

Day 2: Issue 2

Can the Council prepare a note on the tests set out in the NPPG regarding accessible housing (viability and necessity) and if possible agree a position with the Home Builders Federation (HBF).

On 25 March 2015 the Government set out in a Written Ministerial Statement the introduction of new technical housing standards in England and detailed how these would be applied through planning policy. The new system includes new additional 'optional' Building Regulations on access and introduces a three tier standard for accessibility in Part M (access to and use of buildings) of Schedule 1 of the Building Regulations. There is a mandatory baseline building regulation, which sets a minimum requirement M4(1) – visitable dwellings and two optional requirements, M4(2) – accessible and adaptable dwellings and M4(3) – wheelchair user dwellings.

These changes enable the new standards to be enforced through building regulations with the optional requirements applied through planning policy by way of condition attached to planning consents.

The optional access requirement M4(2) - accessible and adaptable dwellings - requires provision to be made to meet the needs of occupants with different needs, including some older and disabled people and some wheelchair users. The requirements of M4(2) state that there should be sufficient provision to allow for the adaptation of the dwelling to meet the changing needs of occupants over time. Together with other specific design requirements, M4(2) necessitates the provision of step-free access to the dwelling and, within the dwelling, step-free access to facilities on the entrance floor and any private outdoor space directly connected to the entrance floor. M4(2) accessible and adaptable dwellings will be suitable for older people – whose numbers are increasing in Adur – some disabled people including some wheelchair users, and also for non-disabled people, including families with children. The need for step free access to dwellings is a key element to ensure homes are accessible to residents both now and in the future.

The Council has reviewed a variety of sources of data, much of which is at the national level and perhaps not directly relevant to a district the size of Adur. It is however clear from evidence in the Objectively Assessed Housing Need Update 2016 report (CD/08/1) that the population of Adur is ageing, and this brings with it a responsibility for ensuring the newly constructed housing stock is capable of responding to the needs of households as they live independently for longer and their circumstances and mobility change over time.

Requiring new housing to be built to M4(2) accessible and adaptable standard will ensure that the housing stock in Adur becomes progressively more capable of responding to the needs of households and helps to ensure that households are able to make feasible and effective adaptations to their homes, without incurring substantial cost or needing to move property.

The NPPG states that 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. Based on available evidence, the Council has sought to take account of the following to inform policy preparation:

The likely future need for housing for older and disabled people (including wheelchair user dwellings)

Data taken from the Census 2011 shows that in Adur, 8.6% of the population state that their day to day activities are limited a lot and 11% indicate that their day to day activities are limited a little. Overall, 19.6% of the population have some form of health problem or disability which impact on their day to day life.

Drawing on evidence in the Objectively Assessed Housing Need Update 2016 (OAN)(CD08/1), 23.2% of Adur's population in 2015 was aged over 65, with over 2000 residents aged over 85 years.

Population projections taken from the OAN Update 2016 (CD08/1), indicates that there will be a notable increase in the older population over the 21 year plan period, with the total number of people aged 65+ expected to increase by 46% (compared with an overall population growth of 18% and an increase in the under 65 population of just 11%). Significantly, the change in the number of people aged 85+ is projected to be 77%. This is demonstrated in the following table:

Projected change in Population of Older Persons (2011-2032)

	Under 65	65-74	75-84	85+	Total	Total 65+
Adur	10.65%	39.2%	42.7%	77.1%	18.5%	46.3%

Demographic data provided by West Sussex County Council (attached) indicates that between 2019 and 2029, the projected number of people aged 65 and over in Adur unable to manage at least one mobility activity will have increased by 23%. For people aged 18 to 64, the data predicts that just over 4000 individuals will have a moderate or severe physical disability.

Many of the older population choose to either remain in their own homes or to downsize within the general housing stock (thus releasing family sized housing). Whilst there is a higher level of disability and health problems amongst older people, the Government's preference is for care to be provided in the home where possible.

In terms of a need for specialist housing options for older people (which includes sheltered accommodation, extra care and registered care accommodation), there is likely to be an increased requirement for this type of accommodation given the predicted demographic growth of these age groups referred to above. At present it is estimated that there are just over 700 units of specialist accommodation for older persons in Adur, with a slightly higher proportion in the affordable sector (55%) than the market sector (45%) (OAN 2016) (CD08/1). Whether this accommodation has been constructed or adapted to meet the needs of wheelchair users is unknown. Analysis shows a potential need for 615 units of specialist accommodation over the Plan period (29 per year) (OAN 2016)(CD08/1) The Council considers that it is good practice to encourage all new specialist accommodation for older persons to be built to Category 3: wheelchair adaptable standards where viable.

