Inclusive Design and Placemaking

Supplementary Appendix to Kent Design Guide

Consultation Draft

22nd October 2010

Contents

1.0 Overview

1.1 *The Kent Challenge*

Addressing design issues with disabled people is becoming increasingly necessary. According to the Office for National Statistics in March 2009, nearly one in five people of working age (7 million, or 18.6%) in Great Britain have a disability. In Kent, this figure is lower, with 8,740 (1% of resident working age population) of people registered as disabled (NSO, May 2009).

However, when considered alongside the fact that the population of the UK is ageing, one can expect this figure to rise, and with the number of 'oldest old' (i.e. 75 yrs+) doubling over the last 25 years, it is clear that accessibility for all has to be given significant priority.

1.2 *Access for All is Essential*

The Equality Act 2010 sets out clear principles for the way in which public services should meet the needs of their customers, including disabled people. Specifically there is a duty to ensure that all reasonable measures have been taken to understand and accommodate their requirements inclusively and fairly.

Effective shaping of the public realm is a vital part of this process, providing opportunities for people to move around safely and independently. This guidance is essential to encourage professionals to consider access issues early on in the way they design and deliver their schemes - ensuring opportunities to improve access are not missed and 'think access' becomes second nature.

1.3 *Supporting the Kent Design Guide*

*Inclusive Design and Placemaking (*hereinafter Inclusive Design*)* supports the Kent Design Guide by providing specific detail and guidance on how to address *accessibility for all* in Kent's future built environment. As such, it should be read alongside the Kent Design Guide and its other technical appendices.

It acts as a reference point for developers and their landscape, urban design and planning consultants at an early stage in the planning process but is also a key reference tool for County, Unitary and District Authorities who are responsible for good quality design of the public realm (e.g. highways, parks, open spaces).

The guidance in this document applies specifically to the public realm, including arrival at a building or public space. It does not intend to deal with matters inside buildings that are covered under Building Regulations, nor restate existing highway and streetscape guidance. However, the relationship of the guidance to Manual for Streets versions 1 and 2 and other documentation that encourages a 'think access' approach is explicitly signposted.

For complete clarity the public realm is defined as '*public space between private buildings including pavements, streets, squares and parks' (Homes and Communities Agency 2010).* These spaces will normally be usable by the public either explicitly or permissively, including:

- Adopted Highways
- Public Rights of Way
- Spaces owned and maintained by local authorities as part of their own property portfolio, including civic spaces, parks, leisure facilities, housing estates, schools etc
- Private forecourts adjacent to adopted footways
- Privately managed spaces as part of 'public' facilities (e.g. shopping courtyards, access frontages to railway stations, car parks)

The guidance can facilitate how planners consider access issues early on in their pre-planning application discussions, and can help those determining planning applications to ensure proposed new developments meet specific design standards. *Inclusive Design* also provides links to relevant legislation, standards, guidance and best practice case studies, to ensure that a more comprehensive approach to accessibility is considered during the early stages of design and development.

1.4 *Scope of the Guidance*

Inclusive Design focuses on the public realm, spaces and environments outside of buildings. However, where local authorities and other agencies are planning to develop transport facilities, it will be expected to adhere to latest best practice and approved guidance on the design of passenger transport facilities (e.g. park and ride utility buildings, new rail stations, bus stops and shelters, taxi ranks).

The Kent Design Guide (KDG) was originally produced in 2005 and was adopted as Supplementary Planning Guidance to the Kent and Medway Structure Plan 2006 under policy QL1: *Quality of Development and Design*. With the demise of the Structure Plan, 10 of the 13 local authorities in Kent have subsequently endorsed the Kent Design Guide as Supplementary Guidance; retaining KDG's role as the county-wide design policy framework and platform for future design policy initiatives.

The Kent Design Guide covers all forms of development, identifying good design as something that supports the social, environmental and economic vitality of the community in creating vibrant attractive places that are both memorable and contribute to Kent's character.

Inclusive Design is in the form of professional guidance and therefore has to be read in conjunction with any existing planning guidance and commitments relating to issues such as crime prevention principles, listed buildings and conservation areas.

Therefore this *Inclusive Design* document focuses on:
- Access from the outside of buildings to the public highway
- Access within 'grounds' and site curtilages (e.g. school sites)
- Access within and to masterplan areas (i.e. large new developments)
- Parks/open spaces/public rights of way including connections to spaces maintained by other organisations (e.g. towpaths maintained by British Waterways)

- Public realm including town centres, civic squares, home zones, streetscape etc

1.5 *Achieving a Common Approach to Inclusive Design*

Inclusive Design therefore seeks to bring together public, private, community and voluntary sectors in achieving quality environments for Kent, whilst not stipulating rigid provision or solutions which may be impractical and over-costly to deliver. This document is a framework based on key principles allowing local solutions to be developed in specific sites.

How the guidance relates to existing planning and design processes
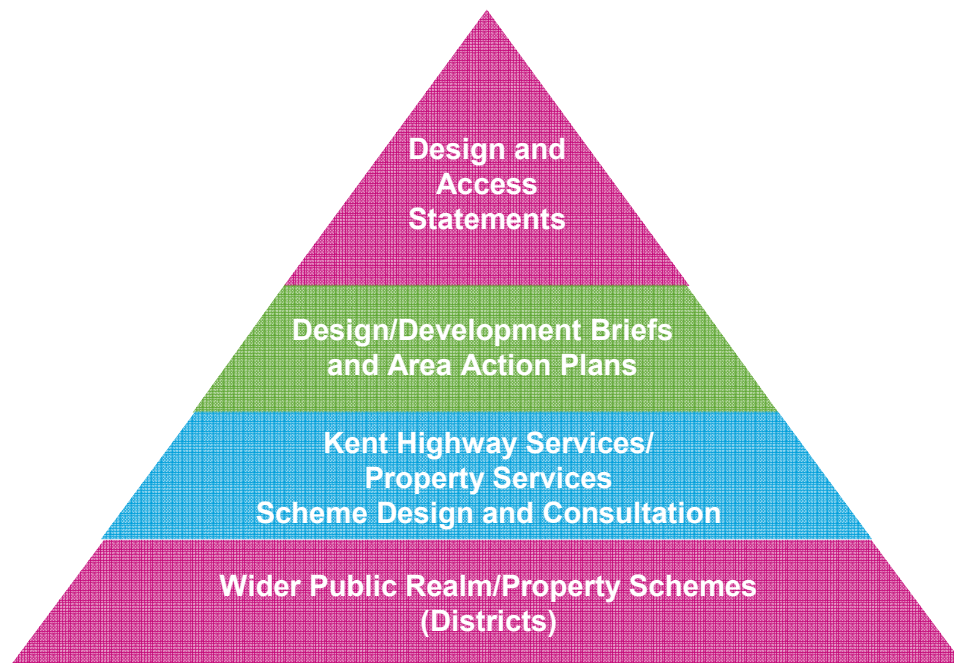
Whilst the guidance will be used to support planning application scrutiny and development management activities, it will also be applied to Kent County Council's own programme of highways, transport and public realm projects, applying the same standards and approach to inclusive design in the way KCC operates. This also applies in the case where KCC is the developer, e.g. for a new school or park and ride site. It is intended that this dual focus of the guidance will also be promoted by each of the Kent District Councils through their own internal practices.

