



# Housing and disabled people

A toolkit for local authorities in England: Planning for accessible homes



Equality and Human Rights Commission

**Habinteg**  
Accessible homes  
Independent lives

## Overview

This toolkit has been designed to provide an overview of and assistance in the planning of accessible homes.

It is principally aimed at leaders and practitioners in planning and housing strategy.

## Introduction

New housing has a critical role to play in bridging the gap between the need and availability of accessible and adaptable homes. Local authorities have opportunities within the planning process to promote accessible homes – particularly accessible, adaptable ‘lifetime’ homes and wheelchair standard homes.

When developing planning policies, local authorities may face a variety of challenges. Specifically:

- optional access standards in building regulations
- the requirement to evidence the benefits of building accessible homes
- variable access to, and confidence in, data used to support planning recommendations
- limited resources to gather and assess evidence to inform the planning process
- a requirement to demonstrate plan viability, and
- variable approaches by developers.

An appreciation and understanding of the value of inclusive and accessible housing is therefore essential when making housing planning decisions.

## Regulations and policy context

### Building regulations

Since October 2015, the building regulations have offered the means to specify adaptable and accessible design standards for new homes.

Current building regulations allow for three standards of accessibility, only one of which is mandatory. An overview of the three categories can be found on [page 3](#). All new-build housing or housing development to which Part M of the building regulations applies must be built to Category 1, as the minimum mandatory standard. This obligation only changes when local plan policies set requirements for Category 2 or Category 3 standards to be met and specific planning conditions are placed on planning permissions accordingly.

## Access to and use of buildings, Approved Document M, volume 1: dwellings

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- **M4(1) Category 1** – ‘Visitable’:
  - > does not guarantee ease of access for disabled people, particularly wheelchair users, and
  - > is the baseline default for all new homes unless optional access standards are invoked.

Optional access standards:

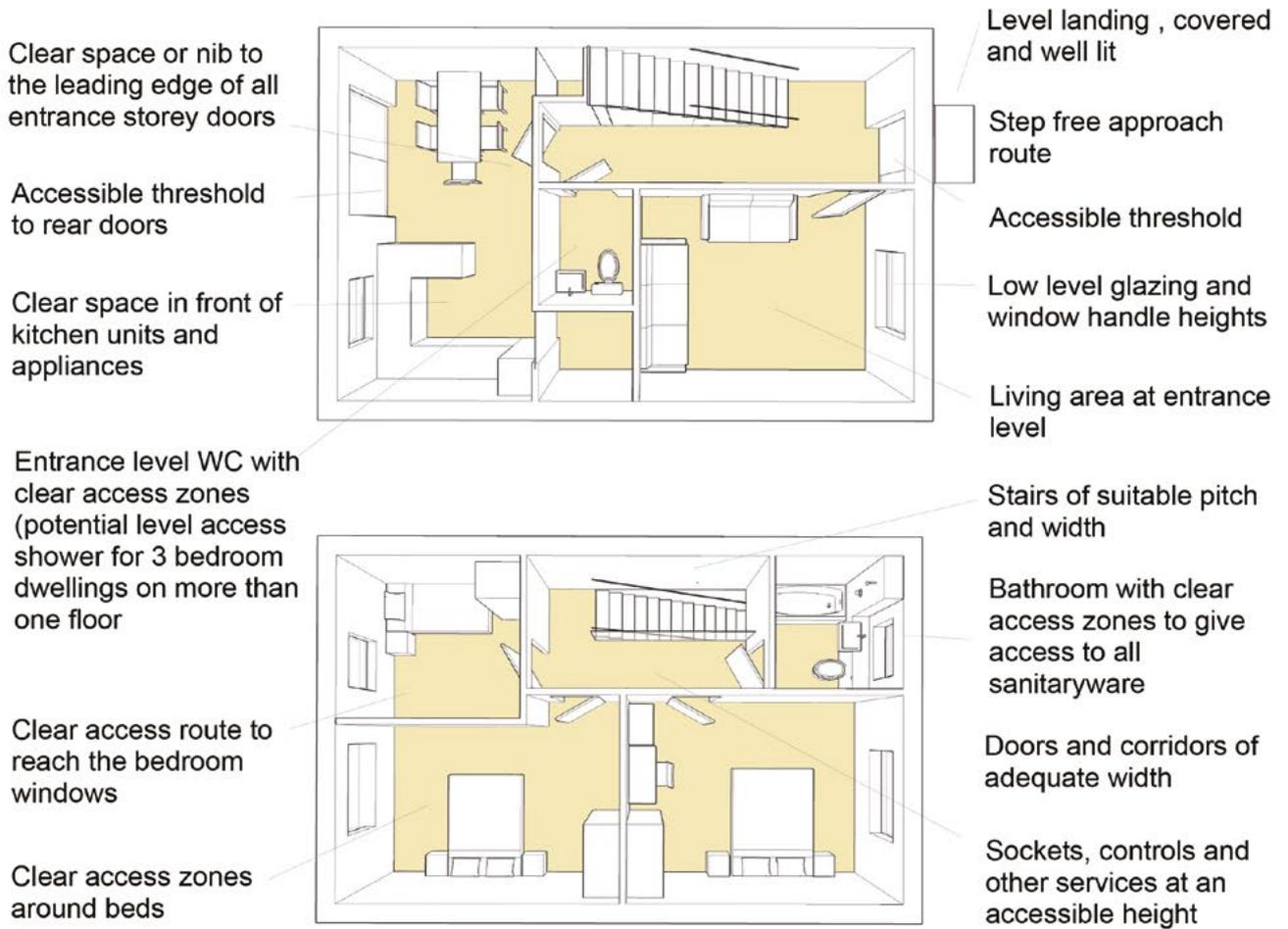
- **M4(2) Category 2** – ‘Accessible and Adaptable’ (nearest equivalent to Lifetime Homes Standards).
- **M4(3) Category 3** – ‘Wheelchair User Dwellings’, split into two sub-types:
  - > **Category 3 2a** – ‘Wheelchair adaptable’ (providing space and layout features, but not fully fitted out), and
  - > **Category 3 2b** – ‘Wheelchair accessible’ (ready and fitted to accommodate wheelchair user household).

