

Aspire

Every 8 hours someone in the UK is paralysed by a spinal cord injury (SCI). Aspire is a national disability charity that provides practical help to people paralysed by SCI. We provide a range of programmes designed to enable people with SCI to lead independent lives.

Consultation Response:

The Draft New London Plan

Introduction

Aspire welcomes the opportunity to comment on the Draft London Plan. We would like to acknowledge the GLA for its consistent leadership in setting high standards in terms of the planning policies on accessibility and inclusion it has adopted in successive iterations of the London Plan.

Inclusive Design

Aspire very much welcomes the proposals set out in Policy D3.

We note and welcome the inclusion of a requirement for an Inclusive Design statement to be submitted as part of the design and access statement. It would be further welcomed if it were possible to set out how local authorities should enforce this. Experience of the operation of the duty to submit access statements introduced by the 2004 Planning and Compulsory Purchase Act, revealed the need for a corresponding duty on local planning authorities to give due regard to access and inclusion of disabled people. The absence of such a duty resulted in the submission of design and access statements becoming largely perceived as a paper exercise, for which local authorities often lacked the capacity and/or expertise to assess and enforce effectively. We would therefore recommend that the GLA introduces measures and additional resources where necessary, to empower local authorities to refuse planning consent where Inclusive Design statements are unsatisfactory or non-existent.

Housing

For nearly twenty years, Aspire has been supporting spinal cord injured (SCI) people by providing services including fully accessible interim housing and the help they need to secure permanent suitable homes. For all its housing team's excellent work though, Aspire cannot meet demand and every year hundreds of spinally injured people are forced by local authorities to live in inappropriate residential homes or inaccessible general needs accommodation.

Whilst the London Plan Policy requiring 90% of new homes to comply with Category 2 of Part M of the Building Regulations and 10% to Category 3 is hugely welcome, in our experience, people paralysed by spinal injury are still facing considerable difficulty in securing a home that meets their needs in London.

We are concerned that the accessibility requirement has been limited to 'new-build' homes and does not extend to conversions and change of use residential developments. We are particularly concerned that this will incentivise developers to bring forward speculative schemes, such as for warehouse development for example, in the knowledge that later change of use would enable them to avoid the GLA's accessible housing requirements. Moreover, opportunities for new build development in some parts of London are extremely limited and in these areas, greater reliance will inevitably fall upon change of use residential

developments to deliver new homes. The effect of this, if this proposed exemption is retained, will of course be that disabled people living in these areas will be disproportionately affected. By effectively exempting change of use residential development, the GLA will be restricting disabled people's choice of housing options. It has to be questioned as to whether the GLA has given due regard to its Public Sector Equality Duties, in relation to the potential impact upon disabled people caused by this policy and the effective exemption it will create for change of use residential development. We would therefore urge the GLA to amend Policy D5 to encompass all housing developments.

Affordability

Another primary obstacle that many of our service users encounter in acquiring a home that meets their needs is the shortage of genuinely affordable wheelchair accessible homes in London. Aspire therefore welcomes the Mayor's commitment to bringing forward homes that are genuinely affordable to Londoners on low and middle incomes, in the form of "affordable rent, London Living rent and London shared Ownership.

We do however have some concerns about the delivery of affordable homes across the full range of tenures. In our experience, where development schemes have committed to provide a range of affordable housing for social rent and shared ownership, it appears that it is largely the shared ownership element that is completed first, with long, sometimes indefinite delays on delivery of the social component. We would therefore urge the GLA to require developers and local authorities to work together to ensure that new housing developments deliver tenures concurrently rather than phasing delivery of the social component for the latter stages of the project.

