

Accessibility to Buildings

APPENDIX 3



MALDON
DISTRICT
LOCAL
DEVELOPMENT
FRAMEWORK

ADOPTED
SUPPLEMENTARY
PLANNING
DOCUMENT
(SPD)

DECEMBER 2006



MALDON DISTRICT
COUNCIL

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Accessibility to Buildings**Contents**

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Introduction 1

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1 Introduction

- 1.1** It is a strategic objective of the Maldon District Replacement Local Plan to create a sustainable and accessible environment in which living, working and leisure encourages pride in the District, recognising its important historic qualities. (Objective Svii).
- 1.2** The Local Plan requires that all new development should include access for disabled people i.e:

Policy BE2: Inclusive Access and Accessibility

Development where access by people with disabilities is necessary must incorporate the following features:

- a. Car parking specifically designed and allocated close to the entrance of the building in accordance with the adopted standards;
- b. Access from the car park and other access routes to the entrance of the building designed for use by people with disabilities, including wheelchair users;
- c. The layout of any associated street furniture suitable for use by people with disabilities;
- d. Facilities that take into account the needs of people with disabilities for transport to and from the site.

- 1.3** The purpose of this Supplementary Planning Document (SPD) is to encourage all parties involved in the planning and development process to recognise the benefits of, and bring about, inclusive design to ensure that no individual or group is disadvantaged by our built environment.
- 1.4** The Local Plan contains a number of statements and policies which seek to ensure that Maldon has accessibility at the forefront of its considerations. Development in Maldon is also governed by detailed Regulations made under the Building Act 1984 and there is a wide range of advice and recommendations in BS 8300:2001 *"Design of Buildings and their approaches to meet the needs of disabled people – Code of practice."*
- 1.5** This SPD builds upon the Local Plan policies and makes reference to those detailed documents but it does not seek to repeat their content. It seeks to ensure that anyone carrying out development in the District is aware of the aims of the Council to achieve an inclusive environment. It sets out the procedures adopted by the Council to ensure that all development proposals are considered from the outset with accessibility in mind and focuses on the role of developers and the Council in ensuring that our built and natural environment is accessible to all who live in, work in or visit the Maldon District.

1 Introduction

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- 1.6** The initial draft of this SPD was the subject of an informal consultation with the local access group as listed in Appendix 1. The SPD was then the subject of a formal consultation and the representations received from the consultation document and the Council's response to them are set out in Appendices 2 and 3. The SPD has also been the subject of a Sustainability Appraisal, see Appendix 4.

Status of this Supplementary Planning Document 2

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2 Status of this Supplementary Planning Document

- 2.1** Planning Policy Statement 12: *Local Development Frameworks* (PPS 12) indicates that supplementary planning documents (SPDs) form part of the planning framework for an area. PPS 12 indicates that SPDs may be thematic and may expand policy or provide further detail to policies in a development plan document.
- 2.2** This SPD accords with those purposes and:
- is consistent with national and regional policies and the policies within the development plan;
 - is clearly cross referenced to the saved policy in the adopted Local Plan which it supplements;
 - will be reviewed on a regular basis;
 - was prepared through a transparent process and a statement of community involvement was published with it.
- 2.3** For these reasons this SPD conforms with the guidance for the preparation of SPD as set out in PPS 12 and therefore it will be afforded significant weight in the determination of planning applications.

3 Policy Context

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3 Policy Context

National Policy

- 3.1** Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1) underpins all national planning policy. At paragraph 16 it states that development plans should promote development that creates socially inclusive communities and that plan policies should address accessibility (both in terms of location and physical access) for all members of the community to jobs, health, housing, education, shops, leisure and community facilities. It goes on to indicate that planning policies should take into account the needs of all of the community including particular requirements relating to, amongst other things, age and disability.
- 3.2** More specific national policy guidance can be found in Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs) on Housing, Town Centres, Transport, The Historic Environment, Open Space, Sport and Recreation and Flooding.
- 3.3** In addition to the policies in PPGs and PPSs in March 2003 the Office of the Deputy Prime Minister (ODPM) published *Planning and access for disabled people: a good practice guide*. The foreword to that document states:

The Government is fully committed to an inclusive society in which nobody is disadvantaged. An important part of delivering this commitment is breaking down unnecessary physical barriers and exclusions imposed on disabled people by poor design of buildings and places. Too often the needs of disabled people are considered late in the day and separately from the needs of others.
- 3.4** The guide sets out a range of good practice points and this SPD sets out to translate those points into local policy.