A full guide to building regulations can be found [online](#).

M4(1) Category 1 is limited in its ability to meet the housing needs of the current and future general population. This is because it does not easily accommodate common adaptations, such as a stair lift, and it does not include basic features, such as a downstairs accessible toilet which can be converted into a shower.

While M4(2) Category 2 homes are accessible to a large number of people, they do not provide the space or features of a wheelchair-accessible home. The day-to-day requirements of most wheelchair users will only be met by an M4(3) Category 3 home.

A pictorial example of a M4(2) Category 2 home can be found [below](#).



**Table 1:** estimates some typical public expenditure savings accrued when the adaptable and accessible homes are provided.

Item	Average cost	Who pays?
Early move to residential care home	£26,500-£38,500 per year	Household or social care budget
Early move to residential home with nursing care	£34,500-£54,000	Household or social care budget
Single extra night in hospital due to temporary access needs not being met	£400	NHS
Ramp to threshold and widen door of M4(1) Category 1 Home	£1,000-£2,000 depending on requirements	Household or Disabled Facilities Grant (Better Care Fund) budget

### Requirements of the National planning Policy Framework July 2018

The National Planning Policy Framework (NPPF) July 2018 requires local authorities to plan for a mix of housing based on current and future demographics, market trends and the needs of different groups in the community, including disabled people. Furthermore, it states that ‘planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties.’ (The NPPF 2012 Framework continues to apply for plans submitted for examination up to 24 January 2019. Paragraph 214 of the NPPF 2018 lays out transitional arrangements.)

Under the NPPF 2018, local authorities are responsible for applying the principle of viability; to ensure that the cost of delivering all policy requirements can be met while providing sufficient return to landowner and developer.<sup>1</sup> The viability test is applied on two scales.

#### 1. Local plan scale

Local plan policy requirements must be assessed in terms of their cumulative impact on the viability and deliverability of the plan as a whole.<sup>2</sup> The cumulative impact assessment should take into account the impact of requiring accessible housing, built to the optional higher standards (Category 2 and Category 3), if the Local Planning Authority is proposing that they apply.

<sup>1</sup> Paragraph 173 of the NPPF

<sup>2</sup> Paragraph 174 of the NPPF

## 2. Individual development scale

At individual development scale, consideration is given to whether the planning requirements for a particular development are financially viable for a housing developer to deliver at a reasonable profit.

Paragraph 57 of the NPPF 2018 states that 'Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.' Furthermore:

- Planning applications stand to be determined in accordance with the development plan unless material considerations indicate otherwise.
- If a planning application doesn't accord with the plan (for example, because the plan requires the optional standards but they have not been provided for), permission should be refused unless material considerations indicate otherwise.
- A material consideration that may be put forward by applicants is that the scheme would not be viable and so would not go ahead if all policy requirements are provided for. The decision maker (Local Planning Authority or Inspector at appeal) would need to assess whether this is a material consideration which justifies a decision that is not in accordance with the plan.
- Where policy requirements are required, they would normally be secured by the use of a planning condition attached to the permission and sometimes by means of a planning obligation.

