
REPORT 1
(1215/52/IM)

APPROACH TO HERITAGE MANAGEMENT IN RESIDENTIAL AREAS OF THORNDON

1. Purpose of Report

The purpose of this report is to update the Strategy and Policy Committee on the results of work on the Thorndon residential areas undertaken since the resolutions of 5 August 2010, and to recommend the preparation of a plan change to introduce some additional controls to manage change in Thorndon.

2. Executive Summary

Thorndon is Wellington's oldest suburb, and has a unique mix of heritage and character which is highly valued by the community. The Thorndon place-based study and associated consultation arose out of initial consultation on the general review of the residential chapters of the District Plan. Both have been a significantly new way of working for the Council.

The place-based study is now complete to draft stage, and is appended to this report. It provides a much clearer understanding of the character and diversity of Thorndon, and will provide a useful reference tool for building owners, the community, and planning and heritage professionals. Place-based planning at this level of detail is relatively new to New Zealand, and has proved a very helpful process for reaching an objective understanding of the character of Thorndon. It is a tool that is likely to be useful in other parts of the City.

The Thorndon Advisory Group was set up to assist liaison between the Thorndon project team and the community. It has met five times since late 2010. In addition, there has been a mail out to Thorndon residents and ratepayers, an information stall at the Hill Street Farmers Market in Thorndon, and a facilitated workshop on design guides. Again, this model of consultation could be considered for future projects.

The key conclusions from the place-based study are that while the wider Thorndon area has many heritage values, it does not contain the same heritage coherence as the existing Thorndon Character Area or the other residential heritage areas contained in the District Plan.

Therefore the creation of an “Urban Conservation Area” is appropriate, with a focus on an evolving suburb which retains the best of the historic form and layout and allows for future changes which will enhance or at least not significantly detract from the existing character of Thorndon. These conclusions have informed the recommendations in this report on the content of a future plan change for Thorndon.

Two key gaps in the planning provisions which manage change in the Inner Residential area of Thorndon (excluding the Thorndon Character Area) have been identified – the effects of the provision of on-site parking (garages, carports and conversion of front yards for car parking) and the potential effects of new houses which are permitted without consent. Officers recommend that a plan change be prepared to address these gaps. However changes to the pre-1930s demolition provisions as introduced in Plan Change 72 are not being recommended.

As already agreed by Council the heritage areas provisions should be applied to the current Thorndon Character Area. This will not trigger additional resource consents, but will enable heritage to be assessed as part of the consent process.

The design guidelines workshop has provided useful insight into what landowners and professional groups prefer in a design guide, and this will be incorporated into the development of a new design guide to replace the Thorndon appendix to the existing Residential Design Guide.

As well as the plan change, officers have been developing a package of non-regulatory measures including a more streamlined consent process, a set of advice notes and workshops, and financial incentives. It is anticipated that these measures would be available to complement the Thorndon plan change.

3. Recommendations

Officers recommend that the Strategy and Policy Committee:

1. *Receive the information contained in this report.*
2. *Receive the draft Thorndon Place-Based Plan, as shown in Appendix 2 of this report.*
3. *Agree to the preparation of a plan change to apply the Heritage Area policies and rules as contained in Chapters 20 and 21B of the District Plan to the existing Thorndon Character Area.*
4. *Agree to the preparation of a plan change for the remainder of the Thorndon Inner Residential Area to create a new Urban Conservation area, and to -*
 - (a) *manage the design and location of garages and carports in front yards*
 - (b) *manage the design and location of new houses*
 - (c) *introduce a new design guide for Thorndon.*

5. *Extend the eligibility criteria for the Heritage Resource Consent Reimbursement Fund to applications which are required by the additional rules which will apply to the Thorndon Urban Conservation Area.*
6. *Note that the plan change will be accompanied by a package of non-regulatory measures as outlined in Section 5.5 of this report –*
 - (a) *Built Heritage Incentive Fund*
 - (b) *advice sheets for heritage building owners*
 - (c) *workshops and seminars for heritage building owners*
 - (d) *streamlined resource consent process.*
7. *Agree to consult on a lower fee for a “minor heritage resource consent” category as part of the 2012-2022 Long Term Plan.*

4. Background

The review of the Inner Residential areas of Thorndon was initially a part of the review of the District Plan provisions for the Residential and Suburban Centres of Wellington. Feedback from initial consultation suggested that more time was needed for the community to consider the range of options for Thorndon.

