Design and Access Statements

(including changes to the outline planning application process)

A GUIDANCE NOTE
INTRODUCTION

In August 2006 the government enacted changes to the planning application process. The formal requirements are contained in DCLG Circular 01/2006 “Guidance on Changes to the Development Control System”. This introduced changes to the outline planning application process, including the revision of “reserved matters”. In line with national planning guidance, particularly in recent Planning Policy Statements, much more emphasis has now been placed on the need for high quality design for all development and integral to this is a requirement for the submission of Design and Access Statements with certain categories of planning applications. This guidance note gives a brief summary of the changes to the outline planning application process and gives more detailed guidance about Design and Access Statements. This includes information about when a Statement is needed, how to go about writing a good Statement and the sort of detail which is necessary.

CHANGES TO THE PLANNING APPLICATION PROCESS

Outline planning permission allows the principle of development to be agreed while conditioning “reserved matters” for later approval. Reserved matters used to be siting, design, external appearance, means of access and landscaping. However, these have now been changed to **Layout, Scale, Appearance, Access** and **Landscaping**.

- **Layout** - the way in which buildings, routes and open spaces are provided within the development and their relationship with 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 which 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 example, through planting of trees or hedges or screening by fences or walls.

There is now a minimum amount of information which must be submitted with an outline planning application:

- **Use** - the use of uses proposed for the development and any distinct development 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.

Failure to provide this minimum level of information will render an outline planning application invalid.

The changes to the outline planning application process do not affect our power as local planning authority to require any further information deemed necessary in order to determine an outline planning application.

DESIGN AND ACCESS STATEMENTS

A Design and Access Statement must accompany planning applications for both outline and full planning applications. They are also required for applications for Listed Building Consent. However, no Statement is required for the following types of planning applications:

- A material change of use of land or buildings (unless it involves operational development, ie building works or alterations affecting the external appearance of a building).
- Engineering or mining operations.
- Development of an existing dwelling house or development within the curtilage of a dwelling house (i.e. householder applications such as extensions, conservatories detached garages) unless it lies within a Conservation Area or a Site of Special Scientific Interest (SSSI).

Design and Access Statements are not required for applications relating to advertisement control, tree preservation orders or storage of hazardous substances.

**What is a Design and Access Statement?**

A Design and Access Statement is a short report accompanying and supporting a planning application which explains how the applicant has considered the proposal and understands what is appropriate and feasible for the site in its local context. It is an opportunity for the architect or developer to demonstrate a commitment to achieving good
A Statement needs to be prepared at the start of the process and should evolve as the scheme is defined, from the outline stage through to the detailed scheme. As it is required to explain and justify why and how a particular proposal has been decided upon, it should not be written as an afterthought, but rather as a precursor to an application. Early drafts of a Statement can be useful for pre-application discussions.

Are separate Statements required for “design” and “access”?

The purpose of the Statement is to explain the design principles and concepts that have informed the development and how access issues have been dealt with, although there will be separate design and access components in the Statement, it should not be thought of as two separate documents. Much of the preliminary work that needs to be carried out for the design element will help inform the access component and vice versa.

How long does the Statement have to be?

The length of a Statement and the detail contained within it will vary depending on the scale, nature and complexity of the planning application. A small-scale householder application or single dwelling in a residential area may require only a single page. More complex applications will be likely to be longer and may contain additional drawings, plans or diagrams which help to illustrate issues that the scheme has responded to.

What happens if I don’t submit a Design and Access Statement?

If an application which should have a Statement is submitted without one, it cannot be registered as a valid planning application. The applicant will be informed of the need for a Statement to be submitted and, if none is then submitted, the application will be returned. It should be noted that the submission of a Statement will not guarantee that planning permission will be granted. The Statement is a tool to assist in the evaluation of planning applications and the normal planning decision process will apply.

What status does a Design and Access Statement have?

The Statement will accompany the planning application but does not form part of it. A copy of the Statement will be placed on the public register with the planning application.

Design and Access Statements accompanying an outline planning application

Design and Access Statements play an important role in linking general development principles to the detailed design. They should show how design and access principles will be used to develop future details of the scheme. Specific information on the content of Statements to accompany outline planning applications is given below.

WRITING A DESIGN AND ACCESS STATEMENT

The following section gives advice on how to write a Design and Access Statement and what sort of information to include. Further detailed advice can be found in DCLG Circular 01/2006 “Guidance on changes to the development control system” and the CABE document “Design and access statements: How to write, read and use them” and it you may find it useful to refer to these documents in addition to this guidance note.

Site Appraisal

A Design and Access Statement must be able to show the steps taken in appraising the context of a proposed development, i.e. how it will sit in the local area. This will include four stages, as set out below, and should be done early in the scheme’s development.

