

Southend-on-Sea Borough Council

Report of Interim Executive Director (Growth and Housing)

To

Cabinet

On

Date 2nd November 2021

Report prepared by: Claire Victory Senior Planner, Strategic Planning

Agenda
Item No.

Electric Vehicles Charging Infrastructure – Adoption of Supplementary Planning Document

Place Scrutiny Committee
Cabinet Member: Councillor Mulroney
Part 1 (Public Agenda Item)

1. Purpose of Report

- 1.1 To report to Members the feedback from public consultation on a draft Supplementary Planning Document (SPD) for Electric Vehicles Charging Infrastructure Requirements in New Developments and seek approval to adopt the SPD following consideration of the feedback received. Electric Vehicles are referred to here as battery electric, plug-in hybrid and fuel cell electric vehicles.
- 1.2 The preparation of new local planning policy guidance for developers on the provision of electric vehicle charging points in new residential and commercial developments will support the Council's Green City Action plan and assist in delivering on relevant 2050 outcomes. The Council has an ambition to decarbonise Southend and meet its commitment to zero carbon by 2030.
- 1.3 Public consultation took place between Friday 30th July and Tuesday 31st August 2021. The feedback from consultation shows strong support for the SPD from Southend residents. Member approval is therefore sought to adopt the SPD for Electric Vehicles Charging Infrastructure Requirements in New Developments. If the SPD is adopted, the current Interim Policy Guidance will be deleted.

2. Recommendations

2.1 Members are recommended to:

1. Note and welcome the feedback from the public consultation in the report and the summary table (attached at Appendix 1);
2. Agree to adopt the Electric Vehicles Charging Infrastructure Requirements in New Development Supplementary Planning Document (SPD) to guide new developments and development management decisions (attached at Appendix 2); and

3. Agree that the Interim Policy Guidance for Electric Vehicles Charging Infrastructure Requirements in New Developments (attached at Appendix 3) be deleted upon formal adoption of the Electric Vehicles Charging Infrastructure Requirements in New Development Supplementary Planning Document (SPD).

3. Background

3.1 The number of electric vehicles registered in Southend is rising steadily, albeit from a low base. Supporting the increasing migration towards the use of electric vehicles within Southend will make an important contribution to reducing carbon emissions from vehicle use within the town. This will also have the benefit of improving local air quality, particularly along the main road corridors and town centres.

Strengthening planning policy on electric vehicle charging infrastructure associated with new developments that come forward in the Borough is a small but important part of migration towards electric vehicle usage which will happen both nationally and locally over the next decade or so and will contribute to the delivery of a number of Southend 2050 outcomes, contributing to ensure Southend acts as a sustainable and Green City embracing the challenges of the Climate Change Emergency Declaration made in 2019, helping to make public and private travel smart, clean and green, and being effective in protecting and improving the quality of life for all, including the most vulnerable in our community.

3.2 The Local Plan Issues and Options was the subject of public consultation in Spring 2019. Feedback from the 2019 consultation revealed support for more provision of infrastructure to support the growth in use of electric vehicles to contribute towards reducing carbon emissions, although it was recognised that other policies would also need to be introduced, to more strongly encourage a shift toward more walking and cycling for local journeys and investment in public transport, to reduce carbon emissions to target levels set by Government.

3.3 The government has consulted on changes to national Building Regulations in relation to electric vehicle charging infrastructure¹. To help meet the challenging national target for achieving net zero carbon emissions, the the Government's consultation proposals suggest that each new dwelling with an associated car parking space should have a charge point, and at least one charge point for non - residential developments with more than 10 car parking spaces provided, where this is technically feasible.

