



JMS PLANNING & DEVELOPMENT

PLANNING STATEMENT

IN SUPPORT OF

A PROPOSED ELECTRIC VEHICLE
CHARGING HUB
AND ASSOCIATED INFRASTRUCTURE

AT

MFG REDLAND SERVICE STATION
HAMPTON ROAD
REDLAND
BRISTOL
BS6 6JA



Client: MFG
Project: Planning Statement, New EVC Hub, Redland Service Station, Bristol
Date: July 2024

JMS Planning & Development Ltd



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SECTION I: INTRODUCTION

- 1.1 This Planning Statement has been prepared by JMS Planning on behalf of Motor Fuel Group and is submitted in support of an application for full planning permission for “*Installation of vehicle charging points and associated electrical infrastructure and associated works*” at MFG Redland Service Station, Hampton Road, Redland, Bristol, BS6 6JA (“*The Application Site*”).
- 1.2 The submission of this planning application is made directly to the Planning Inspectorate (PINS) as Bristol City Council, which is the administrative area within which the application site lies, has been placed into Special Measures under Section 62a of the Town and Country Planning Act 1990 (as amended) as it is considered that Bristol City Council as the local planning authority has not been adequately performing its function in determining applications.
- 1.3 The submission of this planning application follows a recent refusal dated 27 February 2024 of a planning permission, LPA Ref: 2023/00579/F for “*Installation of vehicle charging points with associated electrical infrastructure and works (sub-station to be installed by DNO)*”. This application was refused for one reason only, namely:
- “1. There is insufficient justification to demonstrate that the additional EV charging space within the proposed development would not prejudice the implementation of an acceptable layout of the site in design, character and heritage terms and subsequently lead to the addition of incongruous plant equipment being added adjacent to the highway causing harm to street scape to the detriment of the established street scene and Whiteladies Road and Cotham and Redland conservation areas. The runs contrary to the conclusions of an Inspector under appeal decision APP/Z0116/W/23/3316534 as well as Sections 12 and 16 of the National Planning Policy Framework, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan Policies BCS21, BCS22 and DM31 as well as the Whiteladies Road Conservation Area Enhancement Statement (1993) and Cotham and Redland Conservation Area Character Appraisal (2011).”*
- 1.4 The Applicant considers the above reason for refusal to be without merit and that Bristol City Council’s treatment of the application has been inadequate and flawed.



- 1.5 The previously submitted application specifically identified that the sub-station did not form part of the planning application, but rather that this was to be provided under permitted development rights via the relevant statutory undertaker. However, notwithstanding that the sub-station did not form part of the submitted planning application the Council refused the application because of the perceived impact of the sub-station on the local area. In all other respects the relevant Officer's Report associated with planning application LPA ref: 2023/00579/F confirms that the application submission was acceptable.
- 1.6 Prior to the submission of this most recent application, there have been a number of previous applications on the site, which are set out at length within the Planning History Section contained later within this Statement. This includes a previous refusal (LPA Ref: 22/O2168/F) dated 5 September 2022 which was refused for two reasons:
- 1. The proposed development in terms of siting, scale, bulk and layout would fail to respect the character and appearance of the Whiteladies Road Conservation Area and adjacent Cotham and Redland Conservation Area. The proposed plant equipment would result in an incongruous addition to the street scape and would result in an insensitive and dominant addition to Hampton Road. The proposal would fail to conserve or enhance the conservation area and would result in additional urban clutter, would detract from the street and be visually intrusive. The proposal would be located within a highly visible location and the proposal would be out of character within the surrounding conservation area. The public benefits of the proposal would fail to outweigh the harm caused. The proposal would therefore fail to comply with Sections 12 and 16 of the National Planning Policy Framework, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan Policies BCS21, BCS22 and DM31 as well as the Whiteladies Road Conservation Area Enhancement Statement (1993) and Cotham and Redland Conservation Area Character Appraisal (2011).*
 - 2. The proposed development would fail to safeguard highway safety and due to the location and scale of plant equipment would severely impact inter-visibility between vehicles entering the site and vehicles leaving the parking spaces. The plant equipment would obstruct visibility and would harm the safety of all road users. Furthermore, the proposed development would fail to include a safe and accessible route to the waste storage location. The application is therefore recommended for refusal due to conflict with the National Planning Policy Framework (2019); Core Strategy (2011) BCS10 and BCS15 and Site Allocations and Development Management Policies (2014) DM23 and DM32."*



- 1.7 This refusal was the subject of a subsequent appeal (PINS Ref: APP/Z0116/W/23/3316534) which was dismissed by decision letter dated 26 September 2023. The sole reason for refusal of the Appeal related to the impact of a proposed close boarded timber fence on the Whiteladies Conservation Area. This fence is no longer proposed.
- 1.8 The need for electric vehicles (EV) charging is significant and well documented and is an integral part of the Government's aspiration to achieving Net Zero. As such, the need for the application proposal is a relevant material consideration. EV charging infrastructure is now common on service station sites and is necessary in order to provide EV charging on the site.
- 1.9 The required sub-station is to be provided under Permitted Development Rights (PDR) and does not form part of this application. As such, any issues relating to any future sub-station is not a matter of consideration for this application. JMS Planning, as agent for the Applicant, confirms unequivocally that the Applicant will be installing the sub-station under Permitted Development Rights. This is also confirmed in a relevant letter form the Applicant's Project Manager which is discussed later within this Statement.
- 1.10 Accordingly, this Statement sets out the Applicant's case and concludes that the proposed application is of merit. Notably; the application will:
- Provide a low carbon refuelling facility which will help meet the UK's legally binding target to reduce total CO₂ emissions by at least 80% (relative to 1990 levels) by 2050;
 - Provides EV charging infrastructure in an area of deficiency;
 - Assist in reducing the reliance on oil-based fossil fuels for road transport in accordance with Development Plan policy and national aspirations;
 - Contribute to the establishment of a countrywide electric vehicle recharging infrastructure which will assist in increasing the uptake of electric vehicles; and
 - Represent development on an existing, established service station in an appropriate location.



