

EXTRAS REPORT

For Plans Committee – 20th October 2022

Additional items received since the reports were drafted.

Pages 7 - 49

**Site Address: 102 Main Street, Cossington,
Leicestershire**

Item No. 2

P.A. No. P/21/1446/2

Since the publication of Plans Committee report, there has been further correspondence with the Highway Authority in relation to the provision of sustainable transport options, as requested by Members at the meeting.

In response, the Local Highway Authority has provided further information about Demand Responsive Transport and additional scheduled bus services.

Issue 1: Demand Responsive Transport

The Highway Authority explain that this type of service would need to be provided under contract to Leicestershire County Council, based on the needs of the development and in line with a financial contribution secured by a S106 legal agreement. Demand Responsive Transport services are usually operated by a local taxi company and the service needs to be booked prior to travel and will not operate if no bookings have been made. Invoices are sent on a monthly basis by the firm, based on evidence of usage. Residents would need to pay to use it, but fares are set on a similar basis to bus fares and concessionary passes would be accepted. Any outstanding funds from the contribution would be refunded to the developers at the end of the 5 year period.

The Local Highway Authority suggests a service could potentially operate Monday to Saturday offering one return journey to Rothley, allowing onward connections to other destinations (currently via the Arriva 127). They advise this would cost in the region of £50k+ per year for a 5 year period. However, the Local Highway Authority remains steadfast in its view that a contribution towards Demand Responsive Transport is not necessary to make the development acceptable in highway terms and they will not support a reason for refusal based on its absence.

Officer response to issue 1:

Responsibility for deciding whether contributions satisfy the Community Infrastructure Levy Regulations lies with the Local Planning Authority. Planning Obligations ('developer contributions') can only be sought if they meet the statutory tests laid out by Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and the policy tests in the National Planning Policy Framework. They must be:

1. necessary to make the development acceptable in planning terms;

2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

As set out in the Plans Committee report, application of the Council's methodology for assessing the sustainability of settlements in terms of suitability for residential development results in Cossington being regarded as sustainable, due to the range and proximity of facilities in the locality (See agenda pages 7 and 8). In the Council's own evidence, the sustainability of Cossington is not dependent upon the presence or availability of a bus service. Therefore, the provision of Demand Responsive Transport cannot be said to be required in order to make the development acceptable in planning terms and the first statutory test of Regulation 122 of 'necessity' is not met. It is notable that the Local Highway Authority share the view the service is not necessary.

Issue 2: Bus Service Enhancement

The Local Highway Authority advise that extending the Kinchbus No.2 service would require adding another bus in to the timetable, which would cost in the region of £200,000 per annum. They suggest that this is neither reasonable nor related in scale to the proposed development and they will not support a reason for refusal based on its absence.

Officer response to issue 2:

It is considered that the same shortcoming regarding compliance with the first test of Regulation 122 is applicable to that addressed under 'issue 1' above, for the same reasons.

In addition, the scale of the contribution is such that it is considered neither fairly or reasonably related in scale to the development and it therefore, additionally, fails the third test of the CIL Regulations.

Issue 3 – new information provided by Applicant

Alternative Bus Service Option

The Local Planning Authority has been made aware of an alternative bus service for residents of Cossington to use. The Centrebus service No.27 operates between Loughborough and Thurmaston and runs along Syston Road, with the nearest stop located outside of Goscote Nurseries to the west of the site. The service operates each weekday to facilitate a return journey to Loughborough for commuters. The bus stop is an approximately 10 minute walk from the site and is within the 400m distance set out in policy CS17 of the Core Strategy. The service is operated by Centrebus on behalf of Leicestershire County Council and there are currently no plans to change or remove it.

Other Sustainable Travel Options

Further correspondence has been received from the applicant to confirm that the location of the site is within proximity to the pedestrian/cycle Route 1. This route

provides access to Syston and Thurmaston and could encourage cycle usage to the principal urban area, as the majority of the route is separated from the Highway.

Officer Response to Issue 3

It is considered that the availability of Service No.27 for the residents of the development and wider village is a benefit as it provides an alternative albeit limited transport option. The location of the bus stop in relation to the site also ensures compliance with the relevant part of policy CS17. The proximity to a safe cycle route to the Syston and Thurmaston PUA is also considered to be a benefit to the residents and will encourage alternative sustainable transport options. These transport options are considered to have some limited positive weight in the planning balance.

Recommendation:

No change to the recommendation as set out in the agenda report.