

Appeal Decision

Site visit made on 18 June 2024

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2024

Appeal Ref: APP/B1740/W/23/3330124

**Totton Retail Park, 62-96 Commercial Road, Totton, Hampshire
SO40 3AG**

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Miss Rachael Kendrew of InstaVolt against the decision of New Forest District Council.
 - The application Ref is 23/10364.
 - The development proposed is to install six rapid electric vehicle charging stations within the car park of Totton Retail Park.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading above is taken from the application form, but I have removed the references to the company installing the charging station as it does not relate to an act of development. I have also removed the superfluous references to how many parking spaces would be turned over to the proposed charging bays and the accessibility of some of the charging bays, to make the description more succinct.
3. A revised National Planning Policy Framework (the Framework) was published on 19 December and updated on 20 December 2023. Whilst this made certain revisions to aspects of national planning policy, the provisions in respect of the matters relied on by the main parties are unchanged. Therefore, I did not need to consult with the main parties regarding the revised Framework.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site is the car park of Totton Retail Park, located in the town of Totton. The car park is partially surrounded by a brick wall that borders the public pavement. The wall has two sections of notably different heights. The taller section of the wall that faces on to Commercial Road is broken up in

numerous places by railings. The lower section follows the curve in the boundary next to the junction of Commercial Road and the access road that serves the car park.

6. The proposal would see the installation of six rapid charge electric vehicle charging stations and the ancillary infrastructure, consisting of a substation and a feeder pillar and metering box. The charging stations and associated infrastructure are considerable in terms of their respective heights, and they are relatively bulky structures.
7. The positioning of the proposed development would be in an area of the car park that is prominent within the street scene. Furthermore, the development would be behind the lower section of the brick boundary wall with limited screening of it from the road. As such, the development would be significantly noticeable and eye catching when travelling along Commercial Road in a vehicle or on foot.
8. Whilst such structures are not uncommon within a car park, the scale, quantum and positioning of the development would mean that the overall development would represent a visually intrusive introduction into the street scene and in turn cause unacceptable harm to the character and appearance of the area.
9. The proposal would also involve relocating trees that have been planted behind the brick boundary wall. It is understood that these trees have been planted to introduce some element of greenery into the street scene and soften the car park's presence. The trees are not fully established, as yet, but they do make a positive contribution to the character and appearance of the area.
10. I acknowledge that some of the trees would be relocated elsewhere within the car park, but there would be a reduction in terms of the overall number of trees present on site. Moreover, the proposed positions for the relocated trees would offer little screening of the proposed development. The reduction in the number of trees would only exacerbate the already identified harm.
11. My attention has been drawn to other locations where electric vehicle charging stations have been installed. However, I have not been provided with the background to the decisions taken to allow the installation of those charging stations. Furthermore, they are positioned in different locational contexts to the proposed development. As such, those developments do not justify the appeal proposal before me and, in any event, I am determining the appeal on its own individual merits.
12. For these reasons, the proposed development would cause unacceptable harm to the character and appearance of the area. Consequently, the proposal would conflict with Policies ENV3 and ENV4 of the Local Plan 2016 – 2036 Part 1: Planning Strategy for the New Forest outside of the National Park (2020) (LP Part 1) and Policy DM9 of the Local Plan Part 2: Sites and Development Management (2014) (LP Part 2), which collectively seek, in part, to provide development that is appropriate and sympathetic to its environment and context, create spaces which are sympathetic to the environment and their context in terms of layout, landscape, scale, height, appearance and density and in relationship to adjoining buildings, spaces

and landscape features, and minimise the loss of existing 'green' features on a site.

Planning Balance

13. I have identified conflict with Policies ENV3 and ENV4 of the LP Part 1 and Policy DM9 of the LP Part 2. These policies are consistent with the Framework, insofar as it requires development to add to the overall quality of the area, be visually attractive as a result of layout and appropriate and effective landscaping and be sympathetic to local character, including the surrounding built environment. The conflict with the development plan carries substantial weight in the decision.
14. The Government has a strategy to expand the electric vehicle charging infrastructure nationwide in order to lessen the reliance on fossil fuel powered vehicles, reduce greenhouse gas emissions and improve air quality. The Framework supports development that enables charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. The Council declared a Climate Emergency in 2022 and the Council's Climate Change and Nature Emergency Annual Update 2023 and Planning for Climate Change Supplementary Planning Document 2024 identify the expansion of the electric vehicle charging network as a priority for carbon reduction. As such, the contribution of electric vehicle charging stations towards the local and national charging infrastructure, particularly in an area where there is an apparent lack of rapid charging stations, is significant.
15. However, I have not been provided with sufficient evidence to demonstrate that the benefits of the scheme cannot be achieved through the installation of the proposed infrastructure in a location within the car park that causes less harm to the character and appearance of the area. Having regard to this, the benefits arising from the scheme are reduced somewhat and are therefore outweighed by the development plan conflict.

Conclusion

16. For the reasons given above, the proposed development would conflict with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. As such, the appeal should be dismissed.

K Reeves

INSPECTOR