SECTION 2: THE SITE AND THE SURROUNDING AREA

- 2.1 MFG Redland Service Station is located on Hampton Road, which is a suburban road to the north east of Bristol City Centre. Hampton Road runs parallel to Whiteladies Road, which links to the A4018 to the north and provides access north to Westbury-on-Trym and west to Clifton providing access to the A369 and M5 beyond.
- 2.2 The Application Site comprises a centrally located two island forecourt with provision for four cars to refuel and a sales building to the north of the site. Car parking is located to the south of the site along with an enclosed bin store. Traffic currently flows through the site in a south to north direction with an entrance only and exit only onto Hampton Road.
- 2.3 To the south of the site is Melville Court, which is a plain, three storey flatted building of no architectural merit, with an area of hardstanding to the front adjacent to Hampton Road. Further, to the south, is the railway line.
- 2.4 To the north of the site is an access road providing access to the garages and gardens associated with the properties to the rear of the application site, fronting onto Hampton Park. To the north of the access road is a modern red brick three storey terrace with parking to the rear.
- 2.5 On the opposite side of Hampton Road, is Melville Road, but the properties along Hampton Road are mainly two and three storey residential properties of mixed character.
- 2.6 The Application Site is located within the Whiteladies Road Conservation Area. The opposite side of Hampton Road being within the Cotham and Redland Conservation Area. It is noted that Kingdom Hall to the south east of the site is a locally listed building. There are however no other listed buildings in the surrounding area. There are no TPO protected trees on or around the site.
- 2.7 Photographs of the Application Site are attached at **Appendix 1**.



SECTION 3: RELEVANT PLANNING HISTORY

- 3.1 The application site is a long established petrol filling station which has been in use as a petrol station from the 1960s. This pre-dates the establishment of any conservation area in Bristol.

Reference No	Proposal	Decision
23/00579/F	Installation of vehicle charging points with associated electrical infrastructure and works (sub-station to be installed by DNO).	Refused (27 February 2024)
22/02168/F	Installation of vehicle charging points and associated electrical infrastructure and associated works (retrospective).	Refused (5 September 2022) Appeal Dismissed (26 September 2023)
21/05586/X	Application for the variation of condition No. 9 (List of approved plans and drawings) following grant of planning permission of 20/04182/F for the installation of vehicle charging points and associated enclosures and electrical infrastructure. Variation sought for Relocation of sub-station due to UKPN requirement	Refused (6 December 2021)
21/05025/A	Installation of 5 metre internally illuminated EV pole sign and relocation of existing totem sign	Refused (15 November 2021)
21/05029/NMA	Application for a non-material amendment following grant of planning permission of 20/04182/F for the installation of vehicle charging points and associated enclosures and electrical infrastructure - now proposed relocation of existing sub-station	Not Agreed (7 October 2021)
20/04182/F	Installation of vehicle charging points and associated enclosures and electrical infrastructure	Granted (14 January 2021)
17/06608/F	New shop front and ATM relocated	Granted (2 February 2018)
16/00989/F	External refurbishment of forecourt shop	Withdrawn (12 May 2016)
09/04786/A	2 No internally illuminated free standing single sided display units	Granted (25 January 2010)



Reference No	Proposal	Decision
05/03620/F	Installation of jet wash facility within a steel framed glass canopy, relocation of trash area and landscaping	Refused (22 May 2006)
06/00703/F	Installation of a replacement ATM cashpoint machine	Granted (5 April 2006)
02/01991/F	Removal of section of front boundary wall to widen the access way to the site	Granted (26 July 2002)
01/00690/F	Demolition of existing sales building, remove 4 No pump islands (retaining half canopy and 2 no. pump islands). Erection of new sales building, retain underground storage tanks, forecourt resurfacing and refurbishment works	Granted (13 July 2001)
95/00085/F	Refurbishment of existing petrol filling station with new car jet wash facility	Refused (11 April 1997)
96/00877/F	Proposed car sales (5 No) from forecourt	Refused (11 April 1997)
88/02724/F	Extend shop to provide new pump house and new car wash	Refused (19 September 1988)
88/00584/F	Provision for new canopy	Granted (9 May 1988)

- 3.2 In respect of the above planning history, further details on the most recent key applications are set out below.
- 3.3 Planning permission was granted for “*Installation of vehicle charging points and associated enclosures and electrical infrastructure*” referenced 20/04182/F by decision dated 14 January 2021. Following the grant of this planning permission it transpired that it was not possible to layout the site in the manner granted due to issues with the proximity of the required high voltage electricity cables to the existing underground tank farm and pipework on site. As a consequence, an application for a Non-Material Amendment (NMA) to this permission was submitted by the architect on 15 September 2021, and referenced 21/05029/NMA. By decision dated 7 October 2021 Officers confirmed that the change to the proposed layout could not be accommodated through an NMA. As such, a formal Section 73 application was then submitted under application reference 21/05586 for an amended vehicle charging layout arrangement and relocated position of the sub-station and associated enclosures. This application was refused by a decision dated 6 December 2021.



3.4 Subsequently, a further planning application (LPA Ref: 22/02168/F) for “Installation of vehicle charging points and associated electrical infrastructure and associated works (retrospective)” was submitted which was refused by decision dated 5 September 2022.

3.5 The decision notice records that the application was refused for two reasons, namely:

- “1. *The proposed development in terms of siting, scale, bulk and layout would fail to respect the character and appearance of the Whiteladies Road Conservation Area and adjacent Cotham and Redland Conservation Area. The proposed plant equipment would result in an incongruous addition to the street scape and would result in an insensitive and dominant addition to Hampton Road. The proposal would fail to conserve or enhance the conservation area and would result in additional urban clutter, would detract from the street and be visually intrusive. The proposal would be located within a highly visible location and the proposal would be out of character within the surrounding conservation area. The public benefits of the proposal would fail to outweigh the harm caused. The proposal would therefore fail to comply with Sections 12 and 16 of the National Planning Policy Framework, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan Policies BCS21, BCS22 and DM31 as well as the Whiteladies Road Conservation Area Enhancement Statement (1993) and Cotham and Redland Conservation Area Character Appraisal (2011).*
2. *The proposed development would fail to safeguard highway safety and due to the location and scale of plant equipment would severely impact inter-visibility between vehicles entering the site and vehicles leaving the parking spaces. The plant equipment would obstruct visibility and would harm the safety of all road users. Furthermore, the proposed development would fail to include a safe and accessible route to the waste storage location. The application is therefore recommended for refusal due to conflict with the National Planning Policy Framework (2019); Core Strategy (2011) BCS10 and BCS15 and Site Allocations and Development Management Policies (2014) DM23 and DM32.”*



