

Hamish Evans

From: [REDACTED]
Sent: 20 June 2024 21:15
To: Hamish Evans
Cc: Kevin Toogood
Subject: Comments on Application DM/23/2493

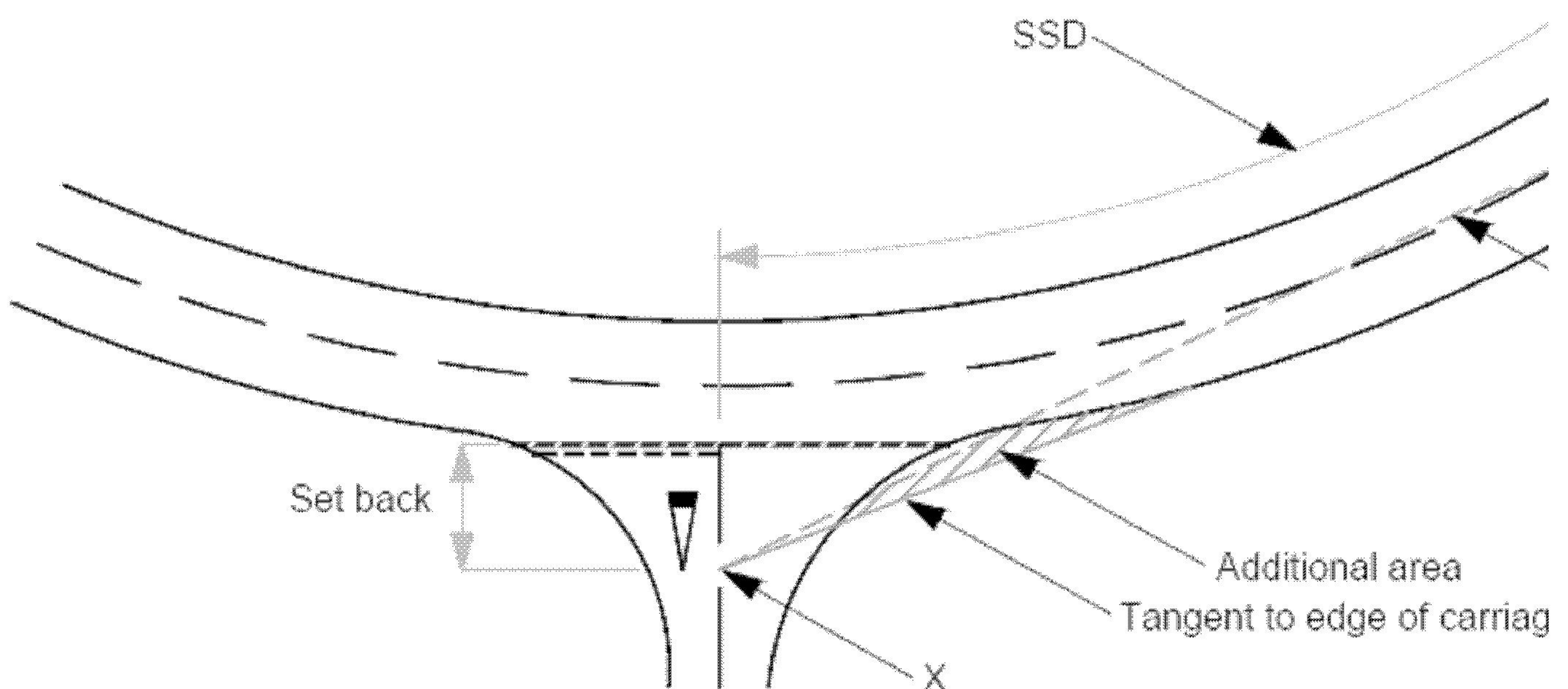
Dear Mr. Evans,

I would like to submit the following comments on planning application DM/23/2493. In particular to discuss some points made in Yes Engineering's rebuttal letter of 5th June, because for the first time Yes Engineering have conceded that their Figure 3.1 does not show visibility lines drawn in accordance with DMRB.

In item 2. of the above letter, Paul Willis states '*DMRB is guidance rather than policy*'. I do not believe this is true. National Highways own description is 'The Design Manual for Roads and Bridges (DMRB) contains information about current design standards relating to the design, assessment and operation of motorway and all-purpose trunk roads in the United Kingdom.' So, not policy, not guidance, but a set of standards. He further goes on to say '*the objector is relying entirely on the point of the tangent in the leading direction*' and he would be correct, because DMRB CD123 V2.1.0 Section 3.9 says exactly that:

3.9 Where the line between points X and Y falls partially within the major road carriageway, an additional area shall be added to the visibility splay formed by drawing a line from X to a point tangential to the nearer edge of the major road running carriageway, as illustrated in Figure 3.9.

Figure 3.9 Additional area of visibility on the outside of a curved major road



Clearly, in the narrative in item 2. Paul Willis accepts that Yes Engineering did not draw the visibility line to the tangent as required by DMRB CD123 V2.1.0 Section 3.9, and he gave as one of the reasons for not doing so as *'it is extremely difficult to ascertain the exact position of the tangent point due to the lack of defined carriageway'* (strangely no such difficulty arose during the topological survey in surveying the whole road which Yes Engineering claim as best practice). In fact no attempt whatever was made to comply with Section 3.9 as Yes Engineering drew the line halfway across the carriageway at the point where it should have been tangential and claimed that was acceptable as motorcycles don't ride at the edge of the carriageway.

Highways Engineers can refer to DMRB as representing the current best practice, and if the requirements of DMRB are met fully then the design can be judged to meet the highest standards of safety. Any deviation therefore represents a sub-optimal solution from a safety point of view, and such a deviation would arguably only be made if other factors outweighed the compromised safety.

So in summary, Yes Engineering have chosen to ignore a whole section of DMRB standards and claimed that there is flexibility to do this *'when all factors are considered'*. But what are the factors in this case? Why would a sub-optimal solution be acceptable in this case? There is no physical impediment to fully complying with DMRB. The answer is simply that Yes Engineering do not wish to admit that a DMRB compliant solution, therefore the optimal safety solution, requires the use of third party land. The impediment isn't physical, it is legal.

Clearly, Yes Engineering propose that WSCC and the LPA should accept their recommendation, compromise road safety by not adhering to DMRB standards for the simple reason that their client wants to avoid a visibility splay agreement with a neighbour. This should of course be resisted. As it was previously.

Best Regards,


Heathy Ridge
RH10 3PD



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