

BEFORE THE SELWYN DISTRICT COUNCIL

IN THE MATTER OF The Resource Management Act 1991

AND

IN THE MATTER OF The Selwyn District Plan

AND

IN THE MATTER OF Application RC 195454 - to establish a
supermarket and associated facilities at 581
Birchs Road, Lincoln

Evidence of Hugh Nicholson

03 July 2020

1.0 Introduction

- 1.1 My full name is Hugh Anthony Nicholson. I am a practicing urban designer and landscape architect, and the principal of UrbanShift, an urban design practice in Christchurch.
- 1.2 I hold a Bachelor of Arts (Philosophy and Geology) from the University of Canterbury, a Post-Graduate Diploma of Landscape Architecture from Lincoln University and a Post-Graduate Certificate in Urban Design from the University of Sydney.
- 1.3 I have thirty years' experience in both the public and private sectors. I am a registered member of the New Zealand Institute of Landscape Architects - Tuia Pito Ora. Prior to setting up my own practice I worked for two years as the design lead for the *Ōtākaro Avon River Corridor Regeneration Plan* and ten years as principal urban designer with the Christchurch City Council. Previously I worked as an urban designer with the Wellington City Council for seven years.
- 1.4 I was a member of the advisory panel for the development of the National Guidelines for Crime Prevention through Environmental Design (CPTED) for the Ministry of Justice, and a member of the Technical Advisory Group for the Wellington Waterfront. I am a chair / member of Nelson City / Tasman District Urban Design Panel and a member of the Christchurch City Council's Public Art Advisory Group.

- 1.5 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
- 1.6 The Selwyn District Council (**Council**) has asked me to carry out an urban design assessment for an application for a new supermarket on 581 Birchs Road (RC195454).
- 1.7 The key documents I have used, or referred to, in forming my view while preparing this brief of evidence are:
- (a) BSM Group Architects, *Site Plan*, job: 205-244-03, sheet: RMA A101, rev. 7, date: 29/06/20
 - (b) BSM Group Architects, *Proposed External Elevations*, job: 205-244-03, sheet: RMA A401, rev. 1, date: 29/06/200
 - (c) BSM Group Architects, *Proposed Sections 1*, job: 205-244-03, sheet: RMA A300, rev. 1, date: 29/06/200
 - (d) BSM Group Architects, *3D Views Exterior*, job: 205-244-03, sheets: RMA A600-A601, rev. 1, date: 29/06/200
 - (e) BSM Group Architects, *Solar Study*, job: 205-244-03, sheets: RMA SS01-SS20, rev. 1, date: 30/06/20
 - (f) KamoMarsh Landscape Architects, *Landscape Concept Package for RC*, ref. no. 4275-Com, sheets: 1001-1008, rev. 1, date: 29/06/20
 - (g) KamoMarsh Landscape Architects, *Landscape Design Statement Flemington Commercial Development*, Appendix 3, Application RC195454, June 2019
 - (h) Richard Knott Limited, *Memo to Mike Foster re proposed supermarket & café, Lincoln*, Annexure D of Section 92 Response, date: 23/12/19
 - (i) Zomac Planning Solutions Limited, *Section 92 Response*, Letter to Selwyn District Council (SDC), date: 06/01/20
 - (j) Zomac Planning Solutions Limited, *Application RC 195454 Development Plan Adjustments*, Letter to SDC, date: 01/07/20
 - (k) Property Economics, *Proposed Countdown Supermarket Lincoln Retail Impact Assessment*, Report for SDC, January 2020

- 1.8 I am generally familiar with the application site and surroundings. I have visited the site on the 1st October 2019 and the 13th November 2019.

2.0 Urban Design Assessment

- 2.1 The application proposes to construct a supermarket with a floor area of 3,122m² with a 167 space car park at 581 Birchs Road, Lincoln, together with associated signage, service areas and landscaping. A café is proposed in the south-western corner of the building, with a floor area of 79m² with outdoor seating for 20 people. Proposed signage indicates that a pharmacy would be included in the supermarket. The building will have a maximum height of 7.5 metres at the front entrance, while the roof top plant will be 8.5 metres high.
- 2.2 I note that this application is a discretionary activity, however, I have referred to the assessment matters for a similar commercial building in the Business 1 zone which provide a framework for assessing the effects of this activity in a residential zone. In assessing the effects of the proposal on neighbouring residential properties I have taken into account the kind of activities which might reasonably be anticipated to take place in land zoned for residential use.

