

IN THE MATTER OF

The Resource Management Act 1991

AND

IN THE MATTER OF

Proposed Plan Change 7 to
the Selwyn District Plan

Statement of Evidence of

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1.0 Introduction

My full name is David Anthony Hattam. I am employed as a Strategic Policy Planner for the Selwyn District Council. I hold the qualification of Master of Urban and Regional Planning from Heriot Watt University (Edinburgh) and I am a full member of the Royal Town Planning Institute. I have worked in the field of urban planning and resource management for the last 5 years, with 4 of these being in New Zealand.

I am the co-author of the Council's Subdivision Design Guide and Medium Density Housing Guide. The former of these was the winner of the 2010 Best Practice award from the New Zealand Planning Institute.

In this report I have addressed the matters raised by submitters relating to subdivision design and medium density housing. In order to avoid an overly complex report I have grouped the issues by topic area. In the text that follows, the submitter's comments are summarised in plain text and my response is in italics. Where I have recommended changes to the plan change these are highlighted with a grey background.

2.0 Subdivision Design

2.1 Subdivision Standards

Submitter S85 (D16) objects to the revisions to subdivision standards on the basis that they provide the Council with too much discretion. Submitter S15 (D3, D5) raises similar concerns.

These new standards have been produced because of dis-satisfaction with the way subdivision has been carried out in the past. The reason for this dis-satisfaction is partly because the Council's engineering standards were applied quite rigidly. For example there was little scope for "residents streets" (narrow slow roads which provide an alternative living choice). The adoption of the Subdivision Design guide marks a change in approach from the Council to one which attempts to obtain better outcomes, rather than one which ensures that engineering standards are rigidly applied regardless of whether this produces the best results.

This means that an assessment of the subdivision at consenting stage will need to be more comprehensive. In allowing for more flexibility, the Council needs to ensure that it considers the consequence of each decision. It is not possible to relax the engineering standards on the one hand without ensuring a comprehensive assessment of the outcome is carried out on the other. This simply reflects the reality that urban design is a process involving a complicated trade-off of effects to get the best outcome. The Council needs to be able to assess subdivisions in a holistic manner. This is why more comprehensive assessment matters are needed.

For these reasons I do not support these submission points.

2.2 Residential blocks

The proposed block size rule and assessment matter (policy B4.2.9 and rule 12.1.4.28) was opposed by S15 (D9 and D24) as “micromanagement” and overly prescriptive.

I would strongly disagree with this statement as the provisions are a way to provide flexibility in urban form whilst still attaining a basic level of connectivity. The connections may be made by walkway / cycleway or by street. The size (800m perimeter) provides the ability for developers to provide some cul-de-sac developments as well as developments based on narrow “residents streets” or developments based on access by shared right of way.

Whilst there certainly appears to be demand for sections in cul-de-sacs, people also appreciate the ability to walk around their neighbourhood without taking convoluted diversions. I consider the proposal a good balance between the need for connections and the desire for quiet streets.

In any case, the provision is an assessment matter for restricted discretionary subdivision. Non-compliance does not change the status of the application; the rule is instead asking for consideration of block size in the consent process, alongside other matters. The rule therefore is not particularly onerous, and is an effective method for ensuring that block sizes are not overly large (and therefore prevent good connectivity).

2.3 Site Size

Submitter 47 requests that the average allotment size be reduced from 650m² average to 600m², and the minimum from 550m² to 500m².

The District does not have a wide range of housing types available and much recent development has been for larger four bedroom houses. Yet the demand for housing in the next 30 years is expected to be driven to a large extent by smaller houses.

The submission would have the effect of allowing for the provision of a greater proportion of households as larger houses (for instance 200m² houses on 600m² lots) which would not meet the projected needs of the community.

In practice, developers generally do not usually allow the building of small houses on standard lots. A recent Council study of Rolleston found that 97% of lots were restricted to large houses (over 166m²).

PC7 as notified provides for additional housing choice through the introduction of medium density housing areas. This will mean that housing choice is provided for with extra density accommodated in specific areas, within an environment which is generally spacious.

