

OFFICER REPORT

Application Ref: EPF/1427/24
Application Type: Full planning permission
Applicant: Mr Fred Cheroomi
Case Officer: Yee Cheung
Site Address: Land to the South of Station Way, Buckhurst Hill, IG9 6LN
Proposal: Installation of EV Charging Station
Ward: Buckhurst Hill East and Whitebridge
Parish: Buckhurst Hill
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0hTv000000poh7>
Recommendation: Approve with Conditions



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This application is before this Committee since the recommendation is contrary to at least five contrary representations received on grounds material to the planning merits of the proposal (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council).

Site and Surroundings

The application site relates to a small area of footpath located to the land to the south side of Station Way, in close proximity to the entrance of Roding Valley Station.

The south side of Station Way comprises a parade of commercial, business and services with residential flats above. The north side of Station Way is predominately residential with Roding Village Hall and a public house to the northwest.

The application site on the land edged in red and blue are under the Applicant's ownership and is private land (The land ownership has also been confirmed by the Applicant in an email correspondence with the Council dated 25 November 2024).

Description of Proposal

The application is a retrospective planning application to install an Electrical Vehicle Charging Point (EV), to construct an Automatic Number Plate Recognition (ANPR) mast and camera on land to the south side of Station Way, and to demarcate car parking spaces, in close proximity to the entrance of Roding Valey Station.

The EV Charging Point proposed will be approximately 1 metre in width x 2 metres in height x 0.7 metre in depth and will have dual outlets.

At the time of officer site visit on 2 December 2024, it is noted that the ANPR has been erected as shown on Drawing No. 2727: 01/01. The car parking spaces have also been marked out on site but are not shown on the submitted drawings. Only the EV Charging Point has not been installed.

Relevant Planning History

No relevant planning history relating to this site.

Development Plan Context

Epping Forest Local Plan 2011-2033 (2023)

On 9 February 2023, the council received the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011 to 2033. The Inspector's Report concludes that subject to the Main Modifications set out in the appendix to the report, the Epping Forest District Local Plan 2011 to 2033 satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness as set out in the National Planning Policy Framework and is capable of adoption. The proposed adoption of the Epping Forest District Local Plan 2011 to 2033 was considered at an Extraordinary Meeting of the Council held on 6 March 2023 and formally adopted by the Council.

The following policies within the current Development Plan are considered to be of relevance to this application:

- DM5 Green and Blue infrastructure
- DM9 High Quality Design
- DM20 Low Carbon and Renewable Energy
- DM21 Local Environmental Impacts, Pollution and Land Contamination
- DM22 Air Quality

National Planning Policy Framework (NPPF, 2024)

The NPPF material consideration in determining planning applications. The following chapters and paragraphs are considered to be of relevance to this application:

- Chapter 2 Achieving sustainable development
- Chapter 12 Achieving well designed places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change

Consultation Responses:

EFDC – Noise – A suitably worded planning condition relating to decibel levels to be imposed – email correspondence dated 19 December 2024

EFDC – Air Quality – No objection to the proposal – A planning condition that ensures that the charging station and its mechanical components are updated / upgraded accordingly as charging technology evolves.

Essex County Council Highways – No objection as the proposed EV charging bay is within an area on Station Way which does not form part of the publicly maintainable highway.

Tree Officer – Given the charging station installation is onto hard standing and at a sufficient distance from nearby trees, we have no observations to make on this application

Fire and Rescue Service - Access for Fire Service purposes have been considered in accordance with the Essex Act 1987 - Section 13 and the Building Regulations 2010.

The proposal itself does not affect fire service access to existing premises in the vicinity.

Transport for London / London Underground – No objection subject to condition.

Letters of Representation

Site Notice: Yes

23 letters of objection received. The reasons for objection are listed below:

- EV charging point will remove two parking spaces closest to shops
- Impact on local businesses
- Owners of vehicles will be stationed there for a long period of time
- The unit has been installed too close to businesses and houses
- Wheelchairs and pushchairs are unable to use the pavement
- Dangerous for children and elderly people as they are forced to walk on the road
- Impact on protected trees
- Obstructing all highway users (cars and pedestrians)
- Incorrect information submitted with the planning application
- The cooling fan from the charging point is noisy
- Nowhere to park cars
- Fire risks – The charging point is close to commercial and residential buildings

Buckhurst Hill Parish Council – Objects to the planning application for the following reason:

- Negative impact to owners of businesses on Station Way
- Inappropriate sighting for this development
- The EV station will block pedestrian access on footpath
- The noise of the EV station will have detrimental impact to the residents
- There should have been a consultation with the residents and businesses

Main Considerations

The main issues for consideration in this case are:

- Principle of Development
- Design of development
- Residential Amenity
- Protected Trees
- Highways
- Other considerations

Principle of Development

Policy DM20 of the adopted Local Plan relates to low carbon and renewable energy. The policy states that the incorporation of low carbon and renewable energy will be encouraged with regard to both

standalone structures and micro renewables integrated into developments and will be supported subject to impacts such as noise, air quality, traffic, visual of the development etc. being avoided or mitigated through careful planning.

The development is a retrospective planning application for a EV charging point. The development is considered acceptable in principle subject to other material considerations which will be discussed below.

Design of Development

The EV charging point (dual charger) measures 1 metre (width) x 2 metres (height) x 0.7 metre (depth). The unit is white in appearance with manufacturing logo and screen to the front. On balance, the design of development is considered acceptable as it has a neutral appearance in the street scene. For this reason, the proposal would accord with Policy DM9 of the adopted Local Plan in this respect.

