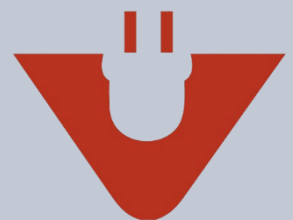


Planning Statement

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



September 2026



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“certain forms of development should be approved outside settlements [...] unless the benefits of doing so would be substantially outweighed by any adverse effects”

NPPF NDMP S5:1

“Development proposals for roadside facilities located outside settlements should [...] improve access to electric vehicle charging infrastructure”

NPPF NDMP TR5:1.a

*“Decisions on development proposals should **not be delayed** in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision, there are public safety risks from proceeding without advice, or more detailed advice may enable an approval rather than a refusal”*

NPPF NDMP DM3:1.d

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. It is to be read alongside the December 2025 version.
- 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. The scope of this Section 73 assessment is therefore whether the amendments are permissible, whether they introduce any new or materially different effects, and how the amended scheme performs against the development plan and the national decision-making policies in the August 2026 National Planning Policy Framework.
- 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, the national policy position has changed materially. The August 2026 National Planning Policy Framework now contains express decision-making policies for development outside settlements and, specifically, **roadside facilities and electric vehicle charging infrastructure**.

1.11 The proposal aligns strongly with:

- ✎ The National Planning Policy Framework (August 2026), in particular policies S5, TR4, TR5, CC2, W3, E2, DP3, DP4, N4, DM3, DM6 and DM7;
- ✎ National Policy Statement EN-1;
- ✎ The Government's Taking Charge EV Infrastructure Strategy and the July 2025 policy on EV charging infrastructure on the Strategic Road Network;
- ✎ The October 2025 Carbon Budget and Growth Delivery Plan and the legally binding Zero Emission Vehicle Mandate;
- ✎ Wiltshire's Local Transport Plan and EV Infrastructure Strategy.

1.12 The most directly applicable national policies are S5 and TR5. Policy S5 expressly identifies roadside facilities in accordance with TR5 as a form of development which should be approved outside settlements unless the benefits of doing so would be substantially outweighed by adverse effects. Policy TR5 expressly supports new or significantly expanded roadside facilities where they improve access to electric vehicle charging infrastructure. The amended Chicklade scheme falls squarely within that policy framework.

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 which substantially outweighs the benefits of delivering the approved roadside facility. Detailed matters such as materials,



the final internal arrangement and the rainwater harvesting proposal must be assessed properly, but they do not alter the fundamental roadside-service function or the very substantial transport decarbonisation benefits of the scheme.

- 1.15 For the reasons set out above, and particularly in light of the August 2026 NPPF, the proposed material amendments are acceptable in planning terms. The application should be approved without delay so that this strategically important EV roadside facility can be delivered.
- 1.16 Indeed, the only delay that there should be now is to enable an approval (NPPF NDMP DM3:1.d.).
- 1.17 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 will contribute directly to the Government's statutory and policy programme for decarbonising road transport.
- 2.5 Transport decarbonisation is now underpinned by legally binding zero-emission vehicle requirements. The Government reconfirmed in April 2025 that the sale of new cars powered solely by internal combustion engines is to end from 2030, with all new cars and vans fully zero-emission by 2035.
- 2.6 The Vehicle Emissions Trading Schemes give legal effect to the Zero Emission Vehicle Mandate. For 2026, the headline requirements are that 33% of new cars and 24% of new vans are zero-emission, rising to 80% and 70% respectively by 2030. Demand for charging infrastructure is therefore being driven by a fixed regulatory trajectory, rather than by a speculative forecast.
- 2.7 Taking Charge remains the Government's dedicated strategy for the rollout of EV charging infrastructure, but DfT has since clarified that the often-quoted figure of 300,000 public chargepoints is not a Government target. The latest official modelling gives an estimated 2030 requirement in the range of approximately 250,000 to 550,000 public chargers, reflecting uncertainty over how the market will develop.
- 2.8 The central policy proposition nevertheless remains unchanged and has been reinforced since 2022: charging infrastructure should be provided at scale and, where necessary, ahead of demand so that confidence in the network supports, rather than follows, EV uptake.
- ✿ The October 2025 Carbon Budget and Growth Delivery Plan identifies EV charging infrastructure as part of the delivery mechanism for domestic transport decarbonisation. Policy 23 supports rollout, including public-sector programmes and upgrading grid capacity at strategic locations on the Strategic Road Network.
 - ✿ *Policy 24 of the Carbon Budget and Growth Delivery Plan addresses regulations and planning reform for chargepoint deployment, including the need to overcome barriers to accelerated rollout and secure smooth and rapid electricity-network connections for chargepoint operators.*
 - ✿ *The July 2025 Government policy on EV charging infrastructure on the Strategic Road Network is directly relevant to this A303 site: it supports industry in delivering visible, reliable and accessible charging infrastructure ahead of need and commits Government to working with industry where particular barriers to installation arise.*
- 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

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<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 now include:
- 🦊 The nature and extent of the changes
 - 🦊 Compliance with the earlier planning permission
 - 🦊 Compliance with the development plan
 - 🦊 The application of the August 2026 national decision-making policies, particularly S5 and TR5
 - 🦊 The proper treatment of the outstanding detailed matters without reopening matters of principle already resolved by the 2025 permission



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 9th January 2025.
- 4.3 A suite of condition-discharge applications have been made in recent months.