In practice the use of site size to control the effects of residential development (such as privacy, shading and enclosure) has worked quite well for traditional sites and for this reason the plan change does not propose much extra regulation on these sections. However, these are generally larger sites of at least 650m².

This plan change imposes increasing regulation with reduced site size, because as sections get smaller, additional rules are needed in order to get a similar standard of living environment, with protection for privacy and from shading and enclosure. This is discussed extensively in section 3.1, below.

As sites get smaller, the ability to control the effects of development through traditional mechanisms like setbacks is reduced as there is less land available and the building design decisions become much more crucial for ensuring good environmental outcomes. The traditional approach becomes an inefficient and ineffective mechanism to mitigate the effects of development as sites become smaller and development denser.

The reliance on average density manages the cumulative effects of development on spaciousness. But these effects will become problematic if there is widespread development of smaller sections. Whilst the effect of a few 500m² lots is unlikely to be significant in a predominantly low density area, if this small lot size becomes prevalent there would be effects on both the amenity of individual landowners, and also the residential character of the wider area. These effects would not accord with the character expected for the Living Z zone.

In view of the above, I would support the reduction of the minimum site size, but not the average, which I consider is required to manage cumulative effects

We must also consider the effect of such a change on housing choice and urban grain; the provision of a range of densities. Lincoln already has the most dense average density standard in the District Plan. The purpose of plan change 7 is to provide for a range of living environments, not to reduce the standards required for living 1.

The request may also result in a reduction of the amount of medium density provided. In this plan change, a certain number of households have been allocated to each ODP. If more households are provided on smaller traditional lots, then less will be

provided as medium density. As a result, the request, which is a request for more traditional type housing, would result in a reduction in housing choice from that intended and a failure to realise the benefits of medium density housing.

Recommendation

That new text in table C12 under Lincoln be amended as follows:

650m² with a minimum individual allotment size of ~~550m²~~ 500m²

2.4 Site Coverage

Submitter S49 requested an increase in site coverage to 45% on land owned by Broadfield Estates (part of ODP area 2 in Lincoln).

I do not support an increase in site coverage, especially in a low density area. High site coverages such as those suggested by the submitter can have adverse effects such as an appearance of cramped development or sense of enclosure, which is not envisaged for the Living 1 or Living Z zones.

Purchasers of land in the site will be entitled to apply for resource consents for increased site coverage, and the plan does contemplate coverages of up to 40% as a restricted discretionary activity. This will ensure that neighbours and the immediate environment are not adversely affected by high site coverages by taking the specific effects into account.

I consider that the range of housing choices that the plan change and the UDS is trying to achieve, notably the provision of more smaller houses for the increasing numbers of small households, to be an important consideration. The submitter notes that larger houses have been constructed in Lincoln but it is not likely that the demand in future will be exclusively for these very large properties.

As noted above, it is usual practice for developers to require that large houses are built (by means of covenants) so it is not clear that people who wish to move to Lincoln do require large houses. Perversely, the allowance for increased site coverage may lead to reduced housing choice, as people may be required to build larger houses than they need, particularly on smaller lots (for example around 500m²) where minimum house size covenants are frequently set at or around the maximum District Plan site coverage.

2.5 Views

Submitter S15 (D7 and D26) also questions Policy B4.2.9 which seeks to preserve viewshafts to the Port Hills and Southern Alps. The submitter is of the opinion that views are not a matter for the District Plan to concern itself with.

I agree that the protection of views from private property is not a matter for the District Plan, but it is a different matter for views from public land. The plan change

suggests that view shafts should be preserved along roads and from public space and is not concerned with whether a neighbour builds out an established view. The most common way of achieving this aim is to orientate roads so that they also provide a view corridor.

2.6 Rear Lots

S15 (D10 and 11) asked for the removal of policy 4.2.11 as they consider it overly prescriptive.

Two submitters (S22 and S79) supported policy 3.4.3 which includes provisions to limit the number of rear lots under a list of design principles and asked for it to be strengthened. They point out that the word “limit” provides little direction for the assessment of an application.

Submitter S15 (D25) asked for the removal of rules 12.1.4.29-32 which implement the policy.