### Planning Inspectorate

Planning inspectors have an obligation to give 'due regard' to the Public Sector Equality Duty (PSED) when exercising their functions. This encompasses a requirement to give 'due regard' to the need to:

- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Local authorities must demonstrate that planning policies make use of optional technical standards for accessible and adaptable housing, when a need for such properties has been identified.

To ensure that the Local Plan meets statutory requirements, local authorities will need to have gathered sufficient information on the current and projected demand for accessible and adaptable housing, and reflected this in their proposals.

The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

Paragraph 35 of the NPPF outlines how plans are 'examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. One of the tests of soundness is whether plans are consistent with national policy', which highlights the need for the housing needs of groups with specific housing requirements to be addressed. The Planning Practice Guidance (PPG) provides further guidance on national policy and optional standards.

## The benefits of building accessible housing

Taking a strategic approach to providing accessible homes, including wheelchair-accessible housing, can be cost effective as adapting an existing home can exceed the total cost of building an accessible home. The qualitative benefits of building new wheelchair-accessible properties include: support for higher density development, increased health and safety, and more standardisation of design.

## Council-driven development

Several local authority housing associations have adopted the Lifetime Homes Standards (now embodied in M4 Category 2 requirements), as part of an overall commitment to quality and long-term value for money. The Birmingham Municipal Housing Trust has built all its properties for social rent to the standard, and the Sheffield Housing Company is now using M4(2) Category 2 as their main standard.

## Conducting research to establish housing needs

Data is critical to identifying and meeting the current and projected needs of the local population. Significant value can be gained from engagement with in-house personnel, such as housing occupational therapists and specialist access or inclusive design officers. Further useful data sources are listed at the end of this guide.

Consulting disabled people and disabled people's groups provides insight into the types of impairments of disabled people in the area and the number of people likely to require accessible homes in the future. Further guidance on how to do this can be found in the supplementary [guide to engaging disabled people](#).

## ✓ Good practice example

### Housing occupational therapists in action

The London Borough of Waltham Forest has employed a senior occupational therapist in housing since the 1980s. The housing occupational therapist is involved across the whole planning process, undertaking appraisals of new-build accessible housing and overseeing development from pre-planning to post-occupancy. They work both at a strategic level across departments and with designers and developers, housing colleagues and disabled applicants.

By overseeing the design of accessible new build housing (appraising planning application drawings, visiting and advising throughout the build, and nominating, liaising and viewing with prospective tenants) and undertaking post-occupancy evaluation, they can also monitor and ensure that housing is fit for purpose and meets the evidenced need at a local level.

Their knowledge of the demand for accessible housing (including housing type, bed/person size, location, etc.) can also assist in negotiations between the planning department and developers of individual schemes to ensure the provision of wheelchair user dwellings meets specific local demand.

## Tools

### 1. Review planning guidance, policy documentation and practice

Actions to take:

- Ensure that where accessible housing design standards are mentioned, they refer to the relevant standard set out in ‘Approved document M: access to and use of buildings, volume 1: dwellings’ which came into force in October 2015.
- Ensure that planners have a good understanding of how policy should be implemented and that, where necessary, they utilise the expertise of access officers and other specialists such as housing occupational therapists.

## 2. Data source checklist

The following questionnaires will help you determine whether you are using the full range of external data sources to determine the current and future demand for accessible and adaptable homes:

Question: Are you using data from the following sources to determine current and future demand?	Yes	No
Census		
Office for National Statistics population projections (national and local projections)		
Household surveys		
Interviews with sample households		
Statistics on Blue Badge holders, access card holders, etc.		
Disability Living Allowance (DLA) data, Personal Independence Payment (PIP) data, Attendance Allowance data and Direct Payments data		
Social care data on numbers of people inappropriately housed in residential or nursing home care		
NHS information, for example, wheelchair service data, delayed discharge data		
POPPI/PANSI data (Institute of Public Care on predicted levels of need for specialist housing)		
Local Educational Healthcare Plans analysis		
Registered Provider Waiting List: requirements of people waiting for housing, for example, via a choice-based lettings (CBL) scheme		

Question: Are you using the following internal data sources to determine the current supply of accessible housing?	Yes	No
Stock analysis summaries: local registered providers and local authority housing departments		
Accessible housing register data		
Building Control records of new properties (built to M4(2) and M4(3))		
Planning records of conditions complied with		



### 3. Identifying and engaging stakeholders

Mapping internal and external stakeholders can help ensure that all relevant stakeholders are identified and engaged in the planning process.