Who the document will support:

The document is therefore designed to help the following stakeholders achieve consensus and a common approach to access within Kent's urban and rural areas:

Kent County Council:

- As the *highway authority* responsible for the streetscape and other publicly adopted space. This covers a wide range of activities from new traffic management schemes through to maintenance responsibilities and asset management.

- As the *transport authority* responsible for provision of socially necessary public transport services, and also design of new infrastructure in partnership with rail and bus operators.

- As a *property organisation* responsible for its own estate including acting as developer; this also includes any partnership

arrangements that KCC may have through a PFI or equivalent programme.

- As the *education authority* responsible for provision of school facilities, home to school transport and access to schools by sustainable modes of travel.

- As the *social services authority* responsible for social care.

- As the authority responsible for *countryside access and public rights of way.*

District Councils:

- As the *planning authorities* responsible for the Local Development Framework and other local policies.

- As the *planning authorities* responsible for development management and making planning decisions on new development proposals including the negotiation of developer contributions.

- As the authorities responsible for *parks, open spaces, recreation and other green infrastructure.*

- As holders of *property portfolios* of land and public buildings where the Councils will also act as developer.

- As *town centre managers* and owners of other shared public spaces.

- As the authority responsible for *community safety.*

Developers:

- As *applicants for planning pe*rmission for new development proposals where access issues should be addressed early in the planning process including building design, the overall site, and its relationship and connectivity with the surrounding area.

Town/Parish Councils:

- As *key local stakeholders, landowners and statutory consultees on planning applications,* to respond effectively on access issues

within their local communities and present this in a consistent and transparent manner.

Access Groups:

- *As key* stakeholders who can provide helpful insight and intelligence into both pre-existing access issues and those associated with planning applications and new highways/transport projects.

Community Support Sector:

- As providers of further *enabling support* and advice to local groups and organisations to gather, collate and present key access issues e.g. Royal Town Planning Institute Planning Aid.

Statutory Consultees:

- Such as the Highways Agency, English Heritage and other organisations who will benefit from a consistent and transparent approach to public realm access in Kent, thus enabling a common platform for engagement.

1.6 *A Shared Challenge – A Shared Solution*

Inclusive Design sets out a *common approach* to understanding development access solutions. At its heart is early engagement and participation not just from specific disability groups, but from wider community stakeholders that have an interest in placemaking in their local communities.

As part of early consultation on major developments or highway schemes, the intention will be to engage with the local access group where one is already in place. Where there is no specific access group available, this guidance actively encourages district councils to facilitate local voluntary action. Commitment to re-forming local access groups has already been evident.

Where new development occurs with no existing population to consult, it is particularly important to source an 'access for all' perspective. In these circumstances, it would be advisable to call upon regional or national access bodies to give an independent view.
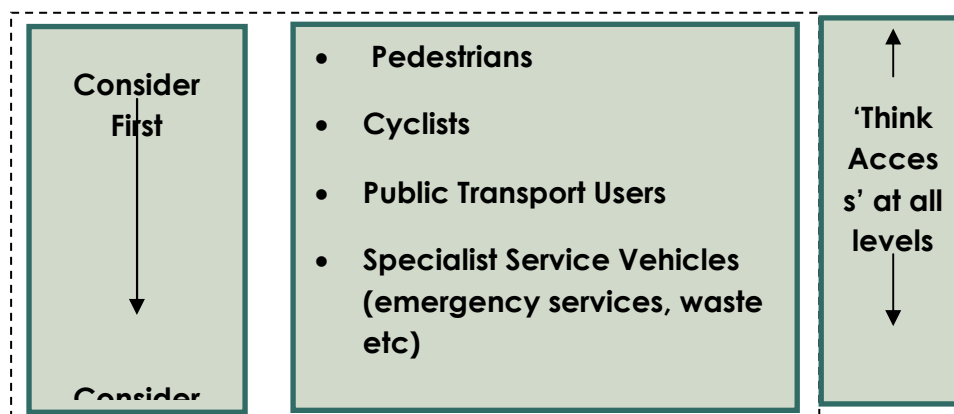
1.7 *Inclusive Design and Placemaking*

It is vital that this explicit linkage between inclusive design and how it supports wider placemaking objectives is fully understood and appreciated. The guidance is concerned with making the public realm accessible to everyone and is not targeted solely at disabled people.

For example, when a route to a railway station is being improved, existing and potential user needs should be considered. This would equally cover issues of safe access and waiting areas for women, alongside the level of physical accessibility of the scheme. There is already helpful best practice in place on wider gender access issues such as TfL Women's Action Plan which tackles gender inequality in the travel environment.

Ensuring that the pedestrian environment is 'accessible to all' is not only critical to meeting the access needs of individual disabled people, but contributes towards social inclusion and quality of life to a much wider section of the population. There is an explicit link between Department for Transport (DfT) and Communities' latest thinking on sustainable transport and the need to ensure walking and cycling feature highly within developers' solutions.

Both Manual for Streets (2007 and 2010) and Guidance for Building Sustainable Transport Infrastructure into New Developments (2008) by necessity rely heavily on an inclusive design approach, and one which places the pedestrian environment at the top of the access hierarchy. See below for diagram.

Manual for Streets 1 – Street User Hierarchy (Adapted)

Consider First ↓ Consider	• Pedestrians • Cyclists • Public Transport Users • Specialist Service Vehicles (emergency services, waste etc)	↑ 'Think Access' at all levels ↓

The physical improvements packaged together for Equality Act purposes will also support other sustainable transport mechanisms such as travel plans and other smarter travel interventions designed to reduce car use.

