

GLA Planning Committee Questions

Introduction

Hammersmith and Fulham Disability Forum Planning Group (DFPG)

Chair: Jane Wilmot OBE

1. Hammersmith and Fulham Disability Forum Planning Group (DFPG) is a user led group of Disabled residents and older Disabled residents with lived experience of barriers Disabled residents face when using housing, public buildings and public open space. We use the social model of disability to guide our work.
2. For the last 10 years or more the DFPG gave advice to ensure that the local planning authority approves relevant planning applications that comply with current standards and guidance. We support development that provides accessible and inclusive homes, places and spaces everyone including Disabled people can use. We also challenge designs that do not meet inclusive design standards. During 2019 the year before the pandemic DFPG scanned 3,305 planning applications; commented briefly on 261 applications and reviewed 40 applications with a case officer.

DFPG always looked at issues from the perspective of Disabled people as well as compliance with regulations such as making sure that

- the wheelchair transfer and storage space is near the entrance door. We argued that no one walks in living areas with muddy boots so wheelchair users should not be expected to wheel muddy wheelchairs in living areas either.
- the developer has a twenty four hour seven day a week maintenance contract for lifts. We argued no one should be trapped on upper floors when lifts break down.
- Drawings are to scale; show dimensions, clear access zones etc and turning circles for wheelchair users. We argued that developers should provide accurate information on their drawings and not rely on general statements.
- There are refuge areas; fire fighting lifts and fire evacuation lifts depending on the size of the building. We argued developers should always think inclusively about how Disabled people escape in the event of fire.

Sometimes DFPG did not support an application if proposals were not compliant. For example, if a wheelchair housing unit was the same size as a standard housing unit or blue badge parking bay was the same size as a standard parking bay. We expect planning officers to go back to the developer to get this changed.

DFPG also advised on the Hammersmith and Fulham Local Plan and its Supplementary Planning Documents so inclusive design has moved up the planning agenda in Hammersmith and Fulham.

3. Whenever DFPG thinks about Disabled people we include people with a physical impairment, older Disabled people, deaf or hard of hearing people,

blind and visually impaired people, people with a learning difficulty, mental health or neurodiverse issues as well as people living with long term illness. We also think about barriers Disabled people face in their communities when using the built environment, places and spaces.

Disabled people or people with a long term illness are represented in all other equality groups as defined by Equality Act 2010. We refer to these people as Disabled people.

4. **Inclusive design:** DFPG strongly believes
- inclusive design is about making places everyone including Disabled people can use. The way places are designed affects our ability to move, see, hear and communicate effectively.
 - Inclusive design is everyone's responsibility.
 - Good design is inclusive design.

We also support the Design Council 5 principles of inclusive design:

- Inclusive design places people at the heart of the design process.
- Inclusive design acknowledges diversity and difference.
- Inclusive design offers choice where a single design solution cannot accommodate all users.
- Inclusive design provides for flexibility in use.
- Inclusive design provides buildings and environments that are convenient and enjoyable to use for everyone [including disabled people].

5. Disabled people like everyone else aspire to
- Accessible and inclusive housing they can afford to rent or buy
 - Accessible and inclusive housing that supports their health and well being
 - Employment opportunities that pay more than being on benefit
 - Education and training opportunities
 - Take part in community activities e.g sport, leisure
 - Accessible and inclusive town centres, social infrastructure, transport and the pedestrian environment.

GLA Planning Committee Questions

- 1. Drawing on the experience of the communities you work with, what challenges have these communities experienced during the pandemic, in terms of the built environment and the places and spaces that they use?**

Disabled people experienced many challenges during the pandemic. The lives of Disabled people were dominated by COVID and its devastating consequences.

There were a high number of deaths of Disabled people, the risk that COVID posed to Disabled people who were clinically vulnerable, and that many Disabled people lived on insufficient income, lived in inaccessible housing and received little or inadequate support from adult social care to live independent lives. Little has changed since the pandemic. However

- Negative consequences of Covid social distancing measures were felt disproportionately by many Disabled people especially where lifts and corridors are constructed to be the minimum building regulation size – these (for example) don't allow people to turn around in if they have wheeled mobility aids (generally speaking) and hence don't give them the choice to have the necessary separation from others.
- The same issue arose when using the footway / footpaths, wherever they are narrower than best practice BS 8300, but also where there are overgrown hedges (very frequently this happens) this creates narrowings, but also where there are uneven surfaces (including at hard standings / private driveways) which force visually impaired / mobility impaired people to use one side of the pavement only, limiting their ability to distance from others.
- Many mobility impaired people are more vulnerable to infection. This impact is actually larger than would seem initially and is in addition to other problems that social distancing brings, such as queuing without toilets nearby because they don't exist or because they have been closed down during pandemic 'safety' measures implemented.

