

Architect's Guidance Notes

For the Attention of:

Architects / Agents involved in providing their services to facilitate Grant Funding within private sector housing.

If you have any queries or require this information in an accessible format, please contact your local grants office.

Introduction

One of the Housing Executive's roles is to administer Disabled Facilities Grant (DFG) funding on behalf of the Department for Communities (DfC). The purpose and extent of works that can be completed through a DFG is specified in Articles 50-55 contained in Part III of the Housing (NI) Order 2003.

DFG's are available to make adaptations to privately owned homes to meet the assessed needs of a disabled occupant.

A DFG is designed to address the adaptation requirements to meet the needs of the disabled person. It includes mandatory works to meet the basic housing requirements of the disabled person and discretionary works for a wide range of other items which go beyond these basic requirements.

A DFG is also designed to assist towards the common parts of buildings containing flats, where the disabled person is the occupant of one of the flats.

Eligible private sector applicants are able to apply for DFG grant aid up to an amount of £35,000 (inc. VAT and fees).

Depending on the work required, and the financial circumstances of the disabled person or the grant applicant, there may be discretion to raise the grant allowance to a maximum of £70,000 (inc. VAT and fees). These amounts are specified in The Housing Renovation etc. Grants (Grant Limit) (Amendment) Order (Northern Ireland) 2023.

The DFG application process is initiated by an Occupational Therapist's (OT) recommendation. The OT recommendation will specify the works required in the disabled person's home, and will often refer to a scheme design from the Interdepartmental Housing Adaptations Design Toolkit, which specifies space standards for appropriate bedroom, shower room and other adaptations.

This toolkit can be downloaded from the Housing Executive's website - [Interdepartmental Housing Adaptations Design Toolkit \(nihe.gov.uk\)](https://www.nihe.gov.uk/interdepartmental-housing-adaptations-design-toolkit)

Background

The purposes for which a DFG application may be approved are the following:

- facilitating access by the disabled occupant to and from the dwelling or the building in which the dwelling or flat is situated;
- making the dwelling or building safe for the disabled occupant and other persons residing with them;
- facilitating access by the disabled occupant to a room used or usable as the principal family room;
- facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
- facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
- facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
- facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a wash hand basin, or facilitating the use by the disabled occupant of such a facility;
- facilitating the preparation and cooking of food by the disabled occupant;
- improving any heating system in the dwelling to meet the needs of the disabled occupant or, if there is no existing heating system in the dwelling or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet their needs;
- facilitating the use by the disabled occupant of a source of power, light, or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- facilitating access and movement by the disabled occupant around the dwelling in order to enable them to care for a person who is normally resident in the dwelling and is in need of such care;
- such other purposes as may be specified by order of the Department.

An application for a DFG may be approved for the purpose of making the dwelling or building suitable for the accommodation, welfare or employment of the disabled occupant in any other respect.

If, in the opinion of the Housing Executive, the designed works are more extensive than is necessary to achieve any of the purposes set out above (i.e. the “basic scheme”) it may treat the application as enhanced, and the grant-aided funding will be limited to the basic scheme works only.

The Housing (NI) Order 2003 states, “The Executive shall not approve an application for a disabled facilities grant unless it is satisfied:

- that the relevant works are necessary and appropriate to meet the needs of the disabled occupant, and
- that it is reasonable and practicable to carry out the relevant works having regard to the age, condition and necessary size of the dwelling or building”.

The assessment of whether the works are necessary and appropriate must therefore involve consideration of the need for the proposed adaptation or improvement to:

- enable any care plan to be implemented; and
- permit the disabled occupant to remain in his/her home retaining or regaining as great a degree of independence as can reasonably be achieved.

Grant-aid will be offered towards basic cost for items and will not replace items in the home on a ‘like for like’ basis.

The OT recommended works are to be treated as the basic scheme and on that basis, only these works attract Housing Executive grant-aid.

An applicant may wish to carry out other works alongside the basic scheme or increase the specification of items from what is detailed in the list of grant aided works schedule. For example, upgrading electric fittings from basic white to a brushed metal finish, increasing the size of rooms in an extension, or additional works to the exterior of the house. Any works over and above the basic scheme will be referred to as “Enhanced Works”.

Please note.

“Enhanced Works” do not attract grant-aid; they are 100% funded by the applicant.

Architect's Role

Where there is a need for an applicant to appoint an Architect to produce a scheme design for their adaptation works, the design should be the most appropriate and cost-effective solution.

The design should also ensure the needs of the disabled occupant are met in line with their OT's recommendation. The OT should specify a design option within the Housing Adaptations Design Toolkit and this design and space standard must be used by the Architect.

To meet the requirement for the most cost-effective solution in the administration of public funding, Architects should **first** consider internal solutions to meet the OT's recommendations, **before** an extension to the building is considered.

An Architect is required to submit proposed plans to the Housing Executive for review, prior to the applicant submitting an application for Planning Permission or Building Control.

This submitted plan must be a basic plan as per the OT recommendation. However, if the applicant wishes to enhance their scheme, **a separate enhanced plan** must also be submitted to the Housing Executive for review. The OT will then review the plan(s) to ensure they meet their recommendation.

Required Format of Plans

All proposed plans should include the following information:

- All drawings should be A3, at scale 1:50 and be provided in **.pdf digital format**.
- The drawings should have an existing layout and proposed layout. Both layouts should be **fully dimensioned** showing all relevant dimensions including **ALL** the internal room dimensions including those of the adaptation.
- There must be a site layout plan indicating all boundaries and ground levels.
- The drawings should show existing and proposed drainage. The length/route of both foul and storm drainage and number of BIGTs and inspection chambers required to connect them into existing foul/storm drainage.
- The drawings should show public sewers if any, or pipelines running under/near the building/extension. If any public sewers or pipelines exist within this area, the architect should indicate what works are required around/over/near the pipeline(s) in order to accommodate the new extension.

