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Subject: FW: TRO/CHS9038/RC and Westgate, Chichester
Date: Thu, 2 Dec 2021 00:09:18 -0000
From: sq.westgate@gmail.com
To: joy.dennis@westsussex.gov.uk, tro.team@westsussex.gov.uk
CC: 'Julian Joy' <Julian.Joy@westsussex.gov.uk>, Andrew Kerry-Bedell <andrew@get-consultants.co.uk>, Clare Apel <clare.apel@btinternet.com>, John-Henry Bowden <j-hbowden@outlook.com>, Richard Plowman <r.plowman@chichestercity.gov.uk>, 'Ian Swann' <ISwann@Haemonetics.com>, mark.record@chicycle.co.uk, 'Sec WGRA' <sec.wgra@gmail.com>, 'Julia and Stephen Smith' <stephenandjulia@hotmail.com>, Adrian Moss <adrian@adrianmoss.org>, 'Steven Shaw' <Steven.Shaw@westsussex.gov.uk>

I apologise. I forgot to attach this, my original letter to the TRO team of 19 August 2021.

Sarah Quail

From: sq.westgate@gmail.com <sq.westgate@gmail.com>
Sent: 01 December 2021 22:42
To: joy.dennis@westsussex.gov.uk
Cc: 'Julian Joy' <Julian.Joy@westsussex.gov.uk>; Andrew Kerry-Bedell <andrew@get-consultants.co.uk>; Clare Apel <clare.apel@btinternet.com>; John-Henry Bowden <j-hbowden@outlook.com>; Richard Plowman <r.plowman@chichestercity.gov.uk>; 'Ian Swann' <ISwann@Haemonetics.com>; mark.record@chicycle.co.uk; 'Sec WGRA' <sec.wgra@gmail.com>; 'Julia and Stephen Smith' <stephenandjulia@hotmail.com>; Adrian Moss <adrian@adrianmoss.org>; 'Steven Shaw' <Steven.Shaw@westsussex.gov.uk>
Subject: TRO/CHS9038/RC and Westgate, Chichester

County Councillor Mrs Joy Dennis
Cabinet Member for Highways and Transport
West Sussex County Council
County Hall
Chichester
PO19

1 December 2021

Dear Councillor Dennis

I am writing on behalf of Westgate Residents' Association, Chichester (WGRA) in response to the ongoing application for TRO/CHS9038/RC on Westgate which we understand has now been passed by West Sussex County Council (WSCC) for approval on 8 December unless a prior call-in procedure is initiated.

The decision can be found at <https://westsussex.moderngov.co.uk/ieDecisionDetails.aspx?Id=1405> and was taken by the WSCC Cabinet Member for Highways and Transport, and we believe there are clear grounds for a call-in based on the fact that not all the relevant information was presented to the Cabinet Member or the Committee.

Background

WGRA participated proactively in the Infrastructure Steering Group consultation (in 2020/21) as part of the s106 discussions in Phase 1 of the local Whitehouse Farm development (WHF). These discussions related to possible improvements for Westgate and Sherborne Road (and the mini roundabout at the south end of Sherborne Road) given the increased volume of traffic anticipated from Phase 1 of WHF and went forward in the referenced TRO.

The developers proposed a revised mini roundabout design to better cope with traffic and as part of this, they proposed creating a shared walking and cycling path around the roundabout on the pavement, as well as an additional tiger crossing at the bottom of Sherborne Road.

In summary, it was clear from the outset that there was insufficient width for two-way cycling and pedestrians, given the narrow width, blind corners, and driveway access. However, the prevailing argument for this design was that it would enhance the crossing safety for inexperienced cyclists etc. and we were assured this would be an alternative route *i.e.*, that on-road provision would remain. Westgate is a key national cycle route and offers pleasant access into and out of the city along a residential road with a mini roundabout that is generally accessible except at rush hours.

WGRA opposes the principle of shared pavements but accepted the Phase 1 design on clear conditions which were lodged in our formal comments to the TRO (our letter dated 19 August 2021 is attached) seeking an assurance that this off road / on pavement cycle provision was not a substitute for on-road cycling provision, which is the primary route for commuting, leisure and confident cyclists, who do not want to weave up and down pavements and past pedestrians. We also flagged that these design changes in phase 1 should NOT set the bar for phase 2 future changes to the infrastructure - playing to a long-held fear that by getting cyclists off the roadway, this would enable the developers to argue in Phase 2 that this roundabout/ junction has more capacity as cyclists have off-road provision. This has not been addressed.

A number of residents also wrote in a personal capacity to highlight the insufficient width of the proposed shared pathway and that, given the blind corners and use of the pavement by elderly, young, vulnerable and disabled residents, that this design was unsuitable. There was also much commentary that the shared paths did not comply with LTN1/20 (the new design standards).

