

Stating the obvious?



Access statements can form part of a submission under Part M to explain the approach taken when looking at access. There are, however, interrelated issues which might be overlooked, but which may have an impact on both the construction phase and subsequent operations and service delivery, writes Michele Lucarelli, NBS Technical Author and Architect

The consideration of a disabled person's needs required under Part M of the Building Regulations has been assimilated by the construction industry since 2000.

In May 2004 the focus of Part M changed to cover the needs of all people, including the permanently disabled, those with limited mobility, and others who might experience difficulties accessing facilities and services.

The function of the Access Statement (AS) cited in Approved Document M (AD M) is to illustrate that people are offered 'reasonable' access to buildings and their facilities. It may set out conformity with Part M of the Building Regulations by using a prescriptive approach as set out in AD M, or may detail other approaches, perhaps based on BS 8300 'Design of buildings and their approaches to meet the needs of disabled people' or other design or operational guidance obtained from validated research, specialist consultants, or technical advances.

Developing an acceptable AS can allow flexible conformity with Part M by promoting dialogue, setting out access design methodology and rationale - perhaps looking at alternative provision of facilities and services - and also gives the opportunity to record relevant site decisions. An AS is particularly useful when dealing with the constraints of historic environments, allowing innovative approaches to be explored

and recorded. Although the provision of such an access audit trail is useful to mitigate any potential claims under the Disability Discrimination Act (DDA), and also give guidance for those responsible for the building, it could be argued that the main benefit is to mainstream the issue of accessibility.

Access Statements have been a recommendation within Approved Document M since 2004, and yet to date they still create confusion.

Some of this can be attributed to the requirement to produce Design and Access Statements (DAS) for certain applications under planning law, effective in England from August 2006 (see DCLG Circular 01/2006 Guidance on Changes to the Development Control System) and in Wales from June 2007 (Welsh Statutory Instrument 2006 No. 3390 (W.310) The Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2006).

Ideally the statement for building control should be an evolution of the planning DAS rather than a stand-alone document. Care should be taken, though, if the statement needs alteration at the building control stage, as this can have an impact on the agreed planning DAS, both in terms of access and design. Planning DASs will be agreed with reference to strategies and policies set up by local authorities (e.g. Supplementary Planning Guidance generated by such things as: Local Development Frameworks; Disability Equality Duty; PPG15

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Sage Gateshead (below and top) won a LABC National Built in Quality Award for its forward-thinking approach to accessibility

Planning and the Historic Environment; etc.). These may impact on the detail design covered by Part M, particularly when looking at external areas. For example, although Part M does not apply to the extension or material alteration of a dwelling, planning DASs may exist for housing in historic or exceptional settings and commitments made therein should be borne in mind.

Interestingly, DAS requirements at planning approval stage may focus on access for disabled people, whereas Part M now focuses more broadly on accessibility for 'people'. Bizarre conflicts are conceivable, e.g. the installation of a platform lift designated for use by disabled persons serving an existing entrance may be acceptable under planning, but may fall foul of Part M as the lift may





Accessibility was high on the agenda in the refurbishment of Cadogan Hall in London

◀ not be suitable for use by others e.g. parents with small children. To date such anomalies have not been highlighted, but this may change over time.

There is no prescriptive format for design statements - they are project specific and their scale and depth should be appropriate to the complexity of the issues concerned. The Commission for Architecture and the Built Environment produce a document '*Design and access statements - how to write, read and use them,*' looking at statements principally for

planning application use. Useful guidance appropriate for Part M submission is given by the Disability Rights Commission's Access statements, covering design approach and statement content for full process, four-stage access statements, i.e. from inception to operation. The Centre for Accessible Environments also offers advice, and access groups and consultants are increasingly providing services. Meanwhile, as the system moves away from its infancy, local authorities are refining their expectations and

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are better able to express their requirements; building control authorities are developing their own criteria and may be looking for greater coverage for people who are not classed as disabled, yet have mobility issues e.g. those with small children, the frail elderly, etc.

In all instances, early, cross-party discussions are vital.