

Before Waipa District Council

In the Matter of the Resource Management Act 1991 (**Act**)

And

In the Matter of an application for resource consent for a Compact Housing Development and concurrent subdivision at 153 Taylor Street, Cambridge.

Council Reference Resource consent – SP/0074/23 & LU/0155/23

Evidence of Christopher Beer on behalf of Assured Construction Limited

Dated 27 March 2024

Introduction

1. My full name is Christopher Robert Beer. I am a Director and Architect at Christopher Beer Architect Limited (**CBA**), an architect practice located in Hamilton.
2. CBA has been engaged by Assured Construction Limited to provide architectural design services for the development at 153 Taylor Street.
3. I have prepared this statement of evidence at the request of Assured Construction Limited, in support of the application for subdivision and land-use consent at 153 Taylor Street.
4. In preparing this evidence I have reviewed the following:
 - a. The Council's notification report prepared by Mr Dominic Harris;
 - b. The Council's regulatory hearing report prepared by Ms Hayley Thomas;
 - c. The assessment of environmental effects and statutory analysis prepared by Mr Gareth Moran of B&A;
 - d. Submissions made with respect to the Application.

Qualifications and Experience

5. I hold the Degree of Bachelor of Architecture (Hons) from UNITEC, Auckland and a Diploma in Architectural Studies from WINTEC, Hamilton, these obtained in 2007 and 2002, respectively. I am registered with the NZ Registered Architects Board as a Registered Architect (NZRAB 4882) and am an Architect Member of the NZ Institute of Architects (NZIA 20103).
6. I have 16 years' experience in the architecture industry, having worked in Auckland and Cambridge, NZ and London, U.K., designing residential dwellings, multi-unit dwellings, commercial buildings and residential subdivision and compact-housing developments. I formed CBA in 2013 and work predominantly on designing detached dwellings, multi-unit dwelling developments and compact housing developments.

7. I've obtained design awards at the local and national level, including a national award from the NZIA in the housing category and the 2017 NZ Home of the Year award from Home Magazine.
8. I designed a townhouse development at 109 Taylor Street, Cambridge, which was completed in 2022 and featured five townhouses with a mix of 2- to 4-bedrooms and with a comprehensive design. This development was awarded a 2023 Waikato/BOP Architecture Award from the New Zealand Institute of Architects. Refer to Appendix 1 for photographs showing the completed project.

Code of Conduct

9. I have been provided with a copy of the Code of Conduct for Expert Witnesses contained in the Environment Court's 2023 Practice Note. I have read and agree to comply with that Code. This evidence is within my area of expertise, except where I state that I rely upon the evidence of other expert witness' as presented to this hearing. I have not to my knowledge omitted to consider any material facts known to me that might alter or detract from the opinions expressed.

Scope of Evidence

10. In my evidence I will:
 - a. Outline the design brief for the project;
 - b. Describe the site and neighbourhood context;
 - c. Describe the site layout;
 - d. Describe the building design;
 - e. Provide a response to the issues raised in submissions in relation to loss of density, privacy and shading;
 - f. Provide my conclusions.

Summary of Evidence

11. I have designed the development in a comprehensive manner. It is a high-quality design where building forms and their locations are arranged thoughtfully on the site, where landscaping is integrated into the design of the development and where buildings are contained within the daylighting planes described in the District Plan.
12. The proposed development comprises 7 units. Units 1, 6 and 7 have their living areas and outdoor living courtyard located on the ground floor. Units 2-5 have their living areas and outdoor living balcony located on the upper floor.
13. The building design, site layout and general appearance of the development endeavours to set a good example for future compact housing developments within the compact housing policy overlay area on Taylor Street. It is similar in many ways to a multi-unit development at 109 Taylor Street, which was completed in 2022, including having a similar site layout and building size and appearance.
14. I generally agree with comments provided by Mr Sam Foster in the Hearing Report and Notification Report in relation to urban design and with the comments by Ms Thomas in Section 9 Assessment of Environmental Effects of the Hearing Report.

