

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR
CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

Reference No: 2018/44/92802/W

Site Address: Former Midlothian Garage, New Mill Road, Holmfirth,
HD9 7LN

Description: Discharge of condition 17 (electric vehicle charging) of
previous permission 2015/93824 for outline application
for erection of 56 dwellings and care home with
associated car parking

Recommending Officer: John Ritchie

DECISION – Discharge of Condition – Refuse

**I hereby authorise the refusal of this application for the reasons set out
in the officer's report and recommendation annexed below in respect of
the above matter.**

Victor Grayson

AUTHORISED OFFICER

Date: 03-Aug-2021

2018/92802 - Officer Report

This application relates to outline planning permission for the erection of 56 dwellings and care home with associated parking at the former Midlothian Garage, New Mill Road, Holmfirth – 2015/93824. Reserved matters including layout were approved on 1 November 2018 – 2018/91579. This application seeks to discharge condition 17 of the outline planning permission as follows:

17. Prior to development commencing a scheme detailing the provision of electrical charging points for low emissions vehicles (these details to include numbers and locations), shall be submitted for the written approval of the Local Planning Authority. The agreed scheme shall be implemented in accordance with an agreed phasing plan, and thereafter shall be retained.

Reason: To accord with the guidance contained in part 4 of the National Planning Policy Guidance “Promoting sustainable transport”.

Assessment

The council’s Environmental Health officer (EHO) noted that the submitted details showed EV charging facilities only to selected plots with a 13A external socket. This was not satisfactory as charging facilities are required to every plot with a dedicated parking space and one point for every ten unallocated spaces. Furthermore, 13A sockets are insufficient as sockets need to meet the minimum requirements specified in “Electric Vehicle Homecharge Scheme minimum technical specification by the Office for Low Emission Vehicles”. A mode 3 charger with a type 2 socket providing a constant current of 16A would be satisfactory.

In response the applicant submitted details showing all plots with curtilage parking with a mode 3 compliant 16A fused spur and all plots with detached parking with a free-standing pole linked to a mode 2 compliant 16A fused spur.

The EHO noted the provision of charging points to every property supplied by a 16A fused spur for the occupier to fit their own plug if necessary. All plots with parking within the curtilage and those with detached parking would have a Mode 3 charger. However, the details showed a mode 2 charger with a 13A socket. The EHO considers that mode 2 chargers to a 13A socket are unacceptable as the charge would not be delivered over a reasonable timescale. The proposals were therefore considered unacceptable.

This stance was questioned by the applicant who considered it lacked policy justification, was contrary to previous advice by the then case officer and was inconsistent with other local planning authorities.

The council’s policy comes through the original and amended versions of the NPPF which requires developments to incorporate facilities for charging plug in and other low emission vehicles. The Authority’s approach is consistent with the NPPF and other West Yorkshire authorities through the West

Yorkshire Low Emissions Strategy and the Air Quality and Emissions Technical Planning Guidance.

In response the applicant disagreed and maintains the stance of providing a 16A supply and ducting for all plots but for occupants to fit their own socket suitable for their needs at the time.

In the absence of any agreement it is recommended that the application to discharge condition 17 is refused.

Decision Text

You have submitted the following:

- Drawing 704-EVF-01-A Electric Vehicle Facilities
- RolecEV technical details
- E-mail from Seddon Homes dated 13th November 2018 @10:59

These details are insufficient to discharge condition 17.

The submitted information advises that an electric vehicle charging point will be provided to every property and that these will be supplied by a 16A fused spur. All of the plots with parking within the curtilage will have a Mode 3 charger and plots with detached parking will have a Mode 3 charger. The charger information provided shows the Mode 2 charger which has a 13A socket outlet.

The provision of a charger to each property meets the scale of provision that is required by this Authority. However, Mode 2 chargers are not considered to be acceptable, particularly when they have only a 13A socket outlet. This is insufficient to fully charge a typical electric vehicle within a reasonable time scale. Also, details of the socket outlet for the proposed Mode 3 chargers are not provided.

This proposal is contrary to the requirements of the National Planning Policy Framework (NPPF) which requires development to be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. It is also contrary to the requirements of the West Yorkshire Low Emissions Strategy and the Air Quality and Emissions Technical Planning Guidance.

The proposals are therefore insufficient to meet the requirements of condition 17 and the condition is not discharged.

An acceptable standard would be a charging point for every plot that provides at least Mode 3 charging with a Type 2 socket outlet capable of providing a continuous supply of 16A and a maximum supply of 32A.

Report Dated: 03-Aug-2021

