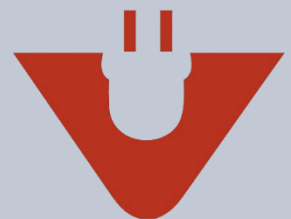


# Planning Statement

Supporting a Material Amendment to the  
Chicklade Electric Vehicle Service Station  
Planning Permission



December 2025



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# INSTAVOLT



## Lone Wolf Planning Ltd.



## 1. Executive Summary

- 1.1 This Planning Statement supports an application under s73 of the TCPA 1990 to secure material amendments to the recently approved Electric Vehicle Service Station at Chicklade.
- 1.2 Planning permission for the EV Service Station was granted in January 2025. Since that time, the applicant has commenced the discharge of conditions and enabling works but has identified a series of material amendments that are necessary to ensure the scheme remains viable, deliverable and capable of being implemented at pace.
- 1.3 The proposed amendments include refinements to the site layout, building design, materials, drainage strategy and EV charging provision. Importantly, the amendments do not alter the description of development, the nature of the proposal, or the fundamental planning principles that underpinned the original grant of permission.
- 1.4 The application is therefore correctly made under Section 73, and the relevant legal test is whether the amended scheme remains consistent with the operative part of the original permission. On this basis, the amendments are lawful and appropriate for consideration via this mechanism.
- 1.5 The amendments are intended to:
  - Improve buildability and reduce excessive construction costs;
  - Increase EV charging capacity, enhancing public benefit;
  - Refine the architectural detailing and materials without undermining the approved design vision;
  - Replace engineered features with softer landscape solutions where possible;
  - Support timely delivery of a nationally important EV charging hub.
- 1.6 The overall site structure, layout logic, scale, use, access arrangements and relationship with the surrounding area remain fundamentally unchanged.
- 1.7 The principle of development has already been established by the extant planning permission. Accordingly, the scope of policy assessment is limited to whether the amendments raise new or materially different policy considerations.
- 1.8 A review of the relevant saved Local Plan policies and Wiltshire Core Strategy policies confirms that the amended scheme:
  - Remains compliant with policies relating to landscape, design, transport, sustainability and rural services;
  - Does not give rise to new or additional harm in relation to the Area of Outstanding Natural Beauty;



- ✎ Continues to make effective use of previously developed land;
- ✎ Maintains acceptable impacts in terms of transport, drainage, flood risk and amenity.

1.9 No development plan policy conflict has been identified that would warrant refusal of the application.

1.10 Since the original permission was granted, there has been a strengthening of national policy support for EV charging infrastructure, sustainable transport and low-carbon energy development.

1.11 The proposal aligns strongly with:

- ✎ The National Planning Policy Framework (adopted and emerging);
- ✎ National Policy Statement EN-1;
- ✎ The Government's Electric Vehicle Infrastructure Strategy;
- ✎ Clean Power 2030 and Net Zero commitments;
- ✎ Wiltshire's Local Transport Plan and EV Infrastructure Strategy.

1.12 National policy is clear that significant weight should be given to development that supports transport decarbonisation and the rapid rollout of EV charging infrastructure. The amended scheme makes a meaningful contribution to meeting identified national and local shortfalls in public rapid charging provision, particularly along the strategic road network.

1.13 The proposed amendments:

- ✎ Are lawful and appropriate under Section 73;
- ✎ Do not undermine the original planning permission;
- ✎ Maintain compliance with the development plan;
- ✎ Deliver enhanced public benefits through increased EV charging capacity;
- ✎ Support urgent national objectives relating to net zero and sustainable transport;
- ✎ Facilitate timely delivery of critical infrastructure.

1.14 There is no demonstrable harm arising from the amendments that would outweigh these benefits.

1.15 For the reasons set out above, the proposed material amendments are acceptable in planning terms and are strongly supported by both the development plan and material considerations. The application should therefore be approved without delay to enable the delivery of this strategically important EV charging facility.

1.16 We look forward to working with the LPA on avoiding the imposition of pre-commencement planning conditions.



## 2. Introduction

- 2.1 This Planning Supporting Statement is provided by Lone Wolf Planning Ltd. on behalf of InstaVolt Ltd. and supports their planning application under Section 73 of the Town and Country Planning Act 1990 to make material amendments to the recently approved development at Chicklade Service Station for a new Electric Vehicle Charging Service Station.
- 2.2 As far back as the 2007 Planning White Paper and the 2008 Killian Pretty Review, the intention which sits behind s73 is to provide applicants and developers with greater flexibility over the implementation of their developments and to recognise that sometimes changes are required to a development prior to being built out that should not require the full scrutiny of the planning system if the changes are not so substantial as to be, in essence, a different development that is worthy of fresh planning application with the associated risks and delays that would trigger.
- 2.3 For any reader that is unaware, planning permissions derived via s73 are distinct to their predecessor permissions. Both sit side by side and the decision on which permission to implement rests with the applicant. The amendments proposed do not have to be minor in scale providing the scale and nature of the amendment does not fundamentally alter the previous planning permission; crucially the description of development.

*"The power under section 73 is strictly limited and conditions must not be materially inconsistent with the operative part of the original permission"*

*"While fundamental alteration is a concern, the primary test is consistency with the original permission. A change that fundamentally alters the nature of the development may still be acceptable if it does not conflict with the operative part"*

(Test Valley Borough Council v Fiske [2024] EWCA Civ 1541)

*"There is nothing in s.73 of the Town and Country Planning Act 1990 that limits the application of s.73 to minor material amendments or amendments which are not a substantial or fundamental variation"*

(Armstrong v. SoS for LUHC & Anor [2023] EWHC)

*"s.73 applications must not offend the operative part of the permission"*

(Finney v. Welsh Ministers & Ors 2019)

- 2.4 According to online sources, the Chicklade Service Centre has existed since the late 1960s and has seen significant changes in the nature and extent of road transport over the decades. The recent planning permission for the new electric vehicle service station is naturally the next chapter in this site's history, and is an important change that will see the new service station helping to fulfil the Government's targets for decarbonising transport in the UK.
- 2.5 Transport decarbonization is a Government priority in relation to climate change and net zero prerogatives. By 2030, a ban on the sale of new internal combustion engine vehicles (ICE) will come into effect and will have been preceded by moves in that direction by auto-manufacturers.
- 2.6 Predictions vary, but by 2030, the number of EV vehicles on UK roads may have increased from the 1.3 million on the roads in early 2025, to between 6 to 8 million<sup>1</sup> and 16 million<sup>2</sup> by

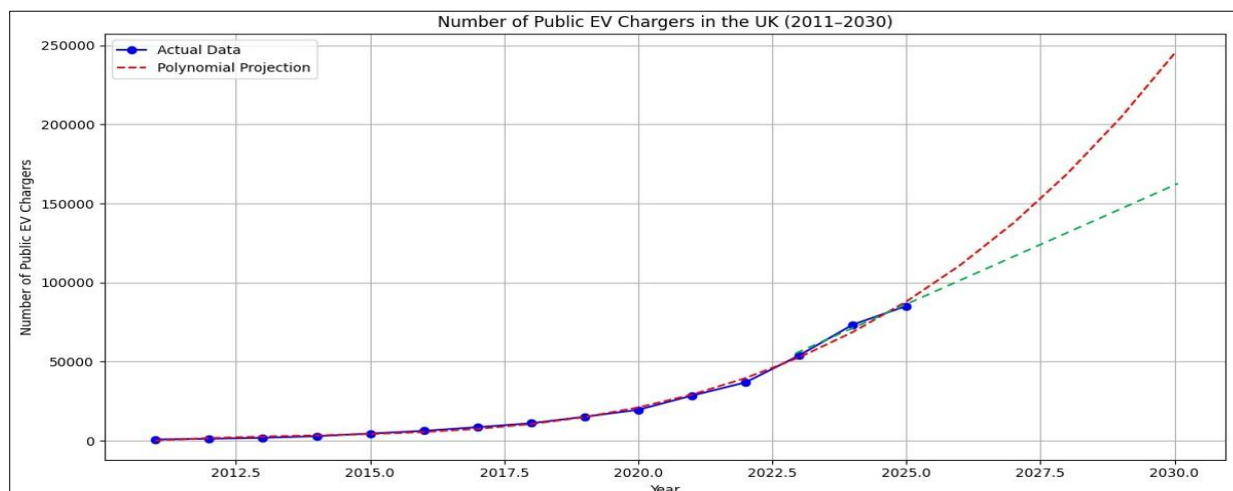
<sup>1</sup> [Government sets out path to zero emission vehicles by 2035 - GOV.UK](#)

<sup>2</sup> [Electric vehicle charging market study: final report \(Competition and Markets Authority\)](#)



2030; between a five and twelve-fold increase.

- 2.7 As of early 2025 there are around 75,000 public EV chargers installed across the UK; installed between 2011 and 2025. The Government has set a minimum target of 300,000 public EV chargers to be installed by 2030, based on current performance, the fact that ‘easier’ sites might already be developed, and future projections, society will fall short of this minimum figure by around 85,000 chargers:



Graph showing the number of public EV chargers in the UK from 2011 to 2025, with a projection through to 2030 based on a fitted polynomial trend (sourced from the National Chargepoint Registry 2011 to Dec 2024)

- 2.8 The Government’s Electric Vehicle Charging Infrastructure Strategy is clear that:

- ☛ *“The UK Government has committed to net zero emissions by 2050. It is essential for the vehicles on the UK’s roads to be emission-free at the tailpipe”.*
- ☛ *“Transport is the UK’s largest emitting domestic sector and 91% of UK transport emissions come from road transport. If the UK economy is to achieve net zero emissions by 2050, it **has to decarbonise road transport**. The recent rapid increase in both the supply of, and the demand for, EVs means that charging infrastructure now stands as the **single biggest challenge** to that decarbonisation”.*
- ☛ *“The pace of rollout is **too slow** – even the recent surge in chargepoint deployment is not at a pace consistent with what is needed for a wholly zero emission new car fleet in 2035”.*

- 2.9 InstaVolt is the UK’s largest, fastest growing and most reliable rapid charge point operator, with over 2000 public rapid chargers across the UK.

