

# residential

<b>REd</b>	<b>Description</b>
REd.1	Nelson’s residential areas are characterised by low rise dwelling houses on individual lots. Past architectural styles, settlement periods and geographic factors have determined residential character and form, with the varying topography of the city resulting in a range of individual neighbourhoods.
REd.2	Although Nelson was occupied by Maori for generations before colonial times, little physical evidence remains within the residential area of traditional Maori settlement patterns, apart from the significant “Matangi Awhio” Pa site above Auckland Point School.
REd.3	The settlement pattern of Nelson is reflected in its geographic setting. The earliest settled parts are within the lower flood plains of the Maitai River, and The Brook and York Valley Streams. Initial development of these areas occurred in the 1840s, with a number of buildings from the 19th century still remaining. This Plan recognises that the development of some parts of older Nelson have an open spaciousness, such as the area between the Cathedral and the Grampians. There are also several streets, precincts, and many individual buildings within Nelson that have heritage significance, and this Plan seeks to encourage their preservation and enhancement.
REd.4	As Nelson’s population has grown, new residential areas have been developed to the north and south of the city. In more recent years there has been a move towards infill development, where existing residential areas have been redeveloped - such as in Stoke, Tahunanui, and The Wood. Land to the south, as far as Saxton Road, has been developed since 1990 into new greenfield subdivisions.
REd.5	The character of residential areas is also determined by the presence of non-residential activities and community facilities that usually operate from purpose-built buildings. These activities tend to provide essential community services including convenience shops, churches, schools, doctors’ surgeries, day care centres, and public halls. In some residential areas, activities such as hospitals, tourist accommodation, hotels, or parks have been established which serve wider city or regional populations. Non-residential activities and community facilities can be accepted within residential areas provided they do not give rise to significant adverse effects.
REd.6	Residential areas provide the place where most people sleep and enjoy their leisure time, and quiet, peaceful surroundings are expected.
REd.7	With the closure of health care facilities in the Ngawhatu Valley and the identification of this land for development, the future use of the land between the Ngawhatu Valleys became a resource management issue. Given the shape of the Valleys, the future use of the land between is inextricably linked because servicing of the land between the Valley can only be through the Valleys. Lack of planning now for the future use of this land will result in this land being landlocked. The land has been identified as suitable for a range of densities of development, and planning for the future development of this land must be integrated, particularly from a servicing perspective, with the Ngawhatu Valley land.
REd.8	In Marsden Valley there is provision <del>for some</del> <u>on the valley floor, for higher density residential development</u> <del>Low Density Residential development in the Valley, a small</del> <sup>PC13</sup>

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Suburban Commercial Zone, and for residential development on the hills surrounding the valley provided consideration is given to the landscape context of the area. There is also with<sup>PC13</sup> provision for residential development on the hills adjacent to Ngawhatu, including the area referred to as the Marsden Plateau. The area has been identified as suitable for a range of densities of development, provided that the special landscape values of the Marsden Plateau, in particular, are recognised.

PC14

REd.9

See the objectives and policies relating to zones in Chapter 5 (district wide objectives and policies).

## objective

### RE1 living style

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*The option of a diversity of residential styles based on the differing characteristics of areas of the city, and differing community needs.*

PC14

#### Reasons

RE1.i Flexibility in the design and location of residential developments can lead to an interesting and attractive street scene, while also meeting the varying needs of the community.

RE1.ii Low density residential development is also provided for in part of Marsden Valley. The Residential Lower Density (Marsden Valley) Zone within Schedule I (see Objective RE4) and also within Schedules U and V in Marsden Valley (see Objective RE5).

#### policy

### RE1.1 densities

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*A choice of building densities should be provided within the city, taking into account people's preferences, the existing character of neighbourhoods, topography, townscape, the capacity of infrastructure, and the constraints of the land resource.*

PC14

#### Explanation and Reasons

RE1.1.i Four separate housing densities are provided within the Residential Zone which recognise different living environments and seek to provide diversity of housing choice. These areas are shown on the Planning Maps as lower density, lower density (Stoke), standard density, and higher density. Density refers to the number of residential units in a given area, together with the relationship between buildings and open space on sites. It affects the potential number of people living in an area, the area occupied by buildings, driveways and parking spaces, as well as the available space for gardens, and particularly, for large trees. The density provisions provide a degree of certainty to residents by not allowing fundamental changes to the existing patterns of development in particular areas.

RE1.1.ii In addition to the residential densities referred to above, the Ngawhatu Residential Area offers further overall low density residential opportunity. This has been determined on account of the existing amenity and physical constraints of land, services and roading in the Valley.

PC14

#### Methods

RE1.1.iii Rules providing a range of minimum site sizes and levels of permitted building coverage, to cater for a variety of living styles.

RE1.1.iv Scheduling of the Marsden Valley Residential Area.