Project Design Brief

15. The project brief was to design a medium-density compact housing residential development on the site, consisting of two-bedroom units with a shared driveway. Units were to be two-storied and with a floor area of approximately 90m² (including single garage).
16. The buildings were to be contained within the allowable height recession (daylight control) planes and, as far as possible, within the boundary setback requirements.
17. The development was designed to:

- a. Have a high-quality finish inside and outside with a contemporary architectural appearance, and with integrated landscaping and planting;
- b. Have pleasant and functional outdoor living areas, which open directly for the living room and have an east, north or west outlook;
- c. Have a single garage for each unit, to enable secure on-site parking.

Site Context

18. The surrounding residential properties along this stretch of Taylor Street consist of single-storied dwellings on sites of 500–1,000m². Two-storey dwellings and units are present in the wider area.
19. The appearance of existing neighbouring and nearby dwellings varies, with most being constructed between around the 1960s to the present.
20. The site is opposite the town greenbelt. The site is flat with a few small trees; surrounding properties and the green belt have larger trees.



21. There are right-of-way driveways on both sides of the site, resulting in the boundaries of the properties on both sides (east and west) being set back approximately 4m from the boundary of number 153.
22. The site and the surrounding sites on Taylor Street are zoned residential with a compact housing overlay.
23. The dwelling at no. 147 is centred on its site, with a driveway and garage on the eastern part of the site (closest to no. 153).
24. The dwelling at no. 149 is centred on its site with a garage and driveway on the northern part of the site (closest to no. 153).
25. The dwelling at no. 151 is located at the centre and south of its site, with a garage located on the northern part of the site (closest to no. 153).
26. The dwelling at no. 155 is located at the centre and south of its site, with a driveway located on the western part of the site (closest to no. 153) and a garage located on the south-western corner.
27. The two dwellings at no. 159 are located at the front and rear of the site, with a driveway on the eastern part of the site.

Site Layout

28. The layout of the development has been designed to ensure to following:
 - a. Sufficient space surrounds the units to enable vehicle access to the site and into garages and adequate space is provided for extensive landscaping and planting;
 - b. Units have sufficient and pleasant outdoor living areas and sufficient service areas (for bins, washing lines, etc.);
 - c. Services can be provided to the dwellings.
29. The driveway runs down the western side of the site and is a shared vehicle/ pedestrian space. All units have a single garage. There are no outside parking spaces on the site.
30. Outdoor living areas/balconies are provided to each unit on the north, east

or west side, providing good solar access. Units 2-5 have first-floor balconies, providing views to the green belt and also small rear courtyards opening from the ground floor bedroom.

31. The front dwelling has an extensively landscaped area in front of it, softening its appearance from the street. The front dwelling has a good amount of glazing (20% of wall area) facing the street, providing passive surveillance.

Building Design

32. The units have been designed to ensure to following:
 - a. The density of the development is in line with what is anticipated in the Compact Housing Area Policy Overlay, and is in keeping with the likely future development density of this overlay area;
 - b. The landscaping is designed to be an integral part of the overall design of the development, and is designed in conjunction with the architecture. The landscaping is used to visually soften the private courtyards and public exterior spaces;
 - c. The massing of the buildings and variety of materials used provides an interesting and high-quality appearance to the development;
 - d. The units are designed to balance an appearance of overall continuity and visual cohesiveness, with an individuality for each dwelling—so they appear to be one development while maintaining the feeling of individual ‘homes’;
 - e. The street-facing unit has a positive relationship with the street and footpath;
 - f. Living areas and balconies are positioned to obtain views to the greenbelt, where possible;
 - g. Where balconies are used, they are partly recessed into the building forms, and are constructed with slatted (not glass) balustrades, to make them more private and pleasant to use;
 - h. Where a neighbouring building is close (the garage at no. 151 is near

to the southern boundary) the units near to that boundary reduce to a single-storey;

- i. The buildings fit within the required height-recession planes;
- j. Overall building heights are as low as possible.

Response to the issues raised in submissions

- 33. This evidence will comment on issues raised by the submitters at 147 and 151 Taylor Street, in relation to residential amenity values, including density, loss-of-privacy and sunlight access.
- 34. This evidence will not address issues in relation to traffic, parking in public areas, infrastructure, consultation or property values.

