Design and Access Statements in Wales
Why, What and How

October 2008
As Welsh Assembly Government Planning Policy and Guidance changes the Design Commission for Wales will update the guide where appropriate to reflect relevant changes.
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Executive Summary

Planning control helps local planning authorities to manage change in their areas for the benefit of the public. An application for planning permission for a development should enable the local planning authority to make well-informed and balanced decisions about that change, and to manage their legal and social responsibilities effectively.

Design and Access Statements accompany outline and full planning applications and applications for listed building consent, and provide a useful way to include and explain information essential to the smooth running of the planning process.

Statements provide detailed information to supplement the application drawings and are documents that illustrate how the design process for the site has evolved. The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations.

Statements should start at the strategic, initial ideas stage of any proposed development and grow as the project develops through the design process, planning, building control and in-use phases. At all stages, Statements should inform and influence the design of the development showing how all the people who will use the development have been considered. This will ensure the creation and management of well designed, sustainable environments that are useable, inclusive and accessible for all.

Statements help improve the efficiency and effectiveness of the planning and building control application process, with obvious time and cost benefits for all concerned.
Introduction and background

a  All environments, whether new or existing, must be designed and managed to address the needs of the people who will use them. Good design can protect and enhance environmental quality and should consider the impact of climate change.

b  An ‘inclusive’ approach to the design and management of any environment will ensure potential barriers are removed, allow people to maximise their own individual abilities, and enable them to have full, equal, confident, independent and safe participation in everyday activities.

c  Since the 30th June 2007, there has been a requirement for most planning applications and applications for listed building consent in Wales to be accompanied by an Access Statement. The Statement must demonstrate the accessibility of the proposal, and illustrate how adopting good principles of Inclusive Design have informed and guided the application.

d  Promoting sustainability through good design is referred to in Planning Policy Wales (PPW), as revised by the Ministerial Interim Planning Policy Statement (MIPPS) ‘Planning for Good Design’ (01/2008) and also covered within the Planning and Climate Change MIPPS (draft 2006).

e  Good practice guidance for Design Statements is detailed in Technical Advice Note (TAN) 12: Design. This states that a Design Statement should be used to identify and explain how issues such as context, scale, use and landscape, have been addressed in the design, and how any conflicts and decisions have influenced the final proposal. TAN 12 will be revised and reissued in 2009 when Design Statements will also become mandatory.

f  This guide has been developed by the Design Commission for Wales (DCfW) to assist those involved in writing and submitting applications for planning permission or listed building consent in Wales.

g  It shows how the access and design content of a Statement work together to help ensure that we create and manage high quality, well designed, sustainable buildings, spaces and places that are easy for everyone to use.

h  This guidance will act as a useful companion to the ‘Planning and Inclusive Design (Access Statements) Final Interim Guidance’ issued by Welsh Assembly Government (WAG) November 2007, which is contained in consultation revisions to TAN 12.
How to use this guide

This guide has been prepared as an easy reference to Design and Access Statements. It is for all those involved in preparing, assessing and determining planning applications. It is structured in three sections:

+ **Section one: why they are required**
  Provides an outline of the planning policy that has created and informed the development of Design and Access Statements in Wales and their relationship with legislation such as the Disability Discrimination Act and the Building Regulations.

  It outlines the influence of the Disability Equality Duty and how that places a responsibility on public authorities to promote equality and involvement of disabled people in every aspect of public life.

  This section also details the importance of the role of consultation in the process of developing and assessing statements.

+ **Section two: what they are**
  Here you will find clarification of what a Design and Access Statement is and what the broad content of it should be.

  An explanation of what is meant by the term ‘inclusive design’, is provided in this section, identifying the principles on which the concept is founded.

+ **Section three: how to prepare and write them**
  Outlines the principles and processes behind developing a good Design and Access Statement, how to write it, what should be in it.

+ **Frequently Asked Questions (FAQs)**
  Suggests typical questions and answers associated with the development of successful Design and Access Statements are included for ease of reference.
Section 1.0

Why?

The requirements of:
+ Planning Policy
+ Disability Discrimination Act
+ Building Regulations
+ Disability Equality Duty

Consideration of early consultation
Why are Design and Access Statements important?

1.1 National planning policy places the responsibility of raising standards of design on all those within the development process. The WAG has emphasised the importance of good design in promoting its priorities of sustainability, including environmental protection, economic prosperity, social inclusion and a better quality of life.

1.2 DCfW believes that our homes, work places, shops, streets, parks, schools, hospitals and highways can look, feel and work better through good design. Good design is good business, good for productivity and good for community pride and care. It is about using resources imaginatively and responsibly to improve the quality of life for everyone.

1.3 Design and Access Statements are important as they provide a clear way in which to illustrate that a development proposal has gone through a proper design process and is a good, sustainable and inclusive design. Apart from any legislative requirement, statements will have benefits for all involved with applications.

1.4 From the outset the design team should keep a clear and diagrammatic record of the design development, this will make the final Design and Access Statement easier to compile. For all projects, this process will cause the design team to think through and test their design at the relevant stages, when it will be possible to influence a better outcome. Leaving the justification of the design to the end of the process will result in failure and expensive redesign.

1.5 For a developer, producing a clear and thorough design and access statement at an early stage can reduce the risk of delay on processing a planning application or costly alterations to design or accessibility issues at later stages of the design process.

1.6 For the developer’s design team, the Statement is a record of the design process that has been undertaken and clearly illustrates how the team have provided design solutions to architectural, engineering, transport, sustainability, access, and landscape and community issues through the design process.
1.7 For local planning authorities, a Statement should strengthen and assist the planning application process by clearly recording the design vision and process, identifying the principles of the sustainable and inclusive design solution. A clear, concise and thorough statement will ensure that the time spent considering an application is kept to a minimum.

**Points to consider:**

In the event of any legal challenge under the Disability Discrimination Act (DDA), a design and access statement could be presented as documentary evidence of actions taken during the design process and be used to demonstrate on what basis decisions were made.