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## policy RE1.2 flexibility in development

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*Flexibility in density, building form, and site development below that specified in the rules should be allowed, provided that the development:*

- a) integrates the design of residential units and any subdivision, and that all required resource consents are applied for concurrently, along with any building consent or building sketch plans, and
- b) presents a high standard of on site and off site amenity, and
- c) does not diminish the amenity of neighbouring sites, and
- d) is designed with regard to the character of the area, and
- e) does not significantly affect the views or outlook from adjacent properties, and
- f) the cumulative effects of such developments do not fundamentally change the character and density of the area, and
- g) does not diminish streetscape of adjacent roads.



### Explanation and Reasons

**RE1.2.i** This policy recognises that different built forms and layouts may be appropriate, other than the traditional house and section. This can be the case particularly for higher density developments, where a scaled down suburban house and section may not be the most appropriate or attractive way of providing for higher density living. The policy signals that other approaches will be considered and that they will be judged on their merits, and the quality and standard of environment they provide. The primary considerations will be the living environment provided, and any impacts on the amenity of the area, including on adjoining development. This provision may be most suited to comprehensive development of a site, but would also apply to a single building development, whether or not it is high density. The policy does not provide for the creation of sites which are below the minimum size specified in the Plan where the application is not accompanied by a proposal for a residential unit. In other words, departure from the standards in the Plan depends on consideration of an integrated package of a specific building on a specific site in order to judge the effects of the proposal.

**RE1.2.ii** Guidelines for comprehensive housing development are included in Appendix 22.

**RE1.2.iii** Where land is close to open space, such as a park, or the sea, there is potential for less restrictive development control in relation to density, as public open space may substitute for open space on the property being developed.

**RE1.2.iv** In the Ngawhatu Valley, and the land between then Highland and York Valleys, there is scope for a residential environment to be created, providing for a range of housing opportunities while ensuring the mature landscape setting is largely maintained.

**RE1.2.v** In Marsden Valley there is scope for a residential development, provided that the special landscape values of the Marsden Plateau are respected in any development design.



### Methods

**RE1.2.vi** Using the discretionary activity consent procedure to provide for more innovative housing proposals, backed by Guidelines for Comprehensive Housing.

**RE1.2.vii** Assess other proposals as non-complying activities.

**RE1.2.viii** Development opportunities for Ngawhatu by way of high density residential and standard residential zoning. Controlled activity rules allowing for conversion of existing redundant buildings to apartments. Opportunities for using method RE1.2.v.

**RE1.2.ix** Specific development opportunities on the Marsden Plateau and Marsden Hills (adjoining Ngawhatu) by way of scheduled sites.



## **policy**

### **RE1.3 Wakefield Quay precinct**

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*Development in the Wakefield Quay Precinct must maintain the established features that contribute to the character and amenity of the Precinct, while allowing the opportunity for future higher density residential development, together with compatible uses, provided that the development is consistent with Appendix 23 'Design Guide and rules for Wakefield Quay Precinct'.*

#### **Explanation and Reasons**

**RE1.3.i** The reasons for the special treatment of the Wakefield Quay Precinct are set out in Ap23.1.3 of Appendix 23 (design guide and rules for Wakefield Quay). The objectives and policies in Chapter 5 (district wide objectives and policies), and in this Chapter also apply but this policy and Appendix 23 represent additional matters specific to the Wakefield Quay Precinct.

#### **Method**

**RE1.3.ii** Specific bulk and location rules for Wakefield Quay with guidelines to control design and appearance and related matters.

## **policy**

### **RE1.4 lower density areas**

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*The open spaciousness of development should be maintained within those areas identified on the Planning Maps for lower density development.*

#### **Explanation and Reasons**

**RE1.4.i** The residential area at the northern foot of the Grampians, the Tahunanui Hills, and the Ardilea Avenue subdivision in Stoke have a low level of building density and corresponding open spaciousness of development compared with most other residential areas in Nelson. These areas have developed a certain character as a result of past patterns of development, and in the case of the Tahunanui Hills and Grampians area, past restrictions on infill because of a slope risk hazard have helped maintain the open character. ~~The Glen and the Marsden Valley Residential Area (covered by Schedule 1) have~~ has a lower building coverage limit to recognise ~~their~~ the<sup>PC13</sup> rural setting. The townscape variety, and opportunities for larger sections including ability to sustain larger trees, that these areas offer is protected through a stricter limitation on building density than elsewhere in the city. The purpose of the lower density areas adjacent to the airport and the Port Industrial Area (the Airport and the Port Effects Control Overlays) is to minimise the number of residences exposed to noise from the airport and the Port Industrial Area<sup>07/01</sup>, rather than to preserve visual or related characteristics. The low density residential land on Main Road, Stoke, was rezoned from Rural, in part to provide a greater level of protection from industrial type activities. The density has been kept low to preserve some measure of its former character, while at the same time recognising that the area will eventually be fully developed for residential purposes.

