**Raising accessibility standards for new homes**

**Response from the Royal College of Occupational Therapists 27/11/2020**

This response is submitted on behalf of the Royal College of Occupational Therapists (RCOT) by:

Lauren Walker

Professional Adviser

Royal College of Occupational Therapists

106-114 Borough High Street, London SE1 1LB

020 3141 4664

lauren.walker@rcot.co.uk

This consultation response was authored on behalf of RCOT by the Co-opted Lead on Accessible and Inclusive Design within the RCOT Specialist Section for Housing.

[RCOT](https://www.rcot.co.uk/) is the professional body for occupational therapists and represents over 33,000 occupational therapists, support workers and students across the United Kingdom.

Occupational therapists are the only health professionals who routinely work across health, social care and housing settings. Occupational therapists have expertise in the design of accessible buildings and environmental adaptations that remove barriers to independence, facilitate inclusion and reduce risks to health and wellbeing.

Occupational therapists are trained to practice across physical health, mental health and learning disabilities, they work with people of all ages and consider how individuals’ needs change and progress across their life-course. As such, occupational therapists are skilled in identifying environmental solutions that meet the needs of a wide range of people over a sustained period of time.

**Question 3**

**Do you support the Government’s intention to raise accessibility standards for new homes?**

YES.

It is important to briefly but clearly set out the history, background and evidence base to support the requirements for accessible and adaptable general housing, in addition to wheelchair accessible housing.

Demographics

It is imperative that new build housing and their neighbourhoods are fit for purpose, inclusive and truly sustainable, to meet the needs of the entire population, including disabled and older people.

The UK is signed up to the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and Article 19 contains the right for disabled people to ‘*choose their place of residence and where and with whom they live on an equal basis with others’. With 14.1 million disabled people in the UK, it is imperative the government acts now to ensure a greater supply of accessible housing in England, to not only assist disabled people in their right to independent living, but reduce social care costs for local authorities and health costs for the NHS.*’

Our population is ageing and in the next 20 years one in four of us will be aged over 65. One in five adults aged 65 -69 yrs need help with one or more essential activities of daily living, such as using the toilet, bathing and cooking. This figure rises to more than one in two of us by our 80’s. Despite common misconceptions, more than 90% of older people live in mainstream housing, not specialist housing or care homes, and research has shown that they wish to be able to remain in their own homes and neighbourhoods for as long as possible.

Lack of accessible housing

In addition to a clearly evidenced need for accessible housing, the latest English Housing Survey showed that 91% of homes do not provide the four most basic access features (which themselves do not actually provide genuine basic access or enable true visitability) so millions of us, particularly older and disabled people, live in homes that do not meet our daily needs. Therefore new build housing must be fit for purpose and not only look to address the needs of disabled and older people, but provide sustainable, inclusively designed housing that caters for the widest possible range of population including families (e.g.children using prams and buggies). It must also enable people to visit others’ homes, in order to reduce isolation and maintain social connections and supportive relationships.

Planning and requirements for accessible housing

The current lack of existing accessible housing is further compounded by the lack of accessible features in the majority of new housing currently being built, and potentially in the planning system for several years to come. Requiring the optional categories could mitigate this to some degree and assist in supporting the National Planning Policy Framework and [proposals set out by the MHCLG in 2019 in relation to Local Planning Authorities evidencing local housing need for disabled and older people](https://www.gov.uk/guidance/housing-for-older-and-disabled-people).

Whilst welcomed, unfortunately the guidance and methods for assessing need for accessible housing were still limited and unlikely to reflect true need. Additional guidance seeking to address this is provided in an [EHRC toolkit](https://www.equalityhumanrights.com/sites/default/files/housing-and-disabled-people-local-authorities-toolkit-england-planning-accessible-homes.pdf) in addition to [strategic planning considerations](https://www.equalityhumanrights.com/sites/default/files/housing-and-disabled-people-local-authorities-toolkit-england-strategic-planning.pdf). These were published as a direct result of the EHRC’s 2018 report [Housing and disabled people: Britain’s hidden crisis](https://www.equalityhumanrights.com/en/publication-download/housing-and-disabled-people-britains-hidden-crisis) which demonstrated that many disabled people were in desperate situations due to a significant shortage of accessible homes, and called on changes to the planning system to ensure more accessible homes were built. When determining need, it should also reflect a mix of property type and size, including larger family homes as this can be overlooked e.g. only one and two bedroom wheelchair accessible housing provision

