



Planning and Building Standards Advice Note

inclusive design



inclusive design creates environments that can be used by everyone, regardless of age, gender or disability



inclusive design

creates environments that can be used by everyone

Planning series:

- › **Scottish Planning Policies (SPPs)** provide statements of Scottish Executive policy on nationally important land use and other planning matters, supported where appropriate by a locational framework.
- › **Circulars**, which also provide statements of Scottish Executive policy, contain guidance on policy implementation through legislative or procedural change.
- › **Planning Advice Notes (PANs)** provide advice on good practice and other relevant information.

Statements of Scottish Executive policy contained in SPPs and Circulars may be material considerations to be taken into account in development plan preparation and development management.

Existing National Planning Policy Guidelines (NPPGs) have continued relevance to decision making, until such time as they are replaced by a SPP. The term SPP should be interpreted as including NPPGs.

Statements of Scottish Executive location-specific planning policy, for example the West Edinburgh Planning Framework, have the same status in decision making as SPPs.



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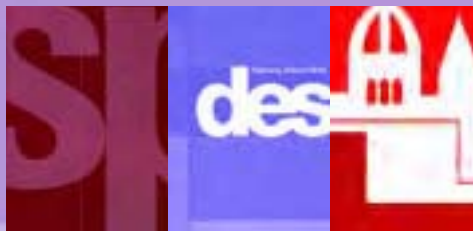
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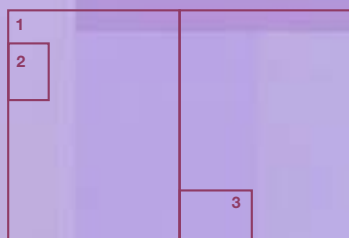
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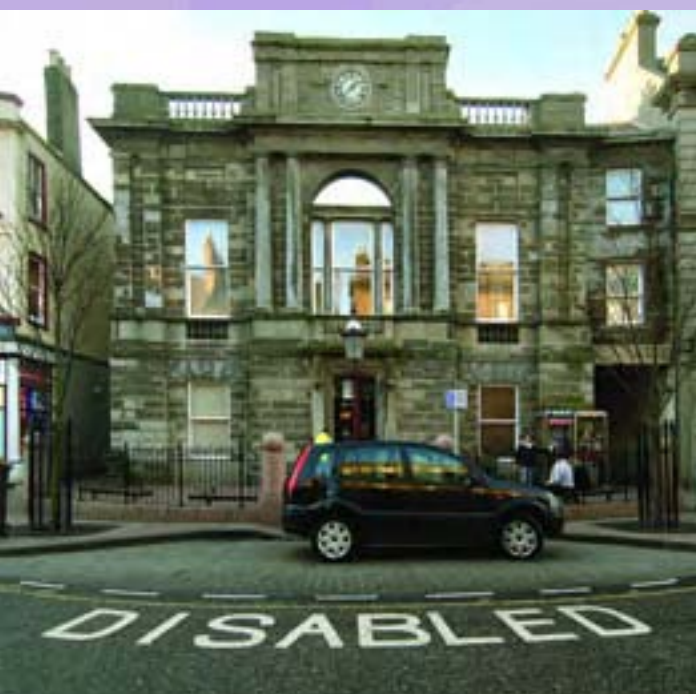


Introduction

Designing Places, published in November 2001, sets out the Scottish Executive's expectations of the Planning system to deliver high standards of design in development and redevelopment projects. The design based Planning Advice Note (PAN) series, which has followed on and complemented Designing Places, has built up a range of advice on good practice. This PAN forms part of the series and looks at how to improve the design of places so that they can be used by everyone.



1&2: Good vertical circulation, The Lighthouse, Glasgow
3: Disabled parking, Arbroath town centre, Angus



An inclusive environment is one which can be used by everyone - regardless of age, gender or disability. This supports the Executive's aim of promoting more equality in the areas where we live and work. The objective of inclusive design therefore, is to widen the user group that an environment is designed for. To achieve this, everyone involved in creating places, must understand how to design for this wider user group. This PAN is intended to assist in achieving this. It aims to:

- Explain the importance of inclusive design.
- Identify the nature of the problems experienced in designing inclusive environments.
- Describe the legislative context.
- Outline the roles of the different stakeholders in delivering inclusive design.
- Identify the particular challenges of applying inclusive design to the historic environment.
- Provide a useful reference list of more detailed or technical advice.