In the event of a Planning Appeal or Inquiry, the design and access statement may be used in cross examination for or against the case.

Therefore, it could be viewed as a potential defence document as well as a record of events.

1.8 Both Planning Policy Wales (2002) as revised by the MIPPS ‘Planning for Good Design’ (01/2008) and ‘Planning and Climate Change’ (draft 2006), TAN 12 and TAN 18 emphasise the importance attached to good design in the planning process and, informed by this approach, the DCfW seeks, through this guide, to encourage and promote development that is:

+ Is sustainable with regard to its overall environmental impact, including location, land use, mix of end uses, resource consumption and community impact;

+ Has a clear design vision and responds positively to site, context and local distinctiveness reinforcing a sense of place;

+ Creates a quality public realm of streets and spaces that is accessible, safe, comfortable, attractive, continuous and easy for all users to find their way around;

+ Accommodates a variety of uses and tenures with a compactness that can foster necessary services, facilities and public transport; and

+ Includes flexible and adaptable buildings and spaces creating fine architecture, rich townscapes and landscapes that are well detailed, with good quality materials, craftsmanship and art.
Why have Design and Access Statements become a policy issue in Wales?

1.9 In Wales, all developments of significant size or impact require planning permission from the relevant local planning authority. Decisions on planning applications must be made in accordance with the statutory development plan for the area (unless material considerations indicate otherwise).

1.10 DCfW and WAG aspire to ensure that all development responds to its context and that services and facilities are accessible to those who will use them regardless of ability, age or gender.

1.11 To promote this aspiration, WAG has introduced legislation that requires most planning applications, and applications for listed building consent, to be accompanied by an access statement. This will be included in the revised TAN 12.

1.12 As is set out in TAN 12, it is currently an expectation that all planning applications for development which have design implications including applications for new or extended buildings and infrastructure and changes to landscape appearance will provide a Design Statement. The Statement must be able to demonstrate that inclusive design (refer section 2.15) has played an integral part in the decision making process. In 2009 this will become a legislative requirement.

1.13 DCfW welcomes and fully supports the introduction of statutory Design and Access Statements. DCfW would also support the development of supplementary planning guidance by local planning authorities for Design and Access Statements, in order to ensure that all local plan policies and the local context and character of the area are addressed through the design of new development proposals.

Points to consider:

Since 30 June 2007, an access statement is a material consideration that must be given regard to by Local Planning Authorities development control staff in the process of determining an application for planning or listed building consent.

In 2009, that will also apply to design statements.
Why is other legislation important?

The Disability Discrimination Act

1.14 Since it was first introduced in 1995, The Disability Discrimination Act (DDA) has had a growing influence on preventing discrimination against disabled people in the workplace, in education, and in their use of transport and other services. This influence has increased with amendments and extensions to the original Act in 2001 and 2005.

1.15 The DDA is about discrimination; it is about people and equality of opportunity – it is not simply or only about the physical aspects of a design or a building.

1.16 In essence, the Act imposes a duty on the provider of an opportunity or a service to ensure that discrimination does not occur. That discrimination can manifest itself in the design of the built environment but can equally be found in the way that opportunities and services are delivered and managed.

1.17 In terms of the physical environment, the DDA does not in itself have any performance based requirements, nor does it offer advice on technical issues or specifications – therefore, it is not possible to have a ‘DDA compliant’ building or product. Designs may be to the latest good practice guidance, but it is how the environment is actually used in practice that may ultimately decide if duties imposed under the DDA are being met. (Detailed examples of this are included in Appendix 1.0)

1.18 The DDA acknowledges that existing physical constraints and issues may mean that some employers and service providers are better able to achieve equality than others. Therefore, what employers and service providers will need to do to meet any duties they have under the DDA will vary with respect to the size and type of their organisation, the financial resources they have available, and the type of services or opportunities they offer. In addition, the measures they may need to adopt can vary considerably according to the circumstances of each individual case.

1.19 The DDA lays the foundation for the elimination of discrimination. How that is achieved may depend on several issues – only one of which being the design of the physical environment.
Disability Equality Duty

1.20 The DDA 2005 introduced a Disability Equality Duty (DED) on all public authorities to positively promote equality and opportunity for disabled people in all the public functions they carry out and to tackle institutional discrimination before it can impact on individuals.

1.21 Public authorities must take steps to eliminate unlawful discrimination and actively promote equal opportunities for disabled people, even where that involves treating disabled persons more favourably.

1.22 They must also take steps to eliminate harassment of disabled people, promote positive attitudes and encourage the participation of disabled people in all aspects of public life.

1.23 Therefore, public bodies now have a clear duty to promote disability equality in all aspects of the work they do, and that includes those undertaken when receiving, considering and processing all planning and building regulation applications.

Information Point

The Equality and Human Rights Commission

On the 1st October 2007, the Disability Rights Commission (DRC), the Equal Opportunities Commission, and the Commission for Racial Equality were combined to form one organisation – the Equality and Human Rights Commission (EHRC).

Some of the documents published by the (then) DRC are referred to in this document and, for clarity, the term DRC has been used in this guidance.

The guidance on Access Statements, previously published by the DRC is now contained on the EHRC website – www.equalityhumanrights.com/en/publicationsandresources/Disability/Pages/Services.aspx
Planning, the DED and the Consultation Process

1.24 The development of a Design and Access Statement will benefit from early engagement with local access groups and or local authority access officers. (see Appendix 3.0) Local planning authorities should consider agreeing a consultation protocol to work with local access groups in order to ensure the appropriate level of input. In conjunction with access groups, local planning authorities should also consider writing their own Supplementary Planning Guidance.

1.25 However, DCfW also believes that the general, specific and positive duties placed on public bodies by the DDA 2005 require something much wider – especially in terms of the duties for promoting positive attitudes and encouraging participation by disabled people.

1.26 These duties could have far-reaching implications for planning authorities on how the role, outcome and influence of any consultation process is considered and undertaken in any planning procedure.

1.27 Therefore, in meeting the DED, simply developing a protocol without showing evidence of how consultation with disabled people has informed and influenced the planning process is unlikely to be enough.

