

Appendices

Appendix A: Equality Act 2010

The Equality Act places a statutory requirement on public authorities to adhere to the three aims of the equality duty:

- eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and,
- foster good relations between people who share a protected characteristic and people who do not share it.

The protected characteristics covered by the Equality Duty are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership (but only in respect of eliminating unlawful discrimination);
- pregnancy and maternity;
- race – this includes ethnic or national origins, colour or nationality;
- religion or belief – this includes lack of belief;
- sex; and,
- sexual orientation.

Although not covered in law, the Council has committed to also consider socio-economic status, health and English as Another Language (EAL) as a further equality characteristics.

Appendix B: Disability related recommendations from the original Equality Commission report

The council should:

- accelerate its programme to address the known underrepresentation of BAME and disabled people in leadership roles, using this work to influence key partners to do the same
- supporting staff who become disabled whilst employed at the council
- promote more inclusive front-line services through a refresh of mandatory equalities and diversity training for front-line staff, and carry out a community audit with disabled residents to ensure the new Civic Centre is an accessible and welcoming environment for all
- facilitating participation in consultation and engagement by disabled people
- ensure that, as more services and processes are digitalised, residents who might need additional support (such as disabled residents) are involved in designing and testing systems and technology
- work with key partners (including contractors, local business and BIDS) to increase the quality and range of targeted employment opportunities for disabled residents, residents with mental health issues and residents with complex needs
- promote awareness of disability access issues, by using DisabledGo to identify suitable venues for public meetings and engagement and publicising this information more widely as part of all relevant council communications
- range of recs about experience of disabled children of education, and involvement of disabled parents

Appendix C: The social model of disability

According to the social model, disability is caused by social organisation which takes little or no account of people who have impairments and thus excludes them from participating in mainstream social activities.

The social model of disability recognises that what disables people is not their impairment, but society's reaction or inaction to it. The language used needs to reinforce an understanding of this approach. The following are terms used in accordance with the social model.

Impairment

This is the loss of function or ability of an individual's body. The word "impairment" is used to describe the reasons why people are considered to be disabled. Examples of impairments are physical, sensory conditions, emotional / mental distress, a learning difficulties, etc. Although this word is not an ideal one there needs to be some word that describes what it is about disabled people that forms the basis of their social exclusion and discrimination.

Disability / Disability Discrimination

Disability arises from discrimination on grounds of impairment. Disability can lead to social exclusion. The following definition was agreed as suitable by the Audit Commission in 2005 for Best Value Performance Indicator Audits (e.g. BVPI 16a/b):

- Using the Social Model of Disability you are a Disabled Person if;
- 'you identify as having an impairment, e.g. a physical or sensory impairment, learning difficulty, health issue, or are different from a perceived norm (this can be hidden or visible). As a consequence of this you may have experienced disability discrimination - and it is this that disables you.'

Ablism

The belief that disability implies lack of personal ability can distort the way in which an individual person is perceived leading to prejudice and discrimination. People are disabled by physical barriers in the environment and attitudinal barriers in society rather than by their impairment.

Disabled people include people with physical and/or sensory impairments, learning disabilities or mental/emotional distress.

These may have short or long term effects and are not always visible. This is the preferred term under the social model, rather than "people with disabilities" (because this term makes the impairment, rather than the barriers created by society the cause of the disability).

Positive action

Current UK legislation does not allow positive discrimination or affirmative action on the grounds of race or gender - in other words, an employer cannot try to change the balance of the workforce by selecting someone mainly because she or he is from a particular equalities group.

The Disability Discrimination Act 1995 itself does not makes it unlawful to positively discriminate in favour of disabled people, although there are other legislative provisions which need to be taken into account – e.g. the requirement to appoint on merit under section 7 Local Government and Housing Act 1989. One example of permissible positive discrimination in favour of disabled people would be e.g. offering free admission for disabled people to an attraction that other service users have to pay for.

Employers can, however, take positive action to prevent discrimination, or to overcome past discrimination. The aim of positive action is to ensure that people from previously excluded groups can compete on equal terms with other applicants. Selection itself must be based on merit and all applicants must be treated equally. An example of positive action would be a mentoring scheme for lower grade staff from a specific equalities group which is underrepresented in management positions.

The law does not compel employers to take positive action, but it allows them to do so.

Positive action seeks to support groups in society which have been disadvantaged in the past and helps to address some of the under-representation which still exist between staff in an organisation and the communities it serves.

Rights not charity

It is disabled people's right to access services, resources and information available to non-Disabled People. Equal access to services is a right and it is the job of service providers to ensure that they meet all people's access requirements. See also the provisions of the Disability Discrimination Act 1995.

Inclusion

The history of disability is based on imposed segregation. This needs to be challenged whilst at the same time recognising the benefits of Disabled People having control of their own space as a matter of choice. Adopting the social model of disability and the principles of inclusive design will help achieve accessible, inclusive environments and services which are fundamental to the aim of achieving social inclusion.