- 2.10 InstaVolt is committed to the expansion of the UK’s public charging infrastructure to support the Government’s ambitions to ban the sale of new fossil fuel cars from 2030. To achieve this goal, substantial investment is required by the private sector into new, high quality charging infrastructure for EV drivers to charge in public. InstaVolt expects to invest over £350m up to 2030 to expand its network to 10,000 charge points in the UK alone. Historically, the network has focused on retrofitting small numbers of chargers on existing sites (such as drive-to food and coffee outlets. However, as demand for public charging relentlessly grows, networks such as InstaVolt must commit to building larger hubs that provide greater capacity, particularly along the strategic road network.

- 2.11 This project will see the approved EV hub developed, **at pace**, and the Chairman of InstaVolt is very clear that *“InstaVolt, the largest Rapid EV Network in the UK, have agreed with the*



*Fonthill Estate to develop the site and build one of the largest EV Hubs in the UK, this is very exciting for the UK but especially EV drivers in the area and passing on holiday".*

- 2.12 InstaVolt's pedigree in this arena is on record with the development of the Winchester Superhub, the UK's largest ultra-rapid EV charging station, which since its opening earlier this year has received numerous industry plaudits and was shortlisted for the 2025 Royal Town Planning Institute's Planning Awards for [Best Project](#) in the south east.



- 2.13 InstaVolt have begun the process of implementing the recent planning permission by discharging pre-demolition conditions, however a range of minor material amendments are proposed to bring this high-quality scheme to fruition.

24/12/2025, 11:25

Ground Breaks on our new ultra-rapid charging hub at former Chicklade Services - InstaVolt

22nd December 2025

## Ground Breaks on our new ultra-rapid charging hub at former Chicklade Services

Share this story



We're thrilled to have officially broken ground on our landmark new ultra-rapid EV charging hub at the former Chicklade services on the A303. Set within the historic and picturesque Fonthill Estate, the development represents a major investment in the region's charging infrastructure and a significant step forward in supporting the UK's transition to electric mobility.

When complete, the hub will host over 30 ultra-rapid 160kW chargers, providing reliable, high-speed charging for drivers travelling along one of the South West's busiest strategic routes. The site has been carefully designed to offer a first-class customer experience, including 24-hour WC facilities, 59 customer parking spaces, and 11 dedicated staff spaces.

Plans also include an upmarket farm shop and café, offering local produce and high-quality refreshments for visitors. The development will be further enhanced by landscaped outdoor seating, green spaces, and a children's play area. A new footpath linking the hub to the village of Chicklade is also set to be constructed, improving access and supporting community connectivity.

Our CEO, Delvin Lane, was joined by Wiltshire Council Leader, Ian Thorn, Fonthill Estate Owner and Steward, Lord Alastair Margadale, and Project Manager, Bruno Skinner.

The Chicklade hub is scheduled to open in late Summer 2026.

<https://instavolt.co.uk/news/ground-breaks-on-our-new-ultra-rapid-charging-hub-at-former-chicklade-services/>



24/12/2025, 11:27

Ground Breaks on our new ultra-rapid charging hub at former Chicklade Services - InstaVolt

**INSTAVOLT**



<https://instavolt.co.uk/news/ground-breaks-on-our-new-ultra-rapid-charging-hub-at-former-chicklade-services/>

- 2.14 Demolition works have begun at the site and the discharge of other pre-commencement planning conditions is continuing to expedite the opening of the site to the public so that it can support the Government's ambitions for transport decarbonisation. However, if this s73 application is granted, InstaVolt will pivot over to the new arrangement.
- 2.15 Alongside the proposed changes to the scheme, we submit a range of information intended to satisfy planning conditions attached to the current planning permission, so they need not burden any subsequent planning permission; allowing InstaVolt to progress with the development without undue delay.
- 2.16 Lone Wolf Planning understands that Govt Ministers are keen to see rapid progress with this key EV infrastructure scheme. Therefore, if we can be of any assistance in expediting matters then please let us know.
- 2.17 The Main Issues in this case will include:
- ☛ The nature and extent of the changes
  - ☛ Compliance with the earlier planning permission
  - ☛ Compliance with the development plan
  - ☛ The application of planning controls
  - ☛ The influence of any material considerations



## 3. Site and Development Description

### 3.1 Chicklade Service Station is located on the A303 between Wincanton and Amesbury:



3.2 The application land extends to approximately 2.1 hectares and includes the existing Chicklade Service Station together with adjacent land. The site lies to the west of Chicklade village, around 11 kilometres south of Warminster and roughly 1 kilometre north of Hindon. It benefits from a lengthy frontage to the A303, which at this location is a single-carriageway route running through predominantly open countryside.



- 3.3 To the east, the service station is physically separated from Chicklade village by two sizeable arable fields; however, the red line application boundary crosses this land to facilitate a proposed footpath link.
- 3.4 The village itself comprises a limited number of dwellings and small businesses clustered around All Saints Church. To the west, a single agricultural field lies between the site and the Mitchell Motors Restoration facility, which forms part of a small group of farm buildings at Newland, alongside a nearby residential property known as Newland Bungalow.
- 3.5 The site and its surroundings are located within the Cranborne Chase Area of Outstanding Natural Beauty / National Landscape and, fall within Wiltshire Council's Tisbury Community Area.
- 3.6 The principal developed element of the site is an established roadside service facility, consisting of a petrol filling station (non-operational) with fuel pumps positioned beneath a large canopy, a shop, a roadside café/restaurant, and associated parking and infrastructure.
- 3.7 In addition to the service station, the site includes areas of adjoining agricultural land and sections of the public highway that are part of the Strategic Road Network overseen by National Highways.
- 3.8 The site is considered well-suited to the provision of enhanced and expanded roadside services and retail facilities to serve both passing traffic and nearby rural communities. This reflects its long-established use for such purposes, dating back to the original planning permission granted in the late 1960s.

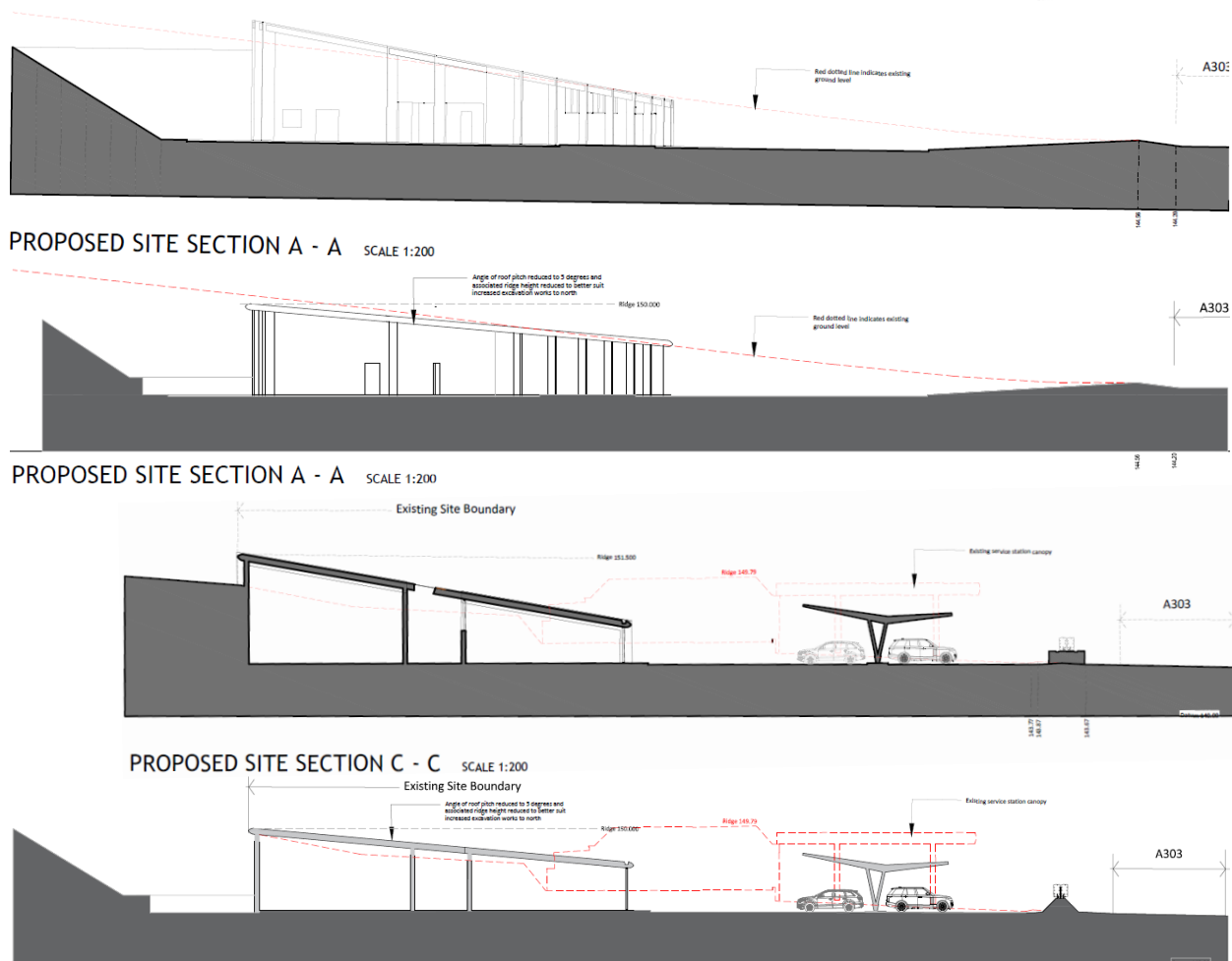
## 4. Planning History

- 4.1 The site's history goes back to the 1960s.
- 4.2 Planning permission for the EV Service Station was granted on 9<sup>th</sup> January 2025.
- 4.3 A suite of condition-discharge applications have been made in recent months.

