

Hamish Evans

From: [REDACTED]
Sent: 25 July 2024 17:57
To: Hamish Evans
Cc: [REDACTED]
Subject: Comments on Application DM/23/2493
Attachments: Figure 1 Showing Position of Total Station 2 Yes Engineering fig 3.1.jpg; Figure 2 Showing Position of Visibility Splay Apex from fig.3.1.jpg; Figure 3 Showing Visibility Splay line missing tangent.jpg; Picture 1 Acacia Entrance facing East.jpg; Figure 4 Heathy Ridge Showing point E530680.268 N138427.589.dwg; Figure 4 Heathy Ridge Showing point E530680.268 N138427.589.dxf; Figure 4 Heathy Ridge Showing point E530680.268 N138427.589-Model.pdf

Dear Mr. Evans,

I've been looking closely at the applicants Transport Technical Note and in particular Fig. 3.1 . I think it is important for me to share some observations as I may wish to use them in subsequent legal action and wish them to be on the record now.

Observation 1

You will recall that Fig. 3.1 is the drawing purporting to show that a visibility line from Acacia does not cross my land, contrary to all previous analysis by MSDC, WSCC, previous applicants and myself. Close examination (attached as Figure 1, an enlargement of Fig3.1) includes a position for the surveyors 'Total Station' used in the survey, and next to it are its coordinates. They are E530680.268 N138427.589 (a precision suggesting 1mm accuracy) . The position of the legal boundary between Heathy Ridge and the Highway is shown about 700mm to the North of that position as a purple line, and the 130m x 2.4m visibility splay line is in blue.

It is possible to mark E530680.268 N138427.589 onto a vector form of the Ordnance Survey Map that is the de-facto position of the legal boundary. Neither myself nor WSCC dispute the ownership map issued by WSCC and shown by the applicant as fig. 2.1 and therefore, as there are no physical markers on the ground, it represents the only source of co-ordinates for the agreed legal boundary. Figure 4 (as a .jpg and as a .dwg and .dxf vector file) shows the position of E530680.268 N138427.589 and it can be seen that this position is just 60mm away from the legal boundary as shown on the WSCC ownership drawing.

In conclusion on this point, Yes Engineering arbitrarily placed the legal boundary approx. 700mm too far north. Had they placed it correctly, then the blue line as drawn would have crossed into my land. This could be looked at another way by asking of Yes Engineering how they knew where to place the purple boundary line in the absence of physical features on the ground to survey.

Observation 2

Figure 2 also shows an enlargement taken from Fig. 3.1 of the Transport Technical Note. It can be seen that the apex of the visibility splays, the point from which the blue lines are drawn, is shown 2.4m away from a surveyed edge. However, this edge is not the natural line of the carriageway, but a protrusion further south (into the road) than the natural run of the road edge. Picture 1 shows it on the ground. Clearly, the line the apex is positioned from needs to be north of the white line (closer to the entrance), the natural observed edge of the carriageway and the drain, it cannot be further into the carriageway than those features as it is shown on fig 3.1.

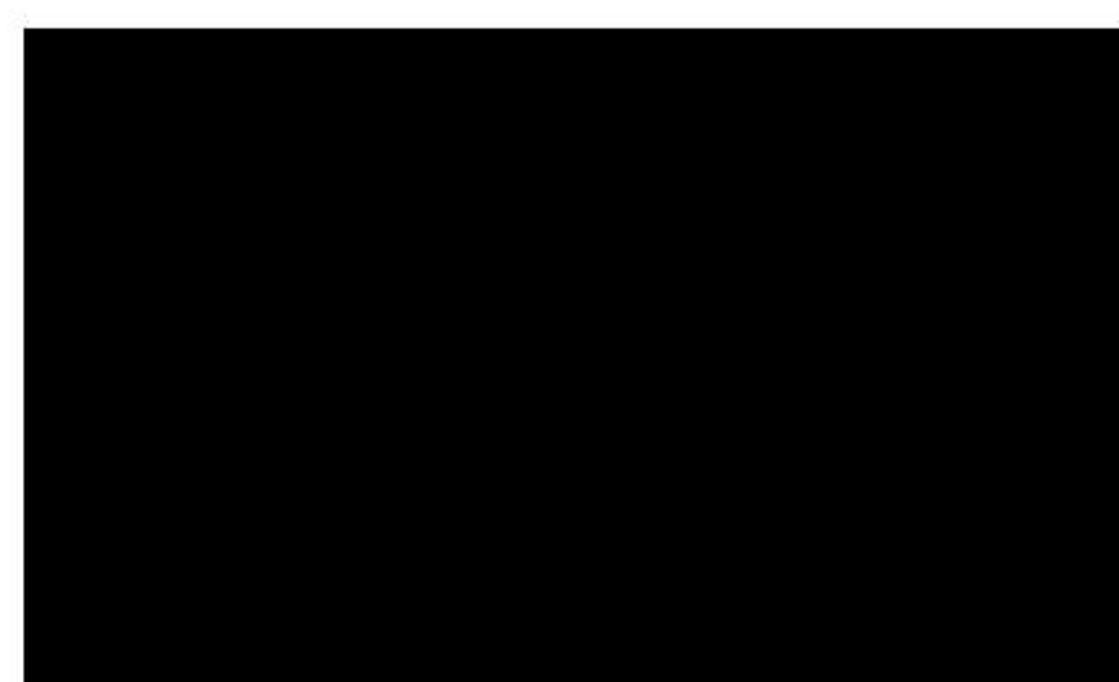
Observation 3

Figure 3, again taken from Fig 3.1, clearly shows the visibility splay line as drawn not touching the tangent of the edge of the carriageway.

Conclusion

These three observations, showing three errors of presentation, are what allow Yes Engineering to claim something that is not true, that a correctly drawn visibility splay does not cross 3rd party land. If the visibility splay line is drawn correctly, from the correct apex position, and tangential to the curve of the road, it WILL cross over the legal boundary between Heathy Ridge and Highways land significantly. The only way to dispute this fact would be to dispute WSCCs own ownership map as issued by Carol Rigler dated 9/1/2024 and included as fig. 2.1 in the Transport Technical Note. If I were to seek a further clarification within a legal agreement between myself and WSCC by way of a defined boundary, on what basis would we agree other than the line on WSCCs current drawing that neither of us dispute?

Best Regards,



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