~~The Marsden Valley Residential Area (covered by Schedule 1) is also recognised for the rural character of the area in which it is located. A lower density of residential development is therefore considered important. (See Objective RE4)~~

~~The lower density residential area north and west of the cemetery in Marsden Valley is intended to provide a transition from the Residential Zones at the entrance to the valley, to recognise the current rural character of the wider valley landscape, and promote a level of serviced development that is generally compatible with the Marsden Valley Residential Area in Schedule 1, which it in part adjoins (see Objective RE5).~~<sup>PC13</sup>

#### **Methods**

**RE1.4.ii** Rules controlling minimum site size, and lower allowable level of building coverage.

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<sup>PC13</sup> Plan Change 13 (Marsden Valley)

<sup>07/01</sup> Port Noise Variation Notified 14/07/07

# objective

## RE2 residential character

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*An environment that is principally residential in character.*

### Reasons

RE2.i The primary purpose of the residential zoning is to provide an environment that is suitable for the accommodation of people. The essential components of a principally residential environment include access to an adequate amount of daylight, minimal disturbance from nuisances, and a reasonable degree of privacy.

This objective provides the opportunity for home occupations and non-residential activities, provided any adverse effects are kept to an appropriate level.

### policy

#### RE2.1 noise

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*Noise levels received at adjacent site boundaries should be consistent with a predominantly residential environment.*

### Explanation and Reasons

RE2.1.i Noise is a particularly important amenity consideration in urban areas where people are living in close proximity. This policy aims to ensure noise received on or from an adjacent site is reasonable for a residential zone.

### Methods

RE2.1.ii Information about rights and responsibilities of neighbours in terms of noise complaints.

RE2.1.iii Enforcement provisions of the Resource Management Act and Health Act.

RE2.1.iv Rules relating to maximum noise levels.

RE2.1.v The Council's 24 hour noise control service.

RE2.1.vi Rules requiring provision of a landscaped bund along the residential/industrial interface in the Nayland Road South area at the time of subdivision adjoining this zone interface.

RE2.1.vii Rules requiring the erection of an acoustic fence along the residential/industrial interface in Main Road, Stoke (within the Industrial Zone) prior to any industrial activity taking place.

RE2.1.viii Rules requiring acoustic insulation in new residential units and alterations to existing residential units, in areas specifically affected by noise from the Port Industrial Area.

RE2.1.ix Rules requiring minimum site areas for subdivision in areas affected by noise from the Port Industrial Area.<sup>07/01</sup>

### policy

#### RE2.2 nuisances

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*The pleasant qualities of residential areas should not be adversely affected by glare, light spill, dust, vibration, or odour.*

### Explanation and Reasons

RE2.2.i Glare, light spill and similar adverse effects within residential areas can compromise the use and enjoyment of people's property for residential purposes. Where such effects arise the Council or members of the public may take enforcement action under the provisions of the Resource Management Act 1991.

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<sup>07/01</sup> Port Noise Variation Notified 14/07/07

#### Methods

- RE2.2.ii Information about rights and responsibilities of neighbours.
- RE2.2.iii Enforcement provisions of the Resource Management Act and Health Act.
- RE2.2.iv Rules relating to light spill, and vibration.

### **policy**

#### **RE2.3 daylight and sunlight**

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*Buildings and structures should be designed and sited so that adjoining sites are not unduly shaded, and there is reasonable access to daylight.*

#### Explanation and Reasons

RE2.3.i The reception of daylight and sunlight to each household unit is a critical component of residential amenity that provides warmth and energy efficiency, and is vital for outdoor activities such as gardening and recreation. To ensure shading effects are minimised, and to ensure there is sufficient space around buildings to allow the admission of daylight to the site, this Plan has provided for daylight controls on all side and rear boundaries. The policy also applies to larger non-residential buildings such as schools or halls. The basic premise is that the daylight and sunlight received on a residential site should be no different whether or not the neighbour is residential. This philosophy applies whether the building is on an adjoining site or across a street.

#### Method

- RE2.3.ii Rules setting daylight recession planes.

### **policy**

#### **RE2.4 privacy and outlook**

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*The location and design of buildings should not unduly compromise outlook and privacy of adjoining development, having regard to the character of the area and the reasonable expectations for development.*

#### Explanation and Reasons

RE2.4.i Privacy is an important component of amenity. However, not everyone requires privacy to the same degree. Indeed some relish an open outlook where they can keep in touch with the community. Where people do want privacy, however, they should be able to have it to a reasonable degree. Height of buildings and closeness to boundaries are key determinants of privacy, outlook, and views. The location of outdoor areas, such as decks and balconies are also important.

#### Methods

- RE2.4.ii Information about rights and responsibilities of neighbours eg. trees, fences.
- RE2.4.iii The Building Act controls windows in walls of buildings on or close to boundaries.
- RE2.4.iv Rules on proximity of decks, balconies and similar structures to boundaries, rules allowing reasonably generous fence heights, and building height controlled by height rule, and daylight admission rules.
- RE2.4.v Guidelines for Comprehensive Housing, backed up by conditions of resource consent.

