







## The impact of Part M on the design of new housing

Part M of the Building Regulations requires housebuilders to construct new housing to standards that enable disabled people, particularly wheelchair users and those with mobility or ambulant impairments, to visit a house and have access to a groundfloor living space and toilet. It also seeks to enable occupiers to cope better with any reduction in their mobility. There is, however, little or no information about the impact of the regulation on the design of new dwellings. This study, by Rob Imrie at Royal Holloway University of London, researched the attitudes of builders and building control officers towards Part M and how the regulation is being interpreted and applied. The main findings were that:

-  A number of builders, albeit a minority, feel that the building industry is ignorant of, and unresponsive to, disabled people and is unlikely to provide for disabled people unless regulated by government. Evidence from the research shows that builders have little or no knowledge about disabled people and their design needs.
-  Many builders and building control officers feel that Part M is half-hearted and does not address the real housing needs of disabled people, namely for liveable rather than visitable housing. Some feel it should take account of the needs of people with other impairments, such as hearing and vision.
-  Some builders and officers do not understand the concept of 'inclusive design' and consider that Part M is out of proportion to the scale of the problem. Most express the preference for a quota of housing constructed to Part M standards.
-  Although builders feel that Part M adds to development costs, they do not see the regulation as prohibitive - however, few are able to quantify the additional costs.
-  There is variable and inconsistent interpretation of Part M among building control officers. This leads to a range of different designs between sites.
-  Local authorities are competing for building control business with approved inspectors. They are therefore reluctant to take enforcement action against builders and may permit transgressions of Part M to be overlooked. However, a builder's failure to incorporate important aspects of Part M may go undetected or not be detected until a dwelling has been finished or occupied.

## Introduction

Since October 25th 1999, Part M of the Building Regulations has required that *'reasonable provision shall be made for disabled people to gain access to and to use the building'* (DETR, 1999: 5). The regulation requires housebuilders to construct new housing to standards that permit disabled people, particularly wheelchair users and those with mobility or ambulant impairments, to visit a house and have access to a groundfloor living space and toilet. It also seeks to enable occupiers to cope better with any reduction in their mobility. There is, however, little or no information about the impact of the regulation, especially about the proportions of Part M compliant with pre-Part M housing that have been built or that are presently under construction. In addition, little is known about builders' and officers' attitudes towards Part M, or about how the regulation is being interpreted and applied by both the building industry and local authority building control departments.

Builders can choose to use local authority building control departments or private sector approved building control inspectors to adjudicate the building control process. Given that local authorities are competing for business with approved inspectors, they feel that they must negotiate, and sometimes compromise, with builders over the interpretation and application of the requirements of the regulation (for fear of losing business to the private sector).

Research took place between December 2002 and March 2003 to estimate the proportions of housing constructed since October 1999 that have incorporated Part M standards. Builders and local authority building control officers were approached for this information.

## Estimating the numbers of dwellings constructed to Part M standards

Sixty-eight per cent (105,790 dwellings) of the total build by respondents between October 1999 and December 2002 has incorporated Part M of the building regulations. Although a high proportion of new housing constructed in the period immediately after the introduction of Part M did not incorporate the regulation, a sizeable minority of builders decided, from the outset, to incorporate it into new construction as a matter of routine and not to sidestep the regulation. Higher proportions of dwellings were thus being constructed to Part M standards towards the end of the study period. The majority of builders that have sites under construction and/or will commence construction in the future are happy to incorporate Part M into the building process.

## The interpretation of Part M

Several builders considered that the industry is unaware of the needs of disabled people and is unlikely to provide for them unless regulated by government.

**"I'd never thought about disabled people before Part M and hadn't got a clue about what they might want from a house ... Part M has made us focus on this."**

A minority of builders and officers feel that Part M is half-hearted and does not address the real housing needs of disabled people; that is, for liveable rather than visitable housing. One builder said:

**"They put off the able-bodied and don't address the real problems of a disabled person living in a house."**

They consider it could also take account of the needs of people with hearing and vision impairments, for example.

**"It doesn't take into account blindness, ... so it's very limited in its approach. And you know, you're thinking we're designing properties for all, but you're not."**

Most builders and officers do not understand the concept of 'inclusive design' and so feel that Part M is out of proportion to the scale of the problem. Most express the view that a quota of accessible housing, rather than blanket coverage, would be satisfactory. One builder said:

**"Go the whole way in a few homes and not at all in the others."**

Builders also feel that Part M adds to development costs, though not in any prohibitive sense. Few were able to quantify with any accuracy the additional costs that they attribute to Part M.

**"I don't think anyone has sat down and said 'Part M on this site is costing us'. It does cost more, but not so much more that we would consider it too expensive to do. We have accommodated it within all the structure prices."**

Builders and officers are unhappy about the lack of technical guidance contained in Part M's guidance notes, the Approved Document (AD), especially in relation to the limited design details concerning the WC. For some builders, developing design solutions to Part M is 'a matter of trial and error'.

**"The Approved Document is just theoretical and doesn't relate to reality and the site conditions we have to deal with."**

Building control officers were equally sceptical about the document.

