communal outdoor living space is provided within a comprehensively

designed development and the functionality of that space for meeting the likely needs of future occupants.

- (f) Are located to the side or rear of the dwelling and not adjacent to the road boundary.

16.14.1.6 Safety and security

The extent to which comprehensive developments are designed to reduce the fear and incidence of crime through:

- (a) The avoidance of narrow alleyways and places of entrapment;
- (b) A clear definition between public and private spaces;
- (c) The ability to provide casual surveillance of public space from private property and vice versa.

16.14.1.7 Accessibility and connectivity

The extent to which comprehensive developments are designed for accessibility and connectivity through:

- (a) Providing for the safe and efficient movement of pedestrians, cyclists and motorised vehicles within and through the development and to surrounding residential areas and commercial and community facilities;
- (b) Providing direct pedestrian and cycle linkages from developments to and between any adjoining reserves and open spaces.

16.14.1.8 The extent to which living conditions in the dwellings would be adversely affected by established activities within the business zone (reverse sensitivity).

16.15 DWELLINGS AND PRIVATE OUTDOOR LIVING SPACE

Permitted Activities — Dwellings and Private Outdoor Living Space

- 16.15.1(a) Dwellings in the Business 1 zone shall be provided with a private outdoor living space with a minimum area of 50m² and a minimum dimension of 4m.
- (b) Any area provided by balconies with a minimum dimension of 1.5m counts towards the minimum required area of outdoor living space.
- (d) The outdoor living space (excluding balconies) is not to be located between the front building façade and the road boundary or a right of way over which the dwelling has legal access.

Restricted Discretionary Activities — Dwellings and Private Outdoor Living Space

16.15.2 Any activity which does not comply with Rule 16.15.1 shall be a restricted discretionary activity which shall not be notified and shall not require the written approval of affected parties. Under Rule 16.15.1 the Council shall restrict the exercise of its discretion to consideration of:

16.15.2.1 The degree to which any reduction in outdoor living space will adversely affect the ability of the site to provide for the outdoor living needs of residents of the site.

16.15.2.2 The extent to which any outdoor living space intrudes in front of any residential unit such that it would be likely to give rise to pressure to erect high fences between the dwelling and the street, to the detriment of an open street scene.

16.15.2.3 The degree to which large areas of public open space are provided within very close proximity to the site.

16.15.2.4 The degree to which any communal outdoor living areas on the site are proposed where individual dwellings form part of a comprehensive residential development.

16.15.2.5 The degree to which a reduction in outdoor living space would contribute to a visual perception of cramped development or over-development of the site.

- 6 Amend proposed rule 17.6 (from PC12) to manage the design and layout of car parking and insert new rule 17.7**

17.6 PARKING AREAS AND SITE LAYOUT

Controlled Activities – Parking Areas and Site Layout

17.6.1 Any development or redevelopment, of a parking area with more than 20 parking spaces in the Business 1 zone shall be a controlled activity

17.6.1.1 The exercise of Councils discretion shall be limited to the following:

(a) The location, layout and orientation of parking areas relative to:

Buildings, the road frontage, and any physical constraints for the site, and

i. Vehicle manoeuvring, access and circulation, and

- ii. Pedestrian and cyclist access and circulation within the site particularly safety at vehicle crossings and the provision of direct and attractive routes , and
- (b) The provision of lighting for the safety and security of the parking area users, and
- (c) The amount, location, height, variation and depth of landscaping within and adjacent to the parking areas and the road frontage.

17.7 PARKING AREAS AND LANDSCAPING

Permitted activities

17.7.1 Except as provided in 17.7.2, Car-parks shall be a permitted activity if they comply with the following:

17.7.1.1 A continuous landscaping strip is provided between any legal road and the parking area which complies with the following :

- A depth of at least 3m with plants that will grow to a height of 60cm within 3 years over the entire area or
- A depth of at least 1.5m, planted with visually impermeable hedging that will reach a continuous height of 1m within 3 years.

17.7.1.2 A minimum of 1 tree is provided for each ten metres of road frontage, set in a planting bed with minimum dimensions 1.5mx1.5m.

Controlled Activities

17.7.2 Any development or redevelopment of a parking area resulting in more than 20 parking spaces in the Business 1 zone, which complies with the permitted activity standards in 17.7.1, shall be a controlled activity.

17.6.1.1 The exercise of Councils discretion shall be limited to the following:

- a) The provision of low level landscaping to break up the appearance of hardsurfacing, particularly between the car park and pedestrian areas
- b) The provision and location of trees in the parking area. All tree shall be set in planting beds with a minimum dimension of 1.5m x 1.5m at a rate at least of 1 tree per 10 spaces.