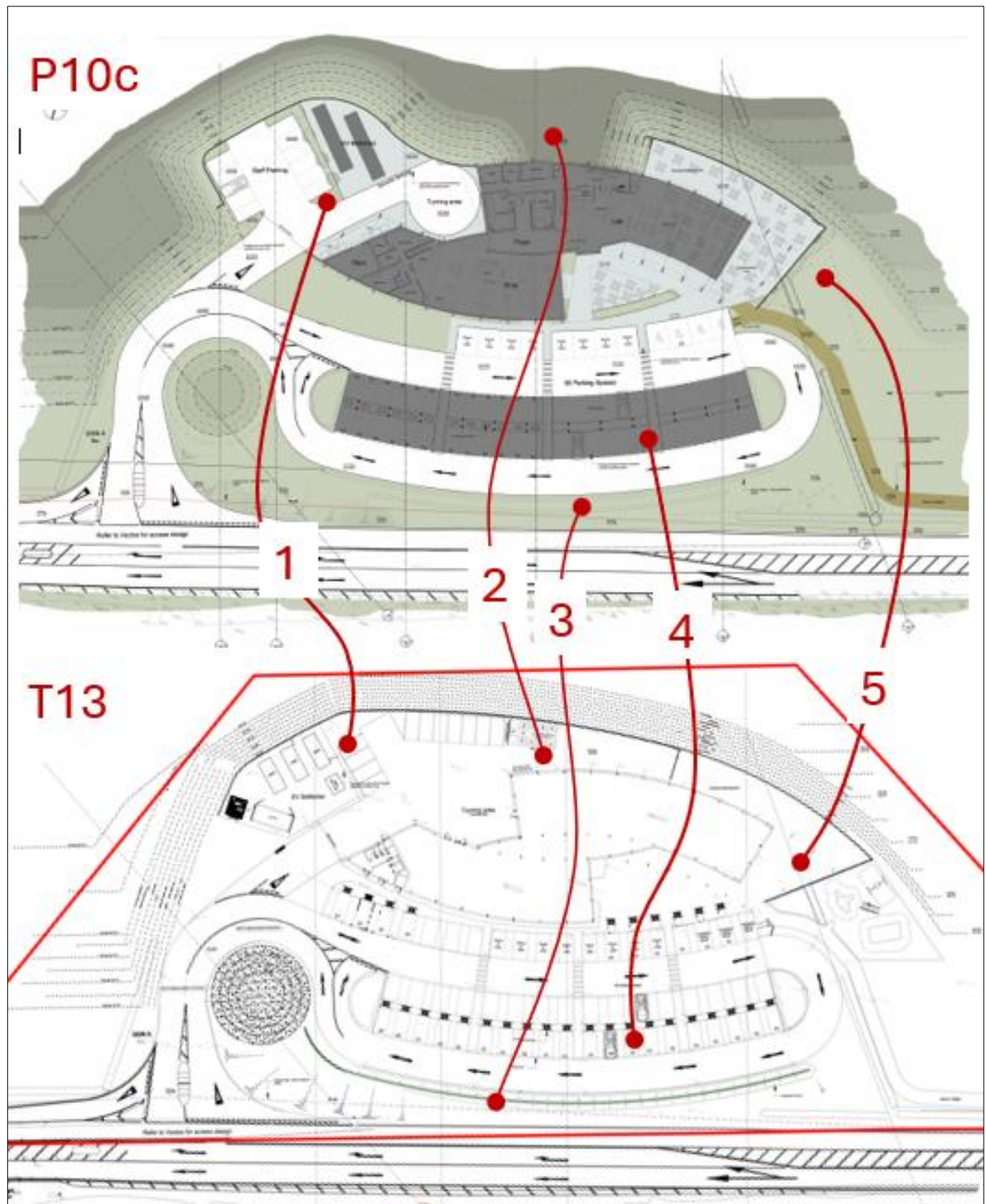
5. Recent Amendments

- 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 indicative site sections for comparison:





5.4 We set out below the approved site plan (P-10c) and the amended site plan (T13):



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

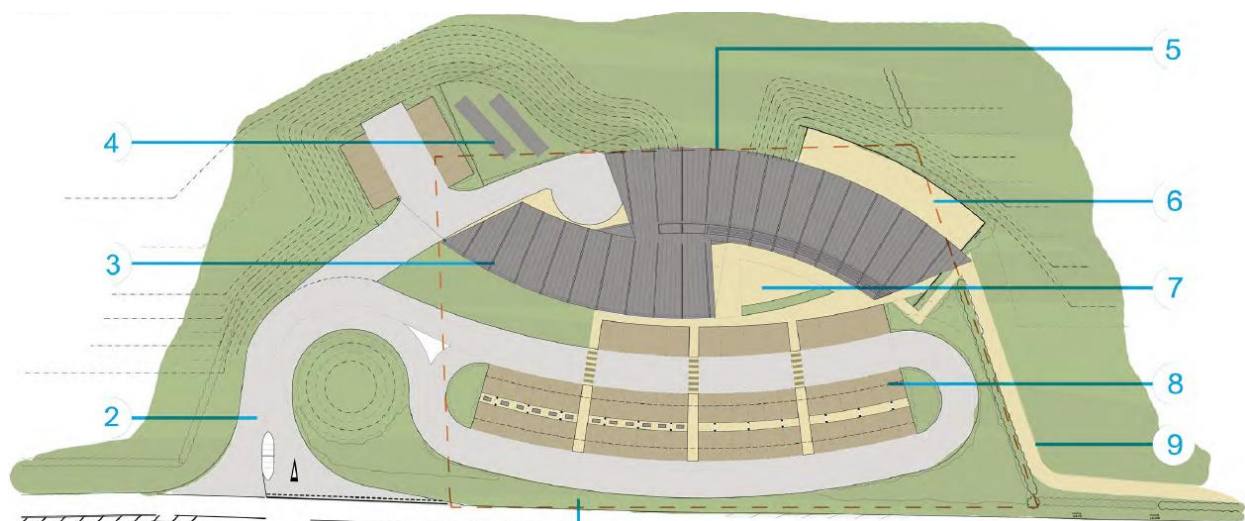


has a decorative stone finish matching the natural stone look)– fixed to Karrier panel;

