

Amendments to Part B (Fire Safety) of the Building Regulations and associated statutory guidance documents, including a call for evidence

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The Home Builders Federation (HBF) is the principal trade association for the home building industry in England and Wales. HBF's membership of more than 400 companies builds most of the market sale homes completed in England and Wales, encompassing private developers and Registered Providers. The majority of HBF's private home builder members are small or medium-sized companies (SMEs).

As the main trade association for the home building industry, our members constitute one of the largest bodies of companies that will be affected by the outcome of this consultation.

The document below is the summary of the representative responses from our membership and takes account of the responses of large major housebuilders, SME builders as well as specialist housing providers and other companies associated with the consultation. Whilst HBF's members largely support the proposals within this consultation, they also require that a pragmatic, fair, balanced and considered approach should be taken.

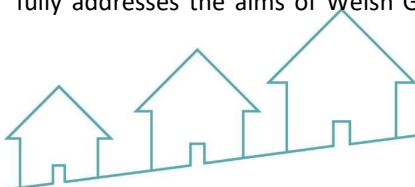
Part 1

Q1. Do you agree that hotels, hostels and boarding houses, as referenced within the definition of room for residential purposes in regulation 2, should now be included within regulation 7(4) of the Building Regulations 2010, and therefore subject to the ban? If no, please provide your reasoning and evidence

Yes. HBF broadly agrees with Welsh Government's proposal under part 1 of the consultation to also include hotels, hostels, and boarding houses within the ban in the use of combustible external wall materials. These dwelling types have been previously considered in a similar scenario under proposed amendments to the English Part B response paper during spring 2023. However, as the representative body of the house building industry, we do not feel we can comprehensively respond to this point and feel this is more appropriately responded to by other sectors closer related to the delivery of commercial residential properties in Wales.

Q2. Should any other building types be included within the scope of the ban? Please provide details and evidence to support your answer.

HBF believes that capturing all building types within the wider scope of the ban on combustible materials on exterior walls which occupy a residential sleeping overnight facility such as hotels, hostels and boarding houses fully addresses the aims of Welsh Government in reducing future risk associated with those building types.



However, as the representative body of the house building industry, we do not feel we can comprehensively respond to this point and feel this is more appropriately responded to by other sectors closer to the delivery of commercial residential properties in Wales.

Q3. Do you agree that the amendment to Approved Document B to set limits on certain combustible products should be set for buildings with a storey 11-18m (see Diagram C6 in Appendix C in Approved Document B Vol. 2)? Is there an alternative lower height threshold that should be considered? Please provide evidence.

Considerable efforts have been taken to reduce the risk posed towards medium and high-rise buildings in recent years by improving and enhancing the provision of safety features. This has included, for example, the introduction of fire sprinklers in Wales in 2012 together with their requirement in buildings over 11m in height as well as other early detection warning systems that have been introduced elsewhere. This is in addition to waking watch and wayfinding signage that have been introduced to buildings. The Building Safety Act has seen changes to design information and the subsequent approval process in addition to the ban on the use of combustible materials on the exterior walls of buildings. HBF therefore agrees with Welsh Government that an appropriate height threshold for the proposed use of A2-s1, d0 class of materials could be permitted for use in the external walls of buildings within the range of 11-18m in height. HBF agrees with the Welsh Government that this is a proportional approach relative to the level of risk posed by the buildings within this banding height. HBF agree that other component materials such as gaskets and sealants etc are excluded from inclusion this category as they are required to achieve weather, thermal and acoustic performance of the walling system and as such is separate to the main material use of the external walling system.

Q3a. Is there an alternative height threshold that should be considered? Please provide evidence.

HBF believes the proposed height of 11-18m is the appropriate threshold in which to proceed for this consultation. The proposed height threshold aligns with other aspects of Part B in England and with other areas of remediation and fire safety classification in residential buildings. It is important to set a consistent message that aligns across all areas of building safety which will help ensure its successful implementation in Wales with building designers, accountable persons, building approvers and building insurers.