The ultimate aim of inclusiveness is for facilities and services to be inclusive, accessible, safe, convenient, flexible, adaptable, sustainable and useable by everybody.

The fact that many organisations have not adopted inclusive design principles has been a source of frustration to many disabled people, as their access needs are often considered as an afterthought. Making special provision for disabled people, rather than integrating their needs into those of all other users, often results in unsatisfactory solutions.

Empowerment

This needs to underpin all work in this area. This philosophy means that Disabled People represent their own interests and have input into the policies / structures that control the service providers. Local authorities must look at positive ways to consult with these organisations run by disabled people. Local disability equality forums can be set up, run and controlled by disabled people who are given access to disability equality training and ongoing support, and whose access requirements are met in all meetings.

Needs

The access needs of disabled people should be considered at all times both in terms of accessible formats such as Braille, disk, CD-ROM etc. adequate lighting and physical access to buildings.

Traditional model	Social model
The 'problem' is the individual disabled person's impairment	The 'problem' is how society treats or reacts to people who have an impairment
Not preventable	Preventable
The solution is to find a cure or to provide care	The solution is to stop discrimination

(Sources: Graham Clarke, Greater London Action on Disability (GLAD))

GLA website - www.london.gov.uk

Commission for Racial Equality – www.cre.gov.uk

London Borough of Croydon, Equalities Team)

Appendix D: Council customer service standards

Our service standards set out what you can expect from us when you contact us or use our services.

You have the right to expect decent, good quality and easily accessible council services and information. It is our job to make sure that this is delivered.

Our service standards apply to staff.

If you call one of our advertised telephone numbers we will:

- aim to answer your call within one minute
- divert our phone to a colleague or voicemail if we are unavailable
- tell you our department and give you our name when we answer and return your phone calls within two working days or when you ask us to
- provide a telephone interpreting service if you are hard of hearing, deaf or speak a different language.

If you visit one of our Customer Centres we will:

- welcome you and offer assistance to help
- ensure all of our staff are wearing a name badge and can be easily identified
- provide a pleasant, clean, tidy and safe reception area
- direct you to the appropriate person or team
- keep waiting times as short as possible for customers without an appointment
- if you have an appointment with us we will see you within 10 minutes of your appointment time
- ensure everyone can gain easy access to our services.

If you send us an email, website form or write to us we will:

- aim to acknowledge your correspondence within two working days and respond fully within 10 working days
- update you on progress and advise you when we can respond if we are unable to respond in full
- provide well-structured responses, using plain language responding to all the points raised.

Appendix E: Customer Services Guidance

A range of guidance is available to support physical, spoken and online customer service practice with disabled people:

Communicating Effectively guidance - Toolkit for Primary Care Providers:

<http://vkc.mc.vanderbilt.edu/etoolkit/general-issues/communicating-effectively/>

Accessible communication formats - Guidance for government communicators but may also be useful to other communication professionals in the private and voluntary sectors:

<https://www.gov.uk/government/publications/inclusive-communication/accessible-communication-formats>

Association of Convenience Store Best Practice 2015 – Welcoming Disabled Customers:

https://www.acs.org.uk/sites/default/files/acs_disability_guide_d3_v1_01.07.15_aw2_lr_spreads.pdf

Ofcom Disabled consumers' ownership of communications services - A Consumer Experience report:

https://www.ofcom.org.uk/_data/assets/pdf_file/0031/67954/disabled_consumers_report.pdf

Dignity in health care for people with learning disabilities -Guidance for nurses

http://oxleas.nhs.uk/site-media/cms-downloads/RCN_Dignity_in_healthcare.pdf

Current attitudes towards disabled people – Scope report:

<http://www.scope.org.uk/Scope/media/Images/Publication%20Directory/Current-attitudes-towards-disabled-people.pdf?ext=.pdf>

Web Accessibility Initiative: Strategies, guidelines, resources to make the Web accessible to people with disabilities:

<https://www.w3.org/WAI/intro/accessibility.php>

Appendix F: Customer services- specialist disability services

Accessible Transport Team

The council's accessible transport team sits within the customer services. By their nature, services delivered by this team will disproportionately affect disabled and older residents. The team is responsible for two services that based on feedback from the Equality Commission, we know to be particularly important to disabled people: blue badges and disabled parking bays.

Blue badges

The Blue Badge scheme helps those with severe mobility problems who have difficulty using public transport to park close to where they need to go.

In response to customer complaints about waiting times for blue badges, assessment has been contracted out to a specialist Occupational Therapy Company ('Access Independent') to ensure a stable source of capacity and expertise. Performance has improved as a result, with shorter waiting times. The average waiting time for a blue badge to be processed in 35 days which meets the performance target of 35 days. This target was based on benchmark data of statistical neighbours. Most recent data for quarter 3 shows the waiting time at 35.94 days.