1.8 *Providing Stakeholders with Key Tools*

This guidance signposts key documentation on the Equality Act 2010 and 'access for all' that enables a more detailed understanding of the reasons for inclusive design.

1.9 *Access Audit Toolkit*

In order to provide a consistent approach to inclusive design, Kent County Council have produced a *Public Realm Access Audit* toolkit to help stakeholders engage and assess access issues early in the design and planning process. This is signposted later in the guidance, but will provide an easy to use tool that local authorities, consultants, developers and community groups can use.

1.10 *Equalities Impact Assessment*

KCC recognise the importance of the EIA process to the development of the guidance. To date, consultation has been on the basis of informal engagement and workshops. An EIA will be produced (in Winter 2010) as part of the formal consultation process.

2.0   Equality Act and Inclusive Design Guidance

2.1 *The Importance of the Equality Act 2010*

The most recent legislation covering responsibilities towards disabled people is continued in the Equality Act 2010. The main difference between the previous Disability Discrimination Acts and this Act is that it covers much wider strands of equality, including age, sex, sexual orientation, gender re-alignment, pregnancy and maternity, marriage/civil partnerships, race, and religion or belief alongside disability characteristics.

This changes the landscape in which disability equality sits and many of the specific issues outlined in the DDA have now been widened more universally. This means that both direct and indirect forms of discrimination need to be avoided (See Equality Act Sections 13, 14, 15 and 19).

The key clause for public sector organisations is Section 149 which sets out their duties. Briefly, there is a requirement to actively support all the groups mentioned above, but in terms of disabled people this certainly would include improvements to the accessibility of the public realm. The focus of Section 149 is that public bodies should eliminate discrimination in the way they carry out their work, and take positive action to advance equality. There are also provisions in the Act to allow disabled people to be treated more favourably in certain circumstances.

The Equality Act consolidates much of the existing equalities legislation and superseded the DDA as of the 1st October 2010.

2.2 *Disability Discrimination Act (DDA)*

The Disability Discrimination Act (DDA Parts 3 & 5: 1995/2005) and subsequent Disability Equality Duty (DED: 2006) gave disabled people important rights not to be discriminated against. This included the areas of transport and highways, and access to everyday goods and services such as civic buildings, shops, cafes, banks and places of worship.

The concept of inclusive design has emerged to counteract potential discrimination in the area of access to goods and services, by focusing on an approach to designing buildings and public spaces that are accessible to all.

The new 2010 legislation makes it even more important for professionals to actively look for opportunities to positively enhance public spaces, so that they are easily usable by all sectors of society. However in order to keep the scope of this guidance well-defined, and to ensure that it maintains its role as a *planning* document, the focus has been on physical accessibility and legibility.

All of the legislative requirements point to the value of early consultation and participation in projects, as part of a *'think access'* approach to place making.

3.0   The Planning and Transport Policy Context

3.1 *The Planning Status of the Inclusive Design Guidance*

Inclusive Design will ultimately be adopted by Kent County Council as Supplementary Planning Guidance to the Kent Design Guide (2005). Planning Policy Statement 12 (PPS12) gives local authorities the ability to adopt a document prepared in accordance with plan making regulations as a Supplementary Planning Document (SPD) which would form part of that authority's Local Development Framework (LDF). However in order to adopt an SPD, the authority must already have in place an adopted higher tier policy 'hook' in its LDF.

Where a higher tier policy is not in place, PPS 12 explains that local authorities can endorse a document prepared by a government agency, regional body or a County Council as supplementary guidance. Unlike an SPD, supplementary guidance does not form part of the LDF but is supplementary to it. Nevertheless, provided the document has undergone the requisite community engagement (and equalities/ sustainability appraisals where required) it can be endorsed by a local authority and given the weight equivalent to an SPD in any decision making process. This would include decisions on individual planning applications, masterplan applications, Area Action Plans, and Conservation Area designations.

The Kent Design Guide, which has either been adopted or endorsed by a number of Kent Districts and Medway Council, is supported by the *'Strategy for Community Involvement for the Kent Design Guide'* and the *'Sustainability Appraisal of the Kent Design Guide'*. Both the consultation document and sustainability appraisal comply with the requirements of the 2004 Town and County Planning Act and Regulations.

Inclusive Design will undergo the same disciplines and consultation for SPDs as set out in the Regulations (Town and County Planning [Local Development] [England] Regulation 2004 as amended 2008 and 2009) and will be capable of adoption or endorsement by local authorities as a supplement to the Kent Design Guide, in addition to its status as professional guidance supported by the Equality Act 2010.

There are also a number of national policy and guidance sources which support inclusive design generally and advocate practical ways in which the public realm can be enhanced, particularly for disabled people and other pedestrians. These are set out in Appendix 1 for reference, where it is explained why these policy tools are important for inclusive design.

4.0   Principles of Inclusive Design

A truly inclusive society demands an environment in which a diverse population can exist harmoniously and where everyone, regardless of disability, age or gender, ethnicity or other circumstances, can participate equally and independently, with choice and dignity. The design and management of the whole range of buildings, spaces, and places are a fundamental part of this.

An important principle that underpins recent legislation and work on producing an inclusive society has been the wider application of the "Social Model of Disability". The social model views everyone as equal and demonstrates that society itself can create physical, institutional, and relational barriers that prevent people participating and restricts their right to access. The key role of inclusive design thinking is to ensure professionals actively look for opportunities to improve accessibility and consider the needs of disabled people at scoping stage.

CABE (2006) describe inclusive design as 'making places everyone can use'. In their guidance document, entitled *Principles of Inclusive Design* (2006), CABE note that by 'designing and managing the built environment inclusively, the frustration and hardship experienced by many…..can be overcome (2006: iii).' Five principles set by CABE are deemed vital towards achieving this objective, and are broken down as follows:

Principles of Inclusive Design
  1. Placing people at the heart of the design process – through extensive stakeholder consultation right at the start of the thinking process.
  2. Acknowledging diversity and difference – good design can only be achieved if the environment created meets as many people's needs as possible.
  3. Offering choice – where a single design solution cannot accommodate all users, applying the same high design standards should enable the access requirements of all users to be met.
  4. Providing flexibility in use – places need to be designed so they can adapt to

changing uses and demands.

5. Providing buildings and environments that are convenient and enjoyable to use for everyone – involves considering roads, walkways, building entrances, signage, lighting, visual contrast, materials.