Q4. Do you agree that metal composite panels with a polyethylene core should be banned from being used in external wall construction of any building regardless of height or purpose? If no, please provide evidence to support your answer.

HBF agrees with the Welsh Government on the proposed banning of combustible metal composite panels occupying a polyethylene core on the external wall of buildings regardless of height or purpose. HBF also supported a similar ban in England and has been consistently aligned with the views of central and regional government that external cladding materials need to achieve A1 classification and be of a non-combustible type in relation to residential buildings. It may be that other types of classified cladding materials are still considered suitable for non-residential, commercial, or industrial use subject to the correct approvals, licences and certifications being awarded. HBF aligns itself with the Welsh Government ruling on any outcome in this regard.

Q5. If their use was to be restricted, do you agree with the proposed definition? Please provide evidence to support your answer.

As the representative body of the house building industry, HBF does not feel it can comprehensively respond to this point and considers this is more appropriately responded to by other sectors closer to the production, manufacture, and installation of cladding materials together with chemical engineering organisations who can provide evidence in support of any response given.

Q6. Do you agree that solar shading products need to achieve class A2-s1, d0 or A1? If no, please provide your reasoning and evidence.



It is the HBF's view that solar shading products are a feature not widely used in residential housing. Solar shading products tend to be more associated with commercial or office accommodation. However, with other changes to building regulations taking place namely under Part O Overheating, these features could in theory begin to be seen in a residential setting. Any fixed or rigid solar shading feature could be classified as being of non-combustible type conforming with the requirements of the Welsh Government as set out in this consultation document achieving Class A2-s1, d0 or A1.

Q7. Do you agree with the proposed definition of solar shading products? If no, what other definition would you propose and why?

HBF agrees with the Welsh Government's definition of solar shading products as being blinds, shutters, awnings and brise soleil more commonly known in the construction industry as sun louvers.

Q8. Do you agree with our proposal to exempt awnings at ground level? If no, please provide your reasoning and evidence.

HBF agrees with Welsh Government to exempt awnings at ground level from the ban on combustible materials on external walls. Our reasoning behind this can be explained as follows. Awnings are typically mechanically fixed to an external wall of a building. They do not have the same lifespan as that of the building to which they are fixed. Awnings can be added, removed, adjusted and altered from time to time as the purpose they serve also change. Awnings and other similar sun shading products at ground level provide a changing purpose at different time of the year and are therefore not necessarily present in function each day throughout the calendar year. In addition to this is the aesthetic merit they have historically brought to an urban or suburban setting. Awnings have historically been associated with street level human activity. They are not considered a high-risk element or feature of building design, are temporary in their nature of fixing and are located at height that is easily accessible, serviceable and removal.

Q9. Are there other additional components used as attachments to external walls which should be included within the ban as defined by regulation 2(6)(b)? If yes, what additional components should be included and why?

Building facades and building elevations are decorated and equipped with many different forms or aesthetic and functional apparatus. Some are integrated as discreet parts of building functionality whilst others provide strong architectural and building form. Such components that are added to and included on to the external wall and façade of properties that are frequently present could be considered further as rainwater goods, flashings, weatherboards, bargeboards, soffits, window frames, canopy's, signage and lighting and telecommunication cables and conduits. However HBF believes consideration needs to be given towards the purpose these features serve, the level of risk posed and the volume or area of the materials identified as a percentage of total external wall area present relative to the level of perceived risk therein. On this basis whilst they are present on the external walls of properties, it may not be necessarily relevant to include them within the parameters of regulation 2(6)(b).

Q10. Do you agree with the exemption of fibre optic cables from the ban? If no, please provide your reasoning.