- ✎ 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 in line 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

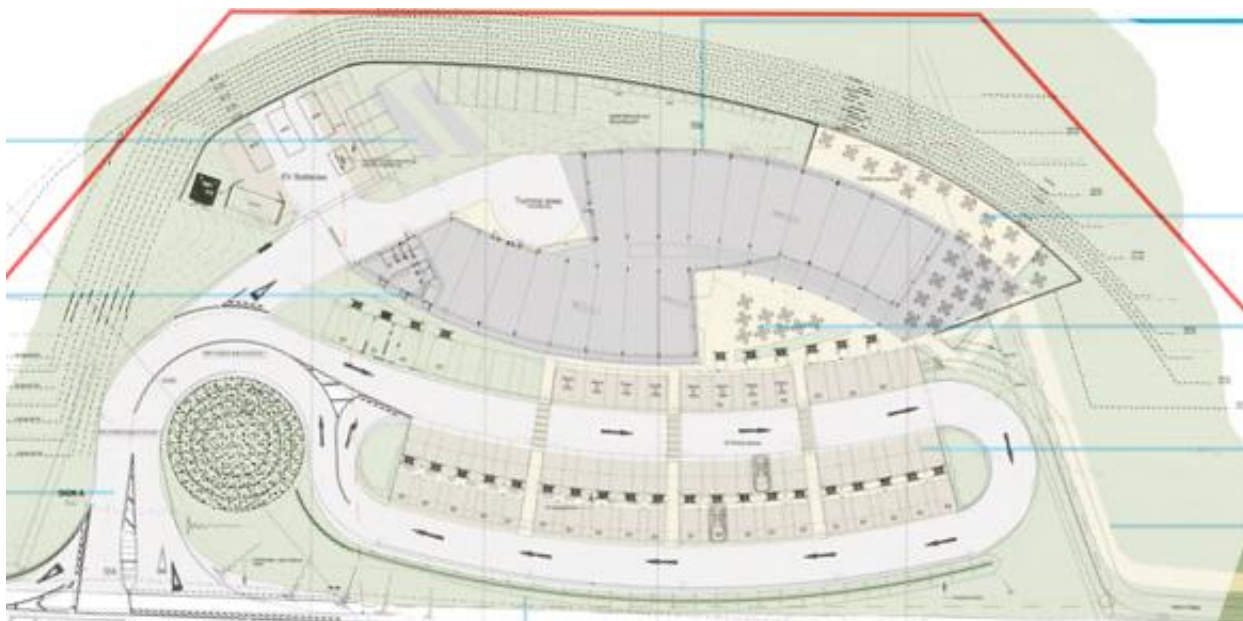
5.6 The proposed changes are intended to reduce excessive build costs, maintaining project viability, whilst retaining the overall Design Vision for the site.

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 parametres 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 2015 Wiltshire Core Strategy

6.2 There is no neighbourhood plan. The application therefore continues to fall to be determined against the saved Salisbury District Local Plan policies and the Wiltshire Core Strategy, read alongside the materially changed national policy framework introduced by the August 2026 NPPF.

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 section 38(6) of the Planning and Compulsory Purchase Act 2004, decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The August 2026 NPPF is a material consideration of critical importance and its national decision-making policies are to be read alongside the development plan.
- 6.5 The 2025 permission is unusual in not referencing any development plan policies.
- 6.6 The principle of a service station at this location was settled by the January 2025 permission. Under the heading of principle, the Officer Report considered policies CP1, CP2, CP27 and CP35. The present Section 73 application does not invite a fresh determination of whether an EV service station should exist at Chicklade; it asks whether the amended form of the already-permitted development is acceptable.
- 6.7 The same applies to retail impact. Policy CP38 was considered expressly under the original application and a Retail Impact Assessment and sequential exercise were undertaken. The LPA concluded that the A303 location was sequentially preferable for the specialist roadside-service function and that the approved shop and cafe/restaurant offer would not cause significant adverse impact to nearby centres. That conclusion is an important starting point for this Section 73 application, not an issue to be reopened in the absence of a material change to the relevant use, function or quantum of floorspace. Policy TR5, with its implicit requirements, has overtaken historic concerns of retail impact.
- 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 remaining development plan policies are reviewed below only insofar as they have a genuine decision-making role in relation to the amendments. The August 2026 NPPF is now particularly important because it introduces national decision-making policies which address the very circumstances of this site: development outside settlements, roadside facilities, EV charging, design and Protected Landscapes. Those policies materially alter the national policy context against which older strategic policies should be applied.
- 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 amended scheme will be constructed to current Building Regulations and its principal



sustainability credentials arise from its function: a major publicly accessible EV charging facility, increased charging provision, photovoltaic generation and associated energy infrastructure. The August 2026 NPPF reinforces that position through CC2, which supports infrastructure for the transition to zero-emission vehicles, and W3, which gives substantial weight to qualifying renewable, low-carbon and electricity-network infrastructure.