Comment:

In their publication “Planning, Buildings, Streets and Disability Equality” the DRC suggests that:

“Broadly speaking, public authorities, which include Planning, Building Control / Standards and Highways / Roads Authorities, must make adjustments to the way in which they carry out their functions. The purpose of this is to ensure that disabled people are not disadvantaged by the way those functions are carried out “.

DCfW fully supports this recommendation.
How does consultation fit in with the development of a design and access statement?

1.28 In its interim guidance on Access Statements ‘Planning and Inclusive Design (Access Statements) November 2007’, WAG recommends applicants for planning permission should undertake consultation with appropriate parties as part of any pre-application discussions.

1.29 Although pre-application consultation with the local planning authority, DCfW Design Review process, an access or community group is not a mandatory requirement, in TAN 12 and TAN 17 (Consultation Draft August 2007), pre-application discussions are advised to help identify key design issues, arising from a development proposal, at the outset. The DCfW considers consultation to be an important part of the overall design and development process, and one that will inform decision making.

1.30 The Disability Rights Commission guidance on the Disability Equality Duty contained in the DDA 2005 (see Appendix 2.0), strongly recommends engagement with disabled people in the development of a Design and Access Statement.

1.31 Consultations should, wherever possible, involve disabled and non-disabled participants with experience and knowledge of as broad a range of users needs as possible.

1.32 Details of any pre-application consultations undertaken should be recorded in the Design and Access Statement. The Statement should clearly show how the consultation has informed the proposed design. In many cases this should help to speed up the decision making process for the application.

Points to consider:

DCfW believes that early consultation will assist applicants in improving the inclusiveness of their proposals; this could include engagement with the DCfW Design Review process.

DCfW strongly recommends that consultation should be considered an essential activity and the findings should form a fundamental part of any decision making process.
Points to consider:

Whilst not mandatory in Wales, consultation with local access groups, access officers, the local community and access consultants will benefit and inform design decisions.

Evidence of consultation can also help to justify design decisions – something that should, in turn, help authorities to meet statutory duties, and reduce the time and effort required in assessing an application.

DCfW strongly recommends that consultation forms a fundamental part in developing both the design and access components of any statement.

Comment:

In their publication “Planning, Buildings, Streets and Disability Equality” the DRC recommend that:

“Specific individuals should be employed as advisors/facilitators in relation to access issues for disabled people. They should act as a point of contact for council departments/service areas and provide support to ‘access champions’. They are also a point of contact for voluntary groups, such as the local access group/panel. They must have sufficient seniority to be influential within the authority and be appropriately resourced”.

DCfW fully supports this recommendation.
Points to consider:

Consultation with local access groups forms an important part of the design process.

However, as largely voluntary organisations dependent on the goodwill and commitment of their members, access groups are a finite resource that must be supported and used wisely.

WAG and DCfW strongly recommend that local planning authorities agree a consultation protocol with their local access group to determine how the benefit of their input can be maximised. Depending on the size and availability of the group, that may mean limiting their involvement to larger residential developments or ones where there will be high use by the public.

However, whatever consultation is undertaken it is essential that the access groups themselves are able to offer advice covering the needs of disabled people as a whole, and not just of those who take part in the consultation or review process. It is important that the group recognise and acknowledge any potential shortcomings in the scope of advice they can offer, and always ensures that the advice given is inclusive.

For complex issues, that may mean seeking additional advice and expertise from disabled people or access and health professionals from outside of the group.
Section 2.0

What?

+ Design and Access Statement
+ Inclusive Design Principles
What are Design and Access Statements?

2.1 A Design and Access Statement is a document which contains the work that should be undertaken before making a planning application, a formal record illustrating the design process, allowing a co-ordinated and effective consultation process to take place. The aim should be to develop a vision for the scheme and agree design principles as early as possible; these will then be reviewed and amended along with the statement as the project progresses.

2.2 Early consideration of design issues is essential and central to good development. A Design and Access Statement should start at the strategic / initial design ideas and pre-application stage of the project and should illustrate:

+ What the idea behind the design is, the ‘Vision’ for the scheme;
+ What is being provided and how it is sustainable;
+ Where it is and how it responds to its surroundings, ‘context’;
+ How accessible it will be for the people who may use it and; in situations where constraints are unavoidable:
+ How can the effect be minimised to ensure an acceptable design response and level of accessibility for all;
+ Who in the community has been consulted.

2.3 Design and Access Statements therefore, provide a way for applicants to demonstrate how these issues have been addressed in formulating their proposals.

2.4 A Design and Access Statement will, in most cases, comprise two highly inter-related components (see Figure 1). The two component parts of the statement should identify and explain how issues such as context, scale, use, sustainability and landscape, have been addressed through an inclusive design. Where conflicts have arisen and decisions to resolve them have influenced the final proposal, these should be clearly stated.
2.5 For small projects, the access and design components will be fully combined into one short statement to describe in simple terms how design and access issues relevant to the application, have been considered and addressed.

2.6 For larger projects these two components will probably be developed as separate, but integrated parts of a larger, comprehensive document, and they should always work together to enhance the overall quality and clarity of the proposal.

2.7 However, regardless of the size or scale of a proposed development, the submitted Design and Access Statement must always be able to demonstrate that inclusive design has formed an integral part of the overall design vision and decision making process.

Comment:

Statements should not be seen as another chore to undertake in association with other ‘more important’ things to do in the application process. They can be critical to the overall success of the finished product, not to mention the speed, efficiency and cost-effectiveness of the application process.

They can also be invaluable for considering design decisions and potential implications early in the project, reducing considerably the likelihood of costly re-design or re-work as the project progresses.
What should be the broad content of a Design and Access Statement?

Design content

2.8 The design content of the Statement will clearly explain the vision and design aspirations for the scheme, demonstrating how the proposed design of the development responds to its site and the surrounding physical character and context of the place in which it is proposed. It should illustrate the concepts and principles upon which the design is based and how these informed and influenced the proposal.