3.4 Almost two years after the government consultation, the update to the Building Regulations is still awaited. However, in the interim the number of new electric vehicles registered in England continues to rise against an overall drop in new vehicle registrations. One in every 47 cars registered in the UK is now electric (including battery electric, plug-in hybrid electric, and fuel cell electric vehicles). Greater diversification of vehicle energy source also provides greater resilience to changes in global energy supply. As such it is considered unlikely that the government will significantly alter their proposed approach on EV charging

¹ [Electric vehicle chargepoints in residential and non-residential buildings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/electric-vehicle-chargepoints-in-residential-and-non-residential-buildings)

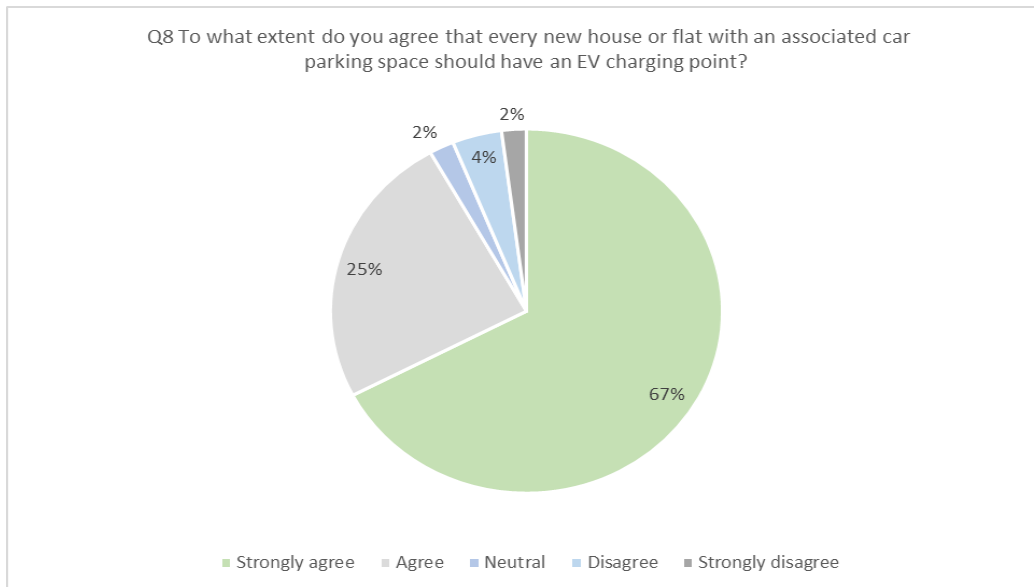
infrastructure and will continue the direction of travel towards supporting continued roll out of public and private charging points. In addition, the Government's recently published Net Zero Strategy² refers to forthcoming regulations to require 'smart charging' that will help move electricity demand away from peak times as well as helping consumers to benefit from lower cost off-peak electricity, supporting the move toward greater use of electric vehicles.

- 3.5 The SPD for Electric Vehicles Charging Infrastructure Requirements in New Developments (**see Appendix 2**) proposed for adoption follows the government's approach in seeking support for higher standards.³
- 3.6 DPD Policy DM15 (Sustainable Transport Management) of the Development Management DPD⁴ (2015) states "the provision of facilities for charging electric vehicles and other ultra-low emission vehicles will be encouraged wherever practical and feasible." The SPD provides further detailed guidance to enable the application of Policy DM15.
- 3.7 Public consultation on the draft SPD took place for 4 weeks during Summer 2021. The consultation was promoted across social media and was available on the Council's interactive consultation portal <https://yoursay.southend.gov.uk>. The consultation page allowed for the document to be translated into other languages if required. The consultation was also publicised in the local press and the document was available in a hardcopy format if requested.
- 3.8 A total of 541 people accessed the Your Say Southend consultation page for the draft SPD. Those viewing the page were able to access the draft SPD document and take part in a survey on current attitudes to EV charging infrastructure in Southend. The survey included specific questions on the policy approach set out in the draft SPD. A free text box also provided the opportunity to add comments.
- 3.9 183 people viewed the survey and draft SPD document, and 49 people responded online to the survey. When asked to what extent they agreed that every new house or flat with an associated car parking space should have an EV charging point, the response was as follows:

² [Net Zero Strategy: Build Back Greener - October 2021 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/97822/net-zero-strategy-build-back-greener-october-2021.pdf)

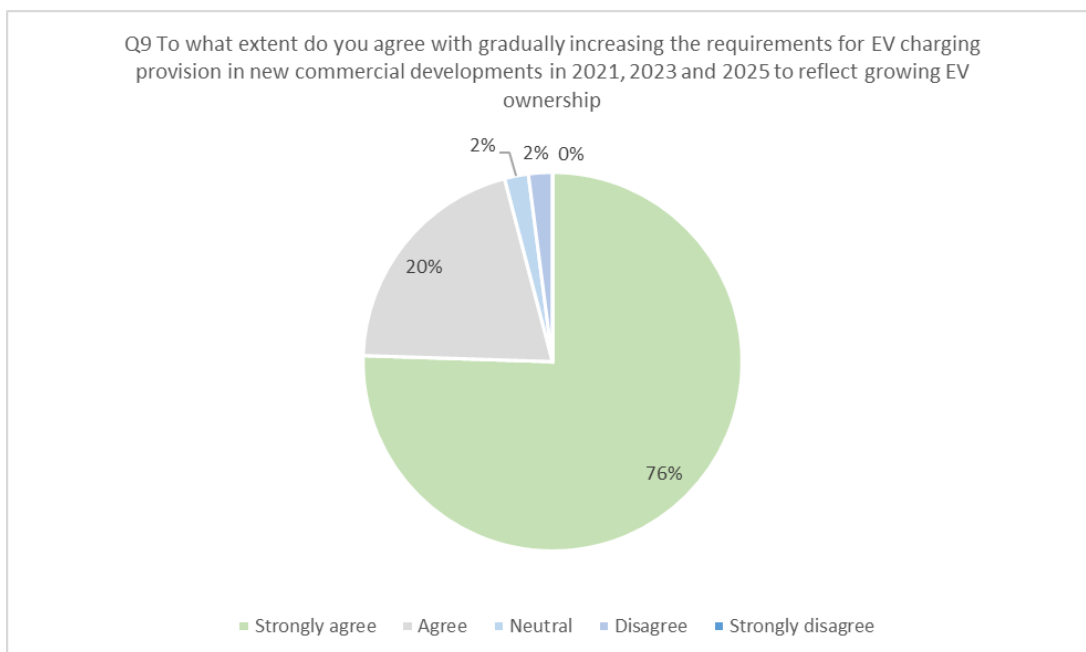
³ [Electric vehicle chargepoints in residential and non-residential buildings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/electric-vehicle-charging-points-in-residential-and-non-residential-buildings)

⁴ [Development Management Document - Adopted – Development Management \(DPD\) – Southend-on-Sea Borough Council](#)



3.10 An overwhelming 92% of respondents either agreed or strongly agreed with the proposed policy on EV charge points for residential development. Two percent of respondents were neutral, while only 6% either disagreed or strongly disagreed with the policy approach.

3.11 Turning to the proposed policy approach to gradually increase requirements for EV charging provision in commercial developments, respondents were asked to what extent they agreed with the policy approach. The responses were as follows:



3.12 96% of respondents either agreed or strongly agreed with the proposed policy approach in the SPD. 2% of those responding were neutral in their response, and 2% disagreed. No respondents strongly disagreed with the policy. This feedback shows overwhelming support for commercial developments making appropriate provision for EV charging points, with the provision stepping up over time in stages from 2021, 2023 and 2025. It is anticipated that the SPD will

then be reviewed in 2026 for its effectiveness in increasing supply of EV charging points in the Borough.