5.0 KCC Inclusive Design Guidance

5.1 *Sound Principles*

The principles above provide an important starting point for addressing inclusive design in the built environment. They should be used in assessing planning applications and in drawing up masterplans and area planning frameworks, as well as in the scoping of highways and traffic management schemes.

5.2 *Planning Applications and Masterplans*

Local Authorities must also require most new development proposals to include a Design and Access Statement, showing how the principles of inclusive design, including the specific needs of disabled people, have been integrated into the proposed development, and how inclusion will be maintained and managed. Linked to this, they should also show how 'secured by design' principles have been integrated into new schemes.

5.3 *Highways and Traffic Management*

Unlike new development proposals (with the exception of change of use or renovation schemes), much of KCC's highways activity is based on existing streetscape. In these circumstances, the full potential for applying 'access for all' principles should be investigated, but it must be noted that retrofitting cannot always result in a 100% accessible environment.

Whilst KCC already carry out a Customer Impact Assessment which includes equalities issues as a part of the appraisal. Should specific issues arise, a disability impact assessment may also be required where KCC as a public body are adopting a highway scheme. This would also extend to Section 278 works and Section 106 funded schemes. This is to ensure that the scheme will not worsen the situation and/or ensure that 'advancement of opportunity' (S.149 Equality Act) occurs.

These principles and the guidance below should be adopted by all responsible for changing or managing the built or highways environment.

KCC Inclusive Design Guidance

Local Authorities should integrate and adopt the principles of inclusive design so that public realm spaces, schemes and new developments:

- *Can be used safely, independently, easily and with dignity by all regardless of disability, age, gender, ethnicity or other circumstances.*

- *Are convenient and welcoming with no barriers, so everyone can use them independently without undue effort or separation.*

- *Are flexible and responsive to taking account of what different people say they need and want, so people can use them in different ways.*

- *Are planned in a way that encourages active community participation, particularly from disability/access groups.*

- *Are realistic, offering more than one solution to help balance everyone's needs, recognising that one solution may not work for all.*

The expectation is that the principal guidance above can be applied at different layers within the local authority's planning activities i.e.

- **Level 1 - Local Development Framework (LDF)**
  Ensuring the principles of inclusive design are recognised within the high level strategy and objectives of each LDF in Kent

- **Level 2 - Area Action Plan (AAP)**
  Ensuring that the principles of inclusive design are captured in terms of general access principles and access 'design codes' within AAP documentation

- **Level 3 - Masterplan level**
  Ensuring that connectivity principles, layout, street functionality/hierarchy, land use zoning and access to play and open space are built around an inclusive design approach. This may also include a strategic access audit which looks at a number of pedestrian routes connecting into the area

- **Level 4 - Outline planning application for major development**
  Ensuring all masterplan principles are adhered to, including an access audit for assessing the connections beyond the red line boundary of the site. This should be linked to the Transport Assessment, Travel Plan and Section 106 agreement

- **Level 5 - Detailed planning application for major, minor and other development**
  Ensuring a full access appraisal including costing is carried out for Section 106 purposes. The detail and scale of the audit will depend on size and type of development

This hierarchical approach can equally be applied to the Council's transport and highways activities, ranging from Local Transport Plan 3 through to town centre traffic schemes and localised improvements.

5.4 *Conservation and Design Quality*

Whilst inclusive design is a primary objective of any development or streetscape scheme, it is appreciated that there are other policies and drivers associated with the conservation of specific buildings and their setting, and the preservation and enhancement of wider locations through Conservation Area designations.

The provision of an 'access for all' approach does not need to preclude high quality design solutions. However, careful consideration should be given to the design rationale early in the scoping and planning process, so that 'competing demands' can be managed and stakeholder discussions facilitated. Attention to materials palette, long term maintenance and problems associated with a disconnected streetscape environment need to be tackled early in discussions.

In line with Manual for Streets 2, there is scope to develop a phased approach to streetscape improvements, without needing to deliver complex or expensive

solutions. For example, decluttering pavements and removing surplus railings and signs can give an area a strong 'lift' in character, and also make it more accessible. Moving to a full design solution may only be needed in certain sensitive locations. TfL's graded approach to streetscape design supports this.

6.0   KCC Access Audit Tool

6.1 *Introducing KCC Access Audit Guidelines*

In order to provide a consistent and universal approach to public realm access auditing, KCC's Access Audit Toolkit is suitable for scheme engineers, developers and their consultants to follow when appraising a location prior to a scheme design or as part of preparation of a planning application. This ensures that key access issues are flagged up early and addressed as part of the scheme or application process. The audit guidance will stand alone as a separate toolkit, which will be available to download from www.kent.gov.uk in due course.

The access audit guidelines have been developed through best practice and continual improvement over a number of years and tested in several locations across the UK (Gloucester, Cheltenham, Bath, Bristol, Carlisle, Essex and East Sussex) with success.

The audit process is therefore suitable for a number of applications i.e.

- Auditing a streetscape prior to preliminary and detailed scheme design to ensure that all access 'failures' and opportunities are properly recorded and explained to the design team. Through this process, a large number of access issues can be 'designed out' at no extra cost. This avoids the risk and cost of remedial action later on in the implementation process, and to futureproof schemes from both consultation and installation/maintainability angles

- Auditing a series of key pedestrian routes to ensure that all future development affecting the route contribute 'fairly and reasonably' to their improvement under the provisions of Circular 05/05 (Planning Obligations)

- Assessing pedestrian routes on a town wide basis to inform Area Action Plan and Local Transport Plan activities

- Auditing specific routes that connect to a particular development proposal, to be presented as an Annex to the Transport Assessment and linked to the Travel Plan in relation to walking accessibility and the target level of reduction of car trips anticipated. This applies to public developments (e.g. schools) and to private developments and guidance given on the need for the assessment at pre-application stage. Each case will be assessed on its own merits, as overall scale or class of development is not the principal reasons for invoking an access audit e.g.

    - Change of use of a residence to form a doctors or dentists would require an assessment because of the customer base likely to need access

    - Adding a mezzanine floor within a retail store (internal) would not need an access audit unless extra customers were generated

    - A masterplan for a new shopping centre would require full assessment to provide connectivity

- Setting out a rolling programme of audits for critical locations in Kent, in line with emerging LTP3 priorities. This would ensure the necessary intelligence is collected and processed prior to scheme development and that social inclusion and accessibility issues are identified early in the process

In all cases the remedial works can be prioritised and then costed according to KCC's standard schedule of works. An important part of the audit process is the accurate recording of barriers and obstacles in the streetscape, including existing clearance widths to ensure the extent of remedial works are properly recorded. The information can be recorded digitally or manually, and then translated into the appropriate format (i.e. GIS).