3.0 Effects on Lincoln Key Activity Centre

- 3.1 Policy B3.4.24(a) of the Selwyn District Plan seeks to *“ensure that Business 1 zoned town centres are walkable and well-integrated, and that development in those town centres contributes to the economic and social vibrancy of the District’s towns”*. In particular the Policy *“recognises that there is a demand for large format retail; that it is appropriately located in the B1 zone; and that its presence can be an important contribution to the economic and social vitality of a town centre”*.
- 3.2 The proposed location of a new Countdown supermarket does not conform with the operative Selwyn District Council Lincoln Structure Plan (2008). The Structure Plan recognises the likely future demand for a second supermarket, and seeks to consolidate the town centre as the main area for retail activity in Lincoln in order to reduce potential conflicts and distributional effects between centres. The Structure Plan does not identify the proposed location of the Countdown supermarket as a neighbourhood centre or for commercial activities.
- 3.3 Supermarkets are desirable retail anchors in modern towns, and the location of these anchors can either support an inviting and walkable town centre which encourages a wide range of social and economic activities including retail, or it can disperse retail activities reducing the opportunities for associated social and economic benefits.

- 3.4 While the proposed location of a supermarket together with a pharmacy and café on Birchs Road at the northern entrance to Lincoln would provide a convenient shopping opportunity for commuter traffic between Christchurch and Lincoln, and for the local community, I consider that it would reduce the potential number of people participating in a broader range of social activities in the Lincoln town centre.
- 3.5 The proposed location of a second supermarket, a pharmacy and a cafe on Birchs Road would attract significant numbers of Lincoln residents and visitors away from the current town centre reducing the number of pedestrians and the potential for ‘accidental’ interactions and social activities, and reducing the number of potential clients for smaller businesses in the Key Activity Centre (KAC) which rely on retail anchors to attract people.
- 3.6 The *Proposed Countdown Supermarket Lincoln Retail Impact Assessment* by Property Economics considers that the proposed supermarket would not have significant adverse effects on the retail distribution in the KAC in the long term, however, it does not consider the lost opportunities for growth in the KAC, or the potential benefits (either economic, social or cultural) of siting a second supermarket to support the KAC. The retail experts agree that a second supermarket in Lincoln would have economic and employment benefits for the town, however, in my opinion a more comprehensive study of both the costs and potential benefits of alternative spatial locations would be appropriate.
- 3.7 In my opinion the proposed location of a Countdown supermarket on Birchs Road has the potential to fragment the retail offering in Lincoln, and would not support a walkable and integrated town centre that contributes to the cultural and social vibrancy of Lincoln.

4.0 Residential Neighbours

- 4.1 The proposed supermarket on Birchs Road is located in a residential area zoned Living Z and would have existing or future residential neighbours immediately adjacent to the east, north, west and south. Objective B4.1.2 of the Selwyn District Plan directs that new residential areas should be “*pleasant places to live*” and “*add to the character and amenity values of townships*”.

4.2 East Boundary

The site plan for the proposed supermarket shows a 15 metre wide service lane to the east of the building with a 3 metre wide landscape strip and acoustic fence along the eastern boundary. The eastern elevation of the proposed building is approximately 51 metres long and between 6 and 7 metres high,

constructed out of precast concrete panels with a clear seal. The elevation includes refrigerated plant, two roller doors, a high level canopy over the loading area, two double doors and three small windows into the mezzanine floor offices. The landscape strip is proposed to be planted with four trees and ground cover growing up to one metre in height.

- 4.3 I consider that the proposed three metre wide landscape strip and acoustic fence are not sufficient to mitigate the scale of the industrial façade or the associated manoeuvring and unloading of heavy vehicles in the service lane. In particular I note that the industrial activities occurring in the service laneway including visual intrusion from lights and moving vehicles, and noise from refrigeration plant and reversing signals at various times of the day and night throughout the week and weekend.
- 4.4 In my opinion the proposal for a loading bay and service laneway as shown on the drawings, together with associated industrial activities, would not be conducive to creating 'a pleasant place to live' and would reduce the residential amenity of the neighbouring properties.