Stage 1- Assessment

You will need to show that you have considered the context of the site and its surroundings in terms of the physical, social and economic characteristics of the site and surroundings as well as any relevant development plan policies and this may involve a desk-top exercise as well as on-site observations. The extent of the area to be surveyed will depend on the scale, nature and sensitivity of the development.

- **Physical context** - look at the site itself and the character of the area around it. Are there any particular landscape features, buildings or pedestrian or vehicular routes? What defines the boundaries?
• **Social context** - how will local people be affected by the development? Do local people have any other aspirations for the site?

• **Economic context** - what contribution will the development make to the local economy?

• **Planning policy context** - are there any relevant planning policies that may affect the development of the site? The Melton Local Plan and Leicestershire, Leicester and Rutland Structure Plan, together with the Regional Spatial Strategy for the East Midlands (RSS8) will be relevant here, as will any other documents such as Conservation Area Appraisals and national planning guidance (Planning Policy Statements and Planning Policy Guidance Notes). The Statement should provide a clear reason for any development which conflicts with the relevant planning policies.

**Stage 2 - Involvement**

You will need to show which groups and other people you have discussed or will be discussing the scheme with. This may include both professional and community members, for example, planning officers, conservation officers, parish councils, community groups, access groups or representatives of other consultees such as the highway authority, Crime Reduction Officer or Environment Agency. The Statement should set out the findings of these consultations and how they have been taken into account. The Statement should address any negative outcomes from these discussions and why a different conclusion has been reached.

**Stage 3 - Evaluation**

This involves evaluating the information gathered in the first two stages and identifying opportunities and constraints that will shape the scheme. This may involve balancing conflicting issues and resolving problems in order to start formulating the design and access principles. The Statement should set out what decisions have been taken and the reasons for them.

**Stage 4 - Design**

The assessment, involvement and evaluation of the information already collected will be used to start designing the scheme. It is an opportunity to show that the design and access decisions have been made for a reason and with a good understanding of the issues affecting the site. It is important that the Statement is an integral part of the process and is not drawn up retrospectively to try to justify a scheme which has already been prepared.

**THE DESIGN COMPONENT**

The Statement should then go on to explain the design principles and concepts which have been applied to particular aspects of the proposal. These are:

**Use**

This is the use or mix of uses proposed for the land or buildings. The planning application will set out the proposed use or uses in detail. Statements for both outline and full applications should explain how the context has been considered in relation to the use(s) proposed, how they will be distributed across the site, the appropriateness of the access to and between the different uses, and their relationship to uses surrounding the site.

The Statement needs to show how the use(s) will fit in with the area and how it supports local aims. This part of the Statement may be straightforward and short for a new dwelling within a residential area or an extension to an existing building/use but more complicated and lengthy for the introduction of a new use to an area or large scale development. The use(s) will have to be justified in terms of planning policy. **Use cannot be a reserved matter in an outline planning application.**

**Amount**

This relates to how much development is proposed, for example, the number of houses or the amount of floorspace. The planning application will state the amount of development proposed but the Statement must explain why it is an appropriate amount, how its distribution across the site has been decided upon and how well the amount relates to its surroundings. **Amount cannot be a reserved matter in an outline planning application.**

**Layout**

The planning application drawings will show the layout proposed for the site. For outline applications this may be an indicative layout. Where this is the case, the Statement should explain the principles behind the choice of development areas or building plots and how these will inform the detailed layout later on.

A Statement for a full application, or an outline application where layout is not a reserved matter, should explain why a particular layout has been chosen. It should explain the way in which the buildings, routes, and open spaces, both private and public, have been placed in relation to each other and to buildings and spaces outside the site. It should
also make clear how the layout will allow for inclusive access to and through the site and how crime prevention measures have been considered.

Scale

The planning application will indicate the either the scale or the scale parameters. For outline applications where scale is reserved, the scale parameters (i.e. the maximum and minimum sizes) will have been provided. The Statement will need to justify the principles behind choosing these sizes and how they will inform the final scale of the buildings.

For full applications, and outline applications where scale is not a reserved matter, the Statement will need to explain why the sizes are right for the site, why particular heights have been chosen and how this will relate to the sizes of existing buildings in the area. The Statement should also explain and justify the size of different parts of the building, particularly facades and entrances and how they relate to the human scale.

Landscaping

Landscape design relates not just to planting but includes all treatments of outdoor spaces, including paving, road materials, street furniture and water features. It is an important part of the overall design and should not be an afterthought, but designed as an integral part of the scheme.

For outline applications where landscaping is reserved, the application does not need to provide any specific landscaping information. However, the Statement should explain and justify the principles which inform any future landscaping scheme.

For full planning applications and outline applications where landscaping is not reserved, the Statement should explain the purpose of the landscape scheme which has been chosen, including both public and private spaces, its relationship with the surrounding area and how it will be achieved and maintained in the long term. It should also show how the needs of disabled and older people will be met.

