

Building Regulations (Northern Ireland) 2011

Phase 1 Consultation Proposals

Response Form for Consultees

(closing date for the receipt of responses is 4:00 pm on 29th October 2010)

July 2010

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RESPONSE FORM FOR CONSULTEES

The Department will consider all responses to this consultation received on or before the closing date for receipt of responses which is **Friday 29 October 2010 @ 4:00 pm**.

Submissions made after this date will not be considered.

We would be grateful if you would use e-mail to return the completed Response Form to:

karen.McKernon@dfpni.gov.uk

However it may be printed and posted, or faxed to –

Karen McKernon
Consultation Co-ordinator
Department of Finance and Personnel
Building Standards Branch
Level 5, Causeway Exchange
1-7 Bedford Street
Belfast BT2 7EG

Fax: (028) 9082 3282

COMPLETION OF THE RESPONSE FORM

Please refer to the package of Consultation Documents which fully outline the proposed new requirements and amendments, and to the Regulatory Impact Assessment which accompany this Response Form.

These documents are available at – www.buildingregulationsni.gov.uk

Consultees are encouraged to respond on any aspects of the proposals. However, the Department would welcome answers to and comments on the questions on this Form.

For ease of use, questions relating to each aspect of the consultation are referenced by a letter relating to that aspect e.g. F – Format; D – Drainage; E – Fire safety etc,

Click on the box (or insert an “x”) beside “Yes”, “No”, or “No view” as appropriate. It is not essential to give an answer to every question. The last question is completely open to enable consultees to make suggestions or observations that do not fit into the preceding questions.

Please make any comments you might have in the box provided. If you disagree with any of the proposals the Department would be interested to know why you disagree.

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RESPONDENT DETAILS

In order for your response to be considered valid, you must provide the following information:

Name	Belfast City Council
Organisation (if any)	Belfast City Council
Address	City Hall Belfast BT1 5GS
Telephone	028 90320202
Email	martint@belfastcity.gov.uk

Are you responding as an individual?
Or are you representing the views of an organisation?

Responses to this consultation may be made available to the Northern Ireland Assembly, or for public inspection, either at the Building Standards Branch office or website.

You have the option of indicating that you wish your response to remain confidential and the Department will generally respect that request. Should it be decided that the public interest must override that request the Department will contact you before disclosure and, if appropriate, provide an opportunity for your response to be withdrawn.

Is your response confidential? Yes No

Format of Technical Booklets

FORMAT: QUESTIONS

Although moving from regulations supported by deemed-to-satisfy provisions contained in Technical Booklets to the provision of guidance in support of these regulations, the Department proposes to maintain the title “Technical Booklet” for the new supporting documents, but clarifying that these document now contain guidance.

F1 *Do you agree that the title “Technical Booklet” be retained for the new guidance based documents?*

Yes

No

No view

Comments (if any):

It is thought that repeating the requirements of the relevant Part of the regulations within the guidance will help make the connection between the guidance booklet and that Part of the regulations the booklet is supporting. The Department therefore proposes to include a section repeating the Regulations for the specific Part in the new guidance based documents.

F2. *Do you agree that a section repeating the regulations for the specific part be included in the Technical Booklet?*

Yes

No

No view

Comments (if any):

The move to a guidance based system should facilitate and encourage more creativity and flexibility in design and the use of materials. There may be occasions when a practitioner decides not to follow the solution provided in the Technical Booklet or the proposed work is atypical and generic solutions are not appropriate. The Department proposes to include a ‘performance’ section in each Technical Booklet to further explain the regulations and their objectives that will provide the criteria for both demonstrating and verifying compliance with the regulations.

F3. *Do you agree with the inclusion of performance criteria in the new Technical Booklets?*

Yes

No

No view

Comments (if any):

Part E
Fire safety

PART E: QUESTIONS

It is not proposed to amend the Part E Fire safety regulations, nor is it proposed to amend any of the technical provisions in Technical Booklet E that support the existing regulations. In a new guidance based Technical Booklet, the Department proposes to include a 'performance' section to further explain the regulations and their objectives which should facilitate and encourage more creativity and flexibility in design and which will provide the criteria for both demonstrating and verifying compliance with the regulations.