Taking a pragmatic approach, all LPA’s should require the current ‘optional category’ M4(2) as the standard baseline requirements for all housing as demonstrated by the Mayor of London planning policies since 2004 and in response to the Housing Standards Review in 2015 published [evidenced based viability documents](https://www.london.gov.uk/sites/default/files/housing_standards_review_-evidence_of_need_david_lock_assoc_2015.pdf) supporting accessible housing for London i.e. even within high density development.

To ensure a truly inclusive approach, this must also require a percentage of housing to meet the needs of wheelchair users and/or people who require additional space ie, M(4)3, particularly as they are in even more scarce supply. Habinteg’s 2019 [Forecast for accessible homes](https://www.habinteg.org.uk/download.cfm?doc=docm93jijm4n2151.pdf&ver=2575) analysis showed that despite at least 1.2 million wheelchair users in the UK, a rapidly ageing population, and 400,000 wheelchair users living in homes that are inaccessible, just 1% of new homes outside of London are set to be suitable for wheelchair users. It should also fully acknowledge national demographics so as to ensure a range of housing typologies and tenures are built, including sheltered, extra care and retirement type housing.

Accessible housing – a brief history to date

Campaigning for housing that is accessible and adaptable has been a long and arduous one and we are now at the point of having a building regulation for dwellings that could provide a much-needed base line for general needs housing.

Research evidencing the benefits of, and design guidance relating to, Lifetime Homes Standards dates back to the 1980’s with the Access Committee for England, the Helen Hamlyn Trust and Joseph Rowntree Foundation in the 1990’s, through to its formal adoption by Habinteg and the 2010 Lifetime Homes Standard. In 2008 [Lifetime Homes, Lifetime Neighbourhoods A National Strategy for Housing in an Ageing Society](https://webarchive.nationalarchives.gov.uk/20120919190334/http:/www.communities.gov.uk/documents/housing/pdf/deliveringlifetimehomes.pdf) was published, and the Lifetime Homes Standard was included within the ‘Health and Wellbeing’ requirements of the 2010 [Code for Sustainable Home’s Technical Requirements](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/5976/code_for_sustainable_homes_techguide.pdf), as applicable to grant-funded housing initially. This was due to become a requirement for all new housing and as a result housebuilders were gearing up to build to this standard, but was not taken forward by the new administration A range of research to further evidence and support the application of Lifetime Homes had also been commissioned by the previous government and [published in 2012 by the new Government](https://www.gov.uk/government/speeches/unpublished-research-reports-building-planning-and-the-environment.). Unfortunately this was effectively ‘shelved’ due to the change of direction in terms of volume house building

N.B. It is often overlooked that there is a British Standard for general needs housing, based on similar principles to the Lifetime Homes Standard – BS 9266:2013 Design of accessible and adaptable general needs housing

Wheelchair housing undertook a similar journey with the first edition of the Wheelchair Housing Design Guide (WHDG) in 1997 and the second in 2006 being co-authored by Habinteg – both generally required through national Housing bodies. Habinteg’s current 3rd Edition WHDG was published in 2018 and is wholly aligned with M(4) 3.

Whilst the principle to streamline guidance and standards was acknowledged following the Harman Report in 2012, the subsequent Red Tape Challenge and Technical Housing Standards Review appear to have been weighted in favour of housebuilders with limited consideration to the evidenced need for, and wider benefits of building accessible and adaptable housing. The 2014 [Housing Standards Review consultation response](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/289144/140225_final_hsr_summary_of_responses.pdf) reported large support for Lifetime Homes Standards as the baseline, reporting ‘*many suggesting that Lifetime Homes Standards should be absorbed into the regulation*’ and ‘*In particular, it was suggested that the baseline standard should be increased’* and ‘*a number suggested the number of tiers be reduced to two with a higher national standards set out by regulation*’.