### **policy**

#### **RE2.5 scale**

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*The size and scale of buildings, structures, and activities should be compatible with the character and amenity of the residential areas.*

#### Explanation and Reasons

RE2.5.i Buildings, sites, and activities need to be of a size or type that might be expected in the neighbourhood. This is not solely a matter of size. Schools, hospitals, or



churches can be large, but are probably more readily accepted in a residential area than warehouses or shops of a similar scale. Structures may include such things as masts and towers which again should be of a scale appropriate to the Residential Zone. The overall aim is to ensure that the Zone retains an essentially residential character, and that activities relate to the surrounding locality.

#### **Methods**

- RE2.5.ii Rules relating to maximum building height and coverage of site.
- RE2.5.iii Rule making non-residential activities discretionary.
- RE2.5.iv Rules controlling the height of structures such as masts and aerials.
- RE2.5.v Rules setting daylight angles which control building height in relation to closeness to boundary.

### **policy**

#### **RE2.6 non-residential activities**

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*No activity should have effects significantly greater than the normal residential use of any property, unless they can be adequately avoided, remedied or mitigated.*

#### **Explanation and Reasons**

RE2.6.i Non-residential activities are generally accepted as part of residential areas provided the adverse effects are contained within the site. As these activities tend to attract people to residential environments for non-residential purposes, it needs to be ensured that suitable controls over potential adverse effects are in place to protect residential amenity. Activities which occur at night can be a particular problem in terms of noise, and concerns about security. Where the activity involves the sale and consumption of alcohol there may be concerns about the likelihood of disorderly behaviour.

Maintenance and alteration of existing non-residential activities is provided for under the existing use rights of the Resource Management Act (section 10). No resource consent is needed if the use was lawfully established before the Proposed Plan was notified, and the effects of the use are the same or similar in character, intensity, and scale.

#### **Methods**

- RE2.6.ii Rule making non-residential activities discretionary so that the effects of each proposal can be assessed on a case by case basis.
- RE2.6.iii Rules regulating home occupations eg. hours of operation, maximum number of persons involved.
- RE2.6.iv Use of existing rights provisions under s10 RM Act to allow for maintenance and alteration to existing non-residential activities.

### **policy**

#### **RE2.7 community dislocation**

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*Activities should avoid breaking up community and neighbourhood coherence, having particular regard to the cumulative effects of activities.*

#### **Explanation and Reasons**

RE2.7.i Non-residential activities in particular can lead to a loss of residential neighbours which can affect the coherence, security, and general friendliness of neighbourhoods. Many non-residential activities such as medical rooms are often unoccupied at night and the weekend. This can weaken the role of the neighbourhood in providing mutual support. Non-residential activities may also detract from amenity values if there is no one next door to have a chat to over the fence. Having said that, it is recognised that some non-residential activities can support residential areas during the day.

RE2.7.ii The policy could be implemented by two opposite strategies, both of which would be effective. One approach is to locate non-residential activities in areas where the residential character is already compromised (i.e. to have clusters of such activities). The other approach is to ensure non-residential activities are dispersed within the residential zone. This approach could ensure, for example, that residential sites where

possible have other residential neighbours. It would not generally be acceptable for a residence to be isolated between two non-residential activities. With either approach, particular attention needs to be paid to the incremental and cumulative effects on residential areas, so that the overall residential character and function is retained. Both strategies are acceptable approaches.

#### Method

RE2.7.iii Rule making non-residential activities discretionary so that the effects of each proposal can be assessed on a case by case basis.

### **policy** **RE2.8 community benefit**

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*It is recognised:*

- i) that certain non-residential activities need to locate in the Residential Zone, and*
- ii) that some existing non-residential activities may need to be explicitly provided for in the zone, and*
- iii) that some non-residential activities may enhance the amenity and sense of community of residential areas.*

#### Explanation and Reasons

RE2.8.i Non-residential activities such as schools generally need to be located in the Residential Zone to suit their pupils, and in order to obtain a standard of amenity suitable for a school environment. Schools and churches can also provide a community and neighbourhood focal point. In addition, they are a resource that can be used for other community activities. Some other non-residential activities, such as early childhood education centres, may also enhance the amenity and sense of community of a neighbourhood. Emergency service facilities, retail outlets, neighbourhood parks (generally accepted to be 4ha/1000 people) and other activities in some instances may also increase the amenity and service to the community. Each case has to be judged on its merits. In some cases the community may be willing to accept some adverse effects, if there are compensating benefits to their neighbourhood.

#### Methods

RE2.8.ii Rule making non-residential activities discretionary so that the effects of each proposal can be assessed on a case by case basis.

RE2.8.iii Schedules to provide for existing non-residential activities such as Nelson Hospital, the Polytechnic on the former 'Griffins site', Bishopdale Potteries, and BP Annesbrook.

