

Dr Moshe Hanlon
Twin Cottage, Hatch Lane
Windsor SL4 3RL
29th June 2015

Dear Victoria Goldberg,

I am the owner of Twin Cottage situated adjacent and to the north of the Bricklayers Arms Development. I would like to object to retrospective planning application 15/01832/FULL relating to the development as constructed, on the following grounds:

- 1) **Harm to Highway Safety** - the development will harm highway safety by hindering the free flow of existing traffic and pedestrians contrary to policy T5 of the local plan and the National Planning Policy Framework (NPPF) for sustainable development. This is because the application fails to provide safe, adequate vehicle and pedestrian sight lines at the proposed new access points. The vehicle and pedestrian sight lines must be conditioned. For details please see notes below
- 2) **Harm Caused by Loss of Amenity** - the excess height adds to the loss of amenity Twin Cottage suffers with respect to over shadowing and loss of privacy due to the development. Image 1 shows the degree of overshadowing. The loss of light derives from the fact that the development, the taller of the two buildings, is situated to the south of Twin Cottage, the smaller building. The location, orientation and scale of the new development with respect to Twin Cottage is contrary to policies DG1(3)(11), H11 and H14 of the Local Plan, to the recommendations of the sustainable design policy outlined in the RBWM Local development Framework 3.5 and 3.9, to the BRE Guidelines and to the NPPF recommendations for sustainable development. With respect to the loss of privacy, image 2 shows that it is possible for me to see directly into the opposite first floor room of the development. I can see across the room to a doorway through which the stairs up to the next floor are visible. Image 3 shows that because the first floor windows of the development are situated higher than those of Twin Cottage, it is possible for a person standing at the window opposite to look down directly into my bedroom and to see me sitting on the bed. This is contrary to policies DG1(3)(11), H11 and H14.
- 3) **Harm to Character of the Area** - the development has been marketed as 'built to a stunning contemporary design'. The difference in height between the actual and the approved construction is harmful to the local area because it emphasises how completely out of character the urban style of the development is with the leafy lane setting in which it sits. The extra height makes it a three storey rather than the approved two and a half storey building. Along the half a kilometre stretch of Hatch Lane from the Clewer Hill Rd end up to the Convent of St John the Baptist, the development is uniquely different to all other properties that face onto the lane. It is the tallest building. It is the only terrace of houses along that stretch. All other plots have either a detached or two semi-detached houses. It will have six parking places crammed into a very small area with six adjacent access points and no turning space to guarantee exiting the accesses in forward gear.

There is no garden wall or foliage bounding the front of the property to soften its urban style.

- 4) **Lack of Evidence to Support Applicant's Claims** - The applicant contests the enforcement officer's assertion that the building is 1.2m higher than approved and claims that it is only 0.6m higher. However, no evidence has been submitted to support his claim. There is no measurement on any of the submitted plans for the ridge height of the building. A surveyor's report was commissioned and shows the ridge height to be 1.3m +/- 0.1m taller than the permitted height and there is a significantly steeper angle to the mansard than is shown on the front and rear elevation plans. The surveyor's measurements corroborate the enforcement officer's determination of the excess height of the building as being 1.2m (to 1 decimal place). The surveyor's report has been made available to the planning officer and shows that the submitted plans do not truly represent the height or form of the build or its relationship to the adjoining properties. This is important because people are making judgements and writing letters of support based solely on the inaccuracies contained in the application.
- 5) **No design and access statement** - this is required because the development as constructed does not accord with the plans approved as part of the previous applications and the difference in the ground floor entrance level has a negative impact on the accessibility of the properties for the elderly or disabled.

NOTES

Harm to Highway Safety

The detrimental Highway Safety issues created by the failure to provide adequate vehicle and pedestrian visibility splays are as follows:

- The packing of six cars onto such a small site with no turning space means that pedestrians will need to negotiate six closely packed, adjacent accesses and associated vehicular footpath crossings. When multiple cars are parked on the driveways, the cars themselves will obstruct the sight lines required to see pedestrians, in particular small children. Given the close proximity to the school, any method of judging sight lines must include the obstructions caused by other parked cars.
- The standard pedestrian visibility splay of 2.4m x 2.0m assumes that cars have an unobstructed view above 0.6m and are leaving an access in forward gear. However, the traffic on Hatch Lane is such that there is no guarantee that a driver will always be able to reverse onto the driveway in order to leave in first gear. It would not be possible to provide an extended x direction splay to accommodate the extra distance to the driver's viewpoint when reversing as other parked cars on the driveways would cause an obstruction above the height of a child of 0.6m and small children cannot always be seen in the rear view mirrors, especially not in the blind spot at the rear of the car. Therefore any method of judging the sight lines must take account of reversing off the driveway next to adjacent parked cars and into the path of small children. This is important because the Royal Society

for the prevention of accidents notes that not all fatal car accidents involving children occur on the road and of those that do not, the majority of deaths occurred when a child was hit by a vehicle reversing off a driveway.

