

Living-architects response to James Garside email of 15:28 09 June 2020

**Item 10:** The schedule of accommodation identifies that the three ground floor flats numbered 18, 19 and 24 are the designated wheelchair flats to Building Regulations M4(3) standard being 2No 2b3p units and 1No 2b4p unit

**Item 11:** The development has been designed so that all of the flats (except the three wheelchair flats 18, 19 & 24 noted above) will meet the internal requirements of Building Regulations M4(2) for accessibility within the dwelling. Additionally, access within the site and into the communal areas of the individual blocks of flats also meets the requirements of Building Regulations M4(2) for accessibility.

The site constraints, in particular the limitations on height (maximum three storeys – Ground, First and Second), the London Plan requirement to minimise single aspect dwellings and the financial requirement to replace the nursery building results in a design that has cores serving only 4 dwellings in each case at First and Second Floors. Therefore, the development would require 5 lifts to provide step free access to the upper floor dwellings throughout the scheme.

The development is for 100% affordable housing where there is an obligation to ensure the service charges applied to the development remain affordable. The inclusion of 5 lifts with their associated running costs and maintenance obligations would prejudice this.

The London Mayor's guidance acknowledges that the provisions of lifts has implications on the affordability of service charges.

The Mayor of London's Housing Supplementary Planning Guidance March 2016 states:

*2.3.10 LPAs should seek to ensure that dwellings accessed above or below the entrance storey in buildings of four storeys or less have step-free access. **However, in certain specific cases, the provision of a lift where necessary to achieve this aim, may cause practical difficulties, make developments unviable and/or have significant implications for the affordability of service charges for intended residents.** Analysis of the viability and affordability impacts of M4(2) may require 'bespoke' assessments of site-specific circumstances. Where necessary, for developments of four stories or less, the requirements of Policy 3.8Bc should be applied flexibly to ensure that residential or mixed use development is deliverable. **(la emphasis)***

Additionally, the Building Regulations Approved Document Part M 'M4(2) Optional requirements M(4)2: Category 2 – Accessible and adaptable dwellings' includes a test of reasonableness:

*Performance: In the Secretary of State's view, optional requirement M4(2) will be met where a dwelling makes **reasonable** provision for most people to access the dwelling and incorporates features that make it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users. **(la emphasis)***

To offset the lack of a lift the communal staircases within the individual blocks are designed to meet the requirements of Building Regulation Part K having particular regards to Section 1 and aspects relating to 'common areas in buildings that contain flats and do not have passenger lifts'.