In addition to creating more inclusive environments, which can be used by all, there is a specific legal requirement to consider the needs of disabled people under the terms of Disability Discrimination legislation. Under the Disability Discrimination Act 2005 (DDA), public bodies, including local authorities, will have a new duty to actively promote disability equality. The promotion of inclusive design should be seen as an important part of meeting this new duty.

This PAN is targeted at a wide range of people who are involved in the development process and who have the opportunity to create and maintain inclusive environments. This includes building owners, developers, design professionals, local authority officers, access panels and, importantly, building occupiers.

This PAN is a joint publication between the Scottish Building Standards Agency and the Planning Division of the Scottish Executive Development Department.

What is inclusive design?

Inclusive design is not just about buildings. It applies to both the internal and external environment where people take part in everyday activities, including shops, offices, hospitals, leisure facilities, parks and the street. Public spaces have an important role to play as they link all parts of the built environment together. The overall composite design of building and spaces is therefore key to enabling many people to carry out everyday activities.

This PAN considers the inclusive design of all types of buildings and spaces in general. While it is acknowledged that it is not always possible to design a housing development where all houses are inclusive, the expectation is that housing developers should embrace inclusive design principles when planning developments.

By considering people's diversity, inclusive design seeks to provide an environment which addresses our varying needs. In this way it can break down barriers and remove exclusion. It is accepted, however, that inclusive design will not always be able to meet every need.

There are a number of key drivers which require design to be more inclusive. These include an ageing population; a growing awareness of the need to bring disabled people into the mainstream of society and growing anti-discrimination legislation.

Inclusive design should be seen as a continuous process - from the initial concept, the design brief or master plan, through to the detailed design; the planning and building standards approval processes; onto construction and the operation of the finished building. Each of these stages should be an inclusive process in themselves, involving potential users, including disabled people where possible.



an inclusive environment

is one which can be used by everybody – regardless of age, gender or disability.



- 3 Glass Room
 - 2 Main Hall Gallery
 - 1 Main Hall
- toilets
- 
- 

Why is the built environment often not inclusive?

Poorly designed buildings can create unnecessary barriers resulting in frustration, hardship and sometimes, complete exclusion for a significant proportion of our society, such as disabled people, older people and children.

Some of the circumstances which may lead to planning permission being granted for buildings that have not been designed with inclusive design principles in mind include:

- ▶ Development plans which contain few, if any, requirements relating to inclusive design. As a result, planning officers and applicants may overlook the need to achieve inclusive environments.
- ▶ Many planning officers have a general lack of awareness of the law, and doubts over the respective roles of planning and building standards in promoting inclusive design. This is because many have had little or no formal training on access issues.
- ▶ Even where inclusive design has been considered, it is often specific to the building and does not include links with the surrounding public spaces and wider built environment. As a result, accessible buildings are sometimes located in inaccessible places.

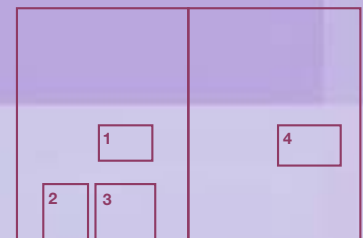
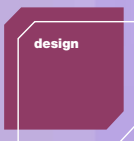
The need to follow inclusive design principles should not be seen as reducing a developer's or designer's choice. The varying needs of people should be considered as an integral part of the design process.

It is also important that the needs of specific groups of people, whatever their age or sex, are considered too. For example, by placing washbasins in public toilets at a height that can be used by children, and providing accessible baby changing facilities.

This PAN provides advice on how to tackle some of these issues and improve the opportunities for creating more inclusive environments.



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1: Broomielaw, Glasgow

2, 3 & 4: Accessibility inside and outside at the Hub, Edinburgh



The legislative context

Changes to legislation mean that several equality related duties have been, or will be, placed on the public sector. While inclusive design helps create environments that can be used by everyone, the greatest potential impact will be on disabled people. Disability Discrimination legislation is therefore the most relevant in terms of inclusive design.

