

#### 4. HERITAGE GRANT APPROVAL – 37 VALLEY ROAD, CASHMERE, CHRISTCHURCH

<b>General Manager responsible:</b>	General Manager, Strategy and Planning Group, DDI: 941 8281
<b>Officer responsible:</b>	Programme Manager, Liveable City
<b>Author:</b>	Brendan Smyth, Heritage, Architecture and Urban Design

##### PURPOSE OF REPORT

1. The purpose of this report is to obtain approval for a Heritage Incentive Grant for 37 Valley Road, Cashmere, Christchurch.

##### EXECUTIVE SUMMARY

2. The dwelling and the setting at 37 Valley Road is listed in Group 3 of the Christchurch City Council's City Plan. The primary reason for this listing is the association with the dwelling's former occupant Dame Ngaio Marsh (1895-1982) a prominent New Zealand author and theatre director/producer. Dame Ngaio Marsh lived in the house until her death in 1982. The house is also one of a number of S H Seager houses which contribute significantly to the architectural character of the hillside suburb.
3. The building is registered Category 1 by the New Zealand Historic Places Trust Pouhere Taonga (NZHPT).
4. 37 Valley Road is located in the suburb of Cashmere on a steeply sloping hillside. The original dwelling on the site was designed by the architect S H Seager for the parents of Ngaio Marsh, and constructed in 1906-07. The house is timber-framed with horizontal timber weatherboard cladding and a tiled roof. Later additions and alterations were made by other architects, Helmore and Cotterill and then by Don Donnithorne.
5. The site has been cut and shaped to create a flat platform in the earth for the house but properly engineered retaining walls were not part of the original design. This is the case even though the side of the earth bank rises very steeply and within a couple of metres of the house the earth is above eaves level. A small section of timber crib retaining wall was built at some point after the dwelling was constructed and this is in reasonable condition. Recently the site of the dwelling has been subject to landslips and part of the earth bank has slipped into the narrow gap between the bank and the back of the house. The earth that slipped has been removed but there is a significant threat to the survival of the dwelling from further landslips. Appropriately engineered retaining walls are required to ensure no further landslips will occur.
6. The work that the applicant is seeking grant support for will ensure the future protection and continuing use of this significant heritage building and setting. The application may not meet all the criteria for a grant as provided in the Heritage Incentive Grants Policy – Operational Guidelines. There is a clause within the guidelines which stipulates that grants should not be given for elements within the landscape of sites identified as heritage settings. However, the retaining walls in this instance can be viewed as extensions of the foundation system of the dwelling. Without these walls the dwelling is in danger of collapse through a landslide event.
7. Under the Trust Deed of the Ngaio Marsh House and Heritage Trust (which is incorporated under The Charitable Trust Act 1957) the Trustees (pursuant to Section 50 of the Trustee Act 1956) appointed PGG Trust Limited (now called Perpetual Trust Limited) as custodian trustee of the Ngaio Marsh House property. The registered proprietor is therefore Perpetual Trust Limited and payment of a Heritage Incentive Grant should be made to that company on behalf of the Ngaio Marsh Trust.
8. Access to the site is by appointment only and arranged through the Ngaio Marsh Trust. The Ngaio Marsh Trust runs guided tours around the property for a fee.

## SCOPE OF WORK

9. A summary of conservation, maintenance and Building Code compliance works include:
- (a) The construction of two sections of new retaining wall along the south side of the dwelling to protect the dwelling from further landslips and damage.
  - (b) The construction of a replacement timber crib wall to link the new sections of retaining wall. The engineer recommends that the existing link wall be upgraded to match the two sections of new wall in terms of structural performance and longevity.
10. Costs for conservation, including code compliance and maintenance works are outlined in the table below:

<b>Particulars</b>	<b>Costs</b>
The construction of a timber crib retaining wall, Wall A, approximately 15 metres long and a further similar retaining wall, Wall B approximately 5 metres long. These new walls will be connected by an existing retaining wall aligned at right angles to the proposed walls. Economies will be achieved by undertaking all the works at one time.	\$55,567
Site investigations	\$800
<b>Total work related to the conservation of the dwelling</b>	<b>\$56,367</b>

11. The application has been made prior to any resource consent or building consent application due to the lack of resources available to the Trust as explained further below. All work will need to have received Building and Resource Consent approval as required. A temporary protection plan will need to be in place for the work to ensure no damage to the dwelling and the NZHPT will also need to be consulted.

## HERITAGE INCENTIVE GRANTS POLICY.

12. The Trust does not currently have the resources to undertake the entire scope of the project. They have the capacity to raise in the region of \$24,000 through bank loans. The Operational Guidelines for the Policy, section 5(i), provide for a grant to be made to a Trust prior to the work being completed so long as a covenant is in place with a completion date specified and on the assumption that the work could not be undertaken without this approach being adopted. The Trust is seeking that this approach be taken with their application. It is recognised that further funds will need to be raised by the Trust to complete all of the works outlined.

<b>Proposed heritage grant (30%)</b>	<b>\$16,910</b>
--------------------------------------	-----------------

## FINANCIAL IMPLICATIONS

	<b>2009/10</b>
<b>Annual Budget</b>	<b>\$842,106</b>
<b>Commitment from previous year</b> (St Paul's Presbyterian Church)	\$142,000
<b>Total Grant funds committed year to date</b>	\$167,673
<b>Balance of 09/10 funds</b>	<b>\$532,433</b>
Fund approval for 37 Valley Road	\$16,910
<b>Total Available Funds 2009/10</b>	<b>\$515,523</b>

### **Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?**

13. Yes. The Heritage Incentive Grant budget is an annual fund provided for in the 2009-19 LTCCP.

### **LEGAL CONSIDERATIONS**

14. Conservation Covenants are required under the Heritage Conservation Policy for properties receiving Heritage Incentive Grants of \$5,000 or more. A Full Covenant should be registered against the property title to ensure that no demolition or partial demolition can occur.