Size, location, type and quality of dwellings needed to meet specifically evidenced needs

Category 3: wheelchair accessible dwellings can only be required where a specific need has been identified in the affordable housing sector. The Adur Housing Register has 11 households with a specific need for wheelchair accessible accommodation (as at 13th March 2017). The Council will

negotiate with affordable housing providers to determine the size and type of accommodation required to meet a specifically identified need at the time a planning application is submitted.

The accessibility and adaptability of existing housing stock

There is little readily available up to date information on accessibility and adaptability of existing housing stock.

In terms of the Council’s own housing stock (Adur Homes), approximately 5% has been adapted to meet the specific requirements of the individual household. Over the last 5 years the Council has received an average of 79 requests for adaptations to dwellings:

Disabled Adaptations

Adaptation	2012-13	2013-14	2014-15	2015-16	2016-17
Bathroom alterations	10	7	14	15	12
Lights/electrics	0	2	0	0	1
Door entry	0	1	4	0	0
Door replacement	2	1	0	1	1
Dropped kerb	1	1	0	1	0
External handrails	4	9	3	3	3
External access	7	9	8	15	9
External alterations	6	4	3	4	6
Internal alterations	0	2	7	1	5
Kitchen adaptations	4	3	5	3	0
Level access shower	22	33	26	21	28
Lever taps	1	1	1	3	0
Lifts and hoists	7	13	9	9	6
Over bath shower	2	4	5	6	2
Window controls	0	1	0	0	0

In terms of private sector dwellings, the Council administers a Disabled Grants Facilities scheme for adaptations to private dwellings. Since 2012 grants have been provided to facilitate adaptations to 165 properties.

How needs vary across different housing tenures

Figure 9 in the Objectively Assessed Housing Need Update 2016 (CD08/1) shows the tenure of older person households. It indicates that 76% of the older population living in outright owned accommodation, with just 3% living in private rented accommodation. There are however, differences for different types of older person households with home ownership amongst single older persons being notably lower (71.6%) than for couples or larger households.

With an ageing population and the number of single person households expecting to increase, there may be a demand for affordable housing from the ageing population. However, given the proportion of older person households who are outright owners (with significant equity) it may mean that market solutions will also be required to meet their needs. There is likely to be a level of demand for single floor living such as bungalows or accessible flats – these are popular with older people downsizing. By providing an element of single floor living allowing older households to

downsize and therefore frees up family accommodation for younger households. This approach is supported by the recently published Government White Paper.

Overall impact on viability

The HBF (in their response REP/032/002) are satisfied that the cost input assumed in the Adur Whole Plan Viability & Community Infrastructure Levy Viability Assessment 2017 is an adequate one since it covers the DCLG’s estimate for the build costs and process costs associated with building to Part M4(2). The Adur Whole Plan & Community Infrastructure Levy Viability Assessment (CD24/11) incorporated the costs associated with building to Part M4(2) Accessible and Adaptable dwellings for all dwelling types and demonstrated that it is achievable.

The NPPG also sets out that the Local Plan should clearly state what proportion of new dwellings should comply with these requirements.

There are many sources of information which highlight the need for homes to be built to accessibility standards. For example, the Leonard Cheshire Disability 2014 report ‘The Hidden Housing Crisis’ states that 54% of those with mobility impairments who have looked for accessible homes said they were difficult to find. Habintag – ‘Mind the Step: an estimation of housing needs among wheelchair users in England’ concludes that the majority of homes in England (84%) do not allow someone using a wheelchair to get to and through the front door without difficulty.

Significantly, the numbers of older residents in Adur is expected to increase substantially over the next 21 years, especially those aged 85 and over (see above). It is clear, therefore, that the pressures and demand for accessible and adaptable housing and wheelchair accessible housing will increase and become a considerable housing issue. Evidence suggests a continued and growing need in Adur over the Plan period. Given the need for housing across different tenures, together with evidence of an ageing population, the Council considers it is appropriate and important that all new housing should be built to the proposed optional access requirements M4(2) standards. It will help facilitate the provision of easily adaptable homes for disabled and older people both now and in the future and will also benefit non-disabled people, including families with children.

There is a demonstrable need for including the proposed optional access requirements M4(2) in a policy as this will ensure appropriate and accessible dwellings are built for both the current and future population of Adur. The Council is aware that there may be instances where, for example, level access cannot be provided due to the need to address flood risk issues and a flexible approach will be taken if it can be demonstrated at planning application stage that a development cannot meet the optional higher M4(2) standard.