The policy provides for the protection of privacy through good subdivision design. It is based around the principle that houses should have private backs and public fronts. This is a conventional principle of urban design and is found in many documents including the Council’s Medium Density Design Guide and the Ministry for the Environment People + Places+ Spaces: A Design Guide for Urban New Zealand (MfE, 2002, p51). This allows for a regular pattern of development which generally has openness in the rear of sections and houses fronting the street without the need for fencing. This creates attractive streets with good street observation and a sense of spaciousness in gardens.

There are additional concerns with the use of rear lots in that they can adversely affect privacy. They increase the number of direct neighbours for each house. If two storey houses are built they will inevitably overlook one or more of the adjoining properties. Accessways may be unattractive especially if fenced and reduce the opportunities for landscaping in the berm.

A limited allowance is provided for rear lots, in recognition that they can help to reach awkward corners of a site. An additional allowance is provided for shared accessways, which can provide an attractive street-like environment.

In my view, this framework provides a good balance between the benefits of a regular pattern of development and the rights of a developer to use some alternatives where their site is problematic. I therefore do not agree that the policy and rules should be removed.

With regard to the submissions asking for the policy to be strengthened, I would support this change which will make the policy clearer.

Recommendation

That policy 3.4.3 (fifth bullet point) be amended as follows:

A subdivision layout that ~~limits~~ minimises the number of rear lots

2.7 Fencing and Garaging

The need for fencing and garaging control (rule C4.13) was questioned by S15 (D17-D22) and S85 (D15). S40 considered that fencing should be permitted up to 1.5m.

The submitters S15 (D3) and S85(D4) also oppose the amendments to existing policy B4.1.12 which seeks to discourage the establishment of tall fencing backing onto main roads.

The proposed fencing rules are to ensure that development creates attractive, open streets where houses are visible from the road. Such open streets have a high degree of amenity and visual interest, which has widespread benefits including encouraging walking and cycling. Houses overlooking the street also give an increased feeling of safety to passers by, with low front fencing being a well-established principle of Crime Prevention Through Urban Design (CPTED) (see for instance National Guidelines for Crime Prevention through Environmental Design: Seven Qualities of Safer Places, Ministry of Justice, p17)).

By contrast, a high-fenced street is less attractive to people and lacks visual interest. It is common practice for developers to impose covenants to restrict front fencing and the Council is simply recognizing that such restrictions are in the public interest. This provision already applies in part of the District (around Lowes Road in Rolleston).

Similarly, streets which have a large proportion of garaging in the street-facing building elevation can appear monotonous and prevent passive surveillance of the street by building occupants. Active building frontage (doors and windows facing the street) provides more observation and visual interest. Rule 4.13.2 ensures that streets will not be visually dominated by garaging.

I do not agree that these proposals are inflexible. Developers will be aware of the rules and able to design their sections and house accordingly, for instance to provide private space to the side or rear of a house. The resource consent process is likewise available to property owners to demonstrate that any proposal that breeches the rule is appropriate in terms of its potential environmental effects and allow site specific mitigation measures.

Submitter S40 contended that a hedge would have the same effect as a fence and wondered why this was not restricted by the plan change. I would disagree that the effect is the same as hedges are visually complex natural forms which can enhance the street. In research into intensification of residential areas, the presence of greenery is something that is often identified as desirable (see for instance Boffa Miskell and Key Research and Marketing (2000): Tauranga Residential Intensification Study, Amenity Values, p21).

With regard to Policy 4.1.12 this policy seeks to ensure that allotments face directly onto main roads where possible. Recent subdivisions have sometimes backed onto main roads with long continuous fences (for example on Edward Street to the west of

Lincoln). This has created a bland street scene on routes which are especially well travelled. The policy seeks to ensure that this is not repeated elsewhere.

It is clear in the policy that where a road is a limited access road then there is no requirement to face it. However, where this is not the case, I consider that there is no reason for houses to back onto main roads. Within townships, the speed of roads will be reduced to 50kph, whether or not that is the speed at the time of development, so there are no traffic safety reasons. Whilst there may be perceived privacy advantages in houses facing an internal street, these need to be weighed against the adverse effects that houses backing onto a road create. I consider that the policy should not be amended. In any case the amendments proposed in the plan change are of a very minor nature to an established District Plan policy.