In the Committee paper of 5 August 2010, it was recommended that a package of regulatory and non-regulatory measures would be developed to address heritage issues in Thorndon. Regulatory measures were:

- a. Create a Heritage Area to cover the current Thorndon Character Area
- b. Create an ‘Urban Conservation Area’ to cover the remainder of residential areas of Thorndon which would define when:
 - i. Consent is required to demolish residential buildings
 - ii. Consent is required to undertake work on a building’s primary elevation
- c. Be informed by a place-based study and revised design guidelines for the management of building works in the Inner Residential areas of Thorndon

Non-regulatory measures included the following:

- d. Streamline Council’s consent processes for proposed Heritage and Urban Conservation Areas in Thorndon, including consideration of waiving consent fees
- e. Review of the eligibility criteria for the Built Heritage Incentive Fund and the level of funding available
- f. Prepare information and provide advice and interactive opportunities (for example, meetings or workshops) for the public who have an interest in heritage buildings/place conservation.

Consultation and public input throughout the project has been comprehensive. An overview of the consultation is shown in the table below.

Phase	Start	Finish
1. Review of Residential Areas and Suburban Centres chapters of District Plan	8 December 2008	1 April 2009
Resolution of SPC Meeting 14 May 2009 for further consultation		
2. Extension of consultation	2 April 2009	29 May 2009
3. Further consultation	25 August 2009	6 November 2009
4. Four community meetings – organised in partnership with Thorndon Residents Assoc.	16 February 2010 23 February 2010 2 March 2010 9 March 2010	9 March 2010
5. Three workshop meetings - organised in partnership with Thorndon Residents Assoc.	17 May 2010 20 May 2010 26 May 2010	26 May 2010
Resolution of SPC Meeting 5 August 2010 for regulatory and non-regulatory approaches		
6. Thorndon Advisory Group meetings	10 November 2010 26 January 2011 4 March 2011 27 April 2011 7 June 2011	30 June 2011
7. Letter to all Thorndon residents and ratepayers	4 April 2011	
8. Hill Street Farmers Market, Thorndon. Stall	9 April 2011 16 April 2011	16 April
9. Design Guidelines Workshop	18 May 2011	Report 1 June

The Thorndon Advisory Group has been a key initiative. The members of the group are representatives of community groups based in Thorndon, architects with experience of working on older buildings, and the NZ Historic Places Trust. The Terms of Reference, including the objectives for the Thorndon Advisory Group are attached as Appendix 1.

Milestones for working on the SPC recommendations were developed and linked to meetings of the Thorndon Advisory Group. The aim was to gather input from the community and relevant professionals throughout the preparation of the place-based study.

5. Discussion

5.1 Design Guidelines Workshop

The Thorndon Advisory Group and other invited representatives with relevant expertise were invited to a facilitated workshop to identify a model or style of design guideline most suitable for Thorndon.

The design guidelines workshop was the end point of a consultative process on how the District Plan protects and manages the historic character of Thorndon neighbourhoods.

Models of guidelines that provide direction, whilst also enabling compatible design of alterations and new constructions in the context of the historic identity and character were examined. Consideration was given to previous consultation phases and the workshop built from this foundation.

The focus was on getting the workshop-group to a point where guidance would be provided to Council on the preparation of design guidelines, in particular the style and headline content that will work best for the Thorndon community and other professional and non-professional users of the document.

The workshop findings gave clear direction for the preferred model for the design guidelines. The group reached agreement about the need for the purpose of the guidelines to be clear and for unambiguous principles to drive the approach.

