

Raising accessibility standards for new homes

NHF member consultation response

1 December 2020

Summary

In our response to the Ministry of Housing, Communities and Local Government's [accessibility standards for new homes consultation](#), published on 8 September 2020, we welcome the government's proposals:

- To raise accessibility standards for new homes and make accessible, adaptable design standard (M4(2)) the default expectation for new homes.

This will:

- Help to free up local authority capacity by removing the need for a local case.
- Help planning, building control and access teams to gather evidence and set robust policies for their areas.

The government should also:

- Be clear that local authorities should set robust local policy for the level of wheelchair accessible homes required in their area.
- Set clear and strict criteria for exemptions where lower standards may be accepted.
- Establish a template for a national, but locally maintained, register of accessible homes and those seeking them.

Our response is aligned with the views of the Housing Made for Everyone (HoME) coalition, the G15 group of major housing associations, and the Royal Town Planning Institute (RTPI).

Introduction

The National Housing Federation (NHF) welcomes the opportunity to respond to the government's consultation on raising accessibility standards for new homes. We believe that this is an important step in future-proofing new homes for an increasingly elderly population, as well as younger people with mobility issues, and simply in providing better living space for the general population.

The NHF is the representative body for housing associations in England. Our members own and manage more than two and a half million homes for around six million people, as well as providing vital care, support and community services. Housing associations are independent, not-for-profit organisations driven by their social purpose – to ensure everyone in the country can live in a quality home that they can afford.

Our members were responsible for around 40,000 new affordable homes last year and are ambitious to deliver more, both through their own development and via developer contributions.

The NHF is also a member of the [HoME coalition](#) of organisations calling for urgent action to tackle the acute and growing shortage of accessible homes. Coalition members have signed up to a shared vision and charter which seek to ensure all new housing is suitable for the changing needs of our ageing population and disabled people.

Part M (Access to and Use of Buildings) of the Building Regulations defines access standards for new buildings. Part M4(1) sets basic minimum standards for new “visitable dwellings”. M4(2) defines higher standards for “accessible and adaptable dwellings, and M4(3) is for dwellings designed for wheelchair users. At present, only compliance with M4(1) is required in new homes, unless local planning policy justifies a higher standard. We support making building regulation M4(2) the mandatory baseline for new development, with explicit provision made for M4(3).

The NHF's view

Q3. Do you support the Government's intention to raise accessibility standards of new homes? Please explain your reasons.

Yes.

The government is right to seek to raise accessibility standards and should make the accessible, adaptable design standard (M4(2)) the default expectation for new homes.

Millions of us, particularly those who are older or disabled, live in homes that do not meet our daily needs. England's existing housing is simply not suitable for the diverse and changing needs of our ageing population, and often its new homes are not either.

The English Housing Survey (EHS) shows that 91% of homes do not provide the four main features for even the lowest level of accessibility – a home that is 'visitable'. The HoME coalition estimates that some 400,000 wheelchair users are currently living in homes that are neither adapted nor accessible/visitable.

Yet, as things stand, only one new accessible home is planned for every 15 people over 65 by 2030¹.

In the next 20 years, there will be a huge age shift in our society with one in four of us aged over 65. One in five adults aged 65-69 need help with one or more activities of daily living (such as bathing, cooking or using the toilet). By the time people reach their 80s, this figure rises to more than half.

Contrary to common misconceptions, more than 90% of older people live in mainstream housing rather than specialist housing or care homes². Most of us want

¹ [Ageing Better calculations based on ONS \(2019\), 'Population projections' & Habinteg \(2019\), 'A forecast for accessible homes](#)

² [Based on care home data and estimates of the number of older people who live in specialist housing. Office for National Statistics \(2014\), '2001 to 2011 Census: England and Wales'](#)

to stay in our own homes, streets and communities for as long as we can³, and our homes should enable more of us to do this.

Q4. Which of the five options do you support? You can choose more than one option or none. Please explain your reasons, including the advantages and disadvantages of your preferred option(s).

We support option two.

Making M4(2) mandatory will help to free up local authority capacity by removing the need to make the case locally. This will help planning departments and Building Control and/or Access Teams to gather evidence and set robust policies for an appropriate level of M4(3) housing in their areas.

From discussions between the HoME coalition and private developers, we understand that many of the latter are also in favour of this option and consider that it will not lead to fewer homes being built. In most cases, and as with other modest mandatory requirements, the additional cost should be covered by a commensurate reduction in land prices.

If implementing option two, we believe government should also:

- Be clear that local authorities should set robust local policy for the level of M4(3) wheelchair accessible homes required in their area.
- Set clear and strict criteria for exemptions from M4(2) where the lower standards may be accepted. We do not believe that exemptions should lead to a full default to the current M4(1) standard. Exemptions should be based on tightly-defined criteria, and be limited only to those criteria which are strictly necessary. We would be happy to work with the government on the details of these criteria.
- Establish a template for a national register of accessible homes and those seeking them, to be maintained locally. The HoME coalition has been developing a proposal for this.

We are also supportive of option four.

³ [Lloyd, J. \(2015\), 'Older Owners Research on the lives, aspirations and housing outcomes of older homeowners in the UK', London: Strategic Society Centre.](#)

Option four also delivers on the priority aim for the HoME Coalition of mandating M4(2) homes as the new baseline, with exemptions applying only in exceptional circumstances.

A potential disadvantage of setting a national percentage is that in some areas it would not be enough while in other areas it might be too high – this could be mitigated by setting a minimum percentage that works for most of England while encouraging local authorities to require more where evidence shows this is justified.

