

Design and Access Statements

The Town and Country Planning (General Development Procedure)(Amendment) (England) Order 2006

Since 10th August 2006, under national legislation, a **design and access statement** has been required with every application except those for:

- (a) Engineering or mining operations;
- (b) Development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such, where no part of that dwellinghouse or its curtilage is within a designated area (*i.e. National Park, areas of special scientific interest; Conservation Area; AONB; World Heritage Site; the Broads*); or
- (c) A material change in the use of the land.

NOTE: This means that access and design statements **must** be submitted not only for major or large-scale developments, but also for smaller scale new developments such as single dwellinghouses and shopfronts.

The design and access statement is required to contain information about:

- (a) the **design principles and concepts** that have been applied to the development; and
- (b) how issues relating to **access** to the development have been dealt with.

The design and access statement is required to:

- (a) explain the design principles and concepts that have been applied to the following:
 - **amount** (*i.e. in relation to residential development, the number of proposed units for residential use; in relation to other forms of development, the proposed floorspace for each proposed use forming part of the development*)
 - **layout**
 - **scale**
 - **landscaping**
 - **appearance**; and
- (b) demonstrate the steps taken to **appraise the context** of the development and how the design of the development takes that context (*i.e. the physical,*

social, economic and policy context of the development) into account in relation to its proposed use and each of the five aspects listed in (a) above.

The design and access statement must also:

(a) explain the **policy adopted as to access**, and how policies relating to access in relevant local development documents, the UDP or any Supplementary Guidance have been taken into account.

(b) state what, if any, **consultation** has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation;

(c) **explain:**

- how any specific issues which might affect access to the development have been addressed;
- how prospective users will be able to gain access to the development from the existing transport network;
- why the main points of access to the site and the layout of access routes within the site have been chosen; and
- how features that ensure access to the development will be maintained.

OUTLINE PLANNING APPLICATIONS

The Town and Country Planning (General Development Procedure)(Amendment) (England) Order 2006

The changes which came into effect on 10th August 2006 also altered the information that needs to be provided at the outline application stage and the matters that may be reserved.

Until now, reserved matters have consisted of siting, design, external appearance, means of access and landscaping.

From 10th August 2006, **reserved matters** have been:

- **Layout** – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.
- **Scale** – the height, width and length of each building proposed in relation to its surroundings.
- **Appearance** – the aspects of a building or place that determine the visual impression it makes, excluding the external built form of the development.

- **Access** – this covers accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- **Landscaping** – this is the treatment of private and public space to enhance or protect the site’s amenity through hard and soft measures, for examples, through planting of trees or hedges or screening by fences or walls.

Information Required for Outline Applications

The guidance issued by Central Government notes that detailed consideration will always be required on the use and amount of development. It makes clear that even if layout, scale and access are reserved, an application will always require a basic level of information about these issues.

As a minimum, outline applications should always include information on:

- **Use** – the use or uses proposed for the development and any distinct zones within the site identified.
- **Amount of development** – the amount of development proposed for each use.
- **Indicative layout** – an indicative layout with separate development zones proposed within the site where appropriate.
- **Scale parameters** – an indication of the upper and lower limits for height, width and length of each building within the site boundary.
- **Indicative access points** – an area or areas in which the access point or points to the site will be situated.

Design and Access Statement: A statement accompanying an outline application must state how the applicant has considered the proposal, and what is appropriate and feasible for the site in its context. It should clearly explain and justify the design and access principles that will be used to develop future details of the scheme.

The guidance clearly states that the changes to outline applications outlined above do not affect the local planning authority’s ability to require further information when outline applications are submitted. Similarly, where the local planning is of the opinion that an outline application ought not to be considered separately from all or any of the reserved matters, it can notify the applicant, within one month of receipt of the application, that it is unable to determine the application unless further details are submitted.