

Neighbourhood *Planning*



Neighbourhood Plan Guidance Note on Accessible and Adaptable Dwellings

What is meant by accessible and adaptable dwellings?

Accessible housing can provide accommodation for persons with disabilities, who live on their own or as a part of a family. Accessible dwellings must be available in sufficient number within all areas of the community to provide sufficient choice for a disabled person. Accessible housing means housing that is physically adapted to the individuals who are intended to occupy it, including those who are disadvantaged by age, physical or mental disability or medical condition, while the adaptability of buildings generally refers to their capacity to accommodate future changing needs.

Why are accessible and adaptable dwellings necessary and important?

England's population is ageing. In the next 25 years, the number of people older than 85 will double to 2.6 million. An ageing population might lead an increased need for health and social care services.

The UN Convention on the rights of persons with disabilities states under Article 19 that:

- parties recognize the equal right of all persons with disabilities to live in the community,
- with choices equal to others, and
- shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that, persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement.

To facilitate the rights identified by the United Nations, and to adhere to Approved Document M (the secretary of state approved document that gives practical guidance on how to meet the requirements of the Building Regulations 2010) well-designed and accessible homes are required. Homes that respond to changing demographic needs, provide 'future-proof' housing and enable people to live independently for longer, are important for their health and wellbeing while also helping to reduce the costs of adult health and social care. Additionally, as climate change poses an imminent threat to our existing way of living, it is imperative that our building stock is flexible, inclusive, and sustainable.

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The social model of disability that Cheshire West and Chester Council (CWaC) formally adopted in 2022 states that people are disabled by barriers in society, not by their impairment or difference. Barriers can be physical, like buildings not having accessible toilets, or they can be caused by people's attitudes to difference. The social model helps us recognise barriers that make life harder for disabled people and that removing these barriers creates equality and offers disabled people more independence, choice and control.

Throughout England, the central government emphasis on the delivery of housing per se rather than the delivery of the right kind of housing has meant that provision of accessible housing has not always been prioritised and specific requirements for levels of accessible housing have been watered down or waived entirely at the viability appraisal stage. Neighbourhood plans should strike an appropriate balance between addressing the need for accessible new housing on one hand, and the potential effect on the viability of developments on the other.

The current increases in the 'cost of living' impact hardest on those on fixed and low incomes meaning that 'a good life' is not necessarily affordable for all. The Royal Institute of British Architects (RIBA) recommended in a report to Government in 2019 that it should make M4(2) the basic requirement for all new housing, subject to specific exemptions where step-free access is not feasible. A good neighbourhood plan will also factor in the increased cost and demand on support services when considering what percentage of new homes should meet M4(2). For example a low percentage may lead to more individuals living in unsuitable housing, being less able to stay healthy and look after their wellbeing independently leading to an increased demand for social care and other services in the neighbourhood.

Currently millions of homeowners and renters live in properties that do not meet their daily needs¹ and with an aging population, advances in mobility equipment and medical techniques the demand for accessible homes is rising.

Relevant legislation and guidance

From October 2015 onwards, changes to national planning policy meant that planning authorities in England could no longer apply many of the previous technical requirements, among them accessible housing. A single space standard was drawn up, the Nationally Described Space Standard (NDSS), which planning authorities could adopt as a requirement in their local plan if they chose to - it therefore was not

¹ [Could the UK start delivering the accessible homes our ageing population so desperately needs? | Centre for Ageing Better \(ageing-better.org.uk\)](https://www.ageing-better.org.uk/2022/05/could-the-uk-start-delivering-the-accessible-homes-our-ageing-population-so-desperately-needs/)

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compulsory. Secondly, three levels of accessibility were defined in Approved Document M volume 1: Dwellings

- Category 1: Visitable dwellings M4(1)
- Category 2: Accessible and adaptable dwellings M4(2)
- Category 3: Wheelchair user dwellings M4(3), of which there are two standards: adaptable and accessible.

