

The Women and Equalities Select Committee inquiry on Disability and the Built Environment

Submission from the Home Builders Federation

Introduction

1. The Home Builders Federation (HBF) is the principal trade association representing private sector home builders in England and Wales. Our membership ranges from the largest national home builders through regional firms to smaller, more locally based companies. Between them, our members build about 80% of the new homes constructed each year.
2. Given that it builds the bulk of new homes, the private sector is critical to meeting the country's future housing requirements and HBF wishes to set out for the Committee's inquiry its analysis of the issues involved in meeting accessibility requirements in the built environment.

Government policy on and current provision of accessible properties (including homes and commercial premises)

3. The Government's policy on providing for accessibility requirements in new homes is that such needs can best be met through the relevant provisions of national Building Regulations – Part M of the Regulations.
4. Immediately before the 2015 general election, the Coalition Government confirmed the amendment of Part M to incorporate the results of the Housing Standards Review.
5. The Housing Standards Review was an important process through which the Government's aim was to simplify and reduce the number of separate technical standards being applied to new homes through the planning process and Building Regulations. In particular, it was recognised that at the time of the Review there were too many different technical standards being applied to new homes – which was adding delay, complexity and unnecessary cost to residential development and so impairing housing delivery without necessarily achieving the best results overall for consumers.
6. The Review therefore looked at the range of standards then in play and considered the case for their rationalisation, how to set them at the right level and

the best means for ensuring that the resultant agreed standards were applied consistently.

7. On accessibility, the result was that in addition to the general requirements of Part M of the Building Regulations, the Government added two further optional accessibility standards to the Building Regulations to meet the needs of those with disabilities.
8. The position that now applies as a result is as follows:
 - M4(1) Category 1 - Visitable dwellings
 - M4(2) Category 2 - Accessible and adaptable dwellings
 - M4(3) Category 3 - Wheelchair user dwellings

These define three different sets of provisions; each offering different levels of functionality. Only one requirement can apply to any given dwelling. The aim for each requirement is to make reasonable provision so that:

- **Category 1** – dwellings can, as a minimum, be visited by a wide range of people, including some wheelchair users,
 - **Category 2** - dwellings provide a higher level of accessibility that is beneficial to a wide range of people who occupy or visit the dwelling, and provides particular benefit to older and disabled people, including some wheelchair users; and
 - **Category 3** - dwellings are suitable, or potentially suitable through adaptation, to be occupied by wheelchair users.
9. Category 2 is based on a review and updating of the Lifetime Homes standard and Category 3 on a review of a range of different wheelchair access standards that were previously being applied.
 10. The National Planning Practice Guidance (NPPG) states that where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and / or M4(3) of the optional requirements in the Building Regulations and should not impose any additional information requirements (for instance provision of furnished layouts) or seek to determine compliance with these requirements, which is the role of the Building Control Body. This is to ensure that all parties have the clarity and certainty of knowing which standards they have to deal with and can factor these into their plans. For developers, this ensures that the design and procurement complications that previously arose from a series of different standards in different areas are avoided.
 11. It was recognised that it was not appropriate to apply Category 2 or 3 standards to all new homes as not all people who buy or move in to new homes need or wish to have such provision. Category 2 and 3 standards were therefore made “optional” with the position being that the case for requiring such standards in future new homes should be made through the adoption of local plan policies that have properly assessed the level of requirement for these standards in the local area, also taking into account other relevant factors including the impact on project viability.

12. The Federation took an active part in the Housing Standards Review along with many other organisations, including those representing existing standards owners and supporters. We believe the outcome of the Review and the resultant current policy position represents a fair balance between the various considerations involved. General support for the approach now adopted was also confirmed in Government consultations.
13. The optional Part M standards are not required by all residents of new homes and involve additional cost, which is particularly significant for wheelchair access provision. Providing for genuine accessibility requirements therefore needs to be balanced against other building standards requirements, the wider aspirations of consumers for their homes (including affordability) and the other contributions which are sought from new housing towards community benefit – such as financial contributions to affordable housing and local infrastructure.

The effectiveness of UK legislation, policies and standards on accessibility in the built environment

14. In principle, we believe the Building Regulations and planning policy regime to have emerged from the Housing Standards Review represents a sound way forward.
15. In practice, however, we do have concerns that neither the assessment of evidence of the need for nor of the cost impact of the proposed application of the optional Part M standards on development viability have been considered with sufficient rigour in local plan examinations. The risk is that local plan policies may actually be over-providing for the level of new homes built to higher accessibility standards compared to actual need and underestimating the adverse impact this may have on development viability.
16. At present we consider that few proposed local plan policies have been robustly tested in this policy area and that the evidence produced by local authorities to justify their proposed requirements for the optional Part M standards of adaptable and accessible housing has itself not been sufficiently robust.
17. One good example of a suitable evidence base having been produced by a local authority in support of its proposed plan policy is the information produced this summer to support a draft plan consultation by Reigate and Banstead council. On the other hand, the issues have not been sufficiently addressed in the viability assessment of the Greater London Authority's proposed policies on housing standards.
18. This is of concern as if the balance is struck in the wrong place there will be consequences for other planning policy objectives in local plans and for overall housing affordability and supply.
19. We would therefore recommend that greater attention is given to properly assessing the evidence for proposed local plan policies relating to new housing accessibility requirements.

20. In terms of cost impact, the provisions of M4(2) Category 2 - Accessible and adaptable dwellings – have been assessed by the consultants EC Harris for the Government as up to about £1,500 per dwelling. Fully accessible wheelchair standard housing under M4(3) Category 3 can be as much as £30,000 per dwelling.
21. The impact of fully accessible wheelchair housing standards on project viability is therefore a serious consideration in particular and should be given proper weight in the examination of proposed local plan policies.
22. If a high percentage of Category 2 dwellings is sought in a local plan policy, this may also have a not insignificant bearing on project viability, particularly in lower value market areas. Again, the onus should be on thorough and robust policy examination to ensure the balance of interests and requirements served by the provision of new development is fairly and appropriately struck overall.
23. The Federation also recognises that there may be personal requirements relating to age or disability that may not be met by the optional Part M standards. Builders are generally willing to do their best to meet such requirements, but that is in practice critically dependent on such requirements being identified and known at an early stage of the design and build process.

What is the role of reasonable adjustments in delivering accessibility?

24. The needs of all groups in terms of the design of the public realm are considered as part of local plan policies which would be applied to new developments as well as to the existing built environment in the area.
25. The National Planning Practice Guidance (NPPG) states that the [National Planning Policy Framework](#) (NPPF) is clear that local planning authorities should plan to create safe, accessible environments and promote inclusion and community cohesion. This includes buildings and their surrounding spaces. Local planning authorities should take account of evidence that demonstrates a clear need for housing for people with specific housing needs and plan to meet this need.

HBF

12 October 2016