



Key:

- internal wheelchair accessible route
- ▲ residential accessible entrance
- passenger lift
- escape stairs
- internal cycle storage
- refuse storage

Fig.17 Residential - Typical floor I access overlay.

Appendix 1 | References for inclusive design

Legislation

Equality Act 2010

The Equality Act 2010 ('the Act') combines and supersedes previous separate discrimination legislation (including the Disability Discrimination Act 1995 as amended ('the DDA') and the disability discrimination provisions of SENDA 2001 for England, Wales and Scotland. People are protected from discrimination and harassment based on 'protected characteristics'; victimising anyone as a result of action taken in connection with the Act is also unlawful. There are nine different protected characteristics under the Act which have different levels of protection depending on the context (such as employment, provision of goods and services or the provision of education). This Access Statement focuses on the protected characteristic of disability; the definition of disability is essentially the same as under the DDA.

The types of discrimination that can arise in relation to disability are:

- Direct disability discrimination;
- Indirect disability discrimination;
- Treating disabled people unfavourably because of something arising in consequence of their disability without justification; and
- A failure to make reasonable adjustments for disabled people ('the RA duty'). The RA duty works in different ways depending on who requests the reasonable adjustments to be made, for example an employee or a member of the public.

The Act also provides protection for people who are treated less favourably because of their relationship with a disabled person (such as a carer) or for people treated less favourably because they are mistakenly believed to be disabled. A disabled person can always be treated more favourably than a non-disabled person.

If an employer is a listed public authority (such as a local authority) they will be subject to the public sector equality duty. If the employer is not a public authority but carries out a public function as part of its work, it will be covered by the general part of the equality duty in relation to the exercise of that function.

The public sector equality duty seeks to promote equality from within an organisation and the general duty requires the organisation to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and
- Foster good relations between persons who share a protected characteristic and those who do not.

Due regard must be given to these three aims when undertaking procurement and to comply with procurement law, consideration must be given to the extent to which equality considerations are relevant and proportionate to the subject matter of the contract.

Most of the listed public authorities are also subject to the specific duty (which operates slightly differently in England and Wales). This involves reporting requirements to demonstrate compliance with the three aims of the general duty. The public sector equality duties are relevant both to the design and the management of the built environment.

The Reasonable Adjustment Duty and specific building provisions

The Equality Act does not contain any specific requirements for the built environment and therefore has no relevance to 'compliance' in respect of physical building standards.

Statutory Consents

When considering a reasonable adjustment to a physical feature, the Act does not override the need to obtain consents such as planning permission, building regulations approval, listed building consent, scheduled monument consent and fire regulations. If the consent is not given, there is still a duty to consider a reasonable means of avoiding the feature.

Regulations and Standards

Building Regulations 2010

- *The Building Regulations 2010, Approved Document M (Access to and use of buildings) Volume 1: Dwellings*, HM Government, 2015 edition incorporating 2016 amendments. (Referred to as AD M Vol.1).
- *The Building Regulations 2010, Approved Document M (Access to and use of buildings) Volume 2: Building other than dwellings*, HM Government, 2015 edition. Note: Amendments to AD M Volume 2 published in July 2020 take effect on 1 January, 2021. (Referred to as AD M Vol.2).
- *The Building Regulations 2010, Approved Document K (Protection from falling, collision and impact)*, HM Government, 2013 edition. (Referred to as AD K).
- *The Building Regulations 2010, Approved Document B (Fire safety) Volume 1: Dwellings*, HM Government, 2019 edition incorporating 2020 amendments.. (Referred to as AD B Vol.1).
- *The Building Regulations 2010, Approved Document B (Fire safety) Volume 2: Buildings other than dwellings*, HM Government, 2019 edition incorporating 2020 amendments. (Referred to as AD B Vol.2).

The Regulations make clear that designs other than those shown in the document can be approved if they are justified as being equally or more effective. Approval confers acceptance that the building meets the regulations in respect of physical access for disabled people.

National Planning Policy

- *National Planning Policy Framework (NPPF)*, Ministry of Housing, Communities and Local Government, 2021.

The NPPF states that all developments should be designed to be inclusive and that this should be addressed by local policies.

- *Town and Country Planning (Development Management Procedure) (England) Order 2015*, Article 9.