Regional Policy

Regional Spatial Strategy - The East of England Plan (RSS)

- 3.5** One of the objectives of the East of England Plan is to improve social inclusion and access to employment, services, leisure and tourist facilities among those who are disadvantaged.

Policy Context 3

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Sub-regional Policy

Essex and Southend-on-Sea Replacement Structure Plan 2001

- 3.6** Until the approval of the RSS, the Structure Plan remains part of the development plan. Policy T3 – *Promoting Accessibility* encourages new development to be designed so as to make provision for access by those whose mobility is impaired.

Local Policy

Maldon District Replacement Local Plan

- 3.7** The Local Plan indicates that the strategy of concentration of development within the development boundaries requires new developments to enhance the quality of design in the towns and villages including recognition of the need for accessibility for all potential users, regardless of age, disability, gender, religion or financial circumstances.
- 3.8** Paragraph 6.19 of the local plan states:
- ‘The Council is committed to promoting an inclusive society that offers opportunity for everyone. All new development, and particularly that intended for general public use must promote accessibility both into and within (buildings) and make appropriate safe provision in terms of access, egress and parking. An environment designed to be accessible to disabled people will be more accessible and user friendly for everybody, including wheelchair and pushchair users, people with physical and sensory impairments and elderly people. Easy access is part of good design and is beneficial to local business. The appropriate stage to consider accessibility is in the initial design not as an afterthought. This is particularly important with regard to development and alterations to existing and historic buildings’.
- 3.9** The *Maldon District Adopted Local Development Scheme First Review 2006* indicates that the Council will prepare a supplementary planning document on accessibility to and from buildings.
- 3.10** This SPD has been prepared to assist in the interpretation of the Maldon District Replacement Local Plan and in particular the application of local plan policy BE2 *Inclusive Access and Accessibility* which sets out features which the Council will expect to see within development where access by people with disabilities is necessary.

4 Implementation of Policy

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

4 Implementation of Policy

4.1 The Local Plan indicates the need to be aware of the implications of an accessible environment early in the development process. The need to design buildings and spaces to accommodate those using wheelchairs is now widely accepted and understood, but only a small part of the range of conditions that can create difficulties in moving around the built environment. Those involved in the design of buildings and spaces should be equally alert to the needs of those who have impaired vision or hearing, those who use walking sticks or crutches, the increasing number of elderly people and those who have to control prams or buggies. All of these groups benefit from a more accessible environment which results from inclusive design and providing for those who are disabled improves access for all.

Pre-application Advice

- 4.2** In the past it was not uncommon for planners and developers to regard accessibility as a Building Regulation matter to be resolved once planning permission had been granted. But the Building Regulations only deal with minimum standards of design within and in relation to access to buildings. The regulations do not always apply to changes of use and in the case of extensions to buildings can only require that the accessibility of an extension is no worse than the host building.
- 4.3** Whilst the application of Part M of the Building Regulations makes an important contribution to the creation of accessible buildings it remains the responsibility of the developer and the local planning authority to ensure that developments create an inclusive environment both within and around buildings.
- 4.4** Not all applications for planning permission will have implications for accessibility. However, all proposals for new dwellings, places of employment and buildings to which the public have access will be expected to be accompanied by a statement, known as an “Access Statement” which sets out the way in which the proposal responds to the principles of inclusive design both within and outside buildings.
- 4.5** The Council has prepared advice leaflets and employs an access officer who can provide advice and guidance both to developers and other Council staff. In cases where an access statement is needed the applicant is encouraged to discuss the proposal with the planning case officer prior to the submission of the application. By considering inclusive access at this stage, steps can be taken in the design process to ensure that proposals are suitable for use and accessible by everyone. Failure to consider the design of buildings and spaces in an inclusive way can result in unsatisfactory solutions which compromise both accessibility and design.