## 5. Proposed Amendments

- 5.1 The following is a list of the main layout changes:
  - 1. Changes to the staff parking and battery storage area
  - 2. Additional excavation behind the building
  - 3. Replacing frontage gabion walls with landscaped bunding
  - 4. Change from 13 chargers over 25 EV spaces to 30 chargers over 30 EV spaces
  - 5. Extended outdoor seating area
  - 6. Lowering of the roof angle from c.9° to c.5°
- 5.2 We set out below some of the approved and proposed site sections for comparison:

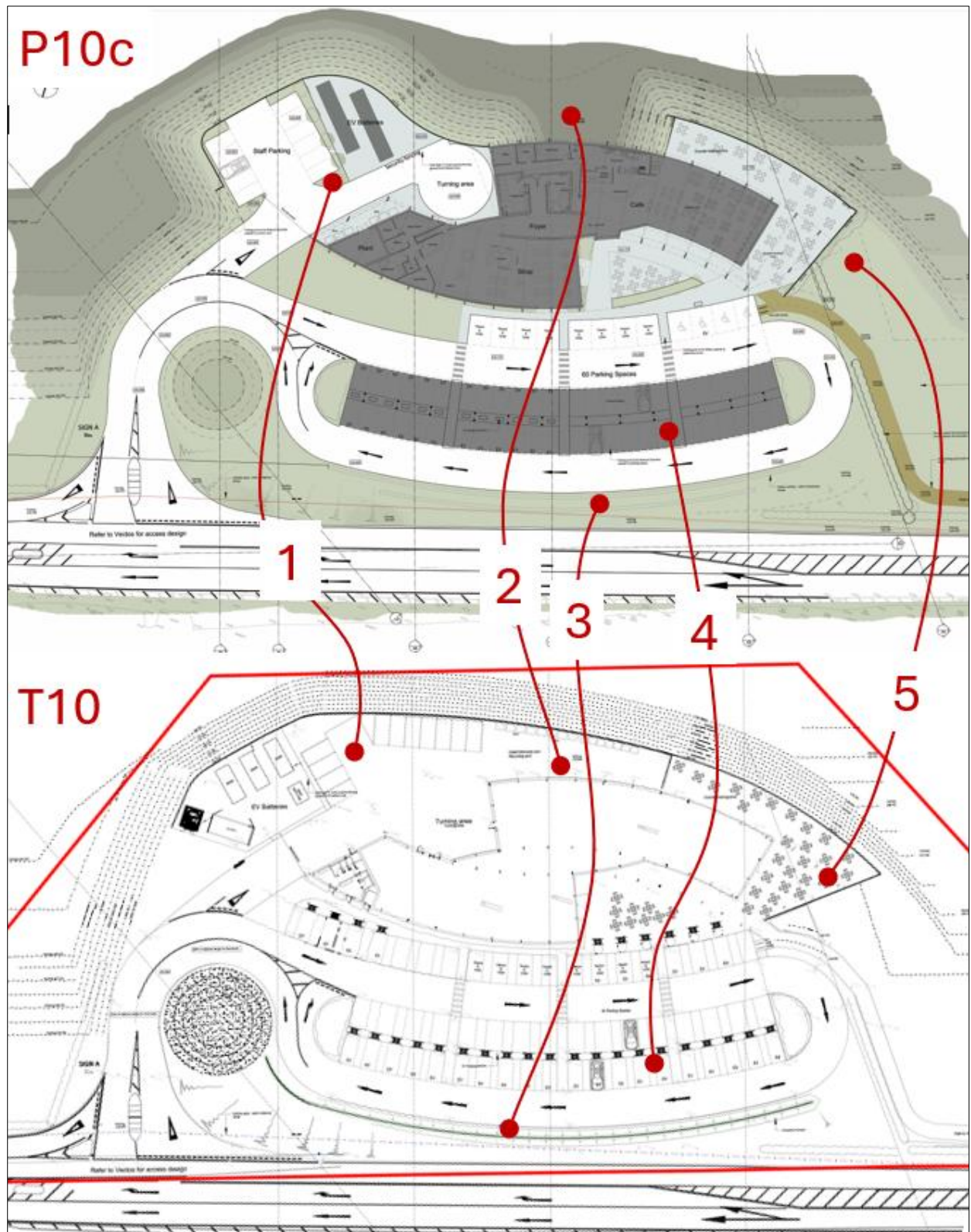




## 5.3 We set out some comparative elevations:



5.4 We set out below the approved site plan (P-10c) and the amended site plan (T10) and



5.5 We set out below the architectural design changes proposed:

- ✎ Remove Corten rusted steel finish overlaid from steel structure, and replace with open steel frame finish in an over cover, coloured grey;
- ✎ Change the composite anodised aluminium rainscreen cladding to a Kingspan

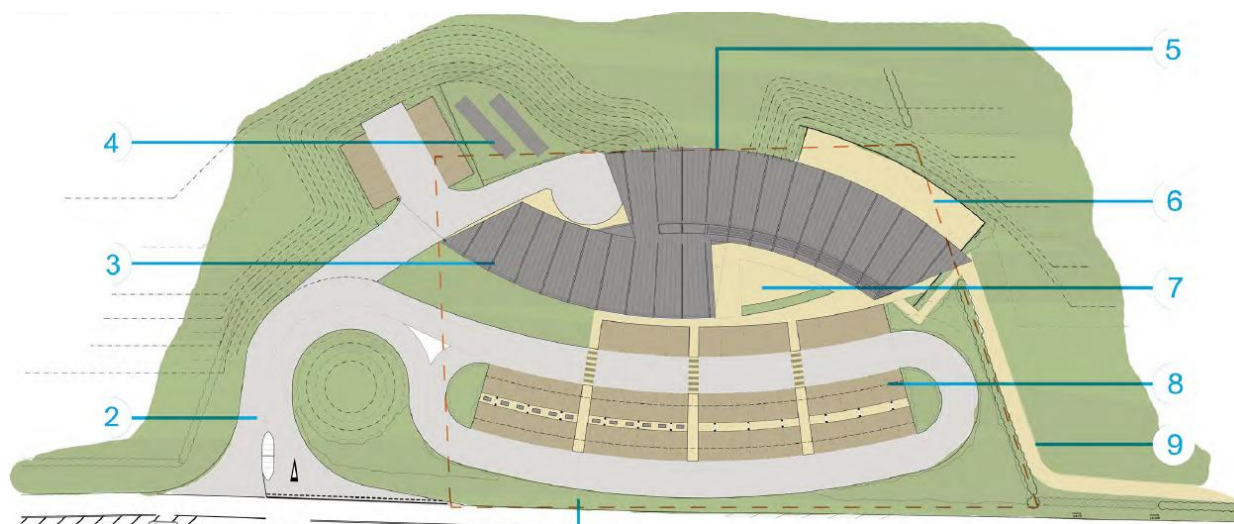


specification rainscreen;

- ✎ Change the individual random natural stone to a stone slips Kingspan product (which has a decorative stone finish matching the natural stone look) – fixed to Karrier panel;
- ✎ Reduce the glazing so that the large spans are now up to top of standard ground floor height (no higher than 2.4m) – replace these areas with Kingspan Karrier panels up to roof level, and a mix of the slips and the rainscreen;
- ✎ Remove sliding doors on the front face of the café and replace with static unit glass inline with the above statement;
- ✎ Change the roof finish from zinc to a Kingspan 100RW product which give the roof the same look;
- ✎ Swap natural quartzite and white asphalt for standard black asphalt throughout the site and provide white lining for bays;
- ✎ Rainwater harvesting system to be removed (subject to drainage updated design);
- ✎ Value engineer existing drainage proposal to minimise drainage ditches;
- ✎ Reduction in glazing through removal of the units at the rear of the building (which is north facing the slope) and replace with Kingspan overclad;
- ✎ Glazing panels to be removed from roof structure;
- ✎ Removal of roof mounted louvres to the front face of the building and replace with Kingspan 100RW product;
- ✎ EV canopy to be steel structure with roof mounted solar, with the roof to be Kingspan 100RW product

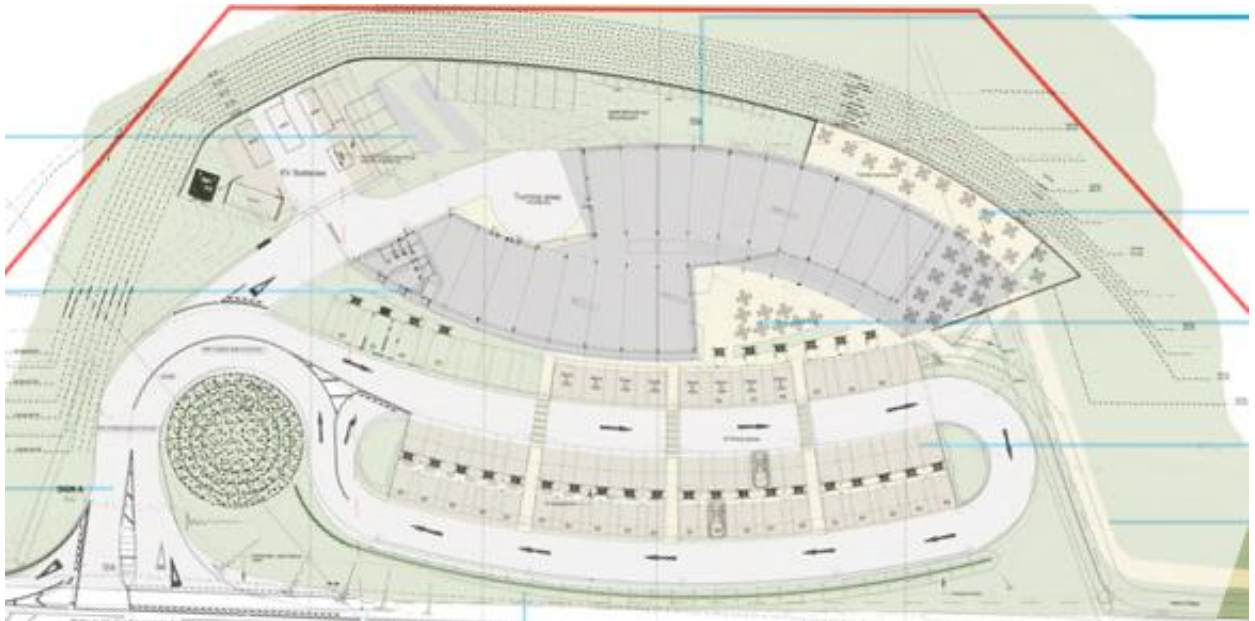
5.6 The proposed changes are intended to reduce excessive build costs, maintaining project viability, whilst retaining the overall Design Vision for the site.