- 3.6 This application was subsequently appealed (PINS Ref: APP/Z0116/W/23/3316534) and refused by an Inspector's decision dated 26 September 2023. Whilst the Inspector found no highways concerns arising from the application (and did not question the ability of the applicant for the sub-station to be installed under permitted development rights) the Inspector considered that the hit and miss wooden fence proposed around the sub-station would adversely impact on the surrounding conservation area. This hit and miss wooden fence had been originally introduced by the Appellant at application stage to help obscure the sub-station from the road.
- 3.7 A copy of the appeal decision is attached at **Appendix 2**.
- 3.8 Following the submission of the above Appeal, a further application was submitted in an effort to secure an negotiated permission with officers at Bristol City Council prior to determination of the Appeal. This application was referenced 23/00579/F and sought *"Installation of vehicle charging points with associated electrical infrastructure and works (sub-station to be installed by DNO)*.
- 3.9 Following receipt of the Appeal decision and the removal of the close boarded fence (which was the basis of the refusal at the Appeal) from the proposed scheme the Case Officer recommended that the application be granted. However, following a review by senior management, this recommendation was overturned and the application was refused for one reason only relating to whether or not the sub-station (which did not form part of the planning application) could in fact be installed under permitted development rights. For reasons which are not accepted, Planning Officers at the Council did not consider that sufficient evidence had been provided and that the sub-station could be provided by the DNO under permitted development rights. The basis for this refusal is discussed in more detail later within this Statement, but the Applicant would expect planning officers to be familiar with the GDPO and considers a lack of knowledge and understanding of the GDPO should not be a basis for a refusal of planning permission. The single reason for refusal stated;
1. *There is insufficient justification to demonstrate that the additional EV charging space within the proposed development would not prejudice the implementation of an acceptable layout of the site in design, character and heritage terms and subsequently lead to the addition of incongruous plant equipment being added adjacent to the highway causing harm to street scape to the detriment of the established street scene and Whiteladies Road and Cotham and Redland conservation areas. The runs contrary to the conclusions of an Inspector under appeal decision APP/Z0116/W/23/3316534 as well as Sections 12 and 16 of the National Planning Policy Framework, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan Policies BCS21, BCS22 and DM31 as well as the Whiteladies Road*



Conservation Area Enhancement Statement (1993) and Cotham and Redland Conservation Area Character Appraisal (2011).

- 3.10 A copy of the relevant refusal notice for application 23/00579/F is attached at **Appendix 3**. A copy of the relevant Officer's Report is attached at **Appendix 4**.



SECTION 4: THE PROPOSAL

- 4.1 The application seeks planning permission for an electric vehicle recharging hub providing four electric vehicle charging spaces, associated infrastructure/plant (to be located at the rear of the site) with associated works at MFG Redland.
- 4.2 New landscaping/beechnedging is proposed.
- 4.3 Please note that a sub-station is not proposed as part of this planning application. A sub-station forms no part of the application and is not a matter for consideration as part of this application.



SECTION 5: PLANNING POLICY FRAMEWORK

5.1 This Section sets out national and local planning policy framework relevant to the proposed planning application.

National Planning Policy Framework

5.2 The National Planning Policy Framework (NPPF) was updated in December 2023 and constitutes guidance for local planning authorities and decision-makers and is a material consideration in the determination of planning applications (paragraph 2).

5.3 The purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7).

5.4 Paragraph 8 confirms that there are three overarching objectives to sustainable development: economic, social, and environmental, which are interdependent and need to be pursued in mutually supportive ways.

- An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- A social objective – to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making efficient use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

5.5 These objectives should be delivered through the preparation and implementation of plans and application of policies in the framework; they are not criteria against which every decision can or should be judged. It is confirmed that the planning system should play an active role in guiding development to sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area (paragraph 9).



- 5.6 At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). For decision-takers this means, inter alia, approving development proposals that accord with the development plan without delay.
- 5.7 Local Planning Authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available and work proactively with Applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-takers at every level should seek to approve applications for sustainable development where possible (paragraph 38).
- 5.8 Planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing (paragraph 47). Local Authorities may give weight to relevant policies and emerging plans according to the stage at which they are at and the extent of unresolved objections (paragraph 48).
- 5.9 Chapter 6 of the NPPF sets out the government's intentions to build a strong, competitive economy. Paragraph 85 advises that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 5.10 Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and where there are opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future (paragraph 85).
- 5.11 Planning policies set out a clear economic vision and strategy which positively and practically encourages sustainable economic growth having regard to; the local industrial strategies and other local policies for economic development and regeneration; set criteria to identify strategic sites for local inward investment to match the strategy and meet anticipated needs over the plan period; seek to address potential barriers to investment; and be flexible enough to accommodate the needs not anticipated in the plan, allow for new and flexible working practices and enable a rapid response to changes in economic circumstances (paragraph 86).
- 5.12 Planning policies and decisions should recognise and address specific locational requirements of different sectors (paragraph 86).



- 5.13 Transport issues should be considered from the early stage of plan-making in development proposals so that potential impacts of development and transport networks can be addressed, opportunities from existing or proposed transport infrastructure and changing transport technology and usage are realised – for example in relation to the scale, location or density of development that can be accommodated; opportunities to promote walking, cycling or public transport are identified and pursued; the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects and for net environmental gains; and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places (paragraph 108).
- 5.14 Paragraph 110 confirms that planning policy should provide for any large-scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. A footnote to this paragraph notes that such facilities would include roadside services but that the primary purpose of these services should be to support the safety and welfare of the road user (and most such proposals are unlikely to be nationally significant infrastructure projects).
- 5.15 Planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions (paragraph 123).
- 5.16 The creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps to make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is the effective engagement between applicants, communities, Local Planning Authorities and other interests throughout the process (paragraph 131).
- 5.17 Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history; establish or maintain a strong sense of place; and create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users (paragraph 135).



- 5.18 Chapter 16 of the NPPF 'Conserving and enhancing the historic environment', paragraphs 189-208 outline policy guidance for development affecting the historic environment.
- 5.19 Paragraph 189 recognises that heritage assets are an irreplaceable resource and should be conserved in a manner that is appropriate to their significance such that they can be enjoyed by existing and future generations.
- 5.20 Paragraph 194 requires applicants to describe the heritage significance of any heritage assets affected by a proposed development, including the contribution made by their setting. This should be proportionate to the assets' importance, and no more than is required to understand the potential nature of the impact on that significance.
- 5.21 Paragraph 195 requires local planning authorities to assess the significance of any heritage assets potentially affected to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposed development.
- 5.22 Paragraph 197 states that in determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.23 Paragraphs 199 onwards provides guidance for local planning authorities when considering the potential impacts. Paragraph 199 states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This should be proportionate to its significance, the more important the asset, the greater the weight should be. This is irrespective of whether the harm is substantial, total loss, or less than substantial.
- 5.24 Paragraph 200 goes on to state that any harm to, or loss of, the significance of a designated heritage asset, including through development within its setting, should require clear and convincing justification.
- 5.25 Paragraphs 201 and 202 deal with instances of substantial harm to a designated heritage asset. Development causing substantial harm should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or other criteria are met. Paragraph 202 guides that where a development would lead to less than substantial harm to a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.



- 5.26 In considering the effect of an application on the significance of a non-designated heritage asset the local authority should employ a 'balanced judgement' in regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203).
- 5.27 Paragraph 206 encourages local planning authorities to look for opportunities for new development within the setting of heritage assets or conservation areas to enhance or better reveal their significance. Those proposals that preserve elements of the setting that make a positive contribution to the asset should be treated favourably.
- 5.28 Paragraph 207 makes clear that not all elements of a conservation area will necessarily contribute to its significance.