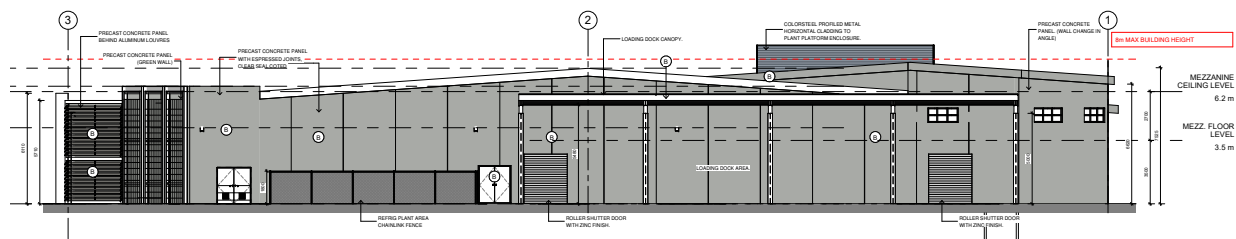


Figure 1: East elevation of the proposed supermarket building

- 4.5 The minimum acceptable mitigation that I would recommend in this situation would be to fully enclose the loading bay, and to provide an acoustic fence and an eight metre setback from residential neighbours including a five metre landscaped strip. In this instance the right of way on the neighbouring properties could provide part of the remaining setback.
- 4.6 *North Boundary*

The land to the north of the site is zoned Living Z and residential development is anticipated in the future. The proposed supermarket is set back 4.95 metres from an acoustic fence along the eastern part of the northern boundary with a service lane between. The façade is more than 50 metres long and ranges from five to seven metres tall. There are three windows to the offices on the mezzanine floor.

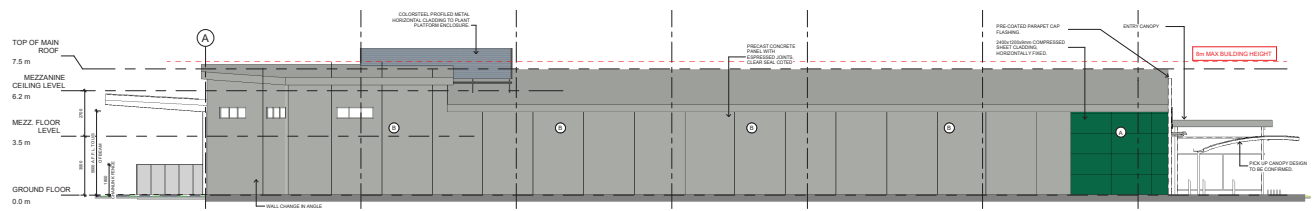


Figure 2: North elevation of the proposed supermarket building

- 4.7 The proposed supermarket carpark is sited adjacent to the western part of the northern boundary. A landscape strip 86 metres long and generally two metres wide, with an existing one metre high timber post and rail fence are proposed between the carpark and the adjacent residential land. The landscape concept plan shows two specimen trees in the wider areas adjacent to the carpark entrances, and groundcover planting to a maximum height of one metre in the landscape strip adjacent to the northern boundary. Carpark lighting would be required for the supermarket to be open in the evenings.
- 4.8 The landscape concept plan shows an existing shelter belt on the neighbouring property to the north. For the purposes of this assessment I have disregarded any proposed mitigation outside the site boundary.
- 4.9 In my opinion the proposed landscape strip, fencing and service lane along the northern boundary are not sufficient to mitigate the scale of the proposed supermarket and carpark or the adverse effects that the proposed supermarket activities are likely to cause for residential neighbours to the north. The building façade and the service yard activities in the eastern part of the site are industrial in scale and the only attempt at screening or mitigation is an acoustic fence.
- 4.10 The proposed carpark on the western part of the site would be approximately 86 metres by 75 metres with 167 carparks, trolley racks and carpark lighting. The proposed two metre wide landscape strip along the northern boundary with groundcover planting to a maximum height of one metre would not provide effective mitigation for the adjacent residential land from carpark activities associated with the supermarket which would be open seven days a week from 0700 to 2200 hours.
- 4.11 *West Boundary*

The land to the west of Birchs Road adjacent to the site is zoned Living Z. There are three existing houses and residential development is expected on the remaining areas in the future. Birchs Road is a relatively busy road with associated traffic noise and street lighting. The road corridor is 20 metres wide.

