

## **BIRMINGHAM DEVELOPMENT MANAGEMENT DPD EXAMINATION**

### **MATTER 6 – CONNECTIVITY POLICIES**

This Hearing Statement is made for and on behalf of the HBF, which should be read in conjunction with our representations to the pre-submission consultation dated 21<sup>st</sup> February 2020. This representation answers specific questions as set out in the Inspector’s Matters, Issues & Questions document issued on 24<sup>th</sup> September 2020.

#### **Matter 6 – Connectivity Policies**

**Issue – Are the individual policies clear, justified and consistent with national policy and will they be effective?**

#### **Policy DM15 – Parking & Servicing**

**Q86. Does the wording of the Policy attempt to give Development Plan Document (DPD) status to the Parking Supplementary Planning Document (SPD)?**

The wording of Policy DM15 does give DPD status to the Draft Parking SPD (EBD66).

The Regulations are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in policy in the Local Plan. In Policy DM15 the City Council is carrying forward its car parking requirements including provision of EVCPs in an SPD. Under Bullet Point 2 of Policy DM15, new development is required to meet parking provision in accordance with the City Council’s Draft Parking SPD. Under Bullet Point 3 of Policy DM15, parking should be designed to adhere to the principles of relevant SPDs. The City Council’s approach gives DPD status to a document, which is not part of the DPD and has not been subject to the same process of preparation, consultation and examination. This is not compliant with the Regulations.

National policy clearly defines the scope and nature of an SPD in the planning process as providing more detailed advice and guidance on adopted Local Plan policies. The National Planning Practice Guide (NPPG) confirms that an SPD cannot introduce new planning policies nor add unnecessarily to the financial burdens on development (ID: 61-008-20190315).

The City Council’s approach is not soundly based.

**Would the Council's proposed modifications address the shortcomings in the regard?**

The City Council's proposed modifications do not address the fundamental flaw in its approach to establishing parking standards.

**Q87. Is the inclusion of electric vehicle charging points (EVCP) within the Policy justified?**

The requirement for EVCPs is not explicitly set out in Policy DM15. Under Bullet Point 2 of Policy DM15, new development is required to meet parking provision in accordance with the City Council's Parking SPD. The Draft Parking SPD proposes that every new residential building with an associated car parking space must have at least one EVCP. For unallocated parking spaces off street of 5 or more spaces, 20% active EVCP provision is proposed and passive capacity for all spaces. Unallocated parking spaces on street will be subject to Electric Vehicle Network Charging requirements. This is not justified.

To ensure a policy is effective, it should be clearly written and unambiguous so it is evident how a decision maker should react to development proposals. Policy DM15 should clearly set out the City Council's proposed parking standards in sufficient detail to determine a planning application without relying on, other criteria or guidelines set out in a separate SPD. The City Council should not be relying on the Draft Parking SPD as the principal basis for introducing parking standards. The Draft Parking SPD should be providing additional detail guidance to support the implementation of Policy DM15.

If the City Council is proposing to set out local parking standards in Policy DM15, then the policy approach should be consistent with 2019 National Planning Policy Framework (NPPF) (paras 105 & 106) and fully justified by robust evidence as necessary for managing the local road network. The City Council has provided no justification for the standards proposed in the Draft Parking SPD.

The Department of Transport consultation (ended 7<sup>th</sup> October 2019) on Electric Vehicle Charging in Residential & Non-Residential Buildings set out the Government's preferred option to introduce a new functional requirement under Schedule 1 to the Building Regulations 2010, which is expected to come into force in 2020. The inclusion of EVCP requirements within the Building Regulations 2010 will introduce a standardised consistent approach to EVCPs in new buildings across the country. The requirements proposed apply to car parking spaces in or adjacent to buildings and the intention is for there to be one charge point per dwelling rather than per parking space.

The HBF's response to the Department of Transport consultation recognises that electric vehicles will be part of the solution to transitioning to a low carbon future but there are practical and financial challenges associated with the Government's proposed approach, which goes beyond the requirements of Energy Performance of Buildings Directive (EPBD). The HBF's response identifies that the physical installation of fixed EVCPs is not necessary. The evolution of this automotive technology is moving quickly therefore a cable and

duct approach is a more sensible and future proofed solution, which negates the potential for obsolete technology being experienced by householders. A cable and duct only approach means that the householder can later arrange and install a physical EVCP suitable for their vehicle and in line with the latest technologies.

The reference to low emission vehicle infrastructure in Policy DM15 is unnecessary because of the Government's proposals to change Building Regulations. This reference should be deleted.

**Q88. Has the impact of EVCPs on viability been adequately considered?**

The impact on viability has not been fully considered.

The City Council's updated viability evidence is set out in Financial Viability Assessment Report by BNP Paribas dated November 2019 (EBD71). The viability assessment includes a cost estimate for individual EVCP provision of £1,500 per space but no additional costs for network upgrades.

In the Department of Transport Electric Vehicle Charging in Residential & Non-Residential Buildings consultation, the Government recognised the possible impact on housing supply, where the requirements are not technically or financially feasible. The costs of installing the cables and the charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment. The Government recognises that the cost of installing charge points will be higher in areas where significant electrical capacity reinforcements are needed. In certain cases, the need to install charge points could necessitate significant grid upgrades which will be costly for the developer. Some costs would also fall on the distribution network operator. Any potential negative impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. In the instances when this cost is exceptionally high (capped at £3,600), and likely to make developments unviable, it is the Government's view that the EVCP requirements should not apply.

The HBF and its Members have serious concerns about the capacity of the existing electrical network in the UK. The supply from the power grid is already constrained in many areas across the country. Major network reinforcement will be required across the power network to facilitate the introduction of EVCPs and the move from gas to electric heating as proposed under the Future Homes Standard. The cost of infrastructure reinforcement and additional sub stations has not been considered. These costs can be substantial and can drastically affect the viability of developments. If developers are funding the potential future reinforcement of the National Grid network at significant cost, this will

have a significant impact on their businesses and potentially jeopardise future housing delivery.

These potential financial costs have not been considered. The City Council's approach should allow flexibility for schemes where it is technically or viably unfeasible.

**Q89. Has the impact of EVCPs on power supply been adequately considered?**

The impact on power supply should be considered. The City Council has provided no evidence about potential impacts (see HBF answers to Q87 & Q86 above).