The pricing can be used to support business cases and collaborative funding assembly. It can also be used to justify negotiated Section 106 contributions where the pedestrian linkages are particularly important to the viability of the development scheme and the target levels of sustainable travel use from the site.

The costing tool will also help evaluate the cost/benefits of enhancing an existing scheme with 'top up funding' to remove a more substantial number of barriers. For example, in Essex, the access audit processes for Chelmsford and Loughton led to the development of scheme solutions that could remove over 90% of the access issues, by making the scheme engineers fully aware of the specific items early in the design process.

As part of the access guidelines, there are signposts of 'Do's and Don'ts that point out frequent mistakes and pitfalls made in the design process and how to avoid them. There is already in place a training programme associated with the access audit tool which draws on wider best practice, and in particular, shows instances where the access audit approach has assisted with:

- Early support from developers and their consultants
- Section 106 negotiations, prioritising measures that will bring most benefit for the local community
- Making the transport case for development easier and more acceptable
- Supporting major urban extension applications and smaller scale developments
- Planning Appeal evidence and Common Ground
- Community level audits
- Supporting town centre Area Action Plans
- Town centre civic and public realm schemes
- Improving linkages from employment areas to public transport facilities
- Safer Routes to School Audits
- Preliminary and detailed design of highway schemes, removing many DDA barriers as part of the scheme proposals

7.0   Signposting: Legislation

The Equality Act 2010

http://www.equalities.gov.uk/equality_act_2010.aspx

The Equality Act 2010 is a new act bringing together and extending all the previous equality laws. It replaces older discrimination and equality impacts, such as the Disability Discrimination Act, Race Relations Act, and Sex Discrimination Act and consolidates these provisions – alongside new one – in the new Act. Some provisions came into force on the 1st October 2010, with more to come in operation from April 2011.

Although the Acts cover may forms of discrimination, Section 15 specifically covers discrimination arising from disability – which means that disabled people have specific rights to not be treated unfavourably. As most issues of poor design of the public realm have a greater effect on people with physical impairment, this is why *Inclusive Design* focuses on this group.

Section 13 of the Act also states that in relation to disability that it is not discrimination to treat a disabled person more favourably than a person who is not disabled.

The Disability Discrimination Act (1995/2005) (now repealed by the Equality Act as of 1/10/10)

http://www.direct.gov.uk/en/DisabledPeople/RightsAndObligations/DisabilityRights/DG_4001068

The DDA contained duties to make reasonable adjustments to physical features of premises in certain circumstances.

The Disability Equality Duty (2006) (now repealed by the Equality Act as of 1/10/10)

http://www.direct.gov.uk/en/DisabledPeople/RightsAndObligations/DisabilityRights/DG_10038105

The DED represents an opportunity for the public sector to address the inequalities that disabled people face in their day-to-day lives and their chances for the future. This has been rolled forward into the Equality Act via Section 149 in particular

Public bodies had a statutory duty to produce a Disability Equality Scheme (DES) which is a framework that assists authorities to plan, deliver, and report on activities which they undertake to ensure that they comply with the DED. Local Authorities still have a duty to ensure that they have clear audit trails and to act conscientiously within the Equality Act.

Part M of the Building Regulations (2004): Access to and Use of Buildings

www.planningportal.gov.uk/england/professionals/buildingregs/technical guidance/bcapproveddocumentslist/

This Approved Document deals with the requirements of Part M of Schedule 1 to the Building Regulations 2000 (as amended). The most relevant Section is entitled *'Access to and Use of Buildings Other Than Dwellings'*. Approved documents are intended to provide guidance for some of the more common building situations. The guidance, technical details and diagrams that follow in Part M cover the areas of approach paths, car parking, access steps, handrails and entranceways.

8.0   Signposting: General Design Guidance

British Standard BS8300:2009 - Design of buildings and their approaches to meet the needs of disabled users (2009)

http://www.ihsti.com/tempimg/5F34176-CIS888614800288303.pdf

BS8300:2009 explains how the built environment can be designed to anticipate, and overcome, restrictions that prevent disabled people making full use of premises and their surroundings. It makes recommendations for car-parking provision, setting-down points and garaging, access to and around all buildings, and entrances to and interiors of new buildings.

CABE: Civilised Streets (2008)

http://staging.cabedb.precedenthost.co.uk/publications/civilised-streets

Civilised Streets looks at different design approaches and at notions of street safety. It explores recent discussions on shared space and explains the many benefits of the recent change in thinking away from the car and towards the pedestrian, with a focus on creating streets that work for all.

CABE: Inclusion by Design - Equality, Diversity and Built Environment (2008)

http://www.cabe.org.uk/files/inclusion-by-design.pdf

Inclusion by Design addresses the wider issues of design and social inclusion, beyond the more traditional definitions of "access".

CABE: Living with Risk: Promoting Better Public Space Design (2007)

http://www.cabe.org.uk/files/living-with-risk-full.pdf

Living with Risk explores views from national organisations concerned with risk and public spaces, while 10 case studies of public space schemes help establish how consideration of risk impacts of the design process and the implications for the choices of clients, professionals and the public.

CABE: The Principles of Inclusive Design: They Include You (2006)

http://www.cabe.org.uk/files/the-principles-of-inclusive-design.pdf

The Principles of Inclusive Design sets out 5 key principles at the heart of inclusive design. This guide sets out the principles of inclusive design to create places that everyone can use.

Centre for Accessible Environments – Designing for Accessibility (2004)

http://www.cae.org.uk/publications_list.html

Designing for Accessibility contains a good introduction explaining Part M, Approved Document M, BS8300, Access Statements and the Disability Discrimination Act 1995. It also uses diagrams and technical data to highlight how inclusive design can be facilitated in external environments.

English Heritage: Easy Access to Historic Landscapes

http://www.english-heritage.org.uk/publications/easy-access-historic-landscapes/

English Heritage: Easy Access to Historic Buildings (2004)

http://www.english-heritage.org.uk/publications/easy-access-to-historic-buildings/

Easy Access to Historic Buildings offers advice on how to develop a framework in which the requirements of each property, and the needs of its users, can be assessed and an access strategy agreed. The guidelines are intended for those who own, manage or occupy historic buildings in England, and who, under the service provider, employer and education provisions of the DDA, have particular responsibilities towards disabled people. The guidelines also extend to those who

will be professionally involved in planning alterations to historic buildings or in advising on alternative forms of service provision.