2.9 It will clearly demonstrate how the development is accessed by all users and it will be cross referenced to national policy and other assessments being undertaken as part of the planning process.

2.10 In line with WAG aspirations for new buildings to be carbon neutral by 2011 alongside other sustainability and climate change targets, the Statement will detail what the approach to environmental sustainability is, including identifying the intended BREEAM goals with a commitment to post construction assessment, and the code level of the Code for Sustainable Homes to be attained. It may be that this detailed information is included in another report with the planning application, repetition is not necessary, but comprehensive cross referencing of related documents is.

2.11 The Statement should be used to show how the development reflects local policy in the Development Plan and any Supplementary Planning Guidance and Development Briefs.

Access content

2.12 The Statement should show how the proposal addresses the principles of inclusive design whilst responding to the existing topography of a site or, in an existing building, constraints caused by the fabric.

2.13 Clear illustrations of how access to the site, the design of circulation routes around the site and between buildings, the materials used to form them, and the siting of buildings have been considered must be given.
2.14 The Design and Access Statement should consider these and other issues, and explain how the application has addressed the principles of inclusive design. It should show how the needs of all people who may use the building or the space have been considered and addressed in the design process.

2.15 There should not be a stand alone paragraph within the statement entitled ‘Access’, it must be demonstrated that inclusive design has been included throughout the design process to reveal the final solution, which is reflected in the applicants submitted drawings.

Where does Inclusive Design fit in?

“The way places are designed affects our ability to move, see, hear and communicate effectively”

‘The Principles of Inclusive Design: They include you?’ Source: CABE 2006

2.16 Good design is inclusive design, and inclusive design should be an integral part of the design process which extends from inception, through the planning, detailed design and construction phases of a project and into the management practices adopted in use.

2.17 Inclusive design is about much more than catering for the needs of disabled people. It is about designing and managing an environment in a way that removes the frustration and obstacles experienced by many users including disabled people, older people, children and families.

Comment:

An approach to a building that offers a choice of either steps or a ramp addresses accessibility.

But a level approach is a truly inclusive design.
What are the Principles of Inclusive Design?

2.18 The following five principles have been adopted by DCfW and WAG to describe the overall aim for an appropriately designed, inclusive environment.

Inclusive Design:
+ places **people at the heart of the design process**
+ acknowledges **diversity and difference**
+ offers **choice** where a single design solution cannot accommodate all users
+ provides for **flexibility** in use
+ provides buildings and environments that are **convenient and enjoyable to use** for everyone

2.19 Following these five principles in the design process for a development will lead to an environment that is:

- **Inclusive** so everyone can use it safely, easily and with dignity.
- **Responsive** taking into account what people say they need and want.
- **Flexible** so different people can use it in different ways.
- **Convenient** so everyone can use it without too much effort or separation.
- **Accommodating** for all people, regardless of disability, age, mobility, ethnicity or circumstances.
- **Welcoming** with no disabling barriers that might exclude some people.
- **Realistic** offering more than one solution to help balance everyone’s needs and recognising that one solution may not work for all.
2.20 Inclusive design is not an extra hurdle to cover; it should be included in setting the vision for a scheme and be integrated throughout the design process. As such, the design and access components should be intrinsically linked throughout the statement.

**What are the benefits of adopting an inclusive design approach?**

2.21 Adopting an inclusive approach to design offers designers and managers of environments the opportunity to:

+ be creative;
+ exceed minimum technical specifications;
+ find, if needed, individual and innovative design solutions; and
+ develop buildings, spaces and environments that are not only aesthetically pleasing or make bold statements but also ensure that usability, function and the needs of the end user play a fundamental role in that design and management process.

**Comment:**

Adopting an inclusive approach **does not** stifle design freedom.

Does it create a challenge? Maybe in some cases – in others possibly not at all. After all, design is a process of analysis, testing and problem solving.

**Good design is inclusive design. Design which does not achieve an inclusive environment is not good enough.**
Section 3.0

How?

+ How to develop a good Design and Access Statement?
+ What are the specific issues that must be covered in the Statement?
How to develop a good Design and Access Statement?

3.1 The precise form of a Design and Access Statement will depend on the size, nature and complexity of the proposed building or space and the site in which it is placed. In this respect, they are unique and project specific for each development. It should be remembered that design development covers a wide range of planning issues and topics. Good design is required to deliver sustainable development and its importance cannot be underestimated.

3.2 In order to develop a good Statement the design team, which will usually be multi-disciplinary, must work through the design process together with their client. The authors of the Statement must consider how aspects of their design, from concept through to completion and beyond, meet the objectives of good, inclusive design and respond to the local context.

3.3 The design of the development must respond to key local development plan policies and or national planning policy objectives. The response must be clearly expressed in the Statement, and cross referenced to other documents which may form part of the planning application.

3.4 The Statement should refer to the objectives of good design set out in TAN12 and explain how they have informed the design process. The particular relevance and weight attached to each of the objectives may depend on local policy, circumstances and the nature of the proposed development.

The objectives are:

- achieving environmentally sustainable design solutions;
- sustaining or enhancing local character;
- promoting innovative design;
- promoting a successful relationship between public and private space;
- promoting high quality in the public realm;
- ensuring ease of access for all;
promoting legible development;
+ designing for future adaptability; and
+ promoting quality, choice and variety.

3.5 In addressing these objectives through the design process the principles of sustainability and inclusive design must be integrated throughout the process and not be treated as separate issues. Evidence that these principles have been addressed, must be clear.

3.6 The Statement will comprise a written description and justification of the proposed design and development addressing the issues detailed above. It should also include or be cross referenced to appropriate reports assessments of specific issues, site photographs, drawings, plans, elevations and perspectives which are also included in the planning application.

3.7 Photographs, maps, drawings, illustrations and artists’ impressions can often be helpful in illustrating the proposed development in the context of the location of the site. They must be accurate and to a scale, wherever possible.

3.8 The Statement must be written specifically for the application it accompanies. Simply submitting a standard, generalised statement or one used for previous applications is not acceptable.

What are the specific issues that must be covered in the Statement?