The provision of fibre optic services in new build properties is an important service provision and one that will be increasing in relevance over coming years. Last year saw Wales consult on amending Part R – gigabit capable broadband building regulations in Wales. The same building regulation was brought into effect in England in December 2022. All new buildings are to be serviced by fibre optic and it is important that this matter is identified under this consultation. HBF agree with Welsh Government that the provision of fibre optic services should be exempt from the ban on combustible materials. Reasons for supporting this exemption can be demonstrated where usually these enter a building premises at ground or sub ground level. They are protected and sheathed



and do not pose a fire risk or heat risk in themselves. For this reason, HBF supports the exemption of their inclusion.

Q11. Which components, if any, do you consider should no longer be included in the list of exemptions in regulation 7(3) and why?

It is HBF's view that the current list of exemptions is acceptable in its current form. However it is important to recognise that many tall buildings these days are multi functioning mixed use buildings. This means that often ground floor levels are retail or commercial with residential premises only being occupied at higher levels. In this scenario there could be different building features present at different parts of the buildings. Awnings, balustrades or canopies associated with commercial or office space needs to be considered in the context of residential space being present at a different location or level of the building. Consistency and consideration are needed by Welsh Government in this respect in its consultation of Part B Wales.

Q12. Which additional components, if any, should be included in the list of exemptions in regulation 7(3) and why?

It is the view of HBF that certain additional materials could be considered for inclusion within the list of exclusions from exempted components under regulation 7(3). These are weatherboards, soffits and rain water goods. These are essential components and are external to the outer building wall or fabric itself. These materials could be considered acceptable particularly for buildings of 11m to 18m in height.

Q13. Do you agree that laminated glass in balcony construction should continue to have to achieve A2-s1, d0 classification or A1? Please provide evidence to support your answer where possible and discuss specific materials or products.

The use of glass is a fundamental material used in building fabric for window glazing, balcony design, Juliette balconies and glass canopies. HBF does not have access to any laboratory testing of glass products or materials, but it is our view that safety glass manufactured to suitable standards such as A1 a2-s1 d0 should continue to be permitted for use in buildings and external wall make up which includes components used as attachments for both building form and functional requirements for example glass canopies etc. Glass can withstand extremely high temperature of up to 1400 degrees Celsius before it is compromised. A pragmatic approach is therefore required in this instance to enable to continuity of this material to be used successfully in new build properties under Part B.

Q14. Do you agree that additional clarification in regulations or Approved Document B, that roofing membranes are not required to achieve A2-s1, d0 classification or higher when used as part of a roof connecting to an external wall is required? If no, please provide an explanation with evidence to support your answer where possible and discuss specific materials or products.

It is HBF's view that additional clarifications are not required for roofing membranes to achieve A2-s1 d0 when connecting to an external wall. High rise buildings often occupy a different roofing design and arrangement to those of traditional two and three storey properties. Apartment blocks, offices and commercial buildings are also frequently built with a flat roof, butterfly roof and also feature parapet walls. Terraced rows of buildings can often feature gullies and trough areas between separating buildings. Historically these types of roofs would have been built in copper or lead. Flat roofs were built in bituminous felt or lined with tar. These materials for example would pose a high degree of risk for fire spread and so it is welcomed that we have moved away from these types of materials over the last 20 to 30 years.

Modern methods of building and construction have generally moved away from these types of traditional materials for cost, safety and environmental reasons. With improvements made in material performance, cost and availability of resource, roofing membranes used today provide greater flexibility, weatherproofing and



reliability for weather protection than equivalent materials have done in past if built correctly to the correct detailing. It is important to recognise this when considering proposed amendments to approved document B in Wales. It is therefore inevitable that there will be junction arrangements, flashing, water proofing and tying in of membrane and roofing materials on a parapet wall scenario featuring a flat or low pitch roof and it is therefore fundamental that this is recognised and allowed for within the scope of Part B. HBF therefore agrees that additional clarification in regulations or approved document B for roofing materials are not required to achieve A2-s1, d0.

Q15. Do you agree with the proposal of expanding the exemption of the use of water proofing and insulation material from below ground level to up to 300mm above ground level? If yes, what other conditions should be imposed on their use if any?