5.7 The original design and access statement included the following block-coloured design diagram, showing the principle areas of landscaping, circulation, parking and roofscape:



5.8 By overlaying the proposed site plan, over that generalised parameters plan, it can be seen that the integrity of the approved site layout has been retained and the proposal still represents good design:





5.9 In relation to the Design Vision, as stated at application stage, the following principles are retained:

- ✎ The one-level site, with the split building and courtyard space
- ✎ Tapering roof with uniform angle of slope
- ✎ Separation of customer and service area
- ✎ Overt sustainability credentials
- ✎ Over hanging roof
- ✎ Metals, stone and glazing
- ✎ Pedestrian route to the village
- ✎ Strong focal point for the area
- ✎ Exterior seating terrace

5.10 As justified below, we are content that the proposed amendments constitute good design and should be supported.

## 6. Development Plan Policy

6.1 The development plan for Wiltshire remains as it was when the EV Service Station was submitted, and approved, that is to say they are quite old now:

- ✎ Saved policies of the 2011 Salisbury District Local Plan
- ✎ Strategic Policies of the Wiltshire Core Strategy

6.2 There is no neighbourhood plan and the local plan review's timetable has been delayed until at least mid-2026.

6.3 The Officer's Report listed policies that were relevant to the determination of the original planning application (see list below).



- 6.4 Under s.38(6) of the 2004 PCPA, decisions must be made in accordance with the development plan unless material considerations indicate otherwise. This means decisions must be policy-based, but the legislation does not expressly require every condition or reason to cite a policy number, but it is common practice to do so.
- 6.5 The 2025 permission is unusual in not referencing any development plan policies.
- 6.6 The reason this is important is because s73 planning applications are not required to perform against all the policies of the development plan, especially where the principle of development is concerned; that having been settled already, and the decision notice would have been a natural means by which to focus attention on policies that matter now. Looking to the Officer's Report, under the sub-heading of 'Principle', it mentions policies CP1, CP2, CP27 and CP35. We have therefore struck these policies out of the list below.
- 6.7 Under the sub-heading of 'Retail Impact' policy CP38 is discussed as a matter of principle. We have therefore it out below.
- 6.8 In relation to policy CP69 and the River Avon SAC, the Officer's Report is clear that "*given the nature of the development (replacement and commercial) there is no mechanism for adverse effect. The HRA has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required*". As the nature of the development is not changing, we have struck that policy out from the list below.

👉 E19 – Existing Employment Sites in the Countryside

👉 ~~CP1 (Settlement Strategy)~~

👉 ~~CP2 (Delivery Strategy)~~

👉 CP3 (Infrastructure Requirements)

👉 ~~CP27 (Tisbury Community Area)~~

👉 CP34 (Additional Employment Land)

👉 ~~CP35 (Existing Employment Sites)~~

👉 ~~CP38 (Retail & Leisure)~~

👉 CP39 (Tourist Development)

👉 CP41 (Sustainable Construction and Low Carbon Energy)

👉 CP48 (Supporting Rural Life)

👉 CP49 (Protection of Rural Services & Community Facilities)

👉 CP50 (Biodiversity and Geodiversity)

👉 CP51 (Landscape)

👉 CP52 (Green Infrastructure)

👉 CP57 (Ensuring High Quality Design & Space Shaping)

👉 CP60 (Sustainable Transport)

👉 CP61 (Transport & Development)

👉 CP62 (Development Impacts on the Transport Network)



- 🐾 CP64 (Demand Management)
- 🐾 CP66 (Strategic Transport Network)
- 🐾 CP67 (Flood Risk)
- 🐾 CP68 (Water Resources)
- 🐾 ~~CP69 (Protection of the River Avon SAC)~~

- 6.9 The remainder of this planning statement will review the policies that we have not struck out as dealing with the principle of development to see if they hold any decision-making role in the determination of a s73 planning application. However, it is noteworthy that the NPPF is very clear on the role of strategic policies in decision making, and for the reasons given by the NPPF in paragraphs 20 to 23 and 29, it is unlikely that the strategic policies of the 2015 Core Strategy will be especially determinative in this case.
- 6.10 Strategic policy CP3 states that all new development should provide the necessary on-site and off-site infrastructure. The policy is not discussed in the decision notice or officer's report, and it can be assumed that the requirements of the policy were either irrelevant or were met by the provisions of the planning permission and the associated s106 agreement. This material amendment does not alter that situation.
- 6.11 Strategic policy CP34 deals with proposals for employment development. The proposal did not readily fit into use classes B1, B2 and B8 at application stage, and the relevance of the policy to material amendments now appears limited, if any.
- 6.12 Saved policy E19 deals with existing employment sites in the countryside and is clear that proposals to redevelop existing employment sites will be permitted, subject to a suite of criteria. The amended proposal will continue to result in improved employment opportunities, meeting criterion (i). Criterion (ii) requires proposals to improve the operational efficiency of the enterprise. The previous enterprise had closed, the original planning permission was to revitalize the site. The material amendments being proposed now will improve the viability of the approved enterprise, in compliance with the criterion. In compliance with criterion (iii) there is no better site in the immediate vicinity. Whilst criterion(iv) seeks to avoid adverse impacts on the character of the landscape, the extent of landscape impact was deemed acceptable in the original proposal, and the material amendments in this case are not considered to alter that position. Criterion (v) is not relevant because the development will not increase traffic. In relation to criterion (vi) there are no nearby dwellings whose amenity would be adversely affected.
- 6.13 Strategic policy CP39 deals with tourist development. The EV service station is not tourist development, however, it will support the sustainable transport demands of the Wiltshire tourist industry, in oblique compliance with the policy.
- 6.14 Strategic policy CP41 concerns sustainable construction and low-carbon technology. The decision notice does not mention policy CP41, and the officer's report only by reference to the consultation response of 'Climate' who was supportive. The approved scheme was approved in light of the varying requirements of the policy. The amended scheme will be constructed to the most up to date building regs, and its sustainability credentials come mainly from its role in supporting and facilitating the transition to a decarbonised transport system, and this should continue to be supported. The local planning authority should defer to building regs for the building's sustainability credentials, and this approach is supporting



by the current and incoming NPPFs, the latter of which states:

*“DM7: Relationship with other regulatory regimes*

*1. Development proposals should be assessed on the basis of whether they would be an **acceptable use of land**. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively.”*

6.15 InstaVolt’s chargers use 100% renewable energy. The current NPPF is clear on the merits of this approach, and the incoming NPPF is even clearer:

*“168. When determining planning applications for **all forms of renewable and low carbon energy developments and their associated infrastructure**, local planning authorities should: [...] **give significant weight to the benefits associated with [...] the proposal’s contribution to a net zero future**”*

*“CC2: 2. **Substantial weight should be given to the benefits of [...] drawing energy from [...] renewable and low carbon sources**”*

6.16 We are content that the amended scheme remains compliant with the strategy for low carbon energy set out in strategic policy CP41.

6.17 Strategic policy CP48 aims to support rural life. It is clear that *“Proposals which will **focus on improving** accessibility between towns and villages, helping to reduce social exclusion, isolation and rural deprivation, such as **transport and infrastructure improvements, will be supported** where the development will not be to the detriment of the local environment or local residents”*. The original proposal fulfilled this requirement and so does the amended scheme.

6.18 Strategic policy CP49 concerns itself with the loss of rural services and community facilities. This site was never a community facility. The amended proposal continues to protect a rural service.

6.19 Strategic policy CP50 requires a net gain for biodiversity from development. The original planning application was not subject to biodiversity net gain, and nor is this amendment, however the original permission secured a direct net gain which the officer’s report stated meant the policy was “fully met”, and that is ‘transferred’ to this amended scheme. Wider than that, the transition to a net zero future and decarbonised transport system contributes to climate change amelioration, which in turn benefits biodiversity, and should be supported for that reason.

6.20 Strategic policy CP51 covers landscape. The site’s location in the AONB<sup>3</sup>/National Landscape<sup>4</sup> was acknowledged at application stage, through the grant of planning permission, and again through this amendment. The policy had minimal coverage in the officer’s report, however, the officer’s report was clear that *“The revised NPPF puts great emphasis on the need for good design and confirms that developments should function well and add to the overall quality of the area, be sympathetic to local character and establish a sense of place. In addition, Paragraph 180 confirms that ‘decisions should contribute to and enhance the*

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<sup>3</sup> The statutory term.