3.9 Links to issues highlighted in national and local policy must be considered and addressed as appropriate, highlighting how the proposals respond to the policy. Where the local planning authority has supplementary planning guidance, outlining their requirements for design and access statements and sustainable development principles, this must be followed.
3.10 As a general guide, the approach to specific issues that the Statement should incorporate would include a structure that would cover: a review of the existing design context; the setting of a firm design vision and objectives; and details of the final design proposal.

**Context**

+ plans and illustrations should be provided to show an assessment of the physical context of the existing site and the physical and design context of the immediate surrounding environment;

+ text and illustrations should outline an understanding of how the proposals respond positively to the site, local distinctiveness and reinforce a sense of place;

+ specific reference and a response to national and local planning policy must be made together with a brief explanation of the applicant’s policy and approach to access and how the proposals take into account the inclusion of disabled people.

**Vision and Design Objectives**

+ a brief description and explanation – through a conceptual plan – of how the design for the scheme has emerged following an assessment of the site, what is the vision for the scheme and what are the design, sustainability and inclusive design objectives?

+ an illustration of how further refinement of the design vision and objectives have occurred – a process, rather than a predetermined solution; i.e. how have the vision and the objectives been refined to respond to early consultation with the local planning authority, the community, the local access group, the DCfW Design Review process, the client requirements and any other constraints that have arisen?

+ a concise and clear explanation or illustration of the approach to sustainability and inclusive design in response to the design process so far and details of any consultations and professional advice sought on accessibility and inclusion.
The Final Design Proposal

+ following on from the conceptual design, how has the final design proposal been reached? A brief summary and illustration of how the evolution of the scheme has unfolded highlighting how sustainability issues and the principles of inclusive design have formed an inherent part of the design process;

+ illustrative material to show which sources of good practice guidance in design, sustainability and inclusive design have been, or will be followed in forming the proposals. Where good practice guidance cannot, or may not be met, the reasons should be clearly explained.

+ details of the layout / elevations / sections for the scheme set within the existing / proposed land clearly indicating access, any changes of level and how they affect the adjacent context and topography;

+ three dimensional illustrations of how the new built form sits within the context of its site and surroundings; and

+ a clear indication of how the scheme meets sustainable design objectives, is inclusive, flexible and adaptable.

Points to consider:

Once an application for planning permission has been made, the Design and Access Statement will form an important part of the consultation, review and approval stages. It is important therefore, that the Statement avoids the use of jargon or overly technical language.

How do these issues relate to TAN 12?

3.11 It is clearly stated within TAN 12 that Design Statements should be submitted with all planning applications, as outlined in 1.1. Consultation responses on TAN 12 are now being considered by WAG and it is anticipated that the revised TAN 12 will be issued in April 2009. As has already been stated, the WAG has made a clear commitment to make Design Statements mandatory by April 2009.
3.12 With particular reference to the updated TAN 12, the statement should clearly identify that the following aspects have been considered in detail through the design process:

**Environmental Sustainability**: including landscape setting / habitat connections and biodiversity; energy and resource efficiency; and water and waste management.

**Access and Movement in and to the Development**: choice of site location; inclusive design; transport integration; and connectivity.

**Appearance and Character**: scale of development; density and mix of development; layout of development; architectural design; external spaces; adjacent uses.

**Public Safety**: crime prevention.

3.13 **Environmental Sustainability**

*Landscape / Habitat*

+ opportunities to improve and develop the existing / proposed landscape and biodiversity quality of the site should be explained;

+ links should be made through the design proposals to the landscape character and context of the area. Habitat creation and any designations / local policy / biodiversity action plans should be acknowledged and reflected in the proposals;

+ an understanding of how the landscape will be managed should be explained through the design proposals;

+ the opportunity to provide green roofs should be considered;

+ development proposals should create a quality public realm of streets and spaces that are accessible, safe, comfortable, attractive, continuous and easy for all users to find their way around;

+ the approach to the landscape design framework – the use of hard and soft materials and the division of public and private should be clearly detailed.
Energy and Resource Efficiency

+ carbon reduction proposals should be detailed; how is the development to be energy efficient? How has passive design been used? What is the energy strategy for the use of renewables? These details should be cross referenced to a separate, detailed report within the application;

+ where appropriate, an energy advice report should be crossed referenced to the design statement and submitted with the application;

+ materials used should provide minimal environmental impact;

+ details of how the development responds to current and future climate change issues should be explained;

+ a commitment to the relevant BREEAM or Code for Sustainable Homes level should be detailed.

Water and Waste Management

+ Sustainable Urban Drainage Systems (SUDS) should be implemented where appropriate, other mitigation measures should be proposed and explained, if a SUDS is not appropriate;

+ the effective and integrated management of water within the development proposals should be demonstrated;

+ measures to minimise waste through the construction process should be detailed;

+ consideration of waste collection in the final development proposals should be clearly illustrated on drawings and detailed in writing.

3.14 Access and Movement

Site Location

+ an explanation of sustainable development principles must be given relating to site selection;

Inclusive Design

+ details of any access solutions taken to overcome potential barriers to accessibility must be provided and, if the solutions
adopted deviate from published good practice guidance, how the principles of inclusive design will still be addressed should be made clear;

+ a schematic plan of the development showing pedestrian and vehicular access routes around, up to and into the proposed development should be detailed together with gradients and finishes;

+ the car park design and drop off points should be explained;

+ how the needs of all people who may use the building or the space have been considered and addressed in the design process should be summarised.

*Transport Integration and Connectivity*

+ information relating to TAN 18 and transport assessments as required should be cross referenced in the statement;

+ the response that the scheme has made to principles in the Manual for Streets should be explained.

3.15 **Appearance and Character**

*Layout*

+ the appropriate orientation of the development should be considered and justified;

+ the proposed connectivity to adjacent developments should be illustrated.