Response to issues relating to density

- 35. The size of the buildings and the amount of site area they cover ('site coverage') were designed to be in keeping with what is appropriate for the Compact Housing Area and the wider residential area.
- 36. The units are all two-bedroom and two-storey, so are compact in size and footprint. As a result, the total building coverage on the site is slightly less than 50%.
- 37. I anticipate the site coverage of future development within the Compact Housing Area on Taylor Street to be similar to what is proposed for this site.
- 38. I have designed the units to suit having between one and three residents typically living in each. It is possible that as two-bedroom units there could be four residents (two couples), but that is unlikely due to the compact size of the units. I'd note that the applicant intends to retain ownership and rent the units, so the actual number of residents living in each unit is able to be governed by the applicant while ownership is retained.
- 39. From a visual and urban design point of view, the bulk of the buildings has been moderated by arranging the units into a terrace and a duplex (as two

smaller buildings rather than one larger building). By using two buildings on the site, the predominant pattern (typically two buildings per 800-1,000m²) for the existing neighbourhood is retained.

40. To further reduce the bulk of the buildings, I've designed them to be as low as possible. The maximum height of the buildings is approximately 6m above ground level. I'd note this is around 2/3 of the maximum height allowed in the District Plan.
41. To reduce the number of vehicles accessing and parking on the site, a single park for each unit is provided. To reduce the visual impact of vehicles parked on the site, each of these parks is located inside an enclosed garage.
42. I agree with points 9.14–9.15 in the Hearing Report, relating to density. Specifically that the development represents a change from the existing single dwelling site, but that compact housing developments are anticipated and provided for in the residential zone and in particular the Compact Housing Area.
43. I agree with point 9.16 in the Hearing Report that notes the '*proposed development has been considerately designed, and the aligns with the anticipated character and amenity for the Compact Housing Area within the District Plan*'.

Response to issues relating to loss-of-privacy

44. The proposed fencing and planting on the internal boundaries will mean that the effects of loss-of-privacy from outdoor living areas and from doors and windows at ground floor level, in relation to 147 and 151 Taylor Street are close to none and are no more than a typical single-storey house on the site would impose.
45. Locations and numbers of first-floor windows on the dwellings were considered during the design process in relation to overlooking. They are sized and positioned to circumvent negative overlooking effects.
46. Units 1 has first-floor windows facing west (towards no. 147). These windows open from bedrooms, are relatively small in size and are positioned to overlook the driveways.

47. The windows in Unit 1 are located at a distance of approximately 9.9m from the boundary of no. 147 (5.7m driveway + 4.2m right-of-way). The dwelling and the front outdoor area of no. 147 are located an additional 4m from its boundary. The windows look over the shared driveway, the neighbouring ROW and the driveway of no. 147.
48. The window in Unit 7 is located at approximately 5.7m (1.5m side yard + 4.2m ROW) from the boundary of no. 147. The garage of no. 147 is located an additional 3.5m from its boundary. The window looks over the neighbouring ROW and the driveway, garage and rear garden of no. 147.
49. The small size of the windows in Units 1 and 7 and their distance from no. 147 means that overlooking is minimised and should result in loss-of-privacy effects that are close to none and no more than a typical two-storey house on the site would impose.
50. Units 6 and 7 have first-floor windows facing south (towards no. 151). These windows are both obscure bathroom windows. Their loss-of-privacy effects are less than minor and are likely less than a typical two-storey house on the site might impose.
51. Units 2-5 have kitchen windows facing west (towards no. 147). They are setback from the western boundary the same distance as the Unit 1 windows and overlook driveways and the ROW. Their distance from no. 147 means that overlooking is minimised and should result in loss-of-privacy effects on no. 147 that are close to none and no more than a typical two-storey house on the site would impose.
52. Units 2-5 have first-floor balconies which provide the primary outdoor living space for these units. As they are located at first-floor level and face west they will reduce the privacy that no. 147 currently enjoys and so will have loss-of-privacy effects on no. 147. Their effects on no. 153 should be none.
53. The balconies are required by the District Plan for dwellings where the living area is located on the first floor. They are integrated into the building design by being partly recessed into the west-facing elevation, with a slatted balustrade.
54. The balconies are positioned to be as far from the western site boundary as possible, to reduce overlooking towards no. 147. The distance from edge of the balcony to the boundary is 4.2m, and the width of the neighbouring

ROW is approximately 4.2m, resulting in a distance of approximately 8.4m to the boundary of no. 147.