- 6.15 Policy DM7: Relationship with other regulatory regimes. DM7 requires planning proposals to be assessed as a use of land, assumes that separate regulatory regimes will operate effectively unless there is clear evidence otherwise, and discourages duplication of controls imposed through those regimes. Building Regulations should therefore be allowed to perform their proper role in relation to technical construction standards.
- 6.16 Policy CC2 directly supports the transition to net zero by requiring, where relevant, infrastructure to support the transition to zero-emission vehicles. Policy W3 separately provides that substantial weight should be given to the energy-security, economic-development and net-zero benefits of qualifying renewable and low-carbon energy development and electricity-network infrastructure.
- 6.17 The amended scheme increases the immediate EV charging offer and retains photovoltaic generation. Those are direct, operational climate-change benefits, not merely generic sustainability aspirations.
- 6.18 Accordingly, the loss of an individual sustainability feature must be judged proportionately against the sustainability performance of the scheme as a whole, while still ensuring that any revised condition accurately reflects what is to be delivered.
- 6.19 We are content that the amended scheme remains compliant with the strategy for low carbon energy set out in strategic policy CP41.
- 6.20 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.
- 6.21 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.
- 6.22 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.
- 6.23 Strategic policy CP51 covers landscape. The site lies within the Cranborne Chase and West Wiltshire National Landscape and that sensitivity was fully understood when the original permission was granted. The August 2026 NPPF now addresses Protected Landscapes through policy N4, which requires substantial weight to be placed on conserving and



enhancing natural beauty and, where major development is involved, requires the familiar exceptional circumstances and public interest assessment. The present Section 73 application concerns amendments to an already-permitted roadside facility, so the proper focus is the landscape effect of the amendments and the effectiveness of the revised mitigation. Appeals precedent is clear that larger EV charging hubs than this have not constituted major development, and we contend that this s73 application does not.

6.24 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."*

6.25 Read with policy N4 and the design policies DP3 and DP4, the amended proposals remain sensitive to place and retain the approved scheme's core design logic. The issue is not whether every material or detail is identical to the 2025 scheme, but whether the amended design remains high quality and whether the quality of the approved development is materially diminished. The submitted material information, sample and further photomontage are intended to demonstrate that it is not.

6.26 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.

6.27 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.

6.28 Strategic policy CP57 seeks high quality design. The August 2026 NPPF now provides the relevant national decision-making framework through DP3 and DP4. DP3 requires proposals to respond to context but expressly recognises that this should not preclude innovation or change where appropriate. DP4 requires the LPA not to allow the quality of approved development to be materially diminished between permission and completion. Those policies require a qualitative assessment of the amended scheme as a whole, not a presumption that an alternative product specification is unacceptable simply because it differs from the originally illustrated material.



- 6.29 Reflecting NPS EN-1, DP3, DP4 and N4, the amended scheme remains a high quality functional design for a roadside EV service station. The revised materials and construction approach retain the principal architectural language of stone, metal and glazing, while responding to buildability, cost and operational requirements. There is no basis to equate value engineering with a material diminution in design quality where the resulting appearance and performance remain acceptable.
- 6.30 Strategic policies CP60, CP61, CP62 and CP64 concern sustainable transport, transport and development, impacts on the network and demand management. The August 2026 NPPF now goes further by expressly addressing roadside facilities in policy TR5 and requiring infrastructure to support the transition to zero-emission vehicles through CC2.
- 6.31 Policy TR5 expressly recognises roadside facilities outside settlements and supports new or significantly expanded facilities where there is an evidenced need to improve access to EV charging infrastructure. It also supports the upgrading of existing facilities where this assists driver welfare, changes in transport technology or environmental performance.
- 6.32 The approved and amended schemes are inherently supportive of sustainable transport. The proposed increase from the approved charging arrangement to 30 chargers over 30 EV spaces strengthens that contribution. The A303 location is not a policy weakness in this context: it is intrinsic to the roadside function which TR5 now expressly recognises.
- 6.33 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.
- 6.34 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.
- 6.35 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.
- 6.36 On review, the relevant development plan policies remain supportive of, or at least do not provide a reason to withhold, the proposed amendments. More importantly, the August 2026 NPPF now provides a specific national decision-making framework for this type of development which strongly supports approval, subject to the detailed effects of the amendments being acceptable.

7. Material Considerations

- 7.1 A range of significant and compelling material considerations now frame the determination of this Section 73 application.



- 7.2 They include the August 2026 national decision-making policies, the Government's statutory carbon-budget delivery plan, legally binding zero-emission vehicle requirements, contemporary Strategic Road Network charging policy and the national regulatory framework for public chargepoints. Together they provide a materially stronger and more direct policy basis than the older policy material relied upon when the original application was prepared.

National Planning Policy Framework - August 2026

Status and decision-making framework

- 7.3 The August 2026 National Planning Policy Framework replaces the December 2024 Framework. It confirms that the national decision-making policies are material considerations of critical importance and are to be read alongside the development plan. Annex A also directs that development-plan policies, or parts of them, which are materially inconsistent with national decision-making policies should be given very limited weight.
- 7.4 The statutory starting point under section 38(6) remains the development plan. The significance of the new Framework in this case is that it now contains national decision-making policies which directly address development outside settlements, roadside facilities, EV charging infrastructure, design and Protected Landscapes.
- 7.5 The purpose of the planning system remains the achievement of sustainable development through mutually supportive economic, social and environmental objectives.
- 7.6 The economic objective includes ensuring that land and infrastructure are available in the right places and at the right time to support growth, innovation and productivity.
- 7.7 The environmental objective includes mitigating and adapting to climate change and moving to a low-carbon economy.
- 7.8 For this application the most directly relevant national decision-making policies are S5, TR4, TR5, TC3, TC4, CC2, W3, E2, DP3, DP4, N4, DM3, DM6 and DM7.

