

Planning Department,
Mid Sussex District Council,
Oaklands,
Oaklands Road,
Haywards Heath,
West Sussex,
RH16 1SS

Date: 5th June 2024
Your ref.: DM/23/2493
Our ref.: 24123

Dear Mr Evans,

Unit 3A Acacia Grove, Copthorne Road, Copthorne, West Sussex RH10 3PD

This rebuttal letter has been prepared to address the objections raised by the adjacent owner of Heathy Ridge dated 17th May 2024 with respect to the application at Unit 3A Acacia Grove (reference DM/23/2493).

Again, I would like to point out in the first instance that YES Engineering as independent engineers (un-associated with any previous work/application at the Site) prepared the Transport Technical Note in March 2024 and have assessed the application accurately in transport terms. It was clear that the visibility splays at the junction with Copthorne Road needed to be assessed in greater detail (using best practice) as there is an area of land that could potentially be outside the control of the applicant.

Each of the comments raised by the adjacent owner are discussed below commencing with the 17th May correspondence.

1. It is suggested that Ordinance Survey (OS) mapping is the same as a site-specific topographical survey. However, as set out within our previous rebuttal letter (16th May 2024), this is the most accurate method available and OS mapping can vary in accuracy quite significantly, at best 0.5m-0.9m discrepancy. This is very much considered best practice within the industry. It is noted that the previous investigation was a basic 'desktop' exercise.
2. It is suggested that the visibility splay is not drawn correctly in accordance with Design Manual for Roads and Bridge (DMRB). However, DMRB is guidance rather than policy, along with other guidance such as Manual for Streets 1&2 where visibility is considered by Highway Engineers using several factors. Whilst I appreciate that the objector is relying entirely on the point of the tangent in the leading direction, it is extremely difficult to ascertain the exact tangent point due to the lack of defined carriageway. However, as shown on our Figure 3.1 the required visibility (and beyond) can easily be achieved. On a separate application (details can be provided confidentially to the planning authority) site in West Sussex an off-set of 1m from kerb was deemed perfectly acceptable to the highway authority only last week, this gives an idea on flexibility when all factors are considered.
3. It is noted that the objector has provided a hand drawn map from 1937. Clearly the accuracy is incomparable to a site-specific Topographical Survey, but it does confirm that highway land runs along the entire frontage of the objector land, this suggests there is potentially more land available than we have considered. The scale of this drawing is at 1:2500 and lines are around 1m wide.
4. Reference is made to the Department of Transport. Clearly this is not a National Highways (NH) road, and this is not a proposed new access. The requirements for an NH access are entirely different to those of a local Highway Authority who have their own standards and powers to apply standards as they wish. This is an existing access point which has operated for many years and drivers are can clearly see the required distance.

5. A photo of a bucket clearly within highway land (as shown in the 1937 ownership map) has been presented. It is not entirely sure what relevance this provides, but it is not advisable to restrict visibility along a public highway for safety reasons. As previously set out in our earlier rebuttal letter, this is an established access in any event which have has been operating for many years.
6. The assertion that YES Engineering Group Limited is deliberately trying to present false facts to justify the access to Acacia Grove is entirely unfounded. It is acknowledged that the objector may not have the expertise in the engineering field and therefore understand that there are many factors involved in the application of visibility splays. It is unclear why the owner of Heathy Ridge will want to object to the visibility splays if the splays miss their land and still allow drivers to see 130m in the leading direction whether or not it hits the tangent? Given the factors that have been discussed the objection it is irrelevant as drivers using the existing access can see 130m.

Conclusions

YES Engineering as independent consulting engineers have undertaken a visibility assessment of the existing site access using best practice. The visibility assessment is based on a site-specific Topographical Survey (most accurate method available) and a 7-day speed survey to obtain the 85% speed along Copthorne Road. The results confirm that visibility can be achieved within land owned by the applicant or by the highway authority. Consequently, the conclusion of our Transport Technical (March 2024) can be relied upon.

It should be noted that the previous visibility assessment carried out by Heathy Ridge was undertaken using significantly less accurate methods (desktop study with 1937 hand drawn mapping) and should be superseded by this latest assessment.

Additionally, as set out above this is an existing access point that has been in operation for many years, confirming that visibility has not been an issue to the operation of the site/access.

Yours sincerely,



Paul Willis
Transport Director

on behalf of

YES Engineering Group Limited