

Electric Vehicle Charging Points – Permitted Development Guidance

Climate Emergency

Climate change is a reality. Over the course of the last 250 years, our actions have increased carbon dioxide emissions by more than 30%, resulting in higher temperatures and changing the world we live in. Without taking action now, the impact will be devastating.

In response to the challenges facing not only the UK, in June 2019 the Council passed a motion to declare a climate emergency and, accordingly, committed us to taking a lead in achieving Carbon Neutral status.

In December 2021, the council set out an ambitious Climate Change Strategy, which was developed with assistance from Local Partnerships and sets out the council's approach to not only taking action against its own emissions but also supporting communities in the borough to reduce their emissions and carbon footprint. The Council's Climate Change Strategy can be viewed on our website <https://www.gravesham.gov.uk/council-democracy/climate-change/2> .

It is recognised that a reduction in total vehicle miles travelled and electrification of vehicles is needed to meet both climate and air quality goals, and that Electric Vehicle (EV) charging infrastructure in Gravesham needs to be scaled up to contribute towards this goal. The number of EVs on our roads is growing, with demand for EV charging infrastructure from both residents, businesses and visitors. A range of EV charging infrastructure projects are already underway to support and enable this growth, such as the provision of EV charging infrastructure in Parrock Street Car Park.

The aim of this guidance is to assist local residents in understanding the current planning regulations for installing EV charging points at home, and it should be read in conjunction with other guidance produced by the Council on dropped kerbs and driveways.

Charging at your home: Off-street charging

Under the Highways Act 1980, Part IX Lawful and Unlawful Interference with Highways and Streets, it is illegal for any person to place or run a cable or wire along or across a public highway. Having the cable trail from your home, across the pavement to your car will cause a safety hazard. If a passer-by injures themselves due to your cable, you can be held responsible. Furthermore, a cable across the ground can limit accessibility of the footway and can impact negatively on people with disabilities.

There is no instance in which you can trail your cable across the pavement, including the use of pavement drainage channels or a cable protector. Neither of these options are permitted as per the Highways Act.

Those who have access to off-street parking (e.g., a driveway or garage) can install a charging point in their home subject to several considerations. These considerations are set out in Schedule 2, Part 2, Classes D and E¹ of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), also known as the GDPO. The GDPO states that planning permission is not required for the installation of a wall mounted electrical outlet or an upstand with an electrical outlet mounted on it for recharging of electric vehicles as long as the area is lawfully used for off-street parking.

If you have a front garden and want to create an off-street charging space for yourself, you need to follow the guidance in this document for dropped kerbs, the need for an electrical vehicle charging point in itself will not be the determining factor for whether or not your proposal for a driveway falls within permitted development or will be successful in obtaining planning permission.

For installation of an electrical charging output (Class D - covers the erection of a porch outside an external door) to be considered as permitted development, the electrical outlet (and its casing) must not:

- Exceed 0.2 cubic metres
- Face onto and be within two metres of a highway
- Be within a site designated as a scheduled monument
- Be within the curtilage of a listed building.

For installation of an upstand with a mounted electrical charging outlet (Class E - covers the provision of buildings and other development within the curtilage of the house) to be considered as permitted development the upstand and outlet must not:

- Exceed 2.3 metres in height from the level of the surface used for the parking of vehicles. This limit is 1.6 metres where in the curtilage of a dwellinghouse or block of flats
- Be within two metres of a highway
- Be within a site designated as a scheduled monument
- Be within the curtilage of a listed building
- Result in more than one upstand being provided for each parking space.

¹ <https://www.legislation.gov.uk/ukxi/2019/907/regulation/5/made> Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019

For Class D and E, when the electrical outlet is no longer required as a charging point for electric vehicles, the wall (on which the outlet was mounted) or the land (on which the upstand was placed) must be returned to its previous condition (prior to the installation being carried out) as soon as possible.

If you are in a conservation area, and your charging point will be visible to the public, you may need to seek planning permission. You will also need planning permission if your property is a listed building.

