

GUIDANCE FOR ACCESS STATEMENTS FOR PLANNING APPLICATIONS

An access statement will explain and justify the principles and concepts of inclusive design on which a development proposal is based, and how these will be reflected in individual aspects of the scheme.

Role of Access Statements

Access statements required under the planning legislation¹ are communication tools showing that the principles of inclusive design and access for people have been considered from the outset of the development process. The consideration of these principles may not always lead to physical change in the final development proposal; but the process must be gone through to adequately inform the final development. Access Statements are mandatory from 30th June 2007.

General Role of Access Statements:

Access statements will:

- inform decision-making from the pre-application stage to implementation on site;
- provide an opportunity for the applicant, and for developers and designers, to demonstrate their commitment to inclusive design;
- help all those assessing the application to understand the rationale that underpins the development proposal, assisting in their negotiations and decision-making;
- enable local communities, access groups, amenity groups and other stakeholders to understand the rationale underpinning the development proposal and thus to make effective representation on proposals, and
- lead to an improvement in the quality, sustainability and inclusiveness of the development.

Content of Access Statements

An access statement will explain and justify the principles and concepts of inclusive design on which a development proposal is based, and how these will be reflected in individual aspects of the scheme. The following table indicates the broad content of access statements. The following table indicates the broad content of access statements

¹ Article 4D of the Town and Country Planning (General Development Procedure) Order 1995, and regulation 3B of the Planning (Listed Buildings and Conservation Areas) Regulations 1990; as inserted by The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2006 (SI 2006/3390 W.310), and The Planning (Listed Buildings and Conservation Areas) (Amendment) (Wales) Regulations 2006 (SI 2006/3316 W.301)

BROAD CONTENT OF ACCESS STATEMENTS	
<i>Applications for Planning Permission</i>	<i>Applications for Listed Building Consent</i>
Explain the adopted policy or approach to inclusive design and how policies relating to inclusive design in development plans and relevant local design guidance have been taken into account.	
Explain how any specific issues, which might affect people's access to the development have been addressed.	
Detail how features, which ensure people's access to the development will be maintained.	
	<p>Include a brief explanation of how the approach to inclusive design takes account of WO Circular 61/96 (<i>Planning and the Historic Environment: Historic Buildings and Conservation Areas</i>) – and BS 7913:1998 – the Principles of the Conservation of Historic Buildings.</p> <p>In particular, a statement should include a brief explanation of how the adopted policy or approach to people's access takes account of:</p> <ul style="list-style-type: none"> • the special architectural or historic importance of the building; • the particular physical features of the building that justify its designation as a listed building; • the building's setting; and • the range of access solutions considered and reasons why the chosen solution is the best, both for improving access and for respecting the historic character of the listed building.

Building Control

It is recommended in **Approved Document M of the Building Regulations** that building control access statements are provided for all non-domestic buildings, extensions and where there is a change of use. Such statements assist building control bodies in making judgements about whether proposals make reasonable provision. It should be complimentary to, and a further development of, the planning access statement submitted with applications for planning permission and listed building consent and it important to recognise that there is a degree of overlap between the two statements. The planning access statement will enable access issues, particularly those related to site and plot gradients, to be considered early in the design process, highlighting potential problems before detailed design work commences. This will help reduce the need to seek amendments to planning consents, which in the past have only come to light at building regulation stage.

Listed Buildings

The statement will need to explain and justify the approach to ensuring that the listed building preserves or enhances its special historic and architectural importance (see table above). A satisfactory solution can almost always be found so long as imaginative and innovative approaches are fully explored. *'Overcoming the Barriers, Providing Physical*

Access to Historic Buildings' (Cadw, 2002) provides advice to those involved in the process and all viable alternatives need to be fully investigated so that such facilities are achieved without severe prejudice or damage to the character of the listed building.

The statement should make clear how the approach to inclusive design has balanced the duties imposed by the Disability Discrimination Act (DDA) (1995 & 2005) where the proposal is subject to those and the particular historical and architectural significance of the building. The statement should detail any specific issues that arise particularly with regard to the fact that the building is listed, the range of options considered and where inclusive design has not been fully provided, an explanation as to the reasons why this was not possible. Where alterations to existing buildings are proposed, and the fabric of the structure restricts the ability to meet minimum levels of accessibility, details could be provided of other adaptations, such as portable equipment or changes to management practices, that will meet the requirements of the DDA.