There is a high degree of accuracy in assessments undertaken. It is very rare for decisions to be overturned, and where appeals have been upheld, this tends to be because people have provided additional evidence

White badges

Lambeth has a 'White Badge' parking permit scheme, which is aimed at reducing the risk of Blue Badge theft. It allows disabled residents, when parking in the borough, to park closer to their destinations.

Disabled parking bays

A disabled parking bay is outlined on the road with white lines and enables disabled people to park their own vehicle near to their house. Anyone with a Blue Badge can park in any disabled bay.

Once applications have been processed by the accessible transport team, the council aims to install bays within approximately 24 weeks. In common with most other councils, bays in Lambeth are installed in batches, which means the waiting time is longer. Exceptions to this are where councils charge for the installation of a bay.

Whilst at present there is no dedicated officer to manage disabled bay applications or removals, the council is trying to reduce the turnaround time to 21 weeks subject to size of the batch. Whilst applicants wait for the bay to be installed, providing a blue badge is displayed they are free to park in Controlled Parking Zone bays and up to 3 hours on yellow lines.

Appendix G: Council housing and disability – further information

Tenure and disability

There is a significant correlation between tenure and disability. Although now several years out of date, the census provides a helpful overview:

	All persons in Lambeth		Day-to-day activities limited a lot		Day-to-day activities limited a little	
Owned: Owned outright	30,436	10.1%	2,565	14.7%	3,281	16.8%
Owned: Owned with a mortgage or loan or shared ownership	69,899	23.3%	1,512	8.7%	2,759	14.1%
Rented: Social rented	104,113	34.7%	11,365	65.2%	10,355	53.0%
Rented: Private rented or living rent free	95,654	31.9%	2,000	11.5%	3,125	16.0%
Total	300,101		17,442		19,520	

Table 1

Housing allocations criteria

Band A (emergency medical need)	A person will be awarded Band A if the household contains one or more members with a currently life-threatening illness or disability, and whose housing circumstances are affecting their health very severely. Band A priority needs to be approved by the Council's Emergency Panel on the recommendation of the Medical Assessment Officer.
Band B (urgent medical need)	A person will be awarded Band B if one or more of the household has a serious illness or disability, and their present living conditions are affecting their health to a marked degree, and a move is recommended to improve the health of the individual.
Band C (less urgent medical need)	A person will be awarded Band C if one or more of the household has an illness or disability of a moderate nature which is affected adversely by their living conditions, and a move is recommended to improve the health of the individual.
Band D (no medical need)	A person will be awarded Band D if they have an illness or disability where rehousing might improve the quality of life of the person, but where the living conditions are not considered significantly detrimental to their health or functional ability.

Table 2

Very few people are awarded Band A priority, so in practice the highest priority that is normally awarded is Band B.

Mobility requirements are also assessed as follows:

- CAT 3 – Level access ground floor required
- CAT 2 – Disability adaptations required
- CAT 1 – Wheelchair accessible housing required

Those with mobility requirements can bid for all properties, but will have higher priority for properties advertised as being suitable for those with mobility needs.

Disability and housing need

A snapshot of those on the waiting list as of April 2017 is provided in the table below.

	Category 1: Wheelchair property required.	Category 2: Mobility or adapted property required	Category 3: Level access Ground Floor accommodation required
Total	82	100	934
Transfer			
HA Transfer	3	1	14
Council Transfer	40	45	434
Non-Transfer	39	54	486
Band			
Band A	31	39	469
Band B	33	49	304
Band C	16	9	120
Band D	2	3	41
Bedroom			
Need 1 bedroom	22	19	176
Need 2 bedroom	57	70	442
Need 3 bedroom	1	9	292
Need 4+ bedroom	2	2	24

Table 3

Housing Adaptations

Adaptations in the home can include adaptations like stair-lifts, door-widening, through-floor lifts, special WCs and ramps. They help adults or children with disabilities live as independently as possible.

The Adaptations service is available to tenants of Lambeth Council. Disabled Facilities Grants (DFG) are awarded to owner-occupiers, private rented sector tenants and housing association tenants.

A Lambeth resident can apply for an adaptation or a disabled facilities grant if they, or someone living in their property, is disabled and:

- they, or the person on whose behalf they are applying, are either the owner or tenant of the property.
- they can certify that they, or the person on whose behalf they are applying, intends to occupy the property as their only or main residence throughout the grant period - currently five years.

The initial assessment is carried out by the Community Occupational Therapy (OT) service either in Children's or Adult Community Services. The OT visits the disabled person and decides what work is needed, then refers the disabled person or their family to the Home Improvement Agency (HIA). Then an HIA case officer visits the client at home to make a financial assessment and tells them if they will have to contribute to the cost of the work. They also ensure that the family are getting all the right benefits and other services that would be beneficial to them.

We have a target for 250 DFGs to be awarded each year with an average time between approval of an application to completion of 112 days.