S5: Principle of development outside settlements

- 7.9 Policy S5 expressly identifies engineering operations and infrastructure, including for transport and energy, and roadside facilities in accordance with TR5 as forms of development which can properly be located outside settlements.
- 7.10 For the forms of development listed in S5, the policy direction is approval unless the benefits of doing so would be substantially outweighed by adverse effects when assessed against the national decision-making policies in the Framework.
- 7.11 That is a material change in the national policy context for Chicklade. The site's countryside location is no longer simply a matter to be justified against a general settlement strategy: roadside facilities are now expressly recognised as a form of development for which an outside-settlement location can be appropriate.
- 7.12 S5 does not disapply other national decision-making policies. Rather, it establishes the decision-making framework within which those detailed policies are applied and the benefits and adverse effects are weighed.

TR5: Roadside facilities



- 7.13 Policy TR5 applies specifically to roadside facilities located outside settlements.
- 7.14 For new or significantly expanded facilities, TR5 supports proposals which meet an evidenced need to improve road-user safety and welfare or improve access to electric vehicle charging infrastructure or other alternative fuels.
- 7.15 For the upgrading of existing facilities without significant expansion, TR5 also supports proposals which improve driver welfare and security, respond to changes in transport technology or improve environmental performance.
- 7.16 Chicklade falls squarely within the purpose of TR5. It is the redevelopment and modernisation of a long-established A303 roadside service facility into an EV-led service station, and the Section 73 amendments increase the immediately available charging offer and facilitate deliverability.
- 7.17 The approved scheme itself was justified on the basis that it provides an essential alternative refuelling facility for users of the A303. The amended scheme strengthens rather than dilutes that function.
- 7.18 The associated restaurant/cafe, shop, toilets and waiting facilities are integral components of that roadside-service function. They respond to the materially longer dwell time associated with rapid EV charging and to driver welfare.
- 7.19 The scheme should therefore be assessed as an integrated roadside facility. It would be artificial to sever the food, beverage and convenience components from the transport function which creates the locational requirement for the development.

CC2: Mitigation of climate change

- 7.20 Policy CC2 requires, where relevant, infrastructure to support the transition to zero-emission vehicles.
- 7.21 Where the photovoltaic generation and associated electricity-network infrastructure fall within W3, that policy separately gives substantial weight to their benefits for energy security, economic development and the transition to a net zero future.
- 7.22 The increased EV charging provision therefore attracts direct support under CC2 and TR5, while the photovoltaic generation and associated qualifying energy infrastructure receive the separate policy support of W3.

E2: Meeting the need for business land and premises

- 7.23 Policy E2 directs substantial weight to the economic benefits of commercial development which allows businesses to invest, expand and adapt.
- 7.24 That is directly relevant to this Section 73 application. The amendments respond to construction cost, buildability, technological and operational requirements so that the approved facility can be delivered rather than remaining a paper permission.

DP3 and DP4: Design

- 7.25 Policy DP4 prevents the quality of approved development being materially diminished between permission and completion. It does not freeze every originally specified product or prevent a justified change in materials.
- 7.26 Policy DP3 requires development to respond to its context while expressly recognising that this should not preclude innovation or change where appropriate. DP3(2) also makes clear



that the design principles apply as appropriate to the nature of the development and its location. The revised material palette, architectural details and functional charging infrastructure should therefore be assessed against the quality and coherence of the resulting scheme, rather than against a requirement to reproduce every previously specified product.

N4: Protected Landscapes

- 7.27 Policy N4 requires substantial weight to the conservation and enhancement of natural beauty. The National Landscape remains an important consideration, but the relevant question in this Section 73 application is the effect of the amendments to an already-approved scheme and whether the revised design and landscaping remain acceptable.

DM3, DM6 and DM7: proportionate decision-making and controls

- 7.28 DM3 requires a positive and proportionate approach and says applications which should clearly be approved should not be refused. DM6 requires conditions to be necessary, relevant, sufficiently precise and reasonable, and says pre-commencement conditions should be avoided unless there is clear justification. DM7 requires separate regulatory regimes to be assumed to operate effectively unless there is clear evidence otherwise and discourages duplication of those controls through planning.

Overall national policy balance

- 7.29 Taken together, S5, TR5 and CC2 establish a strong and development-specific policy starting point in favour of the Chicklade roadside EV facility, with W3 adding substantial support to qualifying associated energy infrastructure. The remaining national policies identify the detailed matters which must be tested, but do not detract from the express national support for EV roadside infrastructure.

National Policy Statement for Energy EN-1 Jan 2024

- 7.30 Paragraph 13 of the August 2026 NPPF confirms that relevant National Policy Statements may be material considerations in the determination of planning applications. NPS EN-1 remains relevant context for the low-carbon energy and storage elements of the scheme.
- 7.31 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”.
- 7.32 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.
- 7.33 NPS EN-1 sets criteria for good design for energy infrastructure, which should now be read alongside the August 2026 NPPF design policies DP3 and DP4 and local policies addressing place, character and appearance:

“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 NPPs 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”.

- 7.34 EV charging infrastructure is no longer a novel matter for the planning system. The August 2026 NPPF now expressly addresses zero-emission vehicle infrastructure and roadside facilities, giving policy recognition to the rapid technological transition which operators such as InstaVolt are delivering.
- 7.35 That explicit national policy support reinforces, rather than replaces, the wider Government strategies and energy policy documents set out below.
- 7.36 The most relevant contemporary national EV policy documents are set out below. Together they show a consistent direction: the charging network is expected to expand rapidly and, where necessary, ahead of current demand so that infrastructure does not become a barrier to the mandated transition to zero-emission vehicles.