2. What are some of the consequences of planning policy for these communities?

For many Disabled people in terms of the built environment, the places and spaces they use the reality is that most buildings, homes and places even new ones do not enable Disabled people to enjoy the same opportunities in their local community that non disabled people take for granted. There are some examples of good practice but these cannot be taken as proxy across London.

Overall, we consider there is too much emphasis in the London Plan 2021 (London Plan) on place making and not enough emphasis on embedding inclusive design to enable Disabled people to live independently in their local communities or across London. Inclusive design needs to be a golden thread throughout the planning process from inception, planning application and approval, through specification to completion.

There is not enough detail in each chapter to provide assurance that inclusive design is the golden thread embedded in each master plan, each opportunity area, every development to enable everyone, including Disabled people, to have a positive experience whenever they use the facilities provided. The language used in many chapters sounds positive e.g. “high quality inclusive communities”; “high quality, affordable homes” without explaining what this actually means in practice when applicants develop proposals for new or existing buildings, places and spaces.

The London Plan does not state explicitly in each chapter that developers, their consultants and planning authorities should think inclusively in their area of expertise and use relevant current building regulations or good practice e.g. *BS 8300 2018 v 1 external environment: code of practice and v 2 Buildings: code of practice*. This is important if the Mayor wants to achieve his objectives e.g for “high quality, inclusive communities”.

We are disappointed that neither the Forward nor the Introduction to the London Plan 2021 mentioned either inclusive and accessible development or good design as strategic priorities for the London Plan. This does not set the tone on inclusive design to assure Disabled Londoners that they are a visible and valued community.

We welcome Policy D5 on Inclusive Design but we were disappointed this was not followed up in Policy D6 Housing Quality and Standards or embedded throughout the London Plan.

We do not support the assumption in policy D7 Accessible Housing and para 3.7.8 that planning approval only needs to specify the number of M4(2) accessible and adaptable dwellings; M4(3) wheelchair adaptable dwellings and M4(3) wheelchair accessible dwellings and leave it to the Building Control body to check compliance of a development against the Building Regulations standards.

In our experience this is far too late in the planning process. The applicant needs to demonstrate to the planning authority that there is enough space within the footprint for the number of dwellings proposed. Otherwise, it may not be possible for the applicant or the building control body to ensure that all dwellings at least meet the minimum housing standards for M4(2) accessible and adaptable dwellings; M4(3) wheelchair adaptable dwellings and M4(3) wheelchair accessible dwellings. The whole point of building regulations and guidance is to create barrier free housing units in accessible and inclusive buildings that enables everyone including Disabled Londoners to live independently.

We are also disappointed that some policies e.g Policy H15 purpose built student accommodation and Policy H16 large scale purpose built shared living do not have any expectation that they will be accessible and inclusive for disabled occupants.

Our experience during the last 10 years or so means

We are not always assured at planning application stage whether

- All applicants and planning officers have relevant technical expertise on accessible and inclusive design and relevant building regulations
- All developers have an inclusive access consultant on their design team from the outset as recommended by RIBA Plan of Work 2020
- All applicants and planning officers ensure enough space is identified at the very outset to deliver an inclusive and accessible development before the planning application comes in.
- All applicants and planning officers understand the different minimum space requirements* for compliant M4(2) and M4(3) dwellings
- All planning officers ensure applicants properly address accessible and inclusive design issues and comply with relevant regulations and guidance
- all new social/affordable rent housing are fully compliant with
 - M4(2) accessible and adaptable dwellings

- M4(3) wheelchair accessible dwellings at completion where the local authority has nomination rights
- Disabled parking for M4(3) wheelchair accessible dwellings

*N.B. The Government confirmed that the nationally described space standards are not adequate for M4(3) wheelchair user dwellings.

see Technical housing standards – nationally described space standard para 9: “*The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.*”

This means there are no minimum space standards for M4 (3) wheelchair adaptable dwellings or wheelchair accessible dwellings.

Our impression from looking at many applications is that people do not always read properly

- London Plan 2021;
- Hammersmith and Fulham Local Plan or its Supplementary Planning Documents that highlight inclusive design
- relevant building regulations and other guidance such as BS 8300 2018; DfT Inclusive Mobility; DfT guidance on tactile paving (both updated in 2021)

or even understand the negative impact on Disabled people of not complying with the London Plan, relevant building regulations or good practice. What matters is attention to detail otherwise for example, any new market or new affordable housing or mixed development will not be fully accessible and inclusive or work properly for Disabled occupiers. We are disappointed whenever detailed drawings do not support the applicant’s statements on access for Disabled people in the Design and Access Statement.

3. How can approaches to planning in London be used to address the challenges and impacts that have been discussed above?