- E1. Do you agree that the guidance given in the proposed Technical Booklet E is complimentary to and broadly level on a technical basis, with the provisions of Technical Booklet E: 2005 (as amended)?**

Yes

No

No view

Comments (if any):

- E2 Do you agree that the guidance given in the proposed Technical Booklet E adequately explains, where appropriate, the rationale behind the provisions?**

Yes

No

No view

Comments (if any):

Part H

Stairs, ramps, guarding and protection from impact

PART H: QUESTIONS

It is not proposed to amend the Part H Stairs, ramps, guarding and protection from impact regulations, nor is it proposed to amend any of the technical provisions in Technical Booklet H that support the existing regulations. In a new guidance based Technical Booklet, the Department proposes to include a 'performance' section to further explain the regulations and their objectives which should facilitate and encourage more creativity and flexibility in design and which will provide the criteria for both demonstrating and verifying compliance with the regulations.

H1. Do you agree that the guidance given in the proposed Technical Booklet H is complimentary to and broadly level on a technical basis, with the provisions of Technical Booklet H: 2006?

Yes

No

No view

Comments (if any):

H2. Do you agree that the guidance given in the proposed Technical Booklet H adequately explains, where appropriate, the rationale behind the provisions?

Yes

No

No view

Comments (if any):

Part N
Drainage

PART N: QUESTIONS

It is not proposed to amend the Part N Drainage regulations, nor is it proposed to amend any of the technical provisions in Technical Booklet N that support the existing regulations. In a new guidance based Technical Booklet, the Department proposes to include a 'performance' section to further explain the regulations and their objectives which should facilitate and encourage more creativity and flexibility in design and which will provide the criteria for both demonstrating and verifying compliance with the regulations.

N1. Do you agree that the guidance given in the proposed Technical Booklet N is complimentary to and broadly level on a technical basis, with the provisions of Technical Booklet N: 1990?

Yes

No

No view

Comments (if any):

N2 Do you agree that the guidance given in the proposed Technical Booklet N adequately explains, where appropriate, the rationale behind the provisions?

Yes

No

No view

Comments (if any):

Part V

Glazing

PART V: QUESTIONS

It is not proposed to amend the Part V Glazing regulations, nor is it proposed to amend any of the technical provisions in Technical Booklet V that support the existing regulations. In a new guidance based Technical Booklet, the Department proposes to include a 'performance' section to further explain the regulations and their objectives which should facilitate and encourage more creativity and flexibility in design and which will provide the criteria for both demonstrating and verifying compliance with the regulations.

V1. Do you agree that the guidance given in the proposed Technical Booklet V is complimentary to and broadly level on a technical basis, with the provisions of Technical Booklet V: 2006?

Yes

No

No view

Comments (if any):

V2 Do you agree that the guidance given in the proposed Technical Booklet V adequately explains, where appropriate, the rationale behind the provisions?

Yes

No

No view

Comments (if any):

Part C

Preparation of site and resistance to moisture

and

Technical Booklet C

PART C: QUESTIONS

In order to protect occupants of buildings from the harmful effects of contaminants, the Department proposes to amend the Table to Regulation A9, so that in all material change of use cases, the requirements relating to resistance to contaminants (Regulation C2(1)(b)) shall apply.

C1. Do you agree that regulation C2(1)(b) should apply in all material change of use cases?

Yes

No

No view

Comments (if any):

Although primarily a planning matter, guidance on the preparation of contaminated sites was provided in Appendix 1 in the 1994 edition of Technical Booklet C. This guidance was not part of the deemed-to-satisfy provision but was included for information purposes. The guidance has been updated, and brought into a new Section 3. This is considered sufficient advice to allow a builder to recognise contamination and identify a need for an appropriate site assessment.

C2. Do you agree that the proposed guidance on contaminants is appropriate?