October 2025 Carbon Budget and Growth Delivery Plan

- 7.37 The Carbon Budget and Growth Delivery Plan is the Government's current section 14 report under the Climate Change Act 2008, setting out how statutory carbon budgets are to be met. EV charging infrastructure is identified as part of the delivery mechanism for domestic transport decarbonisation.
- 7.38 Policy 23 supports the rollout of EV charging infrastructure, including public-sector programmes and upgrading grid capacity at strategic locations on the Strategic Road Network, to accelerate the transition to zero-emission vehicles and de-risk further private investment.
- 7.39 Policy 24 is specifically concerned with regulations and planning reform for chargepoint experience and deployment. It identifies the need to overcome barriers to accelerated rollout and to secure smooth and rapid electricity-network connections for chargepoint operators.
- 7.40 The planning implication is direct: facilitating chargepoint deployment and removing unnecessary consenting barriers now form part of the Government's statutory carbon-budget delivery programme, rather than merely a general aspiration associated with net zero.

Zero Emission Vehicle Mandate and the 2030 / 2035 transition

- 7.41 The Vehicle Emissions Trading Schemes give legal effect to the Zero Emission Vehicle Mandate. For 2026 the headline requirements are 33% of new cars and 24% of new vans,



rising to 80% and 70% respectively by 2030.

- 7.42 The Government reconfirmed in April 2025 that the sale of new cars powered solely by internal combustion engines is to end from 2030, with all new cars and vans fully zero-emission by 2035. The detailed regulatory flexibilities do not alter that end point.

Demand for charging infrastructure is therefore not a speculative future possibility. National regulation is deliberately changing the vehicle fleet over a fixed timetable, and planning decisions should be made in the context of that mandated transition rather than waiting for present-day utilisation to reach some assumed threshold.

March 2022 - Taking Charge: the electric vehicle infrastructure strategy

- 7.43 Taking Charge remains the Government's dedicated national strategy for the rollout of EV charging infrastructure. Its central proposition is that a comprehensive, competitive and convenient public network must be created ahead of the phase-out dates, including rapid and high-powered charging on major roads and provision in destinations and communities across the country.
- 7.44 The strategy originally modelled a very large increase in public charging by 2030 and made clear that provision should be installed ahead of demand. DfT has since clarified that the often-quoted figure of 300,000 public chargepoints is not a Government target. Its latest official modelling gives an estimated 2030 requirement in the range of approximately 250,000 to 550,000 public chargers.

Present utilisation is therefore not a sound proxy for whether infrastructure is needed. National policy deliberately seeks a sufficiently visible and comprehensive network before demand fully materialises, because confidence in charging availability is itself part of what enables the transition.

July 2025 - EV charging infrastructure on the Strategic Road Network

- 7.45 This policy is particularly relevant to the Chicklade site on the A303. Government confirms that the public charging network will need to continue growing as the number of EVs increases and aims to support industry in delivering visible, reliable and accessible charging infrastructure on the Strategic Road Network ahead of need. It also commits Government to working with industry where particular barriers to installation arise.

The policy is backed by the £400 million announced in the 2025 Spending Review to support charging infrastructure, including along the Strategic Road Network in England.

For this roadside proposal the planning implication is especially direct: provision ahead of current demand is not an anomaly to be explained away, but part of the stated Government approach to supporting long-distance EV use and confidence in the charging network.

- 7.46 Public Charge Point Regulations 2023

- ☛ The Public Charge Point Regulations 2023 provide a national regulatory framework for the consumer experience at public chargepoints, including matters such as contactless payment, payment roaming, price transparency, a 24/7 helpline, open data and a 99% reliability requirement across rapid charging networks.
- ☛ This demonstrates that Government regulates EV charging as a permanent and



increasingly important national public-service network rather than an experimental use. It is also relevant to DM7: where an operational matter is already controlled through a separate statutory regime, planning should not duplicate or extend that control without a distinct land-use justification.

- ☛ Consistent national policy direction
- ☛ The current framework sits within a longstanding line of national policy support. The 2021 CMA market study identified the scale of expansion and competition required across the charging market; the 2023 EV Smart Charging Action Plan addressed integration with a smart and flexible electricity system; and the October 2023 Future of Transport response confirmed the necessity of off-street charging, delivery at pace and the importance of accessibility, safety and consumer confidence.

- 7.47 The 2025 Carbon Budget and Growth Delivery Plan and the 2026 NPPF now give that direction a stronger and more direct contemporary policy basis. The vehicle transition is being driven by legally binding requirements and Government policy expects charging to be provided at scale and, where necessary, ahead of demand.
- 7.48 The national policy case for the site's associated energy infrastructure is now also more directly addressed by NPPF policy W3, reducing the need to rely on older projections of future storage capacity as the principal justification for that infrastructure.

W3: Renewable, low-carbon and electricity-network infrastructure

- 7.49 Where the scheme includes qualifying renewable or low-carbon energy development, battery storage or electricity-network infrastructure, policy W3 provides an additional and separate source of national policy support.

W3 directs substantial weight to the benefits of qualifying infrastructure for improving energy security, supporting economic development and the transition to a net zero future.

- 7.50 W3 also states that applicants should not be required to demonstrate the overall need for renewable or low-carbon energy development and electricity-network infrastructure.
- 7.51 At Chicklade, the retained photovoltaic generation, battery storage area and associated electrical infrastructure should therefore be assessed through this contemporary national policy route alongside the transport-infrastructure support provided by S5, TR5 and CC2.

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

- 7.52 The August 2026 NPPF confirms that relevant National Policy Statements may be material considerations in determining planning applications. EN-1 therefore remains relevant context for the site's low-carbon energy, storage and electrical infrastructure.
- 7.53 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.”

- 7.54 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”.
- 7.55 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.

Wiltshire Local Plan Review – withdrawn but notable

- 7.56 Draft policy 70 concerned sustainable transport and whilst withdrawn, shows an important direction of travel:

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.

