

Written Evidence Submitted by Propertymark [DPH 001]

Background

1. Propertymark is the UK's leading professional body of property agents, with over 17,500 members representing over 12,800 branches. We are member-led with an executive Board of practicing agents who we work closely with to ensure that we uphold high-standards of professionalism and are able to advocate for legislative change on behalf of the sector.

Overview

2. The Levelling Up, Housing and Communities Committee have opened an enquiry examining the role Government, local councils and developers have in ensuring the delivery of suitable housing for disabled people and what the Government and do to support disabled tenants in the Private Rented Sector in England. The Committee will also investigate the National Planning Policy Framework (NPPF) and its compatibility with the Equality Act 2010 when building housing.

Disabled people in the housing sector

What can the Government do to ensure disabled residents across England have access to accessible and adaptable housing?

3. According to the English Housing Survey 2019, disabled people in 2019 were less likely to own their own home, with just 42.4% owning their own home, compared with 53.2% of non-disabled people.¹
4. To boost home ownership for disabled people, the government must consider increasing the provision and eligibility of specialist Help to Buy and Shared Equity Schemes to help disabled people get on the property ladder. The government should view this as a long-term commitment as many disabled people require security of tenure with many looking to live near support networks and specific services close to their home and are likely to be less transient than other groups. There are currently specific shared equity schemes for disabled people and people with limiting long-term conditions such as the Home Ownership for People with Long-term Disabilities (HOLD) Scheme. However, the government needs to extend this to a larger number of people as

¹ [Disability and housing, UK - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/people-and-population/disability-and-health/disability-and-housing)

eligibility is means tested to household income, restricted to first time buyers and the scheme is ineligible for those disabled people who work.

5. Secondly, we believe that the government should appoint a Disabled Person's Commissioner who would work across government departments and be independent of the government to improve the experiences of disabled people especially in terms of housing. This could allow longevity of the work within the remit of the commissioner and to build a cross party consensus to champion improved accessibility and adaptable housing.
6. Part of a potential commissioner's remit could be to assess the provision and barriers to housing for disabled people which could feed into a national strategy. Such a strategy could ensure that complex problems are solved in disabled people's housing such as when disabled people want to work and ensuring housing is accessible to other services such as education, health care and work opportunities. To connect these services, assessments should be made on the appropriate of integrated accessible transport and connectivity to ensure that disabled people are able to independently live within their housing.

Does the National Planning Policy Framework ensure the Equality Act 2010 is complied with when building housing?

7. According to the National Planning Policy Framework (NPPF), good design can help to create buildings and places that are for everyone. Planning can help break down unnecessary physical barriers and exclusions caused by the poor design of buildings and places.² NPPF also issues guidance for developers to consider the proximity of development to links to public transport, parking spaces and their proximity to entrances, the position of street furniture and their impact on the needs of wheelchair users and whether entrances to buildings are clearly identified. The Equality Act 2010³ states that reasonable changes or adjustments should be made to ensure disabled people can access services including housing.
8. Propertymark believes that there needs to be greater emphasis on the needs of disabled people within the NPPF. There needs to be greater emphasis on not only the viability of developments to be inclusive for disabled people, but also accessibility and this should be focused at the strategic delivery when local planning authorities are producing their local plans to cater for the needs of their residents.

² [National Planning Policy Framework - 12. Achieving well-designed places - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/442612/nppf-2019-12-achieving-well-designed-places-guidance.pdf)

³ [Equality Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2010/15/section/19)

9. Overall, planning consent should only be given for residential developments when there is clear evidence that sufficient provision has been made for accessibility and inclusion. There have been rare occasions when planning consent has been refused due to lack of regard to accessibility, but these cases are few and far between.

