

Design and Access Statement

The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the legislative background for the need (or otherwise) and the content required for a design and access statement.

The procedure confirms that an application for planning permission to which the 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.

However, section (4) states that the article does not apply to an application for planning permission which is (inter alia)

- (a) for permission to develop land without compliance with conditions previously attached, made pursuant to section 73 of the 1990 Act⁽¹⁾;
- (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.

The development proposed in this instance is a waste development and therefore a design and access statement is not required.