2.8 Enclosure of Subdivisions

Submitter S15 D23 requested the removal of assessment matter 12.1.4.16 which seeks control over gated subdivisions

In controlling subdivision, Council is seeking a balance between the needs of developers and the needs of the community. Whilst “gated communities” are unusual in New Zealand, they have the potential to cause problems for the wider community.

These problems can include a loss of connectivity and permeability and the establishment of inward looking housing which turns it back on the public realm. There are also potential financial issues such as an unwillingness of residents to contribute to Council facilities when private communal facilities are provided.

For these reasons, the Council requires the ability to consider the balance of benefits at subdivision stage. It is likely that smaller developments which are well designed and which have attractive edges would be permitted. These developments would include elderly persons housing complexes. The establishment of larger complexes without active edges would be a concern, as would the cumulative effects of a number of such complexes being built.

2.9 Houses facing main roads

Submitters S85 and S15 opposed the change to the explanation under policy B4.2.3 which refers to allotments along main roads being designed to gain access from those roads rather than turning their backs on them.

Submitter S85 noted that it would be contrary to ODP1. This is rather an odd way to approach the issue. The ODP should generally comply with the policy framework, not the reverse. The submitter does mention that there may be access restrictions for other ODPs. However, it is clear in the explanation that where access restrictions do exist, then they can be taken into consideration.

Submitter S15 considers that the new text does not relate to the policy and should therefore be deleted. I do not agree. The policy is about the amenity of new neighbourhoods and this is clear from the existing text:

“How allotments are designed, their shape, orientation to the sun and proximity to roads, reserves and walkways affects the final shape and form of a residential neighbourhood or a business area.”

The new text is clarifying what the final shape and form of a residential neighbourhood should be.

3.0 Medium Density Housing (MDH)

3.1 Concerns about MDH

There are a number of submissions on land that is proposed to be rezoned for Medium Density Housing. This land includes Rolleston ODP areas 1 (CDL) and 2 (Markham Way), and Lincoln area 6 (“vege block”). These are documented in section 4 below, whilst below are some more general comments about how MDH will be managed.

There is expected to be an increase in demand for smaller households. The UDS identifies a trend to falling household sizes which is reflected in the Selwyn District Council Growth Model. For instance the average household size in Rolleston is expected to fall from 3.04 to 2.63. The UDS identifies that there is a lack of housing choice and promotes a housing mix that reflects a range of size, price, density and location.

At present, the District does not provide a wide range of housing choices, particularly in newer subdivisions.

Plan Change 1 to the RPS aims for a net density of 10 households per hectare. In the Lincoln and Rolleston Structure Plans, particular areas are identified for higher densities of 15 hh/ha.

The use of medium density housing allows for the achievement of density targets and also a range of housing choice; whilst generally preserving a spacious environment over the majority of the Living zone.

With an increase in density, adverse effects are likely to be more common, because houses will be closer together and gardens will be smaller. A reduction in site size also makes the building of two storey housing more likely. This is a more efficient use of the land, so is not discouraged, but it can affect neighbours privacy and create a sense of enclosure on neighbouring properties unless it is well managed.

The Council's approach is to introduce more management for higher density housing, to ensure it creates a similar quality environment to traditional development. It is not necessarily the case that higher density development will provide an inferior living environment. But Council will need to manage it more closely with stricter District Plan controls.

For instance, it is more effective to introduce rules which manage the privacy issue by imposing a minimum distance of habitable room windows at first floor level to

internal boundaries (of 10m), than to rely on larger sites and hope that people respect their neighbours privacy, without explicitly requiring that they do so. In this way, the MDH rules protect privacy more effectively than reliance on a density provision alone.

The intention is that the careful management of MDH will create a good quality living environment that whilst different in character from low density suburbs, nonetheless produces a good environmental outcome and enables a range of housing typologies to occur.

The exception to the above is that medium density areas may not be able to provide the same degree of spaciousness on individual lots as traditional subdivision. They will inevitably have a different character. .