Local Planning Policy

- *South Cambridgeshire Local Plan, Chapter 5*, South Cambridgeshire District Council, September 2018

References

British Standards

- *British Standard 8300:2018 Design of an accessible and inclusive built environment Part-1: External Environment, Code of Practice Part-2: Buildings, Code of Practice*, British Standards Institution, 2018.
- *BS 9999:2017 Code of practice for fire safety in the design, management and use of buildings*, British Standards Institution, 2017.
- *BS EN 81-28:2018, Safety rules for the construction and installation of lifts. Remote alarm on passenger and goods passenger lifts*, British Standards Institution, 2018.
- *BS EN 81-41:2010, Safety rules for the construction and installation of lifts. Special lifts for the transport of persons and goods. Vertical lifting platforms intended for use by persons with impaired mobility*, British Standards Institution, 2010.
- *BS EN 81-70:2018, Safety rules for the construction and installation of lifts. Particular applications for passenger and goods passenger lifts. Accessibility to lifts for persons including persons with disability*, British Standards Institution, 2018.

- *BS 5656-2:2004 Safety rules for the construction and installation of escalators and moving walks - covering disabled access*, British Standards Institution, 2004.
- *DD CEN/TS 15209:2008 Tactile paving surface indicators produced from concrete, clay and stone*, British Standards Institution, 2008.
- *BS 5395-1:2010 Stairs. Code of practice for the design of stairs with straight flights and winders*, British Standards Institution, 2010.
- *BS 7000-6:2005 Design Management Systems. Managing inclusive design. Guide*, British Standards Institution, 2005.
- *BS 5499-4:2013 Safety signs. Code of practice for escape route signing*, British Standards Institution, 2013.
- *BS 8501:2002 Graphical symbols and signs. Public information symbols*, British Standards Institute, 2002.
- *BS 8579:2020, Guide to the design of balconies and terraces*, British Standards Institution, 2020.

International Standards

- *ISO 7176-28:2012, Wheelchairs - Part 28: Requirements and test methods for stairclimbing devices*, British Standards Institution, 2012.
- *ISO 9386-1:2000, Power-operated lifting platforms for persons with impaired mobility*, British Standards Institution, 2000.

Access Statements

- *Guidance on Information Requirements and Validation*, Department for Communities and Local Government, 2010.
- *Design and Access Statements: How to Write, Read and Use Them*, Design Council (CABE), 2006.

Sanitary Accommodation

- *Good Loo Design Guide*, CAE, RIBA Enterprises, 2004.
- *Changing Places: the practical guide*, (CPT Funding 2021 England only – Local Authorities reference), Changing Places Consortium, 2021.
- *BS 6465-2: 2017 Sanitary installations Part 2: Space recommendations - Code of practice*, British Standards Institution, 2017.

Urban Design / External Environment / Landscape / Transport

- *Inclusive Urban Design: A guide to creating accessible public spaces*, David Bonnett Associates, BSI, 2013.
- *Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure*, Department for Transport, 2021.
- *Improving Walkability: Good Practice Guidance on Improving Pedestrian Conditions as Part of Development Opportunities*, Transport for London, 2005.
- *Guidance on the Use of Tactile Paving Surfaces*, Department for Transport, 2021.
- *Traffic Advisory Leaflet 5/95 Parking for Disabled People*, Department for Transport, 1995.
- *Inclusive Design for Getting Outdoors I'DGO*, Legacy website <http://www.idgo.ac.uk/>, 2011.
- *London Cycling Design Standards*, TfL, 2016.
- *A Guide to Inclusive Cycling (fourth edition)*, Wheels for Wellbeing, 2020.
- *Cycle Infrastructure Design: Local Transport Note 1/20*, Department for Transport, 2020.

Signage, Lighting And Wayfinding

- *The Colour, Light and Contrast Manual: Designing and Managing Inclusive Built Environments*, Bright, K., Cook, G., Wiley-Blackwell, 2010.
- *Sign Design Guide: a guide to inclusive signage*, JMU and the Sign Design Guide, 2000.

Buildings

- *Designing for Accessibility*, CAE/RIBA Publishing, 2012.
- *Inclusive Design Toolkit*, Design Council, 2014.
- *Building Sight: a Handbook of Building and Interior Design Solutions to Include the Needs of Visually Impaired People*, Barker, Barrick and Wilson, RNIB/HMSO, 1995.

Office And Commercial

- *Workplace health, safety and welfare. Workplace (Health, Safety and Welfare) Regulations 1992. Approved Code of Practice L24*, HSE Books, 1992.
- *The Accessible Office: Designing the Inclusive Workplace*, JMU Access Partnership, Royal National Institute of Blind People, 2005.
- *Open for business: Taking the Risk out of 2004*, Employers' Forum on Disability, 2003.