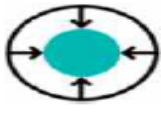
Wiltshire Local Transport Plan 4 Core Strategy March 2025

- 7.57 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.

7.58 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%).¹⁴

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

7.59 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.



Application of the August 2026 NPPF to the Outstanding Section 73 Matters ***Scope of the Section 73 assessment***

- 7.60 The January 2025 permission is for a new service station comprising EV charging points, shop, restaurant/cafe, toilets and associated infrastructure. That operative description remains the basis of the Section 73 application.
- 7.61 The original permission followed detailed consideration of the overall service-station use, its 945 square metres of service floorspace and the relationship between the EV charging function, retail offer and cafe/restaurant facilities.
- ☛ The present application does not seek permission for a freestanding supermarket or a new destination retail development. It seeks amendments to the form and operation of the approved EV service station.
 - ☛ The intended operator of the building is Chickpea as sole tenant. The final floor plan will identify the internal arrangement required for that operation and will retain the constituent service-station functions - food and beverage, convenience retail, toilets, foyer and associated staff/service areas - within the approved roadside facility.
 - ☛ That plan provides the appropriate means of giving the LPA certainty about the use of the building. If additional control is reasonably necessary, it can be achieved through a precise condition tied to the approved service-station use and floor plan, rather than by reopening the principle of the commercial offer.
 - ☛ Roadside facilities and town-centre policy
- 7.62 The applicant does not contend that policies S5 and TR5 disapply the town-centre policies. TC3 remains relevant to main town centre uses outside centres and TC4 addresses circumstances in which a town-centre impact assessment is required.
- 7.63 TC3 requires a sequential approach to main town centre uses outside centres. Importantly, however, that exercise must be undertaken with proper regard to the nature and locational requirements of the development proposed.
- 7.64 TC4 now requires an impact assessment where the relevant floorspace threshold in an up-to-date development plan is exceeded, and otherwise applies a national default threshold of 2,500 square metres gross.
- ☛ Those policies must be read alongside S5 and TR5. The new Framework now expressly recognises that roadside facilities are a legitimate category of development outside settlements and that improving access to EV charging infrastructure is an express policy objective.
 - ☛ That national policy position closely mirrors the reasoning already adopted by the LPA in granting the 2025 permission.
 - ☛ The original Officer Report found that a roadside service station has a specific market and locational need to be directly accessible from a main arterial route, in this case the A303, and that a town or village centre would not provide a suitable alternative for the same function.
- 7.65 The Officer Report also accepted the submitted Retail Impact Assessment and sequential exercise, concluding that the specialist roadside-service offer would not have a significant adverse impact on Tisbury, Warminster, Mere or other designated centres.



- 7.66 Retail impact and the sequential principle were therefore expressly assessed and resolved when the 2025 permission was granted.
- 7.67 The August 2026 NPPF does not weaken that conclusion; it materially strengthens the policy basis for it. The very locational characteristic which previously required justification - a roadside location outside a settlement - is now expressly anticipated by S5 and TR5:
- ✦ In practical terms, the new roadside-facilities policies remove the basis for treating the mere presence of restaurant/cafe and convenience retail floorspace as evidence that the scheme ought instead to be located in a town centre.
 - ✦ TR5 identifies access to EV charging as a reason for supporting roadside facilities in this type of location. The associated customer facilities must be understood in that transport context.
 - ✦ This does not amount to an exemption from TC3. It supplies the development-specific locational rationale which the sequential exercise must respect - and which the original sequential exercise already tested and the LPA accepted.

Chickpea as sole tenant

- 7.68 The fact that Chickpea is intended to be the sole tenant does not convert the approved sui generis roadside service station into a single large-scale retail unit or supermarket.
- 7.69 Operator identity and planning use are different matters. The planning unit remains the integrated service station described by the permission, and the final floor plan can show how the approved service functions are accommodated within that unit.
- ✦ A food-led operator occupying the building is also readily understandable in the context of an EV charging hub, where customers remain on site materially longer than at a conventional petrol forecourt and require appropriate waiting, food, drink and welfare facilities.
 - ✦ The final floor plan should therefore be used to secure the genuine roadside-service arrangement and remove the officer's understandable concern that a blank plan could theoretically facilitate an unrestricted supermarket use.
 - ✦ If the LPA considers further control necessary, a condition can restrict the building to the approved service-station use and identified internal uses/floorspace. That is a proportionate response to the concern.
- 7.70 There is no justification for a fresh Retail Impact Assessment. Policy CP38's 200 square metre threshold was already engaged by the original proposal and was satisfied through the RIA and sequential assessment which supported the 2025 permission.
- 7.71 There is also an obvious tension between that older local threshold and the new TC4 framework, which uses a 2,500 square metre national default where there is no up-to-date local threshold. It is unnecessary to resolve that tension here because the original proposal was tested against the more onerous local requirement and found acceptable.
- 7.72 The relevant question is whether the Section 73 amendments introduce a materially different retail or leisure impact from the development already assessed. They do not introduce a new standalone supermarket use or a materially different roadside function.
- 7.73 A fresh RIA would therefore largely repeat an exercise which has already been completed



and accepted. That is not a proportionate response to changes in tenant, internal arrangement or architectural detailing where the planning unit remains an EV service station.

- 7.74 If the LPA nevertheless considers that some further retail analysis is necessary, it should first identify the precise material change said to create an impact which was not tested by the original RIA. In the applicant's view there is no such change.