Appearance

This relates to the visual impression that the finished development will make and should represent the culmination of all the decisions that went into the design. It will include the architecture of the buildings, materials, lighting, colour and texture.

For outline planning applications where appearance is reserved, the application does not need to provide any specific information on appearance. However, the Statement should explain and justify the principles behind the intended appearance and how these will inform the final design.

For full planning applications and outline applications where appearance is not reserved, the Statement should explain what decisions have been made and what design rationale has been used to inform the overall appearance of the scheme and how it will relate to the surrounding area. It should also indicate how decisions taken about the development's appearance have taken accessibility into account.

THE ACCESS COMPONENT

The Access component of the Statement relates only to access to different parts of the development and not to internal access arrangements within individual buildings. The Statement should address how access arrangements will ensure that users will have equal and convenient access to buildings and spaces and to the public transport network.

Two elements should be considered:

- **Policy** - the Statement should set out the policy approach that has been adopted towards access with particular reference to the inclusion of disabled people. This should refer to planning policies and how they have been taken into account.

- **Consultation** - information on the results of any consultation that has been, or will be, carried out on access issues should also be included in the Statement. The level of consultation will depend on the type and scale of the proposal but may include local communities and access groups as well as technical advice from highway specialists including the highway authority (Leicestershire County Council).

Other points to consider about the access are:

- The linkage of roads, footpaths and sight lines.
- Circulation of vehicles, pedestrians and cyclists to and through the site.
- Visibility of entrances and access to buildings and information on changes of levels within the site, including dropped kerbs and ramps.
• Demonstrate that disabled people will not be segregated, i.e. they can use the same routes as everyone else without detours.
• How access for the emergency services will be achieved.

For outline applications where access is reserved, the application will still include indicative access points to the site. Statements accompanying such applications should clearly explain the principles which will be used to inform the access arrangements for the final development at all scales from neighbourhood movement patterns to the treatment of individual access points to buildings.

STATEMENTS ACCOMPANYING LISTED BUILDING CONSENT APPLICATIONS

Design and Access Statements are also required for Listed Building Consent applications and these will be similar to those for planning applications. Where a planning application and Listed Building Consent application have been submitted in parallel, a single combined Statement will be sufficient to address the requirements of both. Such a combined Statement must address all the issues set out above and also the additional elements set out below.

Where no planning application is required, the Statement must explain the design principles and concepts that have been applied to the layout, scale and appearance of the proposal and these will broadly follow the guidance set out above under those headings. Information on use, amount and landscaping is not required for Listed Building Consent Statements which do not accompany a planning application.

In addition, Statements for Listed Building Consent applications should also include an explanation of how the design has taken account of advice contained in Planning Policy Guidance Note 15 (PPG15) - Planning and the Historic Environment, particularly:
- The historic and special architectural importance of the building.
- The particular physical features of the building that justify its designation as a Listed Building.
- The Listed Building’s setting.

Where there is potentially an aspect of the design that will impact on the building’s historic or architectural importance, the Statement should explain why this is necessary and what measures have been taken to minimise the impact.

The Access component is similar to that for Statements accompanying planning applications but again should make reference to the special considerations set out in the preceding two paragraphs. The Statement should also demonstrate the approach to access with regard to balancing the duties imposed by the Disability Discrimination Act against the particular significance of the Listed Building. Where the fabric of a Listed Building may restrict the ability to meet minimum levels of accessibility, the Statement should provide solutions to reduce as much as possible the impact on disabled people and ensure that any services within the building are made available in other ways.

Sources
- DCLG Circular 01/2006 “Guidance on changes to the development control system” Department for Communities and Local Government (2006)
- Article 4C of the Town and Country Planning (General Development Procedure) Order 1995
Design and Access Statements Checklist

This list is to be read in conjunction with the attached guidance notes. The purpose of this list is to enable applicants to ensure that they have addressed all the issues required to be included in a Design and Access Statement, as set out in DCLG Circular 1/2006.

A Design and Access Statement is required for all planning applications except:
- A material change of use of land or buildings (unless it involves operational development, ie alterations to the external appearance of the building).
- Engineering or mining operations.
- Development of an existing dwelling house or development within the curtilage of a dwelling house (i.e. householder applications such as extensions, conservatories detached garages, etc) unless it lies within a Conservation Area or a Site of Special Scientific Interest (SSSI).

Assessment

Physical context
Social context
Economic context
Planning policy context

Involvement

Design Component
Use
Amount
Layout
Scale
Landscaping
Appearance

Access Component
Policy
Consultation

Your Design and Access Statement should address all of the matters in the list above and failure to address any of the issues listed could result in your application being deemed invalid. In some instances there may be very limited social or economic impact (for example because of the small scale of a proposal) but it is still necessary to make reference to this fact. Similarly, if no pre-application consultation or discussions have taken place, this should be clearly stated.