

CHANGES TO OUTLINE PLANNING APPLICATIONS AND THE REQUEST FOR DESIGN AND ACCESS STATEMENTS

Changes to the Outline Planning Permission Process - Section 2 Circular 01/2006

Amendments to the Town & Country Planning (General Development Procedure) Order 1995 change the previous definition of Reserve Matters to the new definition set out below:

- **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 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 treatments 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 sites amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

With an application for Outline planning permission, detailed consideration will **always** be required on the use and amount of development. In addition, even if layout, scale and access are reserved, an application will still require a basic amount of information on these issues in the application. As a minimum therefore, applications should always include information on:

- **Use** - the use or 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 boundary 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 point** - an area or areas in which the access point or points to the site will be situated.

Planning Applications

A design and access statement must accompany planning applications for both Outline and Full Planning Permission. **The only exceptions are applications for:**

- A material change in the use of land or buildings, unless it also involves operational development.
- Engineering or mining operations.
- 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 curtilage is within a designated area. "Designated area" means a National Park, Site of Special Scientific Interest, Conservation Area, Area of Outstanding Natural Beauty, World Heritage Site and the Broads.

Design and access statements are **not** required for other types of applications relating to **Advertisement Control, Tree Preservation Orders or Storage of hazardous substances**.

Circular 01/2006 sets out the detailed requirements for design and access statement Paragraphs 56-71 (inclusive). Your attention is drawn to the need to show how proposals meet the various obligations required by national legislation and policy, including addressing the relevant policy requirements of the Local Development Plan (para 61).

In addition, para 64 indicates that "... a major part of a design and access statement is the explanation of how local context has influenced the design".

Applications for Listed Building Consent

Design and access statements are also required for applications for Listed Building Consent. Where there is a planning application submitted in parallel, a single combined statement should address the requirements of both. However information on use, amount and landscaping is not required for Listed Building applications that do not also accompany a planning application. Otherwise the content of design and access statements are broadly the same for Planning and Listed Building applications. In addition, a design and access statement relating to Listed Building Consent should include a brief explanation of how the design has taken account of paragraph 3.5 of PPG15 ('Planning and the Historic Environment), and in particular:

- 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 building's setting.

The statement should also make clear how the approach to access has balanced the duties imposed by the Disability Discrimination Act where the proposal is subject to those and the particular historical and architectural significance of the building (as judged by the aspects set out in paragraph 3.5 of PPG15).

What is required in a design and access statement is fully set out in [DCLG Circular 01/2006](#) and I urge you to become fully conversant with the requirements as soon as possible. Applications received on or after 10 August 2006, without design and access statements complying with the advice in the Circular, will not be entertained by the Local Planning Authority by reason of Section 327A of the Town & Country Planning Act 1990.

Further advice can be obtained from CABE (The Commission for Architecture and the Built Environment - contact www.cabe.org.uk) has also published "Design and Access Statements - How to write, read and use them". This expands on Circular 01/2006 and sets out best practice on how statements can help deliver high quality inclusive design.