

Case Officer: Caroline Ford

Applicant: EZ Charging Ltd

Proposal: RETROSPECTIVE: Electricity kiosk and 6 no. charging stations for Electric Vehicle Charging

Ward: Bicester East

Councillors: Councillor Dallimore, Councillor Mould, Councillor Wallis

Reason for Referral: Application affects Council's own land

Expiry Date: 25 May 2021

Committee Date: 20 May 2021

1. APPLICATION SITE AND LOCALITY

1.1. The application site is located to the east of Bicester Town Centre and forms part of a public car park accessed from Victoria Road. The application site is a small part of the car park to its southern boundary close to the entrance to the car park forming 12 car parking spaces.

2. CONSTRAINTS

2.1. The site has no relevant recorded site constraints.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

3.1. The application seeks planning permission for the provision of an electrical kiosk to facilitate charging stations for electric vehicles to be positioned to the west of the 12 parking spaces (two of which were previously larger disability accessible spaces). 6 no. charging posts are proposed (serving the 12 spaces that sit within the application red line area).

3.2. The electrical kiosk is proposed to be 2.25m high, 2.7m wide and 0.6m deep with a black finish. The charging posts are proposed to be 1.74m high by 0.65m by 0.44m. The units are a light colour with black detailing.

3.3. The application submission indicates that planning permission is not required for the charging points themselves, however as those proposed exceed 1.6m above the level of the surface used for the parking of vehicles, it has been concluded that planning permission is required and the application description altered accordingly. The application documentation included an image of the charging points and their position is shown on the plans so Officers are satisfied that this change is for clarity and that no interested parties would be prejudiced by this change without a further period of consultation.

3.4. The application is retrospective as, at the time of the site visit the kiosk was already in place and the spaces were being marked out for EV use.

4. RELEVANT PLANNING HISTORY

4.1. There is no planning history directly relevant to the proposal.

5. PRE-APPLICATION DISCUSSIONS

5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a site notice displayed near the site and by letters to nearby properties. The final date for comments was **29 April 2021**, although comments received after this date and before finalising this report have also been taken into account.

6.2. 1 letter of concern has been received from the resident whose garden backs directly onto the application site. The concerns are:

- Why is the position of the kiosk the best one for all parties concerned?
- The kiosk is visible from nearby residents homes due to its height.
- What other options were considered as to where best to position the development? Why were other positions not considered that are further away from residential properties? It is regrettable a decision was made to place it as close to the gardens of residents as it possibly could be.

7. RESPONSE TO CONSULTATION

7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

7.2. BICTESTER TOWN COUNCIL: **No comments received.**

CONSULTEES

7.3. OCC HIGHWAYS: **No objections** as the proposals are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view. Whilst the proposal will result in the net loss of 12 unrestricted parking bays, as ownership rates of EVs increase, the effect of this initial reduction in space will diminish over time and the proposal is to enable a rapid roll out of EV infrastructure that will be required to transition from combustion powered vehicles to EVs and plug in Hybrid vehicles. The LHA would advise the inclusion of a Vehicular Restraint System to prevent accidental damage to the apparatus (kiosk and charging points) as they could be vulnerable to damage.

8. RELEVANT PLANNING POLICY AND GUIDANCE

8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy

framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- SLE4 – Improved Transport and Connections
- ESD1 – Mitigating and Adapting to Climate Change
- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

8.3. Other Material Planning Consideration

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell District Council’s 2020 Climate Action Framework

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Transport impact
- Residential amenity

Principle of Development

9.2. The application relates to the provision of an electrical kiosk and 6 no. EV Charging points. The application documentation provides the background to this proposal describing that the Government has accelerated the transition to electric vehicles to 2030 and by 2025, it is estimated that there will be 25,000 battery electric vehicles driven on the roads of Oxfordshire. As part of Cherwell District Council’s Climate Emergency declaration, it has prepared a Climate Action Framework which, amongst other measures shows support for electric and active travel as the new normal as a measure to contribute towards the District achieving net zero emissions by 2050.

