

Design and Access Statements

The Government has issued a Development Management Policy Annex on “Information requirements and validation for planning applications,” which among other changes revises the requirements in relation to Design and Access Statements. The new requirements come into force on 6th April 2010.

There are now more exemptions, i.e. circumstances where a Design and Access Statement need not accompany an application. In summary the exemptions are:-

- i. engineering or mining operations
- ii. development of an existing dwellinghouse or development within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, where no part of that dwellinghouse or cartilage is within a designated area
- iii a material change in the use of land or buildings, unless it also involves operational development
- iv. extensions to the time limits for implementing existing planning permissions
- v. development of an existing flat for any purpose incidental to the enjoyment of the flat as such, where no part of that flat is within a designated area
- vi. the extension of an existing building used for non-domestic purposes where the floorspace created by the development does not exceed 100 square metres and where no part of the building or the development is within a designated area
- vii. the erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure, up to 2m high or the height of the existing means of enclosure, whichever is the higher, where no part of the building or the development is within a designated area or the curtilage of a listed building
- viii. development on operational land consisting of the erection of a building or structure up to 100 cubic metres in volume and 15m in height and where no part of the development is within a designated area
- ix. the alteration of an existing building where the alteration does not increase the size of the building and where no part of the building or the development is within a designated area
- x. the erection, alteration or replacement of plant or machinery where, as a result of the development, the height of the plant or machinery would not exceed the greater of 15 metres above ground level, or the height of the original plant or machinery, and where no part of the development is within a designated area; or

xi. development of land pursuant to section 73 (determination of applications to develop land without conditions previously attached) of the Town and Country Planning Act 1990.

Exemptions iv to xi come into force as a result of the new changes. In this context, “designated area” means a World Heritage Site or a conservation area. Design and access statements are not required for applications relating to advertisement control, tree preservation orders or storage of hazardous substances. Neither are they required for applications for prior approval for proposed development, or non-material amendments to existing planning permissions.

Please note that if an application is required to be accompanied by a statement it will not be registered if one is not submitted.

Design Component

A design statement will need to contain information on all aspects of the design. This will include how the local context has influenced design, what design concepts and principles have been applied, the principles of layout, scale, landscaping and appearance and will need to justify the amount of development being proposed. It will also need to explain the relationship between buildings and private spaces and the chosen orientation of the buildings in relation to the topography of the site. The statement will need also to demonstrate how crime prevention has been considered in the design. Previously the maintenance of landscaped areas has been the subject of discussions between the Council and applicant. That will no longer be the case. Design statements **MUST** also explain in detail how landscaping will be maintained in perpetuity.

The advice from government is also that the statement must demonstrate the steps taken to appraise the context of the proposed development. That includes the involvement of the community in respect of larger schemes.

Please note that from 6th April context must be discussed in relation to the scheme as a whole rather than specifically in relation to the sub components of the statement ((scale, layout etc). Finally, the statement should explain how this understanding of the context has been reflected in the resulting design.

Access Component

These statements are basically to ensure that full regard is taken to how people can access the buildings. This includes the routes and gradients to the buildings but also to how regard is had to public transport to the site. It does not require any analysis of the internal aspects to the building.

CABE have guidelines on Design and Access Statements on their website www.cabe.org.uk.