Yes

No

No view

Comments (if any):

Now that guidance (rather than a deemed-to-satisfy solution) can be given in the Technical Booklet it is possible for the Department to provide guidance for the first time on site investigation and clearance or treatment of unsuitable material.

C3. Do you agree that the proposed guidance in Section 2 on site investigation and clearance or treatment of unsuitable material is appropriate?

Yes

No

No view

Comments (if any):

Section 2

We recommend that the local authority is in a position to request or obtain a Site Investigation report from the developer where we deem it essential to secure compliance with the regulations.

We recommend that there is greater interrelation between Building Regulations and Planning conditions especially where those conditions relate to contaminated land.

Now that guidance (rather than a deemed-to-satisfy solution) can be given in the Technical Booklet it is possible for the Department to provide guidance for the first time on subsoil drainage.

C4. Do you agree that the proposed guidance on subsoil drainage is appropriate?

Yes

No

No view

Comments (if any):

Section 4

4.1 - Although this is only guidance we recommend that the local authority have the power to ensure that designs aimed at mitigating flood damage are realised.

Local authority building control are well positioned to advise all parties at early design stage on sub soil drainage matters and ensure compliance through planned inspections.

Requirements relating to protection against the effects of radon gas in buildings other than dwellings are contained in Health and Safety at Work regulations. Building Regulations therefore provide measures to limit the ingress of radon into dwellings.

In the current regulations, the limitation within Regulation C1(1) means that Regulation C2(2) (ingress of radon) does not apply to an alteration to a dwelling or to an extension to a dwelling which is under 30 m². The Department proposes to remove this limitation; this will mean that all extensions to dwellings including porches and conservatories in radon Affected Areas will require protection from radon. (Schedule 1 (Class 7 Extensions) will require amendment).

C5. Do you agree with the proposal to remove this limitation so that reasonable measures shall be taken to prevent or limit the ingress of radon in major alterations to dwellings and all extensions to dwellings, including porches and conservatories?

Yes

No

No view

Comments (if any):

In order to protect residents of dwellings from the harmful effects of radon, the Department proposes to amend the Table to Regulation A9, so that in all material change of use cases (to a dwelling), the requirements relating to limiting ingress of radon (Regulation C2(2)) shall apply.

C6. Do you agree that regulation C2(2) should apply in all material change of use cases (to a dwelling)?

Yes

No

No view

Comments (if any):

It is proposed to reference in Technical Booklet C two new documents that will provide guidance on radon protection measures in extensions, conservatories, major alterations and conversions (material change of use). These documents are –

GBG 73 Radon protection for new domestic extensions and conservatories with solid concrete ground floors; and

BR 267 Major alterations and conversions: a BRE guide to radon remedial measures in existing dwellings.

C7. Do you agree that these documents should be referenced to provide further guidance?

Yes

No

No view

Comments (if any):

The Department proposes to reference, in Technical Booklet C, the revised designated radon Affected Areas included in the Northern Ireland Environment Agency publication “Radon in Dwellings in Northern Ireland: 2009 Review and Atlas”.

C8. Do you agree that Technical Booklet C should reference the revised radon Affected areas?

Yes

No

No view

Comments (if any):

With a greater emphasis on the development of brownfield or previously contaminated sites, the Department proposes to amend the title of Part C to include “contaminants” which replace “dangerous and harmful substances”.

C9. Do you agree with the proposal to amend the title of Part C and to revise regulation C2 to reflect a greater emphasis on protection from contaminants?

Yes

No

No view

Comments (if any):

The section on floors provides guidance and technical solutions to bring the Technical Booklet up-to-date.

C10. Do you agree that the proposed guidance and technical solutions on floors is appropriate?

Yes

No

No view

Comments (if any):

The section on walls provides guidance and technical solutions to bring the Technical Booklet up-to-date.

C11. Do you agree that the guidance and technical solutions on walls is appropriate?

Yes

No

No view

Comments (if any):

The section on roofs provides guidance and technical solutions to bring the Technical Booklet up-to-date.

C12. Do you agree that the guidance and technical solutions on roofs is appropriate?