WGRA have grounds for complaint that due process has not been followed, that a full picture has not been presented to the WSCC Cabinet and that not all the relevant information has been considered. In particular, we summarise the following misleading events:

- 1 In the appendix of consultation responses to the TRO (appendix C at <https://westsussex.moderngov.co.uk/ieDecisionDetails.aspx?id=1405>), WGRA's letter is simply omitted. This very clear letter and the conditionality that on-road cycling revision should be provided for was not included or commented upon. As the lead residents' association and the road most directly affected by this TRO, to ignore the commentary from an association representing c. 250 households was wholly misleading.
- 2 The commentary response to all the written TRO objections to the narrow width and blind corners is the same – that parts of the design do comply with the minimum widths of LTN1/20 but a reduction in these widths can be justified using a Highways England standard CD143 (https://www.standardsforhighways.co.uk/dmrb/search/9b379a8b-b2e3-4ad3-8a93-ee4ea9c03f12_as_at_March_2021) which provides that you can create a shared path of less than minimum width in certain cases to provide for walking, cycling and horse-riding along TRUNK ROADS AND MOTORWAYS! Westgate is a residential road, so to quote an inappropriate standard was wholly misleading:
- 3 The Department for Transport Manual for Streets and LTN1/20 do not support the use of shared paths in urban areas, yet this TRO response relied on these provisions to create a shared path in a busy area on a pavement that is much used by residents. It is also the throughfare for Bishop Luffa School with its 1500 students. This was not clarified for the committee - the clear provisions of LTN1/20 for a minimum width of roughly 3 metres have not been mitigated and the unsuitability of shared paths in urban areas has been ignored.
- 4 One of our residents who wrote in a personal capacity (comment no.17) specifically asked about on-road provision for cyclists – noting that this is the desire line for commuting, leisure, and confident cyclists. It is also part of the wider Highways England investment in ChEm route. The response was (sic):

*The design at the north east and north west corners are in line with guidance in LTN 1/20. The available shared use width is 3.06 on the (western side) and 3.18m on the eastern side. However, the existence of walls on the bends leaves effective widths of 2.5m at these locations. **CD 143 Table E/3.4** states that a minimum effective width of 3m for an unsegregated shared footway/cycleway. This can be reduced in accordance with clause E/3.5 which permits a minimum width of 2.0m where there are less than 200 users per hour. Whilst 3m or more would be ideal, and effective width of 2.5m still provides effective service, taking into account the constraints that exist.*

It is acknowledged that experienced cyclist will continue to use the carriageway. Specific signing for this will does not seem possible to erect. (sic)

This response confirms a situation where WSCC have acknowledged that experienced cyclists (of which there are many) will continue to use the carriageway but the design makes no provision for this, and the commentary suggests that no signing for this

will be possible. How can this be?

Since the original s106 consultation WGRA has become increasingly concerned about the unsuitability of a shared path in this location, given the risks to pedestrians, young people, and elderly residents. However, the grounds for a call-in are that not all relevant information was presented to the Cabinet Member for Highways and Transport.

WGRA seeks councillor support that a call-in on the decision is made based on the points above and that relevant information has been omitted that has not been considered by the committee. Specifically WGRA requests the councillors and the Cabinet Member for Highways and Transport to agree that:-

- The WGRA response to the TRO application be included on the corrected published record, responded to and presented to the assessing Cabinet member for consideration.
- The Cabinet member should invite the officers to explain how WGRA's letter came to be omitted from the record.
- The Cabinet member should invite the officers to explain how CD143 – a provision for trunk roads and motorways – can be relevant on a residential road to justify a reduced width in this case. As cited, it is wholly misleading.
- The Cabinet member should invite the officers to explain how LTN1/20 which rejects shared pathways in urban areas can support this scheme in the vicinity of a school with 1500 pupils and on a key national cycle route.
- The TRO should be clarified to note that the shared pavement design is to provide alternative cycle provision at the roundabout and that signage or other measures must be included to continue to support on-road cycling provision, *i.e* , to preserve the position in line with government guidance that the main throughfare for cyclists remains on the carriageway in the absence of a compliant segregated safe route.

WGRA also wonders if you or your fellow-committee members have done a site visit and walked along Westgate and down to the mini roundabout to inspect the site for themselves, particularly at school closing time which is roughly 2pm each day to see for yourselves the volume of pedestrians, cyclists and cars that this design is meant to mitigate. It is a short and pleasant walk from County Hall along Westgate. This is a residential road which was meant to be relieved of through traffic some forty years ago by the Via Ravenna to the south.

In conclusion, WGRA and residents in the area supported this TRO only on the basis that this created alternative provision for cycling at the junction, and a red line remains for our community **that shared pathways on pavements can never provide the only acceptable solution for cyclists and pedestrians at this junction**. Steps must be taken to continue to provide for on-carriageway safe cycling and provide residents and the community with an assurance that in Phase 2 of the WHF development, these Phase 1 adjustments are not used to justify improved provision for cyclists or that the capacity of this roundabout/junction has been increased by the "removal" of cyclists from the carriageway.

We hope that you can support the call-in and review of the TRO on this basis. I should also place on record that we are shocked that our views seem to have been buried in this process.

Yours sincerely

Sarah Quail

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