

4B Special Residential Activity Area

4B 1 Issues, Objectives and Policies

4B 1.1 Local Area Issues

4B 1.1.1 Residential Character and Special Amenity Values

Issues

Within the City, there are some residential areas which possess special amenity values, characterised by residential dwellings, low densities, mature vegetation, and a high standard of development. It is important that these characteristics and amenity values be protected from the adverse effects of unsympathetic development and activities.

Objective

To maintain and enhance residential areas of the City which possess special amenity values.

Policies

- (a) To maintain and enhance the distinctive characteristics and special amenity values (including a low density of residential dwellings and a predominance of mature vegetation) for those identified residential areas adjacent to the Lower Hutt Central Business District, parts of Military Road, and Hathaway Avenue, and parts of Lowry Bay.
- (b) That vegetation and trees which add to the particular amenity values of the area be retained, and landscaping be included where practicable where such vegetation is removed as part of any development proposal.
- (c) To restrict the range of activities within the activity area to protect amenity values.
- (d) To establish a minimum net site area to ensure low dwelling density is achieved, and amenity values are retained, protected and enhanced.

Explanation and Reasons

Within the City, there are some residential areas which possess special amenity values. These values are characterised by low dwelling density, mature vegetation, and a high standard of development.

It is important that these characteristics and amenity values are identified and protected from adverse effects of unsympathetic development and activities.

Emphasis will be placed on retaining vegetation present in the area, or on replacement planting if it is removed.

4B 1.1.2 Home Occupations

Issue

People want to work from home. Provision for such activities to occur within the activity area requires that the adverse effects arising from the nature of the home occupation are taken into account and mitigated against, to ensure the characteristics and special amenity values are maintained and enhanced.

Objective

To avoid, remedy or mitigate adverse effects of home occupations on residential character and amenity values of the residential environment in which they are located.

For the Policies, and Explanations and Reasons for Home Occupations in this activity area, refer to Objective, Policies, and Explanation and Reasons in the General Residential Activity Area in 4A 1.1.3.

4B 1.1.3 Non-Residential Activities

Issue

Certain non-residential activities within the activity area can be complementary to and support the residential activities. However many non-residential activities have a high potential to generate adverse effects on the surrounding residential environment. Adverse effects should be avoided, remedied or mitigated.

Objective

To ensure non-residential activities do not alter the residential character or affect adversely the amenity values of the residential area.

Policies

- (a) That the range and nature of non-residential activities be limited so the residential characteristics and the special amenity values of the activity area are not adversely affected.
- (b) To control the adverse effects of non-residential activities arising from external appearance, site layout, noise, storage of hazardous substances, light spill, glare, odour, signs and traffic activity.

Explanation and Reasons

There are many activities which are non-residential in nature, but which are essential to allow residents to provide for their social, economic and cultural well being.

Non-residential activities can however generate adverse effects on the surrounding residential environment, and adversely affect the residential character and special amenity values associated with the activity area.

Adverse effects may be caused by increased vehicle and pedestrian activity associated with the non-residential use, noise, storage of hazardous substances, light spill, glare, appearance of the site and scale of the use. These have the potential to affect detrimentally the residential

characteristics and amenity values associated with a residential area.

It is important that the residential character and special amenity values associated with these areas are maintained and enhanced, and that any adverse effects of non-residential activities are managed.

The nature of non-residential activities considered appropriate for this activity area will be limited to those which do not adversely affect the distinctive characteristics and amenity values of the activity area.

Child care centres are appropriately located within residential areas. There are however adverse effects associated with such activities which needs to be managed. In recognition of the special amenity values associated with this activity area, child care facilities will be Discretionary Activities. Matters considered will include the layout of the site, traffic aspects, design and appearance of the building, and any adverse effects on the special amenity values.