HBF agrees with the proposals to expand the exemption of the use of water proofing and insulation material from below ground level to up to 300mm above ground level. For reasons already given, the control of water penetration, water ingress, dampness and moisture is critical in building control and new build construction. Membranes, tanking and chemical provision is often provided at below ground level increasing generally to a height of 150mm to 300mm above ground level. However, there are instances when building near water courses, rivers or areas known to cause flooding that the 300mm height is often exceeded upon in order to ensure building water tightness. With the increasing use of timber frame in new build construction, some tanking and membranes increase in protective height above 300mm height in order to protect and preserve the building fabric. Whilst this consultation recognises the exemption at this 300mm there are instances where this could increase further. In that instance the same exemptions should be honoured. The risk from fire spread to the external wall at below ground floor level, ground floor slab and ground floor cavity level is extremely low to zero. HBF agree that the exemption of the use of water proofing and insulation material at this threshold height is applicable.

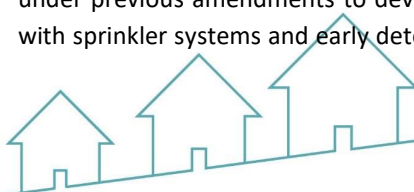
Q16. Do you agree with the proposed expansion of classifications required for materials used horizontally to include Class A2fl-s1 and Class A1fl? If no, please explain why and provide evidence where possible.

HBF agrees with the Welsh Government's proposal to expand the classifications required for materials used horizontally to permit and include Class A2fl-s1 and class A1fl. Generally, fire spreads quicker in a vertical or angled line of travel. Horizontal fire spread, whilst still entirely relevant, generally spreads at a slower rate. Any consideration towards this in line with A1fl and A2fl and the appropriate specifying of horizontal materials is supported by HBF.

Part 2

Q17. Do you agree with the proposal to require the provision of evacuation alert systems in new blocks of flats 18m or more above ground level? If no, please provide your reasoning and evidence.

HBF agrees with the consultation for the requirement to provide Evacuation Alert Systems (EAS) to new blocks of flats at 18 metres or more in height. This is in line with proposals and measures in England and it is important to gain cohesion and consistency across these design and construction requirements. It is relevant to add that vast improvements have been made in recent years to the protection and safety of both medium and high-rise buildings in the UK. In addition to the proposal to include EAS at 18m in height, Government has introduced the requirement for sprinkler systems in buildings over 11m in height. This was already a requirement in Wales under previous amendments to devolved powers in Wales. The provision of heat and smoke detectors along with sprinkler systems and early detection warning systems including audio and visual sounders and repeaters



all help provide a safer living environment for the occupants of new build properties. HBF supports this proposal to include evacuation alert systems in new residential premises at 18m or more in height under BS 8629.

Q18. Do you agree with the height threshold of 18m or more above ground level? If no, please provide alternative height threshold and any evidence.

HBF agrees with the threshold height of 18m above ground level for the introduction of evacuation alert systems. It is important to align standards throughout the UK in order to create consistency and to help ensure compliance with all those organisations involved in the provision of new residential high-rise properties. This threshold height of 18m is consistent with BS 8629 and aligns with those already in place in England.

Q19. Are there any other types of buildings which should be included? Please provide any evidence.

It is the HBF's view that in line with other amendments to fire protection and Part B to Welsh Governments definition, any building occupying 1 residential premises or more should be captured by the proposed consultation.

Q20. Do you agree with the proposal to introduce a requirement for Secure Information Boxes in all new blocks of flats with a storey 11m or more above ground level? If no, please provide your reasoning.

HBF agrees with Welsh Government's proposal to include the need to provide fire safety Secure Information Boxes in all new apartment blocks at 11 metres or more in height. This is consistent with the requirements in England as identified in the Grenfell Tower Inquiry Phase 1 report. It is important to align fire safety requirements across the whole of the UK in order to achieve greater success with conformity in building fire safety.

Q21. Do you agree with the height threshold of 11m? If no, please provide alternative height threshold and any evidence.