<sup>4</sup> The rebranded term for AONB.



*natural and local environment by...protecting and enhancing valued landscapes (which include National Landscapes/AONBs)...in a manner that is commensurate with their statutory status' and in Paragraph 182, it is stated that great weight should be given to '...conserving and enhancing landscape and scenic beauty in...Areas of Outstanding Natural Beauty'. At local level both WCS policies CP51 (Landscape) and CP57 (Ensuring High Quality Design & Place Shaping) also seek to manage the design, scale and massing of a new development to ensure that it effectively integrates into its setting."* In this respect the original proposal was granted planning permission.

6.21 NPS EN1 is clear that:

*"4.7 Criteria for good design for Energy Infrastructure*

*4.7.1 The visual appearance of a building, structure, or piece of infrastructure, and **how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.***

*4.7.2 Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic **as far as possible**. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area."*

6.22 In relation to policy CP51, and the NPPF, the amended proposals cannot be said to be poor design. Conversely, the proposed amendments to the approved scheme remain sensitive to place, demonstrate high quality functional design and, for a transport service station, demonstrate a good aesthetic; they remain good design in the AONB.

6.23 Strategic policy CP52 did not feature in the officer's report, most likely because, at application stage, the existing site had no green infrastructure to retain or enhance. The benefits of utilising previously developed land were distinct benefits then, and remain so now. The approved landscape scheme has been updated to reflect the changes on site and will continue to support and comply with the policy, as far as possible for a transport infrastructure proposal.

6.24 Strategic policy CP56 concerns land contamination, and although not referenced in the decision notice or officer's report, provisions for the resolution of contamination matters were included in the decision notice by way of planning conditions, planning conditions which the applicant is in the process of discharging.

6.25 Strategic policy CP57 seeks to ensure high quality design, and was the subject of consideration in the officer's report which stated that *"The revised NPPF puts great emphasis on the need for good design and confirms that developments should function well and add to the overall quality of the area, be sympathetic to local character and establish a sense of place. In addition, Paragraph 180 confirms that 'decisions should contribute to and enhance the natural and local environment by...protecting and enhancing valued landscapes (which include National Landscapes/AONBs)...in a manner that is commensurate with their statutory status' and in Paragraph 182, it is stated that great weight should be given to '...conserving and enhancing landscape and scenic beauty in...Areas of Outstanding Natural Beauty'. At*



*local level both WCS policies CP51 (Landscape) and CP57 (Ensuring High Quality Design & Place Shaping) also seek to manage the design, scale and massing of a new development to ensure that it effectively integrates into its setting.” In this respect the original proposal was granted planning permission.*

6.26 NPS EN1 is clear that:

*“4.7 Criteria for good design for Energy Infrastructure*

*4.7.1 The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.*

*4.7.2 Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.”*

6.27 Reflecting the material guidance of NPS EN1, and in relation to policy CP57, and the NPPF, the amended proposals cannot be said to amount to poor design. Conversely, the proposed amendments to the approved scheme remain sensitive to place, demonstrate high quality functional design and, for a transport service station, demonstrate a good aesthetic that also meets the requirements of policy CP61.

6.28 Strategic policy CP60 concerns sustainable transport, Strategic policy CP61 concerns transport and new development, strategic policy CP62 concerns development impacts on the transport network and strategic policy CP64 concerns demand management (encouragement of the use of sustainable transport). These policies were not overtly discussed in the officer’s report nor the decision notice. The current and incoming NPPFs are very clear on what amounts to sustainable transport:

*“Sustainable transport modes: Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra low and zero emission vehicles, car sharing and public transport.”*

6.29 The original scheme, and this amended scheme, are inherently supportive and facilitative of sustainable transport. The development’s impact on the transport network will continue to be overwhelmingly positive. The proposed amendments will contribute to the scheme’s viability, ensuring it can play its part in a net zero and low carbon transport future, in compliance with the policy.

6.30 Strategic policy CP66 concerns the strategic transport network, and this amended scheme continues to support the aims and objectives of the core strategy and local transport plan in relation to sustainable transport infrastructure objectives.

6.31 Strategic policy CP67 covers flood risk. Whilst not discussed in the officer’s report, the report noted the recommendation of planning conditions by ‘Drainage’. The applicant is in the process of discharging planning conditions on the approved scheme, and this amendment is supported by a detailed sustainable drainage scheme intended to avoid the imposition of



conditions on any resultant grant of planning permission, to ensure continued compliance with this policy.

- 6.32 Strategic policy CP68 concerns water resources. It was not discussed in the officer's report, however groundwater was a topic given as reasons for conditions 11 and 13 of the decision notice. The applicant is in the process of discharging planning conditions on the approved scheme, and this amendment is supported by a detailed sustainable drainage scheme intended to avoid the imposition of conditions on any resultant grant of planning permission, to ensure continued compliance with this policy.
- 6.33 We are content that, on review, the policies of the development, in so far as they do not provide detailed development management decision making criteria, and insofar as they are relevant to the considerations of a s73 amendment proposal, remain supportive of this scheme and the proposed amendments, and in the alternative, we find no policy-reasons not to support it.

## 7. Material Considerations

- 7.1 A range of significant and compelling material considerations have emerged since the preparation and submission of the original planning application.
- 7.2 The material considerations cited below relate to national policy and guidance on the topic of electric vehicle charging infrastructure, sustainable transport, transport decarbonization, low carbon energy and battery energy storage. They provide a wealth of compelling evidence in support of this amended scheme.

National Planning Policy Framework 2024

- 7.3 Paragraph 7 is clear in stating:

*"The purpose of the planning system is to contribute to the achievement of sustainable development".*

- 7.4 Paragraph 8 outlines the three overarching objectives to deliver sustainable development being economic, social and environmental. Paragraph 8 states:

*"Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

*a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) an environmental objective – to protect and enhance our natural, built and historic*



*environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”.*

7.5 Paragraph 9 is clear in its expectations that:

*“These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”.*

*The NPPF employs a presumption in favour of sustainable development. Development which complies with the development plan is sustainable by default. EV vehicles require access to well-located public charging infrastructure in all areas, inside and outside of settlement boundaries. This development satisfies an operational need for EV vehicles to recharge when navigating in, out and through the district and therein supports other societal priorities including economic development, tourism and transport decarbonisation.*

*Section 9 of the NPPF is entitled “Promoting Sustainable Transport”.*

7.6 Paragraph 11 confirms that:

*“For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay”.*

7.7 The NPPF glossary defines sustainable transport as *“Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra low and zero emission vehicles”.*

7.8 The NPPF glossary defines low carbon technologies as *“Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels)”.*

7.9 Public EV charging infrastructure is required to support the transition to a low-carbon economy and a decarbonised transport system.

7.10 Paragraph 109 acknowledges that *“opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”.*

7.11 Paragraph 87 builds on paragraph 109 and states *“Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations”.*

7.12 EV charging infrastructure is required in all areas; town, country, urban etc. but crucially where the appropriate grid infrastructure and capacity is at hand (as it is in this case) and that is the locational requirement to which the NPPF refers.

7.13 Paragraph 85 Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.



## 7.14 Paragraph 109 states:

- a) making transport considerations an important part of early engagement with local communities;*
- b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places;*
- c) understanding and addressing the potential impacts of development on transport networks;*
- d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated;*
- e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and*
- f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.”*

7.15 Paragraph 110 states: *“The planning system should actively manage patterns of growth in support of these objectives [para 108]. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes<sup>5</sup>. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”.*

7.16 Paragraph 161 states *“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”.*

7.17 This planning application includes both EV charging infrastructure and renewable energy utilisation and storage; it is inherently low carbon development.

7.18 Paragraph 168 is very clear on how the Council should be approaching what is inherently a sustainable development from any angle:

*“168. When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:*

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future;*
- b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions”.*

7.19 Whilst we consider that any minimal impacts from this sustainable development are or can

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<sup>5</sup> NPPF defines sustainable transport modes as including ultra low and zero emissions vehicles.



be made acceptable. This is a low carbon development, and the decision makers' focus and effort should be on working with the applicant at the earliest possible stage to reduce any impacts to acceptable levels so that it can go ahead.

- 7.20 Paragraphs 196 to 201 are clear on the need to reduce emissions and pollutants, for human health and environmental gain.

National Policy Statement for Energy EN-1 Jan 2024

- 7.21 Paragraph 5 of the NPPF outlines that National Policy Statements form part of the overall framework of national planning policy, and may be a material consideration in determining planning applications. It is important to consider their context and material when assessing the proposed planning application.
- 7.22 NPS EN1 paragraphs 4.2.4 and 4.2.5 have introduced a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Low carbon infrastructure for the purposes of this policy means for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of "low carbon".
- 7.23 The provisions of the NPS are a material consideration in s78 TCPA planning applications and weigh heavily in favour of new renewable and low carbon development.
- 7.24 NPS EN1 sets Criteria for Good Design for Energy Infrastructure, which must be read alongside NPPF policy on design (Para 135) and local plan policies guiding place, character and appearance (our emphasis):

*"4.7 Criteria for good design for Energy Infrastructure*

*4.7.1 The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.*

*4.7.2 Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.*

*4.7.3 Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material".*

- 7.25 Electric vehicle ownership is at an early stage in its genesis. Ownership rates are increasing as various policy and legislator drivers take effect, chief amongst them net zero targets and the impending ban on the sale of new fossil fuel cars.
- 7.26 The sector remains a novel one for the planning system with some local authorities starting

