



## Changes to the Building Regulations Controlling External Wall Construction

In November and December of 2018 new guidance was published for controlling external wall construction for building projects with a top storey height over 18m.

### Transition dates

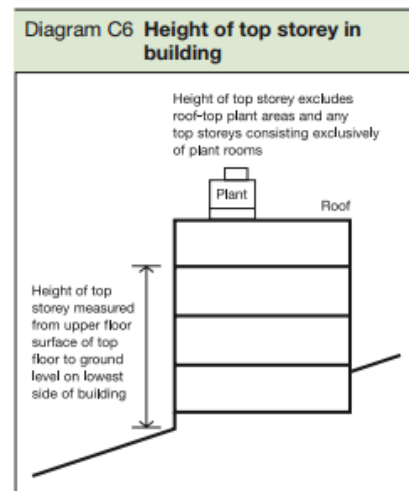
For the changes not to apply, your project needs to have had the initial notice served before 21 December 2018 and commenced by 21 February 2019. (The transition period for the new guidance regarding the use of Assessments in lieu of testing runs a month later, see below.)

### External wall definition

The external wall of a building includes a reference to:

- I. Anything located within any space forming part of the wall
- II. Any decoration or other finish applied to any external wall (but not internal) surface forming part of the wall
- III. Any windows or doors in the wall
- IV. Any part of a roof pitched at an angle of more than 70° to the horizontal, if that part of the roof adjoins a space within the building to which persons have access, but no access for purposes of carrying out repairs or maintenance.

**Note:** internal surfaces are still controlled under Building Regulation B2.



### Approach

There are two distinct approaches dependent on what use the building is to be put to: Relevant or Non-Relevant.

Relevant buildings are those which are over 18m in height and **contain:**

- One or more dwellings
- An institution
- A room for residential purposes.

The above includes student accommodation, sheltered housing, hospitals and boarding schools, and excludes hotels, hostels and boarding houses.



## Buildings Containing Relevant Accommodation Over 18m in Height

These walls are primarily controlled through Regulation 7, which makes the use of European classified materials, described below, as mandatory.

All materials used must meet European classification of either A1 or A2 s1 d0

Materials exempt from this include:

- Door frames and doors
- Electrical Installations
- Window frames and glass
- Seals, gaskets, fixings, sealants and backer rods
- Insulation and water proofing materials used below ground level
- Membranes (Class B s3 d0 or better)
- Cavity trays, when used between two leaves of masonry

- Any part of a roof, (other than that which falls within paragraph (iv) of regulation 2(6))
- Intumescent and fire stopping materials\*
- Thermal break materials.\*\*

\* If inclusion of the materials is necessary to meet the requirements of Part B of Schedule 1.

\*\*If the inclusion of the materials is necessary to meet the thermal bridging requirements of Part L of Schedule 1.

Although these materials are exempt their number, position, orientation and size must be considered to ensure they do not affect the performance on the wall in terms of overall compliance with Regulation B4.

Regulation 7(2) also controls the specification of solar panels, solar shading and balconies.

## Wholly Non Relevant Buildings over 18m in Height

Insulation to be of limited combustibility and all other materials in the wall build up must be considered.

The external and cavity surfaces of the wall to meet the guidance given in diagram 40 (page 3).

Or

Use a wall construction tested under BS8414

Or

Use a wall construction supported by an Assessment

in lieu of a test produced by a notified body or one which is accredited by UKAS.

The Assessment must be produced in accordance with BS15725:2010 (this method does not negate the need for a test and the assessment must be based on interpolation of existing test data).

The December amendments reinstated the use of Assessment in lieu. For this guidance not to apply, your project has to have been both lodged before 21 January 2019 and commenced before 21 March 2019.

## Material change of use in buildings over 18m in height

If a project is creating a dwelling, care home, hospital, halls of residence, etc, the external wall must be assessed. Materials not achieving Class A2 s1 d0 or better will have to be removed and alternatives provided.

Limited combustibility is not an acceptable level of classification. We believe this could result in significant variations to proposals captured by the changes where an investigation of the existing external wall had not been allowed for.

## Further guidance expected in March

The DCLG are expected to publish further clarification of these changes at the end of March. The B4 fact sheet will be updated accordingly.



Important things to consider	Relevant	Non-relevant
External wall materials must be tested to the European Classification. Materials only tested under our national classification cannot be accepted.	✓	
The exclusions in Regulation 7 for components to achieve Class A1 or A2 s1 d0 do not include, ventilation, heating system ductwork, and above ground waterproofing materials.	✓	
External walls can be tested either to the National or European classifications.		✓

**If the initial notice for the project was served before the 21 December 2018 but not commenced before 21 February 2019** the external wall construction, including attachments, will need to be reviewed to ensure compliance with new guidance.

**If the initial notice for the project was served before 21 January 2019 but not commenced before 21 March 2019** and the external wall has previously been agreed on the basis of an Assessment in lieu, this will need to be reviewed to ensure it meets the new guidance.

Essentially Assessment in Lieu:

- Cannot be used instead of test
- Must be based on applicable test data and authored by a Notified body or UKAS accreditation body.

## Material Alteration

If the project involves the changing of the cladding on a building, under the Building Regulations, this is called a material alteration.

As the work is generally being undertaken because the existing construction is viewed as non-compliant, it can be problematic establishing compliance.

We have extensive experience in dealing with this kind of project, having been appointed on many recladding projects, where we did not control the original works.

We would be happy to discuss any potential works of this nature with you. You can visit our website.

Note for the purposes of diagram 40 height is measured as the height of the building (see diagram C4 ADB) not to the top storey height as applicable in the rest of this paper.

**Diagram 40 C4 ADB**