Who to include:
<p><b>Housing:</b></p> <ul style="list-style-type: none"> <li>&gt; strategic housing and policy teams</li> <li>&gt; housing advice and homelessness</li> <li>&gt; rehousing</li> <li>&gt; allocations/lettings, property services/surveyors</li> <li>&gt; housing occupational therapists/disability assessors</li> <li>&gt; accessible housing register teams</li> <li>&gt; specialist teams, for example, tenancy support/independent living/outreach and community services</li> <li>&gt; home improvement agencies and grants/adaptations teams</li> <li>&gt; specialist housing associations</li> </ul>
<p><b>Health:</b></p> <ul style="list-style-type: none"> <li>&gt; commissioners</li> <li>&gt; health visitors</li> <li>&gt; district nurses</li> <li>&gt; community-based and outreach teams, for example, hospital discharge, reablement</li> <li>&gt; education, health and care plans team</li> </ul>
<p><b>Social care:</b></p> <ul style="list-style-type: none"> <li>&gt; commissioners</li> <li>&gt; social work/occupational therapy managers</li> <li>&gt; equipment/adaptation service managers</li> <li>&gt; older people's services</li> <li>&gt; reablement/step-down teams</li> <li>&gt; mental health teams</li> <li>&gt; children/young people's services</li> <li>&gt; Better Care Fund managers</li> <li>&gt; learning disabilities team</li> <li>&gt; physical disability team</li> <li>&gt; sensory impairment team</li> </ul>

## Who to include:

### **Built environment:**

- > planning team (policy and development control)
- > development
- > regeneration
- > building control
- > access officers/inclusive design officers

### **Disabled people/disabled people's groups:**

- > access groups
- > tenant groups
- > disability-oriented voluntary groups
- > disability charities

See the separate guide for detailed advice on planning engagement with disabled people.

### **Elected members/local councillors:**

Include relevant portfolio holders in housing, health, social care and adult and children's services.

## **The benefits of engaging stakeholders**

Engaging stakeholders can help you to:

- develop a gap analysis of your knowledge
- obtain missing information
- review general statistics for your area and identify implications for planning policy
- consider the likely cost of the alternative provision for emerging needs
- test out planning policy proposals

## 4. Review cost benefits

### Point to consider:

- When preparing or testing your local plan it is useful to consider the wide-ranging cost benefits of building homes to optional accessibility standards.

**Table 1:** extra costs of build and space for each of the optional standards, when compared to building its Category 1 equivalent. The table shows the extra costs of access-related space allowing for some cost recovery via sales.<sup>2</sup>

	Access (build) cost	Access-related space cost (after space cost recovery)	Total cost	
<b>Category 2</b>				
1 bed apartment	£940	+1sq.m	£289	£1,229
2 bed apartment	£907	+1sq.m	£289	£1,196
2 bed terraced	£523	+2sq.m	£578	£1,101
3 bed semi-detached	£521	+3sq.m	£866	£1,387
4 bed detached	£520	+3sq.m	£866	£1,386
<b>Category 3 Adaptable</b>				
1 bed apartment	£7,607	+8sq.m	£2,310	£9,908
2 bed apartment	£7,891	+14sq.m	£4,043	£11,934
2 bed terraced	£9,754	+21sq.m	£6,065	£15,819
3 bed semi-detached	£10,307	+24sq.m	£6,931	£17,244
4 bed detached	£10,568	+24sq.m	£6,931	£17,499
<b>Category 3 Accessible</b>				
1 bed apartment	£7,767	+8sq.m	£2,310	£10,077
2 bed apartment	£8,048	+14sq.m	£4,043	£12,091
2 bed terraced	£22,238	+21sq.m	£6,065	£28,303
3 bed semi-detached	£22,791	+24sq.m	£6,931	£29,722
4 bed detached	£23,052	+24sq.m	£6,931	£29,983

<sup>1</sup> PayingForCare, 'Calculate residential care costs' [accessed 23 March 2018]

<sup>2</sup> Department for Communities and Local Government (2014), 'Housing Standards Review: Cost Impacts' [accessed 7 March 2018]

# Contacts

This publication and related equality and human rights resources are available from our website: [equalityhumanrights.com](http://equalityhumanrights.com)

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