



STAFF REPORT

TO: Environment and Planning Committee

FROM: Jane Harley, Consent Planner - Land

REFERENCE: RM070584

SUBJECT: **SEBASTIEN VINEYARD LTD – REPORT EP08/02/07 -**
Report prepared for 1 February 2008 Hearing.

1. APPLICATION BRIEF

The proposal submitted by Sebastien Vineyards requires land use consent to construct a dwelling and ancillary buildings on each of proposed Lots and reduced vineyard setbacks for each proposed building location area.

The application is to construct a dwelling on Lots 1-11 within the building location areas shown on the application plan. The buildings will be subject to design and appearance consent notices and each lot will have landscaping plans prepared. The building location areas have reduced setbacks from horticultural plantings within the proposed development; this reduction is from 30 metres to 20 metres. The applicant has requested that the adjoining Certificate of Title NL103/81 has the same reduced setback from the building location areas on Lots 6, 7, 8 and 9 should this title have horticultural plantings planted in the future. However any approval for the subject development can not impose conditions affecting adjoining certificates of title. The applicant may wish to address the reduced setback across the subject boundary by way of private covenants on the resultant titles of Lots 6, 7, 8 and 9. A separate resource consent application could also be made by the owners of NL103/81 to ensure they retain the right to plant within 30 metres from the proposed building location areas on Lots 6-9.

The building location areas will otherwise comply with the bulk and location requirements for the Rural 3 Zone as set out in the Proposed Tasman Resource Management Plan. The period sought for the duration of the land use consent is five years from the date of issue of the Section 224(c) certificate for the respective allotments (see application reference 2.3.3)

2. INTRODUCTION – RURAL 3 ZONE VISION FOR BUILDINGS

The Rural 3 Zone vision for buildings is that they be set into a rural landscape, developing an uncluttered pattern of building location areas on the landscape. An emphasis is placed on retaining the rural landscape as the dominant visual

element rather than buildings. The Rural 3 Zone also envisages the protection of productive land values wherever that is practicable by the clustering of buildings.

In the Sebastien application the landscape values and subdivision design has been addressed by Rory Langbridge, Landscape Architect Ltd and agricultural matters have been researched by Mr Dick Bennison from Duke and Cooke. The overall design and approach has been based in the underlying principles of the Rural 3 Zone rules and accompanying design guide. The application is accompanied by a subdivision layout plan, prepared by Staig and Smith Ltd which identifies the building location areas on proposed Lots 1-11 and a planting/development plan prepared by Rory Langbridge showing existing plantings that will be retained, proposed structure planting, revegetation and wetland planting and vineyard plantings.

3. BUILDING REQUIREMENTS

The Rural 3 Zone has two main sets of requirements for the future buildings sited within the identified building area on each of the proposed Lots 1-11. The first set of requirements is in the Rural 3 Zone building rules 17.5A.4 and 17.5A.5 of the Proposed Tasman Resource Management Plan. The second set of requirements is found in the Rural 3 Design Guide which is now contained within the Proposed Tasman Resource Management Plan, Part II, Appendix 3. The particular sections of the Design Guide that are relevant to this aspect of the proposal are 3.9 “Building Location Areas” and 3.10 “Buildings and Structures”.

4. PERMITTED ACTIVITY BUILDINGS

The rules in Chapter 17.5A.4 cover the bulk and location requirements for permitted activity buildings other than dwellings and workers’ accommodation. These standards are for accessory/ancillary buildings constructed in conjunction with the residential activity on the property. The proposed allotments have all been located and are of sufficient size that any permitted buildings can be built within the building area of any of the proposed Lots 1-11 inclusive as required by 17.5A.4 (k) and would not create adverse cross-boundary effects for neighbouring properties. Consent notices have also been volunteered to ensure permitted activity building standards are met in respect of building, height coverage and daylight admission angles.

