

Sprinklers in Care Homes, Removal of National Classes, and Staircases in Residential Buildings

The Home Builders Federation 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.

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. As such, we trust that considerable qualitative and quantitative weight will be afforded to our comments.

The document below is the summary of the representative responses from our membership and takes account of the responses of large major housebuilders, medium size and SME (small and medium-sized enterprises) as well as specialist housing providers and companies. Whilst HBF's members largely support the proposed direction of travel of the proposals within this consultation, they are concerned that a pragmatic, fair, balanced and considered approach should be taken.

Our membership ranges from SMEs to large PLC companies, through to specialist retirement groups and urban specialist developers. In responding to this consultation, we have sought the views of the above member organisations and formed a consensus view. Areas of this consultation that are of most importance to HBF & its members have been in relation to the introduction of a threshold whereby residential buildings over 30 metres in height should be designed and built with two staircases. Whilst it is widely acknowledged that this important measure will be introduced, we respectfully request that government give consideration to a thorough transitional period for those buildings already in the planning system and being constructed this year. Consideration should be given to land and buildings already purchased on this existing basis and the detrimental impact that any subsequent changes to legislation will have on insurance, investment, complex financial modelling, and mortgage availability. HBF politely request that the government urgently provide clarity and technical information on the detail surrounding secondary staircasing to help builders, contractors and developers plan and prepare for the implementation of changes to legislation.



INTRODUCTION

Question 1 - What is your name?

Rhodri Williams

Question 2 - What is your email address?

Rhodri.williams@hbf.co.uk

Question 3 - Are you responding as an individual or on behalf of an organisation?

On behalf of an organisation.

If you answered 'On behalf of an organisation' please provide us with the name of your organisation.

The Home Builders Federation (HBF).

CONSULTATION QUESTIONS FOR THE PROVISION OF SPRINKLERS

Question 4 – Do you agree that sprinklers protection should be extended to new care homes of any height? [Agree/disagree].

HBF agrees with this position.

HBF believes it is important that the term 'care homes' capture all forms of care accommodation including extra care and live in care accommodation. It is relevant to consider all forms of care accommodation at this time as mobility and efficiency in evacuation can be dramatically reduced across the varying types of care accommodation.

Question 5 – Alternatively, would you agree with the proposal if it included a 10 bed threshold? [Agree/Disagree]

HBF disagrees with this position.

Question 6 – We welcome views on whether there are any exemptions you would include, what they are, and your evidence supporting their exclusion. [Free text]

It is the view of HBF and our members that fire protection should be extended to include other forms of fire suppression systems and not specifically relate to only 'sprinkler' systems. We are keen for the government to also consider the inclusion of mist suppression systems and allow legislation to consider technological advancements in Mechanical Electrical & Plumbing (MEP) solutions in the years ahead.

Question 7 – Do you agree that Approved Document B should remove the current allowances when sprinklers are provided? [Agree/Disagree]



HBF disagrees with this position.

Question 8 – Which allowances do you think should be provided and what evidence do you have to support your view? [Free text].

HBF believes it is reasonable to retain in Approved Document B a reduced fire tender hose laying distance of 45m in instances where sprinklers have not been installed and allow a 60m hose laying distance where sprinklers have been installed.

Question 9 – Do you agree that Approved Document B should recommend sprinklers to the new BS 9251:2021 standard? [Agree/Disagree]

HBF disagrees with this position.

It is the view of HBF & our members that the rigid guidance and higher demand on the security of water supplies will have a detrimental impact on the provision of pump controls and available technology. We believe this could adversely impact the pump industry and cause delays in manufacturing, installation, commissioning, and certification. However, aligning BS 9251; 2021 to recognise high rise buildings taller than 18m is considered reasonable in line with other new legislation.

Question 10 – If you disagree, what other standards would you suggest, and what is your evidence to support using the alternative standards? [Free text]

HBF believes that legislation should also take account of other fire suppression systems such as mist solutions. This allows for innovation & technological advancements to be made in the future whilst aligning with any performance criteria of standards and legislation.

Question 11 – Do you agree that there should be a transitional period of 6 months? [Agree/Disagree]

HBF disagrees with this position.

Question 12 – If you disagree, how long should the transition period be? [Free text]

HBF believes there should be a 12-month transitional arrangement offered. Alternatively, we believe that those projects already captured by building regulations approval should be permitted to continue through unincumbered to construction and final completion stage.

CONSULTATION QUESTIONS FOR THE REMOVAL OF NATIONAL CLASSIFICATIONS

Question 13 – Do you agree that the national classifications for reaction to fire should be removed from Approved Document B? [Agree/Disagree]



HBF agrees with this position.