An access statement should also cover the following points and consider the following issues but being mindful of the need for proportionality in terms of the proposal:

- Explain how the applicant's policy or approach adopted in relation to inclusive design fits into stages of the design process from inception to management of the finished development and be part of a **"seamless living access statement"**. This means that the access statement should be viewed as a document that 'grows' with the project, starting at strategic level and changing and developing until it guides the management of the development.
- Relate **only to "access to the development"**⁴ (this includes access to all elements within the site) and should not extend to internal aspects of individual buildings. This does not mean that internal arrangements should not be considered as part of the design process at the application stage. For example, the location and design of doors and windows, etc. will depend on an understanding of the internal layout of a building. Although it is not a statutory requirement for the statement to extend to internal aspects of listed buildings, nevertheless, it would be preferable for applicants to clarify the approach that had been taken to any internal access proposals.
- Explain how access arrangements will ensure that all users will have equal and convenient **access, both into the site from its boundaries to all of the new or extended buildings, and within the site**. The design of any parking spaces and parking layouts is an aspect of inclusive design that should be considered in access statements or as a cross reference to other accompanying material. In some situations, in addition to the provision of parking for disabled persons, consideration should be given to increasing the standard provision of larger spaces to cater for those persons with mobility impairments who do not qualify for 'blue badge' parking, such as those with temporary injuries or parents with small children. Such consideration would be relevant, for example, when proposed car parks will serve public family oriented uses such as major leisure facilities or convenience shopping.
- Omit coverage of the sustainability merits of **transport access into the site**. This aspect should be covered by the sustainability appraisal and other parts of the planning application and design statement. However, both access and design statements could cross-refer to the content of Transport Assessments (see TAN 18: Transport) where these have been required for larger developments.

- For **outline applications**, where ‘means of access’ is reserved, the application should indicate the location of points of access to the site. Statements accompanying such applications should clearly explain the principles of inclusive design which will be used to inform the detailed proposals.
- Address the need for **flexibility of the development** and how it may need to adapt to the varying requirements of inclusiveness over time.

Presenting the information

Submitted access statements:

- should be clear and concise and effectively cover all of the relevant principles for the proposed development;
- should be proportionate in length and complexity to the type and scale of development proposed;
- should justify and explain the conclusion in cases where the applicant considers there may be no implications of a development vis a vis inclusive design. (It is likely for a number of applications that the access statement would be short and could merely advise that there are no relevant accessibility issues. Examples would be certain applications relating to variation of conditions, under section 73 of the Town and Country Planning Act 1990, which do require access statements such as change of opening hours / type of goods sold);
- may be combined with design statements in an integrated statement, but access matters should be clearly identified as meeting statutory requirements;
- may be combined for accompanying applications for planning permission and listed building consent, where there is a planning application submitted in parallel with an application for listed building consent; and
- should avoid using illustrative materials included with more complex schemes as a substitute for drawings that provide the necessary detail to support the approach to inclusive design claimed by the applicant.

Procedures

When an Access Statement is required

An access statement is required to accompany **all planning applications** (outline and full) **except** for:

- engineering or mineral operations;
- householder development (i.e. development of an existing dwelling house, or development within the curtilage for any purpose incidental to its enjoyment);
- material change in use of land or buildings provided that this will not necessitate access by an employee, or provision of services (including goods or facilities) to the public, such as change of use from public land to private garden. (In other words, a

material change of use where there will be employee and/or public access **will require** an access statement).

An access statement is required to accompany all applications for listed building consent, except for applications for interior works.

Access statements are **not required** for applications relating to advertisement control, tree preservation orders or storage of hazardous substances. (These are not developments requiring planning permission as defined by section 55 of the Town and Country Planning Act 1990.)

Whilst an application for **reserved matters** is not an application for planning permission, such that an access statement is not a statutory requirement, good practice would be for a progress statement to accompany the reserved matters application related to the original access statement at outline stage, in line with the “living document”

Access Statement in Decision Making

Although not specifically required by either, the Town and Country Planning (General Development Procedure) Order 1995 (the GDPO), or the Planning (Listed Buildings and Conservation Areas) Regulations 1990, it is considered good practice to use access statements as an aid to pre-application discussions. Early discussion on inclusive design should help to establish any initial access issues.

In some cases information provided by an applicant when applications are submitted may need to be altered as designs are amended, especially where they are not only setting out objectives for the building or space, but also a process to achieve these objectives. For example, information on inclusive design may increase from initial concept right through to building regulation approval.

Planning conditions can be attached to a decision to take on board the relevant elements of access statements. For outline applications, any access considerations that are crucial to the development must be secured through conditions on the outline permission (and / or a planning obligation).

Local planning authorities may feel that additional information, building on the original statement, is required at the reserved matters stage. In such cases the local planning authority should consider setting out such a requirement through a condition on the outline planning application.

An access statement is a material consideration that the decision maker must have regard to when considering a planning application where one is required.

The local planning authority:

- must not register a submitted application unless accompanied by an access statement where one is required;
- must check that the access statement meets the requirements of the GDPO; and then;
- must place the access statement on the public register of applications with the application it accompanies; and send, where appropriate, to consultees along with individual planning applications.