## **objective**

### **RE3 streetscape, landscape, and natural features**

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*Attractive streetscapes, and the maintenance and enhancement of those significant public views, natural features, and landscapes that contribute to Nelson's character and setting.*

#### Reasons

RE3.i Nelson's location, between the coast and the backdrop hills, provides the city with its landscape setting. The Council has identified a number of important aesthetic components within this landscape setting that make Nelson such an attractive and appealing city to live in and to visit. Within the wider context, the appearance and attractiveness of the streets is an important factor in Nelson's appeal. This includes the public part of the streets, and the way private land presents to the road, i.e. the appearance of the buildings, planting and landscaping.

## **policy**

### **RE3.1 landscape values**

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*Roads, buildings and other structures should not dominate landforms and vegetation, and should minimise intrusiveness into the landscape, so as to retain amenity values and the pleasant and natural appearance of the hills.*

#### **Explanation and Reasons**

**RE3.1.i** Landscape Overlays identified on the Planning Maps form the immediate backdrop to urban Nelson. They are the most visible ridgelines from the City Centre and the major transportation corridors into and out of the District. They have been identified because of their importance in terms of the landscape and backdrop to Nelson. Because of their high visibility they are sensitive to development. The underlying natural features should not be compromised by development. In some instances intrusive structures such as masts or aerials may be inappropriate, or may need to be extremely limited and carefully controlled, for example limited to small structures which need such a location. Even then they would need to be carefully sited and designed in order to comply with the policy.

#### **Methods**

- RE3.1.ii** Significant ridgelines and landscapes defined as overlays on the Planning Maps.
- RE3.1.iii** Rules making intrusive above ground network utility structures discretionary in the landscape overlays.
- RE3.1.iv** Rules making subdivision in the landscape overlays controlled with special regard to visual impacts.
- RE3.1.v** Guide on Subdivision in Landscape Overlays (Appendix 7).
- RE3.1.vi** Acquire key sites where feasible, either by purchase or reserve contribution.
- RE3.1.vii** Use of covenants, easements, or consent notices under section 221 of the Act to protect visual amenity.
- RE3.1.viii** Provision of a specific schedule to address the special landscape values of the Marsden Plateau - see Schedule U.

## **policy**

### **RE3.2 view shafts and gateways**

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*View shafts and gateways which contribute significantly to Nelson's visual amenity should be protected and enhanced.*

#### **Explanation and Reasons**

**RE3.2.i** A number of significant view shafts and gateways within the residential area provide the community with pleasant views and urban open spaces, while also confirming an identity or sense of place. Gateways refer to the key transition points when moving from one landscape setting to another eg. the bridge on Trafalgar Street, Rocks Road to Tahunanui, the Bishopdale Hill, Hays Corner, Saxton Field and the opposite side of Main Road Stoke, Wakapuaka Road/Atawhai Drive/Queen Elizabeth Drive. The protection and enhancement of these community attributes will provide for the enjoyment of present and future generations.

#### **Methods**

- RE3.2.ii** Acquire key sites where feasible, either by purchase or reserve contribution.
- RE3.2.iii** Protect as a condition of resource consent where consent is required.
- RE3.2.iv** Define key views on the Planning Maps and in Appendix 9.

**policy**  
**RE3.3 vegetation**

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*Trees and vegetation which contribute to the amenity values of the area should be retained where this is compatible with site development.*

RE3.3.i Established trees are important elements of the Nelson landscape which often add significantly to the character of a neighbourhood. The policy seeks to retain as much of the existing vegetation as possible where subdivision or other residential development is proposed.

**Methods**

RE3.3.ii Identify significant trees in the District and provide rules to protect them (see Appendix 2).

RE3.3.iii Acquire key sites where feasible, either by purchase or reserve contribution.

RE3.3.iv Conditions of resource consents to retain vegetation.

RE3.3.v Use of covenants, easements, or consent notices under section 221 of the Act.

RE3.3vi Rules controlling subdivision in respect of effects on trees and vegetation.

RE3.3.vii All the above matters apply in respect of Ngawhatu Valleys - Highland and York Valley.

**policy**  
**RE3.4 indigenous vegetation**

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*Indigenous vegetation should be preserved if it contributes to the amenity values of the area, except for the minimum area reasonably necessary for the safe development and use of a site.*

**Explanation and Reasons**

RE3.4.i Indigenous vegetation is an important part of the character of New Zealand and Nelson. The policy seeks to retain as much of the existing vegetation as possible where subdivision or other residential development is proposed. The policy recognises that safety issues such as fire risk also need to be considered.

This policy applies to indigenous vegetation which does not meet the criteria listed in Table DO5.1, for an area of significant indigenous vegetation.

**Methods**

RE3.4.ii Identify significant trees and areas in the District and develop rules to protect them.

RE3.4.iii Acquire key sites where feasible, either by purchase or reserve contribution.

RE3.4.iv Conditions of resource consents to retain vegetation.

RE3.4.v Use of covenants, easements, or consent notices under section 221 of the Act.

RE3.4.vi Rules controlling subdivision in respect of removal of indigenous vegetation.