- 3.13 To get an idea of the current use of Electric Vehicles and availability of charging points in the Borough, respondents were also asked about their own circumstances.
- 3.14 67% of 49 respondents to the survey currently drive an electric vehicle (as defined within the SPD as battery electric, plug-in hybrid or fuel cell electric vehicle). However, 39% of these respondents stated that they did not have access to an off-street EV charging point at their property, meaning that they were dependent on using public charging points in the vicinity. 29% did have their own off-street EV charge point, while 16% were considering getting one installed in the next 12 months. A further 16% would be interested in public charging points in the vicinity of their property.
- 3.15 It was also noteworthy that 78% of respondents stated they never used public charging points whilst a further 18% stated they used public charging points less than once per month. 84% of respondents considered the availability of public EV charging points in Southend was presently poor.
- 3.16 More detailed comments from the survey are set out in full in **Appendix 1**. The key comments raised include: capacity of the National Grid to accommodate growth in EV use needs to be factored into new development; need for rapid EV chargers; impact of EV infrastructure provision on the cost of new homes; need to decarbonise the transport network; need for EV charge points in existing built-up area and the difficulties of implementing this; need for charging infrastructure for converted buildings as well as new build; urgent need for more EV charge points across the Borough that are reliable and ringfenced for EV parking only.
- 3.17 The response from Chelmsford City Council notes that standards for EV charging points for residential and non-residential developments will be part of a proposed review of Essex County Council Parking Standards, commencing in Winter/Autumn 2021. The SPD does not propose any new car parking standards and adopted car parking standards in the local plan continue to apply. In the event that Essex wide standards for EV charging infrastructure are produced as part of the review of car parking standards, Southend's SPD can be reviewed as appropriate.
- 3.18 A wording change was suggested by Chelmsford City Council to the SPD to differentiate between on plot and off-plot parking in residential developments. A minor change to clarify guidance for on-plot and communal or allocated parking is therefore proposed, along with a consequent change to the worked example for residential development.
- 3.19 Chelmsford City Council also notes that the requirements for non-residential buildings appear to go beyond central government's proposals and is keen to understand the evidence used to support the proposed requirements, which may be drawn upon by other local planning authorities also keen to support greater provision of EV charging points in new development.

- 3.20 In relation to the evidence underpinning the SPD, the Council reviewed current practice from a number of local authorities with similar characteristics within London and the South-East, as well as current custom and practice within Southend. Electric Vehicle charging points are currently being provided in major development schemes at the level initially proposed in the SPD (20% active EV charging points). As the proposed policy is for a percentage of spaces to have EV charging infrastructure, gradually stepping up in provision over time, it is considered to be a proportionate approach for smaller developments where car parking is being provided. It should also be noted that where no car parking is proposed, the SPD will not apply.
- 3.21 Natural England, Historic England and Port of London Authority had no substantive comments on the SPD.
- 3.22 No changes to the wording of the SPD are proposed as a result of the public consultation.

4. Other Options

- 4.1 The Council has set an ambitious target to be carbon zero by 2030. The SPD sets out a clear approach to boosting the provision of charging infrastructure for electric vehicles in the Borough as new development comes forward.
- 4.2 A failure to act now would result in such infrastructure coming forward at a much slower pace. Not having an adopted SPD in place for electric charging points would also risk the Council incurring costs in attempting to defend refusals of planning permission based on an outdated policy framework and related evidence base.
- 4.3 It should also be noted that other neighbouring authorities such as Chelmsford and Basildon are moving ahead with their programmes for EV charging point installation. Introducing the policy for EV charging points associated with new development will help Southend to remain competitive in attracting inward investment, providing modern housing stock and commercial floorspace whilst supporting other actions being taken to provide public charging points across the town for the benefit of residents, employees and visitors.

5. Reasons for Recommendations

- 5.1 To ensure the timely roll out of EV charging infrastructure to keep pace with new development in the Borough. Future proofing new development through the provision of EV charging points and passive provision of cabling will avoid expensive retrofitting to adapt for the use of electric vehicles as EV use becomes more widespread as is expected.

6. Corporate Implications

Contribution to the Southend 2050 Road Map

- 6.1 The adoption of the SPD will contribute to the fulfilment of a number of elements of the Council's vision and priorities, for example improving transport provision

and infrastructure, improving economic prosperity, and protecting and enhancing the natural and built environment.