10. **Since the Government consultation 'Raising accessibility standards for new homes' (July 2022), what has been done to improve housing provisions for disabled residents in England? And has it been sufficient?**

11. Since the close of the consultation, the government pledged to build more accessible homes through improving standards on building regulations. The current statutory Building Regulations Guidance from Approved Document M are largely optional for local authorities to implement through planning policies where they can evidence local need. In particular requirement M4(2), sets a high standard of accessible homes and M4(3) sets a standard for wheelchair appropriate homes are entirely optional. To meet the needs of disabled people's housing needs, the baseline standard should be for homes to be compliant to M4(2) except for cases where this is unpractical and unachievable. In addition, there should be a mandatory percentage of homes that meet M4(3) and this should be reflected in local planning authorities LDPs. The current building regulations standard from M(1) is mandatory which sets out minimum standards to ensure people can access and use the dwelling. This is largely insufficient for the needs of many disabled people.

12. In order to drive standards up and improve accountability, we believe the government should collect and make publicly available data from every planning authority on the number of new homes built to each of the Categories set out in Approved Document M and by each requirement.

What role should the Government, Local Authorities and developers have for ensuring the delivery of suitable housing for disabled people?

13. Local authorities should be required to improve their data and understanding of the number of disabled people living in their areas and that this should feed into their Local Development Plans (LDPs) to assess the future need and provision of disabled persons housing needs. This would also give local authorities greater understanding of the number of homes they projected to be required to cater for future generations of disabled people.

14. Essentially, for disabled residents to have the homes they require, developers will have to build enough accessible and adapted homes. Given the specific needs required in developing accessible homes, developers may require incentives to build such homes especially High-Volume Developers who are building at scale. For developers to be incentivised to build accessible homes, the government should consider financial incentives such as grants.
15. Another opportunity to stimulate growth in the development of accessible homes could be for Local Planning Authorities to transfer a proportion of their Section 108 obligations over to accessible housing. Section 108 housing is typically used to ensure affordable housing is provided. However, there has been opportunities to reserve housing development for particularly excluded groups such as former armed forces veterans. This method could be used more effectively to boost the provision of housing for disabled people where it is needed most, and where more appropriate services are planned.
16. Some local authorities are fixated on placements for housing options for disabled people and need to offer more person-centred planning. When a disabled person is allocated a home regardless of tenure, this should be an opportunity for disabled people, their families, social workers, and housing providers to come together to support the disabled person get a home that meets their needs. This again may require greater communication between local authorities and housing providers.

Does the Disabled Facilities Grant fully support housing adaptations?

17. Firstly, not all adaptations are funded by the Disabled Facility Grant (DFG.) For works that have been assessed as 'minor' and cost less than £1,000 to implement including grab rails or raised toilet seats, the local authority will usually fund these adaptations.
18. However, when the DFG is utilised, the maximum grant payable is £30,000 in England, £25,000 in Northern Ireland and £36,000 in Wales. The grant will only be paid when the local authority is satisfied that the work has been completed to their satisfaction and in accordance with the grant approval. In Scotland there is a different system and provisions under the Housing (Scotland) Act 2006⁴ which enables local authorities to provide grants, loans, subsidised loans, practical

⁴ [Housing \(Scotland\) Act 2006 \(legislation.gov.uk\)](https://legislation.gov.uk)

assistance and information or advice to homeowners for repairs, improvements, adaptations, and the buying or selling of a house.

19. The DFG should cover most forms of adaptations and according to a review of DFGs back in 2018, the average grant awarded is usually less than £10,000.⁵ However, providing a local authority has a locally published Housing Assistance Policy under the Regulatory Reform Order (RRO) (2002), then they have the discretion to top up the DFG⁶. This can be particularly useful for properties in London where the costs of building are higher, for some complex buildings such as Grade II listed buildings or those in a conservation area or for highly complex adaptations such as those that require structural changes to a property. For example, widening walls for improved wheelchair access. On a more cosmetic note, some people consider adaptations to look overly clinical and not in keeping with their property. Landlords, tenants and homeowners can also top up DFG funding to pay for higher specification products that blend in with their home.

How can the Government ensure it provides sufficient provisions to support disabled residents who do not live in new build homes?