Other advantages of medium density housing is that it can support business and transport by maximising the number of customers within walking distance. For this reason, it is advantageous to provide MDH in close proximity to town centres and community facilities and low density in more peripheral areas.

The above also supports sustainability goals, such as minimising the need to travel by private car, because more people are able to walk to facilities. In the face of uncertainties such as the price of fossil fuel, this is important in increasing community resilience because the settlement pattern is less dependent on the use of vehicles.

Submitter's 82-84 were of the view that medium density housing is mostly two storey and mostly for older people who would not find two storey housing suitable. I would re-iterate that there are a variety of housing choices enabled by the plan change which may suit a variety of people. These include single storey housing. A density of 15 houses per hectare equates to an average site size of around 450m². Such sites have usually been developed with single storey housing in the past.

Submitter 85 requests clarification about the status of elderly persons housing. The plan change does not specifically provide for elderly persons housing because it provides for a variety of housing types via the comprehensive development rules. The plan does not concern itself with who will occupy the units. Whoever does live in them, they still need to have regard to the same principles of minimizing the adverse effects on other units and surrounding houses. By enabling lots down to 500m² in the low density Living Z areas (see recommendation in section 2.3, above), plus enabling dwellings on smaller lots in medium density areas, and higher density complexes in Comprehensive Developments, the plan change provides for a range of housing typologies that will suit a range of ages and life-stages, without specifying the age of occupants.

The medium density provisions, combined with the use of an average of 650m² in the low density areas, are in my view adequate to enable a variety of housing types, including housing which would be suitable for elderly persons. I do not agree that there is any need to make special provision for these occupiers.

3.2 Open Space

Submitters 82-84 express concerns about the decrease in visible open space per household.

I would agree with these concerns and note there is a discrepancy between the design guide and the plan change provisions. Whilst the design guide requires 50m² of private garden space per household for comprehensive housing, the plan change provisions require only 20m² (rule 4.14.1b). In my view, increasing the private space requirement to 50m² would provide for a more open environment in the area, less dominated by buildings. I do not consider that 50m² is an excessive requirement for open space at the anticipated densities of 20-40 dwellings per hectare for comprehensive housing.

Recommendation

That rule 4.14.1(b) is deleted

3.3 Status of Medium Density Housing Guide

Submitters S82-84 note that the guide is in draft form only and they are concerned that it is not appropriate to rely on a draft guide.

The reason the guide is in draft form is that it is closely tied in with the plan change. The purpose of the guide is to provide a user-friendly illustration of the environmental outcomes that the PC7 package of MDH provisions is aiming to achieve. The guide cannot therefore be finalised until the rule package itself is finalised through the PC7 submission and hearing process. The proposed package of MDH rules do not rely on the design guide for justification, rather their justification is set out in detail in the s.32 assessment.

4.0 ODPs

There are three ODP's where submitters (in all cases the owners of neighbouring sites) expressed concern about the effects of MDH. These are the CDL site (Rolleston ODP 1), the area in Rolleston south of Normal Kirk Drive (ODP 2) and the "Vege Block" in Lincoln, situated opposite the new events centre on North Belt (Lincoln ODP 6). The first is a greenfield site, situated next to undeveloped Living 1B land. The latter two have existing Living 1 zoning and are adjacent to established houses.

The issues raised are considered below:

4.1 Effects on neighbours

With regard to the CDL site, the adjacent landowners (submitter S41) are concerned about the impact of MDH on their as yet undeveloped land to the south, which is

adjacent to a medium density area. Their concerns include spaciousness and visual dominance.

Similar submissions were received from some of the residents adjoining Rolleston ODP area 2 and Lincoln area 6, also identifying visual bulk and privacy

For the reasons outlined in section 3.1 above I do not agree that medium density housing is incompatible with either Living 1 or Living 1B zoning. The Council has gone to some trouble to ensure that effects are mitigated through active management in the District Plan. The proposed setback for first floor windows will provide additional protection for privacy over and above what is provided by existing L1 and L1B zoning, which permit two storey housing as of right, sometimes within 3m of the boundary. The requirements for minimum outdoor areas will provide some spaciousness, preventing houses from being crammed in against all boundaries. Comprehensive housing (such as terraces) will be carefully managed so that it respects the spacious character of its surroundings.