Development Plan Policy

- 5.29 The Development Plan for the application site comprises of the Bristol Development Framework Core Strategy adopted June 2011, Site Allocations and Development Management Policies adopted July 2014 plus additional information documents. There is currently no Neighbourhood Plan for the application area.
- 5.30 On the Council's interactive 'Bristol City Council Local Plan Policies Map' the site is unallocated but is located within the Whiteladies Road Conservation Area and opposite the Cotham and Redland Conservation Area.

Bristol Development Framework Core Strategy Adopted June 2011

- 5.31 The following policies are considered relevant.
- BSC10 (Transport and Access Improvements)
 - BSC14 (Sustainable Energy)
 - BCS15 (Sustainable Design and Construction)
 - BCS20 (Effective and Efficient Use of Land)
 - Policy BCS21 (Quality Urban Design)

Site Allocations and Development Management Policies Adopted July 2014

- 5.32 These policies relevant in this document include;
- Policy DM1 (Presumption in Favour of Sustainable Development)
 - Policy DM31 (Heritage Assets).



SECTION 6: PLANNING ISSUES

- 6.1 This Section sets out an overview of the key planning issues relevant to the application proposal.

Principle of Development

- 6.2 MFG Redland is an established petrol filling station located in the urban area of Bristol. The provision of an electric vehicle hub on the site as part of the existing petrol station site forms part of a nationwide initiative to reduce carbon dioxide emissions which is supported at both national and local level.
- 6.3 The UK general election, which was held 4 July 2024, resulted in the Labour Party winning a commanding majority.
- 6.4 The Labour Party has produced a comprehensive plan for the automotive industry, seeking to make the UK a global leader in EV technology. The Labour Party will do this by:

- Ensuring consistent policy
- Increasing EV battery manufacturing in the UK
- Building a skilled EV workforce
- Charging infrastructure rollout
- Boosting consumer confidence
- Reinforcing supply chains
- Reducing trade barriers
- Providing clean energy, reducing costs, and providing energy stability

- 6.5 In May 2024, the Green Party became the biggest party on Bristol City Council. The party now has 34 of the 70 seats which make up the City Council. The newly-elected MP for the Bristol Central constituency (within which the application site is located) is also a member of the Green Party.

- 6.6 The Bristol Green Party manifesto for the May 2024 election states that they want to roll out electric vehicle charging infrastructure across the city.

The Need for the Development

- 6.7 Powering more of the cars we drive with electricity is essential to addressing growing CO2 emissions and air pollution in cities. As more electric car models become available, they will also become a more affordable choice for people and businesses.



- 6.8 Unlike traditional cars, which usually refuel at petrol stations, electric cars have the potential to be recharged at home, at work or on the go. They can also be charged in shared locations such as forecourts, car parks or supermarkets. Speed, availability and the reliability of charging infrastructure are currently the biggest potential deterrents to buying an electric car. MFG believes this could be changed with better access to recharging options, better suited to the needs of customers and their lifestyles. This could include smart, regular chargers, ideal for those charging overnight at their homes or during working hours. It could also include high powered, fast chargers designed for when drivers are between destinations and in need of a quick top-up.

EV Demand

National

- 6.9 Taking Charge: The Electric Vehicle Infrastructure Strategy was published in March 2022 and sets out the Government's vision and strategy to enable and accelerate the adoption of electric vehicles (EVs) in the UK.
- 6.10 The Government's vision is to remove charging infrastructure as both a perceived, and a real barrier to the adoption of electric vehicles and have as a minimum 300,000 public charge points by 2030. One of the key drivers is to step up the delivery of high-powered chargers on the strategic road network for people making longer journeys.
- 6.11 Moreover, the strategy confirms that the Government will help to reduce the costs to private sector rollout and businesses by tackling barriers to investment and delivery of public charge points, to speed up private sector delivery of much needed EV charging infrastructure.
- 6.12 One of the key challenges identified in the strategy is the slow pace in which charge point installers can roll out the required infrastructure due to the need of multiple permission, consents and licences; the lack of plentiful, reliable and fairly priced public charging network, amongst others. Notably, the strategy stresses that there needs to be more local engagement, leadership and planning.
- 6.13 The report concludes that if the UK economy is to achieve net zero emissions by 2050, it has to decarbonise road transport. The recent rapid increase in both the supply of, and the demand for, EVs means that charging infrastructure now stands as the single biggest challenge for decarbonisation.



Local

- 6.14 It is estimated that there are more than 35,000 charge points across the UK, with more than 2,500 chargers in the South West. 150 of those units are located in Bristol.
- 6.15 London and Scotland have the highest level of rapid charging provision per 100,000 of population, with 131 and 69 devices per 100,000 respectively. In comparison, the average provision in the UK was 55 devices per 100,000.
- 6.16 Zapmap is a UK-wide map of electric car charging points that helps electric car drivers locate and navigate to their nearest EV charging point. Zap-Map reports they cover 95% of publicly accessible devices. Looking on Zapmap, it appears that there are currently only 28 chargers that are '*rapid charging*' (100kW or more) within Bristol City Centre and the surrounding area.
- 6.17 The South West currently has an underprovision of rapid chargers compared to the UK average with around 44 devices per 100,000. Comparing this to Bristol, which has a population of approximately 500,000 people, there is clearly an underprovision of rapid charging devices in the area, and a significant increase is required in order to match the National average.
- 6.18 Zap-Map's EV Charging Insights Report 2021 provides in-depth analysis of market trends of EV charging behaviours from 2016 to 2021. The Report confirms that in terms of network ranking that MFG is ranked as the second best network provider in the UK.
- 6.19 In terms of the type of public charging locations that are most regularly used, petrol station forecourt (21%) and EV charging point (26%) are amongst the most popular locations although some way belong supermarket car parks and motorway services at 52% and 50% respectively. However, as EV hubs and petrol station forecourts become more prolific with the use of high speed rapid chargers, this figure is expected to significantly increase. The Report also confirms a significant increase in the use of high powered, ultra-rapid chargers (100-350 Kw). This is the type of fast charger proposed to be provided on site.

Heritage Matters

- 6.20 The Application Site falls within the Whiteladies Road Conservation Area and opposite the Cotham and Redland Conservation Area. There is no conservation area appraisal for the Whiteladies Road Conservation Area, albeit a 'Conservation Area Enhancement Statement' was produced in 1993. This document confirms the area is essentially residential in character and developed from the mid-19th century onwards.