4B 1.2 Site Development Issues

4B 1.2.1 Building Height, Scale, Intensity and Location

Issue

Within this activity area building height, intensity, scale, and location can cause adverse effects upon the amenity values of adjacent sites, and on special characteristics of the residential area. It is important that such adverse effects are managed.

Objective

To maintain and enhance the distinctive residential characteristics, and special amenity values of sites and surrounding residential environment.

Policy

- (a) That low density development be encouraged through the establishment of comparatively large minimum net site areas and more restrictive coverage requirements.
- (b) To ensure new development is of a height and scale which is compatible with surrounding residential development.
- (c) To ensure a progressive reduction in height of buildings the closer they are located to a site boundary, to maintain adequate daylight and sunlight between buildings.
- (d) To manage the siting of buildings so as to minimise detractions from the character, visual attractiveness, the amenity values of adjoining properties, and the streetscape.
- (e) That the scale and siting of garages and carports be managed to maintain safety and visibility during manoeuvres.
- (f) Where a certificate of title has been issued for a site prior to 5 December 1995 or where a site has been created by a staged development whether under a stage unit plan or crosslease plan lodged with the District Land Registrar and where part of the development has been completed prior to 5 December 1995, it is recognised that it is reasonable to permit the erection of buildings/structures (as contemplated when the title was issued or plan lodged) even though the maximum site coverage may exceed

that set out in 4B 2.1.1 (b). Under such circumstances the scale, intensity, visual attractiveness of buildings and/or structures as well as the adverse effects on the amenity values of adjoining properties, and the streetscape be taken into account in assessing the suitability of the development.

Explanations and Reasons

Within this activity area, building height, scale, location and intensity can affect adversely amenity values associated with adjoining sites.

They can also affect adversely the special amenity values associated with the surrounding residential area.

It is essential that these aspects of development be managed to maintain and enhance the special amenity values.

The Plan will set minimum acceptable conditions through the use of rules. These rules will generally be the same as those for the General Residential Activity Area with the exception of site coverage, and net site area.

(a) Net Site Area

In order to maintain and enhance the existing low density development, and amenity values of the Special Residential Activity Area, a specific net site area has been determined to achieve this purpose.

(b) Site Coverage

Combined with net site area, site coverage helps to control building density. A maximum acceptable site coverage has been determined at 30%, which ensures that low density development is achieved.

4B 2 Rules

4B 2.1 Permitted Activities

- (a) Dwelling houses.
- (b) Home occupations.
- (c) Bellevue Hotel, 140 Woburn Road, Pt Lot 2 DP 5877 and Pt Lot 1 DP 6028 identified in Appendix Special Residential 1.
 - (i) The sale of liquor for the consumption both on and off site pursuant to any license granted under the Sale of Liquor Act 1989 or any enactment amending that Act or in substitution for it.
 - (ii) Visitor accommodation.
 - (iii) Restaurant ancillary to (i) or (ii) above.
 - (iv) Places of public or private assembly and entertainment ancillary to any of the above permitted activities on the Bellevue Hotel Site.
- (d) Accessory buildings to the above Permitted Activities.

4B 2.1.1 Permitted Activities - Conditions

All Permitted Activities shall comply with the Conditions for Permitted Activities within the General Residential Activity Area, with the following exceptions:

- (a) **Net Site Area:**
- (i) The minimum net site area per Permitted Activity (excluding home occupations and accessory buildings) shall be 700m².
 - (ii) Where a certificate of title has been issued for a site prior to 5 December 1995 or where a site has been created by a staged development whether under a stage unit plan or crosslease plan lodged with the District Land Registrar and where part of the development has been completed prior to 5 December 1995, and it can be established that the site has been created with an intention to accommodate a dwelling, then in such circumstances the area of the site shall be the minimum net site area.

Compliance with all other Permitted Activity Conditions.

- (b) **Maximum Site Coverage:** 30%.

The eaves of a building up to a maximum depth of 0.6m shall be excluded from this measurement.