However, I consider that additional protection from shading of L1 and L1B is appropriate. Under Plan Change 7, MDH has a less restrictive recession plane which starts at a height of 4m. This is in part an acknowledgement that some shading may occur between medium density houses and that this is the nature of the zone (the trade off for more efficient use of land). But I consider it appropriate that the standard recession planes should apply at the boundary of the medium density area to protect the amenity of adjoining properties. This will also help to manage any remaining issues of visual bulk.

Rolleston ODP Area 2

Notwithstanding the above, in ODP area 2, the Council (as landowner) has offered additional controls on its land to deal with the perceptions the adjoining landowners may have, as outlined in the ODP for area 2. These are:

- A 5m setback applied to the north-west boundary where the ODP abuts established housing*
- A limit to a single storey has also been proposed for houses backing onto this boundary.*

Together, these controls offer a very high level of protection for the neighbours, far in excess of what the current zoning provides.

They would therefore entirely mitigate the effects of higher density development as compared to the permitted baseline. For this reason I do not support the submission asking for larger lot sizes in the “transition strip” and I do not recommend any further measures be put in place.

Lincoln ODP Area 6

For Lincoln ODP area 6, there are some similarities, as the neighbours have existing houses, some of which are positioned very close to the rear boundary. As noted above, the concessions provided by the landowner in Rolleston ODP 2 are in my

view above and beyond what is required to manage the effects of MDH, as compared to the permitted baseline of Living 1 zoning. Under the existing zoning, houses may be built to two storeys, within around 3m-4m of the boundary. Many of the Roblyn Place houses are built close to their own site boundaries.

The ODP 6 site has a depth of around 35m. The Living Z subdivision rules (rule 4.2.11) limit the number of rear lots meaning that this is likely to be developed with relatively long, narrow sections which have direct road frontage.

In order to protect the appearance of spaciousness for the Roblyn Place residents, and given the characteristics of the site, I consider that a 5m rear setback would be appropriate. This would not be onerous and would give the Roblyn Place residents some confidence that their amenity would be protected. The practicalities of building will mean that the upper floor window setback would prevent a continuous two storey elevation from being established close to the Roblyn Place boundary (because the windows would need to face the rear, with a 10m setback; or the side, also with a 10m setback which would mean that there would need to be gaps or large step-ins).

Rolleston ODP Area 1 (CDL)

With regard to 247 Brookside Road, I consider that it is significant that the submitter's land has not yet been developed. Subdivision and house design can help to mitigate any effects from density for instance by using longer sections and placing houses at the front. For this reason, I do not consider the additional protections proposed above to be necessary for this site.

Recommendation

That rule 4.9.1 is amended as follows:

In a Living Z medium density area located within an outline development plan, the construction of any building is to comply with a recession plane angle of 45 degrees, with the starting point for the recession plane to be 4m above ground level; except for boundaries with allotments which are not within the area.

4.2 Markham Way (Rolleston Area 2)

Some submitters (S22 (D4), S24, S34, S55, S79) asked that access to the area should be from Norman Kirk Drive and Rolleston Drive rather than Markham Way.

I do not support the proposal to limit access to Markham Way. The Council (as landowner) in its ODP has already agreed that Markham Way will not be connected to Rolleston Drive or Norman Kirk Drive. This decision was made to protect the amenity of the Markham Way residents who indicated that they did not wish Markham Way to be a through road.

The number of households which can be established on the land in question is around 30. Council has prepared a concept plan for the area which demonstrates

what we consider to be the most logical way to develop the land. This is a concept plan only, but it is an efficient way to develop that would have good amenity for its residents and would not, in my view, have detrimental effects on neighbours which could not be addressed by the additional controls proposed in the ODP and this plan change.