5.2 Place-Based Study

Overview

The use of place-based planning is a methodology which is new to Wellington. However it is an approach being used in a number of other countries including the USA, UK and Australia, to analyse the special character of an area. It is intended to give a transparent analysis of the attributes or components that go towards making up the character of a place. The characteristics taken into account include geography, settlement patterns through time, built environment, social issues, open spaces and the wider relationships of the place within the city.

The Thorndon study does not attempt to solve planning and built form issues with a general set of standards. It provides a snap-shot in time of what it is that makes the character of the place, in this case the suburb of Thorndon, distinctly different from other places in the city.

The study informs clearer understanding of the area and enables intervention and long term management to be planned in a way that is meaningful for the place when compared to other places or suburbs in the city.

A draft of the place-based plan is included as Appendix 2.

Key Conclusions

Development of Thorndon has occurred over a relatively long timescale in comparison with Wellington's outer suburbs. Consequently there is a variety of housing types and styles and the suburb is very diverse in character.

The following are key findings of the study:

- a wide range of pre-1930s house types occur throughout Thorndon
- there is a range of lot size and orientation

- while there are some areas of “homogenous” pre-1930s houses, for example the cottages in Torless Terrace, Calgarry Avenue and Poplar Grove, other areas have a more mixed typology of housing
- there is a wide range of post 1930s development and infill including tower blocks, art-deco flats and multi-units of variable quality
- there are examples of significant modern architecture, for example houses designed by Bevan, Walker, and Plischke.

The variable topography, the backdrop of Te Ahumairangi (Tinakori Hill), the conjunction with the Central Area, and the relationship with the urban motorway also contribute to the diverse character of Thorndon.

While in many places there are significant heritage values in Thorndon, the place-based study has not identified any areas of heritage buildings and streetscape which are of the coherence present in the current Thorndon Character Area, or in the other residential heritage areas identified in the Plan.

The conclusion of the place-based study is that the heritage provisions, which require consent for all but the most minor changes, are not appropriate over all or parts of the wider Thorndon Inner Residential area. The focus of the proposed Thorndon Urban Conservation Area is therefore more appropriately on an evolving suburb, which retains the best features of the historic form and layout, and allows for future changes which will improve or at least not significantly detract from the existing character.

5.3 Thorndon Character Area

The Council has already agreed to create a heritage area to cover the current Thorndon Character Area. This has been generally supported by the consultation. Under PC72, the rules for the Thorndon Character Area are almost the same as those for a heritage area so additional consents are unlikely to be required. However the assessment matters for resource consents in a heritage area are more extensive and more robust than for those for a character area.

Recommendation: Agree to the preparation of a plan change to apply the Heritage Area policies and rules as contained in Chapters 20 and 21B of the District Plan, to the existing Thorndon Character Area.

5.4 Planning Provisions for Thorndon Outside the Character Area

Pre-1930s Demolition Provisions

The key provision relating to Thorndon character is the protection of pre-1930s housing from demolition. Pre-1930s policies and rules have been improved in PC72, to address issues which have arisen since the original pre-1930s provisions were introduced. Appendix 3 shows in some detail the types of activities that require consent under the new provisions. The list of activities has been generated from the questions raised in consultation.

Under the amended policies and rules, the presumption is now clearly against demolition, although in fact, even under the operative provisions, demolitions have not been a key feature in Thorndon – approximately 14 from 1993-2010.¹

Additions and alterations need consent if they “render the primary form illegible”. Discussions with consent planners and urban designers indicate that this provision gives sufficient scope to require consent for significant additions and alterations, and if necessary decline them. Most permanent alterations to the primary elevations (frontages) of pre-1930s houses need consent. Less permanent additions like sky dishes and solar panels do not require consent. However they are not a significant feature in Thorndon, and there does not appear to be a need to control them.

Recommendation: Demolition and significant changes to the primary elevations of pre-1930s houses are covered by the PC72 rules, and the recent amendments to these provisions should be given time to “bed in” before any further changes are considered.