- 4.12 The outlook from the residential area across Birchs Road would include the proposed 167 space supermarket carpark with lighting columns, a covered walkway and a nine metre tall illuminated sign with the supermarket behind.



Figure 3: Illustration of Birchs Road frontage from application (covered walkway is not shown)

- 4.13 The proposed landscape strip along Birchs Road ranges from two metres wide at the southern end to four metres wide at the northern end. There are three trees along the 75 metre road frontage, and 11 trees within the carpark.
- 4.14 I note that Birchs Road is a relatively busy road with associated noise and light spill from traffic and the degree of adverse effects on the residential neighbours on the west side of Birchs Road is correspondingly less. I consider that these neighbours would have a reasonable expectation that a supermarket carpark across the road would be well landscaped and visually attractive. In my opinion the landscape strip along the boundary with Birchs Road is too narrow to be effective, and there is insufficient landscaping within the carpark to mitigate the extensive hard surfaces, carpark lighting and traffic movement.

4.15 *South Boundary*

A resource consent has been granted for an extension to Makybe Terrace along the southern boundary of the site although this is not part of the application site. There are three existing residential neighbours to the south, at 12, 14 and 16 Caulfield Crescent.

- 4.16 The outdoor living areas of the existing houses face generally north towards the proposed development, and the rear boundaries of 12 and 14 Caulfield Terrace would be approximately 16 metres from the application site boundary and 18 metres away from the proposed supermarket building.



Photo 1: Aerial photo of existing houses at 12, 14 and 16 Caulfield Crescent
(Source: Canterbury Maps)

- 4.17 The approved resource consent for the Makybe Terrace extension shows a local purpose reserve being vested with the Council on the southern side of Makybe Terrace, two additional residential sites being developed to on the south side of the proposed reserve, and one additional 1,578m² residential site being developed to the east of 12 Caulfield Terrace. The applicant has submitted a *Reserve Concept Plan* showing how the reserve land along the Makybe Terrace extension would be developed. This is outside the site boundary and for the purposes of this assessment I have disregarded any mitigation provided by the proposed reserve.
- 4.18 In my opinion the existing and the potential residential site on Makybe Terrace along the southern boundary would be significantly affected by the proposed supermarket and associated activities in terms of outlook, noise and lighting particularly in the evening and weekends.
- 4.19 The proposed landscape strip is generally two metres wide along the southern boundary although it varies between nothing in the south-western corner and 3-4 metres wide adjacent to the café. The strip provides limited mitigation given the scale and proximity of the buildings and activities. It would be difficult to grow trees or shrubs of sufficient size to screen a supermarket in a two to three metre wide landscape strip, and as discussed later in my report, a green wall is unlikely to be successful with this aspect.
- 4.20 *Summary – Residential Neighbours*

In my opinion the proposed development would significantly reduce the residential amenity and pleasantness of the adjacent residential land to the east, south and north. It would also not meet the reasonable expectations of the residential neighbours to the west. In reaching this opinion I note that a 55 metre long façade composed primarily of pre-cast concrete panels and

compressed sheet cladding, or a 167 space car park, or a loading bay with large trucks, or a 9.0 metre high pylon sign are not activities or structures that would reasonably be expected in a residential zone.

- 4.21 I believe that the proposed treatment of the boundaries would not meet the assessment matters for visual variety, car parking or landscaping that a similar application on land zoned Business 1 would be required to meet under Rule 16.10.2. These assessment matters might be regarded as a 'bare minimum' and the lack of appropriate mitigation is more significant in an area zoned for residential use where it would detract from the level of residential amenity that future residents might reasonably expect.