Question 14 – Do you agree that the national classifications for fire resistance should be removed from Approved Document B? [Agree/Disagree]

HBF agrees with this position.

Question 15 – If you disagree, what evidence can you provide that outlines why the national classifications are still required.

N/A

Question 16 – Do you agree that there should be a transitional period of twelve months? [Agree/Disagree]

HBF disagrees with this position.

Question 17 - If you disagree, how long should the transition period be and what is your evidence to support a longer or shorter transition period?

It is the view of HBF & members that the Government should consider an appropriate notice period for industry before the proposed removal of BS 476 from Approved Document B takes effect. The existing fire testing process associated with BS 476 is significant and reliable such that any fire doors which are built to BS 476 rather than BS EN 13510 are not considered any less safe. We believe that any termination of BS 476 and transition to BS EN 13501 is required to give adequate warning to the manufacturing and testing industry in the UK so that they can prepare and arrange testing and certification processes ahead of any changes coming into effect. It is the view of HBF and its members that if BS 476 is removed, a significant transitional period of up to five years will be required where BS 476 is still recognised in construction projects throughout the UK by building safety, building control, and building insurance providers.

Question 18 – Please outline any concerns you have about the withdrawal of the national classification with regards to fire resistance including potential impacts, such as on the fire door industry.

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 the doubling of 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 believe 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.

CONSULTATION QUESTIONS FOR THE INCLUSION OF A NEW THRESHOLD FOR USE OF SINGLE STAIRCASES

Question 19 – Do you agree that Approved Document B should include a maximum threshold for the provision of a single staircase in residential buildings? [Agree/Disagree]

HBF agrees with this position.

Question 20 – Do you agree with our proposed threshold of 30 metres+? [Agree/Disagree]

HBF agrees with this position.

Question 21 – If you disagree with the proposed threshold, at what height do you think the threshold should be set?

HBF and its associated membership agree that 30m is a suitable threshold for secondary staircasing being introduced. It is helpful to add that the Greater London Authority, London Fire Brigade and Government do appear to be aligned on their thinking together with industry that 30m is a sensible and suitable threshold for secondary staircasing. However, there is a smaller but nevertheless significant representation that believes 50m should be the new threshold height for secondary staircasing to new high rise residential buildings. HBF feel it is important to bring this to the Government's attention as part of this consultation.

Question 22 – What evidence do you have to support this threshold?

HBF have engaged fully with representative members of the organisation via meetings, discussion groups, conversations, data collection and letter writing. Generally, the industry is in agreement that a threshold of 30m should be considered for the introduction of a secondary staircase. It is critical to add, however, that technical information and design specification is lacking from the government on precisely what form the secondary staircasing should be delivered as. Full clarity is urgently required around the technical and construction specification of the secondary staircase to establish precisely the type, size, scale and what the detailed performance specification deliverables are of the required feature. The industry is eager to understand what purpose the secondary staircasing is to be delivered towards and whether its use is restricted exclusively for firefighting or evacuation purposes.

Our membership agrees that 30m+ is the most practicable solution and it would help ensure the continued delivery of high-rise buildings on complex brownfield and urban regeneration sites around the UK. However, there is also a call from our membership for government to provide the evidence associated with



the introduction of the secondary staircase over current legislation where the government itself confirms that single staircasing in buildings over 30m does not in itself pose a risk to life safety (paragraph 53).

It is relevant to add that there is representation within our membership and wider industry that considers a higher threshold of 50m+ more suitable for the introduction of a secondary staircase. This upper threshold could then consider provision of a full firefighting core as detailed in BS 9991 including fire escape, firefighting access, firefighting lifts, evacuation lifts, pressurisation systems, riser mains etc. The reasons put forward for a higher specification on a higher threshold is the increased performance and fire safety measures that BS9991 would bring to very high-rise buildings i.e. those buildings over 50m. By its own admission the government accepts that single stairs in buildings over 30m do not pose a risk to life safety. Therefore, permitting existing well designed and thought-out schemes through the planning and building control system as they currently stand would not add to any construction or building risk given the enhanced building safety measures new builds have over older construction.

Question 23 – Do you agree that additional measure should be provided to ensure sufficient separation between staircases? [Agree/Disagree]

HBF agrees with this position.

Question 24 – What additional measures should be provided to ensure the appropriate separation between staircases? Please provide any additional evidence to support your view.

It is our 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.

Question 25 – Do you have a view on how long the transitional should be, and what evidence do you have to support your proposed transition?