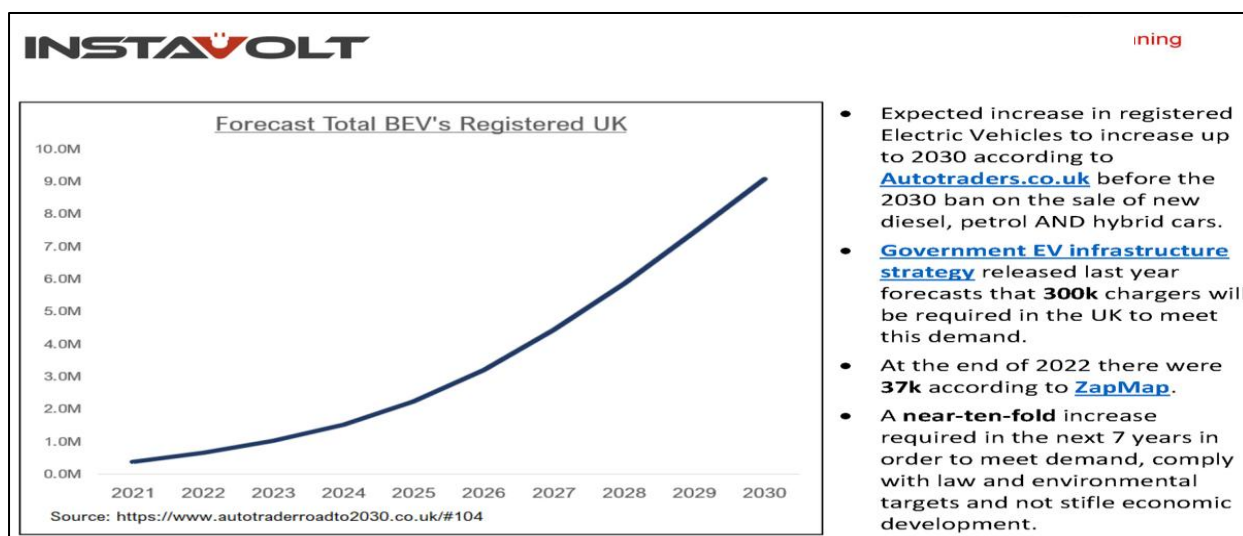


their policy journeys with EV strategies which are focused on Council-owned land and Council vehicle fleets. Nationally, some local planning authorities have started to include policies requiring some degree of EV charging, often provided as part of wider schemes, in development proposals, and Wiltshire is one of them.

- 7.27 The following are the key national policy documents which are material considerations in this case, further below are Wiltshire's material policy documents.

March 2022 Governments Electric Vehicle Infrastructure Strategy entitled 'Taking charge: the electric vehicle infrastructure strategy'

- 7.28 The Governments Electric Vehicle Infrastructure Strategy entitled 'Taking charge: the electric vehicle infrastructure strategy' published in March 2022 is a strong material planning consideration. The strategy pre-dates the development plan and the provisions in the latest NPPF. The strategy confirms that the Government 'expect around 300,000 public chargers as a minimum by 2030. Our goal is to ensure these charge points are installed ahead of demand, inspiring confidence in drivers who have not yet made the switch.' Hence, the current proposal is considered to be an important contribution to help meet this target.
- 7.29 The Government strategy is clear that charge points 'must also be rolled out where they are needed the most nationwide'. As identified above, this should include areas clearly important for 'destination' car parks, especially where there are gaps in the existing limited infrastructure. The strategy goes on to advise that 'Ultimately, charging your EV should be easier, cheaper and more convenient than refueling a petrol or diesel car, wherever you live'.
- 7.30 Bearing in mind the nature of the proposed development, reference to the Government's EV Strategy is conspicuous by its absence in the Officer's Report, thereby missing an important material consideration.
- 7.31 The following compelling data shows the extent of the challenge to society, to which the planning system is being slow to respond (see below):



- 7.32 The following extracts from the Government's EV Strategy convey the urgency of the issue at hand:



**Our Vision**



**Everyone can find and access reliable public chargepoints wherever they live.**

We are committed to a comprehensive rollout of charging infrastructure which leaves no area of the country behind. There is huge capacity for the market to meet this challenge and, in areas with higher EV ownership and well-developed local government strategies, local infrastructure delivery is expanding rapidly and the commercial case for private investment is strengthening. However, the pace of rollout across the country is too slow and there is insufficient local leadership and engagement in some places. We are providing local government with the support they need to meet the challenge.

Many areas do not currently have sufficient charging demand to support investment, and local authorities can lack the experience and capacity to develop strategies and apply for funding. The resulting lack of infrastructure can dissuade prospective EV owners, which in turn risks slowing the transition to EVs and leaving some people behind. To ensure all areas

We recognise the current spatial disparities in the provision of EV infrastructure across the UK. When allocating funding, consideration will be given to places that have not previously received funding for EV infrastructure, and those where chargepoint provision is currently low.

We are launching a £10m pilot of the LEVI Fund to provide an early opportunity for local authorities to scale up their local charging provision and maximise the potential for private sector finance. The pilot will test how we can most effectively support local authorities procuring chargepoint deployment by trialling different delivery mechanisms, business models and technologies.

We will be monitoring the level of engagement and planning taking place at the local government level. We will publish information on which local highway authorities have produced strategies for

**Delivering a reliable, comprehensive public charging network requires a UK-wide approach**

The UK Government has a clear commitment to achieving net zero emissions across the whole country. To achieve this, we need a reliable, comprehensive public charging network across the UK. The vision and principles of this strategy apply throughout the UK, including the importance of increased local leadership. The specific approaches taken may vary, however. Elements of transport policy are devolved, including roads and local transport, strategic planning, land use and public transport subsidies. Energy policy is also devolved in Northern Ireland.

We welcome this report and the recommendations in it have informed our strategy. We are publishing the Government's response to the CMA study alongside this strategy.

Ofgem, the GB regulator for gas and electricity networks, recently set out its own priorities relating to EVs in "Enabling the transition to electric vehicles: The regulator's priorities for a green fair future". These cover electricity network capacity, efficient energy system integration through smart charging, and consumer participation and protection.<sup>47</sup>

- **We need more local engagement, leadership and planning** – local authorities are fundamental to successful chargepoint rollout, particularly for the deployment of widespread on-street charging. They are ideally placed to identify the local charging needs of residents, fleets and visitors. But the current picture is mixed. Some are driving the agenda forward at pace, others are short of dedicated resource and expertise. Planning permission delays are often cited as a major brake on the speed of deployment, and the interaction between local parking and charging policies is not fully resolved.

- **The pace of rollout is too slow** – even the recent surge in chargepoint deployment is not at a pace consistent with what is needed for a wholly zero emission new car fleet in 2035. This is particularly true for local, low power, on-street charging which is so crucial for drivers without driveways. Many fleet drivers also rely on this type of charging. Planning arrangements can be complex to manage. Chargepoint installers can sometimes need multiple permissions, consents and licences, which adds time and cost to deployment.

7.33 The Government is clear in the EV Strategy that it expects the necessary infrastructure to be in place to drive the uptake of EV car ownership in order to decarbonise the transport system as society heads towards the net zero target in 2050 in orders of magnitude over and above the current provision to provide consumer confidence in all matters, but also competition between operators which the planning system should encourage.



January 2023 Ofgem Electric Vehicle Smart Action Plan

7.34 In January 2023, the Department for Business, Energy & Industrial Strategy, with Ofgem, published the Electric Vehicle Smart Charging Action Plan.

7.35 In relation to the need for the decarbonisation of the UK road transport, the Action Plan states:

*“Decarbonisation of road transport is accelerating, and in 2022 one in six of all new vehicles sold in the UK was a plugin electric vehicle. The UK Electric Vehicle Infrastructure Strategy set out how the rollout of charging infrastructure will be integrated into a smart energy system to maximise the efficient use of generation and network assets. Enabling intelligent and automated ‘smart charging’ at suitable locations will deliver a win-win situation; the electricity system costs are reduced lowering prices for everyone, the motorist pays less for charging their electric vehicle (EV), and the electricity powering the EVs is cleaner and greener”.*

7.36 In conveying the scale of the challenge and the ‘Public Charging Vision’, the Action Plan makes clear:

*“The number of EV charge points will need to be scaled up rapidly through the 2020s. Whilst most drivers will charge at home, those without access to off street parking will rely on public or workplace charging. Government’s EV Infrastructure Strategy defined the vision for the continued roll-out of a world-leading charging infrastructure network across the UK. The strategy emphasises the need for localised charge point planning. Government is considering options for introducing a unified consent process for installing EV charge points, including consideration of a streamlined process for obtaining both the planning permission consent and the highways consent for the traffic management works at the same time. A consultation was held in 2022, and the Government’s response will be published in early 2023 Local EV infrastructure planning must be guided by the high-level system outcomes of achieving a net zero energy system, at lowest investment costs, while meeting the needs of EV drivers and local communities”.*

March 2023 Government’s Powering Up Britain

7.37 In March 2023 the UK Government published a suite of documents under the collective title ‘Powering Up Britain’.

7.38 Powering Up Britain is clear that:

*“Energy security is one of this Government’s greatest priorities”.*

7.39 It goes on to state that:

*“The energy transition in line with net zero is one of the greatest economic opportunities for this country and we are committed to ensuring that the UK takes advantage of its early mover status”.*

7.40 Specific to this proposal, Powering Up Britain is very clear that:

*“The transition to net zero will require action across the whole economy fuelled by rapid deployment of low carbon electricity. To thrive, the UK will need to support the growth of new sectors and help others adapt”.*

*“The Government will implement the actions set out in the Electric Vehicle Smart Charging*



*Action Plan, published in January 2023. These commitments stretching out to 2026 will maximise the benefits which electric vehicles offer for energy flexibility, and to make sure the system is ready to respond in time for the upturn in energy demand”.*