- There is no turning space on the driveways and the footpath fronting the development is only 2m wide. This means that in order to have the required sightlines of on-coming traffic, cars will need to pull off the driveway in forward gear and onto the footpath causing an obstruction to pedestrians until such time as a gap in the traffic allows them to enter the carriageway and turn. The problem is made even worse if the car is reversing off the drive as it will need to overhang the carriageway before the required sightlines are available. Moreover, vehicles parked opposite the site during the school run restrict the traffic flow to one lane fronting the site. This means that at peak times cars will always be reversing into on-coming traffic and there will be only a limited space available for turning causing consequent difficulties in manoeuvring and significant delays to other traffic at peak times.
- There are no parking restrictions on the stretch of Hatch Lane from the southern boundary of Clewer Green First School and the junction with Clewer Hill Road. During the very busy school run in the mornings and afternoons there is frequently on-road parking adjacent to the development, which would significantly obstruct visibility between drivers leaving the site driveways and anyone (drivers, cyclists or pedestrians) on the carriageway. Please see image 5. This would be particularly dangerous for small children and cyclists. For this reason any method of judging the sight lines must include the possibility of parked cars within the splays.
- There is dense vegetation to a height in excess of 3m along the northern boundary of the development and up to the boundary with the footpath. Please see image 4. This will obscure lines of sight of both on-coming vehicles and pedestrians from the north. There is also a 1m high wall on the southern boundary against which the developer has constructed a 1m high fence. For these reasons the 0.6m height restriction (the height of a child) for the pedestrian visibility splays cannot be met. There is no remedy for this failing as the developer does not have control of the land bounding the site. Moreover, the submitted north side elevation plan shows, as part of the proposed development, a 2m high fence. That is, 1.4m in excess of the required height of the mandated visibility splays.
- Each of the six parking spaces requires a new vehicular access point. This is because the maximum width for a single access is 3.6m and this would not accommodate two cars. According to RBWM guidelines the general rule is that the more points on the highway where vehicles turn, the more potential for traffic conflict there is. Therefore, applications for two crossovers or access points to a single property will not normally be approved for domestic dwellings unless there is strong evidence that it will add significantly to highway safety. The development is located 15m from the junction with Firs Avenue and it is not standard practise to allow six new adjacent accesses directly opposite to an existing double access, so close to a junction and when taken together with the proximity of the school and the other traffic problems associated with this stretch of Hatch Lane.

The absolute necessity for the provision of adequate vehicle and pedestrian visibility splays is clear when attending the site in both the morning and the afternoon periods on a school day. Please see image 5. A constant stream of children uses the footpath fronting the development to come from and go towards the Clewer Hill Road direction in order to attend and return home from the Clewer Green First School located just 20m from the development. The children attending the school are aged between 4 and 9 years. They are accompanied by parents or guardians, siblings in pushchairs or prams and toddler siblings on foot. The children often run and many use scooters and bicycles, on which they can reach speeds of up to 8- 12mph. Moreover, unlike adults, the movements of small children are often chaotic and unpredictable. Cars pulling off a driveway without clear lines of sight could potentially kill or seriously injure a small child. The footpath is also used by a large number of older children making their way on foot or cycling to St Edwards and Dedworth Middle Schools and the Windsor Girls and the Windsor Boys Schools.

Yours Sincerely

Dr Moshe Hanlon (Owner Twin Cottage)



Image1. Taken on 28th December 2014 at 12:00pm showing overshadowing of Twin Cottage and its garden by the development



Image 2. Loss of privacy to Twin Cottage due to overlooking. Image taken standing at bedroom window.



Image 3. Loss of privacy to Twin Cottage due to overlooking. Image taken sitting on the bed.



Image 4. Taken at 07.30am before the school run and showing dense vegetation on the northern boundary of the development and parking opposite the development, which reduces the traffic to one lane also traffic signs outside the school with the warning that parking here could endanger a child's life.



SCHOOL "PICK-UP" TIME BY THE BRICKLAYERS ARMS, HATCH LANE
AT CLEWER GREEN SCHOOL SL4 3RL

Image 5. On-road parking and traffic in front of the Bricklayers Arms. Image as sent to the Head of Planning, Simon Hurrell on 26th March 2013, before the development had received planning permission with respect to application 12/03345. The traffic situation remains the same at this time of day.