5.0 Pedestrian Environment

- 5.1 Policy B3.4.24(a) of the Selwyn District Plan seeks to *“ensure that Business 1 zoned town centres are walkable and well-integrated”* by *“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”*.
- 5.2 The landscape concept for proposed supermarket proposes two pedestrian routes. The first is a partially covered walkway running east-west from Birchs Road to the front door of the supermarket across five aisles of parking. The second runs north-south from the Makybe Road extension to the south of the supermarket past the café to the front door of the supermarket.
- 5.3 In my opinion the proposed supermarket does not provide adequate pedestrian routes within or around the site to provide a walkable and well-integrated development. The proposed pedestrian routes provide logical access for to the site from Birches Road and the southern half of the carpark. No pedestrian access is provided from the northern half of the carpark. Visitors parking in the northern half of the carpark would need to walk within the vehicle aisles with moving and reversing vehicles for a significant distance to reach the supermarket. If the application was approved I believe that as a minimum, a further east-west pedestrian route with pedestrian crossings would be required in the northern half of the carpark connecting to the supermarket.
- 5.4 Footpaths are shown on the site plan and the landscape concept along Birchs Road and the proposed new road adjacent to the site. These would be appropriate pedestrian routes. However, they are not part of the application site and are greyed out on the site plan. If the application is approved these footpaths should be constructed as a condition of consent in order to ensure that the development is walkable and well-integrated.

- 5.5 If the application is approved the footpaths along Birchs Road and the proposed new road should have a measure of pedestrian priority across the two vehicle entrances into the site. In particular threshold treatments should be provided to indicate the presence of pedestrians, and the vehicle entrance on Birchs Road (which is approximately 15 metres wide currently) should be narrowed to protect pedestrians and encourage heavy vehicles to move slowly in a carpark environment.

6.0 Landscape Treatment

Rule 16.10.2.6 directs the Council to consider *“the extent to which the design and location of landscaping will contribute to a high-quality pedestrian experience by mitigating any adverse visual effects of development and defining the edges of streets and other space accessible to the public”* for an application on land zoned Business 1. On land zoned for residential use I consider that this matter takes on added significance, particularly with regard to mitigating the adverse visual effects of the development for residents and pedestrians.

- 6.1 In considering the provision of landscaping I have broken landscaping down into four components, the tree framework, the carpark landscape areas, the boundary landscape areas, and the proposed landscape style.

6.2 Tree Framework:

The current landscape concept proposes twenty trees in the proposed carpark, five trees along the southern façade of the supermarket and five trees along the eastern boundary. The proposed tree species include six medium sized trees species that are likely to grow to between five and ten metres tall. While the ribbonwood, tarata and lancewood can grow taller than this as part of a stand of native bush this is unlikely in a carpark or street environment. The lancewood also has a sparse juvenile form which lasts for between 15 and 20 years and provides limited shade or visual mitigation.

- 6.3 In my opinion the proposed trees are too few in number and too small in size to mitigate the adverse visual effects of a 3,122 square metre supermarket and a carpark for 167 vehicles, or to contribute to a high quality pedestrian experience. I also consider that lancewoods are not suitable as specimen trees in this situation and would not provide adequate visual mitigation. They are useful trees when planted in a group of trees or shrubs.
- 6.4 If the application is approved I would recommend based on best practice the following tree planting framework as a minimum:

- (a) Street frontages – one large tree (greater than 10 metres tall) every ten metres;
- (b) Northern boundary – one medium sized tree (five to ten metres tall) every five metres;
- (c) Eastern boundary – one small tree (up to five metres tall) every five metres;
- (d) Carpark – one medium sized tree (five to ten metres tall) for every ten carparks (or 17 trees in total).

6.5 *Carpark Landscape Areas:*

The proposed site plan shows approximately 140 square metres of landscape treatment within the carpark, made up primarily of 1.8 x 10.0 metre strips at the ends of the double rows of carparks, and 1.8 x 5.0 metre strips at the ends of the single row of carparks and in the middle of the double rows. In my opinion these areas would not be sufficient to mitigate the adverse visual effects of the extensive hard surfaces and structures associated with the proposed carpark, or to contribute to a high-quality pedestrian experience for users of the carpark.