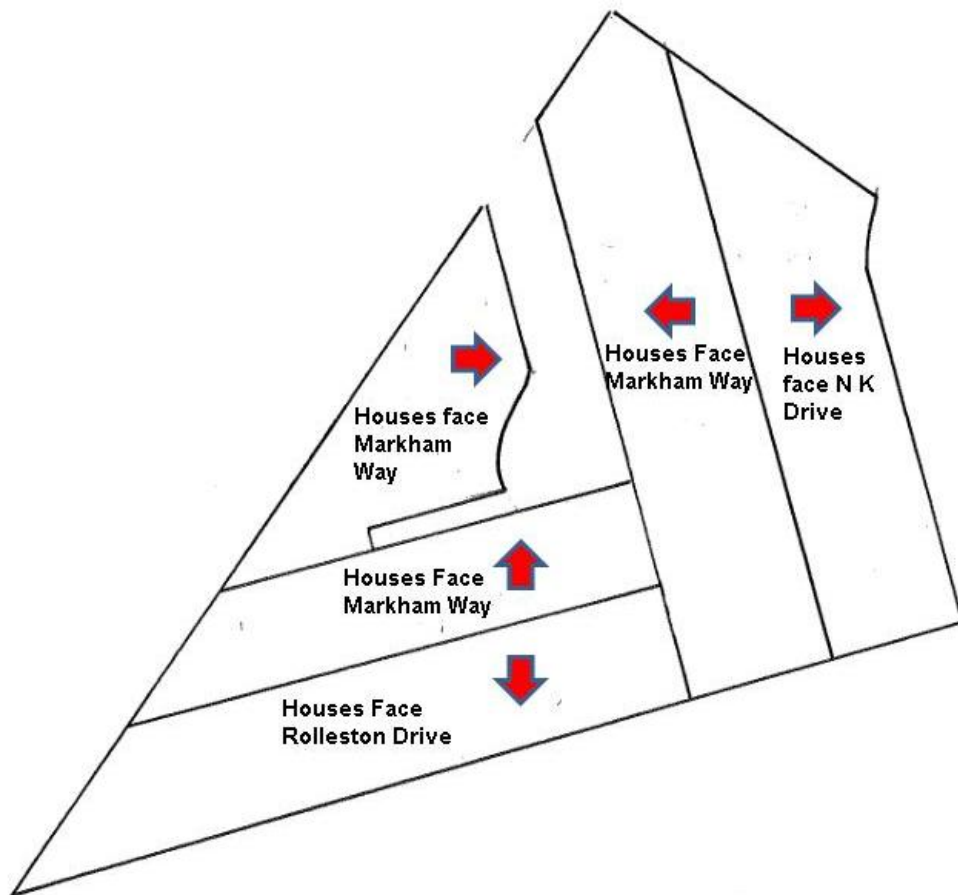
It may be physically possible to develop the site without accessing Markham Way but I do not consider it would be logical and I would certainly not support limiting the options of a developer to such a layout, which is likely to have an inferior built form for the community. Urban design is a complex balancing act, with a need to trade off individual effects to get the best overall outcome. Imposing arbitrary limitations should not be done without understanding the consequences.

I note the following:

- The indicative layout (and the ODP) is based around pedestrian routes (linking Dryden Avenue with the Rolleston Reserve). It has an inherent logic because of this, and pedestrian and vehicle routes are combined where possible to make streets.*

The alternative (suggested by submitters) is that a pedestrian walkway would have to cross a private right of way and would not run beside a street. This would reduce the extent to which it is legible and the extent to which it appears safe: Some residents are reluctant to use off road walkways especially at night and a street is a preferable way to obtain a pedestrian connection.

- The design is also based around the principle that houses should have private backs and public fronts, the benefits of which are described above.*



The design concept is built around blocks of houses two sections deep with private backs (diagram 1). There is a block to the east which faces Norman Kirk Drive and Markham Way. There another to the south, facing Rolleston Drive on one side and the Markham Way extension on the other. The remaining piece of land is a triangle on the north west of the site to the west of Markham Way. Access to this piece of land is logically from Markham Way. To build an accessway to Norman Kirk Drive would disrupt the site layout and the private back public front principle. It would result in unattractive alleyways which would need to be fenced for privacy. The outcome would be public areas with lower amenity.