**"It is very limited and woolly. Guidance is half-hearted, with limited detailing that does not cover all aspects of the built environment."**

There is variable, and inconsistent, interpretation of Part M by different building control officers due, in part, to the 'reasonableness' clause. This has the potential to lead to a range of different designs between sites. One builder said:

**"The Approved Document is only a guide and you get asked to do different things by different building control officers ... there seems to be no consistent standard."**

### **The application of the regulation**

Some builders perceive a potential conflict of policy between recent government directives on housing densities and the content of Part M. Planning Policy Guidance Note 3 encourages local authorities to direct developers to increase housing densities to a minimum of 30 units per hectare. (This density is now *required* under the Sustainable Communities Plan.) This has led to a noticeable increase in three-storey housing and flat units. The design of these units often includes no habitable room at groundfloor level, with living quarters often positioned on the first floor above a garage.

**"How are we supposed to follow PPG3 and also Part M? We can't easily make the new units accessible."**

Builders feel that Part M is contributing to a reduction of space standards in parts of the dwelling. Some respondents suggested that Part M had focused their attention on re-designing floor plans to operate, as one put it, "cost-effectively".

**"The rationale remains one of providing the maximum accommodation within the smallest floor or land take or floor plan."**

Complying with Part M is not difficult for builders, although some experience difficulties in achieving parts of the requirement. Some consider that Part M is creating new problems and faults.

**"The ramp requirements should be removed where the depth of the frontage does not allow construction at a set gradient in a straight line between door and footpath."**

**"The contours of sites and frontages pose serious problems and there could be long-term problems with damp."**

Where builders have used a building notice to gain building control consent, the application of the regulation requires potentially high levels of officer input that are not always available. A builder's failure to incorporate all aspects of Part M may therefore go undetected or not be detected until the dwelling has been finished or occupied.

The majority of building control officers feel that Part M is 'easy to achieve' and 'isn't asking for a great deal'.

**"We haven't had what we anticipated, namely a lot of people raising or lowering their sites so that they could get around the idea of putting ramps in by putting staircases in instead, because of the steep site."**

However, compliance can be a problem.

**"At one time or another, every possible transgression has occurred. Basically, all areas of Part M are not complied with on some sites. The most frequent transgression is probably in relation to access into the building, with some form of step being maintained."**

For most officers, part of the problem is that builders have incomplete knowledge of Part M, and are slow to absorb new standards into their designs. Problems sometimes arise because builders fail to communicate with project managers, and others on site, about how to apply Part M. Site or project managers will work from drawings produced by a builder's design team. More often than not, drawings do not provide any sense of topography and convey site details in no more than one or two dimensions.

**"It's difficult to transpose drawings onto the actual site, because many plans show a level site ... when you get on site you find a gradient, and you have problems."**

Officers suggested that compliance is less likely in small housing units and where driveways are split-level and constructed with gravel paths. However, some hinted that there may be less demand for strict compliance on larger sites.

"Maybe local authorities decide that they don't want to upset larger customers."

Officers also reported compliance problems with specific house-types, such as town houses with ground or basement garages and housing opening directly onto public footpaths or highways.

Authorities are often lenient in relation to minor transgressions of Part M.

"We allowed 'one free go' to builders and made sure that they were aware that we would be enforcing the regulations in the future."

Officers will often adopt a flexible approach that does not involve blanket compliance. Officers are obliged to enforce the provisions of the building regulations, yet the reality is one whereby enforcement is usually a last resort.

"If [the measurements are not strictly right] do I penalise the builder and say 'Get that door frame off and get back?' I don't, because the NHBC or my competitors might say: 'We'd have accepted that.' I'm not going to put men's jobs on the line."

For other officers, enforcement is usually preceded by a caution to builders. Some officers felt uneasy about enforcing a regulation that seemed open-ended.

"It is difficult to enforce a requirement you don't understand yourself, for instance, trying to explain why closed risers are required on ambulant disabled stairs."

## Conclusions

The research shows that Part M of the building regulations is commonly regarded by builders and local authority building control officers as 'half-hearted', and that it is often poorly interpreted and variably enforced, leading to an unsatisfactory outcome for the design of new housing stock.

The report suggests that:

- Part M could be reviewed and revised and that the Office of the Deputy Prime Minister could 'sell' the concept by spreading the message that visitability is integral to the design of good quality housing and is not an 'add-on'.

- It could be clarified that Part M seeks to provide for visitability and a measure of use of dwellings for individuals who are not just wheelchair users.

This broader remit is the intent of Part M, but most builders and officers tend to regard the regulation as relating solely to the needs of wheelchair users.

The report also suggests that the ODPM could explore the possibilities of extending the requirement to incorporate additional features that will enhance the use of dwellings by disabled people.

## About the project

The two-stage project was designed to enable the collection of data. The first part sought to estimate the proportions of housing constructed since October 1999 that have incorporated Part M standards. Builders and local authority building control officers were targeted for information. Fifty housebuilders and 42 building control officers were interviewed by telephone. On completion of the telephone interviews, both groups were asked if they would be prepared, if invited, to participate in an in-depth interview at a future date to enable the documentation of diverse experiences in seeking to interpret and implement the regulation. Follow-up interviews were conducted with 15 builders and 15 local authority building control officers.

## How to get further information

The full report, **The impact of Part M on the design of new housing**, by Professor Rob Imrie, is published by the Department of Geography, Royal Holloway University of London, Egham, Surrey, TW20 0EX (price £15.00 plus £3.00 postage and packaging). To order, telephone 01784 443654 or email: [r.imrie@rhul.ac.uk](mailto:r.imrie@rhul.ac.uk) or download free from [www.gg.rhul.ac.uk/jrf.pdf](http://www.gg.rhul.ac.uk/jrf.pdf).