9.3. Park and Charge Oxfordshire is a partnership project between Oxfordshire County Council, SSE, Zeta, Urban Integrated and the University of Oxford who are leading the way to help local District Council’s across Oxfordshire provide electric charging hubs to accommodate this growth. The project is funded by Innovate UK and is proposed to provide hubs to meet demand as take up grows. The location of the initial car parks for the hubs have been chosen so that the charging points are close to residential areas with little off-street parking. The charging points are bookable overnight so they can be used by local residents who might otherwise have difficulties charging their electric vehicle and which are available to visitors otherwise.

9.4. This particular site is within Bicester Town Centre forming part of an existing car park and the plan is to set aside 12 parking spaces for EV use, with a kiosk to link to the charging points.

- 9.5. The principle of providing EV charging points in existing car parks is considered to be acceptable as it would facilitate infrastructure to support visitors and residents move to a more sustainable form of transport and this would contribute to mitigating the impacts of climate change, reducing air pollution and to help the Council achieve its targets for a net zero carbon District by 2050. The proposal would therefore comply with Policies SLE4 and ESD1 of the Cherwell Local Plan Part 1 2011-2031.

Design and Impact upon the character of the area including conservation area setting

- 9.6. Policy ESD15 sets out the expectation that development should complement and enhance the character of its context and meet high design standards.
- 9.7. The kiosk is positioned adjacent to existing car parking spaces which have been upgraded and advertised appropriately as being for EV use. The position of the EV charging points would be accessible centrally to the 12 spaces. The proposal would be viewed within the context of an existing town centre car park and surrounding urban area. The infrastructure items are modest in size and would therefore not appear prominent or out of keeping with its context.
- 9.8. On this basis, Officers consider that the proposal would be acceptable in design terms and would therefore comply with Policy ESD15 of the Cherwell Local Plan Part 1 2011-2031.

Transport Impact

- 9.9. The proposal would remove 12 parking spaces from general use and dedicate them for EV vehicles (2 of which are larger disability accessible spaces), however as ownership rates of EV vehicles increase, the demand for them will increase. The Highway Authority do not consider that the proposal will have any adverse impact upon the local highway network from a traffic and safety point of view and raise no objection.
- 9.10. The Highway Authority offer some advice regarding a Vehicular Restraint System to protect the kiosk and charging points from accidental damage and a planning note is suggested in this respect as it is unlikely that such a system would require planning permission and this may be a matter considered unnecessary by the applicant.

Residential amenity

- 9.11. Policy ESD15 sets out that development should consider the amenity of both existing and future development. In this case, the development is positioned close to the rear boundary of a number of nearby residential properties, one of whom has raised concerns with the positioning proposed.
- 9.12. The applicant has confirmed that the position was chosen due to the proximity to the point of connection to the electrical network and the chosen position was therefore the most cost-effective option. It is understood that the kiosks and charging points do not create noise nuisance and the use of the parking spaces by electric vehicles is unlikely to be anymore disruptive than their use by non-electric vehicles.
- 9.13. The kiosk is also unlikely to cause impacts to residential amenity by way of over dominance, loss of light or loss of privacy as the tallest item proposed being the kiosk, at 2.2m high is only just taller than a fence which could be provided under permitted development and the fact that it is visible is not a reason to resist a proposal. As such, the proposal complies with Policy ESD15 in this respect.

10. PLANNING BALANCE AND CONCLUSION

10.1. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

11. RECOMMENDATION

RECOMMENDATION – GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW

CONDITIONS

Time Limit

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: drawing number OPAC-SSE-CB-XX-DR-E-0004 titled 'Cattle Market Bicester Car Park EV Boundary' and image showing the 'EZC_CPC1_SYSTEM_SPECIFICATION'.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Planning Note

Oxfordshire County Council Highways Team have advised that you may wish to consider the inclusion of a Vehicular Restraint System to prevent accidental damage to the apparatus (kiosk and charging points) as they could be vulnerable to damage.

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