

<b>Title of Report</b>	<b>ELECTRIC VEHICLE CHARGING POINTS</b>	
<b>Presented by</b>	Ian Nelson Planning Policy and Land Charges Team Manager	
<b>Background Papers</b>	<a href="#">National Planning Policy Framework</a>  <a href="#">Zero Carbon Roadmap</a>  <a href="#">Renewable and Low Carbon Energy Study</a>  <a href="#">LPC Report 07 July 2021</a>  <a href="#">Government Consultation and Response Documents: Electric vehicle chargepoints in residential and non-residential buildings</a>  <a href="#">WPD Electric Vehicle Strategy April 2020</a>	<b>Public Report:</b> Yes
<b>Financial Implications</b>	None from the specific content of this report.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	None from the specific content of this report. In due course the planning policy implications of any climate change evidence will be incorporated in a consultation document for the Substantive Local Plan Review. The Local Plan Review process as a whole must accord with the legal requirements set out in legislation and guidance.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	None identified	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	This report sets out the changes proposed to the Building Regulations to require Electric Vehicle (EV) chargepoints in residential and non-residential developments.	
<b>Recommendations</b>	<b>THAT THE COMMITTEE NOTES THE PROPOSED CHANGES TO THE BUILDING REGULATIONS IN RESPECT OF EV CHARGEPOINTS AND THE IMPLICATIONS FOR THE LOCAL PLAN REVIEW AS SET OUT IN SECTION 3 OF THE REPORT.</b>	

## 1. INTRODUCTION

- 1.1 Members will recall that the 7 July 2021 meeting of this committee considered a report in respect of potential policy options for renewable energy, reducing carbon emissions and

water efficiency measures with a view to testing these through the next stage of consultation on the Local Plan.

- 1.2 The report also noted, at paragraph 1.13 that a further report would be brought to this committee considering Electric Vehicle (EV) charging points and the Cycling and Walking Strategy.
- 1.3 The Cycling and Walking Strategy was the subject of discussion at the meeting of the Community Scrutiny Committee on 24 November 2021. A report on this will be brought to a future meeting of this committee.
- 1.4 It was the intention to bring a report setting out options in respect of EV chargepoints to the December LPC meeting. A report had been drafted to this effect, but whilst it was going through internal checks the Government published their long awaited response to the Building Regulations consultation on EV chargepoints which meant the report needed to be revised.

## 2. PROPOSED CHANGES TO THE BUILDING REGULATIONS

- 2.1 The Government published a consultation in July 2019 that proposed the creation of a new part to the English Building Regulations requiring EV charging infrastructure in new buildings and buildings undergoing a material change of use and major renovation.
- 2.2 The Government published its response to the consultation on 22 November 2021. The Government note that their response had been delayed due to the coronavirus pandemic. However, despite the delay the Government state that there has not been a material change in circumstances to warrant re-consultation on the matter and therefore the response document details the Government's final policies.
- 2.3 The table below sets out the Government's final policy positions and the requirements for EV chargepoints in various building types, including the conversion of buildings. The table also sets out the exemptions from the requirements that the government will introduce. These exemptions are largely intended to ensure that developments remain viable, where installations would be disproportionately difficult or costly.

Table 1: Summary of the Governments Final Policy Positions in relation to EV chargepoints

Building Type	Final Policy Position	Unless
<p>New dwellings (including flats), with associated parking within the site boundary (e.g. a house or flat with an associated parking space)</p> <p>New residential properties with more than 10 parking spaces</p> <p><i>(e.g. a block of flats or housing development with parking)</i></p>	<ul style="list-style-type: none"> <li>• At least one electric vehicle charge point per dwelling</li> <li>• Cable routes in every space without charge points.</li> </ul>	<ul style="list-style-type: none"> <li>• The installation of a charge point would increase grid connection costs by more than £3,600 In which case not all requirements will apply.</li> </ul>
Buildings undergoing material change of use to	<ul style="list-style-type: none"> <li>• At least one electric vehicle charge point for each new dwelling with</li> </ul>	<ul style="list-style-type: none"> <li>• The buildings are listed buildings, in conservation areas or in schedule of</li> </ul>