**policy**  
**RE3.5 streetscape**

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*Sites fronting onto roads should present an appearance which enhances the overall streetscape, and buildings should not dominate the road or compromise pedestrian or vehicle safety.*

**Explanation and Reasons**

RE3.5.i Building setbacks from the front boundary have been traditional in Nelson. These were used to assist with privacy, and for landscaping and beautification. Garages and carports were the only buildings allowed in the front yard area, and then only with a resource consent.





**RE3.5.ii** The policy aims to provide more flexibility in the use of front yards than the traditional approach. It focuses on whether the end result is attractive when viewed from the street. Within this framework there is the option of locating a dwelling closer to the front boundary if, for example, it allows more lawn to the north. Similarly garages or carports, if designed in keeping with the house and if appropriately landscaped, are acceptable in the front yard. Accessory buildings such as outdoor sheds, or storage of materials (eg. old cars) would not generally be appropriate activities in a front yard, unless well screened from public view.

#### Method

**RE3.5.iii** Rule providing flexible approach to use of front yard, providing proportion remains as open space, and buildings fit within a recession plane inclined into the site from the front boundary.

### policy

#### **RE3.6 signs and advertising**

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*Signs and other advertising devices in residential areas should not adversely affect the residential amenity of the neighbourhood, or traffic safety.*

#### Explanation and Reasons

**RE3.6.i** Signs and other advertising devices can detract from the amenity of residential areas through being obtrusively visible from nearby properties. The adverse effects of signs and advertising are controlled so that the level of enjoyment of each property is not compromised.

#### Methods

**RE3.6.ii** Rule controlling sign size and form.

### policy

#### **RE3.7 Ngawhatu residential area**

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*The landscape values of the Ngawhatu site should be maintained in providing for residential neighbourhoods in the area. Subdivision design, including roading layout, must give priority to significant tree protection, while ensuring road safety and efficiency is not compromised.*

#### Explanation and Reasons

**RE3.7.i** Large areas of open space and established vegetation contribute to the amenity of Ngawhatu. These areas need to be given special recognition in any future development strategy for the site to encourage an urban residential environment of high landscape amenity. Even within the residential neighbourhoods, the siting of development and design of subdivisions will influence this. Retention of as much established vegetation as practicably possible should be encouraged. There will be occasions when roading layout and widths need to be adjusted to maintain significant vegetation. An example of this is near the entry to Ngawhatu Valley where the Local Purpose Reserve created on this stage of subdivision required a narrowing of the legal width of the road to ensure the protection of a mature avenue of specimen trees. Design layouts should seek to address vegetation protection while providing road safety and efficiency. The example noted, achieved this by separating the footpath from the road carriageway and placing the footpath behind the specimen trees within the Local Purpose Reserve rather than within the Road Reserve.

#### Methods

**RE3.7.ii** Protection of specific Heritage and Landscape trees by listing in Appendix 2.

**RE3.7.iii** Conditions on subdivision consents to protect established vegetation, and to control landscaping.

## policy

### **RE3.8 Marsden/Ngawhatu pedestrian and cycle linkages**

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*Pedestrian, and where practical, cycle linkages, should be provided between Marsden and Ngawhatu Valleys, connecting residential neighbourhoods and open space areas. Pedestrian linkages from Marsden Valley and Ngawhatu Valley should be provided to connect up to the Barnicoat Walkway.*

#### Explanation and reasons

**RE3.8.i** This policy seeks to ensure that, as subdivision and development progresses within the Ngawhatu Valley and Marsden Valley, pedestrian and cycle linkages are an integral part of the design as the Council and Community seek, over time, to achieve links from the “sea to the sky”. The Structure Plans for these areas show “indicative” locations for walkways and/or cycle paths. There is flexibility in the exact location and route of the walkways and cycle paths, provided that the connections are made, i.e. connection between Ngawhatu and Marsden Valley and connection to the Barnicoat Range.

## Objective

### **RE4 Marsden Valley (Schedule I)**

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*Subdivision and development within the Marsden Valley Residential Area (Schedule I) that does not adversely affect the rural and landscape character of the Marsden Valley. Subdivision and development of Marsden Valley (Schedule I area) that results in a high level of residential amenity built around a village centre as the focal point.*

#### Reasons

RE4.i The Nelson Urban Growth Study 2006 (NUGS) identified the Stoke Foothills, including Marsden Valley, as suitable for accommodating some of the future residential growth of Nelson. This Schedule and Structure Plan are to ensure residential development can be achieved to give effect to the direction provided by NUGS, while respecting the landscape features of the valley. It will allow for an integrated and planned system of walkways, roading and servicing across multiple properties. This objective and following policy applies only to the Marsden Valley Residential Area affected by Schedule I in the Plan, and not other residentially zoned land elsewhere in the valley.<sup>PC13</sup>

## policy

### **RE4.1 Marsden Valley Road corridor**

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*Residential development within the Marsden Valley Residential Area should maintain the un-built character and appearance of the viewing corridor both sides of Marsden Valley Road by, for instance:*