- 6.21 The Enhancement Statement confirms that the broad character of the area remains largely intact and consists of large scale terraces and some detached villas in traditional materials. It goes on to state “*this character has been marred by some post-war reconstruction, particularly where petrol filling stations, car showrooms and garages have been erected*”.
- 6.22 The Statement also notes that within the shopping streets of the Conservation Area the character has been eroded by the installation of unsympathetic shop fascias and illuminated signs. Elsewhere, trees planted in streets and front gardens are an integral part of the character of the Victorian suburb, but in some places the pattern of planting has been eroded, undermining the landscape structure of the area. This includes the introduction of unsympathetic paving materials such as tarmac in front of terraces and buildings with distinguished and prominent public frontages, which undermine the character of these streets.
- 6.23 The principle of development for petrol filling station uses is established in this location and this has been confirmed by the planning history of the site which established its use as a petrol station in the 1960s. This predates the establishment of either the Whiteladies Conservation Area or the Cotham and Redland Conservation Area. Since this time there have been numerous applications to allow the site to adapt and expand to meet motorists’ needs. The provision of electric vehicle charging hub for new vehicle technology with zero carbon dioxide emissions is supported within Government guidance and Development Plan.
- 6.24 Whilst it is fully acknowledged that the site falls within the Whiteladies Road Conservation Area, the site is an existing, operational, petrol filling station with the associated physical structures and operations. It is acknowledged within the Conservation Area Appraisal that the site does not contribute to the Conservation Area, albeit it must be recognised that petrol filling stations are a vital part of modern day living and, indeed, this particular site dates back to the 1960s.
- 6.25 The relevant test is that the development must *preserve* the conservation area ie not make it any worse. The application proposal comprises parts of an existing filling station. The character of the application site will remain that of a petrol fillings station and be read as such. Accordingly, it is not considered that the appeal proposal will create visual clutter etc.



- 6.26 Planning policy both at national and local level seeks to preserve conservation areas. The site is an existing petrol station and has the paraphernalia associated with any petrol filling station and, in its own right, does not contribute to the Conservation Area but serves part of a functioning and operational petrol filling station. The application proposal is therefore not out of keeping with the conservation area it is entirely in keeping with the petrol filling station site on which it is located.
- 6.27 Guidance in relation to heritage assets is detailed in Policy DM31. In relation to this latter policy development that has an impact upon a heritage asset will be expected to conserve, and where appropriate, enhance the asset or its setting. With relation to the conservation areas, it specifically states that “*Development within or which would affect the setting of a conservation area will be expected to preserve or, where appropriate, enhance those elements which contribute to their special character or appearance*”.
- 6.28 The proposal is necessary to address changing fuel requirements and aspirations to reduce carbon dioxide emission through the development of alternative fuel sources. This proposal brings a much needed electric vehicle charging hub to this part of Bristol to ensure that the EV charging network across the country can facilitate an increase in the EV car fleet nationwide.
- 6.29 As acknowledged by heritage policies a balance needs to be taken to the necessity and importance of the proposal with its sustainable benefits versus any impact that the proposal may have on the Conservation Area. Given the highly urban location of the site, its existing use and character it is not considered to have any adverse impact. Indeed, the development of a modern facility with the latest technology and visual appearance should be viewed positively.
- 6.30 The Officer’s Report in respect to the most recently refused application, LPA Ref: 23/00579/F confirms that the previous application proposal was acceptable in heritage terms. The singular reason for refusal related to potential impacts on the conservation area arising from the sub-station, albeit this was not part of the application proposal. The elements of the scheme, comprising the current application, were confirmed by Officers in the accompanying Report to decision LPA Ref: 23/00579/F to be acceptable in terms of heritage impact. As such, Officers of the Council have therefore already confirmed that the present scheme, which forms the current application, has no adverse impact on either of the relevant conservation areas.
- 6.31 Notwithstanding that no adverse impact is considered to arise, any heritage issues must be balanced against the environmental benefits and the importance in reducing carbon dioxide emissions and the long term goals of sustainability. Accordingly, it is considered that the proposal is acceptable in heritage terms when assessed against Development Plan policies.



Compliance with Planning Policy

- 6.32 The Development Plan comprises the Bristol Local Plan, which itself comprises the adopted Core Strategy (Adopted 2011), the Site Allocations and Development Management Policies (Adopted July 2014), the Bristol Central Area Plan (Adopted March 2015), and the West of England Joint Waste Core Strategy. Bristol City Council is currently in the process of reviewing their Local Plan and expects to have the new plan in place by early 2025. Therefore, the latest version of the emerging Bristol Local Plan carries significant weight.
- 6.33 Core Strategy Policy BCS13 and Development Management Policy DMI supports development proposals that contribute towards global, national, regional and local sustainability, and seek to address the causes and potential impacts of climate change, respectively.
- 6.34 Policy BSC10 of the Core Strategy and Draft Policy T1 of the Draft Local Plan Review seek to promote and enable sustainable transport modes. Sustainable development is a key theme of the Council's current and emerging strategy as well as national planning policy guidance. It is recognised that even small sites, and all EVC provisions, will make a positive contribution to achieving sustainable development.
- 6.35 In respect to the demand for EVC at the application site: figures indicate that there is a clear undersupply of rapid charging devices in Bristol and the South West when compared to the UK National Average. There is an even larger undersupply of 'rapid charging' devices in Bristol, as Zapmap indicates that there are currently only 28 rapid charging devices within the City.
- 6.36 The development plan supports the provision of electric vehicle charging points and low carbon/renewable energy schemes, as noted above and through Draft Policy T5 of the Draft Local Plan Review, as well as supporting wider government objectives in response to addressing the climate change emergency. Therefore, it is considered that the proposal complies with the aims of sustainable development policies, as electric vehicles and associated infrastructure support these objectives. This is therefore a material consideration weighing heavily in favour of the development.
- 6.37 In summary, Bristol's policies strongly advocate for the installation and expansion of EV charging infrastructure as part of their broader strategy to promote sustainable development and combat climate change. This support extends from local to national policy objectives, highlighting the importance of EV infrastructure.



Highway Matters

- 6.38 Previously, the decision notice for application LPA Ref: 22/O2168/F included a second reason for refusal that read:

“The proposed development would fail to safeguard highway safety and due to the location and scale of plant equipment would severely impact inter-visibility between vehicles entering the site and vehicles leaving the parking spaces. The plant equipment would obstruct visibility and would harm the safety of all road users. Furthermore, the proposed development would fail to include a safe and accessible route to the waste storage location. The application is therefore recommended for refusal due to conflict with the National Planning Policy Framework (2019); Core Strategy (2011) BCS10 and BCS15 and Site Allocations and Development Management Policies (2014) DM23 and DM32.”