Decks of less than 20m² shall not be included in the calculation of site coverage provided the deck does not exceed 1.2m in height.

- (c) **Bellevue Hotel Site**, Pt Lot 1 DP 6028 and Pt Lot 2 DP 5877 identified in Appendix Special Residential 1.

In addition to the above rules, the following shall only apply for scheduled activities on this site:

- (i) Scheduled activities may only be carried out in the existing buildings and structures on the site.
- (ii) Where any yard, storage area or service area (including loading, car parking, or vehicle manoeuvring areas) adjoins or is visible from any residential zone or public open space they shall be screened by the erection of a wall or fence not less than 1.8 metres in height or planting of dense evergreen shrubs capable of growing to a height of at least 2.5 metres.

4B 2.2 Restricted Discretionary Activities

- (a) Accessory buildings on legal road.
- (b) The removal of vegetation in excess of 500m² or 35% of the site, whichever the lesser, provided that this shall not preclude the removal of any pest plant.

4B 2.2.1 Matters in which Council has Restricted its Discretion and Standards and Terms:

- (a) **Accessory buildings on legal road.**

- (i) **Amenity Values:**

Consideration shall be given to adverse effects upon the amenity values of adjoining sites and upon the surrounding area, including any shading of building or land, and the loss of vegetation.

The extent to which the design of the proposed building is consistent with other buildings in the immediate vicinity. All buildings must be painted.

(ii) **Traffic Effects:**

The safe and efficient movement of all traffic must be ensured. It should be demonstrated that the accessory building and vehicle using the accessory building shall not create a traffic hazard.

The proposal should comply with the parking and access provisions contained in Chapter 14A.

(b) **The removal of vegetation in excess of 500m² or 35% of the site, whichever the lesser, provided that this shall not preclude the removal of any pest plant.**

(i) **Amenity Values:**

The adverse effects upon the visual amenity values of the site and surrounding area caused by the removal of any trees or vegetation. Consideration shall be had to the visual prominence of the vegetation, and any replacement planting to be undertaken

(ii) **Site Stability:**

The adverse effects upon the stability of the site caused by the removal of the trees or vegetation.

(iii) **The intrinsic values of ecosystems:**

The extent to which the proposal will adversely affect the intrinsic values of ecosystems of the site and the surrounding area.

4B2.2.2 Other Matters

All Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

4B 2.3 Discretionary Activities

- (a) Except where stated in the General Rules, any Permitted, Controlled, or Restricted Discretionary Activity which fails to comply with any of the Permitted Activity Conditions, or relevant requirements of Chapter 14.
- (b) Dairies where the gross floor area does not exceed 100m².
- (c) Health care services.
- (d) Child care and Kohanga Reo facilities.
- (e) Housing for the elderly.
- (f) Any new buildings or additions to the existing buildings on the Bellevue Hotel site, 140 Woburn Road, Pt Lot 2 DP 5877 and Pt Lot 1 DP 6028 identified in Appendix Special Residential 1.
- (g) On 31 Hautana Square, part of Lot 1 DP 71142 identified in Appendix Special Residential 2:
 - (i) Educational Activities directly associated with the existing school within the residential building existing as at 24 June 2002.

4B 2.3.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in Sections 104 and 105, and Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity Conditions.

4B 2.4 Non-Complying Activities

- (a) All other activities not listed as a Permitted, Restricted Discretionary, or Discretionary Activity.

