
STATUTORY INSTRUMENTS

2013 No. 1238

The Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2013

Amendment in relation to design and access statements

4.—(1) For article 8 substitute—

“Design and access statements

8.—(1) Subject to paragraph (4), this article applies to an application for planning permission which is for—

- (a) development which is major development;
- (b) where any part of the development is in a designated area, development consisting of—
 - (i) the provision of one or more dwellinghouses; or
 - (ii) the provision of a building or buildings where the floor space created by the development is 100 square metres or more.

(2) An application for planning permission to which this article applies shall be accompanied by a statement (“a design and access statement”) 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.

(3) A design and access statement shall—

- (a) explain the design principles and concepts that have been applied to the development;
- (b) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
- (c) explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
- (d) 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; and
- (e) explain how any specific issues which might affect access to the development have been addressed.

(4) This article does not apply to an application for planning permission which is—

- (a) for permission to develop land without compliance with conditions previously attached, made pursuant to section 73 of the 1990 Act⁽¹⁾;
- (b) of the description contained in article 18(1)(b) or (c);

(1) Section 73 was amended by sections 42(2), 51(3) and 120 of, and Schedule 9 to, the Planning and Compulsory Purchase Act 2004 (c.5).

- (c) for engineering or mining operations;
 - (d) for a material change in use of the land or buildings;
 - (e) for development which is waste development.
- (5) In this article—
- “cubic content” means the cubic content of a building measured externally; and
- “designated area” means—
- (a) a conservation area;
 - (b) a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention Concerning the Protection of the World Cultural and National Heritage (a World Heritage Site)(2).”

(2) See <http://whc.unesco.org/en/list>