Residential Amenity

Policy DM21 of the adopted Local Plan relates to low environmental impacts, pollutions and land contamination. The Council requires that residual local environmental impacts of all development proposals after mitigation do not lead to unacceptable impacts on the health, safety, wellbeing and amenity of the development site, or the surrounding land. These impacts include noise, vibrations, light pollution, contamination, air quality, dust etc.

Concerns have been raised by the local residents that the EV charging point emit noise when cooling down. As part of the planning application submission, a design specification of the EV charging point was included which confirms that the units will be 'air-cooled'. It has been confirmed by the Applicant's in their submission that the EV charging point *"does not require any mechanical or electric cooling. The unit is fully enclosed, and the comprehensive documentation indicates no noise is generated."*

(Email confirmation: 25 November 2024).

The Environmental Health Team (noise) has been consulted and suggests a suitably worded planning condition can be imposed to ensure that any potential noise emitted from the charging point is acceptable to the area and not impact on the amenity of nearby residents and sensitive premises in accordance with Policy DM21 of the adopted Local Plan.

With regards to fire risks, the design specification of the EV charging point confirms that the model installed features an over-temperature and surge protection and therefore would not at risk. The Fire and Rescue Service has been consulted and raises no objection to the development as it does not affect fire service access to existing premises in the vicinity in accordance with the Essex Act 1987 - Section 13 and the Building Regulations 2010.

Protected Trees

There is a green island opposite the entrance of Roding Valley Station which comprises of two trees which are subjected to Tree Preservation Orders (TPOs). Whilst no Tree Protection Plan or report have been submitted to support the EV charging point, it is important to note that the EV charging point has been installed away from the protected trees. For this reason, the protected trees are not harmed by the development in accordance with Policy DM5 of the adopted Local Plan.

The Tree Officer has been consulted and confirms that given the charging station installation is on hard standing and at a sufficient distance from nearby trees, the Council has no observations to make on this application.

Highways

Letters of objection from residents have been received concerning the area of land and its use in conjunction with the EV charging point. The application site, where the EV charging point is positioned, is owned by the Applicant. The land is therefore under private ownership.

Issues with regards to reduced parking for local business and residential purposes, reducing the width of the pavement and impacting wheelchair, pram access etc. on private land are a civil matter and outside the Council's control.

ECC Highways have been consulted on this planning application and confirms that where the EV charging point is located, it is not adopted and therefore does not form part of the publicly maintainable highway. For this reason, the Highway Authority raises no objection to the position of the EV charging point as it accords with Policy T1 of the adopted Local Plan.

ECC Highways confirms that the private road however does have a Traffic Regulation Order (TRO) for waiting restrictions outside the station. As such, any alterations to the TRO (including lining) would need a separate application to ECC Highways and to be agreed with the Highway Authority. ECC Highways have been notified that there are markings on the private road and will be dealing with this accordingly.

Other Considerations

Concerns have been raised by the local residents regarding to additional EV charging points being installed in the future. The installation of additional EV charging points will require further planning permission.

The Applicant confirms that the charging of electric vehicles will take approximately 40-45 minutes depending on the model and charging capacities of the cars. The Council's Environmental Health Team (air quality) has raised no objection to the proposal providing a planning condition is imposed to ensure that the EV charging station and its mechanical components are updated / upgraded accordingly as charging technology evolves which can be submitted in the form of a long-term operational / management plan.

The Council has also consulted Transport for London regarding the development proposal. No objection is raised subject to the imposition of a planning condition regarding the submission of a construction programme for the delivery of materials to ensure the driveway remains free from obstructions.

Conclusion

The Highway Authority has raised no objection to the position of the EV charging point as the development is on private land. The EV charging point is considered acceptable and the development will contribute to supporting the Council towards a low carbon future and improving air quality for all. The proposal is therefore in accordance with Policies DM9, DM20, DM21 and DM22 of the adopted Local Plan and should be recommended for an approval subject to planning conditions.

Conditions: (5)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 2727 01/02 and 2727: 01/01, Data Sheet RolecEV Ultra Charge 160 (rapid charging).

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 The use hereby permitted must cease during any period that the rating level of noise (as defined by BS 4142:2014+A1:2019 “Methods for rating and assessing industrial and commercial sound”) emitted from the charging unit exceeds the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:2014 + A1:2019

Reason: To protect the amenity of noise sensitive premises from noise from mechanical plant and to avoid any noise nuisance in accordance with Policies DM9 and DM21 of the Epping Forest District Local Plan (2011-2033) and the National Planning Policy Framework (2024).

- 4 The development hereby permitted shall not be commenced until the following documents, in consultation with London Underground, have been submitted to and approved in writing by the local planning authority which:

- provide a construction programme for the material delivery to ensure free passage of the driveway.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with Policy T1 of the Epping Forest District Local Plan (2011-2033) and the National Planning Policy Framework (2024).

- 5 Prior to any above groundworks taking place, details and location of the parking spaces equipped with the active Electric Vehicle Charging Point (EVCP) shall have been submitted to and approved in writing with the Local Planning Authority. The installation of EVCP shall be completed in accordance with the approved details. The details must include details as follows:

- Location of active charging infrastructure;
- Operation / management plan; and
- Specification of charging equipment to be used.

Reason: To ensure the development contributes to supporting the Council towards a low carbon future and the wider aims and objectives for reducing car-led air pollution in regard to the EFSAC, in accordance with Policies T1, DM2 and DM22 of the Epping Forest District Local Plan 2011-2033 (2023) and the National Planning Policy Framework (2024).

Informatives: (1)

- 6 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.