55. The property at no. 147 has a driveway located on the eastern side of the site, which is approximately 4m wide (as mentioned above in relation to windows). The resulting total distance between the dwelling and outdoor living areas of no. 147 and the balcony edge is a distance of approximately 12.4m.
56. Though the balconies are set back a good distance from the internal boundary with the ROW, and are an even greater distance from the boundary of no. 147, their presence will no doubt increase the awareness of residential activity and reduce the feeling of privacy of no. 147.
57. I expect residents will make use of the balconies from spring to autumn for outdoor dining or relaxation (e.g. sitting, eating, reading, etc.).
58. I expect residents will use them infrequently, and at alternating times (i.e. I expect it is unlikely the balconies will all have residents on them at the same time or for much of the time). It is my observation that balconies are typically unused most of the time.
59. I do expect, however, that the sliding doors opening onto the balconies will be open many hours of the day during the warmer months of the year.
60. The balconies have been designed with a slatted balustrade, rather than a glass balustrade, to provide a screening effect between the balconies and no. 147. This screening effect will be effective when balcony users are seated on the balcony, or are inside the living room.
61. When residents are in their living rooms or are seated on the balconies the loss-of-privacy effects on no. 147 should be close to none.
62. When residents are standing on the balconies they will be visible from no. 147 and so no. 147 will have less privacy than it enjoys currently. However, the District Plan requires balconies to be provided for dwellings with a first-floor living area, and so it is expected that some buildings in the residential zone will have outdoor living areas visible from neighbouring properties.
63. The presence of the balconies of the west elevation of the units will reduce the amount of privacy that no. 147 currently enjoys. However, the distance

between the balconies and no. 147, along with the slatted balustrade appearance and the normal residential use (likely infrequent and at different times) of the balconies means that the resulting privacy effects will likely be at the lower end of the range that could be expected in a residential environment.

64. I agree with points 9.7–9.10 in the Hearing Report, relating to privacy. Specifically with point 9.9, which states *'the change on the site will be noticeable for neighbours, however with the physical separation (of almost 9m) combined with the installation of new fencing and the design of the internal layout of the development has minimised the potential privacy effects'*.
65. I agree with point 9.11, which states *'Overall, taking the above into account, it is my opinion that the development, including mitigation measures such as fencing and landscaping, will result in a minimal potential loss of privacy that is acceptable'*.

Response to issues relating to shading

66. The District Plan sets out height-in-relation-to-boundary (daylight control) rules to ensure an adequate amount of daylighting and solar access is provided to neighbouring properties.
67. The buildings were located and sized to fit within the required height-recession planes.
68. Units 6 and 7 fit beneath the height-recession plane of 2.7m above ground level and 28 degrees on the south boundary.
69. Units 1-5 fit between the height-recession plane of 2.7m above ground level and 45 degrees on the east and west boundaries.
70. I agree with point 9.12 in the Hearing Report, relating to shading, specifically that *'the resulting potential shading effects anticipated beyond the subject site are considered minimal and acceptable'*.

Conclusions

71. The development is comprehensively designed. It is located in the Compact Housing Area and is in an area where this type of development is expected. It will provide an increase in the supply of 2-bedroom housing in Cambridge and is in a suitable location, adjacent to the greenbelt.
72. The arrangement of the units into two building forms (terrace and a duplex) is consistent with the existing development typology of the area—i.e. commonly 2 buildings per 800–1,000m² of site area. The density and site coverage (approximately 50%) is suitable for a compact house development in a residential area.
73. The privacy currently enjoyed by no. 147 will be reduced due to the visibility of the balconies on Units 2-5, however the resulting effects on privacy and awareness of neighbours will be at a level that is suitable in a residential area.
74. The privacy currently enjoyed by no. 153 will not be affected and the negative shading effects from the development will be less than minor.
75. In the Hearing Report (point 9.16) Ms Thomas concludes that the residential character and amenity effects of the proposal align with the anticipated character and amenity for the Compact Housing Area within the District Plan. I agree with this opinion.



Christopher Beer
27 March 2024

Appendix 1: Development previously designed at constructed at 109 Taylor Street, Cambridge