Women and Equalities Committee (2017) Building for Equality: Disability and the Built Environment

Barriers facing disabled people identified:

- an inadequate supply of accessible homes
- public and commercial buildings without step free access or with poor signage
- workplaces people couldn't get into
- failures to install or maintain hearing loops
- sports halls with surfaces unsuitable for wheelchair sports
- failures to exempt assistance dogs from bans on dogs in public parks
- the installation of 'dog grids' preventing assistance dogs from entering some public spaces
- restrictive gates on paths and cycle routes blocking wheelchair users and those with adapted cycles
- lack of cycle parking suitable for non-standard or adapted cycles
- the 'green man' at traffic lights not allowing enough time to cross the road
- streets where the removal of kerbs and controlled crossings made navigation impossible or unsafe
- streets made impassable by pavement parking
- cars parked across dropped kerbs
- 'A' Boards and other 'street clutter' such as wheelie bins
- the continued use of uneven surfaces such as cobbles creating slip hazards.

Planning and public realm

More information on the London Plan

The **Mayor** is currently consulting on the draft new London Plan 2017. Like the current London Plan, the new draft Plan contains many policies that seek to provide for the needs of disabled people. Of particular relevance is Policy D3 Inclusive Design. This draft policy requires Design and Access Statements, submitted as part of planning applications, to include an inclusive design statement. It also requires new developments to be designed to incorporate safe and dignified emergency evacuation for all building users.

Mayor has also produced **Accessible London Supplementary Planning Guidance**, which provides advice to boroughs, developers, designers and planning applicants on implementing inclusive design principles effectively and on creating an accessible environment in London, with particular emphasis on the access requirements of disabled and older people. This document is a key resource on best practice for inclusive design and can be used now in planning advice and decision-making.

Other legislation:

In addition to legislation, for example the Equalities Act 2010 and Planning and Compulsory Purchase Act 2004, there is also a raft of national, regional and local policy and guidance on providing for the needs of disabled people and other vulnerable groups like older and younger persons. In terms of town planning in Lambeth, the following are all relevant planning documents with regards to planning for disability and more vulnerable groups:

- **The National Planning Policy Framework (NPPF):** This document sets the national direction for planning and reinforces the importance of inclusive design. The needs of disabled persons and older and younger people is an important consideration in a range of planning areas, for example, transport, housing, design (including buildings, streetscape and public and private realm), healthy communities and accessible open spaces. See Table 1 for specific policies in the NPPF for these planning matters.

Table 1: Paragraphs of the NPPF related to disabled persons/inclusive planning

<p>Para 35</p>	<p>Promoting sustainable transport: ‘Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to....and consider the needs of people with disabilities by all modes of transport’.</p>
<p>Para 50</p>	<p>Delivering a wide choice of high quality homes: ‘To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should: ● plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);...’</p>
<p>Paras 57, 58, 61</p>	<p>Requiring good design: ‘It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual building, public and private spaces and wider area development schemes.’</p> <p>‘Planning policies and decisions should aim to ensure that developments establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. ‘</p> <p>‘Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.’</p>
<p>Para 69</p>	<p>Promoting healthy communities: ...’Planning policies and decisions, in turn, should aim to achieve places which promote: ...and; safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas’.</p>
<p>Para 159</p>	<p>Local Plans - Housing: ‘Local planning authorities should have a clear understanding of housing needs in their area. They should:</p> <ul style="list-style-type: none"> ● prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which: <ul style="list-style-type: none"> – meets household and population projections, taking account of migration and demographic change; – addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and – caters for housing demand and the scale of housing supply necessary to meet this demand;...’

Table 2: Guidance from the NPPG on the importance of good design and the optional housing standards

The importance of good design

Planning should promote access and inclusion

Inclusive design acknowledges diversity and difference and is more likely to be achieved when it is considered at every stage of the development process, from inception to completion. However it is often mistakenly seen as a Building Regulations issue, to be addressed once planning permission has been granted, not at the planning application stage. The most effective way to overcome conflicting policies and to maximise accessibility for everyone is for all parties to consider inclusive design from the outset of the process. This is particularly important when considering historic buildings and conservation, and highways. Thinking at the design stage about how the completed building will be occupied and managed can overcome many barriers experienced by some users. Too often the needs of users, including disabled people, older people and families with small children, are considered too late in the day.

Inclusive design should not only be specific to the building, but also include the setting of the building in the wider built environment, for example, the location of the building on the plot; the gradient of the plot; the relationship of adjoining buildings; and the transport infrastructure.

Issues to consider include:

- proximity and links to public transport;
- parking spaces and setting down points in proximity to entrances;
- the positioning and visual contrast of street furniture and the design of approach routes to meet the needs of wheelchair users and people with visual impairments; and
- whether entrances to buildings are clearly identified, can be reached by a level or gently sloping approach and are well lit.