- 6.2 The delivery of the SPD will also contribute to the priorities of the Council in responding to the impacts of Covid 19.

Climate Change Implications

- 6.3 The SPD will contribute to the 2050 outcome to act as a sustainable and Green City, embracing the challenges of the Climate Emergency Declaration made in 2019. In particular it will contribute to a reduction in carbon emissions from road-based transport by providing supporting infrastructure to encourage investment in and use of electric vehicles. It is also proposed that wherever feasible on-site renewable energy be used for vehicle charging.

Financial Implications

- 6.4 Financial and human resource input were necessary to fulfil the statutory requirements for public consultation of the SPD.
- 6.5 The costs associated with preparing the SPD were met from existing agreed budgets with the Director of Finance and Resources.

Legal Implications

- 6.6 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states: “if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.” An adopted SPD which has been subject to public consultation can be a material consideration which attracts weight in the planning balance. It will provide the authority with the framework to robustly defend planning decisions at appeal.
- 6.7 In respect of the response from Essex Council Council (see Appendix 1), the SPD has been subject to public consultation and the approach proposed has very strong support from those who responded. The SPD requires the EV infrastructure to be installed where feasible, and each application will be assessed on a case-by-case basis on its own merits, having regard to material considerations including the SPD. The robustness of the SPD will also be tested over time through the determination of planning appeals, and it is expected it will be reviewed by 2026.

People Implications

- 6.7 Staff resource from the Strategic Planning and Performance and Business Support teams were utilised to prepare the Interim Policy Guidance and to prepare and consult on the draft SPD.

Property Implications

- 6.8 The SPD will place requirements on developers when creating parking spaces as part of new development. This will include new development on Council owned assets.

Consultation

- 6.9 The draft SPD public consultation process was carried out in accordance with the Council's adopted Statement of Community Involvement.

Equalities and Diversity Implications

- 6.10 The public consultation gave the opportunity for different sections of the community to input into the plan making process. Poor air quality tends to disproportionately affect residents living in areas of multiple deprivation, for example within urban areas close to busy roads. Greater take up of EVs should improve air quality within these areas.

Risk Assessment

- 6.11 Staff resources within the Strategic Planning Team will be required to progress the SPD to formal adoption.
- 6.12 If the SPD were not to be published and taken forward to adoption, the absence of the planning policies may result in EV charging infrastructure being rolled out at a much slower pace in the Borough, contrary to the ambitions set out in the Green City Action Plan and Government.

Value for Money

- 6.13 There are beneficial impacts on value for money by carrying out the work proposed using in-house resources wherever possible. This will have considerable benefits in terms of building in-house experience and expertise for officers, as well as utilising local knowledge and experience within the Strategic Planning team which would not be gained otherwise.

Community Safety Implications

- 6.14 The SPD will have a neutral effect on community safety.

7. Background Papers

- 7.1 The Town and Country Planning (Local Development) (England) Regulations 2012.
- 7.2 Planning and Compulsory Purchase Act 2004.
- 7.3 National Planning Policy Framework (NPPF 2019).

- 7.4 Planning for the Future, Ministry of Housing, Communities and Local Government, March 2020.
- 7.5 Southend Local Development Scheme (2021).
- 7.6 Southend New Local Plan Issues and Options Consultation (February 2019).
- 7.7 Southend New Local Plan Issues and Options Consultation Report Southend on Sea Borough Council, August 2019.
- 7.8 South Essex Statement of Common Ground (2018).

8. Appendices

- 8.1 Appendix 1: Summary of consultation responses to the draft SPD
- 8.2 Appendix 2: Electric Vehicles Charging Infrastructure in new development draft Supplementary Planning Document.
- 8.3 Appendix 3: Electric Vehicles Charging Infrastructure in new development Interim Policy Guidance [**To be superseded by SPD**]