Therefore when the building regulations were finally published in 2015 with three categories and M(4) Category 1 as the only mandatory requirement, this saw a subsequent drop in standards (including housing funded by national housing bodies), and effectively a backwards step.

In terms of the other UK countries - Northern Ireland have required that all social housing be built to the LTHS since the 1990’s, Wales incorporate it within their Housing Quality Standards, and Scotland have similar (slightly enhanced) requirements within their respective Building Standards.

Additional Research, evidence and campaigns

Following on from the introduction of M4 (1), there has been an increasing and wide-ranging acknowledgment that this is insufficient, and that to meet local and national housing need there must be a requirement to design housing and neighbourhoods which are inclusive, fit for purpose, accessible and adaptable to meet current and longer term requirements, in addition to evidenced savings to housing, health and social care. The experience of Covid 19 has also led us to realise the detrimental impacts on our health due to poor, inaccessible housing including poor space standards and limited access to light and outdoor space.

This is additionally demonstrated through an ever-increasing amount of research, publications and organisational/parliamentary campaigns supporting the requirement for accessible housing. A startling updated 2016 BRE report ‘The cost of poor housing to the NHS’ showed that [non-decent and inaccessible housing potentially costs the NHS 1.4 billion per anum](https://www.bre.co.uk/news/New-BRE-Trust-report-shows-poor-quality-homes-in-England-cost-the-NHS-14bn-per-year-and-wider-society-186bn-1161.html). and there have been numerous subsequent publications from Habinteg, Care and Repair and the Centre for Ageing Better. Other previous evidential research is listed below;

* [EHRC 2016 Housing and Disabled People : Britain’s hidden crisis](file:///C:\Users\Dlemarchand\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\WFBN1S68\•%09https:\www.equalityhumanrights.com\en\housing-and-disabled-people-britain%25E2%2580%2599s-hidden-crisis)
* [Ipsos MORI 2016 ‘Accessible Housing Survey’](https://www.habinteg.org.uk/download.cfm?doc=docm93jijm4n1529.pdf&ver=1806)
* [Habinteg, LSE & Papworth Trust’s 2016 ‘The hidden housing market’](https://www.habinteg.org.uk/download.cfm?doc=docm93jijm4n1527)
* [LSE’s 2016 ‘No Place Like and Accessible Home’](file:///C:\Users\Dlemarchand\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\WFBN1S68\•%09https:\www.habinteg.org.uk\download.cfm%3fdoc=docm93jijm4n1530.pdf&ver=1807)
* [Aspire 2015 Wheelchair Accessible Housing, waiting fofr appropriate housing in England](https://www.aspire.org.uk/Handlers/Download.ashx?IDMF=cad362fa-b988-4566-a3e9-466b0edd1b9d)
* [Leonard Cheshire Disability 2014](https://www.leonardcheshire.org/sites/default/files/2019-04/Hidden%20Housing%20Crisis%20July%2014.pdf)

In addition to the research above, there have been a variety of recent Parliamentary Rountables and Inquiries into decent and accessible housing, also calling for M(4) 2 as a minimum, in addition to the need to build wheelchair accessible housing both across sector/tenure such as;

* [Women and Equalities ‘Building for Equaliry:Disability and the Built Environment](https://publications.parliament.uk/pa/cm201617/cmselect/cmwomeq/631/631.pdf)
* [Aspire’s Hidden Housing Crisis Parliamentary roundtable](https://www.aspire.org.uk/hidden-housing-crisis-round-table)
* [CLGC’s Housing for Older People Inquiry](file:///C:\Users\Dlemarchand\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\WFBN1S68\•%09https:\publications.parliament.uk\pa\cm201719\cmselect\cmcomloc\370\370.pdf)
* [APPG for Healthy Homes and Buildings](https://healthyhomesbuildings.org.uk/)
* [APPG into Decent and Accessible Housing for Older People](file://C:\Users\Dlemarchand\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\WFBN1S68\•https:\www.ageuk.org.uk\globalassets\age-uk\documents\reports-and-publications\appg\appg-for-ageing-and-older-people---report-on-decent-and-accessible-homes-for-older-people.pdf)