7.41 In relation to the impending upturn in demand Powering Up Britain states:

*“Electric Vehicle uptake and infrastructure – In 2022, the UK had the second highest battery electric car sales in Europe, bringing the total number of plug-in vehicles on UK roads to over one million licensed, of which around 60% are battery electric. Charging infrastructure is also speeding ahead: public charging devices have more than tripled from 10,300 devices in January 2019 to over 38,700 in March 2023. We are building on that by publishing a final consultation on an ambitious Zero Emission Vehicle mandate, requiring an increasing percentage of new car and van sales to be zero emission”.*

7.42 In terms of the relationship between this emergent technology and economic development (to which the NPPF assigns “significant weight”) and training, Powering Up Britain states:

*“Upskilling the workforce for the green economy – In England, DfE and industry are working together to train the existing workforce for the net zero transition through programmes including Skills Bootcamps, Free Courses for Jobs, HTQs and apprenticeships. These programmes are helping to upskill more workers so that they can, for example, support greater energy efficiency in domestic and commercial buildings, and work with green technologies that contribute to the lowering of carbon emissions. These Skills Bootcamps train workers in high demand skills such as electric vehicle charger installation, retrofit, and arboriculture. DfE is continuing to expand Skills Bootcamps, with up to £550 million in funding allocated for financial years 2022-25”.*

DfT’s ‘Future of Transport Regulatory Review: zero emission vehicles Government response (Oct 2023)

7.43 The DfT publication continues to extol Government policy on the necessary roll out of EV charging infrastructure. Here are a few standout quotes from it:

*“3.12 It is critical that infrastructure is delivered at pace in all local areas”.*

*“3.13 In order to plan and ensure provision of sufficient charging infrastructure most respondents thought that resource funding for local authorities, training for officers and grid upgrades were most needed”.*

*“4.1 The development of off-street charging infrastructure is necessary to support the transition to EVs. We are aware that limited access to charge points, especially off-street home or destination charging, can cause ‘charging anxiety’ which hinders EV uptake.*

*“6.1 A positive consumer experience is essential to increasing public engagement and overall confidence in EV charging. As the transition to EVs accelerates and the charging network expands and evolves, it is critical that regulatory arrangements keep step with consumer needs”.*

*“6.22 Consumers should feel confident that there is a high-quality, consistent minimum level of service across the charging sector”.*

*“6.3 As the EV transition gathers pace, it is essential that charging infrastructure meets the needs of all consumers. Based on previous consultation, user research and other emerging*

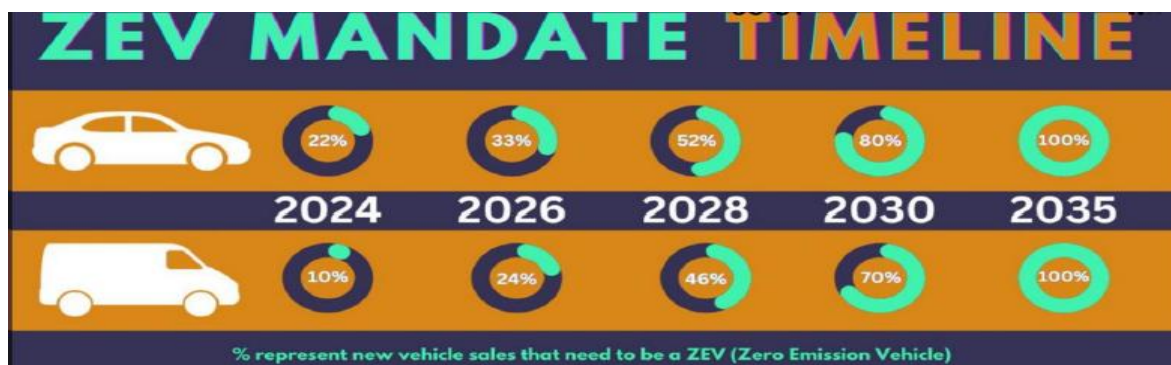


*evidence, we know that various aspects of charging infrastructure design can present challenges to some EV consumers. We want to ensure that those with mobility, dexterity, or other impairments can easily locate and access charging infrastructure suitable for their needs. In addition, all consumers should feel safe while charging at any time of day”.*

*“6.31 Several respondents noted that consumers should feel as safe charging an EV as they do refueling at petrol forecourts. Respondents commonly identified lighting, CCTV, clear signage, shelter, proximity to amenities and choice of location as examples of elements we should consider mandating. Several emphasised that new safety requirements would improve confidence among female drivers, who they noted may feel particularly vulnerable charging in dark, isolated locations”.*

7.44 Alongside numerous Government strategies and objectives, the following will provide serious challenges to vehicle and fleet owners and the wider economy if the necessary charging infrastructure is not in place to meet demand which is already surging:

- ✎ 2030 – following the previous Government target of 2030 for a ban on the sale of new fossil fuel cars, car manufactures will have phased out new fossil fuel cars from their forecourts in any event and following industry targets that were based on the 2030 date.
- ✎ 2035 - the UK is heading towards a Government ban on the sale of new petrol and diesel cars in the UK.



- ✎ The 2050 Net Zero requirements.
- ✎ The 2023 Highway Code change that will see motorists fined £100 if they run out of fuel (including EV cars) and obstruct traffic as a result. 4.46 There is a real economic urgency to proposals such as this. Demand is already outstripping supply because the roll out of EV infrastructure has been too slow according to the Government’s EV Strategy.

7.45 The ZEV mandate in the UK requires that:

- ✎ All cars and vans on UK roads must be fully electric by 2035.
- ✎ Manufacturers must ensure that at least 28% of their new car sales are zero-emissions in 2025, up from 22% in 2024.
- ✎ The mandate sets specific percentages of new zero-emission cars and vans that manufacturers must produce each year up to 2030.
- ✎ The ZEV mandate is a legal requirement for car manufacturers to meet targets for new EV sales in the UK.



 In April 2025, the UK government announced changes to the ZEV mandate, relaxing some rules to reassure the industry

- 7.46 To understand how the prevalence of EV charging points nationwide, in both urban and rural areas, will affect the wider economy, decision makers only need think of the impact caused by 'traditional' fuel shortages; the queues of vehicles, impacts to business, impacts to society, food distribution etc.
- 7.47 If after 2030 the necessary EV infrastructure is not in place to support an increasingly EV-dominated private, commercial, and Council vehicle fleet then serious economic damage will be done to the country's economy – quite the opposite to the significant weight to be given in support of economic development which NPPF paragraph 85 is very clear on
- 7.48 This statement continues by outlining the national policy stance on renewable energy and low carbon energy development which includes battery storage.

National Grid ESO 'Future Energy Scenarios' (2023)

- 7.49 This report outlines the investment required in new energy infrastructure to meet net zero by 2050 along with policy implications and how we consume our energy. It predicts a number of scenarios based on our societal change. The report states that:
- "electricity storage will need to increase significantly to support the decarbonisation of the electricity system".*
- 7.50 Across all scenarios outlined, battery storage is expected to make up the largest share of storage capacity by 2050. In the future it is anticipated that a much greater share of dispatchable sources of supply will come from other sources, such as electricity storage.
- 7.51 By 2030 we will need to increase from the 2022 baseline position of 3.5GW of storage capacity to between 17GW and 31GW. This drastic increase in estimations in such a short period of time demonstrates the need to adopt a greater number of renewable energy storage technologies and associated development, at a much quicker rate. The 2023 FES Report also provides a 'Fall Short' scenario in which we do not achieve net-zero by 2050, and even this scenario requires 13GW of storage capacity, a four-fold increase on the current baseline position. Furthermore, by 2050 energy storage will likely need to increase to between 37.5GW and 68.5GW to achieve net zero.
- 7.52 The UK Government has estimated that technologies like battery storage systems could save the UK energy system up to £40 billion by 2050. There is clearly an important and established need for battery storage which needs to be supported and expanded over the coming years/decades.
- 7.53 Regarding availability of sites, National Grid have a network of 298 Super Grid Transformer Substations, just over half of these currently have capacity to accommodate battery storage of the proposed site's scale. This identifies a clear shortage and the importance of the delivery of new battery storage sites.

National Policy Statement for Energy EN-1 (Jan 2024)

- 7.54 Paragraph 5 of the NPPF outlines that National Policy Statements form part of the overall framework of national planning policy, and may be a material consideration in determining



planning applications. It is important to consider their context and material when assessing the proposed planning application.

- 7.55 In January 2024 the updated NPS (EN-1) was adopted which recognised the importance of storage where it states:

*“Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated... Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher. Storage can provide various services, locally and at the national level. These include maximising the usable output from intermittent low carbon generation (e.g. solar and wind), reducing the total amount of generation capacity needed on the system; providing a range of balancing services to the NETSO and Distribution Network Operators (DNOs) to help operate the system; and reducing constraints on the networks, helping to defer or avoid the need for costly network upgrades as demand increases.”*

- 7.56 NPS EN1 paragraphs 4.2.4 and 4.2.5 have introduced a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Low carbon infrastructure for the purposes of this policy means for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of “low carbon”.

- 7.57 The provisions of the NPS are a material consideration in s78 TCPA planning applications and weigh heavily in favour of new renewable and low carbon development.

- 7.58 NPS EN1 sets Criteria for Good Design for Energy Infrastructure, which must be read alongside NPPF policy on design (Para 135) and local plan policies guiding place, character and appearance (our emphasis):

*“4.7 Criteria for good design for Energy Infrastructure*

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*4.7.2 Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.*

*4.7.3 Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material”.*



## 7.59 Draft policy 70 concerns sustainable transport and states:

**Policy 70**

**Sustainable transport**

The council will seek to help people travel shorter distances and use sustainable modes in order to reduce transport carbon emissions, whilst recognising the need to keep the economy moving, and support the safe and efficient movement of people and goods within and through Wiltshire. This includes in rural areas where it is recognised that sustainable transport options are limited. This will be achieved by:

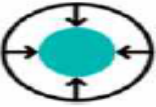
- planning significant developments in locations that are or can be made accessible by sustainable transport modes, including walking and cycling facilities;
- promoting walking, cycling and public transport to be the natural first choice for shorter and single journeys in urban areas;
- promoting appropriate demand management measures that reflect local circumstances and objectives working with partners;
- working with partners and others to deliver electric vehicle charging and other alternative fuel infrastructure;
- influencing the routing of freight within and through the county to ensure appropriate use of the Strategic and Primary Road Network;
- assessing and, where necessary, mitigating the impact of developments on transport users, local communities and the environment; and
- developing proportionate transport strategies for the Principal Settlements and Market Towns. These will be supported and implemented through private and public funding opportunities, including developer contributions, as well as joint working with partners and other stakeholders.