Street design and transport corridors issues

Every element of the street scene contributes to the identity of the place, including for example lighting, railings, litter bins, paving, fountains and street furniture. These should be well designed and sensitively placed. Unnecessary clutter and physical constraints such as parking bollards and road humps should be avoided. Street clutter is a blight, as the excessive or insensitive use of traffic signs and other street furniture has a negative impact on the success of the street as a place. The removal of unnecessary street clutter can, in itself, make pavements clearer and more spacious for pedestrians, including the disabled, and improve visibility and sight lines for road users. Street signs should be periodically audited with a view to identifying and removing unnecessary signs. The Department for Transport has published advice to highways authorities on [reducing sign clutter](#).

The likelihood of people choosing to walk somewhere is influenced not only by distance but also by the quality of the walking experience. When considering pedestrians plan for wheelchair users and people with sensory or cognitive impairments. Legible design, which makes it easier for people to work out where they are and where they are going, is especially helpful for disabled people.

Planning should promote a network of greenspaces (including parks) and public places

Development should promote public spaces and routes that are attractive, accessible, safe, uncluttered and work effectively for all users – including families, disabled people and elderly people.

Planning should promote safe, connected and efficient streets

Development proposals should promote accessibility and safe local routes by making places that connect appropriately with each other and are easy to move through. Attractive and well-connected permeable street networks encourage more people to walk and cycle to local destinations.

For this reason streets should be designed to be functional and accessible for all, to be safe and attractive public spaces and not just respond to engineering considerations. They should reflect urban

design qualities as well as traffic management considerations and should be designed to accommodate and balance a locally appropriate mix of movement and place based activities.

Housing: optional technical standards

Accessibility and wheelchair housing standards

Can local planning authorities require accessibility, adaptability and wheelchair standards in new dwellings?

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.

How should local planning authorities assess the need for accessibility requirements?

The National Planning Policy Framework requires local planning authorities to have a clear understanding of housing needs in their area, including those for people with specific housing needs. The Framework provides guidance on the [methodology](#) that can be used to undertake the needs assessments.

What evidence should local planning authorities use to demonstrate a need to set higher accessibility, adaptability and wheelchair housing standards?

Based on their housing needs assessment and other available datasets it will be for local planning authorities to set out how they intend to approach demonstrating the need for Requirement M4(2) (accessible and adaptable dwellings), and/or M4(3) (wheelchair user dwellings), of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:

- the likely future need for housing for older and disabled people (including wheelchair user dwellings).
- size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).
- the accessibility and adaptability of existing housing stock.
- how needs vary across different housing tenures.
- the overall impact on viability.

To assist local planning authorities in appraising this data the government has produced a summary [data sheet](#). This sets out in one place useful data and sources of further information which planning authorities can draw from to inform their assessments. It will reduce the time needed for undertaking the assessment and thereby avoid replicating some elements of the work.

What accessibility standards can local planning authorities require from new development?

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. They should clearly state in their Local Plan what proportion of new dwellings should comply with the requirements. There may be rare instances where an individual's needs are not met by the wheelchair accessible optional requirement – see [paragraph 011 below](#). [Local Plan](#) policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied.

What issues should local planning authorities consider in determining whether dwellings should be fully wheelchair accessible or adaptable?

Part M of the Building Regulations sets a distinction between wheelchair accessible (a home readily useable by a wheelchair user at the point of completion) and wheelchair adaptable (a home that can be easily adapted to meet the needs of a household including wheelchair users) dwellings. [Local Plan](#) policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.

How should authorities determine whether accessible and adaptable or wheelchair user dwellings (M4(2) or M4(3)) should be required in non-lift serviced flats?

The Building Regulations for accessible and adaptable or wheelchair user dwellings require that these types of dwelling should achieve step-free access. In setting policies requiring M4(2) and M4(3) compliant dwellings, local planning authorities will need to assess whether this has an impact on non-lift serviced multi-storey development in their local housing mix. Where step-free access in this type of development is not viable, neither of the Optional Requirements in Part M should be applied.

Where an individual has specific needs that would not be met by the wheelchair accessible optional requirement can a local planning authority ask for a different standard?

Where there is a very specific and clearly evidenced accessibility need, which is outside of what is provided for by the wheelchair accessible standard, a local planning authority can have different requirements in order to meet that need. This should only be required to meet the needs of a specific individual and therefore should only be required of a home where a local authority allocation policy applies. Such a requirement would also be subject to viability considerations.

Where can I find out more about the access standard?