20. We believe that local authorities are in a good position to signpost residents regardless of their tenure to advice, funding, and further support. We recommend government revives, funds and publicises guidance for local authorities on how they can provide greater support to homeowners, landlords and tenants regardless of their tenure or architype of the property. Local authorities could then work collaboratively with local statutory and voluntary bodies to provide advice and support to disabled people and their families. As part of this collaborative approve between local authorities and voluntary bodies, we further recommend government agrees with local authorities on a plan for supporting and extending the work of Home Improvement Agencies that can deliver home improvements at the neighbourhood level.

What can the Government do to support disabled tenants in the private rented sector?

21. The most appropriate tenure for disabled people would generally be considered the social housing sector. However, the supply of social housing is far outstripped by demand, and it is

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/762918/DFG_Review_2018_Summary.pdf

⁶ [Disabled Facilities Grant \(DFG\) delivery: Guidance for local authorities in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/762918/DFG_Review_2018_Summary.pdf)

likely that an increasingly larger scale of disabled people is accessing private housing⁷. According to the English Housing Survey 2019-20, 1.9 million households in England which equates to 8 per cent of all English households, had at least one person with a long-standing physical or mental health condition and said that they required adaptations to their home. These levels have remained largely static since 2014. Despite the increased numbers of disabled people accessing the PRS, DFG grant funding remains relatively low in comparison with other tenures. According to data from Foundations, 58 per cent of DFG funding went to owner occupiers, 35.7 per cent to housing association accommodation and just 6.4 per cent went to the Private Rented Sector.⁸

22. According to data from the National Residential Landlords Association (NRLA), 79 per cent of landlords had no knowledge of DFGs but after learning about DFG funding, 68 per cent of landlords were more willing to adapt their properties.⁹ Propertymark believe that the Government should promote DFG funding to private landlords on a national scale and that local authorities should engage with letting agents and landlords operating within their borough's on the potential to future proof their businesses. Not only is landlord and agent awareness of the funding relatively weak, but it is likely that private landlords and their agents may have misconceptions about adapting their properties. Evidence from conversations with letting agents has alluded to the fact that there are no provisions to deal with adaptations when the tenant moves out, tenants will have to move out while the adaptation is being made resulting in loss of income and that adaptations will be restrictive to other tenants. With the right support from local authorities, these concerns can be addressed.

23. Letting agents and landlords might not just be unaware of grant funding but might lack the expertise on what adaptations would be required for their properties. It is important to note that to access DFG funding, the landlord must have a tenant in the property that requires the adaptations. However, with the increasingly aged UK population, some landlords and agents might see adapting their property as an opportunity to form a business niche or to future proof their business. For these investors, they may require the support and advice from local authorities on what adaptations are required.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1000070/EHS_19-20_Home_adaptations.pdf

⁸ [DFG-Report-2019-2020.pdf \(foundations.uk.com\)](#)

⁹ [NRLA calls on local authorities to work with private landlords to close the adapted properties gap | NRLA](#)

24. As more local authorities are under increasing pressure in the discharge of their homelessness duties, many local authorities have become increasingly reliant on the PRS. In order to ensure that disabled people at risk of homelessness are adequately housed to meet their needs, Propertymark recommends that local authorities improve their engagement with landlords and letting agents to greater understand what property is in their area and what adaptations are available. The need for this data is only going to become more essential. Secondly, we would recommend that following engagement with landlords and letting agents, local authorities complete a database of accessible properties within their area to signpost disabled tenants to the PRS when appropriate property is not available in the social sector.

25. In terms of the marketing and tenant information of a property for let, letting agents have a chief role in ensuring that information is accessible in required formats. Disabled tenants are likely to require an understanding of whether a property is appropriate and accessible for their needs prior to viewing. Letting agents have the tools to ensure that disabled tenants are not misled or viewing inappropriate properties with tools such as online floor plans, video tours and photos. There could be a role for National Trading Standards to provide guidelines on ensuring letting agents provide appropriate and accessible information and this is standardised across the sector.

Conclusion

26. We would like to thank the committee for the opportunity to share our thoughts on this important call for evidence. As a membership organisation that represents the interests of both sales and letting agents, we would be delighted to support the government in sharing key messages, guidelines and offering training to improve access to housing for disabled people.

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