Implementation of Policy 4

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- 4.6** The Access Statement should set out the philosophy of the development as regards inclusive access and should include detailed information about buildings and the spaces between them. The Statement should have regard to the physical nature of the development site, including for example site levels, existing points of access and the presence of vegetation. It should also indicate the way in which the proposal responds to the principles of inclusive design both within and outside buildings. It should indicate whether the design of the building would comply with the advice in BS 8300:2001 and should identify any constraints which may have inhibited full compliance with that document. The Statement should include details of the materials to be used in all external access ways and parking areas and any other aids to mobility such as handrails should be specified. Where development is on sloping ground, levels and gradients should be indicated.
- 4.7** The Access Statement will form a central part of the documentation of a development proposal and will inform the consultation process. It should therefore be submitted as part of the planning application. An example of an Access Statement is included in Appendix 5.
- 4.8** Even minor proposals, such as front porches can have significant implications for accessibility and will often create opportunities to improve accessibility through the provision of level thresholds or carefully designed ramped access. For this reason the Council includes a reference to accessibility on its notes for guidance which accompany planning application forms and includes a question about accessibility on those forms.

Consideration of Applications

- 4.9** Accessibility is a material consideration in the determination of planning applications. S 38(6) of the Planning and Compulsory Purchase Act 2004 indicates that when making planning decisions the determination must be made in accordance with the development plan unless material considerations indicate otherwise. There will therefore be an expectation that the Policies in the Local Plan and the content of this SPD will be taken into account when planning applications are determined.
- 4.10** When considering the merits of applications planning officers will have regard to the desirability of achieving inclusive access. All planning officers will be alert to the implications of inclusive development. Where it is considered that a proposal raises issues for inclusive development it will be the subject of consultation with the access officer and where there are significant implications it will be the subject of consultation with the local advisory group.
- 4.11** Where a proposal raises fundamental issues for inclusive access for which no solution is apparent the Council may refuse to grant planning permission.

4 Implementation of Policy

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

- 4.12** If it appears that measures can be taken to provide inclusive access, the Council will consider the imposition of planning conditions, where appropriate, in accordance with the tests in Circular 11/95 "The Use of Conditions in Planning Permissions." Where a proposal raises accessibility issues which range beyond the application site or which cannot be resolved through the imposition of planning conditions the Council, will consider the need to negotiate a planning obligation under S106 of the Act.

Working with Building Control

- 4.13** Most new building work and some changes of use of buildings is subject to the Building Regulations 2002 made under the Building Act 1984. Through these regulations a developer has a statutory obligation to secure building regulation consent. This can either be done by the submission of an application to the Council's Building Control Service or to an approved inspector who will assess the proposal and either approve or reject it, as appropriate.
- 4.14** Part M of the Regulations requires that reasonable provision should be made for access to and use of buildings by disabled people. The Approved Document which accompanies Part M shows applicants ways in which the requirement of reasonable provision can be met, however, these are not necessarily best practice solutions and a more inclusive design may often be achieved with fewer cost implications if considered at an earlier stage in the design process. To avoid having to rethink the design of a building or its surroundings late in the process there should be early discussion between all parties. Where approved inspectors are to be used by developers they should be encouraged to contact the Council's planning officers to enable inclusive solutions to be developed.

The Historic Environment

- 4.15** The provision of inclusive access in relation to historic buildings and areas creates its own challenges. Within Maldon District there are approximately 1100 Listed Buildings and many more historic buildings within our 12 Conservation Areas that do not satisfy modern accessibility standards.
- 4.16** Planning Policy Guidance Note 15: *Planning and the Historic Environment* in paragraph 3.28 states that "It is important in principle that disabled people should have dignified easy access to and within historic buildings". It indicates that if a flexible and pragmatic approach is taken, it should normally be possible to plan suitable access for people with disabilities without compromising a building's special interest. The Council's Conservation Officer works closely with the Access Officer and has regard to good practice elsewhere. In particular, attention is drawn to the English Heritage publication "*Easy Access to Historic Buildings*" which includes a range of examples of good practice.