Whilst it is understood that the government intends on a short transitional arrangement (paragraph 58), it is the view of HBF and its membership that a reasonable and practicable transitional arrangement be allowed. Buildings already approved in the planning system under outline, reserved matters, and detailed planning consent should be permitted to continue through to construction and completion. Furthermore, transitional arrangements should be offered on schemes that have already registered for building regulations. Any scheme currently registered with building control and the Building Safety Regulator should, in our opinion, be permitted to continue through the gateways 1, 2 & 3 process. It should be further guaranteed that these schemes will gain full building control sign off at completion and occupation stage. Amendments to the legislation discussed in this consultation should only apply to those schemes that are submitted into the planning system after the date of its introduction. The argument put forward for



this transitional arrangement on existing schemes is based on the government's own admission that there is no evidence on single staircasing in buildings over 30m posing a risk to life. It is important to add that full clarity around transitional arrangements is critical at this time to provide assurances to industry that those schemes already underway are able to continue through to construction & completion stage. HBF request a short time period of 3 months to confirm the transitional arrangements on existing schemes for contractors, developers and builder organisations.

CALL FOR EVIDENCE: MATERIALS & PRODUCTS

Question 26 – Do you agree further consideration is needed to clarify the paragraph? [Agree/Disagree]

HBF considers no further clarification is needed.

Question 27 – If you agree, please outline what materials would you cover in the paragraphs and what is your evidence to support this?

HBF agrees that this paragraph adequately is clear.



ASSESSMENT OF IMPACTS

28 – Please provide any additional evidence on costs, risks and benefits which should be considered in an assessment of impacts in the following areas.

a) Sprinklers in Care Homes and in housing for vulnerable people, regardless of building height.

It is the position of HBF and our members that sprinklers in care homes are only required for habitable areas. Sprinklers or other forms of fire suppression systems are not considered necessary to wet room areas such as bathrooms WCs and, ensuites in addition to small cupboard and storage areas. It would be consistent with industry that sprinklers are only located in habitable and communal corridor areas and are residential grade in terms of design & installation.

b) removing the national classification (BS 476 series) from Approved Document B.

It is HBF's view that the government should work with industry and manufacturers for the successful delivery of updating the testing and certification procedures for building products with the discontinuation of BS 476. Time implications, availability, and an increase in cost has already been identified with this proposed change in regulation. It is therefore critical that government provide industry and manufacturers with the support they require in order to introduce this change with minimum disruption within the transitional period. It is important to communicate through legislation that any existing building material in current and existing buildings conforming with BS 476 is still considered adequate and acceptable for use in any future fire risk surveys and should not be required for replacement unless damaged or compromised through day to day building use.

c) Residential Buildings above 30m in height being recommended to include 2 staircases

HBF believes there are social and financial implications associated with the introduction of dual staircasing to buildings over 30m. It is critical for the government to acknowledge that the financial feasibility of schemes having to return through the design and planning stage will have significant implications on cost and delivery with some schemes becoming unviable. It is crucial for government to understand that any amendment to incorporate such fundamental changes to legislation will see an entirely new approach having to be made to design, planning and construction with many schemes having the potential to be permanently cancelled. The consultation is not clear whether the second staircase should be provided for the purposes of firefighting or as an additional form of evacuation for residents or both. Providing additional staircasing will result in the loss of bedrooms and apartments in high rise schemes across the UK. The inclusion of the secondary staircase ultimately reduces the building's habitable footprint and has implications on the fundamental approach to construction from foundation level upwards.

In order for schemes to continue safely through the planning and building control process contributing the agreed levels of expenditure for social housing, Community Infrastructure Levy & Section 106 contributions, developers, contractors, and builders require a safe and adequate transitional period to permit current schemes through to completion. It is felt that any proposed introduction of dual staircasing



should only affect new schemes entering the planning application process from the date by which the new regulations are introduced. Full clarity is urgently required by industry on the technical specification, design and performance of the secondary staircasing.

Question 29 - Are you aware of any particular equalities impacts for these proposals? How could any adverse impact be reduced and are there any ways we could better advance equality of opportunity or foster good relations between people who share a protected characteristic and those who do not? Please provide evidence to support your response.

HBF is not aware of any equality impacts associated with these proposed changes in building regulations.

Question 30 – Are you aware of any particular environmental impacts for these proposals? How could any adverse impact be reduced and are there any opportunities to advance positive environmental impacts? Please provide evidence to support your response.

HBF is not aware of any environmental impacts associated with these proposed changes to building regulations.

CONCLUSION

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

17th March 2023