Other current campaigns calling for accessible housing are;

* [HoMES – Housing Made for Everyone](https://www.habinteg.org.uk/homecoalition)
* [TCPA’s Healthy Homes Bill](https://www.tcpa.org.uk/healthy-homes-act)
* [Harry’s-Pledge](https://harrys-pledge.org.uk/)
* [Motor Neurone Disease Association](file://C:\Users\Dlemarchand\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\WFBN1S68\•https:\www.mndassociation.org\get-involved\campaigning\take-action\accessible-housing-tell-us-your-story\,%20https:\www.mndassociation.org\app\uploads\2019\09\Act-to-Adapt-Full-report.pdf)
* [Abode Impact](https://www.abodeimpact.co.uk/)

**Question 4**

**Which of the 5 options do you support? You can choose more than one option or none**

Option 4: **To mandate the current M4(2) requirement in Building Regulations**

**as a minimum standard for all new homes** with M4(1) applying by exception only,**a set percentage of M4(3) homes would also need to be applied in all areas**. So rather than local authorities setting a local planning policy for the provision of M4(3), a defined and constant percentage would apply to all new housing.

As per other Options, it may be helpful to remove M4 (1) entirely to reduce the likelihood of it being used to avoid having to build to M4 (2), however it is understood that there may be exceptional circumstances – as referenced in Option 2*.*

As evidenced in the supporting information provided previously, it makes good sense to require M4(2) for all new housing, in addition to the wider cost savings that will be gained to peoples’ overall health, ability to receive visitors, reduced loneliness and isolation, ability to remain in their own home longer more independently, in addition to savings to social care and the NHS etc (as detailed under Benefits). Similar requirements have been shown to be possible in London since 2004, notably the highest density city in England. The buying power of older and disabled people (the ‘purple pound’) is also underestimated and often overlooked, so by clearly demonstrating the more wide-ranging benefits, purchasers are also likely to choose M4 (2) & (3) over M4 (1).

It is critical that M4 (3) wheelchair homes are also required and Option 4 is the only one which refers to requiring a certain percentage of wheelchair housing. This must not be overlooked, particularly in light of research referenced previously, including Habinteg’s research showing that potentially only 1% of housing outside London will be to M 4(3), despite the NHS reporting 500,000 wheelchair users (realistically the number is likely to be greater as some people will borrow and/or purchase privately).

Advantages

Local Planning Authorities will not have to spend time and resources trying to collate data to back up need, particularly as this is potentially unreliable. It will also avoid planning requirements having to be placed on individual developments, again time-consuming and has to potent to be overlooked due to some misunderstandings about the optional categories application. Anecdotally our experience, even in London i.e. where the Mayor’s planning policies are clear, if planning conditions have not been applied for specific developments, some housebuilders/developers have deliberately proposed M4 (1) for all housing, even where this includes significant numbers of units. This sadly demonstrates the mindset of some housebuilders where they are not absolutely required to build to M4 (2) & (3).

Local Authorities and Building Control/Approved inspectors will have certainty and only need to apply and understand two categories which are easier to differentiate between.

Housebuilders will have certainty and be required to amend their designs/layouts accordingly, with reduced costs longer term due to familiarity and its application across a development etc. Anecdotally, large housebuilders inferred that when they thought they were going to be required through the ‘Code’ to build to LTHS, they were in the process of changing their general designs/layouts accordingly.

Marketability and desirability – as described above – both for housebuilders but also the population at large – whether older, disabled and/or families – all are more likely to want housing that is accessible, adaptable, visitable by others and generally fit for purpose, particularly now in light of Covid 19.