- *Whatever happens, Council will need to form a turning head at the end of Markham Way. This will have a diameter of 22m (plus space for a footpath). Once this is formed, it makes logical sense to base development around it. The alternative is that a right of way will have to skirt round it, which would, in my view, be wasteful and would severely constrict the design options for the site. There would need to be compelling reasons to justify this and these simply do not exist.*

If the effects of additional density can be mitigated (as suggested in the previous section) then the reason for objection is limited to traffic flow. The residents of Markham Way must (or should) have anticipated that there would be some development on the vacant site, and that it would at least be extended to form a turning head. The issue is merely the quantum of development.

The concept plan for the site shows 17 extra households using Markham Way. Under the existing zoning, it could be anticipated that around 15 houses could be built on the site and it is likely that around half would use the new turning head. The effect in question is that of an extra 10 (or so) households being provided with access to Markham Way.

In addition to the points raised above, restricting access may affect the amount of households that can be provided on the site. Medium Density on this site is considered highly desirable for reasons of good urban form. The potential sites for MDH in close proximity to the town centre are limited. The reasons that MDH is desirable in town centre areas are as follows:

- It supports the town centre facilities by providing critical mass in close proximity.*
- It provides a lifestyle choice for those who wish to live close to the centre of town, for example they may be less reliant on car ownership.*
- It makes efficient use of the best located residential land.*

Whilst MDH can and will be provided on Greenfield sites, the most desirable place to have it is in close proximity to the town centre. As such sites are limited then developing this one at a low density or with an inefficient layout would be missing a rare opportunity to take advantage of its location.

I have already covered the way that Council wishes to manage MDH and how this compares with the existing level of planning control.

Finally, I note the concerns expressed by submitters that there be a connection from Markham Way to Rolleston School. I agree with the submitters and note that the ODP does provide for such a connection.

4.3 Lincoln ODP Area 6 – Vege Block

Submissions were received on this ODP from S23, S78, S80, S94-97. The concerns expressed in connection to this ODP include: traffic volumes; loss of rural outlook; loss of solar access; the possibility that houses will be rented; that a 3m buffer zone should be put in place between the new MDH development and the existing houses.

The issue of loss of rural outlook is of limited relevance to this ODP. The land is already zoned for living and as such there is an expectation that the rural outlook will be built out. Two storey houses may be built as of right already.

As explained earlier, whilst two storey housing is more likely in a medium density area, it will be more tightly controlled. Under the present L1 zoning, houses may be built close to the boundary with windows overlooking adjacent properties..

As with Rolleston Area 2 discussed above, this site is a rare opportunity to establish MDH in a central location, to provide the benefits of increased density. It is the

closest greenfield site to the Lincoln Town Centre and it makes logical sense to zone it for higher density for the reasons listed under 4.2.

4.4 Opposition to new MDH provisions

Submitter S85 requests that all new design matters in rules 4.6-4.16 should be deleted as they do not have confidence in how the Council will consider applications for design matters. They consider the policy to be overly prescriptive. This concern contrasts with the concerns raised above where people are concerned the District Plan will not adequately protect them from the effects of MDH development.

The Council has proposed a variety of new measures to control subdivision, based on the principle that increasing density requires an increased amount of management to safeguard residential amenity. This important principle ensures that density is effectively mitigated. It intends to manage the specific effects of development (such as overlooking) rather than relying on a proxy measure (density) which in reality still allows many of the adverse effects to occur. Relying on density alone has not proved successful in other districts (such as Christchurch City) where problems associated with higher density are well documented (for instance in Vallance et al, 2004, The Effects of Infill Housing on Neighbours in Christchurch, Lincoln University). In order to avoid these problems, a revised approach is needed. That is why Council has proposed stronger design criteria.

The Council has provided detailed assessment matters and in the case of medium density housing it has provided a design guide to show developers how to meet the intent of the assessment matters. There is a very large amount of information in the public domain which shows developers how Council will assess applications.

The approach proposed is not unusual in New Zealand and has been successfully applied elsewhere. I consider it to be the most appropriate and effective way to provide for Medium Density Housing in the District. I therefore recommend that the relief sought by this submitter not be accepted.