*Scale*

+ the height, width and length of buildings, the size of spaces in relation to those buildings and details of the proposals should be clear;

+ explicit evidence should be provided to demonstrate that the proposals have been influenced by the existing character and scale of the local area and opportunity has been taken to improve that character;

+ the amount of development should be clearly explained and justified, particularly in relation to it being able to fit within the character of the surrounding area;
Density, Mix & Use

+ the statement should show how the amount of development would be a sustainable and suitable proposal for the site in the short and long term;

+ an explanation of the variety of uses and tenures proposed on the site should be provided illustrating a compactness that can foster necessary services, facilities and public transport and a justification of the density of development proposed;

+ proposed uses should be based on an analysis of existing uses in the surrounding area;

+ an explanation of how those proposed uses should contribute to the character and image of the development and the area is required;

+ a balance between the built and natural environment should be illustrated, as appropriate to the location of the site.

Architectural Design & External Spaces

+ the rationale behind the architectural design should be explained;

+ details of materials and their relation to the context of the development proposals should be made clear;

+ public realm should be designed to promote connectivity and provide a strong landscape framework.

3.16 Public Safety

+ development proposals should provide natural surveillance to deter crime and secure by design principles should be considered;

+ lighting should be provided for a safe environment;

+ the creation of communities where people can feel safe should be considered and explained.
Points to consider:

An application for planning permission would not usually cover details of the internal layout of a building. However, the layout of any building will clearly influence the external appearance of a proposed development.

For example, the location of external doors, windows, and stairs will influence the external appearance of a building – which will, in turn, be influenced by the internal layout of the building. The internal layout should also respond to passive solar design.

Once the detailed design is underway, changes in internal layout that affect external features may require re-application, and a slowing down of the overall approval process.

Therefore, whilst not a mandatory requirement, DCfW strongly recommends that applicants use the process of developing a Design and Access Statement at planning stage to clarify any preliminary design decisions that have been made with regard to the internal design.

What might a typical Design and Access Statement look like in terms of size and format?

Size

3.17 The length of a Design and Access Statement, and the amount of content on design and access within it will vary between projects.

3.18 For example, a Statement for a major new development or an existing building where there are a considerable number of constraints to be addressed is likely to be much longer than a Statement for a less complex development. Equally, a Statement covering access issues for an outline planning application may extend to no more than a short statement of intent.

3.19 What is important is that the Statement is succinct, to the point, and the detail it contains reflects and relates appropriately to the complexity of the proposal.
Points to consider:

For complex applications, such as those involving a listed building or a development on a steeply sloping site, there may be several complex issues of accessibility and detailed design to address and argue, and a Statement may run into several pages. For some smaller or more straightforward developments, a few paragraphs may be all that is needed. Brevity and relevance is important – not quantity.

Format

3.20 There is no standard layout for either the access or design content of a Statement, and the information they contain will depend upon the scale and complexity of the proposed development.

3.21 The design content of the Statement is likely to be better served by illustrations, perspectives and artists’ impressions whereas the access content of the statement may tend to be more descriptive.

3.22 Some projects may lend themselves to a tabular format with issues covered under separate headings, whereas others may benefit from a textual and descriptive format. The choice of format should be related to the complexity of the project and the aim should always be effective communication.

How to process an application with a Design and Access Statement

Conditions

+ Planning conditions can be attached to a decision to implement or accept details contained in a Design and Access Statement;

+ For outline applications, any design and access issues crucial to the development should be secured through conditions on the outline permission (and/or a planning obligation – where it is not possible to attach a valid condition);
In consideration of reserved matters, there is no obligation on applicants to submit an updated access statement in addition to the one submitted at outline application stage. If the authority wishes to secure the option of asking for an updated statement at reserved matters stage, they should set that as a condition of the outline planning permission.

Points to consider:
An exemption for ‘a material change in the use of land and buildings’ applies only to applications that do not include issues of access by an employee or for the provisions of services (including goods and facilities).

Therefore, a proposal for a material change of use where there are such access issues will require an access statement.

If there are no such issues, for example in an application for a change of use from public land to a private garden, an access statement is not required.

Points to consider:
Failing to submit a Design and Access Statement to accompany an application for planning or listed building consent renders the application invalid. It will not be registered – and that will undoubtedly delay your application.

Points to consider:
If an application for planning permission or listed building consent is accompanied by an appropriate Design and Access Statement, and all other parts of the application are in order, the application must be registered.

If the content contained in the Statement is poor, that should be taken into account in the decision making process for the application. However, the Local Planning Authority can always request further information from the applicant, even after the application has been registered.

In general, whilst a good proposal will be enhanced by a good Design and Access Statement, a poor proposal is most unlikely to be saved by good statement.
Section 4.0

FAQs

Frequently Asked Questions
FAQs

4.0 **Do I need a Design and Access Statement for all planning applications?**

A Design and Access Statement is needed for all planning applications unless it is for an area which is exempt. A Statement will also be needed for all applications for listed building consent unless those works relate solely to internal works.

Whilst an access statement for internal works to a listed building may not be required as part of a planning application, a Statement would almost certainly benefit and inform any subsequent application under building control.

Therefore, considering as early as possible how constraints brought about by the existing structure or the listed nature of a building will affect accessibility of the end product is advisable. This may not be a legal requirement at the planning application stage, but it could be a prudent one.

4.1 **‘Why is a Design and Access Statement needed at all?’**

Recently introduced changes in legislation require planning authorities to place a greater emphasis on accessibility when developing local plans and considering planning applications. Also the Disability Equality Duty brought in by the Disability Discrimination Act 2005 places a positive duty on public authorities to actively address accessibility and promote the involvement of disabled people in public activities.

TAN 12: Design, emphasises the importance of a design statement to explain how important issues such as context, scale, use, sustainability and landscape have been addressed in formulating the design.

However, quite apart from being a good practice or legislative requirement, the Design and Access Statement process also presents an excellent opportunity to enhance the quality and usability of any proposal and maximise value by preventing costly re-work later in the project.
4.2 ‘What is the purpose of a Design and Access Statement?’

Safeguarding design freedom and the opportunity for designers to be creative and innovative whilst also taking into account context, sustainability, accessibility and inclusion must be at the heart of good design. A Design and Access Statement can be used to improve the quality of buildings and spaces and the decisions taken in the design process.