Disadvantages

There may be difficulties determining an appropriate percentage for M4 (3), however it would be recommended to consider Mayor of London plan policies for accessible housing and the relevant viability assessment (as above). A proposal may be to apply a 10% requirement initially to mitigate the dire shortage but with the review in future and/or different % requirements for affordable housing, older persons housing?

This option includes an optional M4 (1) in ‘exceptional circumstances’, which will require clarification and guidance to ensure housebuilders/developers do not try to use it as a ‘get out’. For example, there may still be instances where a % provision of M4(2) and (3) should be required so as to provide people with choice, even if topography beyond the curtilage of the dwellings, and proximity to infrastructure is not ideal, particularly if there has been a severe lack of accessible housing provision over many years.

**Question 6**

**Do you agree with the estimated additional cost per dwelling of meeting M4(2), compared to current industry standards, in paragraph 44?**

NO.

Costs

It seems inappropriate to publish consultation on whether to introduce new baseline standards without up to date detailed, evidence based costings on all relevant aspects of building to both M(4)2 and M(4)3, particularly as the £1400 build cost proposed is what many housebuilders/developers will focus on. Where does this figure come from? What is it based on? Does it take into account that the optional categories have now been in place for 5 years and all those involved in housebuilding should now be fully familiar with the requirements – something which was [added to the costings in the previous Housing Standards consultation](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/230252/3_-_Housing_Standards_Review_-_IA_with_Annex.pdf), so should be removed?

£1400 for M(4)2 would appear more than research mentioned throughout this response and the now-dated HSR Impact Assessment indicates, particularly in blocks of flats where it can be nil. In addition to house type, there are also many more variables in terms of build cost where the additional/potentially nil spatial and design requirements can be mitigated against and deliver efficiencies in other ways e.g. the size of dwelling (bed/person size), overall plot size, size of development within the overall boundary, more efficient design, where the nationally described space standards are already applied, having standard housing typologies etc.

It is also unclear if the costs have taken into account the significant reduction in build costs that M4 (2) provided, as opposed to previous Lifetime Homes Standards, through the removal of requirements such as ceiling strengthening, a future space for a Through Floor Lift, knock through panel between bath and bedroom, dedicated space for a bed within in living room etc. There is also additional good practice guidance which can assist in streamlining the design and build process in the (often forgotten) British Standard BS 9266:2013 Design of accessible and adaptable general needs housing. This is currently under review and this could additionally assist in addressing concerns or misunderstandings in M4 (2).

Similar reductions in housebuilding costs were also applied for M4 (3) such as the removal of the requirement for a car port, the bedroom to be alongside the bathroom (although desirable), the knock through panel between the bedroom and bathroom etc, in addition to the provision of the (2)(a) ‘adaptable’ requirement which was created to specifically address the needs of housebuilders and reduce unnecessary cost. Consideration also needs to be given to how these more spacious, more desirable properties can be marketed effectively (see below).

In terms of costings, with reference to all the research, evidence base and campaigns, it is inappropriate to simply refer to the up-front build costs, as now further highlighted by aspects such as Covid 19, the need for healthy homes and neighbourhoods and the much wider cost benefits these will create. It is therefore imperative that this consultation is not purely costed in terms of housebuilding nor housebuilder-led.

Benefits

It is surprising that there is only specific mention to potential savings to social care and increased familiarisation costs. As stated above, it does not seem appropriate to consult on improving housing standards without providing any costings of the wider, preventative health and resource benefits of building accessible housing. Again, this is despite wide ranging, evidenced based research over many years including the BRE research mentioned previously and accessible and adaptable housing’s potential contribution towards the £1.4 billion savings to the NHS

The previous Housing Standards Review consultation also failed to monetise benefits which would negate build-cost and create considerable resource and societal savings such as;