Disability Discrimination Duties

The Disability Discrimination Act (DDA) 2005 amends the DDA 1995 to place a duty on all public authorities to promote disability equality. This means that public authorities, including local authorities and the Scottish Executive, must, in carrying out their functions, have due regard to the need to eliminate discrimination and harassment that is unlawful under the DDA. They must also promote equality of opportunity between disabled people and non-disabled people, and take steps to take account of disabled people's needs, even where that involves treating disabled people more favourably than non-disabled people.

This latter requirement goes further than preventing discrimination or treating disabled people on equal terms; it requires that active steps must be taken to remove the barriers that disabled people experience in their daily lives. The Scottish Executive and local authorities will be required to produce Disability Equality Schemes (DES) by December 2006 explaining how they are addressing such issues. The requirement for a DES means, for example, that staff within local authority planning, roads and building standards departments will have to monitor and assess the effect their policies and practices have on disabled people, or the likely impact of their proposed policies and practices.

Given the significant barriers faced by disabled people accessing the built environment, and the subsequent problems this creates for them in accessing housing, transport, leisure, education and employment, it is likely that development planning policies will be influenced by the duty. For further information on the DDA 2005 visit www.drc-gb.org/scotland.



Current planning policy and advice

There is currently limited national planning policy or advice relating to inclusive design issues. However, Scottish Planning Policy 1 (SPP) The Planning System encourages the promotion of social justice so that the needs of all communities and interests can be taken account of.

The Executive has published Scottish Planning Policy 17 and Planning Advice Note 75 (PAN) both entitled Planning for Transport. This SPP states that equality obligations should be taken into account in planning developments in relation to their accessibility to different users by different means of transport. It asks that particular attention be paid to socially excluded groups, and to accessibility to areas of social deprivation.

In addition, PAN 68: Design Statements, makes reference to accessibility in its broadest sense in the list of issues which should be explained within such a statement. These statements can be submitted in support of a planning application to set out the design principles that determined the layout and explain why the design solution adopted is the most suitable.

Proposals in planning legislation highlight the Executive's intention to require an access statement for certain types of buildings to which the public has access. The statement will contain details of how issues relating to access to the development for the disabled have been dealt with. These will be useful tools to assist planners in their decision making and ensure that the best possible solution for creating an inclusive environment has been developed. Guidance on the contents of an access statement will be provided once the Planning Bill has completed its Parliamentary process.

Building Standards

The primary purpose of the building standards system in Scotland is to secure the health, safety, welfare and convenience of people in or around buildings. In addition to this, it also addresses issues of energy efficiency, sustainability and the accessibility of buildings. Compliance with the Scottish building standards is a statutory requirement when carrying out building work to almost all building types.

Building standards aim to provide safe and usable buildings which support the aims of legislation such as the DDA. This is recognised in the Building (Scotland) Regulations 2004, where the requirement to provide for convenient and unassisted access is established within the building standards.

The Scottish Building Standards Agency issues Technical Handbooks to support the statutory regulations and functional standards of the system. These Handbooks give detailed guidance on complying with the mandatory functional standards of the regulations. Details of these publications are provided in the Annex.

It is important for designers to recognise that the guidance given is the minimum to comply with the functional standard and that this may not always equate to recognised good practice for accessibility and the provision of fully inclusive environments. This is explained within the Technical Handbooks and further reference is made to sources of good practice, such as the British Standard, BS 8300: 2001.

Building standards do not cover all issues that may require to be addressed in relation to user amenity and a building owner's duty under Disability Discrimination legislation. For example, issues such as signage, visual contrast, lighting and door ironmongery are not subject to building standards.

A review of the building standards that relate to accessibility and use of buildings is in progress with the intent of updating standards and guidance to better recognise recommended good practice. This is planned to come into force in May 2007.

Designers and developers should be aware of the relationship between planning and building standards legislation and what elements of a design proposal are covered by each. For example, building standards are generally applicable within the curtilage of a single building whereas planning legislation will address the wider issues of a development site, including provision of access roads and footpaths.

It is important too that access to buildings and their environments is considered at the inception of a project and carried through the various statutory permissions to deliver an inclusive environment.

Following inclusive design principles and considering good practice over and above the minimum statutory standards will help ensure that a building is designed to meet the needs of building users and, where relevant, an occupier's legal duties.



