

## **REA response to Changes to various permitted development rights: consultation**

The Association for Renewable Energy & Clean Technology (REA) is pleased to submit this response to the above consultation. The REA represents renewable electricity, heat and transport, as well as Electric Vehicle charging infrastructure, Energy Storage and Circular Economy companies. Members encompass a wide variety of organisations, including generators, project developers, fuel and power suppliers, investors, equipment producers and service providers. Members range in size from major multinationals to sole traders. There are around 550 corporate members of the REA, making it the largest renewable energy and clean technology trade association in the UK.

RECHARGE UK, formerly the REA EV Forum represents over 100 companies operating across the electric vehicle charging infrastructure value chain, from public Charge Point Operators to energy suppliers, eMobility Service Providers, roaming hubs, installers, manufacturers, and financiers. The REA's EV Forum has been active since 2018 and in 2020 the UK Electric Vehicle Supply Equipment Association merged its operations into those of the REA.

### **RECHARGE UK summary of members views of this response**

This consultation response mostly focuses on the key issues of concern to RECHARGE UK members. Overall, RECHARGE UK is pleased to see the Government take proactive steps by undertaking this consultation to improve permitted development rights to accelerate chargepoint installation and allow a greater proportion of chargepoint installations to be covered by a permitted development right. As part of the wider REA, we also support the proposals regarding Heat Pump permitted Development Rights, in order to make it as hassle free as possible to install these units (where appropriate).

This consultation response therefore focuses on:

- Our overarching position on decarbonisation of heat that a range of technologies are required to achieve the transition to net zero heat. The Government should where possible, support all technology types with the same regulations to ensure each can be deployed effectively.
- Our members support of a number of the proposed changes which will reduce or remove limitations to chargepoint installation.
- Our members concerns about how some of the proposed changes could have negative unintended consequences.
- Our members desire to see further explanation behind the decision to not extend permitted development rights to cross pavement solutions.

## **Section 5: Changes to the permitted development rights for the installation of electrical outlets and upstands for recharging electric vehicles**

### **Q.36 Do you agree that the limitation that wall-mounted outlets for EV charging cannot face onto and be within 2 metres of a highway should be removed?**

- Yes
- No
- Don't know

Please provide your reasons.

The REA understands the reasoning for this proposal and on the whole are supportive of policies which reduce limitations to the deployment of charging infrastructure.

However, we would express concern that if the limitation for 2m was removed, it would increase the likelihood of an incident due to earthing/protection arrangements where a chargepoint could be earthed differently to a nearby lighting column or comms cabinet for example.

Moreover, removing the limit entirely would allow residents to assume that there is no limitation on a chargepoint being attached to the front of a property that directly abuts the public highway, i.e. hanging over the pavement or road, and obstructing it (even by not very much). This could result in hostility towards charging infrastructure and an increase in unfavourable media coverage which could unnecessarily delay the adoption of an electric vehicle by a number of individuals.

This could also inadvertently lead to an increase in obstacles on the pavement that those with mobility impairments could struggle to navigate.

### **Q.37 Do you agree that the limitation that electrical upstands for EV charging cannot be within 2 metres of a highway should be removed?**

- Yes
- No
- Don't know

Please provide your reasons.

Please see our response to Question 36.

### **Q.38 Do you agree that the maximum height of electric upstands for EV recharging should be increased from 2.3 metres to 2.7 metres where they would**

**be installed in cases not within the curtilage of a dwellinghouse or a block of flats?**

- Yes
- No
- Don't know

Please provide your reasons.

The REA would support this proposal as it allows equipment manufacturers to better apply cable suspension/management systems in order to meet the accessibility specification set out in PAS 1899:2022.

**Q.39 Do you agree that permitted development rights should allow for the installation of a unit for equipment housing or storage cabinets needed to support non-domestic upstands for EV recharging?**

- Yes
- No
- Don't know

Please provide your reasons.

The REA would support this change as it ensures the associated charging unit installation would also require only a permitted development right, the same as the chargepoint, which will simplify the process. Members have indicated that in the past there has been a discrepancy between the charging unit and chargepoint previously which had meant the charging unit was not classed as permitted development in previous Government consultations, so we are pleased to see this addressed. We would welcome further clarity on this that is publicly available and communicated to relevant stakeholders.