* Reducing or delaying the need for people to move into residential care
* Reducing the demand for temporary residential care
* Ensure that people can be discharged home from hospital due to their home providing the appropriate access features either temporarily or longer term
* Enable their home to be adapted to provide appropriate and safe access
* Reduce the pressure on local authority adaptations budgets (financial and resource/staffing) through building to LTHS e.g. Northern Ireland have evidenced significant savings over many years. Social housing providers in England are also utilising the features of M(4) 2 (and 3) to further future-proof their new build housing such as providing full wet floor showers under baths in addition to adopting generally more inclusive, accessible layouts from design stage. In these instances they will provide significant short and long term savings to adaptations budgets, in addition to reducing the need for health/social care/housing staff input such as occupational therapists, trusted assessors etc.
* Reduce the risk of slips, trips and falls
* Enable people to live more independently with reduced need for home care/assistance
* Enable a person to remain in their own home, and therefore local community, longer
* Reduce isolation and loneliness by enabling a person to go out into their local community
* Enable friends and family who may also be disabled and/or older to visit
* Provide easier access for all e.g. children with buggies, trades etc
* Provides a sense of wellbeing and improved mental health

**Question 8**

**Do you have any comments on the costs and benefits of the other options set out above?**

YES.

An additional benefit to housebuilders is that M4 (2) and (3) should be seen as a marketing opportunity, particularly in light of Covid 19, such as providing homes that people want to live in, are flexible and adaptable to meet longer terms needs, will cost less and be easier to adapt, will enable them to receive visitors more easily to reduce social isolation and loneliness – all the benefits as cited above. Previous research in Northern Ireland demonstrated that people would be willing to pay more for the attributes that LTH provided and many older and disabled people have additional buying power e.g. the ‘purple pound’ which is often overlooked. In terms of marketing and promotion, consideration should be given to a potential trademark and /or rating so that purchasers are familiar with the property attributes.

As research has evidenced, there is a severe shortage of accessible housing across all tenure, including wheelchair housing i.e. not just social housing, so building it should be seen as an opportunity. Unfortunately, many housebuilders appear to view the provision of wheelchair housing as a ‘negative’. Aside from the additional space and potential for ‘good’ design features which anyone would want (particularly now in light of Covid), they misunderstand the requirements and the need to design inclusively i.e. that it can be designed attractively at no extra cost. Wheelchair adaptable properties do not need to install an accessible kitchen and can provide an attractive, contemporary wet room or even a bath over the shower without any additional fixtures or fittings (rails, seats). In fact there have been examples of developers understanding this concept and using the private sale/shared ownership wheelchair units as the show flats.

It is evident that many housebuilders/developers also do not market wheelchair housing appropriately, or at all, so frustratingly renters and buyers are unaware that they exist, which in turn perpetuates the myth that no one wants them (again a complaint anecdotally often heard from housebuilders). Research mentioned previously demonstrates the opposite, as well as [research from Commonweal Housing](https://www.commonwealhousing.org.uk/commonweal-funded-research-finds-over-90-of-wheelchair-users-struggle-to-find-accessible-homes-for-private-rent#:~:text=The%20findings%20show%20that%20some,fails%20to%20meet%20their%20needs.&text=As%20Abode%20Impact%27s%20research%20shows,in%20their%20home%20for%20longer) which found that over 90% of wheelchair users struggle to find accessible homes for private rent. Due to the chronic shortage of wheelchair accessible houses for sale and rent, there are also an increasing number of specialist websites being set up to try and assist disabled people such as [AccessiblePRS](https://accessibleprs.co.uk/).

**Question 9**

**Do you have any comments on the initial equality impact assessment?**

Ensuring M4(2) is the baseline for all new housing with a percentage to M4 (3) can only have a positive impact across a range of protected characteristics and is likely to have a positive impact on more than just age and disability.

As mentioned previously, in addition to the Equality Act 2010, reference could also be made to the 2006 United Nations Convention on the Rights of Persons with Disabilities and disabled peoples’ right to be able to participate in society fully, on an equal basis with others, in all aspects of life. This includes independent living and access to the physical environment.

To state that the ‘do nothing’ option is also likely to have a positive impact appears to misunderstand the whole concept of this consultation. As summarised in this response, to do nothing would have a detrimental effect for a whole variety of reasons such as increased costs to the NHS, Social Care, disabled and older people, society in general, in addition to other wider preventative benefits evidenced through extensive research.