In terms of cost and value, a Statement that is well-constructed, well-managed and starts early in the development process can:

+ help to identify potential access and inclusion issues at an early stage, reducing the risk of costly alterations or re-work; and
+ improve the efficiency and effectiveness of the planning and building control application process, with obvious time and cost benefits for all concerned.

In the event of any legal challenge under the DDA, a design and access statement could be presented as evidence of actions taken during the design process, and to demonstrate on what basis decisions were made. Therefore, it should be viewed as a potential defence document as well as a record of events.

4.3 ‘What should a Design and Access Statement look like?’

There is no standard layout for a Design and Access Statement and the information it contains will depend upon the scale and complexity of the proposed development.

Some small projects may lend themselves to a tabular format with issues covered under separate headings, whereas other larger projects may benefit from a textual format. Statements should include photographs, maps and drawings to support and illustrate particular points. The choice is personal, but the aim is always effective communication.

4.4 ‘How do I know if the Design and Access Statement submitted is suitable?’

Statements should inform and influence a people-centred approach to the design of the development to ensure the creation and management of sustainable, creatively designed environments that are useable, inclusive and accessible for all. A good statement will demonstrate this.
A design and access statement will, in most cases, comprise two highly inter-related components. The access component should explain how the proposal addresses the principles of inclusive design. The design component, should identify and explain how issues such as context, scale, use, sustainability and landscape, have been addressed in the design, and how any conflicts and decisions to resolve them have influenced the final proposal.

If the statement doesn’t do this, that must be taken into account when considering the application.

4.5 ‘If it is a poor Design and Access Statement, does that mean the application need not or must not be registered?’

If an application for planning permission or listed building consent is accompanied by a Design and Access Statement that meets the requirements of the General Development Procedure Order (GDPO) and Listed Building Consent Regulations, and all other parts of the application are in order, the application must be registered.

If the content contained in the statement is poor, that should be taken into account in the decision making process for the application, but the Local Planning Authority can always request further information from the applicant, even after the application has been registered.

In general, whilst a good proposal will be enhanced by a good Design and Access Statement, a poor proposal is most unlikely to be saved by a good statement.

4.6 ‘How long should a Design and Access Statement be?’

The length of a Statement will depend upon several factors including, for example, the size, nature and complexity of the proposed development or alteration.

For smaller proposals, such as a new shop front or a small single building, the statement may be only a few paragraphs. For larger or more complex developments, several pages may be needed. For outline planning permission, the statement may extend to no more than a confirmation of intent and identification of the typical guidance that will be followed as the detailed planning and design principles develop.
Regardless of the size or scale of a proposed development, the submitted Design and Access Statement must always be able to demonstrate that inclusive design has formed an integral part of the overall design and decision making process.

Remember brevity and relevance is important – not quantity.

4.7 ‘Are the Design and Access Statements recommended by the Equality and Human Rights Commission (formerly the Disability Rights Commission) the same as those now needed for a planning application?’

In 2004, when the guidance on access statements was prepared by the DRC, access statements were a relatively new concept. Therefore, in its guidance document the DRC used the title ‘access statement’ as a generic term for a document or series of documents covering how access issues should be addressed throughout a project. That title has now been replaced by the term ‘design and access statement’ which better reflects the overall purpose of the document. However the principles and processes recommended in the DRC guidance remain the same.

In general, the DRC guidance sees the Design and Access Statement as a dynamic series of documents and processes that will ‘grow’ and work together as a project develops. A flow diagram used by the DRC to illustrate the process, the ‘Access Statement Loop’, is included at Appendix 1.1 of this DCfW guide.

4.8 ‘Where can I get more guidance on Design and Access Statements?’

See Appendix 4 & 5 also the DCfW website www.dcfw.org
Section 5.0

Appendices

Appendix 1.0  DDA Detail Examples
Appendix 2.0  DRC Guidance on ‘Access Statements’
Appendix 3.0  Background Information / Glossary of Terms
Appendix 4.0  Sources of help and further information
Appendix 5.0  Useful Websites
Appendix 1.0

Ref: DDA Detail Examples – Para 1.16 page 8

Designs may be to the latest good practice guidance, but it is how the environment is actually used in practice that may ultimately decide if duties imposed under the DDA are met. These examples illustrate what is meant by this:

**Example:**
A handrail may have the correct diameter and be fixed at an appropriate height and clearance. However, if the overall design is inappropriate or the visual contrast or the lighting is poor or badly maintained, discriminating access to a service or opportunity may still occur.

**Example:**
Providing an induction loop at a reception desk to assist a hearing aid user may meet best practice guidance, but it may not meet the duties placed on the provider under the DDA if it is not working at the time it is used – or if staff are not properly trained in its use.

**Example:**
Providing a manually activated door opener to a swing door alongside a revolving entrance door will not be appropriate if it is not working when needed, or if management practices do not allow easy and instant access by a disabled person when required.

**Example:**
A door may be designed to include a vision panel to ensure those approaching it are not in danger from, or cause danger to, people moving in the opposite direction. Panels that extend between 1500mm and 900mm above floor level will be suitable for many disabled and non-disabled people, but will not cater for the needs of children and people of short stature. Therefore good practice guidance now suggests that panels extend between 1500mm and 500mm above floor level.

The former design accommodates the needs of many disabled people – the latter includes all users. That is the difference between a ‘special provision’ and an ‘inclusive design’.
Appendix 2.0

DRC Guidance on ‘Access Statements’ *

**Points to consider**

In its guidance on the development of access statements issued in 2004*, The Disability Rights Commission, which now forms part of the Equality and Human Rights Commission (EHRC), suggested that:

“A correctly developed access statement will provide an opportunity for developers, designers, product providers and managers of environments to demonstrate their commitment to ensuring accessibility in the work they undertake.” and

“It [a statement] will allow them to demonstrate how they are meeting, or will meet, the various obligations placed on them by legislation, and how they will continue to manage accessibility throughout the delivery of the services they provide or the employment opportunities they create.”