The possibility of changing the pre-1930s date to pre-1940s for Thorndon was raised during the consultation. A desktop analysis identified some 34 buildings from the decade 1930 – 1939. Site visits have found some to be pre-1930s building which have been subject to major alterations. There are a small number of deco-style flats which are a positive element of the character of their neighbourhoods. A third group are substantial two-story 1930s homes in the Hobson Street area. The level of investment in these makes demolition unlikely. Others are mixed in style and scattered throughout Thorndon.

In general the buildings from this decade are variable in the contribution they make to their neighbourhood. There is no evidence that extending the date for protection to pre-1940 would make a significant contribution to maintaining the character of Thorndon.

Recommendation: Retain 1930 as the date for these provisions.

Other Planning Issues

The place-based study has identified some gaps in the planning provisions for maintaining the character and streetscape of Thorndon. These are –

- Provision of on-site parking (garages, carports and parking in front yards)
- New houses

Provision of On-Site Parking

Most development in Thorndon pre-dates private car ownership, and provision of on-site car parking has been the one of the key drivers for change in the streetscape and hence the character of the area. On-street parking is at a premium. In many cases, these changes have been detrimental to the

¹ Figure is based on an analysis of buildings consents. Not all the demolitions were necessarily of pre-1930s houses, or of an entire building.

streetscape, although there are also many examples of well integrated garages, carports and on-site car parking.

Garages and Carports

Garages and carports are permitted in front yards under PC 72, provided they are no more than 4m in width and 3m in height; this has been reduced from 6m wide and 10m height. Building consents have been issued for 31 garages and 12 carports between 1993 and 2010, overall a rate of 2-3 per year.

In some places, garages can be accommodated on the frontage, and do not have a negative effect on the streetscape, for example where the houses are above the road, and therefore do not have an immediate frontage to the street. In other situations garages and carports can be accommodated in front of a house, provided they are well located and designed. However, in some cases a new garage or carport would be detrimental to the character of the house, and a significant negative element in the streetscape, regardless of its design and siting. This is equally true for pre-1930s houses and post-1930s houses.

As part of the place-based plan, consideration has been given to the identifying the areas which are most sensitive to the inclusion of new garages. However because of the diversity of Thorndon this has not proved to be possible. The only feasible way to manage the effect of all new garages and carports on the character of Thorndon is to require a resource consent. The policy framework would recognise that on-site parking is desirable wherever possible, and the focus would be on making sure provision for it is not detrimental to the character of the street. However as noted above there will be properties where the effect of a garage or carport on the frontage would have a significant adverse effect on the character of the street, and in this case consent would be declined.

Recommendation: Consider requiring a resource consent for new garages and carports in the area in Thorndon currently covered by the pre-1930s demolition provisions.

Car Parking in Front Yard

The removal of gardens and fences and replacement with hard surfacing for car parking can have a significant negative effect on both the character of the house and the wider streetscape. This is prominent along Tinakori Road, where parking is being provided for businesses. However it also occurs in many other Thorndon streets. As with garages and carports, in many cases car parking can be accommodated in front yards without significant negative effects, for example where it does not occupy the whole frontage, and some landscaping is retained.

Because no building consent is required, there is no way for Council to know in advance when a property owner intends to convert the front yard for parking unless permission for a new or extended crossing is required under the relevant bylaw. Introducing a rule to control this activity is likely to mean a significant number of retrospective consents and enforcement actions. In the first instance

it may be preferable to focus on raising public awareness of good ways to add on-site parking, rather than introduce a rule in the District Plan.

Recommendation: Investigate non-regulatory ways of managing the conversion of front yards for car parking.

New Houses

Two or more houses on any site in any Inner Residential Area, including Thorndon, require consent for a discretionary (restricted) activity. This gives the opportunity to consider how the new building or buildings will fit in the context of the Thorndon neighbourhood. The place-based plan will be a useful guide in this regard. Where a pre-1930s house is demolished, some consideration is able to be given to the design of the new house, even where a resource consent for the new dwelling is not required.

