

DUDLEY METROPOLITAN BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE – 4TH SEPTEMBER 2006

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT

CHANGES TO THE DEVELOPMENT CONTROL SYSTEM

Purpose of Report

- 1 To inform the Committee of the changes to the Development Control system that came into effect on 10th August 2006.

Background

- 2 The Town and Country Planning (General Development Procedure) Order 1995 has been amended in respect of:-
 - The power to make Local Development Orders which is at the discretion of a local planning authority - these can be used to extend permitted development rights and should be used to implement a policy in one or more development plan documents. It is not proposed that the Council uses this power at the present time.
 - The five reserved matters relating to an outline application have been changed from siting; design; external appearance; means of access and landscaping; to layout; scale; appearance; access and landscaping. More information is now required to be submitted by applicants with outline applications on use, amount of development, indicative layout, scale parameters and indicative access points.
 - Design and access statements are required to accompany both outline and full applications, except for certain exemptions such as householder applications (outside conservation areas), changes of use, engineering or mining operations, adverts and Tree Preservation Orders. They are also required to accompany listed building applications. Design and access statements should clearly explain and

justify the design and access principles that lead to a development proposal. Statements should explain how access arrangements will ensure that all users have equal and convenient access to buildings and spaces and the public transport network.

3. The amendments to outline planning applications and reserved matters when taken alongside the requirement to submit a design and access statement, means that outline applications will have to demonstrate more clearly that the proposals have been properly considered in the light of relevant policies and the constraints on the site. In view of comments made by the Committee on 'red-line' outline planning applications with very little supporting information, it is anticipated that the Committee will welcome this major change to the Development Control system.
4. It should be noted that the access component of the Design and Access Statements relates only to "access to the development" and therefore does not extend to internal aspects of individual buildings.
5. The Commission for Architecture and the Built Environment (CABE) has published a useful guide on the preparation and use of Design and Access Statements and copies can be made available to Members. It is suggested that this be done as part of a training session for Members of the Committee to be combined with consideration of some of the issues relating to appeal determinations raised at the last meeting.

Finance

6. There are no direct financial consequences arising from the report. It is not clear at this stage what the impact and processing of Design and Access Statements will have on staff resources, this will be monitored and evaluated in due course. It is expected that properly prepared statements will add value to the planning process in due course.

Law

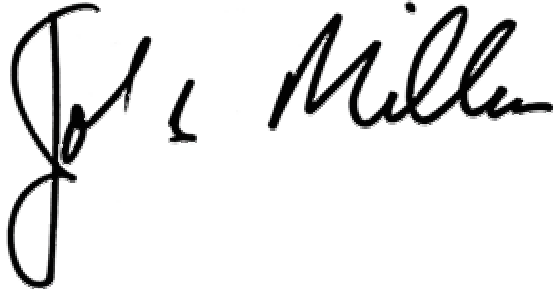
7. The planning service has made the necessary administrative changes to ensure that the requirements of the changed regulations are met. Relevant applications not accompanied by Design and Access Statements need not be registered by the Council.

Equality Impact

8. The mandatory requirement for access issues to be incorporated in Design and Access Statements will ensure that access requirements of all people, including children and groups are taken into account.

Recommendation

9. That the Committee welcomes the changes to the Development Control system, particularly for the requirement for Design and Access Statements, and that arrangement be made for the Committee to have a training seminar on Design and Access Statements.

A handwritten signature in black ink, appearing to read 'J. B. Millar'. The signature is written in a cursive style with a large, stylized initial 'J'.

J. B. MILLAR – DIRECTOR OF THE URBAN ENVIRONMENT

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List of Background Papers

DCLG Circular 01/2006
Design and Access Statements CABE 2006