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06 July 2022

Resource Consents Manager
Wellington City Council
PO Box 2199
Wellington 6140

Attention: Monique Zorn

Dear Monique

**Re: Resource Consent Application – One Tasman Development Limited Partnership –
1-23 Tasman Street, Pukeahu/Mount Cook**

Thank you for your email of 4 July 2022.

In relation to the requested shading, assessment, I submit the following commentary for your consideration.

BACKGROUND

You requested that the Applicant provide a shading (access to sunlight) assessment for 33, 35 and 37 Tasman Street and to:

"... discuss access to light in the rear yards, side elevation windows and effects thereof. This is only with regard to the winter solstice".

This letter provides the Applicant's response to the request.

The analysis is based on sun/shading diagrams prepared by Athfield Architects, which, as requested in the 4 July 2022 email, focus on the 'existing environment' shading and shading associated with the operative District Plan height standards. The sun/shading diagrams for the Winter Solstice are attached - refer **Appendix 1**.

SHADING ANALYSIS - DISTRICT PLAN CONTEXT

To provide some context for assessing the effects of shading on the properties at 33, 35 and 37 Tasman Street, all of which are in the Central Area, regard can be had to the following District Plan statements:

- *In relation to building mass it is noted that while access to daylight is required to be addressed by building design, access to direct sunlight is not an effect to be specifically considered except with respect to sunlight protection for identified public places under standard 13.6.3.4.*

[Source: explanatory statement to Policy 12.2.5.2]

- *It is inevitable that new building works will impact to some degree on surrounding properties in terms of daylight, outlook and privacy. ... Occupiers of adjoining properties should be aware that the emphasis on protection of amenity in the Central Area is significantly less than applies in the city's Residential Areas.*

[Source: explanatory statement to Policy 12.2.5.10]

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- *People need access to direct sunlight. However, it is accepted that within the Central Area, full access is neither reasonable nor practicable.*

[Source: explanatory statement to Policy 12.2.6.4]

In the Applicant's opinion, any assessment of shading effects on 33, 35 and 37 Tasman Street resulting from the One Tasman Pukeahu Park development, notwithstanding that consent is required for a Non-Complying Activity, should take into account that the District Plan does not protect sunlight to private properties in the Central Area. The emphasis is on the protection of sunlight to identified public places, and then only for limited periods of the day, in most cases from 12noon to 2.00pm.

REVISED SUN STUDY

The sun/shading diagrams prepared by Athfield Architects show:

- the existing shading ('existing environment');
- the operative height(s) shading; and
- shading associated with the 8-level Southern Apartments building.

Also included is a 3D model view (based on a screen grab from Apple Maps) covering 33, 35 and 37 Tasman Street (including existing fences, plantings etc) to more accurately reflect the existing condition of the rear yards. This more clearly demonstrates the surfaces (roofs and outdoor spaces) which receive additional shadow from the 8-level Apartments building.



Figure 1: Apple Maps 'Screen Grab' employed by Athfield Architects to develop 3D views

TASMAN STREET PROPERTIES

The three Tasman Street properties are single-storey residential villas.



Photo 1: 33-37 Tasman Street

To the north of 33 Tasman Street is the Seventh-Day Adventist Church.

The three villas have minimal (<500mm) side yards, although #33 has the 'benefit' of a setback of the church property to the north - refer Photo 2.



Photo 2: adjacent properties - #31 and #33 Tasman Street

33, 35 and 37 Tasman Street each have small front yards. The dwellings have street-facing bay windows.

Each of the three properties have larger rear yards - the rear yard at #33 is hard surfaced, while the rear yards at #35 and #37 have mature plantings.

33 Tasman Street



Side Yard: #33 has approx. 500mm side yard adjacent to the Seventh-Day Adventist Church.

Rear Yard: the rear yard is 'hard surfaced' and includes outdoor amenity spaces and a rotary clothesline.¹

Winter Solstice Shading: shading to the north elevation windows is existing (caused by the church building) as confirmed by the photograph included in the 4 July 2022 email - refer Photo 3.



Photo 3: winter solstice shading on the north (side) elevation of 33 Tasman Street
(photo courtesy of Monique Zorn - 2 July 2022)

There is a small amount of additional shading on the upper level of these windows at 12noon. This is not considered to be significant when measured against the existing shading on these windows from the adjacent church building.

The sun/shading diagrams confirm that the rear yard has significant existing shading from 9.00am to 2.00pm. Additional (new) shading is limited to the roof of the dwelling (10.00am - 12.00pm). There is no additional shading on the occupiable surface of the rear yard, and therefore this shading does not directly result in any loss of residential amenity.

¹ The description of the rear yard is based on aerial photo interpretation

Conclusion: the additional shading resulting from the 8-level Southern Apartments building on the residential amenity of #33 constitutes a less than minor effect.

35 Tasman Street



Side Yard: #35 has only a very minimal side yard with #33 (the gap between the two dwellings is approx. 500mm).

Rear Yard: the rear yard appears to include outdoor amenity spaces, along with significant planting.

Winter Solstice Shading: given the minimal separation between #33 and #35, there will be no additional shading on the north elevation of #35.

As with #33, the additional shading falls mainly on the roof of #35 (10.00am-12noon).

The rear yard, apart from the upper parts of existing planting, is in shadow from existing buildings/fences from 9.00am to 2.00pm. By 2.00pm the shadow from the 8-level Southern Apartments falls to the south-east and is clear of #35.

There is no additional shading on the occupiable surface of the rear yard.

Conclusion: any shading effects associated with the proposal, when regard is had to the existing shading, constitutes a less than minor effect..

37 Tasman Street



Side Yard: #37, has only a very minimal side yard with #35.

Rear Yard: the rear yard appears to include outdoor amenity spaces along with significant planting.

Winter Solstice Shading: given the minimal separation between #35 and #37 there will be no shading on the north elevation of #37. As for #35, the additional shading falls on the roof (10.00am to 11.00am). Again as for #35, in the rear yard the additional (new) shading falls on the upper parts of the existing planting. The rear yard experiences existing shadow from 9.00am to 2.00pm and so there is no additional shading on the occupiable surface of the rear yard.

There could potentially be some minor shading on the north elevation of the rear annex to the principal dwelling at 11.00am. However, if there is additional shading this would not by any measure be significant given the existing shading on the rear yard.

Conclusion: any shading effects associated with the proposal, when regard is had to the existing shading, constitutes a less than minor.

SUMMARY AND CONCLUSION

In the context of the District Plan provisions relating to Central Area development, provisions that acknowledge that the protection of residential amenity in the Central Area is significantly less than applies in Residential Areas, the additional shading on 33, 35 and 37 Tasman Street resulting from the proposed development at 1-23 Tasman Street during the winter solstice does not reach a level (extent and timing) that is considered to be unacceptable.

Overall, effects on the residential amenity consequent upon new shadow associated with the 8-level Southern Apartments Building are less than minor

Yours sincerely



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APPENDICES

1. Sun/Shading Diagrams (Athfield Architects)