- The drawings should show ALL structural elements required (if any) within the extension.
- All drawings should adhere to party wall legislation and extensions should be within the site boundary.
- All drawings should clearly indicate the type and details of any retaining walls required for site / ground retention.
- Architects should endeavour to investigate any potential requirement for designed structural foundation solutions to deal with poor ground conditions.
- All drawings that include ramped access should include gradients and levels.

On receiving the proposed plans, the Grants Office will assess the proposals to determine whether they are considered to be enhanced or not.

In assessing the proposals, the Technical Officer must be satisfied that they are acceptable from the Housing Executive's perspective and do not contravene any grants policy. Where there is a clear contravention of policy, the proposals will be rejected, with reasoning outlined, prior to making any referral to the OT.

Where the proposals are considered to be enhanced or an alternative, more economical solution is feasible, the Technical Officer will request that the applicant, via their Architect, provides an additional plan detailing only the basic grant-aided scheme.

The basic scheme, together with the enhanced scheme, should be clearly and separately identified and both proposals will be forwarded to the OT by the Grants Office for assessment. We will ask the OT to assess the suitability or otherwise of both proposed schemes.

Acceptance of Plans

The OT must approve both the grant-aided basic scheme plans and the enhanced scheme plans where this is proposed by the applicant. This is to ensure the enhanced proposals also meet the requirements of the OT's recommendation.

Once all plans have been accepted by the OT, the Technical Officer will inform the applicant that the submitted plans have been accepted and they are to proceed to statutory approval stage.

The applicant decides which plan proceeds to statutory approval. The Housing Executive will only produce a formal costed approval from the basic scheme plans

and include any necessary deviations from this that are required by the statutory approval process.

Please note:

The Housing Executive will notify applicants where there are specification changes listed on the approved plans which are not in line with the current Housing Executive grant-aid specification that these will not be eligible for grant funding.

Statutory Approved Plans

Copies of the following supporting documentation are required to progress the application to formal approval stage prior to any commencement of works:

- Full Planning Approval Certificate
- Stamped approved Planning Plans
- Building Control Approval Certificate
- Stamped approved Building Control Plans
- Architect's Drawing Issue Sheet
- Any additional supporting documents as requested on List of Grant Aided Works Package, e.g. Structural calculations with associated design drawings and relevant Drawing Issue Sheet etc.
- NI Water Build over approval, approved plans, and sections, if required
- Any other supporting documentation that relates to statutory approvals.

The applicant will be asked to submit the required documentation within six months following issue of the Preliminary List of Grant- Aided works package.

The required documents should be provided in digital format. Hard copies of this documentation are not acceptable.

Please note:

The architect is expected to consult with NI Water and make a build-over or similar application on behalf of the applicant, regarding the works (if any) being carried out around / over / near the public sewer or pipeline.

Reminder: Grant-aid will be awarded towards the basic scheme only. If you are preparing drawings with a full specification of fittings, you should ensure that your client, the applicant, is aware of higher specified items listed. They will be liable for payment to their chosen contractor, on top of the grant-aid amount approved.

Architect Fees

Fees are payable on schemes where it is necessary for grant purposes to employ an Architect / Agent to provide scheme design and plans necessary to obtain all statutory approvals.

The maximum fee shall be calculated on the approved cost of the grant-aided (basic) scheme only, but excluding VAT. Architect's fees shall be calculated as either:

- 6% up to a maximum £2475.00 + VAT for agents who have the required level of Professional Indemnity Insurance (PII)
- 3% up to a maximum £1237.50 + VAT

and then compared to the Architect's invoice; the lower fee shall be accepted.

The minimum amount which will be paid is £200 + VAT (if VAT registered).

The higher percentage fee (6%) is only payable to Architects/Architectural Technicians who have a minimum value of £1m Professional Indemnity Insurance.

Professional Fees will only be paid on submission of a properly itemised Fee Scale Account on headed paper and accompanied by a copy of their current PII insurance certificate (min. insured value £1m).

Grant-aid will cover VAT charges on fees for Architects / Technicians who are VAT registered.

Grant-aid cannot be paid towards Architect's fees for supervision of the works.

Contract Formation

An additional grant-aided fee is available where an applicant wants their Architect / Agent to complete the **JCT “Building contract for a homeowner / occupier who has not appointed a consultant to oversee the work”** contract, or equivalent documentation, on their behalf.

The maximum additional professional fee payable for the service including purchase and preparation of contract documents is £250.00 (inclusive of VAT, for VAT registered professionals). This fee will be paid upon submission of an invoice and receipt.

Please note

The Housing Executive may decide to approve a request from either the applicant or their contractor to use an alternative Form of Contract to the JCT Contract on their project; but only where this request is accompanied by a Solicitor's Letter or other professional substantiation, confirming the equivalence of the proposed alternative Form of Contract to the JCT Contract.

The Housing Executive will not be responsible in any way for any shortcomings in the chosen form of alternative contract.

Payment

The Architect's fee will be included in the formal grant approval and will be paid by the Grants Office at first interim payment stage when a minimum of 25% of the work is complete.

The fee will be paid to the applicant, or if the grant has been assigned using the assignment of monies form, to the nominated payee.

If work does not start, and / or the application for grant-aid is cancelled, then the applicant must make arrangements for any monies owed to be paid directly to each payee.

In exceptional circumstances, such as the passing away of an applicant, under Article 87 of the Housing Order 2003, payment of fees may be made by the Housing Executive where services or charges have been incurred in respect of an application.