### **Have you considered the legal implications of the issue under consideration?**

15. Yes. Covenants are a more comprehensive form of protection of the buildings because they are registered against the property title, ensuring that the Council's investment is protected.

### **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

16. The Heritage Incentive Grants Scheme is aligned to the Community Outcome '*An attractive and well-designed City*' (LTCCP 2009-19, page 50). 'Community Outcome 9. Development' provides for, among other things, ensuring "*our lifestyles and heritage are enhanced by our urban environment*" (page 54). One of the success measure is that "*Our heritage is protected for future generations*" (page 54). "*Progress will be measured using these headline indicators ... number of heritage buildings, sites and objects.*" (page 54). Heritage Incentive Grants contribute towards the number of protected heritage buildings, sites and objects, which is the measure under the outcome.
17. Within the 'Activities and Services' section of the LTCCP, is 'City planning and development' which aims to help improve Christchurch's urban environment, among other things. One of the activities included in 'City planning and development' is 'Heritage protection'. "*A city's heritage helps to sustain a sense of community identity, provides links to the past, and helps to attract visitors. The Council is committed to protecting the heritage of our city and works with developers, landowners and other stakeholders to conserve heritage buildings, areas and other items*" (page 187).
18. 'Heritage Protection' requires the Council to "*Research and promote the heritage of Christchurch and Banks Peninsula. Work with developers, landowners and other stakeholders to conserve heritage areas, buildings, and other items. Promote development that is sensitive to the character and heritage of the city and existing communities.*" (page 192). The Council provides information, advice and funding for city heritage and heritage conservation, and will be expected to continue to do so, as part of its objective to retain heritage items.

### **Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

19. Yes.

### **ALIGNMENT WITH STRATEGIES**

20. Alignment of the requirement for Heritage Incentive Grants and Conservation Covenants stems from the Heritage Conservation Policy which in turn is relevant to:

#### Greater Christchurch Urban Development Strategy (UDS)

Heritage development projects provide opportunities for increased commercial and residential activity in the City while at the same time enhancing the heritage townscape. The UDS considers heritage as an integral part of Christchurch and an aspect of growth management provided for is through the protection, maintenance and enhancement of heritage.

#### Christchurch City Plan

Heritage redevelopment projects are consistent with the Heritage provisions of the City Plan: Volume 2, Section 4, City Identity, Objective 4.3 Heritage Protection provides for objectives and policies in relation to Heritage protection. It recognises that Christchurch is a cultural and tourist centre, a role mainly dependent on its architectural, historic and scenic attractions. Much of its distinctive character is derived from buildings, natural features, other places and objects which have over time, become an accepted part of the cityscape and valued features of the City's identity ... Protection of heritage places includes cultural, architectural, ... areas of character, intrinsic or amenity value, visual appeal or of special significance to the Tangata Whenua, for spiritual, cultural or historical reasons. This protection may extend to include land around that place or feature to ensure its protection and reasonable enjoyment. A heritage item may include land, sites, areas, buildings, monuments, objects, archaeological sites, sacred sites, landscape or ecological features in public or private ownership.

#### Banks Peninsula District Plan

Heritage protection is consistent with the Cultural Heritage provisions of the Banks Peninsular District Plan. These are detailed in chapter 14, Cultural Heritage, Objective 1, and Policies 1A and 1B, p.74.

#### Central City Revitalisation Strategy

Inner City Heritage improvement projects are consistent with the vision for the Central City to cultivate a distinct identity that is unique to the city's environment and culture. This strategy places particular emphasis on the heritage of our Central City. The Christchurch Central City contains over half of the city's entire heritage assets.

#### New Zealand Urban Design Protocol

Heritage projects improve the quality and design of the urban environment by protecting the heritage of the city, which is stated in the Protocol as being an attribute of successful towns and cities. The Limited Covenants will contribute towards the implementation of the New Zealand Urban Design Protocol of March 2005 of which the Council is a signatory body.

#### Heritage Conservation Policy

The Heritage Incentive Grants are provided for under section 8 of the Heritage Conservation Policy. As noted above under the LTCCP heading, the Heritage Conservation Policy aligns with the Community Outcome "An attractive and well-designed City" through the indicator "Number of heritage buildings, sites and objects".

The Heritage Grants Policy is aligned with the ICOMOS New Zealand Charter 1993 for the Conservation of Places of Cultural Heritage Value, which the Council has adopted. The concept of places incorporates landscape, buildings, archaeological sites, sacred places, gardens and other objects. ICOMOS considers that countries have a "general responsibility towards humanity" to safeguard their heritage for present and future generations.

#### **Do the recommendations align with the Council's strategies?**

21. Yes.

#### **CONSULTATION FULFILMENT**

22. There is no requirement for community consultation for Heritage Incentive Grants or Covenants.

#### **STAFF RECOMMENDATION**

It is recommended that the Heritage Grants and Covenants Committee approve:

- (a) A Heritage Incentive Grant of up to **\$16,910** for conservation and maintenance work for the protected heritage building at 37 Valley Road subject to compliance with the agreed scope of works and certification of the works upon completion.
- (b) That payment of this grant is subject to the applicant entering a Full Conservation Covenant with the signed covenant having the Council seal affixed prior to registration against the property title. This covenant will specify the time period for completion of the work.