Implementation of Policy 4

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

- 4.17** Proposals for the extension or alteration of listed buildings and buildings in Conservation Areas or the change of use of such buildings to allow public access should be accompanied by an Access Statement. This should indicate the measures proposed to provide an inclusive access environment and how this has been achieved whilst maintaining the integrity of the historic building or area.

Spaces Between Buildings

- 4.18** In an inclusive environment careful consideration must be given to the spaces between buildings. The layout and design of the space around buildings must be considered as an integral part of the design process and not designed to fit after the design and position of the building has been established. Only by adopting this approach can a fully inclusive environment be developed.
- 4.19** In considering any development proposal the Council will be concerned to know how people will get from public places – such as roads and footpaths – into buildings and key issues for planners and developers are levels and gradients and the nature of surface materials.
- 4.20** The use of design features, colour, lighting and materials and clear desire lines can assist in drawing attention to the position of the entrance to buildings thereby assisting those who may have impaired visibility. The use of shallow gradients, easy curves, and appropriate surfacing combine with aids such as handrails assist those whose mobility is restricted.

Vehicle Parking

- 4.21** The Council's vehicle parking standards require that provision is made for disabled car parking. An extract from the adopted Supplementary Planning Document, which is based on the Essex Planning Officers' Association publication "*Vehicle Parking Standards*" dated August 2001, is appended at Appendix 7.
- 4.22** Whilst generally the Council's approach to car parking indicates a maximum provision, in line with the advice in PPS3 Housing, the Local Plan states that a minimum standard of car parking provision for parking for people with disabilities will be required on or as close to the site as practicable in order to promote inclusive access and accessibility.
- 4.23** In order to ensure that an inclusive and accessible environment is achieved parking spaces suitable for people with disabilities should be conveniently located to serve the main entrance to the building or other facility served by the car park and should be linked via a route which can be easily negotiated by wheelchairs. Loose materials and steep gradients should be

4 Implementation of Policy

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

avoided and the provision of handrails is encouraged to assist both the ambulant disabled and those with impaired vision. Wherever possible, routes between parking spaces for disabled people and buildings should be segregated from areas used by vehicles.

- 4.24** Landscaping within car parks can enhance their appearance but care should be taken to ensure that planting in the vicinity of access routes is of an appropriate species so as to avoid the growth of prickly plants or those which may have low branches which may create hazards for those of impaired sight or mobility.

Shop Fronts

- 4.25** A high proportion of the shops within Maldon District lie within the historic cores of our towns and villages. By their nature many of these are sited at the edge of the public pavement where there is little space to improve public access. However, the Council receives a number of applications to replace shop fronts and this creates an opportunity to improve accessibility. When submitting any application to replace a shop front the Council will expect the applicant to show how the proposal takes account of the need to promote inclusive development.
- 4.26** All applications for new shop fronts should include cross sections of the thresholds and the access route from the public highway and should clearly indicate how access doors are proposed to open and how rainwater will be dispersed from the floor. Proposals for ATMs should satisfy the design advice in *Access to "ATMs: UK design guidelines"* published by the Centre for Accessible Environments.
- 4.27** The Council has produced an information leaflet to guide developers when they are considering the installation of new shop fronts and the Access Officer will give advice on individual proposals.

Public Open Spaces

- 4.28** Inclusive communities must ensure that access is available to recreational facilities including public open space and it is an objective of the Local Plan to improve access to and the provision of sport and leisure facilities and enhance tourism for all. (Objective S vi). Proposals for new areas of open space should include an Access Statement indicating the measures proposed to create an inclusive environment. Within Maldon District a high proportion of public open space is managed by Town and Parish Councils and the Council's Access Officer will provide advice to these bodies on measures which they can take to improve accessibility.
- 4.29** Where parking is provided to serve public open space it should include designated parking spaces for people with disabilities and these should be linked to the open space via a surface which can be negotiated by wheelchair users.