7 Amend rule 19.1

19.1 OUTDOOR SIGNS GENERAL

Permitted Activities — Outdoor Signs General

- 19.1.1 Any sign shall be a permitted activity if the following conditions are met:
- 19.1.1.1 The sign is erected on the site to which it relates, exclusive of a freestanding sign located on a footpath or grass berm outside the site but adjoining the site; and
 - 19.1.1.2 The sign does not have any flashing or revolving lights, sound effects, balloons or blimps; and
 - 19.1.1.3 If a sign is illuminated, any light spill from the sign on to any road or any other site complies with the requirements in Rule 22.5 – Activities and Light Spill; and
 - 19.1.1.4 The sign does not obstruct or impair the view for any motorist or pedestrian of any traffic signal, intersection, vehicle crossing, road bend or corner; and
 - 19.1.1.5 The sign does not exceed the height of:
 - (a) The building or structure to which it is attached, or
 - (b) 6 metres, in the Business 1 and 2 zones, and 8 metres in the Business 3 Zones, if the sign is not attached to a building; and
 - 19.1.1.6 The **total freestanding signage per site sign** does not exceed:
 - a) ~~3m² in area where it is not attached to a building~~ **where the site's road frontage is less than 50m;** or
 - b) 6m² in area otherwise**
 - 19.1.1.7 The sign is not of a colour or design that resembles a traffic sign or signal; and
 - 19.1.1.8 Any sign overhanging a public footpath or road berm has a minimum height of 2.5m above the ground or footpath level; and
 - 19.1.1.9 The sign does not protrude beyond the edge of a building if it is attached to a building.

19.1.1.10 Signage does not occupy more than 25% of any building elevation if it is attached to or painted on or otherwise provided on the elevation.

Note: For the purpose of calculating the area of signs painted on a building, the area of the Sign is that enclosed by a line drawn around the perimeter of the Sign lettering and associated artwork.

8 Add the following Reasons for Rules

Design and Layout of Business 1 development

Rule 16.9 manages the effects of smaller commercial developments. It is intended to ensure that there is a positive interface between commercial development and the adjacent public space. The quality of a centre is in part defined by the appearance of buildings and their relationship with the street so it is important that commercial buildings make a positive contribution to this environment. Key to this is that they have active frontage adjacent to pedestrian areas and that they are not separated from these areas by car-parking.

Rules 6.10 and 16.11 manage larger commercial developments which have a greater scale of effects and which usually create substantial areas of on-site public space which may become the place where people experience the public life of the town. It is important that this space is a high quality area in line with the expectations for the Business 1 zone. It is also important that the development maintains a good quality interface with public space. Rule 16.10 allows for the consideration of the effects of the development on the quality of the town centre environment in line with policy B3.4.23a.

Rule 16.12 manages the external finish of buildings to ensure that business 1 zones are not dominated by buildings with large areas of very bright colour.

Dwellings

Rules 16.14 - 16.16 are included in the Commercial area is to ensure that dwellings have an equivalent standard of amenity to Living zones, in what is intended to be a high quality environment.

The proposed business zone rules include a minimum lot size of 500m². In practice this is large for medium density housing and reduced lot sizes are a discretionary activity. Policy guidance indicates that houses should have an equivalent standard to residential areas and this should allow assessment of smaller lots.

The reason for relying on this mechanism is to avoid the need to include relatively complex subdivision rules in the business 1 zone, which has no minimum lot size and subdivision rules which are not appropriate for residential use. In practice, these rules are intended to provide minimum standards for the use of land for residential purposes whilst still allowing flexible subdivision standards appropriate for business use.

Landscaping

Rule 17.7 provides standards for mitigation of car parking. For boundaries with public space it provides for either a minimum height or a minimum depth. This approach allows a degree of flexibility whilst protecting the appearance of the town centre.

9 Add the following definitions

Definitions

Active Residential Frontage means a dwelling elevation (or that part of a dwelling elevation) which is comprised of a high proportion (more than 20% by area) of doors (excluding garage doors) and windows.

Active Commercial Frontage means buildings where the ground floor level features glazing, windows or doors which allow views into the premises. It refers to that part of the building with glazing occupying the entire area between 1m and 2m in height, as a minimum.

Active Frontage refers to either active residential frontage or active commercial frontage.

On-site Public Space means de-facto public space occurring on private sites. This includes all places where the public may be present including visitor car parking areas, private lanes and accessways to buildings. It excludes areas such as service lanes for the delivery of goods.

People Oriented Space means public space (or publicly accessible space on private land) which has high pedestrian amenity.