See [Approved Document M, volume 1 – access to and use of dwellings](#) and [volume 2 – access to and use of buildings other than dwellings](#)

Table 3: London Plan 2016 policies applicable to disabled persons and/or inclusive design

<p>Policy 2.12</p>	<p>Town centres <i>LDF preparation: boroughs should:</i></p> <ul style="list-style-type: none"> • promote the provision of Shopmobility schemes and other measures to improve access to goods and services for older and disabled Londoners.
<p>Policy 3.5</p>	<p>Quality and Design of Housing Developments <i>Planning decisions and LDF preparation</i></p> <p>B The design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children, disabled and older people.</p> <p>C LDFs should incorporate requirements for accessibility and adaptability, minimum space standards including those set out in Table 3.3, and water efficiency. The Mayor will, and boroughs should, seek to ensure that new development reflects these standards. The design of all new dwellings should also take account of factors relating to ‘arrival’ at the building and the ‘home as a place of retreat’. New homes should have adequately sized rooms and convenient and efficient room layouts which are functional and fit for purpose, meet the changing needs of Londoners over their lifetimes, address climate change adaptation and mitigation and social inclusion objectives and should be conceived and developed through an effective design process.</p>
<p>Policy 3.8</p>	<p>Housing Choice <i>Strategic</i></p>

	<p>A Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.</p> <p><i>LDF preparation and planning decisions</i></p> <p>B To inform local application of Policy 3.3 on housing supply and taking account of housing requirements identified at regional, sub-regional and local levels, boroughs should work with the Mayor and local communities to identify the range of needs likely to arise within their areas and ensure that: a new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors in meeting these</p> <p>a: the planning system provides positive and practical support to sustain the contribution of the Private Rented Sector (PRS) in addressing housing needs and increasing housing delivery</p> <p>b: provision of affordable family housing is addressed as a strategic priority in LDF policies</p> <p>c: ninety percent of new housing¹ meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'</p> <p>d: ten per cent of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users</p> <p>e: account is taken of the changing age structure of London's population and, in particular, the varied needs of older Londoners, including for supported and affordable provision</p> <p>f: account is taken of the needs of particular communities with large families</p> <p>g: other supported housing needs are identified authoritatively and co-ordinated action is taken to address them in LDF and other relevant plans and strategies</p> <p>h: strategic and local requirements for student housing meeting a demonstrable need are addressed by working closely with stakeholders in higher and further education and without compromising capacity for conventional homes.</p> <p>I: the accommodation requirements of gypsies and travellers (including travelling show people) are identified and addressed, with sites identified in line with national policy, in coordination with neighbouring boroughs and districts as appropriate.</p> <p>j: appropriate provision is made for the accommodation of service families and custom build, having regard to local need.</p>
Policy 3.16	<p>Protection and enhancement of social infrastructure</p> <p>Facilities should be accessible to all sections of the community (including disabled and older people) and be located within easy reach by walking, cycling and public transport. Wherever possible, the multiple use of premises should be encouraged.</p>
Policy 4.5	<p>London's Visitor Infrastructure</p> <p>Developments should:</p> <p>...contribute towards the hotel provision target and ensure that at least 10 per cent of bedrooms are wheelchair accessible</p>
Policy 4.6	<p>Support for and enhancement of arts, culture, sport and entertainment</p> <p>Developments should:</p> <p>A: ...</p> <p>B: ...</p> <p>C: be accessible to all sections of the community including disabled and older people</p>
Policy 6.13	<p>Parking</p> <p>In addition, developments in all parts of London must:</p> <p>a ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles</p> <p>b provide parking for disabled people in line with Table 6.2</p> <p>c meet the minimum cycle parking standards set out in Table 6.3</p>

	d provide for the needs of businesses for delivery and servicing.
Policy 7.2	<p>An inclusive environment</p> <p>The Mayor will require all new development in London to achieve the highest standards of accessible and inclusive design and supports the principles of inclusive design which seek to ensure that developments:</p> <ol style="list-style-type: none"> can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity or economic circumstances are convenient and welcoming with no disabling barriers, so everyone can use them independently without undue effort, separation or special treatment are flexible and responsive taking account of what different people say they need and want, so people can use them in different ways are realistic, offering more than one solution to help balance everyone's needs, recognising that one solution may not work for all. <p>B The Mayor will assist boroughs and other agencies in implementing accessible and inclusive design in all development proposals by updating the advice and guidance in the Supplementary Planning Guidance 'Accessible London: Achieving an inclusive environment'; by continuing to contribute to the development of national technical access standards and by supporting training and professional development programmes.</p> <p>Planning decisions</p> <p>C Design and access statements submitted with development proposals should explain how, following engagement with relevant user groups, the principles of inclusive design, including the specific needs of older and disabled people, have been integrated into the proposed development, whether relevant best practice standards such as British Standard BS 8300:2009 + A1:2010 have been complied with, and how inclusion will be maintained and managed.</p> <p>LDF preparation</p> <p>D Boroughs should develop detailed policies and proposals in consultation with user groups that ensure the physical environment can meet the highest standards of accessibility and inclusion and that the principles of inclusive design are adopted at the earliest stages of the development process including when drawing up masterplans, area planning frameworks and development briefs.</p>
Policy 7.5	<p>Public realm</p> <p>Strategic A London's public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.</p> <p>Planning decisions</p> <p>B Development should make the public realm comprehensible at a human scale, using gateways, focal points and landmarks as appropriate to help people find their way. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space. Opportunities for the integration of high quality public art should be considered, and opportunities for greening (such as through planting of trees and other soft landscaping wherever possible) should be maximised. Treatment of the public realm should be informed by the heritage values of the place, where appropriate.</p> <p>C Development should incorporate local social infrastructure such as public toilets, drinking water fountains and seating, where appropriate. Development should also reinforce the connection between public spaces and existing local features such as the Blue Ribbon Network and parks and others that may be of heritage significance.</p> <p>LDF preparation</p>