- 6.39 As part of its previous Appeal Statement of Case, the Applicant submitted a letter from DW Transportation Limited dated 6 December 2022 which is attached as **Appendix 5**. This confirms through submission of an accompanying swept path analysis that the issues of adequate visibility being provided is not a sustainable reason for refusal.
- 6.40 In addition, in respect to the issue of the bin store access the Applicant confirmed that a path is not required. Rather, bins will simply be moved from the bin store to the refuse lorry which will enter and exit the site in a forward gear. Staff will take refuse sacks across the forecourt and place in bins as required. The bins can be removed in between use of the nearest charging space.
- 6.41 Notably the original Bristol City Council’s highway’s teams objection to the application was effectively a precautionary one requiring additional information. The highway comments on the appealed application dated 22 August 2022 stated:

“In principle TDM has no issue with the development so long as it does not compromise highway safety for vehicles exiting and entering the property, however this plan is not suitable. Local Conditions The proposed site is located on Hampton Road which has a speed limit of 20mph. Visibility & Highway Safety TDM has concerns over the ability for an arriving vehicle to see a vehicle from the electric vehicle charging bays exiting. This is a risk to highway safety as there is a heightened risk of collision for a vehicle entering the site as they are unable to see exiting vehicles from the electric vehicle charging bays. The comment provided from the applicant in 21/05586/X states they do not believe there would be any added impact to the visibility with the installation of the sub-station. However the sub-station and surrounding fence and hedges will impact visibility. Unless the applicant can provide adequate vehicular visibility splays which confirm that the



development will not impact highway safety, TDM will not be able to approve the application. Layout & Turning Areas The applicant will need to display swept pathing for access to the newly installed electric vehicle charging bays. This is to ensure that the vehicles can manoeuvre in and out of the charging bays unimpeded and will not pose a risk to other vehicles traversing the site."

- 6.42 The Applicant therefore provided this requested information as part of its submission in respect to the Appeal PINS Ref: APP/Z0116/W/23/3316534.
- 6.43 In the consideration of the appeal, the Inspector stated (paragraph 25) *"The proposal does not include a dedicated pathway from the sales building to the bin store, nonetheless the appellants has confirmed that staff will take refuse sacks across the forecourt and place them in bins. The route from the sales building to this bin store would be through parts of the garage which would be less frequently used by vehicles, including areas where calor gas is stored. Therefore, the proposal would provide a safe and accessible route to the bin store for staff. The proposed layout would restrict access to the bin store if the charging bay closest to it were in use. However, it would not be inconceivable for staff to gain access to the bin store and move bins from the storage area to the collection point during periods when this charging bay was not in use. Additionally, whilst adequate provision for the collection of bins has not been satisfactorily demonstrated during times when this charging bay is in use, were the appeal to be allowed this detail could be satisfactorily controlled by a condition requiring the approval of a refuse management plan, and I am satisfied that such a condition would meet the tests set down in the Planning Practice Guidance (PPG). Therefore, the proposal could have the capacity to make adequate provision for the storage and collection of refuse."*
- 6.44 Therefore, the previous highways reason for refusal is overcome under the scheme now submitted, and a Waste Management Plan can be conditioned as recommended by the Inspector. The Applicant agrees to such a condition. As such, it is therefore agreed that there is no highways based reason why planning permission should not be forthcoming. This has been accepted both by the Planning Inspectorate in respect of the previous appeal and also subsequently by the Council in its determination of planning application LPA Ref: 23/00579/F.
- 6.45 In addition, it should be recognised that MFG is the UK's largest, independent owner of petrol filling stations with more than 920 sites in the UK in its portfolio. The Company is, therefore, highly experienced in the operation, management and development of petrol filling stations and their layouts. Given the nature of petrol filling station uses and the products on site, pedestrian and vehicular safety is of the highest importance. The Company would not develop any site which it considered would be operationally unsafe.



- 6.46 It should also be recognised the speed limits that exist on Hampton Road (20mph) and that vehicles turning into the site from either direction should be effectively travelling at very low speed. Vehicles going southbound along Hampton Road will be able to see any vehicles reversing from the EV spaces as they turn into the site. It is expected that most customers will reverse into the charging bay in any event so that the rear of the car is closest to the charger. In terms of driver behaviour, one would expect people having charged their car to leave the spaces (either reversing or in a forward gear) at a slow speed. The distance from the entrance crossover to the forecourt is limited which means that people entering the forecourt will be travelling at low speeds in any event. However, in an effort to assist, the Applicant would be happy to consider additional signage either on the ground, such as a large 'SLOW' sign at the entrance crossover or possibly some hazard markings if this would assist. The Applicant would accept a condition in respect to such forecourt signage/markings.
- 6.47 Finally, as stated above, the Applicant is happy to provide a refuse management plan via an appropriately worded condition to secure agreement on such matters.

Sub-station

- 6.48 Despite a sub-station not forming part of the previous application on the site (LPA Ref: 23/00579/F) it was the basis of the most recent reason for refusal. The refusal being based on the issue of whether or not the sub-station (notwithstanding that it did not form part of the application) benefitted from Permitted Development Rights or not?
- 6.49 In respect this matter the Officer's Report in respect to the most recent planning application LPA Ref: 23/00579/F states the following:

"Following additional internal discussion, concern was upheld however that should the electrical plant infrastructure not represent permitted development as claimed by the applicant, then the revised layout with an extra vehicle charging point would prejudice any ability to put the plant equipment back in its originally consented location. Further, there are no obvious appropriate locations within the curtilage of the site which would satisfactorily accommodate the plant should the infrastructure not represent permitted development as claimed by the applicant, and thus require siting elsewhere. While the structure and fence which formed the key areas of concern in the Inspector's assessment have been removed from plans and therefore would not enjoy consent under the revised proposal, this in itself is not considered sufficient to satisfy concerns beyond a reasonable doubt that the amended layout would prejudice successful implementation of an acceptable scheme and potentially result in a harmful



scheme arising should it not be successfully demonstrated that the siting of those elements do enjoy permitted development rights.

Overall, the applicant has not successfully demonstrated within the revised submission that the proposal positively addresses all of the conclusions made by the Inspector and on this basis it cannot be satisfactorily concluded that works would adequately preserve the character of both surrounding conservation areas, the adjacent locally listed building, and would not introduce harm to the character or appearance of the site and Hampton Road.”

- 6.50 Given that a sub-station did form part of the previous application LPA Ref: 23/00579/F, the Applicant feels strongly that the Council was wholly wrong to use this as a basis for refusal. The Council is required to determine the application in front of it, not a scheme which it “*imagines is in front of it*”. Notwithstanding this, there should be no dispute that the sub-station, were it part of the application, could be provided under Permitted Development Rights. The Applicant therefore appears to have received a refusal based solely on the basis of a lack of knowledge by Planning Officers.
- 6.51 PINS will appreciate that the Town and Country Planning (General Permitted Development) (England) Order 2015 (Statutory Instruments Order 2015 No. 596) confirms:

“B. Development by statutory undertakers for the generation, transmission, distribution or supply of electricity for the purposes of their undertaking consisting of –

(a) the installation or replacement in, on, over or under land of an electric line and the construction of shafts and tunnels and the installation or replacement of feeder or service pillars or transforming or switching stations or chambers reasonably necessary in connection with an electric line;...