## Wiltshire Local Transport Plan 4 Core Strategy March 2025

## 7.60 The LTP Core Strategy sets four areas of policy:

**Policy areas**

To deliver our LTP4 vision and objectives, a broad mix of policies is needed. We have defined four policy areas which provide the foundation and structure for our policies and measures. These four policy areas are based on the Avoid-Shift-Improve framework: this has been selected since it takes a holistic and balanced approach to sustainable transport, with a focus on improving the choices available. The four policy areas aim to:



**Avoid** unnecessary travel – giving people the choice to reduce the number and length of car trips needed through promoting digital connectivity, locating services, jobs and other destinations within closer reach and combining journeys.



**Shift** to more sustainable modes of transport – providing better and more accessible options for travel via active travel (including walking, wheeling including wheelchairs and pushchairs, cycling and horse riding), shared transport, and public transport.



**Improve** vehicle, fuel and network efficiency – through roll out of electric vehicles and charging infrastructure, alternative fuels and technology improvements.



**Support** and enable delivery of the Avoid, Shift and Improve policy areas – both now and into the future.

We have structured our LTP4 sub-strategies around this framework of Avoiding, Shifting and Improving travel patterns, alongside supporting measures. Each of these policy areas is essential for achieving our LTP4 vision and objectives; feedback from our initial round of engagement with stakeholders affirmed the need to strike a balance between them.



7.61 The LTP Core Strategy is clear on the current under-provision of public rapid charging infrastructure in Wiltshire:



In late 2023, there were **20,200 battery electric cars** licensed in Wiltshire. Wiltshire has a higher number of battery electric cars as a proportion of all cars (6%) compared with the South West region (4%) and England (3%).<sup>14</sup>

In terms of access to electric vehicle charging, there are currently 6 rapid devices and 29 fast devices provided by Wiltshire Council across the county. The increasing focus on a shift towards electric vehicles means that we are always searching for new locations for charging points.

Wiltshire Local Transport Plan 4 Electric Vehicle Infrastructure Sub-strategy March 2025

7.62 LTP4 sets out a range of policies and measures to support and facilitate EV transport. Measure I1.4 is pertinent in this case:

**Policy I1: Facilitate and encourage move to low and zero emission vehicles.**



**Measure I1.4: Support the roll out of rapid charger hubs by the commercial sector, ensuring chargers are appropriately located and minimise any associated risks**

**Description**

The council will enable the private sector in rolling out public rapid charging. Proposals will be supported where rapid charger locations meet traveller's needs and incorporate measures to minimise any associated risks.

**Benefits**

- The ability to rapidly charge an EV makes longer journeys possible and provides more public charging options for residents.

**Possible locations**

County-wide, but especially serving the major road network.

Draft National Planning Policy Framework (December 2025)

*Status and Weight*

7.63 The Draft NPPF (December 2025) has been published for consultation and is an emerging national policy. While not yet adopted, it is capable of being a material consideration, with weight increasing where proposals are consistent with its direction and objectives.

7.64 The Draft NPPF reinforces the Government's commitment to:

- Accelerated delivery of EV charging infrastructure;
- Decarbonisation of transport;
- Supporting economic growth through infrastructure provision; and
- Ensuring the planning system enables, rather than constrains, low-carbon development.



## *Sustainable Transport and Net Zero*

7.65 The Draft NPPF places stronger emphasis on planning decisions actively supporting the transition to a low-carbon economy. Key themes relevant to EV charging infrastructure include:

- 🐾 Clear support for *infrastructure required for the electrification of transport*;
- 🐾 Recognition that meeting climate targets requires **rapid deployment of EV charging networks**;
- 🐾 Expectation that decision-makers should avoid placing unnecessary barriers in the way of sustainable transport infrastructure.

7.66 EV charging development directly supports these objectives by enabling modal shift away from fossil fuel vehicles and supporting national carbon reduction commitments.

## *Infrastructure Delivery and Planning Flexibility*

7.67 The Draft NPPF strengthens policy support for infrastructure by:

- 🐾 Requiring planning decisions to **take a positive and proactive approach** to infrastructure delivery;
- 🐾 Emphasising the importance of **timely provision of infrastructure** aligned with growth and demand;
- 🐾 Encouraging LPAs to ensure that policies and decisions remain responsive to technological change.

7.68 EV charging infrastructure is inherently technology-led and rapidly evolving. The Draft NPPF supports a planning approach that accommodates this evolution.

## *Weight in Decision-Making*

7.69 Where proposals:

- 🐾 Are consistent with the Draft NPPF's direction of travel;
- 🐾 Support nationally important objectives such as decarbonisation and sustainable transport; and
- 🐾 Do not give rise to demonstrable harm,

7.70 Significant material weight should be attributed to the Draft NPPF, notwithstanding its emerging status.

7.71 Draft Policies which the LPA needs to be aware of include:

### 🐾 ***"S5: Principle of development outside settlements***

*1. Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:*

*a. Development proposals which are for: agriculture, horticulture and forestry; outdoor sport and recreation; allotments; cemeteries and burial grounds; mineral extraction; engineering operations and infrastructure (including for transport, energy and water);*



*roadside facilities in accordance with policy TR5; and national defence and security”*

☛ **“CC2: Mitigation of climate change**

***2. Substantial weight should be given to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources (including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights).”***

☛ **“TR5: Roadside facilities**

***1. Development proposals for roadside facilities located outside settlements should:***

***a. Meet an evidenced need to improve the safety and welfare of road users, or to improve access to electric vehicle charging infrastructure or other alternative fuels, if new or significantly expanded facilities are being proposed. This includes the provision of overnight lorry parking facilities to address any local or wider shortages and reduce the risk of parking in locations which lack appropriate facilities or could cause a nuisance”***

## National EV and Transport Policy Context

7.72 EV charging infrastructure is supported by a broad and consistent national policy framework, including:

- ☛ Commitments to phase out new petrol and diesel vehicles;
- ☛ National targets for EV uptake;
- ☛ Government strategies for net zero, clean growth and transport decarbonisation.

7.73 Planning decisions that facilitate EV charging infrastructure therefore align with long-standing and cross-departmental Government policy.

## Implications for Decision-Makers

7.74 When determining applications for EV charging infrastructure, LPAs are invited to have regard to:

- ☛ The Draft NPPF (December 2025) as an emerging but significant material consideration;
- ☛ The clear national trend towards deregulation through expanded PD rights;
- ☛ The essential role of EV charging infrastructure in delivering sustainable transport and climate objectives.

7.75 In this context, substantial weight should be afforded to proposals that:

- ☛ Deliver publicly accessible EV charging;
- ☛ Make efficient use of land;
- ☛ Are well-designed and appropriately sited; and
- ☛ Do not give rise to unacceptable impacts that cannot be mitigated.

## Summary



- 7.76 EV charging infrastructure is no longer novel or exceptional development. National policy, emerging planning policy, and permitted development reforms all demonstrate that it is critical, necessary and strongly supported infrastructure.

## 8. Conclusion

- 8.1 This Planning Statement supports an application made under Section 73 of the Town and Country Planning Act 1990 to secure material amendments to the recently approved Electric Vehicle Service Station at Chicklade. The legal framework for Section 73 is well established and confirms that amendments need not be minor, provided they do not offend the operative part of the original permission or fundamentally alter the description of development. The proposed amendments in this case clearly satisfy that test and remain fully consistent with the approved scheme.
- 8.2 The amendments proposed are rational, proportionate and necessary to ensure the viability, deliverability and timely implementation of a strategically important piece of low-carbon transport infrastructure. They do not alter the nature, purpose or overall scale of the development. Instead, they refine the approved layout, architecture and specification to respond to buildability, cost pressures and operational requirements, while retaining the core design principles, layout logic and sustainability credentials of the original permission.
- 8.3 The principle of development has already been firmly established through the grant of planning permission in January 2025. The assessment within this statement demonstrates that, insofar as development plan policies are relevant to the determination of a Section 73 application, the amended scheme remains compliant with those policies, and in many respects continues to perform strongly against them. No development plan policy conflict has been identified that would justify withholding planning permission for the proposed amendments.
- 8.4 Beyond the development plan, there is now an even stronger and more compelling body of national policy and guidance supporting the rapid delivery of publicly accessible EV charging infrastructure, battery storage and associated low-carbon energy development. The National Planning Policy Framework, National Policy Statement EN-1, Government EV strategies, energy system guidance and emerging national policy all consistently place substantial weight on proposals that facilitate transport decarbonisation, economic growth and the transition to net zero. These considerations weigh decisively in favour of the proposal and are highly material to the determination of this application.
- 8.5 Importantly, the proposed amendments will help ensure that this consented EV hub is delivered at pace, at scale, and to a standard that meets both consumer expectations and national infrastructure needs. Delay or failure to support such schemes would run directly counter to Government objectives on climate change, energy security, sustainable transport and economic resilience.
- 8.6 In light of the above, it is concluded that the proposed amendments are acceptable in principle and in detail, comply with the relevant development plan policies, and are strongly supported by material considerations of substantial weight. There are therefore no planning grounds upon which planning permission should be withheld, and the application should be approved without delay.