- a) Requiring new buildings to be behind the defined setback line on the eastern side of the road, and the esplanade reserve defined on the western side of Poormans Valley Stream, and*
- b) Ensuring the screening of buildings from Marsden Valley Road where feasible, and*
- c) Minimising the number of vehicle accesses onto Marsden Valley Road, and*
- d) Protecting particular trees that contribute to the landscape character of the Valley, and*
- e) Controlling the design and layout of new roads.*

#### Explanation and Reasons

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<sup>PC13</sup> Plan Change 13 (Marsden Valley)

~~RE4.1.i The Marsden Valley Landscape Study (NCC, February 2000) was commissioned to look at whether residential development could be accommodated within Marsden Valley without compromising the landscape values and rural character of this area. The study noted that visitors to the valley gain their main impression of its landscape character from views along the corridor of Marsden Valley Road, and that built development in this area would become a conspicuous feature of the valley, affecting its important rural character. The Study concluded however, that this part of the valley could support a degree of residential development without compromising its rural character, provided the development could be largely “hidden” from view by those travelling along Marsden Valley Road. Such development must therefore be restricted, with particular attention paid to protecting the visual corridor along Marsden Valley Road.~~

#### **Methods**

~~RE4.1.ii Scheduling of the Marsden Valley Residential Area to control building setbacks, removal of significant trees and the number of vehicle accesses onto Marsden Valley Road.~~

~~RE4.1.iii Protection of Heritage and Landscape trees by listing in Appendix 2.<sup>PC13</sup>~~

### **RE4.1 Marsden Valley Development (Schedule I area)**

**Development of Marsden Valley shall generally accord with the Structure Plan for this area, as identified in Schedule I, Figure 1.**

#### **Explanation and Reasons**

RE4.1.i Development of Marsden Valley which generally accords with the Structure Plan (Schedule I) will ensure this area is integrated with adjacent developments, provides a sense of community centred on the suburban commercial area as a focal point, and can achieve best practice urban design outcomes. This approach ensures continuity of public amenity such as walkways, reserves and open spaces, and ensures integrated servicing and roading patterns. The Structure Plan has been designed in accordance with urban design principles which take into account the landforms and landscape amenity values of the valley and surrounding hills. This will help meet the future residential needs of Nelson through a mix of residential and rural housing densities with an overall layout guided by a Structure Plan.

#### **Methods**

RE4.1.ii Schedule Marsden Valley to ensure integrated development and servicing in accordance with a Structure Plan.

RE4.1.iii Specific rules within the Schedule which control the adverse effects of development.

RE4.1.iv Development of Marsden Valley in accordance with best practice urban design.

RE4.1.v Zoning and subdivision rules which provide sufficient flexibility to achieve the desired urban design outcomes.<sup>PC13</sup>

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<sup>PC13</sup> Plan Change 13 (Marsden Valley)

## policy

### ~~RE4.2 — development density in Marsden Valley~~

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~~Subdivision and development densities should not be varied from those set down within the Marsden Valley Residential Area unless it can be shown that the rural character and landscape values of the Valley can be maintained or enhanced and therefore that the adverse effects are no more than minor.~~

#### Explanation and Reasons

~~RE4.2.i — Low density residential development has been provided for on Chings Flat and part of Homestead Flat. The Marsden Valley Landscape Study indicated that these parts of the valley could accommodate more intense development without more than minor visual effect on the character of Marsden Valley provided such development was adequately controlled. The Study advocates minimum lot sizes which will allow for the retention of tall trees that will soften development and maintain vegetation patterns within the Valley.~~

#### Methods

~~RE4.2.ii — Scheduling of the Marsden Valley Residential Area to control lot sizes.~~

## policy

### RE4.32 vegetation

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*Subdivision and development should maintain and enhance the existing vegetation patterns, (and establish new areas of vegetation) within the Valley that in order to soften the effects of such development on the visual amenity rural character and landscape values of the Marsden Valley.*

#### Explanation and Reasons

~~RE4.32.i Chings Flat is flanked to the west and east by watercourses. The study suggested that if further planting occurred adjacent to these water courses, they would Vegetation planting and protection will provide a strong and attractive landscape setting for residential development and would will also act to reduce the visual effect of that development within the Marsden Valley. The Study also advocates the establishment of biodiversity corridors, 'greenspace', a landscape strip along the north-eastern side of Marsden Valley Road, 20m esplanade reserves along each bank of the Poormans Valley Stream to and a subdivision and roading design which allows for additional planting will enable this to be achieved and to will strengthen recreational linkages and biodiversity within the valley. It will also help to provide a transition from Residential to Rural Zones.~~

A number of established trees within the area known as Homestead Flat (on the north eastern side of Marsden Valley Road) that are considered to be important in softening the visual effect of residential development in Marsden Valley have been specifically protected.

#### Methods

RE4.2.ii Protection of Heritage and Landscape trees by listing in Appendix 2 or by requiring that they be protected by covenant on titles at the time of subdivision.