Implementation of Policy 4

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Roads and Footways

- 4.30** Responsibility for roads and pavements within the Maldon District lies with Essex County Council but Maldon District Council works in partnership with the County Council to deliver a seamless service through the Area Highways Team. Where entrances to buildings such as shops are close to the pavement development proposals may have a direct effect on the public highway. Maldon District Council will work closely with the Area Highways Team in order to achieve an inclusive access solution which both maintains the safety and convenience of all highway users and the character and appearance of the street.
- 4.31** In considering applications for the development of places of employment or entertainment the Council will have regard to the links between the proposal and the public transport infrastructure, in the form of bus stops and railway stations. The Council will consider the need to improve access to this infrastructure and may seek contributions from developers for the upgrading of access ways and structures, such as surface treatments, hand rails and bus shelters.

4 Implementation of Policy

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Appendix 1: Informal Consultation

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Appendix 1: Informal Consultation

The following was consulted informally in the initial preparation of this document:

- Maldon District Access Group

Appendix 2: Formal Consultation

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Appendix 2: Formal Consultation

The formal consultation stage for the Access to Buildings SPD took place between Monday 9th October and Monday 20th November 2006. The following were consulted formally on this document:

- English Heritage
- Environment Agency
- Highways Agency
- Disabled Persons Transport Advisory Committee
- Disability Rights Commission
- Essex Disability Equality
- Help the Aged
- Maldon & District Disabled Sports Club
- Centre for Accessible Environments
- Natural England
- Maldon District Access Group

Appendix 3: Responses to Consultation

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Appendix 3: Responses to Consultation

Table 1 Responses to formal consultation and the Council's response

Name	Organisation	Section	Comment	Response
Mr David Rookard	Maldon District Access Group	Introduction	The definition of Accessibility shown is the incomplete version and therefore inadequate as it does not mention access to buildings.	Agree. Change definition to match one found in Adopted Replacement Local Plan Nov. 2005
Mr David Rookard	Maldon District Access Group	Appendix 8	Insert note given in BS8300:2001 (Page 16) about interpolating between the maximum gradients.	Agree
Mr David Rookard	Maldon District Access Group	Appendix 9	For clarification 2 nd paragraph – dimensions do not match diagram. Believe text refers to the on-street parking guidelines.	Agree subject to clarification
Carol Reid	Natural England	General	Thank you for the above documents. English Nature does not wish to comment further.	Noted
Wai-Kit Cheung	Fairview New Homes Limited	Page 5 (Planning Contributions)	Fairview request that the document recognises the impact that	No change. The provision for access to buildings by

Appendix 3: Responses to Consultation

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Name	Organisation	Section	Comment	Response
			<p>planning obligations can have on the viability of development. As such, the following text should be included in the document:</p> <p>“The Council will have regard to the impact of planning contributions on the viability of development and will ensure that they are necessary to allow consent to be given for a particular development and that they are fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects”</p>	<p>people with disabilities is a requirement under the Disability Discrimination Act. It is therefore necessary for development to be in accordance with said Act.</p>

Appendix 4: Sustainability Appraisal

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Appendix 4: Sustainability Appraisal

The Access to Buildings Sustainability Appraisal Report is available upon request or can be viewed on the Council's website: [http://www.maldon.gov.uk/Planning & Building Control/Local Development Framework/SPD Access to Buildings](http://www.maldon.gov.uk/Planning%20&%20Building%20Control/Local%20Development%20Framework/SPD%20Access%20to%20Buildings)

Appendix 5: Access Statement

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Appendix 5: Access Statement

Table 2 Maldon District Council - Access Statement

	Applicant		Agent
Name		Name	
Address		Address	
Postcode		Postcode	
Telephone		Telephone	
Address of development			Is Council's Building Control Service to be used? Yes / No
Description of proposal			
Access issues of the proposal and constrains			
Measures proposed to achieve inclusive access			
Pre-application discussion and consultation			
Additional information			

Appendix 6: Access Ramps

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Appendix 6: Access Ramps

- If a change of level on an access route is unavoidable it is necessary to provide a sloped access for wheelchair users. But as some ambulant disabled have difficulty using ramps an alternative access should also be provided.
- When designing ramps it is important to ensure that they are not too steep and no individual ramp should be more than 10m long to ensure that the distance between landings is not excessive to enable wheelchair users and their helpers to rest. Ramps should be designed in accordance with the advice in BS 8300:2001.
- If a ramp is more than 2m long between landings or if there is no stepped access handrails should be provided on both sides. If a ramp is less than 2m at least one handrail should be provided.
- Ramps should not be used to rise a total of more than 2m and their gradients should not exceed the recommendations in BS 8300:2001 which are set out in the table below.