HBF agrees with the threshold height at 11m for the reasons set out in the answer to question 20 above.

Q22. Are there any other types of buildings which should be included? Please provide any evidence.

As the representative body of the house building industry, we do not feel we can comprehensively respond to this point and feel this is more appropriately responded to by sectors closer related to the delivery of other building types such as commercial, retail, or employment buildings in Wales.

Q23. Do you agree with the proposal to introduce wayfinding signage for the fire service in all new blocks of flats (Purpose Group 1(a)) with a storey 11m or more above ground level? If no, please provide your reasoning.

HBF agrees with the proposal to introduce wayfinding signage for the fire service in all new residential apartment buildings with a storey height of 11 metres or more above ground level. The 11m threshold is in alignment with those changes introduced in England last year. The recommendations made in the Grenfell Tower Inquiry Phase 1 report identified 11 metres as a suitable threshold for height. As such, HBF agrees with this height and with Welsh Government's recommendations. HBF believes it is important to achieve consistency in design and the approach to construction in order to achieve a greater rate of success in relation to fire risk safety.

Q24. Do you agree with the height threshold of 11m? If no, please provide alternative height threshold and any evidence.



HBF agrees with the threshold height at 11m for the reasons set out in the answer to question 20 above.

Q25. Are there any other types of buildings which should be included? Please provide any evidence.

Whilst it may appear a sensible approach to include all building types, as the representative body of the house building industry, we do not feel we can comprehensively respond to this point and feel this is more appropriately responded to by sectors closer related to the delivery of other building types such as commercial, retail, or employment buildings in Wales.

Q26. Do you agree that the national classifications for reaction to fire and fire resistance should be removed from the main body Approved Document B? If you disagree, what evidence can you provide which outlines why.

It is the HBF's view and that of its membership that the principal of fully removing the existing national classification from the building regulations should be implemented with caution. As stated within this consultation response, it is likely to lead to increases in the cost of building materials in addition to causing disruption and supply chain issues from a building materials perspective for the construction industry. This is another example of the industry having to burden disproportionate additional costs associated with changes to building regulations. HBF believes a reasonable transition period of up to five years is required in order to allow the continuation of construction on existing schemes whilst the updated BS EN testing standards are fully brought into being. Further support and guidance should be provided to manufacturers by government on the new testing regimes required in order to help create a smooth and timely transition from the former British Standards to BS EN for the successful delivery of testing & certification. As previously mentioned, any fire door manufactured and tested to BS 476 is not considered any less safe. It is therefore relevant that any future fire safety surveys undertaken on buildings recognise the adequacy of BS 476 standard and no retrofitting, removal or replacing is deemed necessary unless damage or performance has been compromised. Since BS 476 extends to other building materials such as plasterboard, glazing, and fire stopping products, the same recognition is required so as not to negatively impact the future perception of the use of these materials present in UK construction.

Q27. Please outline any concerns (as suggested in paragraph 65 above) you have about the withdrawal of all the references to the BS 476 series of national classifications within Approved Document B (including appendices).

HBF has identified its concerns regarding the withdrawal of all references to BS 476 national classifications within document B in our response to question 26 above. We have fully set these out in our detailed response and would refer to those again in our response to question 27.

Q28. Do you consider that Approved Document B should include a maximum threshold for the provision of a single staircase in residential buildings? Please consider when providing your answer:

(a) What height do you think the threshold should be set?

(b) What design considerations should be considered in requiring a second staircase? (e.g. appropriate separation between staircases).

(a). HBF and its associated membership responded in March 2023 to the UK Government's consultation and agreed at that time that the government's own proposal of 30m was a suitable threshold for secondary staircasing being introduced in high rise buildings. It is relevant to add that at the time the Greater London Authority, London Fire Brigade and Government did also appear to be aligned on their thinking together with



industry that 30m was a sensible and suitable threshold for secondary staircasing. However, in July 2023 it was announced by Government that the new threshold height for secondary stairs would be 18m. It is therefore HBF's opinion that for the purposes of alignment, consistency and the success of design and fire safe construction, it would be helpful if Welsh Government also aligned their proposed Part B amendments with those of England's. HBF would recommend that consideration is therefore given for a maximum threshold height of 18m for secondary stairs in new build residential premises.