- 6.6 If the application was to proceed then in my opinion the minimum requirement for the central part of the carpark would be to provide 1.8 x 10.0 metre intermediate landscape strips in each double row of carparks, and 1.8 x 5.0 metre intermediate landscape strips in the single rows along the northern and western boundaries. This is based on best practice which limits rows of carparks to ten cars or less.

6.7 *Boundary Landscape Areas:*

The landscape concept plan shows parts of the landscape treatment extending over both street boundaries and the northern boundary, and across to a proposed reserve on the Makybe Road extension. For the purposes of this assessment I have not considered any proposed landscape areas outside the site boundary.

- 6.8 The proposed landscape strip along the street boundaries is generally two metres wide although it varies from zero metres wide in the south-west corner to more than four metres adjacent to the café. There is no landscape treatment along the eastern half of the northern boundary, a three metre landscape strip along the eastern boundary, and a two metre landscape strip along the western half of the northern boundary. The planting is generally proposed to have a maximum height of one metre, and the hedges are proposed to be trimmed at one metre in height.

- 6.9 In my opinion the proposed landscape treatments are too narrow and the planting is too low to mitigate the adverse visual effects of siting a large carpark and an industrial-scale building (with facades more than 50 metres long and 5.5 and 7.5 metres high constructed out of pre-cast concrete panels and compressed sheet cladding and large scale signage) in a residential context.
- 6.10 If the application was to proceed I would recommend that a landscape strip with a minimum width of five metres be required along both street frontages. Adjacent to the carpark a minimum of three metres should be planted with a mixture of trees and shrubs, while adjacent to the supermarket and service lane the full five metres should be planted with taller species of trees and shrubs.
- 6.11 Along the residential north and east boundaries I would recommend that a landscape strip with a width of eight metres be provided with a minimum of five metres planted with trees and taller species of shrubs in order to provide some visual separation from adjacent residential areas.

6.12 *Landscape Style:*

The proposed small-scale planting, hedges, stone walls and post and rail fences would be appropriate around and within the proposed carpark. As discussed above if the application was to proceed then larger scale trees would be appropriate throughout the site, and taller shrub species would be required to provide visual separation / screening along the southern street boundary adjacent to the supermarket and service lane, and the northern and eastern boundaries.

7.0 Sustainability Features

- 7.1 Apart from five electric vehicle parks which are sited next to the Makybe Road entrance, there do not appear to be other sustainability features or approaches in the landscape. In particular no stormwater treatment is proposed for the roof or carparks. If the application was to proceed then elements such as raingardens and permeable paving could be incorporated into the design to treat stormwater and reduce the environmental footprint of the proposed development.

8.0 Architectural treatment

- 8.1 Rule 16.10.2.1 directs the Council to consider *“the extent to which the development contributes to visual variety, including in relation to the architectural modulation and detailing proposed”*. The surrounding residential area is characterised by stand-alone single storey houses with hipped or gable

roofs, on sections between 600 and 800 square metres. Driveways and front doors are spaced approximately every 10-15 metres along the streets.

- 8.2 The proposed building facades are approximately 55 metres long and the building facades range from 4.4 to 8.0 metres high. The roof is formed by two overlapping gable forms which reduce the height of the northern and southern facades and provide visual interest. The facades are generally constructed out of precast concrete panels or compressed sheet cladding with details provided by glazing and louvres generally on the western and southern facades.
- 8.3 The colour scheme is a combination of a corporate greens, dulux grey and a clear sealed concrete finish on the western and southern facades. The northern and eastern facades are predominantly precast concrete panels with either a dulux grey or clear sealed finish (the drawings indicate both finishes would be used on the same panels).
- 8.4 Glazing is proposed across approximately 55% of the eastern façade facing the carpark including what appears to be a full height wall of glazing with louvres under the peak of the gable. Extensive canopies are proposed over the main entrance, along the pedestrian path adjacent to the eastern façade and over the pick-up area.
- 8.5 Apart from the windows to the café on the south-west corner the proposed southern façade provides no entrances, windows or other interaction with the street. There is a reasonable level of architectural detailing provided by different materials, colours and textures.
- 8.6 A 'green wall' is proposed at the eastern end of the southern façade. The landscape concept refers to the architect's plans for further details. The site plan refers to 'green wall frames' and the south elevation shows the green frames attached to the angled wall in the south-eastern corner. No detail is provided showing how the wall would be constructed, or what plant substrate would be provided, or what plant propagation methods or species are proposed. In my experience green walls require specialist expertise, are expensive, and they are difficult to grow and maintain particularly on a south south-east facing wall which will receive no direct sunshine. I consider it unlikely that a green wall would be successful in this location.
- 8.7 There is no architectural modulation or detailing on the northern or eastern facades apart from four first floor windows for the mezzanine floor offices around the north eastern corner of the building. In my opinion the large scale and industrial materials and detailing on these facades would not reasonably be anticipated in a residential zone.