The Council proposes to modify Paragraph 4.30 and Policy 21 of the Local Plan as follows:

Reference (paragraph, policy or map number)	
Paragraph 4.30It is recognised that the number of elderly households and other sectors of the community are likely to have a need for homes designed to meet their changing needs and to enable them to remain living independently at

	<p>home for longer. <u>The Government has introduced new optional higher Building Regulation Standards M4(2) Category 2: Accessible and Adaptable dwellings and M4(3) Category 3: Wheelchair user dwellings in new residential dwellings where a local planning authority has a policy in place and evidence that a higher level of accessibility is viable and necessary to meet current and future needs. The Council has produced a Whole Plan Viability Assessment which has incorporated costs of building all new homes to the higher optional Building Regulations Standard M4(2) Accessible and Adaptable Dwellings and this has been found to be achievable. However, in some new developments it may not be practical or feasible to incorporate step free access to dwellings because of the need to address flood risk issues and this will be taken into consideration when determining planning applications.</u> The Council will therefore encourage all new homes to be built to the higher optional Building Regulations Standard M4(2) Accessible and Adaptable Dwellings and will apply it as a planning condition to development where viability is not compromised</p>
<p>Policy 21</p>	<p>...</p> <p><u>The Council will expect all new build dwellings relevant applications to meet the optional higher Building Regulations Standard M4(2) for Accessible and Adaptable dwellings where feasible and viable, and to meet national minimum space standards in all new dwellings across all tenures.</u></p> <p><u>The requirement to provide affordable dwellings constructed to building regulations Standard M4(3) Category 3: wheelchair accessible standards will be dependent on identified need at the time a planning application is submitted and the suitability of the site.</u></p>
<p>Add Footnote to paragraph 4.30</p>	<p><u>Adur District Council Whole Plan & Community Infrastructure Levy Viability Assessment 2017; Nationwide CIL Service</u></p>

HBF position

The PPG advises that local planning authorities should consider two matters when assessing whether it is appropriate to adopt either or both of the optional technical standards for accessible (Part M4 (2)) and wheelchair accessible (Part M4 (3)) homes. These are ones of necessity and viability.

The Council has presented new evidence relating to the likely need for accessible and wheelchair homes.

In terms of the demographic need, the Council identifies that the total number of people aged 65+ is expected to increase by 46%. However, not all of these people will necessarily require a category 2 or category 3 constructed dwelling and they may occupy dwellings that are capable of adaptation (adaptability of the existing stock).

The Council also estimates that those aged 18 to 64 some 4,000 individuals will have a moderate or physical disability.

Taken together, this information indicates that a policy requiring that 100% of homes should be constructed to Part M4 (2) would not be appropriate in Adur.

Nor does the Council have any information about the accessibility or adaptability of the existing housing stock.

However, the demographic data suggests a likely need for Part M4 (2) homes. The Council has also assessed the cost of building to Part M4 (2) as part of its local plan viability assessment. Therefore, the HBF would concede to a policy requiring that some homes should be built to the Part M4 (2) standard. We think 50% of all new homes would be appropriate but not all homes (100%).

In terms of Part M4 (3) – wheelchair accessible homes – there may well be a need for such homes, but the Council has not assessed the cost of building such homes as part of its Local Plan Viability Assessment. The cost of building to Part M4 (3) is expensive and will compete with other policy goals such as the provision of affordable housing. Therefore, in this Plan, the HBF cannot support the proposed modification to the Policy 21 whereby an applicant is required to provide a certain number of homes based on a need that is identified at the time the application is made. It is the function of the Local Plan to stipulate the number of Part M4 (3) homes required, based on evidence. As the PPG states:

“They (local planning authorities) should state clearly in their Local Plan what proportion of new dwellings should comply with the requirements”.

It is not the responsibility of the applicant to provide the evidence base. The purpose of the plan-led system is to provide clarity for applicants and decision-takers so that applications that accord with the development plan can be approved without delay (NPPF, paragraph 14).

Unfortunately, at this juncture the HBF cannot support a requirement that any homes are built to the Part M4 (3) standard. The Council could explore this option again when it comes to review its plan.

James Stevens

Home Builders Federation

Adur District Council Response to HBF comments:

The HBF comments in relation to the requirement for Part M4 (2) homes are noted, as is the proposal that 50% of dwellings should be built to Part M4 (2) standard, rather than 100% as proposed by the Council.

The Council has considered this proposal . However it is considered that it would be extremely difficult to implement in practice. For example, would the 50% be applied on a site-by-site basis? It would be difficult to apply on smaller developments (which make up a considerable proportion of Adur’s housing stock, as indicated in the Council’s evidence on other matters). In addition monitoring and enforcement would be extremely difficult . (It is also noted that the 50% figure does not appear to be evidence-based)

As a result of the above, the Council regrets it is unable to agree to this compromise position.