However, a single new house on a site does not require any consent, provided it complies with the relevant standards in the District Plan. One of the most relevant standards on small sites is the building recession plane which ensures new buildings do not unduly block sunlight from neighbours. This has particular effect on the side boundary setback, and height and roof angle. Much of the historic housing in the Inner Residential Zone does not comply with the recession planes required by the District Plan.

One repeated concern has been the “perverse outcomes” of the recession planes, where new houses have been designed to fit the recession planes and retain permitted status, rather than designed to fit into the historic building pattern which would require consent. For this reason, one of the initial expectations of the place-based study is that it would result in changes to the building recession planes in Thorndon.

However, because of the diversity of site size and shape, historic building form and layout, and topography it has not been practical to develop a set of recession plane rules tailored specifically for Thorndon. To do so would require a site by site analysis, effectively plotting a building envelope for each individual site, or small group of similar sites. The mixed pattern of development in Thorndon is very different to the rows of terrace and cottage housing typical of some of the contemporaneous Australian suburbs, where specific building envelopes have been able to be defined.

Given the difficulty in setting appropriate recession planes for each lot, the perverse outcomes evident in the design of some new houses will continue, unless a resource consent is required to enable consideration of the most appropriate building envelope given the neighbouring houses and the wider streetscape. In addition to the building envelope, a consent process would allow consideration of the design and materials of the new house, ensuring that it is a good fit with its context. The analysis of building consents indicates this could generate around 3-4 new consents per year.

While the most appropriate building envelope can be addressed as part of the consent, the Plan will continue to contain a standard set of building recession planes, and neighbours' approval would be required where these are breached. This means that some consents will be "limited notified".

Recommendation: Consider requiring a resource consent for new dwellings in the area of Thorndon currently covered by the pre-1930s demolition provisions.

Planning Options and Conclusions

The planning analysis and findings of the place-based plan have identified some "gaps" in the regulatory provisions, where potentially detrimental changes to the character of Thorndon are not currently controlled. Appendix 3 shows the resource consents required under the PC72 provisions, and what additional consents are being proposed as a result of the place-based study. However recognising that there is both community opposition to and community support for additional regulation in Thorndon, officers considered three main options when preparing this report (see Appendix 4).

The options table shows the advantages and disadvantages of each option, at a very broad level. Officers recommend Option 3 which contains both non-regulatory and regulatory elements. However ultimately it is Council's role to decide on the appropriate balance between regulatory and non-regulatory methods and between the wider public good and private property rights, and this may lead to the Committee preferring one of the other options.

5.5 Non Regulatory Initiatives

Council has resolved that non-regulatory incentives for heritage building owners are important. The following table shows a range of measures that are being developed.

Initiative	Comment
<p><u>Built Heritage Incentive Fund</u></p> <p>Time-frame: Criteria review completed.</p> <p>Further review will be undertaken to coincide with notification of a Plan Change for the Thorndon Urban Conservation Area in late 2011.</p>	<ul style="list-style-type: none"> • The BHIF criteria and conditions have been recently reviewed. • The priorities for the current year are: "applications that aim to reduce or eliminate potential hazards (ie fire protection or seismic strengthening) while retaining a focus on identifying and addressing risks to the conservation of heritage materials or fabric through natural processes (decay)". • The Draft Annual Plan for 2011-2012 recommends that the BHIF will be increased from \$200,000 to \$329,000.

<p><u>Information and advice sheets for heritage buildings owners</u></p> <p>Time-frame: Drafts of brochures and advice sheets will be prepared and ready for publication with notification of a Plan Change for the Thorndon Urban Conservation Area in late 2011.</p>	<ul style="list-style-type: none"> • General information for heritage building owners • Heritage building pre-application process at Wellington City Council • Useful background research books and web sites • Housing styles and descriptions of typologies • Researching your house and the site • Installing exterior utilities in a sensitive way • Approaches to earthquake issues for heritage buildings
<p><u>Workshops and/or seminars for heritage building owners</u></p> <p>Time-frame: A programme of workshops and/or seminars will be prepared for presentation by early 2012.</p>	<ul style="list-style-type: none"> • Survey of heritage building owners to find out the type of information they are most interested in and the format of interaction that they may find useful. • Short series of meetings, seminars and/or workshops decided as a result of the survey. Both external experts and council officers with specific expertise to be engaged.