<p>create dwellings.</p> <p><i>(e.g. a disused warehouse being developed into flats with parking)</i></p>	<p>associated parking within the site boundary.</p>	<p>monuments which charge point installation would unacceptably alter</p> <ul style="list-style-type: none"> <li>Existing power supply is insufficient to install all charge points</li> </ul> <p>In which case not all requirements will apply.</p>
<p>Residential buildings undergoing major renovation</p> <p><i>(e.g. a block of flats undergoing largescale renovation of over 25% of the building's surface area, including parking areas)</i></p>	<ul style="list-style-type: none"> <li>Have at least one electric vehicle charge point for each dwelling with associated parking within the site boundary; and</li> <li>Cable routes in every space without charge points.</li> </ul>	<ul style="list-style-type: none"> <li>Building will not have more than 10 parking spaces within the site boundary after the renovation is complete</li> <li>Infrastructure costs exceeds 7 % of the total cost of the major renovation of the building</li> <li>Existing power supply is insufficient to install all charge points</li> <li>Property is undergoing major renovation for the purposes of fire safety remediation</li> </ul> <p>In which case not all requirements will apply.</p>
<p>New non-residential building</p> <p><i>(e.g. a newly built cinema complex with parking)</i></p>	<ul style="list-style-type: none"> <li>Minimum of one charge point; and</li> <li>Cable routes for one in five of the total number of spaces.</li> </ul>	<ul style="list-style-type: none"> <li>Building will not have more than 10 parking spaces within the site boundary of the building.</li> </ul>
<p>Non-Residential buildings undergoing major renovation</p> <p><i>(e.g. a commercial shopping centre undergoing largescale renovation of over 25% of the building's surface area, including parking areas)</i></p>	<ul style="list-style-type: none"> <li>Minimum of one charge point; and</li> <li>Cable routes for one in five of the total number of spaces.</li> </ul>	<ul style="list-style-type: none"> <li>Building will not have more than 10 parking spaces within the site boundary after the renovation is complete</li> <li>Infrastructure costs exceeds 7 % of the total cost of the major renovation of the building</li> </ul> <p>In which case not all requirements will apply.</p>
<p>Mixed Use Developments</p> <p><i>(e.g. a skyscraper building with office space as well as</i></p>	<ul style="list-style-type: none"> <li>In mixed-use developments, requirements for residential and non-residential buildings will</li> </ul>	

<i>flats, with parking)</i>	apply as per the number of allocated spaces for different use types.	
Charge point requirements under regulations	<ul style="list-style-type: none"> <li>• Minimum power rating of 7kW</li> <li>• Minimum of Mode 3 or equivalent</li> <li>• Type 2 plug (where applicable)</li> <li>• Untethered (where applicable).</li> </ul>	

- 2.4 The Government note that there will be an adjustment period put in place, between the laying and coming into force of the regulations, where the requirements will not apply.
- 2.5 During this period properties which have their initial/building notices or full plans deposited will not be legally required to meet the regulations. This period is also intended to allow industry to prepare for the introduction of the regulations.
- 2.6 The necessary regulations were laid before Parliament on 15 December 2021. The Government has also confirmed that *“that there will then be an adjustment period of no less than 6 months from the date of the laying of the regulations in parliament and the regulations coming into force, during which initial/ building notices or full plans deposited will not be legally required to meet the new regulations. Initial/ building notices or full plans submitted in this period must begin building work by no later than 12 months after the coming into force date, otherwise the new regulations will need to be met”*.

### **3.0 IMPLICATIONS FOR THE LOCAL PLAN**

- 3.1 The NPPF sets out in paragraph 16 (point f) that (local) *“Plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in the Framework, where relevant)”*.
- 3.2 As the requirements for EV chargepoints will form part of the Building Regulations and the NPPF advises that policies should not be duplicated in Local Plans it is not appropriate or necessary to repeat the requirements in a Local Plan Policy. However, should the promised changes to the Building Regulations not materialise before the Council prepares a final draft Local Plan (Regulation 19), then this issue may need to be revisited.
- 3.3 Whilst including a policy regarding the provision of EV chargepoints is not appropriate for the Local Plan, the new requirements will still have implications for the Local Plan, both in terms of viability but also in respect of ensuring that electricity supply is capable of supporting such provision.
- 3.4 To help understand these issues officers have met with representatives of Western Power Distribution (WPD).
- 3.5 An initial meeting provided the opportunity for officers to understand how engagement with WPD will be beneficial to ensure that the electricity supply can support not only new development within the district but also the additional requirements of energy saving measures such as EV chargepoints. In addition, WPD has developed an EV Strategy which outlines how they aim to facilitate the uptake of EV charging infrastructure.
- 3.6 In respect of the issue of connection costs and the exemption where costs exceed £3,600, WPD have advised that they would generally expect the cost per service

connection to be less than £3,600 for new developments. However, for housing developments in rural areas and/or where there was a significant upgrade of the High Voltage network required then it is likely that the cost threshold would be met and so the exemptions would apply.

- 3.7 These issues will be explored as part of an Infrastructure Delivery Plan to support the Local Plan which has recently been commissioned and through ongoing discussion with WPD.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	Developing a clean and green district
Policy Considerations:	None
Safeguarding:	No issues identified
Equalities/Diversity:	An Equalities Impact Assessment of the Local Plan review will be undertaken as part of the Sustainability Appraisal.
Customer Impact:	No issues identified
Economic and Social Impact:	No issues identified at this stage
Environment and Climate Change:	The decision itself will have no specific impact. The Substantive Local Plan Review as a whole will deliver positive environmental and climate change benefits, and these will be recognised through the Sustainability Appraisal.
Consultation/Community Engagement:	None
Risks:	A risk assessment of the review has been undertaken and is reviewed at the officer Project Board meetings.
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