Yes

No

No view

Comments (if any):

Please provide any general comments your may wish to make about the proposed amendments to Part C of the Building Regulations and Technical Booklet C in the box below:

Part G

Sound insulation of dwellings

and

Technical Booklet G Sound

Technical Booklet G1 Sound (conversions)

PART G: QUESTIONS

Proposed amendments to Part G of the Building Regulations

Current standards of sound insulation in dwellings can be traced back to surveys carried out in the 1950's. Values derived from the performance of the constructions surveyed became the basis for selecting the constructions in Technical Booklets G (1990) and G1 (1994) "deemed to satisfy" standards.

Living standards have changed considerably since the 1950's. The increased use of home entertainment systems and other domestic appliances has led to a significant increase in the amount of noise people make at home.

G1. Do you consider it appropriate to introduce improved sound insulation standards to take account of people's changed living standards and levels of expectation of noise reduction?

Yes

No

No view

Comments:

G2. Do you consider the proposal to extend the scope of the regulations to include "Rooms for Residential Purposes" reasonable?

Yes

No

No view

Comments:

G3. Do you consider the proposal to extend the scope of the regulations to include “Internal Walls and Internal Floors” reasonable?

Yes

No

No view

Comments:

Will be too onerous for builders.

G4. Do you consider the proposal to extend the scope of the regulations to include “Reverberation” reasonable?

Yes

No

No view

Comments:

G5. Do you consider the proposal to extend the scope of the regulations to include “Schools and Colleges” reasonable.

Yes

No

No view

Comments:

G6. Do you consider the performance standards for “Purpose built Dwelling houses and flats adequate?”

Yes

No

No view

Comments:

G7. Do you consider the performance standards for “Dwelling houses and flats formed by a material change of use” adequate?

Yes

No

No view

Comments:

G8. Do you consider the performance standards for “Purpose built Rooms for Residential Purposes” adequate?

Yes

No

No view

Comments:

G9. Do you consider the performance standards for “Rooms for Residential Purposes” formed by a material change of use” adequate?

Yes

No

No view

Comments:

G10. Do you consider it reasonable to have different performance standards for purpose built dwelling houses and rooms for residential purposes and those formed by a material change of use?

Yes

No

No view

Comments:

We believe that technology and modern construction techniques should allow the same performance standards to be attained whether new build or material change of use.

G11. Do you consider the performance standards for internal walls and floors adequate?

Yes

No

No view

Comments:

G12. Do you consider the adoption of D_{nTw} and spectrum adaptation term C_{tr} is the most suitable for targeting the low frequency sounds encountered in modern Houses and Rooms for Residential Purposes?

Yes

No

No view

Comments:

G13. Do you consider Pre-completion testing an acceptable method of ensuring compliance?

Yes

No

No view

Comments:

Valuable but only for testing the structure without floor coverings.

G14. Do you consider a “robust details” Scheme an acceptable alternative method of ensuring compliance?

Yes

No

No view

Comments:

G15. Do you consider the guidance and examples given in Section 2 on “separating walls and associated flanking constructions for new buildings” adequate?

Yes

No

No view

Comments:

G16. Do you consider the guidance and examples given in Section 3 on “separating floors and associated flanking constructions for new buildings” adequate?

Yes

No

No view

Comments:

G17. Do you consider the guidance and examples given in Section 4 on “dwelling houses and flats formed by a material change of use” adequate?

Yes

No

No view

Comments:

G18. Do you consider the guidance and examples given in Section 5 on “internal walls and floors for new buildings” adequate?

Yes

No

No view

Comments:

G19. Do you consider the guidance and examples given in Section 6 on “rooms for residential purposes” adequate?

Yes

No

No view

Comments:

G20. Do you consider the guidance and worked examples given in Section 7 on “reverberation in the common internal parts of buildings containing flats or rooms for residential purposes” adequate?

Yes

No

No view

Comments:

Please provide any general comments your may wish to make about the proposed amendments to Part G of the Building Regulations and Technical Booklet C in the box below: