

Andy Watt

From: Paul PBA <paul@pba-planning.co.uk>
Sent: 15 January 2025 12:28
To: Andy Watt
Cc: [REDACTED]
Subject: RE: DM/24/2957: The Prince Albert, Copthorne Bank, Copthorne, Crawley

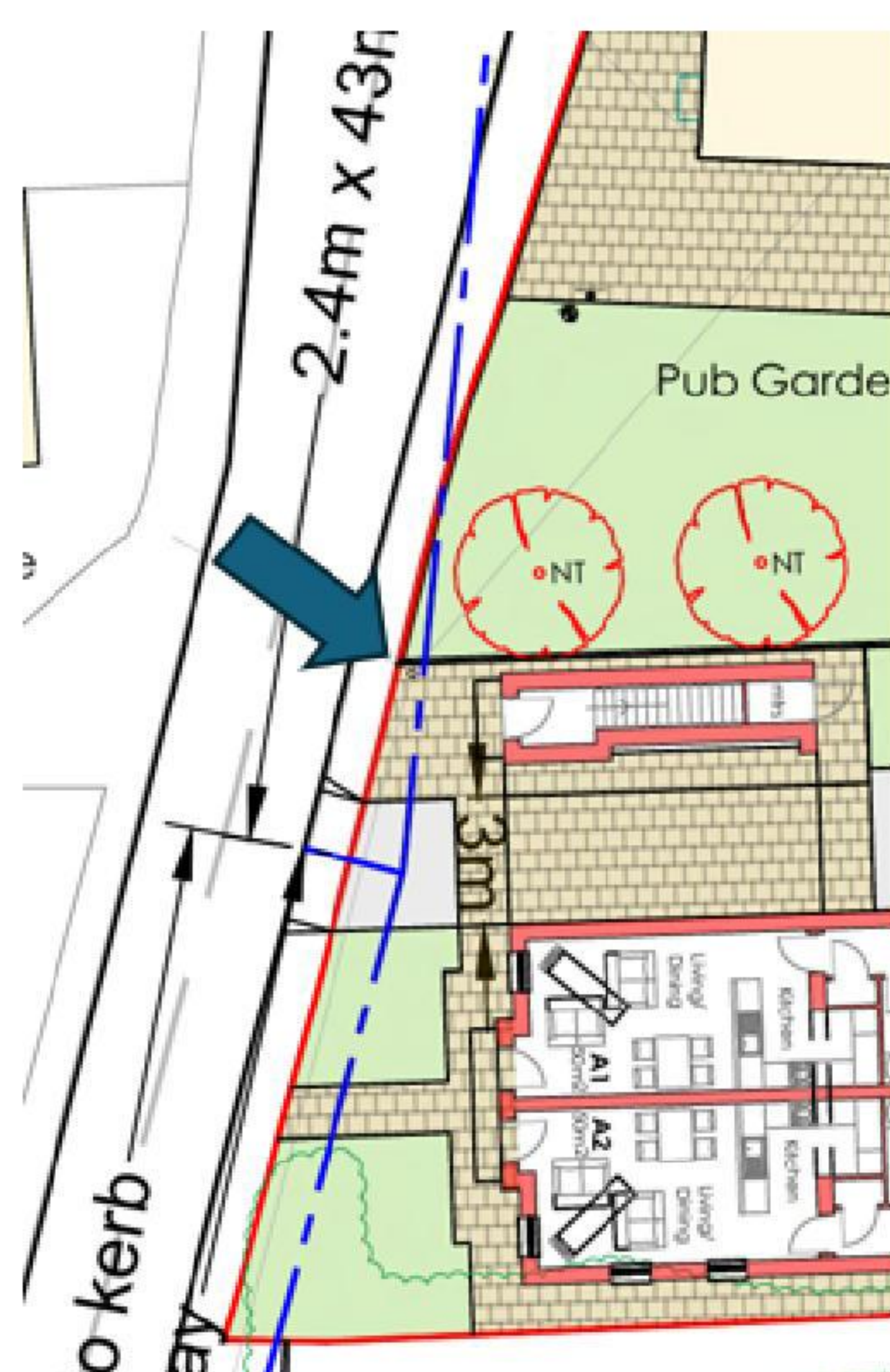
Dear Andy,

Further to our conversation this week I notice the representation below does not open on the MSDC Online Register from three different devices although all other items listed for this application do?

As discussed, there are two further points to add:

1. The potential impact of overlooking on the side conservatory of 13 Brookhill Cottages from the southern ground floor and first-floor windows of the apartments needs consideration. The separation distance between the two is approximately 17 meters, which is further compounded by a change in ground levels, potentially in the order of 1.5 meters.
2. The northern visibility splay ends just beyond the brow of Copthorne Bank, on the descent into Shipley Bridge Lane. A rough cross-section based on the site plan and apparent ground levels suggests that the requirements in section 7.6.3 of the *Manual for Streets* may not be met:

"7.6.3 Checking visibility in the vertical plane is then carried out to ensure that views in the horizontal plane are not compromised by obstructions such as the crest of a hill, or a bridge at a dip in the road ahead. It also takes into account the variation in driver eye height and the height range of obstructions. Eye height is assumed to range from 1.05 m (for car drivers) to 2 m (for lorry drivers). Drivers need to be able to see obstructions 2 m high down to a point 600 mm above the carriageway. The latter dimension is used to ensure small children can be seen."



To prove that the *MfS* guidance is met, a cross-section of the brow of the hill based on a topographical survey should be marked up with visibility in the vertical plane.

This exercise could be carried out in conjunction with producing a street scene elevation that shows the proposed building in relation to ground levels, the Prince Albert, and 13 Brookhill Cottages.

Best regards

Paul Budgen

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From: Paul PBA
Sent: 02 January 2025 12:43
To: Andy Watt <Andy.Watt@midsussex.gov.uk>

Subject: DM/24/2957: The Prince Albert, Copthorne Bank, Copthorne, Crawley

Dear Andy,

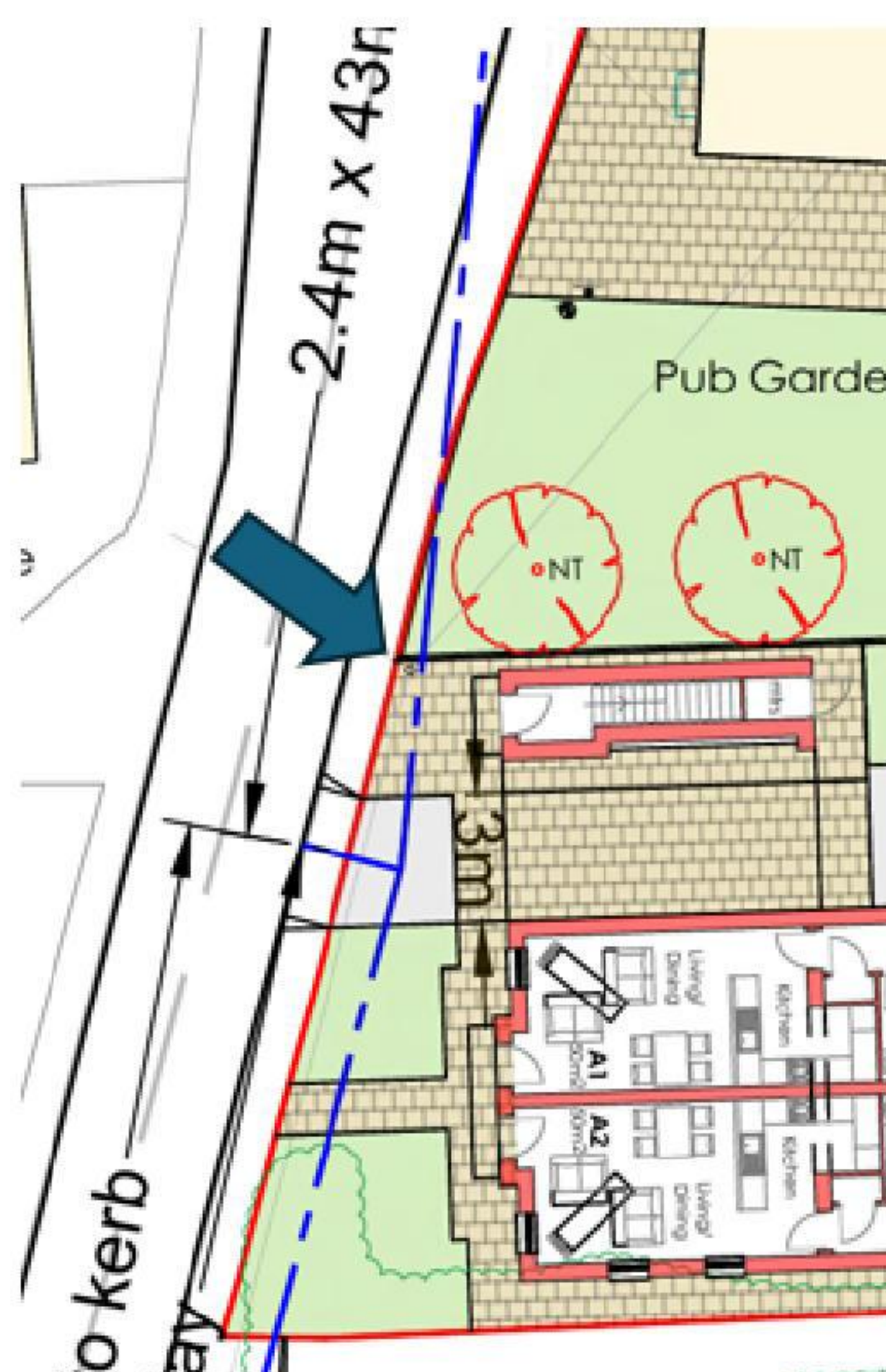
I am writing on behalf of [REDACTED] of Balmoral, Brookhill Road, Copthorne, to express their concerns regarding the above planning application which includes a proposed apartment building opposite their property.

Observations:

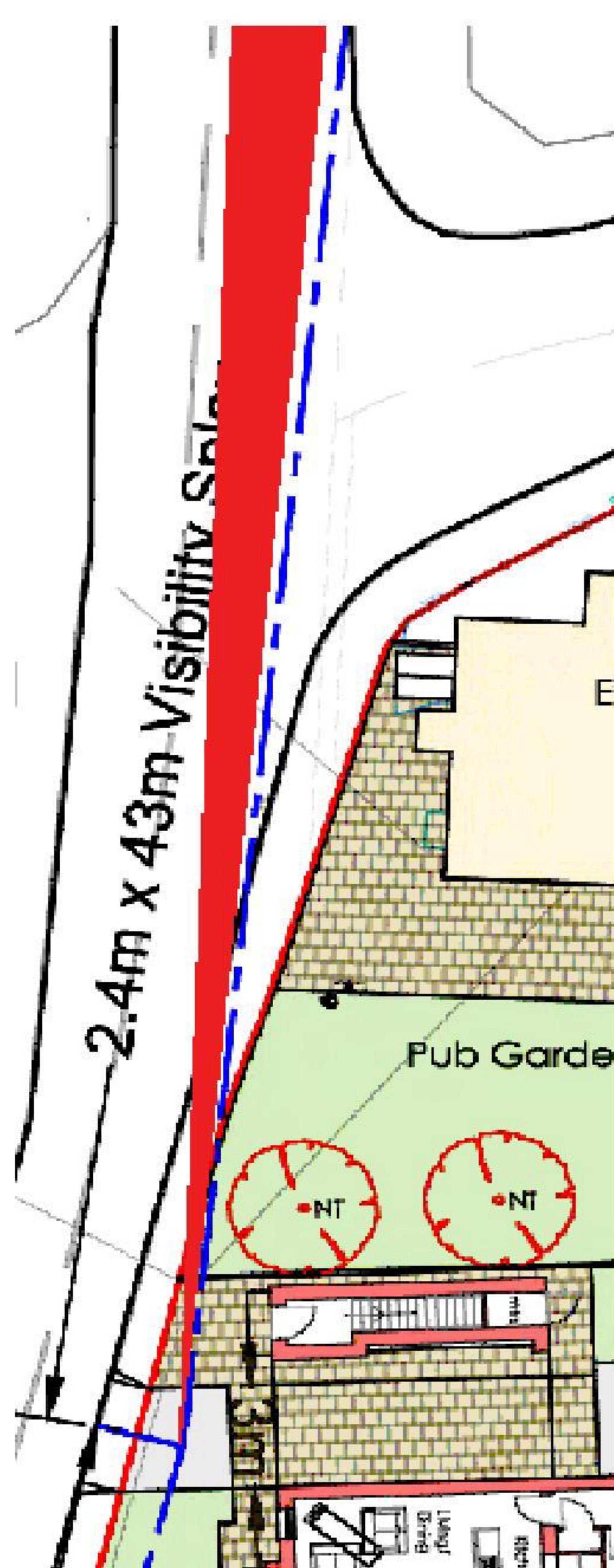
1. **Red Line Boundary**
The red line boundary is indicated as the back edge of the footpath on Brookhill Road, yet the boundary fence is located at the top of the bank behind the footpath. Could you clarify whether the red line boundary includes land forming part of the publicly maintainable highway and whether it needs to be corrected?
2. **Ground Level Changes**
The likely change in ground level from inside the southern boundary of the application site to the entrance of Dawn Rise is approximately 1.5 meters, but neither the detailing of the site plan nor the front elevation reflects this difference.
3. **Building Height**
The height of the proposed building appears to be around 9.25 meters, which suggests that the ridge height at the southern boundary could be in the region of 10.75 meters above ground level at the entrance to Dawn Rise.
4. **Access and Retaining Wall**
It is assumed that the vehicle access from Brookhill Road to the undercroft drive is at street level. If this is the case, the front doors to the first floor apartments would need to be lower than the pavement. However, no stepped-down approach is indicated, and a retaining wall of approximately 750mm would be necessary between the northern boundary of the apartments and the retained pub beer garden.
5. **Ground Floor Access**
The front doors to the ground floor apartments do not appear to have stepped-up approaches, despite the fact that the door sill levels would be significantly higher than the pavement due to the gradient of Brookhill Road falling to the south.