(b). It is the HBF's opinion that there should be 'no minimum' distance and 'no maximum' travel distance introduced between first and secondary staircasing to buildings. The reason for a 'no minimum or maximum travel distance' being recommended is due to each individual building's unique footprint and design. This consultation discusses the introduction of a second staircase. However, should a maximum travel distance be introduced then this creates the potential for added complexity in design and planning and also carries the potential for further staircases in excess of two being introduced. This would have dramatic implications on design, planning, construction, cost and feasibility. Consideration would be given towards providing secondary stairs for means of egress to be located within the same elevator and stair core as that already designed. In this scenario, the same travel distances would remain as those currently written in approved document B however residents upon entering the stair core or lobby core would have a secondary means of exiting the building. There are many variations and design options available to high rise building designers which all deliver favourable and improved fire safety opportunities. It is for this reason that HBF believe it may be more worthwhile in not stipulating a maximum or minimum travel distance for the provision of a secondary stair.

Q29. We have asked a number of specific questions throughout this paper, if you have any further comments to make regarding any of the proposals, please set them out here.

HBF would urge Welsh Government to align their devolved powers with respect to proposed amendments to approved document B with those being made in England under their Part B. For the outcomes to be a success for all parties involved which include Welsh Government, builders, developers, building owners, building control approving bodies and the residents themselves, industry requires consistency across standards and regulations. HBF would therefore request alignment with those standards being implemented across other parts of the UK.

Q30. Do you agree with the cost estimates and the overall Impact Assessment? If no, please explain what you consider appropriate and provide evidence to show why.

HBF does not hold any comparable financial costing data associated with the Impact Assessment given in the supplemental guidance document. It would be difficult to gain an accurate cost basis for the tables and building feature types provided given the changing markets, consumer demands and buying power that builders, developers and contractors are able to source. Any financial information provided can only be accurate at any one point in time and would require continuous assessment and re-appraisal to continue to be relevant and reliable.

Question 31. We would like to know your views on the effects that the proposed amendments would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

As the representative body of the house building industry, we do not feel we can comprehensively respond to this point and feel this is more appropriately responded to by other sectors closer related to the delivery of the Welsh language in Wales in addition to education and University providers in Wales that deliver construction & legal courses in Wales.



Question 32. Please also explain how you believe the proposed actions could be formulated or changed so as to have positive effects, or increased positive effects, on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

As the representative body of the house building industry, we do not feel we can comprehensively respond to this point and feel this is more appropriately responded to by other sectors closer related to the delivery of the Welsh language in Wales in addition to education and University providers in Wales that deliver construction & legal courses in Wales.

As always, we hope that our comments are received in the spirit in which they are intended and reflect HBF's overarching desire to support key policy objectives whilst at the same time supporting our members in seeking deliverable and pragmatic solutions to policy changes. We support the government's focus on improving building safety standards and welcome the clarification the proposals provide on the minimum building height where two staircases will be required. However, it is critical that government provide clarity on transitional arrangements to those buildings currently in the planning and development process. An urgent response is required from government on the technical detail, design and specifications that will be required surrounding secondary staircasing. Caution should be given to the detrimental impact that significant changes will have on existing schemes already in planning and design, including the provision of affordable housing in towns and cities, where the feasibility of delivering current schemes will be dramatically impacted upon. Clearly defined transitional arrangements are therefore required by industry to ensure housing delivery can continue. This, together with a combination of rising construction costs, new building safety measures, the residential property development tax, the self-remediation contract, the building safety levy and new environmental regulations are significantly impacting the delivery of new high-rise development. We trust that you find this contribution helpful to the consultation process.

Yours sincerely,

Rhodri Williams

Technical & Sustainability Director – HBF.