Initiative	Comment
<p><u>Streamlining the resource consent process</u></p> <p>Time-frame: Improvement of processes will be completed by the time of notification a Plan Change for the Thorndon Urban Conservation Area in late 2011.</p>	<ul style="list-style-type: none"> • Clear pre-application process to be promoted to landowners and professional groups. • Heritage and urban design advisors to provide the applicant with written comment on the application. • Heritage advice provided free of charge, as part Council's Heritage Policy 2010. • Applicants advised of opportunity to request any unused portion of the fee, and / or remission of the fee from the Heritage Resource Consent Reimbursement Fund.
<p><u>Urban Design Panel</u></p>	<p>To be considered as part of Wellington 2040 project and as a part of the Resource Management Act Phase II reforms.</p>

5.6 Financial Incentives

Heritage Resource Consent Reimbursement Fund

Officers consider the eligibility criteria for Heritage Resource Consent Reimbursement Fund should be extended to include applications triggered by

the additional rules proposed in the “Thorndon Urban Conservation Area”, once it takes effect. This would provide some recognition of heritage values in the wider Thorndon area, and the cost to the community of the additional resource consents that would be generated by the proposed new rules.

The available fund of \$50,000 / per annum is not fully subscribed², so there would be no financial implications in extending the potential pool of applications. However the policies and eligibility criteria for the fund will need to be updated.

Recommendation: Extend eligibility to apply to the Heritage Resource Consent Reimbursement Fund to applications which required by the additional rules proposed in the Thorndon Conservation Area.

Fees for Minor Heritage Resource Consent

Currently all non-notified resource consents require payment of the same initial fee (\$1222). This reflects the usual time and cost of processing the resource consent – approximately 8 hours, plus administration and disbursements. There are some heritage-related consents of a minor nature which can be processed in a much shorter time, for example installation of a small sky dish, a small skylight, or solar hot water panels. While applicants can apply for a refund of any unused portion of the fee, the initial payment could be seen as out of proportion to the nature of the application. Officers recommend that Council consider introducing a “minor heritage resource consent” category with a lower initial fee.

Recommendation: Agree to consult on a lower fee for a “minor heritage resource consent” category as part of the 2012-2022 Long Term Plan.

6. Conclusion

The Thorndon place-based study and associated consultation has provided Council with the opportunity to trial a new approach to developing both regulatory and non-regulatory measures to manage change in a suburb with significant heritage and character values. The process has delivered a much clearer understanding of the nature of Thorndon, which has informed recommendations on a subsequent plan change. A review of the process and its potential usefulness in other parts of the City will be undertaken.

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² Approximately \$6,000 of the fund has been paid out in this financial year.

Supporting Information

1) Strategic Fit / Strategic Outcome

Protection of heritage is a legislative requirement under Section 6(f) of the Resource Management Act 1991.

The recommendations in the report are consistent with the Urban Development Strategy, particularly Outcome 1.5 "Stronger sense of place".

2) LTCCP/Annual Plan reference and long term financial impact

The recommended plan change can be accommodated within current budgets.

3) Treaty of Waitangi considerations

Some Maori history is outlined in the place-based plan. All District Plan work is required to take into account the principles of the Treaty of Waitangi (Section 8 of the Resource Management Act 1991).

4) Decision-Making

This is a significant decision. The report sets out three main options, reflecting the diversity of views held by those with an interest in this matter who have been consulted with.

5) Consultation

a) General Consultation

There has been a significant and long-running consultation process with Thorndon residents and interest groups, from December 2008 to May 2010.

b) Consultation with Maori

Mana whenua have not been specifically consulted.

6) Legal Implications

The legal implications are associated with the proposed plan change, and dealt with under the Resource Management Act.

7) Consistency with existing policy

The recommendations in this report are consistent with the Built Heritage Policy 2005 and with the Urban Development Strategy.