**Q.40 Do you agree that the permitted development right should allow one unit of equipment housing in a non-domestic car park?**

- Yes
- No
- Don't know

Please provide your reasons. If you think that the permitted development right should allow for more than one unit of equipment housing or storage cabinet, please specify a suitable alternative limit and provide any supporting evidence.

Please see our answer to question 39.

**Q.41 Do you agree with the other proposed limitations set out at paragraph 60 for units for equipment housing or storage cabinets, including the size limit of up to 29 cubic metres?**

- Yes
- No
- Don't know

Please provide your reasons.

The REA supports these limitations as members have flagged these to be industry best practice.

**Q.42 Do you have any feedback on how permitted development rights can further support the installation of EV charging infrastructure?**

- Yes
- No
- Don't know

Please provide your reasons.

The REA represents a significant proportion of the cross-pavement market and these members see a significant opportunity for this consultation to ensure fairness in the application process. Currently there are two different systems in place.

If a chargepoint is located in public (as opposed to in private, feeding power into the public realm via a pavement channel) is classed as a permitted development if installed on behalf of a council, but is not permitted development if it is installed on a commercial basis.

This is a clear impediment to innovative solutions like cross pavement solutions, where the council are not always leading the rollout, but consumers are. At the current time, councils are obtaining incentive funding, and centrally procuring public charging for their constituents. This is highly unlikely to continue as EV adoption rises in line with the ZEV mandate. The market needs to be able to operate in an easy to understand and navigate way for both planning officers, and businesses who are looking to deploy large numbers of charging solutions across the UK.

It would be welcome for the Government to formally comment and express its reason behind this unusual situation if it does not wish to change it. However, we would urge the Government to reconsider and include cross pavement solutions, as they are connected to the home, and draw power from it. We would also note that the chargepoint itself is required under the Government's new guidance to be installed

prior to the cross-pavement solution and therefore we believe the works could be classed as permitted development where the chargepoint is installed first.

**Q.43 Do you think that any of the proposed changes in relation to the Class D and E of Part 2 permitted development right could impact on: a) businesses b) local planning authorities c) communities?**

Please provide your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination and which right or rights your comments relate to.:

The REA sees the proposals listed as positive for both businesses and consumers. Businesses will be able to more easily charge their fleet vehicles from home, or in a non-domestic setting, and communities will see charging infrastructure installed more easily, quicker and at lower cost.

For local planning authorities it would be helpful for them to be contacted about these changes and made aware of the changes when they are made, to ensure they are able to quickly align with these changes and accelerate any ongoing planned chargepoint installation.

**Section 6. Changes to the permitted development right for air source heat pumps within the curtilage of domestic buildings**

Questions 44-46 not answered.

**Q.47 Do you agree that detached dwellinghouses should be permitted to install a maximum of two air source heat pumps?**

- Yes
- No
- Don't know

Please provide your reasons.

The REA agree that detached dwellings should be permitted to install two air source heat pumps (ASHPs).

The nature of heat demand within different types of building means that there is no 'one size fits all' solution – therefore more than one ASHP may be needed to ensure that the heating needs of the building and its occupants are met.

However, we would add that it is important to ensure that the right technology is being used for the right building. Other low carbon technologies should also be considered alongside heat pumps, such as biomass boilers, bioLPG, hybrid heat pumps, ground source heat pumps and other renewable heating liquid fuels. The regulatory framework should ensure that the most suitable form of low carbon heating is used, factoring in: the heat load required, technology and operational costs, and ability to utilise the electricity grid.

**Q.48** Do you agree that stand-alone blocks of flats should be permitted to install more than one air source heat pump?

- Yes
- No
- Don't know

Please provide your reasons.

The REA agree that stand-alone blocks of flats should be permitted to install more than one ASHP.

The nature of heat demand within different types of building means that there is no 'one size fits all' solution – therefore more than one ASHP may be needed to ensure that the heating needs of the building and its occupants are met.

However, we would add that it is important to ensure that the right technology is being used for the right building. Other low carbon technologies should also be considered alongside heat pumps, such as biomass boilers, bioLPG, hybrid heat pumps, ground source heat pumps and other renewable heating liquid fuels. Indeed, depending on the nature of the flats it may be more suitable to have a district heating system – where multiple properties could benefit from a large-scale bioenergy or ground source heat pump system, for example. The regulatory framework should ensure that the most suitable form of low carbon heating is used, factoring in: the heat load required, technology and operational costs, and ability to utilise the electricity grid.

Questions 49-52 not answered.

End.