8.8 While the revised architectural treatment of the proposed supermarket is a significant improvement with the use of gabled roof forms, the reduced emphasis on corporate signage and the use of smaller scale forms on the western and southern facades, the building is still significantly larger, and uses materials and over-scaled signage that would not reasonably be anticipated in a residential zone without adequate setbacks and landscape treatments.

9.0 Signage

9.1 The application proposes a range of large scale signage including a large illuminated pylon sign on Birchs Road and large scale illuminated signage on the western and southern facades. There is currently no commercial signage in the surrounding residential area.

9.2 The proposed pylon sign on Birchs Road would be 9.0 metres tall and 3.3 metres wide. This is taller than the proposed supermarket, and similar in height to the existing power poles. If the supermarket is approved then appropriate signage would be required on Birchs Road. In my opinion the proposed pylon sign would be excessively large. If the application is approved I recommend that the pylon sign should be reduced by 33% in size in order to reduce the visual dominance of the structure while retaining a high level of visibility for passing traffic.

9.3 There are two Countdown signs with illuminated letters and logos, one proposed on the western façade and one on the southern façade. Both would be 11.5 metres long and 2.0 metres high. There are also a 'Pick Up' sign on the western façade and an 'open' sign with hours of opening on the southern façade, both with illuminated letters approximately 750mm high. There is a 'Pharmacy' sign on the southern façade which is not labelled as illuminated.

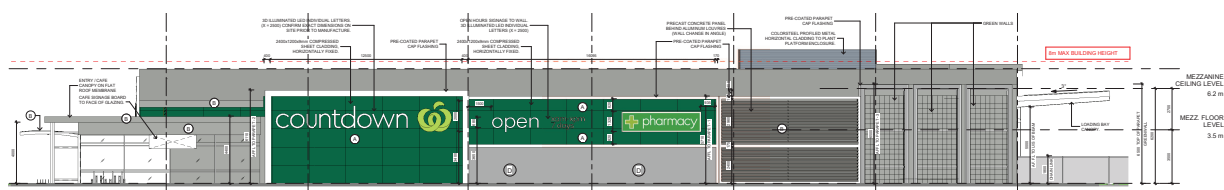


Figure 4: South elevation of proposed supermarket including signage

9.4 The signs on the western façade are intended to be visible from Birchs Road and do not directly face nearby residential neighbours.

9.5 The signs on the southern façade do not need to be visible from a distance and the 'open' and pharmacy signs directly face 14 Caulfield Terrace across the proposed road. If the application is approved I would recommend that these two signs are moved to the western end of the southern façade away from the residential neighbours.

10.0 Active Frontages

- 10.1 Rule 16.10.2.4 directs the Council to consider *“the extent to which the development provides... active frontage and verandahs along street boundaries and main pedestrian routes where practicable”*.
- 10.2 The proposed supermarket provides a relatively attractive pedestrian frontage with an outdoor seating area, glazing, footpaths, bike racks and canopies along the western façade, and outside the café and main entrance.
- 10.3 The proposed development provides no active frontages along either Birchs Road or Makybe Terrace. With a wider landscape strip along the boundary, more green space within the carpark and more large trees, the Birchs Road frontage could provide a pleasant park-like appearance for traffic arriving in Lincoln.
- 10.4 The Makybe Terrace frontage is more problematic. The area adjacent to the proposed carpark can be resolved with an appropriate landscape treatment, however, the street frontage and footpath adjacent to the supermarket building will be in full shade all year except for midsummer. There are no entrances and only one window into the café at the south-west corner of the building. There is no other form of activation along this 65 metre street edge. In my opinion this section of street frontage would be blighted and would be unpleasant to walk or cycle along.