Guide Dogs: Inclusive Streets: Design Principles for blind and partially sighted people

http://www.guidedogs.org.uk/index.php?id=134

Commissioned and produced by Guide Dogs on behalf of Action for blind people, Association of Visually Impaired Office Staff, Deafblind UK, Joint Committee on Mobility of Blind and Partially Sighted People, NALSVI, National Federation of the Blind UK, RNIB, Sense and The Access Association with a foreword by the Equality and Human Rights Commission. This document sets out the key design principles for the provision of inclusive accessible street environments whether in traditional streets or in a shared space design.

Papworth Trust: Guide to Developing Inclusive Communities - A 12 step guide to planning, designing and managing communities which are inclusive for disabled people (2008)

http://www.papworth.org.uk/downloads/FINAL%20Guide%20to%20Developing%20Inclusive%20Communities%20Mar%2008.pdf

RNIB and Sign Design Society Publication – Sign Design Guide – A Guide to Inclusive Signage

www.rnib.org/uk/shop/Pages/Category.aspx?Category=access_inclusion_publications

The Sign Design Guide is published jointly by the Sign Design Society and the Royal National Institute of Blind People (RNIB). It focuses on making environments accessible to everyone and addresses the concept of inclusive signage. It provides clear guidance on producing signs and other wayfinding information.

Planning and Access for Disabled People – A Good Practice Guide ODPM (2003)

http://www.communities.gov.uk/publications/planningandbuilding/planningaccess

This document offers a number of good practice points to inform the reader on how best to facilitate disabled people in the planning and design process.

ODPM (2004) Safer Places – The Planning System and Crime Prevention

http://www.securedbydesign.com/pdfs/safer_places.pdf

Sport England: Accessible Sports Facilities (2010)

http://www.sportengland.org

This recently updated guidance note addresses the requirement to provide disabled people with full access to all sports facilities. It indicates what reasonable provision in a modern sport facility is, and provides checklists for use in conjunction with access audits and an audit methodology.

The Countryside Agency: Paths Without Prejudice (2001)

http://www.naturalengland.org.uk/

This best practice guidance provides information aimed at improving countryside paths, trails and routes that to make them suitable for users of all ages and abilities. *Paths Without Prejudice* is designed to assist Highways Authorities when deciding upon what steps they will be taking to comply with the duties of service providers within the Disability Discrimination Act 1995.

The Countryside Agency: Sense and Accessibility (2000)

http://www.naturalengland.org.uk/

Sense and Accessibility provides guidance to land managers in rural settings for improving access to people with mobility impairments.

Play England – Better Places to Play through Planning

www.playengland.org.uk

This deals with universal design principles for children's play space and ensures provision is inclusive and integrated. This is particularly important to local authorities receiving Play Pathfinder and play Builder funding for new and refreshed play provision.

9.0   Signposting: Highways and Transport Guidance

DfT Inclusive Mobility – A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (2003)

http://www.dft.gov.uk/transportforyou/access/peti/inclusivemobility?page=1

Inclusive Mobility provides guidance on established best practice in a general sense, which relevant organisations can apply to their particular situations. The document includes information and diagrams on best practice for footways, footpaths, pedestrian areas, tactile paving surfaces, car parking, transport related access guidance, i.e. Taxi stops, bus stops, transport related buildings etc. The DfT's Manual for Streets references this document in a section entitled Street Users' Needs.

DfT Manual for Streets (2007)

http://www.dft.gov.uk/pgr/sustainable/manforstreets/mfssummary.pdf

Manual for Streets provides guidance for practitioners involved in the planning, design, provision and approval of new residential streets, and modifications to existing ones. The importance of inclusive design is addressed in Chapters 1 & 6 and emphasises throw consideration of access for all issues is an opportunity for enhanced design solutions rather than a 'compliance' regime. The DED principles are also supported through the Manual for Streets approach.

Manual for Streets 2 (2010)

www.ciht.org.uk

Manual for Streets 2 - Wider Application of the Principles is the result of collaborative working between the Department for Transport and the transportation industry. Since streets and roads make up around three-quarters of all public space – their design, appearance, and the way they function have a huge impact on the quality of people's lives.

The aim of the document is to extend the advantages of good design set out in Manual for Streets 1 (2007) to cover streets and roads outside residential areas and to provide an environment that improves the quality of life. By rethinking the way High Streets and non-trunk roads are designed, the fabric of public spaces and the way people behave can be changed. It means embracing a new approach to design and breaking away from inflexible standards and traditional engineering solutions.

The new guide does not supersede Manual for Streets; rather it explains how the principles of the first document can be applied more widely. The guide further integrates the fundamentals of "Link and Place", allowing designers to set the right design strategy for the particular nuances of busier streets. It also outlines a process to deliver the Governments new de-cluttering agenda which will go a long way to creating barrier-free environments.

DfT/CLG Good Practice Guidelines: Delivering Travel Plans through the Planning System (2009)

www.dft.gov.uk/pgr/sustainable/travelplans/tpp/

This document sets out in detail how travel plans should be developed to accompany planning applications, and the importance of introducing the travel plan early on in the scoping and pre-application stages.

The guidelines also stress the need for the necessary infrastructure (including walking/cycling networks and access to public transport) to be scoped out as part of the travel plan process, so the necessary support infrastructure is in place to enable people to use sustainable transport alternatives.

This approach supports the allocation of the access audit tool, as it helps to identify, plan and priorities those 'easy access' routes which are vital to site connectivity and safe and independent access.

DfT Shared Space Project: Stage 1 Appraisal of Shared Space (Nov 2009)

http://www.dft.gov.uk/pgr/sustainable/sharedsapce/stage1/pdf/stage1.pdf

This report has been prepared by the DfT as an early output from their Shared Space programme. Designed to develop evidence based guidance on shared space and its application, the research includes analysis of those schemes which feature a level surface without kerbs.

DfT Building Sustainable Transport Infrastructure into New Developments (2008)
www.dft.gov.uk/pgr/sustainable

Whilst these guidelines were originally written to focus on Eco-towns and Growth Points they contain a number of key design principles which are useful for any larger scale development proposal or urban extension situation. Given the growth planned for the South East, and particularly in Kent towns such as Ashford, this document clearly encourages both local authorities and developers to fully consider the 'menu' of sustainable transport options early on in the planning process.