B.1 Development is not permitted by Class B if –

(a) in the case of any Class B(a) development –

(i) it would consist of or include the installation or replacement of an electric line to which section 37(1) of the Electricity Act 1989 (consent required for overhead lines)(1) applies; or

(ii) it would consist of or include the installation or replacement at or above ground level or under a highway used by vehicular traffic, of a chamber for housing apparatus and the chamber would exceed 29 cubic metres in capacity;...”



- 6.52 Accordingly, the sub-station can be installed on site by a statutory undertaker under Permitted Development rights (PDRs). The DNO requires the sub-station to be at the front of the site in an easily accessible location.
- 6.53 As such, the sub-station could be installed now with immediate effect. This is not a theoretical or potential likely occurrence. JMS Planning as agent for the Applicant has previously confirmed to the Council unequivocally that the Applicant will arrange for the installation the sub-station under Permitted Development Rights in this location.
- 6.54 Attached at **Appendix 6** is a letter from MBH Limited who act as MFG's project managers on its EV roll out including in respect to Redland Service Station. The letter confirms that the Statutory Undertaker will be installing a sub-station at the site under permitted development rights. The sub-station does not form part of this planning application and it is therefore outwith the remit of the decision maker to make any comments on it. The treatment of the previous application LPA Ref: 23/00579/F was considered to be fundamentally flawed by Bristol City Council as the reason for refusal related to the sub-station which did not form part of the planning application, as was confirmed in the covering letter and planning statement submitted with the application. The Applicant would expect planning officers and senior management who issued the previous refusal at Bristol City Council to be familiar with the GDPO. The fact that officers appear unfamiliar with it is unfortunate and should not have resulted in a reason for refusal. Equally, the Applicant assumes that were the Council proved to be correct, that every sub-station and BT Open Reach box within the administrative area of Bristol City Council would benefit from a planning permission. This is obviously not the case.
- 6.55 It would appear therefore that the refusal of planning application 23/00579/F is one that was contrived and is not based on any relevant or correct material consideration. It is this failure by Bristol City Council to appropriately exercise its function as a planning authority determining our Client's application for what is much needed EV infrastructure which has given rise to the Applicant making its submission directly to the Planning Inspectorate.
- 6.56 Finally, as alluded to above, even if PINS had any concern that the installation of the sub-station could not occur under Permitted Development Rights, it is not a matter for discussion with this application. The determining body (in this case PINS) is required to determine the planning application put in front of it. Any concerns over the lawfulness (or otherwise) of the installation of a sub-station on the site is not a consideration for this application given that a sub-station does not form part of the proposal on the site. Were, a sub-station to be installed without the benefit of Permitted Development Rights then it would be a matter for Bristol City Council to exercise its enforcement protocols to address the perceived breach of Planning Control. However, this is entirely hypothetical



given that such sub-stations can be installed under Permitted Development Rights.

Sustainable Development Credentials And Need

- 6.57 The NPPF states that planning has a key role to secure reductions in greenhouse gas emissions and that the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure (paragraph 148). This is essential to the economic, social and environment dimensions of sustainable development. Accordingly, there is clear support from national policy for the use of non-fossil fuels and those with a low or zero carbon generation.
- 6.58 It is the Applicant's position that the need for EV charging on the site is significant (for the reasons set out earlier within this Statement) and is entirely policy compliant. The application proposal is not just policy compliant, there is also an overwhelming need for additional EV charging within the UK in order that the country can meet its net zero aspirations for 2050. MFG is one of the leading providers of EV charging within the UK. Indeed, as highlighted earlier in this Statement, the Company is specifically named as a leading provider of EV infrastructure within the Government's Electric Vehicle Infrastructure Strategy published in March 2022. As such, the importance of MFG in helping to deliver the Government's net zero aspirations in respect to EV charging should not be downplayed.
- 6.59 Attached at **Appendix 7** is a ZAP MAP extract illustrating the location of EV chargers in Bristol. It can be clearly seen that the Redland area of Bristol does not have any public chargers immediately locally. The application site is therefore located in an area of EVC deficiency and will therefore meet an important local need in respect to the introduction of EV charging facilities.
- 6.60 Accordingly, the principle of the proposed development on the site meets evolving motorists' needs with significant environmental benefits and is acceptable in principle and fully supported by national and local policy.
- 6.61 The fundamental principle upon which the National Planning Policy Framework is based is sustainable development. The document confirms that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Specifically, the NPPF advises that applications for development should be designed to facilitate ultra-low emission vehicles in safe, accessible and convenient locations.
- 6.62 Electric vehicles can significantly reduce CO₂ emissions from the transport sector, especially if electricity is generated from renewable technologies. The benefits of electric vehicles are expanded upon elsewhere in the report, but they have the benefit of improving local air quality and providing significant health



benefits, helping to address air pollution, whilst offering a comfortable, quiet ride for motorists.

- 6.63 Whilst the number of electric vehicles within the UK is relatively few at the current time, and a lack (or perceived lack) of infrastructure is seen as a major constraint, the number of EV vehicles is growing and there are significant environmental benefits to electric vehicles in environmental terms.
- 6.64 Whilst there are various policies in the development which supports and encourages the more widespread use of innovative energy technologies to reduce the use of fossil fuels and carbon dioxide emissions including BCS13, 14 and 15, none of these make specific reference to electric vehicles, however they all refer to mitigating and adapting to climate change and reducing carbon dioxide emissions. Therefore, it is considered that the application proposal complies with the aims of sustainable development policies, as electric vehicles and associated infrastructure support these objectives. This is therefore a material consideration weighing heavily in favour of the development.

Air Quality Benefits

- 6.65 There are significant environmental benefits, particularly to air quality, arising from the proposal. Whilst the impact of electric vehicles will not be immediate, the long term goal, with increased electric vehicle uptake, will result in decreased carbon dioxide emissions and improvements to local and national air quality. Accordingly, the long term benefits of the proposal in terms of air quality are positive.
- 6.66 Guidance in relation to environmental protection is set out in Local Plan Policy DM23 which seeks consideration to air quality, noise and vibration, light pollution, contaminated land and hazardous substances. The application proposal is therefore considered to accord with Policy DM23.

Accordance With Planning Policy

- 6.67 The Core Strategy sets out a number of aims for the plan, one of which includes tackling climate change; confirming that Bristol will be a leader in mitigating and adapting to climate change, implementing low carbon approaches to development whereby the city's potential to secure use of energy from renewable and low carbon sources will be realised and new homes and businesses will be built to high standards of environmental performance.
- 6.68 Another aim of the Council is for sustainable communities and high quality urban design, whereby development will promote the creation of sustainable communities and exceptional urban design, giving priority to brownfield development, making efficient use of the city's scarce land resources. Whilst the aim acknowledges that some areas of open land will be brought forward for



essential development, the local community will be involved in making choices, and high quality design and the historic environment will be respected.