Who has a role in implementing inclusive design?

The creation of an inclusive environment involves contributions from a range of practitioners including planning officers, architects, urban designers, engineers, building standards officers, access consultants, facilities managers, the occupier and end users. They all have a part to play in ensuring that developments are designed, built and operated in line with inclusive principles. The simplest way to achieve these principles is to ask the questions:

“Will the way in which this is designed, constructed or managed create an inconvenience, barrier to use, or hazard, to any portion of the population? If so, how can I reasonably amend proposals to eliminate this?”

Roles and Responsibilities

The roles of those involved in the development process in ensuring inclusive design are set out below in more detail.

Planning authority

Local authorities should be committed to securing high quality design in the built environment. They can do this through development planning and development management.

Development planning

Development Plans can support better access and more inclusive environments through general policy statements on achieving good quality design. Specific requirements for particular uses or sites can be set out in supporting guidance documents. The preparation of design manuals can help to improve consistency in designing inclusive environments, both in shaping proposals from individuals and businesses, and to influence the management of councils' land and property portfolios, which include large areas of public space.

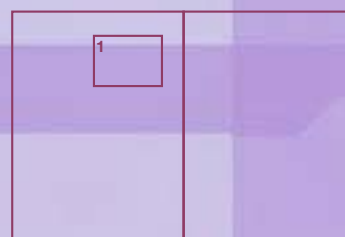


Development management

Local authorities perform a wide variety of statutory functions encompassing transport, planning, development management and listed building consents, road construction consent and building warrants. These related issues are often considered independently, or sequentially. As a result, the potential for a joined-up approach to inclusive design by different local authority departments can sometimes be missed.

Also, accessibility has traditionally been seen as a building standards matter, to be addressed once planning permission has been granted, and is often not considered at the planning application stage. It is good practice to encourage discussion at the earliest opportunity between all parties involved in development management - planning, building standards and roads. Officials and councillors should be encouraged to work together more closely to deliver a consistent approach to inclusive design.

Local authorities should aim to train officers on how to deliver inclusive environments and seek effective communication between the various functions throughout the development process. The relationship between planning and building standards departments will be particularly important.



Owner or developer

Successful design must start with the person initiating a project being aware of the responsibilities for, and benefits of, this issue. The aim should be to consider an inclusive design strategy at the earliest possible opportunity to avoid leaving such issues to be picked up during the building standards process, or even later than that.

The following provides a number of principles to help guide developers in delivering inclusive schemes:

- ▶ Understand the fundamentals of inclusive design and be aware of the social and commercial benefits. These will not be limited to the design of the development and will include, for example, the location of the building on the plot, gradient, topography, relationship to adjoining buildings and the local transport infrastructure.
- ▶ Adopt a policy that requires inclusive design to be part of the brief to the designer or architect.
- ▶ Consider appointing an access specialist if your designer lacks the necessary knowledge or experience.
- ▶ Liaise with the relevant statutory authorities as early as possible and be prepared to amend designs, as required, to address issues raised. This role could also be undertaken by the designer.
- ▶ Ensure the application of inclusive design principles throughout the construction phases.
- ▶ Think about how the completed environment will be used and managed. Many barriers can be overcome by identifying operational issues at an early stage in the design.

Designer

Designers are responsible for creating environments for people to use and enjoy. It is therefore important that a designer understands and communicates the benefits of inclusive design, and works with the client to establish a brief that allows for the eventual design to be inclusive.

If in doubt, designers should consider seeking advice from an access expert, from local access panels and from talking to potential users.

Designers should consider using an access statement to identify how their proposal will address inclusive design issues. This would go wider than the access statements proposed in planning legislation that consider access issues for disabled people to certain types of public buildings.

An access statement should evolve throughout the design and construction process, beginning as an access strategy where aspirational, but achievable, aims are set for the project. This would develop into a final document which is handed over to the owner of the building or public space. This access statement can act as an agenda for an ongoing dialogue between all stakeholders. It can help to ensure that inclusive design issues are given due consideration along with all other demands made on a development, providing an audit trail of issues, assessments and actions. The exact form of an access statement will depend on the size, nature and complexity of the development.