Table 3 Limits for ramp gradients

Length of Ramp	Maximum Gradient
10m	1:20
5m	1:15
Not exceeding 2 m	1:12
Note: For going between 2m and 10m, it is acceptable to interpolate between the maximum gradients, i.e. 1:14 for a 4m going or 1:19 for a 9m going.	
Further information on the design of ramps can be found in BS8300:2001.	

Appendix 7: Extract from Adopted Car Parking Standards

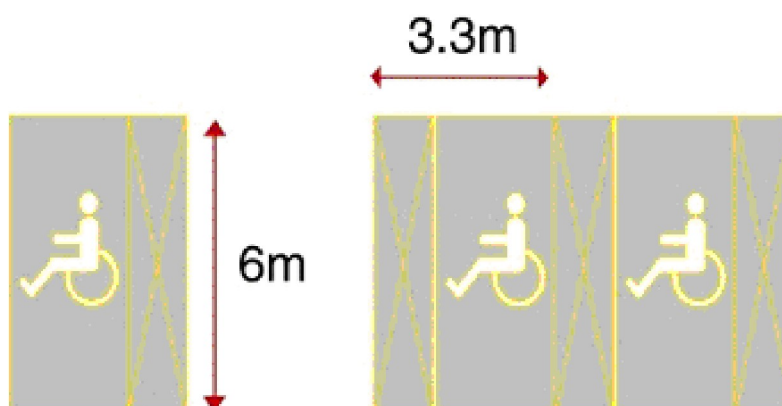
MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

Appendix 7: Extract from Adopted Car Parking Standards

Disabled Parking Provision

- Guidance on the amount of parking provision that should be supplied for disabled people is outlined in the DETR's Traffic Advisory Leaflet 5/95 – Parking for Disabled People, published in April 1995.
- Disabled parking spaces should be at least 3.3m wide and 6.0m long in order to allow the driver or passenger to get in and out of the vehicle safely, and to provide access to the rear of the vehicle for wheelchair storage. Where direct access is provided to a footway at the side or rear, spaces should be at least 2.7m or 4.8m respectively (see diagram below).

Figure 1 Disabled parking provision



Appendix 7: Extract from Adopted Car Parking Standards

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Parking standard for disabled car parking

PARKING STANDARDS FOR DISABLED CAR PARKING	
Car Park Used For:	
Employees and visitors to business premises	
Car Park Size: Up to 200 Bays	
Individual bays for each disabled employee plus 2 bays	
or 5% of total capacity, whichever is the greater	
Car Park Size: Over 200 Bays	
6 bays plus 2% of total capacity	
Car Park Used For:	
Shopping, recreation and leisure	
Car Park Size: Up to 200 Bays	
3 bays or 6% of the total capacity, whichever is the greater	
Car Park Size: Over 200 Bays	
4 bays plus 4% of total capacity	

Appendix 8: Bibliography

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Appendix 8: Bibliography

- *PPS 1; Delivering Sustainable Development* (ODPM, now Department of Communities & Local Government [CLG] 1997)
- *The Essex & Southend on Sea Replacement Structure Plan* (Essex County Council, 2001)
- *Vehicle Parking Standards* (EPOA, 2001)
- *BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people – Code of Practice*. (October 2001, British Standards Institute)
- *Access to ATMs: UK design guidelines 2002* (2002, Centre for Accessible Environments)
- *Planning and access for disabled people: a good practice guide* (March 2003, ODPM, now Department of Communities & Local Government [CLG])
- *Easy Access to Historic Buildings* (July 2004, English Heritage)
- *PPS 12; Local Development Frameworks* (CLG, 2004)
- *Planning Policy Guidance 15; Planning & the Historic Environment* (OPDM, now Department of Communities & Local Government [CLG] 2004)
- *Maldon District Replacement Local Plan* (MDC, 2005)
- *Maldon District Adopted Local Development Scheme* (MDC, 2006)
- *The East of England Plan* (Go East)