RE4.2.iii Specifying within Appendix 6, that 20m wide esplanade reserves are required along the banks of this portion of Poormans Valley Stream.

RE4.2.iv Structure Plans, Outline Development Plans or other Plan provisions requiring the provision of 'greenspace' and biodiversity corridors at time of subdivision.<sup>PC13</sup>

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<sup>PC13</sup> Plan Change 13 (Marsden Valley)

## policy

### ~~RE4.4 — land recontouring~~

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~~Subdivision and development, except for the development of individual building sites, should maintain the existing landform since this is an important part of the character and landscape of the Valley, and is important in screening house sites from Marsden Valley Road.~~

#### ~~Explanation and Reasons~~

~~RE4.4.i — The Study advocates the preservation of existing landforms within Marsden Valley which contribute to its overall character and amenity. While land recontouring and other earthworks are often necessary activities associated with residential development, these must be controlled in the Marsden Valley in recognition of the importance of these natural landforms.~~

#### ~~Method~~

~~RE4.4.ii — Scheduling of the Marsden Valley Residential Area to control earthworks.~~<sup>PC13</sup>

## Objective

### **RE5 Marsden Valley Plateau and Hills (Schedules U and V)**

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*RE5.i Subdivision and development within the Marsden Valley Plateau Area (Schedule U) that recognises the special landscape values of the area as an important part of the backdrop to Stoke.*

*RE5.ii Subdivision and development within the Residential (Lower Density) Area of Marsden Valley (Schedule V) that provides for the efficient use and uptake of development opportunities on the adjoining Small Holdings Area, and the adjoining Schedule U area, in terms of integration of access and servicing.*



#### Reasons

RE5.iii The Marsden Plateau forms part of an important backdrop to Stoke. While the land has potential for urban development, the special landscape values of the area must be considered in any design. Development of the Marsden Hill area needs to ensure that infrastructure linkages are provided to the Marsden Plateau and the Small Holdings Area. Road access options from Marsden Valley Road are limited because of the restricted length of road frontage. An Outline Development Plan sets out the indicative road position in Schedule V.

## Policy

### **RE5.1 Marsden Valley Plateau Landscape**

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*Urban Development on the Marsden Valley Plateau that maintains an appropriate balance between levels of built development and open space so that the built form does not dominate the landform by:*

- a) Restricted spatial location of development;*
- b) Locating development on the Plateau with a vegetated foreground following the natural landform, to provide a context/location for development within the landscape;*
- c) Development of the Plateau follows an overall development plan that may be progressed in stages.*

#### Explanation and reasons

RE5.1.i The Marsden Plateau is part of a sensitive visual landform when viewed from various public spaces, in particular parts of Stoke, Monaco and the Airport. The Plateau offers highly attractive urban development options with expansive views to the coast, but these opportunities must be balanced against the importance of this area as a landscape backdrop to Stoke. Development needs to be carefully designed to ensure the attractive visual landscape outlook remains, both internally and externally, to and from the site. The Objective and Policies for the Marsden Valley Plateau are sought to be

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<sup>PC13</sup> Plan Change 13 (Marsden Valley)

achieved through a Schedule (see Schedule U) specifically designed to achieve the appropriate balance between built development and retention of open/vegetated space.

**Methods**

RE5.1.ii Scheduling of the Marsden Valley Plateau to contain design criteria and rules tailored to promote the special landscape values of the Plateau.

RE5.1.iii Requiring subdivision to be a Restricted Discretionary Activity, maintaining controls over earthworks and dwellings.

**Policy**

**RE5.2 Marsden Hills**

*Subdivision and development within the Residential Area of Marsden Hills covered by Schedule V, must be generally in accordance with the Outline Development Plan for this area.*



**Explanation and reasons**

RE5.2.i Schedule V provides an Outline Development Plan setting out an indicative road network and walkway and/or cycleway network. Compliance with this will ensure integration of roading and walkways between the area of Schedules U and V, the Small Holdings Area on Marsden Hills and Ngawhatu.



**Methods**

RE5.2.ii Scheduling of Marsden Hill Residential Area to ensure integration of roading and walkways and/or cycleways.

**REe environmental results anticipated and performance indicators**

REe.i The following results are expected to be achieved by the above objectives, policies and methods. The means of monitoring whether the plan achieves the necessary changes are also detailed below:

Anticipated Environmental Result	Indicators	Data Source
REe.1 Reduction in number of minor consents e.g. for buildings in front yards	REe.1.1 Number of resource consent applications by type	Resource consent data
REe.2 Better quality infill development	REe2.1 a) Reduction in number of low quality or inappropriate infill subdivisions. b) Increase in the number of quality higher density residential developments	Resource consent data Valuation NZ data Public and Councillor comments
REe.3 An attractive and interesting streetscape	REe.3.1 a) Number of heritage buildings lost b) Number of heritage buildings, and other buildings in heritage precincts that are enhanced c) Improvement in style of development in Landscape Overlays	Resource consent data Photographic records