

Summary of Submissions by Submitter - Thames Environmental Consultancy (340)

Submitter Number: 340 **Submitter:** Donald Sangster

On behalf of: Thames Environmental Consultancy

ECM Numbers: [3335392](#); [3445664](#)

Point Number 340.3(Section 39 Rule 4) **Category** Section 39 - Transport

Support/Oppose/Neutral: Oppose

Summary of Submission Rule 4 does not provide suitable protection for servient and dominant tenements along existing private ways where the existing use is proposed to be extended.

Decision Requested: Amend Section 39 Rule 4 to require a restricted discretionary consent, with limited notification presumption, for the extension of existing private ways without affected party written approvals. See original submission for amended Rule 4.

Point Number 340.4(Section 38 Rule 7 and Table 5) **Category** Section 38 - Subdivision

Support/Oppose/Neutral: Oppose

Summary of Submission Section 38 does not provide suitable protection for servient and dominant tenements along existing private ways where the existing use is proposed to be extended.

Decision Requested: Add an activity matter and assessment criterion to Section 38 Table 5 (as per original submission) to address the effects of increased use of existing internal access and private ways, and limited notification if affected party written approvals have not been obtained. Link this matter to Rule 7.

Point Number 340.5(Section 41 - Rule 21 and Table 6) **Category** Section 41 - Coastal Living Zone

Support/Oppose/Neutral: Oppose

Summary of Submission Rule 4 does not provide suitable protection for servient and dominant tenements along existing private ways where the existing use is proposed to be extended.

Decision Requested: Delete Rule 21.3.
Add a matter and assessment criterion to Section 41 Table 6 (as per original submission) to address the effects of increased use of existing internal access and private ways, and limited notification if affected party written approvals have not been obtained. Link this matter to Rule 21.

Point Number	340.6(Section 44 - Rule 19 and Table 7)	Category	Section 44 - Extra Density Residential Zone
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Support/Oppose/Neutral: Oppose

Summary of Submission Rule 19 does not provide suitable protection for servient and dominant tenements along existing private ways where the existing use is proposed to be extended.

Decision Requested: Delete Rule 19.3.
Add a matter and assessment criterion to Section 44 Table 7 (as per original submission) to address the effects of increased use of existing internal access and private ways, and limited notification if affected party written approvals have not been obtained. Link this matter to Rule 19.

Point Number	340.7(Section 48 - Rule 16 and Table 5)	Category	Section 48 - Low Density Residential Zone
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Support/Oppose/Neutral: Oppose

Summary of Submission Rule 16 does not provide suitable protection for servient and dominant tenements along existing private ways where the existing use is proposed to be extended.

Decision Requested: Add a matter and assessment criterion to Section 48 Table 5 (as per original submission) to address the effects of increased use of existing internal access and private ways, and limited notification if affected party written approvals have not been obtained. Link this matter to Rule 16.

Point Number	340.8(Section 54 - Rule 19 and Table 6)	Category	Section 54 - Residential Zone
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Support/Oppose/Neutral: Oppose

Summary of Submission Rule 19 does not provide suitable protection for servient and dominant tenements along existing private ways where the existing use is proposed to be extended.

Decision Requested: Delete Rule 19.3.
Add a matter and assessment criterion to Section 54 Table 6 (as per original submission) to address the effects of increased use of existing internal access and private ways, and limited notification if affected party written approvals have not been obtained. Link this matter to Rule 19.

Point Number	340.9(Section 56 - Rule 23 and Table 8)	Category	Section 56 - Rural Zone
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Support/Oppose/Neutral: Oppose

Summary of Submission Rule 23 does not provide suitable protection for servient and dominant tenements along existing private ways where the existing use is proposed to be extended.

Decision Requested: Delete Rule 23.3.

Add a matter and assessment criterion to Section 56 Table 8 (as per original submission) to address the effects of increased use of existing internal access and private ways, and limited notification if affected party written approvals have not been obtained. Link this matter to Rule 23.

Point Number 340.10(Section 57 - Rule 18 and Table 8) **Category** Section 57 - Rural Lifestyle Zone

Support/Oppose/Neutral: Oppose

Summary of Submission Rule 18 does not provide suitable protection for servient and dominant tenements along existing private ways where the existing use is proposed to be extended.

Decision Requested: Delete Rule 18.3.

Add a matter and assessment criterion to Section 57 Table 8 (as per original submission) to address the effects of increased use of existing internal access and private ways, and limited notification if affected party written approvals have not been obtained. Link this matter to Rule 18.

Point Number 340.11(Section 58 - Rule 20 and Table 5) **Category** Section 58 - Village Zone

Support/Oppose/Neutral: Oppose

Summary of Submission Rule 20 does not provide suitable protection for servient and dominant tenements along existing private ways where the existing use is proposed to be extended.

Decision Requested: Delete Rule 20.3.

Add a matter and assessment criterion to Section 58 Table 5 (as per original submission) to address the effects of increased use of existing internal access and private ways, and limited notification if affected party written approvals have not been obtained. Link this matter to Rule 20.

Point Number 340.12(Section 18.2 - new issue) **Category** Section 18 - Transport

Support/Oppose/Neutral: Oppose

Summary of Submission A new issue should be included to support protection of servient and dominant tenements along existing private ways.

Decision Requested: Add new: "Issue 8 - Increased subdivision and residential development along existing internal accesses and private ways can lead to amenity and other effects in relation to the existing dominant and servient tenement holders."

Point Number 340.13(Section 18 - new objective) **Category** Section 18 - Transport

Support/Oppose/Neutral: Oppose

Summary of Submission A new objective should be included to support protection of servient and dominant tenements along existing private ways.

Decision Requested: Add new: "Objective 6 - That all parties in relation to existing internal accesses and private ways are appropriately considered when subdivision or increased development relying on those internal accesses and private ways, is proposed."

Point Number 340.14(Section 18 - new policy) **Category** Section 18 - Transport

Support/Oppose/Neutral: Oppose

Summary of Submission A new policy should be included to support protection of servient and dominant tenements along existing private ways.

Decision Requested: Add new: "Policy 6a - That where written approvals of servient and dominant tenements are not obtained, limited notification of the proposed development and/or subdivision to those parties that have not granted written approvals, will be undertaken."