11.0 Submissions

- 11.1 I have reviewed the submissions received for the application.
- 11.2 I note that there are a significant number of submissions supporting the application. The principal reasons for support include the benefits of additional choice and competition that a second supermarket would bring, the convenience for residents living in north Lincoln, and that it would promote walking and cycling for local residents.
- 11.3 In response to the submitters I note that there is general agreement that a second supermarket would be beneficial for Lincoln. The Lincoln Structure Plan (2008) identifies the future demand for a second supermarket but indicates that it should be sited close to the existing Lincoln town centre in order to consolidate retail and contribute to the economic and social vitality of the town centre.
- 11.4 The proposed supermarket, café and pharmacy would be convenient for residents living nearby in north Lincoln, and might encourage these residents to walk or cycle to the supermarket. I consider that this benefit would be limited

and note that the customer catchments for modern supermarkets are relatively extensive and would not generally be considered to be walkable. The catchment for this supermarket would be considerably larger than the Lincoln township, and there are likely to be small-scale benefits associated with walkability wherever it is sited.

- 11.5 There are also a significant number of submissions in opposition to the application. The matters raised include that the proposal would not be in keeping with the anticipated residential amenity or character of the area, would not contribute to the economic, social or cultural vitality of the town centre, would have adverse visual, noise and lighting effects, and would create issues for pedestrians and cyclists. I have covered the majority of these issues in my evidence.
- 11.6 A number of submitters have raised a potential conflict between users of the Little River Rail Trail which runs along the eastern side of Birchs Road adjacent to the proposed development. As discussed in paragraph 5.5 the plans show no provision for pedestrian or cycle priority at the Birchs Road vehicle entrance, which is 15 metres wide and is designed to allow for heavy vehicle movements.
- 11.7 I support the concerns of the submitters with regard to potential conflict between users of the Little River Rail Trail and vehicles accessing the proposed carpark from Birchs Road. The Rail Trail is marketed as a regional tourist attraction and designed to be safe for children and less-confident cyclists. I note also that the neutral submission from Environment Canterbury has requested that a bus bay on Birchs Road should be included as part of the application to provide improved access to public transport.
- 11.8 I consider that further design work is necessary to demonstrate how safe pedestrian and cycle priority could be provided along the Birchs Road frontage which does not disadvantage or discourage pedestrians and cyclists, and includes a new bus bay.

12.0 Conclusion

- 12.1 I have reviewed the application for a supermarket and carpark, and visited the surrounding residential area. I do not consider that the proposed supermarket would contribute to the economic or social vitality of the Lincoln Town Centre, and it would not conform with the operative Lincoln Structure Plan.
- 12.2 Bearing in mind the kinds of activities and uses which might reasonably be anticipated to take place in land zoned for residential use, I consider that the application would have significant adverse effects on existing and future residential neighbours including light spill, noise, loss of outlook, loss of privacy,

shading and reduction in accessibility. In my opinion there is insufficient space on the site for the proposed activities to be adequately buffered and mitigated.

12.3 I have reviewed the application against the urban design assessment matters for similar developments in the Business 1 zone (Rule 16.10.2). Meeting these assessment matters could be considered as a 'bare minimum' for a discretionary development in a residential zone. In my opinion the application:

- would not provide appropriate visual variety, or architectural modulation and detailing along the northern and eastern facades;
- would not provide an active frontages along Makybe Terrace adjacent to the proposed supermarket building, or contribute to attractive public streets adjacent to the proposed carpark along Birchs Road and Makybe Terrace;
- would not provide direct, logical and attractive pedestrian routes within and through the site;
- the carpark would not contribute to the provision of high quality public space;
- the landscaping would not contribute to a high quality pedestrian experience, or mitigate the adverse visual effects of the development.

I consider that the urban design assessment matters are not met.

12.4 I note that the application includes no significant sustainability features beyond five parking spaces for electric vehicles. It includes large scale commercial signage in a residential zone, and the proposed supermarket building would shade the footpath on the northern side of Makybe Terrace all year except at mid-summer.