Materials, design and the National Landscape

- 7.75 The officer has correctly drawn attention to DP4(2)(c), which requires the LPA not to allow the quality of approved development to be materially diminished between permission and completion.
- 7.76 The applicant accepts that principle. The amendments are not advanced on the basis that design quality can be traded away for cost saving.
- 7.77 However, DP4 is a test of the quality of the resulting development, not a requirement to reproduce every originally specified product. A change of material is not synonymous with a material diminution in quality.
- 7.78 The revised specification has been developed to make the scheme commercially and technically deliverable while retaining the principal architectural language and design vision of the consented scheme.
- 7.79 DP3 is equally relevant. It requires a contextual response but expressly states that this should not preclude innovation or change where appropriate. It also requires relevant design principles to be applied according to the nature and location of the development.
- 7.80 The material sample and product information, together with the revised elevations and additional photomontage, provide the appropriate evidence on which the quality and appearance of the proposed finish can be assessed.
- 7.81 Policy N4 requires substantial weight to the National Landscape. The amended materials and revised landscape treatment must therefore be judged carefully, but against the consented baseline and the actual incremental effect of the amendments rather than by reopening the acceptability of the development as a whole.
- 7.82 Any residual design or landscape effect must then form part of the S5 balance alongside the substantial transport, climate and economic benefits of delivering the facility.

Rainwater / greywater harvesting

- 7.83 Condition 30 of the 2025 permission requires the photovoltaic panels, greywater harvesting facilities and other sustainable infrastructure identified on the approved plans to be installed before occupation and retained thereafter.
- 7.84 The applicant is not suggesting that this requirement was unknown when works commenced. The Section 73 proposal seeks a different arrangement and the resultant permission should therefore vary the condition so that it accurately reflects the sustainable infrastructure which is actually to be delivered.
- 7.85 The approved drainage information appears to have contemplated roof-water harvesting for reuse within the building. The current proposal omits that element in order to accommodate



the revised below-ground servicing and operational requirements associated with the enhanced charging scheme.

- 7.86 That omission should be assessed as one component of the sustainability balance, not as though it removes the sustainability rationale for the project.
- 7.87 The scheme's principal and very substantial climate benefit is the delivery of EV charging infrastructure, strengthened by the increase in chargers and retained photovoltaic generation. CC2 expressly supports infrastructure for the transition to zero-emission vehicles; W3 separately gives substantial weight to the benefits of qualifying renewable, low-carbon and electricity-network infrastructure.
- 7.88 Accordingly, the proportionate approach is to revise condition 30 to secure the photovoltaic and other sustainable infrastructure which remains proposed, rather than requiring a comparatively minor rainwater-reuse feature where that would impede the efficient delivery of the wider low-carbon transport facility.

The planning balance under S5

- 7.89 S5 should not be misunderstood as erasing detailed policy requirements. TC3, DP3, DP4, N4 and the other relevant national decision-making policies still require proper assessment.
- 7.90 What S5 does do is set the decision rule for this category of development: roadside facilities compliant with TR5 should be approved unless the benefits of doing so are substantially outweighed by adverse effects.
- 7.91 The outstanding matters identified by the officer - materials, landscaping, the internal floor plan and rainwater harvesting - are detailed matters. They are capable of being resolved by the submitted plans, samples, landscape evidence and appropriately worded conditions.
- 7.92 Against those matters stand substantial benefits: delivery of an approved strategic A303 EV hub; 30 immediately available EV charging spaces; photovoltaic generation; improved driver welfare; support for the transition to zero-emission transport; investment and employment; and the productive reuse and modernisation of a long-established roadside site.
- 7.93 Once the detailed mitigation and controls are taken into account, no identified adverse effect comes close to substantially outweighing those benefits.
- 7.94 The correct approach is therefore to determine the amendments as refinements to an already-approved EV roadside facility under the new S5/TR5 framework, rather than to reopen questions of principle - particularly retail location and impact - which were fully considered and resolved in 2025.
- 7.95 The August 2026 NPPF provides a materially stronger policy basis for approval of the Section 73 scheme than existed when the original permission was granted.

8. Conclusion

- 8.1 This Planning Statement supports an application under Section 73 of the Town and Country Planning Act 1990 to amend the approved Chicklade Electric Vehicle Service Station. The amendments remain consistent with the operative description of development and retain the essential nature and purpose of the consented scheme.



- 8.2 The amendments are rational and necessary to secure the viability, buildability and timely delivery of the facility. They refine the layout, architecture, material specification, drainage and operational arrangement while strengthening the immediate EV charging offer.
- 8.3 The principle of the roadside service station, including its shop and restaurant/cafe components, was settled by the January 2025 permission after a Retail Impact Assessment and sequential exercise. The LPA expressly accepted the A303 locational requirement and found no significant adverse impact on nearby centres. The Section 73 application does not introduce a new standalone supermarket or other materially different main town centre use which justifies reopening that assessment.
- 8.4 The August 2026 NPPF materially strengthens the case for the development. S5 expressly identifies roadside facilities as development which should be approved outside settlements unless benefits are substantially outweighed by adverse effects, while TR5 expressly supports facilities which improve access to EV charging. CC2 directly supports zero-emission vehicle infrastructure, W3 gives substantial weight to qualifying energy infrastructure, and E2 adds substantial support for the economic benefits of enabling businesses to invest, expand and adapt.
- 8.5 The remaining issues concerning materials, landscape treatment, the final internal floor plan and rainwater harvesting are detailed matters. They should be resolved proportionately through the submitted evidence, approved plans and only those conditions which satisfy DM6. Any pre-commencement condition should be supported by clear justification. These matters do not alter the fundamental roadside-service function or outweigh the benefits of delivering this low-carbon transport infrastructure.
- 8.6 In light of the development plan, the 2025 permission and the new national decision-making policies, the proposed amendments are acceptable in principle and in detail. There are no planning grounds to withhold permission, and the application should be approved without delay.