- 6.69 Policy BSC10 supports the delivery of significant improvements to transport infrastructure to provide an integrated transport system which improves the accessibility within Bristol and supports the proposed levels of development. Whilst this policy goes on to support significant improvement schemes and infrastructure, it makes no direct reference to sustainable fuel sources, albeit it does refer to making the best use of existing transport infrastructure, albeit with reference to roads and junctions, and appropriate demand management and sustainable travel measures.
- 6.70 Policy BCS13 relating to climate change advises that development should contribute to both mitigating and adapting to climate change in meeting the targets to reduce carbon dioxide emissions. The policy sets out a number of measures which includes the use of decentralised, renewable and low carbon energy supply systems. Whilst no reference is made to electric vehicle charging in this policy, the conversion of cars to electric vehicles will assist in the objectives of reducing climate change.
- 6.71 Policy BCS14 (Sustainable Energy) advises that proposals for utilising, distribution and development of renewable and low carbon sources of energy, including large scale freestanding installations will be encouraged. In such circumstances the environmental and economic benefits of the proposed development will be afforded significant weight alongside considerations of public health and safety and impacts on biodiversity, landscape character, historic environment and residential amenity of the surrounding area.
- 6.72 The policy continues to state that within Bristol development should include measures to reduce carbon dioxide emissions from energy use in accordance with the following energy hierarchy:
- (i) Minimise energy requirements;
 - (ii) Incorporate renewable energy sources; and
 - (iii) Incorporate low carbon energy sources.
- 6.73 Whilst no reference is made to electric vehicles within the policy nor supporting text, the principles of this policy, and those detailed above, are relevant and supportive to the proposal.
- 6.74 Policy BCS15 (Sustainable Design and Construction) confirms that sustainable design and construction will be integral to new development in Bristol and requires development to maximise energy efficiency and integrate the use of renewable and low carbon energy; address waste and recycling during construction operation; conserve water resources and minimise vulnerability to flooding; consider the type, life and the source of materials to be used; ensure



the development is flexible and adaptable, and incorporate measures to enhance biodiversity. The policy continues to set out objectives for BREEAM ratings and Sustainable Homes Assessment. Again, whilst no reference is specifically made to electric vehicle charging facilities, the principles of this policy support the proposal.

- 6.75 Policy BCS20 (Effective and Efficient Use of Land) seeks to maximise opportunities to reuse previously developed land and ensure land is used to its maximum efficiency.
- 6.76 Development Management Policy DMI (Presumption in Favour of Sustainable Development) reflects the guidance set out at national level and confirms that the Council will take a positive approach that reflects a presumption in favour of sustainable development contained in the NPPF. The policy continues to advise that Bristol City Council will always work proactively with applicants jointly to provide solutions so that new proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the city.
- 6.77 It is therefore considered on balance that the relevant policies of the Development Plan, as set out above, are supportive of the application proposal. This is further to National Planning Policy as set out earlier in this Statement which is also considered to be fully supportive of the application proposal. It is therefore considered that the application proposal is fully in accordance with National Planning Policy and relevant Development Plan Policy.

Emerging Planning Policy – National Planning Policy Framework Consultation Draft (2 August 2024)

- 6.78 Following the General Election on 4 July 2024, the new Labour Government published for consultation a draft National Planning Policy Framework on 30 July 2024 (which was subsequently updated on 2 August 2024 to address changes to the paragraph 76 footnotes). This document is currently on public consultation until 24 September 2024 following which time it will be reviewed and adopted as National Planning Policy. The Government has indicated that adoption of the new NPPF will occur before the end of 2024.
- 6.79 The draft NPPF takes a further step from the previous NPPF published under the *‘Conservative Government and is drafted to state local planning authorities should support planning applications for all forms of renewable and low carbon development’*. Revised para 164 goes on to state that *‘when determining planning applications for these developments, local planning authorities should ... not require applicants to demonstrate the overall need for renewable or low carbon energy and give significant weight to the proposal’s contribution to renewable energy generation and a net zero future ...’*



SECTION 7: CONCLUSIONS AND PLANNING BALANCE

- 7.1 This Planning Statement has been prepared by JMS Planning on behalf of Motor Fuel Group and is submitted in support of an application for full planning permission for the *“Installation of vehicle charging points and associated electrical infrastructure and associated works”* at MFG Redland Service Station, Hampton Road, Redland, Bristol, BS6 6JA.
- 7.2 The submission of this planning application is made directly to the Planning Inspectorate (PINS) as Bristol City Council, which is the administrative area within which the application site lies, has been placed into Special Measures under Section 62a of the Town and Country Planning Act 1990 (as amended) as it is considered that Bristol City Council as the local planning authority has not been adequately performing its function in determining applications.
- 7.3 The National Planning Policy Framework identifies the need for planning positively for sustainable development and embracing the opportunity to support solutions which offer reductions in greenhouse gas emissions. This is further reiterated in the Development Plan in terms of principles, albeit no direct reference is made to EV charging.
- 7.4 This proposal provides the opportunity to meet targets for greenhouse gas reduction from road transport, improving air quality standards and increasing the use for alternative fuels by domestic drivers. It is hoped that with the provision of additional infrastructure on the highway network, the uptake of electric vehicles will continue to increase with the associated environmental benefits.
- 7.5 Consideration has been given to the impact of the proposal on the Whiteladies Road Conservation Area. The proposal represents a modernisation of the existing facilities on the site to meet changing motorists’ and environmental needs. Whilst the site continues to be in a functional use, it offers significant environmental benefits and meets modern standards. It is not considered that the application proposal adversely effects either conservation area. Rather the application proposal will be read as part of the wider appeal site. Notwithstanding this though proposed landscaping and mitigation is proposed.
- 7.6 There is an absence of chargers in the Redland Area – the application proposal will therefore meet an important local need.
- 7.7 A sub-station does not form part of this application, notwithstanding a sub-station can be installed under Permitted Development Rights.
- 7.8 The most recent application on the site (LPA Ref: 2023/00579/F) refused by decision dated 27 February 2024 confirms that all matters relating to the



application proposal, including highways, were considered acceptable. The single reason for refusal related only to an element (sub-station) that did not actually form part of the planning application.

- 7.9 Notably, since the original permission in January 2021 there has been a number of new publications and Government guidance issued on the importance of EV charging, which are discussed later within this Statement. As a consequence, it is important that this application is now permitted.
- 7.10 The proposal has been considered against the relevant planning policy and it is considered to be in accordance with the Development Plan. Material considerations, in the form of the National Planning Policy Framework and the draft Framework (August 2024) and general climate change policy weigh heavily in favour of the development, supporting the installation of technology for low carbon alternative fuel technologies.
- 7.11 It is therefore considered that this application should be allowed and planning permission be forthcoming.