For a number of our service users, shared ownership presents a particular difficulty, as the financial terms and conditions for this tenure often exclude them, for the following reasons:

1. If you have bought into a SO scheme before you have become disabled it is a very hard and lengthy process to resell the property and the Landlord is often of little or no help in trying to sell. They have no obligation to "Buy Back" or help you.
2. To buy into a SO scheme there is an expectation that you are working and not claiming Housing Benefit, so even if you have enough from the sale of your previous property for a good deposit, having sold your own property following an injury, people are often refused unless they have an income of 30k or more and are not claiming benefits.
3. Even when proving that all the service charges are eligible for Housing Benefit or that they can make up the difference from other income such as PIP or supported work they have been refused.
4. When the SO property is a new build we have found that the owners will not allow any adaptation work in the first year owing to the snagging processes. This means that if you are disabled and need a wet room you are able to buy into the scheme but can make no changes within the first year and after that, you have to go through a very difficult process to get permission to adapt at all, given that you only own a percentage of the property and not the whole.

We would therefore urge the GLA to work with Aspire and other disabled people's organisations when developing the terms and conditions for "London shared Ownership," to ensure that such structural barriers for disabled purchasers are avoided and/or removed

from the scheme. We would also urge the GLA to meet with Aspire and other disabled people's organisations to develop London-wide solutions to the shortage of accessible interim housing.

Accessibility

In order to provide interim housing for spinal cord injured people, to bridge the gap between rehabilitation in a spinal cord injury centre and a permanent accessible home, Aspire enters into management agreements with housing providers to utilise a number of their wheelchair accessible properties. Whilst the Mayor's London Plan has achieved a supply of wheelchair accessible homes that is greater than the national average, we have still experienced some difficulty in identifying properties that are truly wheelchair accessible. In a number of cases, whilst the properties themselves comply with either the Wheelchair Housing Design Guide or Category 3 of Part M of the building regulations, we have found that the design and lay-out of common areas in the blocks in which the units are located, do not provide adequate circulation space for wheelchair access and consequently render the homes inaccessible for our service users. We would therefore urge the GLA to ensure that developers make adequate provision for wheelchair access to all common areas in their buildings and that this is robustly enforced.

Improving the accessibility to common areas of existing residential buildings.

Section 36 of the Equality Act 2010 introduced a new requirement for "disability related alterations to the common parts of let residential premises. As yet however, these provisions have not been brought into force. Many of London's residential buildings will have been constructed long before the introduction of the London Plan requirements for accessible housing. The enactment of this duty would dramatically improve the access and emergency egress afforded to many disabled people in residential buildings. We would therefore urge the GLA to call on the government to enact "Section 36" as a matter of urgency, to enable the common parts of existing buildings to be altered to meet the access and emergency egress needs of their disabled occupants. Not only would this benefit the current disabled residents of existing buildings, it would also serve to increase the overall supply of accessible homes.

Health Care facilities

All new health care premises should be inclusive and accessible for a range of users including disabled people, and developed following inclusive design principles. Where new health services are being proposed for location in existing buildings undergoing a change of use, these to must be inclusive and accessible to all the community including disabled people and the premises must be required to follow inclusive design principles. For example a dental practice seeking to occupy premises above a shop should only be granted permission where a wheelchair accessible lift is provided to the practice and all parts of the premises to which the public would normally have access are also wheelchair accessible. Furthermore, the location of new services must be considered in relation to the provision of public transport infrastructure and in particular the presence of genuinely wheelchair accessible national rail and London Underground Stations.

Policy SI14 Waterways

It is welcome that Thames strategies should be adopted to "specifically and identify and address deficiencies," including that of "inclusive access." In addition to the list of

infrastructure improvements listed, new development should also improve and enhance access for all and ensure that all infrastructure improvements follow inclusive design principles.

Residential Parking

We welcome and support the GLA's overall policy for disabled parking provision in residential developments. We do however have some concerns in relation to Policy T6.1 requiring developments of large-scale purpose-built shared living and student accommodation to be car-free. We believe that disabled people for whom a private car is essential for mobility should not be excluded from such accommodation, through the lack of appropriate parking provision. We would therefore wish to see such developments being required to include disabled parking provision that conforms to the requirements for parking in residential developments.

Non-Residential Parking

Aspire very much welcomes the requirements set out in policy T6.5 for disabled parking in non-residential developments. It might also be useful to clarify what would be expected in the case of mixed use developments.

Andy Shipley

Email: Andrew.shipley@aspire.org.uk

Tel: 0208 420 6702

Andy Shipley
Policy Manager
Aspire