M4(3) 'wheelchair user adaptable dwellings' are to be constructed to be adjustable for occupation by a wheelchair user, whereas accessible dwellings should be constructed for immediate occupation.

Part M of the Building Regulations includes a mandatory requirement that all new dwellings to which Part M of the Building Regulations applies should be designed to a minimum of M4(1) 'visitable dwellings', and that local authorities can opt into, or 'switch on', requirements for M4(2) and M4(3) via Local Plan policy.

Essentially what this means in layman's terms is that there are no hard and fast rules that will force contractors in CWaC (and indeed England) to construct to the M4(2) standards of accessibility. This will mean that new homes won't have step-free access as well as facilities and other features that will make them more easily adaptable over time. It also means that rules that would ensure a minimum proportion of new homes are built to fully wheelchair-accessible standards, known as M4(3), are also not being implemented. The decision on what proportion of new homes that have to be wheelchair-accessible or accessible and adaptable is left to local authorities in their local plans.

CWaC Local Plan (Part Two) Policy DM 20 states that "In line with Local Plan (Part One) policy [SOC 3](#) proposals for residential development must take account of the housing needs of the local area to ensure a range of house types, tenures and sizes are provided across the borough.

Taking account of the most up to date housing information and where relevant, policies in neighbourhood plans, applications for major residential development should demonstrate how the proposal will address:

1. need for smaller properties for first time buyers;
2. requirements of an ageing population and people wishing to downsize, including where justified the provision of adaptable and accessible homes and/or single-storey dwellings; and
3. demand for self-build and custom build housing.

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The Council will work with the developer to agree a suitable housing mix taking full account of the characteristics of the site and viability considerations. Where a neighbourhood plan sets out **locally specific policies** on housing mix and type **these will take priority.**"

There is no direct policy guidance or legislation for Neighbourhood Plans to apply a requirement for a number (or percentage) of dwellings that are constructed to meet the M4(2) Accessible and adaptable dwellings, or M4(3) Wheelchair user dwellings specification. However, accessibility and adaptability of dwellings is an important part of local need and should be given extensive consideration as if they are not specified in Neighbourhood Plan Policy then they are unlikely to take priority. Whilst inclusivity should be underpinning all national and local policies, Neighbourhood Plans, due to their scale and community participation, can effectively incorporate these requirements in their design guidance or housing policies should they wish.

National Policy

Research by Habinteg published in 2021 has shown that the standards of accessibility has fallen when planning new builds. Currently, it is not a legal requirement for new homes to be accessible and adaptable, with only the M4(1): Visitable standard being mandatory. This means that houses available to wheelchair users, and those with limited mobility are diminishing as a percentage of the overall stock.

In 2020, the government held a consultation into accessible housing. In a forward by Robert Jenrick, Secretary of State for Housing, Communities and Local Government, he called for more accessible housing to be built in the future.

According to the Disability News Service (DNS) who have been reporting on disability issues for nearly 25 years the Government's long-awaited accessible housing plan 'does not go far enough'². "A long-awaited government promise to introduce stricter minimum accessibility standards on new homes does not go far enough" say disabled campaigners. Ministers have now pledged to introduce new rules that will force all new homes in England to be built to the M4(2) standard of accessibility, except for cases where this is "impractical and unachievable".

The announcement came through the government's much-delayed response to its consultation on raising accessibility standards for new homes, which ended in December 2020. There will now be further delays while the Department for Levelling

² [Government's long-awaited accessible housing plan 'does not go far enough' – Disability News Service](#)

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Up, Housing and Communities (DLUHC) consults on the detail of the regulatory changes, and then submits guidance and regulations to parliament for approval.

Guidance and regulations will inevitably take time to be finalised and there are no guarantees what the final recommendations will be. As local experts the Neighbourhood Plan group are asked to consider what to include in your plan based on the needs of your community and to decide whether making stipulations for M4(2) Accessible and adaptable dwellings, and M4(3) Wheelchair user dwellings modifications now would future proof your neighbourhood housing demands.