5. CONTROLLED ACTIVITY BUILDING AND COASTAL TASMAN DESIGN GUIDE

The rules in Chapter 17.5A.4 cover the bulk and location requirements for controlled activity buildings, which includes dwellings. The controlled activity

rules prescribe one dwelling, water supply requirements, rainwater collection, wastewater disposal, setbacks and height. In addition, parking and access requirements also apply.

All controlled activity building applications have to be related to the building appearance guidelines of the Coastal Tasman Area Subdivision and development Design Guide in the Proposed Tasman Resource Management Plan, dated 28 July 2007. The applicant has volunteered a number of consent notices that incorporate all of the criteria of both the Proposed Tasman Resource Management Plan's Rural 3 building, construction and alteration rules and the Rural 3 Design Guide. Table 1 below shows how the various rules and guidelines have been met.

Table 1	
PTRMP Rule 17.5A.5, Building	How Covered by Applicant and Staff Subdivision Report
(a) and (aa) One dwelling	Application is for a residence on Lots 1 to 11
(b) Water supply	Condition 4 and Condition 14 consent notices (e)(k)(l)
(c) Rain water collection	Condition 14 consent notice (k)
(d) Wastewater disposal	Condition 3 and application for discharge of wastewater RM070582
(e) Orchard/vineyard setback	Reduced to 20 metres within the development by the positioning of the building location areas
(f) Height	Condition 14 consent notice (b)
(g) Setback	Condition 14 consent notice (a)
(g) Building envelope and coverage	Condition 14 consent notice (a)
PTRMP Rule 16.2.3, Car Parking	
Figure 16.2D – two car parks	Condition 14 Consent notice (m)
Rural 3 Design Guide - Building	
3.9 (a) – (f) Building Location Areas	Volunteered Land use conditions and imposed consent notice requirements Condition 14 consent notice (a)
3.10 (a) – (h) Buildings and Structures	Volunteered Land use conditions and

	imposed consent notice requirements Condition 14 consent notice (a)
Rural 3 Design Guide - Landscape	
3.11 (a) – (d) Vegetation	Landscaping Plans and ongoing Planting Management Plans Condition 13 and Condition 14 consent notice (f) (i)-(v)

6. CONCLUSION

The applicant's plan for the siting of buildings has been developed following research into several matters and in particular the landscape and agricultural investigations which resulted in the overall concept and landscaping plans. The proposal is considered to incorporate additional residential development in the Rural 3 area while maintaining and enhancing the productive values and natural character values of the land and surrounding environment.

Given that the overall landscape structure plan will be complemented on Lots 1-11 inclusive with: site-specific landscape plans; buildings located only within identified building sites; and buildings designed in accordance with the consent notices and conditions volunteered by the applicant then the general rules and appearance guidelines for buildings in the Rural 3 Zone should be achieved.

It is appropriate that any land use consent be issued for the five year period commencing from the date of deposit of subdivision plan (i.e. when certificates of title issue) for the respective allotments as requested in part 2.3.3 of the application.

7. RECOMMENDATION

That pursuant to Section 104C of the Act the Committee should grant consent Land Use Consent RM070584 - Sebastien Vineyards Ltd, subject to the following conditions.

CONDITIONS

General

1. The Land Use consent shall lapse five years from the date of deposit of subdivision plan (i.e. when certificates of title issue).

Building Location Plan

2. That a building location plan for each of the allotments 1-11 shall be prepared by a registered professional surveyor and submitted to Council for approval prior to issue of Section 223 approval. The building location areas shall be in accordance with Staig & Smith Plan 10199 dated 15 August 2007.
3. That the construction of buildings on Lots 1 to 11 inclusive shall be restricted to the Building Location Area shown on the Building Location Plan and all new buildings shall be fully contained within each Building Location Area, except that this condition does not apply to any buildings solely associated with utilities within the subdivision which will need to meet the relevant zone building setbacks or be authorised by separate resource consent.