If implementing option four (and as with option two), we believe the government should also:

- Set clear and strict criteria for exemptions from M4(2) where the lower standards may be accepted. We do not believe that exemptions should lead to a full default to the current M4(1) standard. Exemptions should be based on tightly defined criteria, and be limited only to those criteria which are strictly necessary. We would be happy to work with the government on the details of these.
- Establish a template for a national register of accessible homes and those seeking them, to be maintained locally.

We do not support option five.

While improvement may be possible, we believe that M4(2) as currently worded adequately captures what should be minimum standard for new homes. Opening a separate review into the detailed wording of the different levels in Part M of the building regulations is a distraction and will delay the vital strengthening of building standards that needs to happen right now.

We would support a review of the operation of options two or four after a few years to consider how they could be improved, but we do not think it is worth delaying their implementation.

We specifically oppose options one and three:

- Option one is effectively to ‘do nothing’. This is unacceptable and will have a negative impact on the lives of disabled or older people now and in the future. We have a serious shortage of accessible and adaptable new homes - to

continue to do nothing to address that would be a disaster for our growing population of older and disabled people.

- Option three proposes to get rid of M4(1) altogether – while this appears desirable, there may be a small number of cases with a legitimate case for exemptions where M4(2) requirements are demonstrably impractical or inappropriate. These must be seen as exceptional, however, with strict tests that developers to meet to prove that M4(2) is not possible).

Whichever option the government elects to apply, it should also make nationally described space standards (NDSS) a baseline expectation for new homes.

Q5. If you answered 'None' to Q4, do you think the government should take a different approach? If yes, please explain what approach you consider favourable and why?

N/A.

Q6. Do you agree with the estimated additional cost per dwelling of meeting M4(2), compared to current industry standards, in paragraph 45? If no, please comment on what you estimate these costs to be and how you would expect these costs to vary between types of housing e.g. detached, semi-detached or flats? Please provide any evidence to support your answers.

No.

Given the huge range of properties and the places they are built, it is difficult to come up with a meaningful single average cost for introducing higher accessibility standards. The estimated additional cost per dwelling of £1400 is a sensible average estimate for only one specific type of development and is therefore not particularly useful in understanding the implications of the proposed changes across the spectrum of development types and locations.

We suggest it would be useful for the government to assess the likely implications for a number of development scenarios. This could be helpful in forming the criteria against which exceptional allowance for use of M4(1) standards might be permitted. While in many of the more challenging cases it will be possible to mitigate additional cost by taking a different design approach, there may be a few situations where exceptions are justified. For example, where the capital and ongoing costs of installing a lift in a small, low rise development present a challenge to the viability of affordable housing.

We would be happy to assist the government in identifying the different scenarios and challenges which could be useful in understanding the likely effects of mandating higher standards.

We agree with the HoME coalition that a national requirement for all new homes to meet the NDSS alongside M4(2) standards would be the ideal policy package, and that this is the right time to implement such a change. In this scenario, the cost of any space required to deliver M4(2) should generally be compensated by small reductions in land costs.

Q7. Do you agree with the proportion of new dwellings already meeting or exceeding M4(2) over the next ten years in paragraph 45? If no, please comment on your alternative view and how you would expect this to vary between types of housing e.g. detached, semi-detached or flats? Please provide any evidence to support your answers

No.

The evidence base for the figures in the consultation document is not clear. It may be drawn from Habinteg Housing's 2019 Insight Report⁴, which found that between 2019 and 2030 just 32% of homes are planned to be built to M4(2) with only 2.4% planned to meet wheelchair dwelling standard M4(3).

Habinteg's research also showed huge regional variations, however, London accounts for a disproportionate share of projected M4(2) homes - but more than half of England's local plans failed to set a specific percentage requirement for any new homes to be built to any accessible standard.

Even for those local authorities which do seek M4(2) standards, the viability issues referred to in paragraph 28 of the consultation document suggest that many local authorities' policy aspirations will not stand up to developers' viability challenges.

What is clear is that the existing number of accessible homes is woefully inadequate for current needs, and that demand for accessible and adaptable homes will only increase given demographic trends.

⁴ www.habinteg.org.uk/localplans

Even if the proportion of new homes built to M4(2) increased to 30%, this would still mean the majority of new homes built will be unsuitable for the obvious needs of our population. We would effectively be building in more costs in adaptations needed in the future, more cost in terms of NHS and care spending and more carbon costs as homes are not fit for purpose in the long term.

Q8. Do you have any comments on the costs and benefits of the other options set out above. If yes, please provide your comments including any evidence to support your response.

The positive social impact of building more accessible homes has the potential to be huge, not least because the modest initial costs will be repaid many times over, benefiting every different occupant over the long lifetime of each home.

We would expect this to reduce demand for NHS and social care services and costly adaptations made to homes in order to meet immediate needs. If houses are not built to be accessible from the outset, then these costs are simply pushed into the future and on to individuals, the government and the taxpayer. It is much more effective to build the type of homes we need now than to adapt unsuitable properties in future, often at much greater cost.

For comparison – the cost of delaying building the homes we need based on the figures currently available:

- An average Disabled Facilities Grant to adapt a M4(1) home = £7,000 (one-off payment).
- Residential care costs if your home becomes unsuitable = £29,000 per year⁵.

Q9. Do you have any comments on the initial equality impact assessment? If yes, please provide your comments including any evidence to further determine the positive and any negative impacts.

The Equality Impact Assessment provides no evidence of comparative benefits of different options. The government to carry out more work to explore the evidence base for the impacts of different options.

⁵ wwwFOUNDATIONS.UK.COM/media/4210/foundations-dfg-foi-report-nov-2015.pdf

Options two and four which would raise the minimum mandatory accessibility standard to M4(2) will have the biggest impact of increasing the number of homes where older and disabled people can live safely and independently. These options have clear positive impacts that option one, in particular, would not achieve.

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