The guidance explains how Growth Points and Eco-towns should therefore foster an ethos of green travel from the outset by integrating sustainable travel choices into their planning and design process. In order to influence travel behaviour it is imperative that the future needs of a community are considered and captured through good quality planning before infrastructure is put in place. Opportunities must be taken within the planning process to make cycling; walking and public transport the modes of choice. Theses modes must be made more convenient for the majority of journeys than car usage, in order to promote genuine modal shift.

Planning, buildings, streets and disability equality (Disability Rights Commission, 2006)
www.dotheduty.org/sectoral-guidance.asp

A guide to the Disability Equality Duty and Disability Discrimination Act 2005 for local authority departments responsible for planning, design and management of the built environment and streets.

Inclusive Projects (**Disabled Persons Transport Advisory Committee, 2003)**

http://dptac.independent.gov.uk/pubs/inclusive/guide/02.htm

This stresses the need to commit to and integrate inclusive design principles when planning and implementing projects.

Planning and Access for Disabled People (Office of the Deputy Prime Minister, 2003)

www.communities.gov.uk/publications/planningandbuilding/planningaccess

This defines an inclusive environment as one that can be used by everyone regardless of age, gender or disability.

Providing for Journeys on Foot (2000)

www.ciht.org.uk

The guidance outlines best practice in planning and providing for pedestrians. The document outlines how to plan and implement walking measures as part of a wider integrated transport strategy.

DfT Guidance on the use of Tactile Paving Surfaces (2005)

http://www.dft.gov.uk/adobepdf/259428/tactilepavement

For blind and partially sighted people. The document covers key design principals for information surfaces, guidance paths, warning surfaces, pedestrian crossings etc. This document also uses diagrams and measurements to make the content more understandable.

DfT Pedestrian Guard-railing (April 2009)

http://www.dft.gov.uk/pgr/roads/tpm/ltnotes/ltn209pedestrian.pdf

This Local Transport Note provides guidance that local authorities may choose to adopt, including a description of the development of policy guidance on guard-railing and an assessment procedure for the evaluation of the need for the installation or removal of pedestrian guard-railing, particularly at pedestrian crossings and road junctions.

10.0   Signposting: Access Statement Guidance

CABE: Design and Access Statements: How to write, read and use them (2006)
http://www.cabe.org.uk/files/design-and-access-statements.pdf
Explains what design and access statements are and how they work with both detailed and outline planning applications. This document also shows people who are writing statements what to include, and outlines how local authority planners and councillors and anyone else considering a planning application can use statements to check if the proposal is good enough to approve.

Design and Access Statements - Issued through CLG Circular 01/2006: Guidance on Changes to the Development Control System
http://www.communities.gov.uk/documents/planningandbuilding/pdf/144854.pdf
This document provides guidance on changes to the DC system introduced by the Planning and Compulsory Purchase Act 2004. A design and access statement must accompany planning applications for both outline and full planning permissions. Amongst other things, an access statement should provide information on any consultation undertaken in relation to issues of access and how the outcome of this consultation has informed the development proposals. This should include, for example, a brief explanation of the applicant's policy and approach to access, with particular reference to the inclusion of disabled people, and a description of how the sources of advice on design and accessibility and technical issues will be, or have been followed.

Design and Access Statements: the Access element - Planning Advisory Service (PAS): http://www.pas.gov.uk/aio/39119

11.0 Signposting: Case Studies

In order to support local authority officers, developers, consultants and community groups we plan to produce a series a case study 'proformas' to show what can be achieved and lessons learnt. This will not form part of the formal guidance but will be 'living' tool.

This is not designed to duplicate existing national best practice sources (e.g. CABE, CAE) but designed to bring a Kent focus to the case studies

At this stage it is planned that the case studies will cover:

- A major town centre economy and public realm scheme
- A tourism-led strategic access scheme
- A major housing scheme/urban extension
- A town centre traffic management/urban improvement scheme
- A residential-based traffic management programme
- A Safer Routes to School/community walking route
- A public right of way enhancement
- A new school development
- A retail development
- A public transport interchange scheme
- An improvement scheme to a park/open space, potentially including a new play area

12.0 Signposting: Training and Development

As part of the development of Inclusive Design KCC have held a stakeholder workshop as part of the engagement process

The workshop (Sept 2010) involved a number of stakeholders who have a 'technical' interest in the guidelines and will be used as a screening process to establish the user-friendliness of the documents and the access audit process to professionals who will need to use the tool. Key disability groups, access organisations and umbrella community groups are being included in this round of consultations

It is intended to run dissemination training events for local authority staff, developers and their consultants to ensure there is consistent application of the guidelines, particularly across KCC's own scheme programme and through the planning application process. The running of a simplified programme for Parish Councils, Access Groups and other community organisations is also being considered.

There are also a number of existing training and development opportunities available to planners, engineers, architects and other professionals involved in 'placemaking'. Whilst this guidance cannot recommend one particular source of training, the Centre for Accessible Environments website provides a helpful portal through which training can be accessed. Go to www.cae.org.uk for more information.

13.0 Key Organisations & Sources of Further Information

Access Association
http://www.access-association.org.uk

Centre for Accessible Environments
http:ww.cae.org.uk

Chartered Institution of Highways and Transportation
http://www.ciht.org.uk

Commission for Architecture and the Built Environment (CABE)
http://www.cabe.org.uk/
Tel: 020 7070 6700, Fax: 020 7070 6777

Department for Communities (formerly DCLG)
http://www.communities.gov.uk/corporate/

Department for Transport
http://www.dft.gov.uk
Tel: 020 7944 8300, Fax: 020 7944 9643

Equality and Human Rights Commission (EHRC)
http://www.equalityhumanrights.com/
0845 604 6610

Disabled Passengers Transport Advisory Committee (DPTAC)
http://www.dptac.independent.gov.uk

Tel: 020 7944 8011, Textphone: 020 7944 3277, Fax: 020 7944 6998
E-mail: dptac@dft.gsi.gov.uk, Website: www.dptac.gov.uk