Information from an access statement could contribute to any planning application. Similarly, within the building warrant process, relevant information extracted from an access statement could be provided to support solutions that do not follow published guidance on compliance with building standards.

Information on the ethos behind access statements and advice on their production and use is available on the Disability Rights Commission (DRC) website and is noted in the Annex.

Access consultant

Access consultants must have a detailed technical knowledge and understanding of the diverse and sometimes conflicting needs of disabled people within environments - from people with sensory and cognitive impairments to people with mobility impairments, including wheelchair users. To give balanced recommendations an access consultant must also have an appreciation of other user needs including children and older people. An understanding of construction and design is also important in order to understand the other demands on the design of a development.

Ideally, a person with this role should be involved from the beginning of the design process but even a review prior to the commencement of detailed design can help to enhance the development. No matter what the scale of the project, someone involved with the design of the project should champion inclusive design

issues, reviewing the proposal at key stages to ensure that aims are being met.

Access officer

Access officers exist within most of the 32 Scottish local authorities. In the majority of cases, the appointed officer's primary role is one of Building Standards Inspector.

The duties of an access officer may vary between authorities. In some cases, the access officer may only be concerned with the accessibility of the council's own buildings. However, the officer will be normally involved with building warrant applications, or the review of larger planning applications, as well as being in a position to give general advice to the public on such matters.

Those authorities which do not have an access officer should be encouraged to create such a post within the planning or building standards teams as a 'champion' for access issues within the authority.

It is important to note that the role of access officer differs from that of a building standards officer who can only verify a design against set criteria given by the building regulations.

Access panel

Voluntary Access Panels offer their knowledge and experience to improve access to the built environment. Most panels see their primary role as being a point of contact between council officers with responsibility for development management and disabled people with expertise, acquired through day-to-day experience, of confronting barriers. Access Panels are a useful source to consult on a design, as they are able to give advice based on personal experience and local knowledge.

Access Panels work in different ways and have different levels of experience and technical expertise. In all cases the membership of volunteers includes people with mobility impairments. Most panels include people with hearing or visual impairments. However, only a small minority of panels have members with learning difficulties or who use mental health services.

The Scottish Disability Equality Forum (SDEF) also provides an umbrella body for Access Panels. It is working to establish new Panels with local authorities and local disabled people where currently no panel exists. It is possible to identify the panels in your area from the SDEF online directory at www.sdef.org.uk

Occupier or operator

Through legislation such as the DDA, occupiers and building operators have been made increasingly aware of new duties imposed upon them but not necessarily of the need for inclusive environments. Tenants and property buyers are now becoming more aware of their legal obligations, both as employers and service providers, to consider physical alteration of a building as one element in making reasonable adjustments to prevent discrimination against disabled people.

During the acquisition or rental of a building, accessibility should be a key consideration when making a decision on the appropriateness of premises. The existing levels of access and the potential cost of improving access are amongst factors that should be carefully considered.

In meeting their DDA obligations, how well an occupier manages their buildings and the public spaces within their control can be just as important as how the physical environment was designed.

Inclusive design and cultural heritage

Alterations

Ensuring the accessibility of existing buildings, particularly those whose built form is of cultural or historic significance, can often give rise to conflicting requirements.

It is recognised that the cultural or historic significance of a building or structure is a relevant factor in determining reasonableness under the terms of the DDA. Preservation of the character of a building may be a valid reason for not making certain physical adjustments to remove barriers to access. This does not mean a building cannot be altered in a sensitive fashion, or prevent the owner or operator of such a building circumventing barriers through appropriate policies, practices and procedures. Historic Scotland will support imaginative proposals which complement the special character of historic buildings and improve access for everyone.

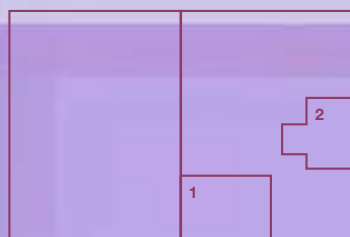
Scottish Ministers seek to ensure that the special interest of historic buildings and ancient monuments is protected. In the case of listed buildings, an active reuse is desirable through a process of managed change. The long-term management of scheduled ancient monuments is similarly desirable, although their nature may mean that there is less flexibility.