	D Boroughs should develop local objectives and programmes for enhancing the public realm, ensuring it is accessible for all, with provision for sustainable management and reflects the principles in Policies 7.1, 7.2, 7.3 and 7.4.
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Table 4: Lambeth Local Plan 2015 policies and supporting text that are applicable to disabled persons and/or inclusive design

Policy D1	Delivery and monitoring The council will deliver the spatial vision and strategic objectives of the Local Plan by: ... (d) helping to promote and maintain mixed, balanced and diverse communities within neighbourhoods, ensuring maximum accessibility for disabled people and a child-friendly environment; ...
Policy H5	Housing standards (c) Communal amenity space should: ... (iii) be easily accessible to all occupants; ...
Policy H7 Supporting text	Student Housing Para 5.45 The ability to accommodate disabled students should be fully integrated into any student housing development, with 10 per cent of rooms wheelchair-accessible or easily adaptable for occupation by a wheelchair user in line with London Plan requirements.
Policy H8	Housing to meet specifics community needs (a) The council will support the provision of housing to meet specific community needs, across a range of tenures, where it is demonstrated that the accommodation: (i) would meet an identified local need; (ii) will be suitable for the intended occupiers in terms of the standard of facilities, the level of independence, and the provision of support and/or care; (iii) is of a high design quality, relevant to client needs, including inclusive design and provision of internal and external space; (iv) will be accessible to public transport, shops, services, community facilities and social networks appropriate to the needs of the intended occupiers; (v) makes adequate provision for visitor / carer parking and, where appropriate, for the safe storage of wheelchairs and mobility scooters; (vi) is on a site and in a location suitable for that particular use, having regard to amenity, transport and other environmental impacts; and (vii) contributes to creating a mixed, balanced and inclusive community. (b) The loss of existing housing which meets identified specific community needs will be resisted unless it can be demonstrated that: (i) the accommodation is no longer needed and the new accommodation will instead meet another identified priority local need; or (ii) the existing accommodation will be adequately re-provided to an equivalent or better standard on-site or elsewhere in the borough. (c) The council will support and encourage proposals which provide adaptations enabling residents to live independently and safely in their own homes.
Policy H8	Housing to meet specifics community needs

Supporting text	<p>Para 5.50 Housing to meet specific community needs can include sheltered housing with care support, staffed hostels, residential-care and nursing-care homes, extra-care housing and supported housing provision for children, older persons and other client groups. These forms of specialist housing often provide essential accommodation for the most disadvantaged and vulnerable residents.</p> <p>Para 5.51 The council is working towards reducing the reliance on residential-care provision. Residents in Lambeth will be supported to live independently in their own homes or in the right supported-housing environment. However, they should also be able to access specialist housing if they need extra support.</p> <p>Para 5.52 Proposals for the provision (or loss) of housing to meet specific community needs will be assessed having regard to Lambeth’s Housing Strategy and associated client group substrategies. Proposals for the development of specialist housing should demonstrate that there is a local need for such accommodation.</p> <p>Para 5.53 Proposals for specialist housing should also make provision, where appropriate, for properties with two bedrooms, to provide for live-in carers. The location, internal and external design of the buildings, and their accessibility should help facilitate independence and social integration. External amenity space provision should conform to the Housing LIN Design Principles for Extra Care housing (2009) in the case of sheltered housing schemes; and to the Care homes for older people: national minimum standards (2003) in the case of residential and nursing care homes. Applications should demonstrate that appropriate provision is made on-site for the safe storage of wheelchairs and mobility scooters. The council will also seek to ensure that developments make adequate provision for parking with reference to policy T7, including for visitors and carers. If appropriate parking provision for carers/visitors cannot be provided on site the council will require an assessment of available on-street parking or justification as to why such provision is not required, having regard to the scale and/or the location of development.</p>
Policy ED7	<p>Evening economy and food and drink uses</p> <p>...</p> <p>(c) The use of outdoor areas including garden areas, forecourts and pavements in association with food and drink (A3/A4/A5) uses will be supported only where:</p> <p>...</p> <p>(ii) in the case of pavements, the width of the footway is adequate to allow this without obstructing pedestrian flow, and the use is arranged so as not to be a hazard to disabled and older people and families with small children. This may require a suitable means of enclosure to demarcate the extent of the use. Stopping up of public highway to provide private outdoor seating areas will be resisted, especially in town centres.</p>
Policy ED10 supporting text	<p>Local centres and dispersed shops</p> <p>Para 6.48</p> <p>...They also have a range of wider benefits, including providing locally accessible facilities for low income groups, the elderly and people with mobility difficulties, ...</p>
Policy ED12	<p>Hotels and other visitor accommodation</p> <p>(b) All new visitor accommodation should meet the highest standards of accessibility and inclusion. At least 10 per cent of new provision should be wheelchair accessible. Applicants should submit an Accessibility Management Plan with their proposals.</p> <p>...</p>