First of all, inclusive design has to be at the top of the agenda with the same status as other strategic priorities e.g. growth, climate change otherwise the next London Plan will not create inclusive communities. The next London Plan needs to set the tone on inclusive design to assure Disabled Londoners that they are a visible and valued community.

Secondly, it would be helpful for the GLA to support a co-production group of a range of Disabled Londoners with expertise and lived experience, Disabled peoples organisations such as Inclusion London, Transport for All, Disability Rights UK; inclusive access consultants; and GLA officers to work together to review the current London Plan from the perspective of Disabled Londoners and make recommendations for the next London Plan.

This co-production group could also ensure inclusive design is embedded throughout the next London Plan with enough detail so everyone knows how to deliver accessible and inclusive developments that enable Disabled people to live independently in their local communities or enjoy accessible and inclusive facilities provided across London.

Thirdly, the next London Plan needs to move away from viewing accessible development through the lens of wheelchair users or blind and visually impaired people. There is now more emphasis on meeting the needs of a wider range of Disabled people including people with mental health issues or neurodiversity that has an impact on the built environment, places and spaces that everyone uses.

There are no minimum space standards for M4 (3) wheelchair adaptable dwellings or M4(3) wheelchair accessible dwellings. It would be helpful if the next London Plan led the way and provided minimum space standards for all wheelchair user dwellings.

It would be helpful if the next London Plan referred to any Supplementary Planning Document owned, written and held by the Local Planning Authority that support inclusive design. For example, Hammersmith and Fulham Council produced a Planning Guidance SPD in 2018 that promoted accessible and inclusive developments.

It would also be helpful for the GLA to support a co-produced London wide inclusive design standard that can be incorporated into the next London Plan and the next Local Plan at borough level and various London wide and local SPDs.

4. How can we ensure that London's planning system builds on the strength of civil society and enables all Londoners to be able to play an active role in planning, well before the planning application stage is reached?

If the planning system wants Disabled Londoners to be able to play an active role in planning, it needs to invest in Disabled Londoners so they have the confidence and expertise to use their lived experience to play an active role in planning.

In Hammersmith and Fulham, we recently advertised for new Disabled residents to join the DFIG but no one stepped forward. During the pandemic there was a joint review by the planning department and DFIG that concluded that advising on so many planning applications was not good use of the lived experience of Disabled residents.

The current DFIG vision in 2022 is to provide advice to enable the Council as a Local Planning Authority to embed accessible and inclusive design throughout the planning process and determination of planning applications. We hope the council will also provide strong advice to developers that they must always provide compliant accessible and inclusive design proposals in planning applications and not wait to be reminded.

DFPG has always looked at planning applications from the perspective of Disabled people who might use the development as well as compliance with building regulations and guidance.

The revised aims of DFPG in 2022 are:

1. To provide input and guidance to ensure that Local Plan Policies and supplementary guidance support adoption of principles of accessible and inclusive design.
2. To inform discussion and provide commentary upon strategic/major developments; informing the evolution of the design of developments through pre-application discussions and formal planning application submissions to ensure that developments are as accessible and inclusive as is achievable.
3. To assist Council officers in developing guidance and checklists relevant to the delivery of accessible and inclusive developments for smaller scale developments.
4. To encourage a culture of Co-production that enables all residents to actively engage with the Council, as true and equal partners, to make Hammersmith & Fulham a borough that values and respects the equality and diversity of ALL its residents.

It was not until the council funded Action on Disability to run a course in early 2022 to build capacity for Disabled residents to join co-production projects that we had applications from disabled residents to join DFPG. We now have 3 new Disabled members. The planning department is currently commissioning an inclusive access consultant to deliver a training course on accessible and inclusive design for both disabled residents and planning officers. This is a big step forward.

Hammersmith and Fulham council was successful recently in securing funding from the Local Government Association to fund another course in 2023 to build capacity for more Disabled residents to join council led development projects across the borough as well as DFPG.

Culture of Co-production

These changes were only possible because the council is promoting a culture of co-production that enables all residents to actively engage with the Council, as true and equal partners.

The vision of Hammersmith & Fulham Council is to be the **most accessible borough in England**. "Nothing About Disabled People Without Disabled People" is at the heart of decision making in this unique and diverse borough.

Co-production came from the local Disabled People's Commission with 10 local Disabled residents. Jane Wilmot was one of them. The final report had 8 recommendations and all 8 are about developing and embedding co – production throughout the council. Co-production did not start as a council idea.

<https://www.lbhf.gov.uk/councillors-and-democracy/resident-led-commissions/disabled-people-s-commission>

5. In your view, what are the priorities for the GLA's Planning for London Programme, which is looking at what the future review of the London Plan should cover?

Embedding accessible and inclusive design throughout the next London Plan

Embedding accessible and inclusive design in the planning process at borough level

How the next London Plan ensures the built environment, places and spaces meet the needs of a wide range of Disabled Londoners.