Concerns:

1. **Compliance with MSDC Design Guide (DG41)**
The proposed building does not comply with the guidance provided in Principle DG41 of the MSDC Design Guide for development on sloping sites. The design does not adequately respond to the falling gradient of Brookhill Road, the lower road level in Dawn Rise, or the height of the adjacent cottages and chalets to the south. Additionally, as set out above, the design does not facilitate level or step-free access to the ground-floor entrances.
2. **Ridge Height Comparison**
It is possible that the ridge height of the proposed building may exceed that of the Prince Albert pub itself. Assuming the existing pub has a depth of approximately 6.00 meters and a roof pitch of 45 degrees, the overall ridge height would be approximately 9.00 meters, which is lower than the proposed building's ridge height of 9.25 meters. It would be quite inappropriate for the proposed building not to be subservient in height to the Prince Albert which is a landmark building on a prominent junction.
3. **Flank Elevation and Visual Impact**
The size of the flank elevation as viewed from the south would appear visually overbearing, especially given that the building is 2.5 storeys high, which is out of context with the surrounding street scene of bungalows, chalets, and two-storey houses. While an attempt has been made to conceal the crown-topped roof with a weak half-hip detail, this is not in line with the MSDC Design Guide's recommendations for roof design.
4. **Retaining Structures and Noise Impact**
The MSDC Design Guide advises against retaining structures around parking areas, and such structures could not be avoided here. Additionally, the noise generated from vehicles turning, car doors opening and shutting, and car lights could significantly detract from the amenity of the ground-floor bedrooms.
5. **Visibility Splays and Road Safety**
Section 4.2.3 of the Transport Report states, "Visibility splays from the residential access are shown within Appendix 3.2a. This plan shows that visibility splays of 2.4m x 43m are achievable to oncoming cars." However, the visibility splay plan appears to show an overhead electricity pole (marked as a small black circle):



The visibility splay is significantly compromised as shown below:



There is a risk to vehicles, but particularly to cyclists and motorcyclists, who may well be tracking closer to the kerb line.

6. Outlook from Apartment A2

Assuming a fence is proposed on the southern boundary, the ground-floor living room windows on the south elevation of apartment A2 would have no outlook. Furthermore, these windows and the front living room ground floor window would be directly adjacent to what appears to be a shared path leading from the parking and garden area to the front entrance doors of the ground-floor apartment, resulting in a significant loss of privacy in that room.

7. Privacy Concerns from Southern Elevation

If, in the alternate no fence is proposed on the southern elevation, the floor level behind the side windows will be up to approximately 1.5 meters higher than the rear garden of 13 Brookhill Cottages, resulting in a significant loss of privacy to that house and those beyond. In any event this concern applies to the proposed first-floor side windows, as illustrated in the mark-up below:



8. Noise Impact from Traffic

The Noise Assessment has addressed noise from the public house, proposed car parks, and deliveries to the adjacent convenience store, but it has not considered noise from traffic on Brookhill Road, given the close proximity of the front elevation to the road.

Conclusion

The application should not be determined until the concerns regarding the northern visibility splay and noise assessment are addressed. The existing ground levels, proposed slab levels, proposed ridge heights, and those of adjacent properties should also be confirmed. It would also be beneficial to provide a street scene elevation that clearly demonstrates the relative heights of the existing Prince Albert pub, the proposed building, and the properties to the south.

However, even with this information it would be difficult to conclude anything other than that the proposed apartment building would constitute an overdevelopment of that part of the site, primarily due to its height, which results from being arranged over 2.5 storeys. The building is likely to exceed the height of the Prince Albert pub and, in any case, will dominate the properties immediately to the south of the application site. It fails to respond adequately to the gradient of Brookhill Road and the surrounding properties. Moreover, it will cause significant harm due to the potential for overlooking the rear gardens to the south, and apartment A2 will suffer from a loss of privacy due to the shared path passing directly by all three of its living room windows.

My clients believe that this aspect of the overall application should be redesigned to address the concerns raised above. As it stands, the proposal should be refused.

Best regards

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