	(d) Where development proposes to modify existing visitor accommodation, the proposal will be supported only if it provides standards of accessibility and design expected of new build accommodation, subject to feasibility and viability.
Policy S2	New or improved community premises (a) Proposals for new or improved premises for higher and further education, childcare, worship, health care (including hospitals), sports, recreation, affordable meeting space and other community uses will be supported where: (i) the site or buildings are appropriate for their intended use and accessible to the community; and
Policy S2 Supporting text	New or improved community premises Para 7.12 New community premises should be conveniently located for those who use them, easily reached on foot or by bicycle or public transport and fully accessible to all sections of the community (including disabled and older people).
Policy T1 Supporting text	Sustainable travel Para 8.2 Development should be located and designed to be accessible by the whole community and promote social inclusion (including those with reduced mobility), and to reduce reliance on the private car.
Policy T2 Supporting text	Walking Para 8.4 ...People should be able to walk around Lambeth without the danger, inconvenience and unpleasantness often forced on them by the rest of the transport system. All journeys, particularly those made by public transport, involve an element of walking. Provision for pedestrians should include all pedestrians, including children and people with disabilities.
Policy T4	Public transport infrastructure (e) Proposals to improve or provide new public transport infrastructure and interchange facilities, including railway, underground and bus stations and bus stands will be supported subject to: ... (ii) being designed to be safe, convenient, attractive and accessible for use especially by disabled people, children and cyclists, including provision for cycle parking and consideration of desire lines.
Policy T4 supporting text	Public transport infrastructure Para 8.14 ... Improvements to the accessibility and quality of public transport infrastructure are required in order to maximise its use, especially by disabled people, the elderly, young children and others for whom public transport accessibility is a barrier.
Policy T5	River transport (d) Development of sites on the Thames riverside must include a riverside walk at least 6 metres in width along the entire river frontage of the site which: (i) is wheelchair accessible; ... (v) is well linked to the adjoining street pattern with any new access routes designed to be safe and convenient for all users.
Policy T7	Parking (a) Development should: ... (iv) comply with London Plan standards for other forms of parking including for cycles, motor-cycles, cars for disabled people, electric vehicle charging points and coaches; ... (b) In all new developments where on-site parking is provided, development should ensure that disabled-accessible parking is prioritised for those who need it throughout the

	<p>lifetime of the development. Disabled accessible parking bays should be a proportion of the overall parking provision, (as calculated using London Plan/Housing SPG guidance) and not added separately.</p> <p>(c) ... Disabled parking and cycle parking should be located closest to town centres and the entrance of facilities.</p>
Policy T7 supporting text	<p>Parking Para 8.25 ... Car-free developments do not necessarily restrict provision for visitor permits and provision for disabled parking will be made as appropriate. The council will ensure that disabled parking spaces are not sold with individual residential units but will be made available for lease, in accordance with an approved car parking management plan....</p>
Policy T10 supporting text	<p>Telecommunications Para 8.35 A clear width of 2 metres allows two wheelchairs to pass one another comfortably. This will be regarded as the minimum under normal circumstances and will be sought by the council particularly in town centres and other areas with high pedestrian flows. Where this is not possible because of physical constraints, 1.5 metres will be regarded as the minimum acceptable under most circumstances, giving sufficient space for a wheelchair user and a walker to pass one another.</p>
Policy Q1 Supporting text	<p>Inclusive environment (a) The council will: (i) seek improvements to existing accessibility provision; (ii) secure new development which is compliant with current best practice; and (iii) expect applicants to show in their supporting statements how their proposals achieve inclusive design. (b) The design of developments should reflect good practice principles for promoting child-friendly housing and environments.</p> <p>Para 10.1 All new development should be accessible to all, including disabled people, older people, other people with mobility constraints, and children. The council will expect applicants to use documents such as 'Planning and Access for Disabled People' (DCLG 2006), 'The Principles of Inclusive Design' (CABE 2006) and Department for Transport's 'Inclusive Mobility' guidance (2005) or any relevant updated replacement to inform their design approach and proposals.</p>
Policy PN2	<p>Vauxhall (i) Ensuring that the environment that is created is based on adopting best practice principles of place-making and good design which include the following: ... (vi) Ease of accessibility for all; ...</p>