Design Council
http://www.designcouncil.org.uk/

English Heritage

http://www.english-heritage.org.uk/

Guide Dogs

http://www.guidedogs.org.uk

Highways Agency

http://www.highways.gov.uk/

Institution of Civil Engineers

http://www.ice.org.uk

Institute of Highways Engineers

http://www.ihie.org.uk/

National Federation of Shopmobility

http://www.shopmobilityuk.org

National Register of Access Consultants (NRAC)

http:/www.nrac.org.uk

Royal Association for Disability and Rehabilitation (RADAR)

http:/www.radar.org.uk

Royal National Institute for Blind People (RNIB) including RNIB Access Consultancy
Services

www.rnib.org.uk

Royal National Institute for Deaf People (RNID)

http://www.rnid.org.uk

Royal National Institute for the Blind (RNIB)

htpp://www.rnib.org.uk

Royal Town Planning Institute

www.rtpi.org.uk

Town and Country Planning Association (TCPA)

http://www.tcpa.org.uk/

www.dotheduty.org

www.direct.gov.uk/en/DisabledPeople/RightsAndObligations/DisabilityRights/

www.equalityhumanrights.com/

14.0 References

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Department for Transport (2007), Manual for Streets.

Disability Rights Commission (2005), The Disability Equality Duty and Disability Discrimination Act for Local Authority Departments Responsible for Planning, Design and Management of the Built Environment and Streets.

Disability Rights Commission (2006), The Disability Equality Duty: *Guidance on gathering and analysing evidence to inform action.*

Government of the South East (2009), The South East Plan: *Regional Spatial Strategy for the South East of England*.

Greater London Authority (2008), The London Plan: *Spatial Development Strategy for Greater London-Consolidated with Alterations since 2004*.

Kent Association of Local Authorities (2005), Kent Design Guide: *A Guide to Sustainable Development.*

Kent County Council statistics on disability in Kent

https://www.nomisweb.co.uk/reports/lmp/la/1967128594/report.aspx

Office of the Deputy Prime Minister (2003), Planning and Access for Disabled People: *A Good Practice Guide*.

Office for National Statistics (June, 2009), Labour Force Study.
https://www.nomisweb.co.uk/reports/lmp/la/1967128594/report.aspx

Office for National Statistics (May, 2009) Population Estimates
http://www.statistics.gov.uk/cci/nugget.asp?ID=6

Transport from London

(www.tfl.gov.uk)

Transport for London, Women's Action Plan

http://www.tfl.gov.uk/static/corporate/media/newscentre/archive/4345.html

Equality Act 2010

www.equalities.gov.uk

ODPM (2004) Safer Places – The Planning System and Crime Prevention

http://www.securedbydesign.com/pdfs/safer_places.pdf

APPENDIX 1: Summary of Relevant National Planning and Transport Policy

Planning Policy Statement 1 (PPS1) 'Delivering Sustainable Development' (2005)

PPS 1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. Paragraph 13 of PPS1 sets out a number of key principles that are to be applied to ensure development plans and development management decisions contribute to the delivery of sustainable development.

One of the key principles states that planning policies should promote high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact not just for the short term but over the lifetime of the development.

PPS 1 also states that development plans should contain clear, comprehensive and inclusive access policies in terms of both location and external physical access. Such policies should consider people's diverse needs and aim to break down unnecessary barriers and exclusions in a manner that benefits the entire community. An example of this is that through designing out of crime, new communities will be safer and engender community cohesion and integration.

Planning Policy Statement 3 (PPS3) 'Housing' (2006)

Reflecting advice given in PPS1, PPS3 advocates that good design should contribute positively to making places better for people. It is advised that design policies should be aimed at creating places, streets and spaces which meet the needs of people, are accessible, safe, inclusive, functional, visually attractive, have their own distinctive identity and maintain and improve local character.

Planning Policy Statement 4 (PPS4) 'Planning for Sustainable Economic Development' (2009)

PPS4 states that Local Planning Authorities should assess planning applications for economic development against a number of impact considerations, including, whether a proposal secures high quality and inclusive design, which takes opportunities available for improving the character and quality of the area and the way it functions.

This supersedes PPS6 which focused on retailing and town centres.

Planning Policy 5 (PPS5) 'Planning for the Historic Environment' (2010)

PPS5 is concerned with those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest, which are termed 'heritage assets'. This statement also covers heritage assets that are not designated but which are of heritage interest and are thus a material planning consideration.

If a site is considered to have potential to include heritage assets, PPS5 requires developers to provide an assessment of the impact of the proposal in the planning application for the site (within the design and access statement when this is required). This will form part of the

Planning Policy Statement 12 (PPS12) 'Local Development Frameworks' (2008)

Advice in PPS12 states that in preparing local development documents, local planning authorities must include policies on design and access. Furthermore, PPS12 encourages development that is well-designed and responds to the local physical, social and economic context, as well as being safe, clean, attractive and accessible for all users.

Planning Policy Guidance Note 13 (PPG13) 'Transport'

PPG13's primary objectives are to integrate planning and transport at the national, regional, strategic and local level as well as to promote more sustainable modes of transport (for both carrying people and moving freight).

The guidance outlines that when managing development local authorities should look to promote sustainable modes of travel by ensuring that people can access key areas and services by walking and cycling and public transport. It also highlights that major travel generators should look to be developed close to major public transport interchanges and that that the needs of disabled people as pedestrians are fully accounted for. It specifically outlines that quick, easy and safe interchange is essential to integration between different modes of transport.

The document also outlines that in the design of individual developments community safety and road safety are paramount. It emphasises that a key planning objective is to ensure that jobs, shopping, leisure facilities and services are accessible by public transport, walking, and cycling particularly in relation to promoting social inclusion.

Planning Policy Guidance Note 17 (PPG17) 'Planning for Open Space Sport and Recreation' (1991) and Consultation Draft 'Planning and the Natural Environment' (2010)

PPG17 advises that in looking to improve existing open space and facilities, local authorities should encourage better accessibility of existing open spaces and sports and recreational facilities, taking account of the mobility needs of the local population. Also, in identifying where to locate new areas of open space, and sports and recreational facilities, local authorities should promote access by walking, cycling and public transport, and ensure that facilities are accessible for disabled people.

The latest consultation focusing on the natural environment and green infrastructure, emphasises that sustainable development is the core principle underpinning planning. Specifically the document outlines that planning should:

- Conserve and enhance the natural environment;

- Minimise vulnerability of places, people and wildlife to the impacts of climate change;

- Deliver safe and attractive places to live including ensuring that open spaces, green infrastructure, sports and recreation spaces are safely and easily accessible by walking, cycling or public transport.

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