

Summary of Building Regulations February 2013

Introduction

2013 sees several sets of changes to the Building Regulations in England¹. The first set, coming into force on 6 April, is intended to reduce the burden of regulation on the construction industry, and includes changes to Parts B, K, M and P. A further change takes place on 1 July 2013 when the European Construction Products Regulations 2011 come into force and the guidance to Regulation 7 will be aligned with them. This article addresses the April and July changes.

The changes to the Approved Documents to Part B and M are minor and addressed by a Corrigenda although revised re-prints of these Approved Documents incorporating the changes are also available, but the revisions to the Approved Documents to Parts K and P and to Regulation 7 are extensive enough to require new editions of the documents. The new Approved Documents have an open, single column layout which should be easier to read, particularly on screen. Approved Documents K, P and Regulation 7 have been completely re-written to conform to plain English standards, to improve readability and remove duplication.

Part B

Approved Document B Volume 2 (Buildings other than dwellinghouses) has two minor changes in the guidance to Requirement B2 Internal fire spread:

- A new footnote to Table 10 permits decorative wall coverings which achieve European Class C-s3,d2 to be used in circulation spaces, provided they are bonded to Class A2-s3,d2 substrates. The change is intended is to remove a barrier to the adoption of the European classification systems
- The limitations on the use of type TP(b) thermoplastic diffusers and roof lights have been relaxed to allow smaller units to be used closer together: the revised limits are in table 11 and diagram 27A. It is anticipated that will facilitate energy efficient lighting layouts.

Part K

The Requirements and guidance of Parts K and N addressed protection against falling, collision and impact with glazing. At the same time, guidance in Part M (*Access to and use of buildings*) addressed some of the same issues, but with conflicting guidance. That unsatisfactory situation is resolved in the April 2013 revisions which transpose all the Requirements of Part N into Part K and remove the overlapping guidance from Part M. The table shows the new structure of Part K, together with the previous location of the Requirements.

Part K 2013

K1 Stairs ladders and ramps

K2 Protection from falling

K3 Vehicle barriers and loading bays

Previous requirement

K1

K2

K3

Part K 2013

Previous requirement

K4 Protection against impact with glazing	N1
K5(1) Protection from collision with open open windows etc	K4
K5(2) Manifestation of glazing	N2
K5(3) Safe opening and closing of windows	N3
K5(4) Safe access for cleaning windows	N4
K6 Protection against impact from and trapping by doors	K5

The new Approved Document is not intended to introduce any new technical requirements; however, there have been some minor changes in the guidance, mainly as a consequence of rationalising the guidance from three separate documents.

- Stairs are now defined as:
 - Private – intended to be used only for one dwelling
 - General access – the normal route between levels for all building users
 - Utility – used for escape, maintenance or other purposes, but not as a normal route.
- The guidance on rise and going has been simplified and, as a result, there are differences in allowable dimensions
- Approved Document K now contains minimum stair widths for buildings other than dwellings, of 1200 mm between enclosing walls or upstands, and 1000 mm between handrails
- References to standards have been updated, so, for example, loading on guarding is now calculated to BS EN 1991-1-1 (with UK National Annex) and BD 6688-1-1.

Whilst the consolidated Approved Document K will assist designers by bringing all the related Requirements together, the amalgamation does have a downside. Each Approved Document divides buildings into classes in different ways. Bringing together guidance from three Approved Documents (while endeavouring not to change its original scope) means some sections of Approved Document K need careful reading to determine which guidance apply to which building types. For example, there are provisions for handrails (paragraphs 1.34–1.37) which apply to:

- All buildings
- Buildings other than dwellings and common access areas in buildings that contain flats and do not have passenger lifts
- Buildings other than dwellings
- Dwellings.

Part M

Many of the changes to Approved Document M are the part of the consolidation of Parts K, N and M. Other changes reflect the revocation of the *Disability Discrimination Act* and the introduction of the *Equality Act 2010*, while paragraph 5.6 introduces guidance on Changing Places Toilets. The most significant change, though, concerns Access Statements for building control purposes.

Research during the consultation process found that Building Control Bodies (BCB) did not find Access Statements useful, and the preparation of Access Statements did not sit easily with the design process. The Access Statement has therefore been abolished. Instead the applicant must communicate the Access Strategy, that is, convey clearly to the BCB how the approach chosen for a project demonstrates compliance with Part M.

The access strategy should focus on points where the proposals diverge from the Approved Document. For smaller projects it may be sufficient to have a conversation to review proposals and record the outcome by correspondence. Larger or more complex works may require a written document accompanied by annotated drawings. The key, though, is early engagement with the BCB.

Part P

Part P is intended to reduce the number of injuries and fatalities caused by poor quality electrical installation work in dwellings. Since its introduction in 2005 Part P has improved electrical safety, but there have been concerns that the range of notifiable work is too extensive and that the cost of inspection for unregistered installers is too high. The 2013 revision of Part P addresses both those issues.

All electrical installations in dwellings should be carried out to BS 7671 (incorporating amendment 1:20011), but only the following work is notifiable:

- Installation of a new circuit
- Replacement of consumer unit
- Addition or alteration to existing circuits in special locations.

Where work is notifiable, a registered competent person can self-certify the work. Non-registered installers can either have the Building Control Body certify the work, or they can arrange for third party certification by a registered third-party certifier, which should be more cost effective.

Regulation 7

Regulation 7 addresses the suitability of materials and standards of workmanship. Whilst Regulation 7 itself is not changing, the introduction of the European *Construction Product Regulations* (CPR) and mandatory CE marking for construction products has required revision of the Approved Document.

The most significant change is in the acceptable methods for demonstrating a material or product's fitness for purpose; those are:

- CE marking under the CPR to a harmonised European Standard or European Technical Approval
- CE marking under other European legislation, such as the Gas Appliances Directive
- Assessment to a British Standard or to another national or international technical standard
- Independent certification schemes
- Tests and calculations
- Past experience.

Mandatory CE marking will make it easier for designers to demonstrate the suitability of a product. Provided the declared performance of a CE-marked product matches its intended use a BCB may not prohibit or impede the use of the product.

The changes to Approved Document 7 also require corresponding changes to the guidance on materials and workmanship, independent certification schemes and technical specifications in all other Approved Documents (A, C, D, E, F, G, H, J and L).

Notes

1 As of 2011 the Welsh Assembly has the powers to set Building Regulations for Wales.

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