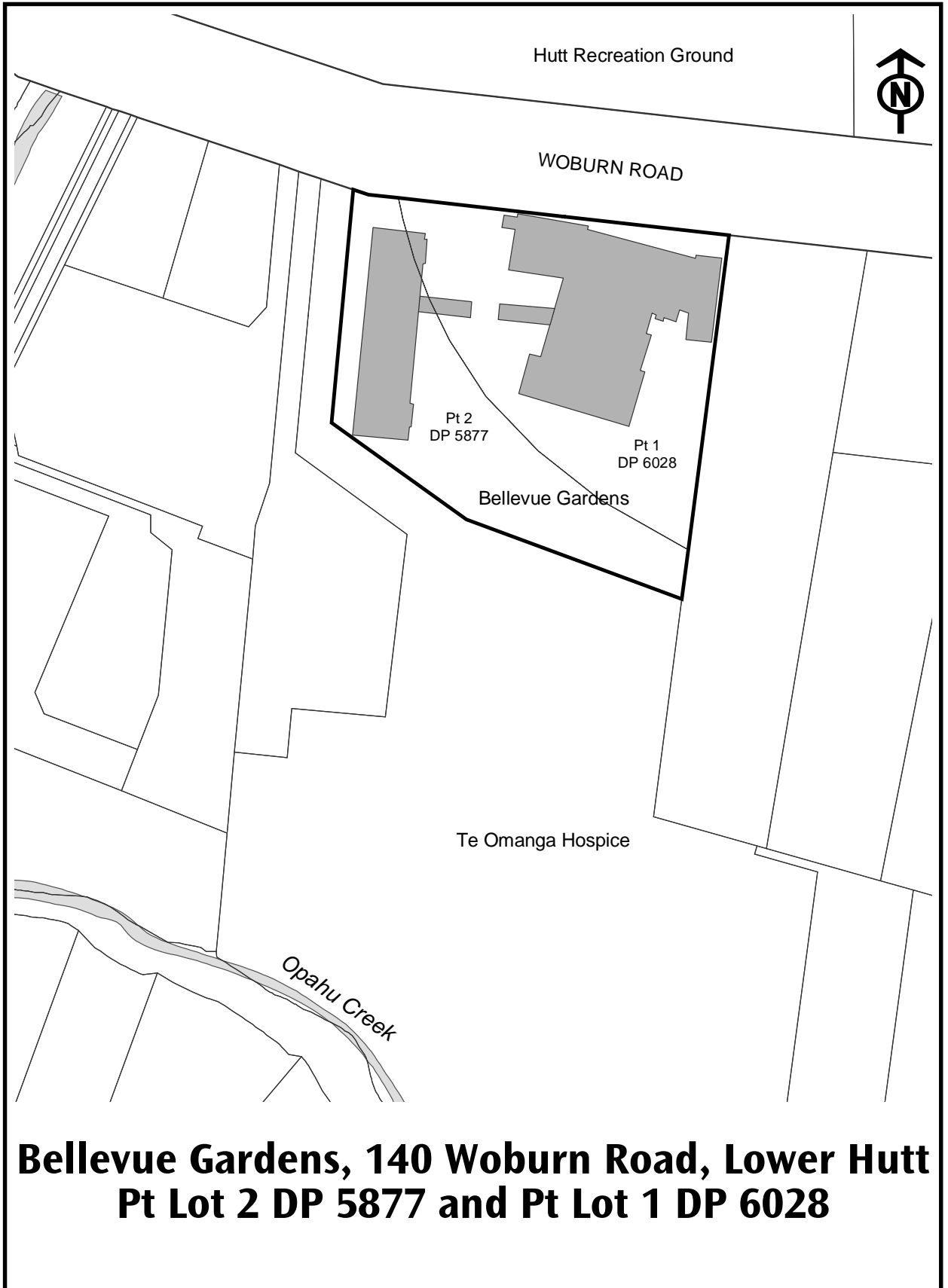
4B 2.5 Other Provisions

- (a) Subdivision - See Chapter 11.
- (b) Financial Contributions - See Chapter 12.
- (c) Utilities - See Chapter 13.
- (d) General Rules - See Chapter 14.

4B 3 Anticipated Environmental Results

- (a) Protection of the special amenity values of the activity area.
- (b) Retention of vegetation.
- (c) Maintenance and enhancement of the residential characteristics.

Appendix Special Residential 1



Appendix Special Residential 2

