

## **When a Design and Access Statement is NOT required.**

**Following publication of the Town and Country Planning (General Development Procedure) Amendment England Order 2010, from 6 April 2010 Design and Access statements are not required for:**

- (a) permission to develop land without compliance with conditions previously attached (section 73 application).
- (b) engineering or mining operations;
- (c) a material change in the use of land or buildings;
- (d) development of an existing dwellinghouse or flat, or development within the curtilage of such a dwellinghouse or flat for any purpose incidental to the enjoyment of the dwellinghouse or flat as such, where no part of that dwellinghouse, flat or curtilage is within a designated area (**defined as a conservation area or a World Heritage Site**);
- (e) the extension of an existing building used for non-domestic purposes where the floor space created by the development does not exceed 100 square metres and where no part of the building or the development is within a designated area;
- (f) the erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure where—
  - (i) as a result of the development, the height of the gate, fence, wall or means of enclosure does not exceed its former height, or two metres above ground level, whichever is the greater; and
  - (ii) it does not involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building;and where no part of the development is within a designated area;
- (g) development on operational land consisting of the erection of a building where—
  - (i) the cubic content of the development does not exceed 100 cubic metres; and
  - (ii) as a result of the development, the height of the building does not exceed 15 metres above ground level, or its former height, whichever is the greater;and where no part of the development is within a designated area;
- (h) the alteration of an existing building where the alteration does not increase the size of the building and where no part of the building is within a designated area;
- (i) the erection, alteration or replacement of plant or machinery where, as a result of the development, the height of the plant or machinery does not exceed 15 metres above ground level, or its former height, whichever is the greater, and where no part of the development is within a designated area; or
- (j) development that is the subject of an application referred to in article 10B(1)(b). (**ie extensions to the time limits for implementing existing planning permissions**).