
WELSH STATUTORY INSTRUMENTS

2016 No. 59

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016

Amendments relating to design and access statements

9.—(1) For article 7 substitute—

“7.—(1) Subject to paragraph (2), paragraph (3) applies to an application for planning permission—

- (a) for major development;
- (b) where any part of the development is in a designated area, for 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) Paragraph (3) does not apply to—

- (a) a section 73 application;
- (b) an application for planning permission—
 - (i) for mining operations;
 - (ii) for a material change in use of the land or buildings; or
 - (iii) for waste development.

(3) An application for planning permission to which this paragraph applies must be accompanied by a statement (“a design and access statement”) which complies with paragraph (4).

(4) A design and access statement must—

- (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 or approach adopted as to access, and how policies relating to access in the development plan have been taken into account; and
- (d) explain how any specific issues which might affect access to the development have been addressed.

(5) In paragraph (1) “designated area” (“*ardal ddynodedig*”) means—

- (a) a conservation area⁽¹⁾; or

(1) “Conservation area” is defined in section 91 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9) as an area designated under section 69 of that Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (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) In article 8(1)(c) omit “or the access statement as the case may be”.
- (3) In article 22(3)(c) omit “or the access statement as the case may be”.

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