

Access for disabled people - Key planning issues

November 2011

1. Access for disabled people is a material consideration in the determination of a planning application where members of the public may have access at any time to a property. Members of the public are defined as those people who are not the staff of a business, or those who run a facility, i.e. are there for the purpose of the occupier. Members of the public therefore are likely to be those people who have the opportunity to freely access a building e.g. a shop or use it by invitation e.g. an office with a public reception area.
2. When designing a scheme particular attention (amongst others) should be paid to development proposals that include any of the following:
 - a. Changes of use
 - b. Frontages for Shops, Financial and Professional Services and Restaurant and cafes
 - c. New retail and commercial development
 - d. Restaurants, cafes and other food and drink businesses
 - e. New dwellings

Note: Disabled people are one part of the 9 “strands” or groups of people under equality and diversity legislation that all businesses must take into account. See [The Equality Act 2010](#) at www.businesslink.gov.uk.

3. Planning applications must be accompanied by a Design and Access Statement. This document should set out the precise details of the standards that will be used and how they are to be applied to address the access need of disabled people. See Circular 01/2006 “Guidance on Changes to the Development Control System” page 17, para.100 – available at <http://www.communities.gov.uk/publications/planningandbuilding/circularcommunities2>.
4. The following issues which should be addressed within the Design and Access Statement:
 - a. Access to a site for pedestrians and car or public transport users
 - b. Movement around a site
 - c. Access into and from a building or the use of an open space
 - d. Design of individual new dwelling units, the plot and the area of land or estate on which they are located
5. Further advice about Design and Access Statements can be found on the national Planning Portal website at www.planningportal.gov.uk. We strongly recommended that you seek the help of a professional planning agent when preparing a Design and Access statement and submitting your planning application.

6. Planning conditions may be applied to approval decision notices to require provision for disabled people to be made. In extreme cases planning applications may be refused permission if a proposal fails to adequately provide for the needs of disabled people.
7. Relevant guidance can be found in:
 - a. [BS 8300:2009 Design of buildings and their approaches to meet the needs of disabled people. Code of Practice \(www.bsigroup.com\)](http://www.bsigroup.com)
 - b. [Approved Document M - Access to and Use of Buildings, Schedule 1 of Building Regulations \(www.planningportal.gov.uk\)](http://www.planningportal.gov.uk)
 - c. Use should also be made of national specialist guidance produced by the Royal National Institute of Blind People (RNIB), Action on Hearing Loss (formerly RNID) or similar national disability organisations.
8. For new dwellings specific advice relating to [The Design Standards](#) and [Lifetime Homes General Information](#) is available from the Joseph Rowntree Foundation Lifetime Homes guidance at www.lifetimehomes.org.uk.
9. Further advice and help on the issues discussed in this advice note is available by contacting the council's Access Officer by email to anthony.rylands@n-somerset.gov.uk or by calling 01934 634989.

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