In general, the DRC guidance envisaged the statement as a dynamic series of documents and processes that ‘grow’ and work together as a project develops. A flow diagram used by the DRC to illustrate the process, the ‘Access Statement Loop’, is shown below.
The DRC Access Statement Loop

- **Project Sponsor/Client/Developer**
- **Access Consultant**
  - Alternative route to Stage One
  - **Access Statement Stage One**
    - Strategic Level
  - **Access Statement Stage Two**
    - Planning
- **Designer**
  - **Access Statement Stage One**
  - **Access Statement Stage Two**
  - **Access Statement Stage Three**
    - Design of Installations
  - **Access Statement Stage Four**
    - The Occupancy Access Statement
      - Formed by the collation of access and ongoing management information for the Access Manual (Designer/Access Consultant)
- **Product/System Manufacturer**
- **Access Consultant**
  - **Access Statement Stage One**
  - **Access Statement Stage Two**
  - **Access Statement Stage Three**
    - Design
  - **Access Statement Stage Four**
  - Feedback
In essence, Statements should start at the strategic level (Stage One) where the client or project sponsor can describe how access issues will be considered from the initial inception stage through completion of the project and into the occupancy stages.

In Stages Two (Planning) and Stage Three (Design) the statement develops into the design and access statement, which comprises an access component and a design component as described in this guidance document.

In Stage Four the design team develops the statement into the document that will be passed to those responsible for the on-going management of the development. This will ensure that all of the good inclusive design decisions made during the design and construction phases are not lost when the building or environment is managed in-use.

Clearly, not all stages will be relevant to all projects, and stages may merge, for example on smaller projects where planning and building control approval may be sought at the same time.

In addition the DRC suggest that the amount of detail at each stage will depend upon the size, type and scale of the project. There will inevitably be overlaps between stages but in a properly managed access statement trail, these would be kept to a minimum.

The principle envisaged by the DRC for an access statement process that ‘grows’ with the project as it develops has been adopted by WAG as the procedure to be followed in Wales.

It is a process that is also fully supported and recommended by DCfW. *see also FAQs section 4.7
Appendix 3.0

Background Information/ Glossary of Terms

Access Groups / Panels

Access groups or panels are usually small, independent and voluntary groups of disabled people who can advise local authorities and others on a range of matters relating to accessibility, including the provision of equal opportunities and involvement for disabled people.

In its publication “Planning, Buildings, Streets and Disability Equality” the DRC recommend that:

“An effective local access group / panel must be well supported and resourced by the local authority, while remaining independent.”

DCfW fully supports this recommendation

Access Officers

Access officers are usually employed by a local authority or sometimes a large organisation to offer in-house advice and to promote issues of accessibility within their area. Unfortunately, not all authorities have an access officer and the departments in which they work can vary. Officers can be located in planning, building control, highways or even social services departments depending both on the experience of the individual officer and the requirements of the authority.

Principles of Inclusive Design

There are several published versions of the principles on which inclusive design should be founded. Whilst most versions are similar, there are differences in emphasis within each.

The principles adopted by WAG, and endorsed by DCfW, are those issued by the Commission for Architecture and the Built Environment (CABE) in 2006.

These principles were developed following consultation with CABE’s Inclusive Environment Group which included representatives from several leading organisations including the Disability Rights Commission (DRC), the Disabled Persons Transport Advisory Committee (DPTAC) and the Design Commission for Wales (DCfW).
Appendix 4.0

Sources of Further Help and Guidance

Further guidance on design and access statements can be found on the following websites:

+ www.dcfw.org
+ www.new.wales.gov.uk

Some Selected Sources of Good Practice Guidance

The following list of good practice guidance is by no means exhaustive, but does identify where information and good guidance can be obtained.

Codes, Standards and Associated Legislation

+ Code for Lighting (2006), Society of Light and Lighting, Pub: Chartered Institute of Building Services Engineers (CIBSE), London. ISBN 7 1-903287-74-X
Publications


+ Bright, K.T., Cook, G.K. and Harris, J., (1997), ‘Colour, Contrast and Perception’, Published by The Research Group for Inclusive Environments at The University of Reading, Tel: 01189 316734.


+ DPTAC, (2003), ‘Inclusive Projects: a guide to best practice on preparing and delivering project briefs to secure access’, Department for Transport (free literature), PO Box 236, Wetherby, LS 23 7NB.

Design Commission for Wales


The DPTAC Access Directory.

The DPTAC Access Directory is a web-based facility, for use by anyone searching for access design guidance.

The database of information was developed, and is being regularly updated, by the Research Group for Inclusive Environments at The University of Reading as part of an ongoing commission funded by the Disabled Persons Transport Advisory Committee (DPTAC) – Built Environment Working Group.

The Directory is publicly available free of charge and searchable though the DPTAC website on www.dptac.gov.uk.

The Directory comprises a series of pull down menus in which users can search the database for design guidance on built, transport, urban and rural environments. As the Directory is regularly updated, it provides a valuable source of information on the latest design guidance available.
## Appendix 5.0

### Useful web sites

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<th>Website</th>
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<td>Access Association</td>
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<td>Building Standards Institution</td>
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<td>Chartered Institute of Building Services Engineers</td>
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Royal Association of Disability and Rehabilitation www.radar.org.uk
Royal Institute of British Architects (RIBA) www.ribafind.org
Royal Society of Architects in Wales (RSAW) www.architecture.com
Royal Institution of Chartered Surveyors (RICS) www.rics.org
Royal Institution of Chartered Surveyors Wales (RICS Wales) www.rics.org/wales
Royal National Institute for Blind People www.rnib.org.uk
Royal National Institute for Deaf People www.rnid.org.uk
Royal Town Planning Institute (RTPI) www.rtpi.org.uk
Royal Town Planning Institute Cymru www.rtpi.org.uk/rtpicymru
Sign Design Society www.signdesignsociety.co.uk
Ulster Environment and Heritage Service www.ehsni.gov.uk
Welsh Assembly Government www.new.wales.gov.uk