As it stands currently, only one new accessible home is planned for every fifteen people over 65 by 2030, and with that demographic of the UK population set to rise significantly over the next decade new home construction must address the pending gap now.

Suggested Consultation with the local community

The neighbourhood plan and any policies on accessible and adaptable dwellings should be based on strong evidence of current needs and projected future needs. A series of questions are set out in the Appendix, which should help to establish detailed evidence regarding current provision, demand and future needs.

Sources of supporting evidence relating to accessibility for Neighbourhood Plan groups

- [Housing and disabled people: a toolkit for local authorities in England - planning accessible housing \(equalityhumanrights.com\)](https://www.equalityhumanrights.com/en/housing-disabled-people/a-toolkit-for-local-authorities-in-england-planning-accessible-housing)
- **Accessible property register (a database of listed accessible properties for sale or for rent):**
<https://www.accessible-property.org.uk/>
- **UK Gov Guidance – Housing for older and disabled people:**
<https://www.gov.uk/guidance/housing-for-older-and-disabled-people>
- **Information on financial impacts for accessible / adaptable dwellings:**
Page 13 of [Housing and disabled people: a toolkit for local authorities in England - planning accessible housing \(equalityhumanrights.com\)](https://www.equalityhumanrights.com/en/housing-disabled-people/a-toolkit-for-local-authorities-in-england-planning-accessible-housing) provides a cost list.

Suggested content of neighbourhood plan policies relating to accessible and adaptable dwellings

It is recommended that each neighbourhood plan evaluates the accessibility of the current housing stock so that it might better develop a policy or strategy for accessibility and inclusion.

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The Senior Access Officer at CWaC has suggested that the following requirements could be set out in a relevant neighbourhood plan policy:

- The policy should clearly state the plan to meet the current and future housing needs of a wide range of people, including older and disabled people.
- The policy should identify the percentage of new build houses that are required to meet the M4(2) and M4(3) standards. The requirements relating to M4(2) and M4(3) should be specific and quantifiable avoiding phrases such as 'reasonably practicable' and 'financially viable' due to their ambiguity. Some local authorities have recognised this early and have stipulated that 10% of all new developments should meet M4(3) Wheelchair user dwellings specifications and the other 90% should meet M4(2).
- Make reference to specific accessibility requirements for new developments, for example:
 - Proposals for residential development must include a minimum of 10% single floor dwellings.
 - Proposals for residential development must include lifts that are larger than the minimum 1400mm x 1200mm specification.
 - Developments must adhere to [Revised Parking Standards SPD](#) to provide accessible parking spaces as well as EV charging points.



Appendix - Example Questionnaire

- Do you have any long-term illness, disability or infirmity that limits your normal day to day activities?
- Do you find your home accessible and adaptable to your current or expected condition currently or in the next 10 years?
- Are your family and friends able to visit you and are you able to visit them?
- Do you provide care to someone currently or do you expect to provide care in the next 10 years?
- Overall, taking everything into account, how satisfied or dissatisfied are you with the property you consider to be your main home?
- If there was one thing you would most like to change about your home or where you live, what would it be?
- Regardless of whether you are currently looking to move to a different property or not, if you had to move to a different property tomorrow, would the following features make you more or less likely to consider a property, or would it make no difference?
 - A downstairs bathroom
 - Features or adaptations that make it easier to use the bathroom (e.g. a wet room / level access shower)
 - Step-free access (no stairs) at the front of the property or up to the property from ground-level
 - Features or adaptations that make it easier to use the kitchen)
 - Features or adaptations that make it easier to move around inside (e.g. wider doorways, extra handrails)
 - Features or adaptations that make it easier to use heating and lighting.
 - A stair lift inside the property
 - A through-floor lift inside the property

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- How do you think the Neighbourhood Plan group can help addressing this gap?
- Would you consider buying a bungalow quickly and above market value?
- Are retirement homes readily available in your area?
- Would you consider moving to retirement home instead of staying in your property?