Planning authorities can designate parts of the area within their jurisdiction as conservation areas by reason of their special architectural or historic interest. The purpose of this is to preserve or enhance the character or appearance of such areas and the spaces between them. Therefore, care also needs to be taken regarding changes to the streetscape.

Improving access

The special architectural and/or historic importance of listed buildings, conservation areas and scheduled ancient monuments may mean that a balance has to be struck between accessibility and the preservation of the structure and its interest. However, with careful thought, sensitive solutions to provide appropriate access can almost always be found.

In a small number of cases, the form of the physical barriers to access may contribute significantly to the cultural and historic importance of a building to the extent that their removal or alteration will be inappropriate. If the preferred access option is not possible, every effort should be made to find an acceptable alternative. Although works that could be removed at a later date without damage to the historic fabric are often desirable, reversibility must not be used to justify development which relates poorly to the building.



1: Electronic doors, Queens Gallery, Edinburgh
2: Accessible interior & paths, Urquhart Castle, Highlands

Conclusion

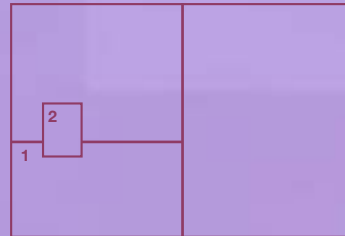
Inclusive design creates environments which can be used by everyone, regardless of age, gender or disability. It is key to creating sustainable environments which meet the needs and expectations of people in twenty-first-century society. This is as much an issue for public spaces as it is for buildings.

A diverse range of people have a role to play in delivering inclusive environments – including the built form and the spaces in between. This Planning Advice Note sets out the roles of those instrumental in delivering more inclusive environments - from developers to designers, local authorities to Access Panels. It encourages the consideration of inclusive design at an early stage in the design process, and seeks to ensure effective joint working between those involved to ensure that developments provide the most appropriate environments for all users.

design

access

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1&2: Gallery of Modern Art, Edinburgh







Annex

Information & Organisations

1. Information

The purpose of this section is to provide an introduction to the information and resources that are available to all parties involved in developing the built environment.

Disability Legislation

- ▶ Information on rights and responsibilities under Disability Discrimination legislation can be found at www.direct.gov.uk/DisabledPeople/RightsAndObligations/fs/en
- ▶ The Disability Rights Commission's Code of Practice: Rights of Access-Goods, Facilities, Services and Premises is available at: www.drcgb.org/publicationsandreports/publicationdetails.asp?id=223§ion=0&all=1
- ▶ More information about the Disability Equality Duty can be found at: www.drc-gb.org/thelaw/publicsectordutycode.asp

Technical

▶ Scottish Executive planning documents

The Scottish Executive publishes a wide range of policy and advice relating to the workings of the Scottish planning system. Such documents are available free of charge from the Executive's website at <http://www.scotland.gov.uk/planning>. Some planning publications may be available in hard copy. Please contact the Scottish Executive Planning Division on 08457 741 741

▶ Scottish Building Standards Agency Technical Handbooks – guidance on compliance with Scottish building standards

Relevant when applying for a building warrant, or carrying out other work that is subject to the building standards, the Domestic and Non-domestic Technical Handbooks are the principal reference sources for compliance with the Building (Scotland) Regulations 2004. These give the functional standards that a building must meet to comply with building regulations and offer guidance, citing the most common means of meeting these standards.

The documents are divided into seven sections, with accessibility issues being addressed within Section 4 (Safety), Section 3 (Environment) and Section 2 (Fire). A revision of standards relating to accessibility and use of buildings is being planned for May 2007.

These documents, and a range of other helpful publications, are available to download from the Agency website at www.sbsa.gov.uk.

▶ British Standards Institute (2001) "BS8300: 2001 Design of buildings and their approaches to meet the needs of disabled people – Code of practice"

This publication should be a key reference for anyone considering the needs of disabled people when designing new buildings, or altering existing ones. The document considers the design of buildings and the spaces surrounding them up to the site boundary. The recommendations in this standard are based on user trials and validated desk top studies which formed part of a research project commissioned in 1997 and 2001 by the Department of the Environment, Transport and the Regions. The document was last revised in June 2005. This is available at a charge from the British Standards Institute www.bsonline.bsi-global.com