Landscape Plan

4. (a) A Landscape Planting Plan shall be prepared by a qualified Landscape Architect at the cost of the consent holder for the approval of the Council prior to issue of Section 223 certificate. This Landscape Planting Plan shall be prepared only for those areas identified on Rory Langbridge Plan submitted with application (Appendix I). The Landscape Planting Plan shall detail the following information:
 - (i) Planting plan specifying the type, number and size of the plants.
 - (ii) Establishment works required to implement the Planting plan.
 - (iii) Staging of planting.
 - (iv) The plantings shall be in accordance with the Landscape Report dated May 2007 and the species listed in that report.
 - (v) Pest plant and animal controls and ongoing maintenance schedules.
 - (vi) Replacement planting.
 - (vii) Ongoing maintenance of planted areas (developer and future owners).
 - (viii) Landscaping areas to be subject to land covenants to ensure their ongoing existence.

- (b) That the planting required by the Landscape Planting Plan shall be completed prior to the approval of the Section 224(c) certificate. A written statement shall be provided from a suitably qualified landscaping professional that the plantings have been fully completed in accordance with the above Landscape Planting Plan.
- (c) That the consent holder shall be responsible for maintenance, pest control, replacement and management of the planting required by the Landscape Planting Plan within the development for a minimum of three (3) years following the completion of this planting. The responsibilities thereafter shall devolve to the owner of the allotments.
- (d) That at the time of development of new dwellings on each of individual allotments, a landscape plan shall be developed by an appropriately qualified person that demonstrates:
- (i) How the proposed buildings would be integrated within the site. The landscape proposal needs to recognise and respond to the natural form of the land, the form of the buildings and the new framework plantings. The planting proposed needs to specifically respond to and build on this framework.
 - (ii) Issues of privacy and views need to be specifically identified on the plan and shown how these will be addressed and/or protected. Views enjoyed from adjacent properties need to be specifically considered when planning the development of an adjacent site.
 - (iii) Any landscape proposal must be accompanied by an implementation programme and/or management plan to show how the bulk of the proposal will be implemented in the first five years following the commencement of the house construction.
 - (v) The land owner shall comply on an ongoing basis with the landscape plan.

Building Height

5. That buildings shall not exceed the following building height above natural ground level:
- Buildings on Lots 1, 4, 6, 8, 9, 11 – 5 metres maximum height.
 - Buildings on Lots 3, 5, 10 – 7.5 metres maximum height.

- Buildings on Lots 2 – no building may extend above the 25 metres (MSL) contour.
- Buildings on Lot 7 – no building may extend above the 49 metres (MSL) contour.

Building Colour

6. That the exterior of all buildings (including water tanks) in this development shall be finished in colours that are recessive and which blend in with the immediate environment.

The finished colours shall meet the following standards:

Colour Group*	Walls	Roofs
Group A	A05 to A14 and reflectance value \leq 50%	That the roof colour is complementary with the rest of the building/s and is no greater a percentage than 25 per cent reflectance value.
Group B	B19 to B29 and reflectance value \leq 50%	
Group C	C35 to C40, reflectance value \leq 50%, and the hue range 06-12	
Group D	D43 to D45, reflectance value \leq 50% and hue range 06-12	
Group E	Excluded	
Finish	Matt or low-gloss	Matt or low-gloss

* Based on BS5252:1976 (British Standard Framework for Colour Coordination for Building Purposes). Where a BS5252 descriptor code is not available, a sample colour chip equivalent to acceptable BS5252 colours is satisfactory.

Advice Note:

The consent holder should engage the services of a professional to ensure the exterior cladding and colour selection are compatible with the long term durability of the building material in the subject environment and in accordance with the requirements under the Building Act 2004.

Building Exterior Surfaces

7. That the exterior surfaces of all buildings shall be non reflective.

Water Tanks

8. That all water tanks be incorporated into the structure of the buildings or partially buried and/or screened sufficiently within each lot so as not to be visible from beyond the site.

Rainwater Collection

9. That every dwelling has a rainwater collection system for domestic use.

Car Parks

10. That the residential sites on Lots 1-11 shall provide at least 2 parking spaces formed to a permanent weather proof, dust free surface.

Jane Harley

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