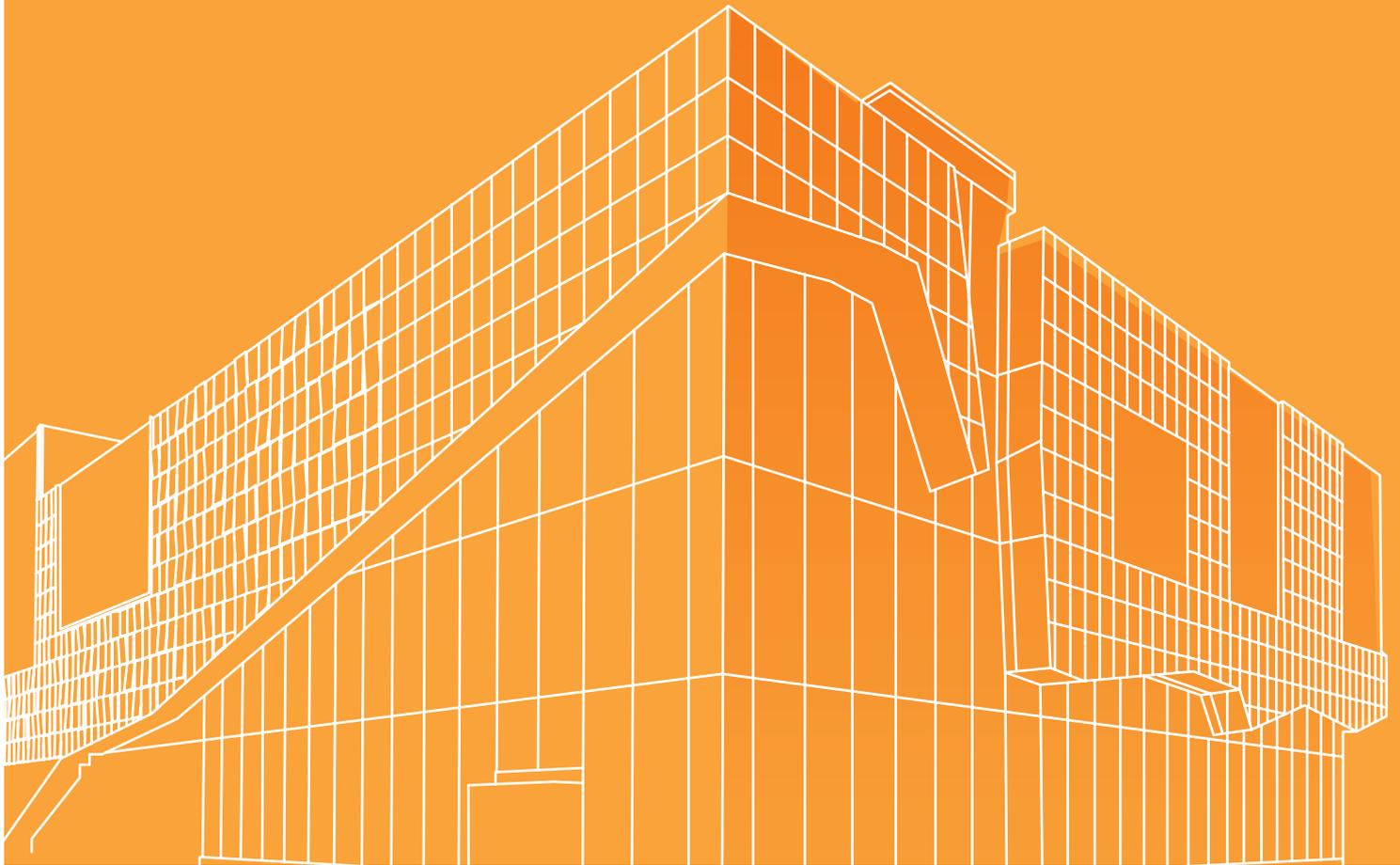


United Kingdom & Ireland

Guidance on the Amendments to Building Regulations in England

How the combustible ban impacts cladding specification for buildings



On November 29th 2018, regulations were laid to Parliament to give legal effect to the ban on combustible materials in external wall systems over 18m. On December 21st 2018 changes to the Building Regulations in England, and amendments to its associated guidance Approved Document B, came into effect.

Transitional Arrangements: Where projects had already received an initial notice, or full plans were deposited with a local authority before 21st December 2018 and provided the building work had already started or commenced prior to 21st February 2019, these amendments do not apply. Any building work commencing on or after 21st February 2019 must comply with the new regulations.

So what has changed?

Regulation 7(2) applies to relevant buildings, defined in Regulation 7(4), with a storey (not including roof-top plant areas or any storey consisting exclusively of plant rooms) at least 18m above ground level (as measured in accordance with Diagram C6). It requires that all materials which become part of an external wall or specified attachment achieve European Class A2-s1, d0 or Class A1, other than those exempted by Regulation 7(3).

What is the definition of an “external wall”?

The external wall of a building includes a reference to:

- anything located within any space forming part of the wall;
- any decoration or other finish applied to any external (but not internal) surface forming part of the wall;
- any windows and doors in the wall; and
- any part of a roof pitched at an angle of more than 70 degrees to the horizontal if that part of the roof adjoins a space within the building which persons have access, but not access only for the purpose of carrying out repairs or maintenance.

What is the definition of a “specified attachment”?

Specified attachment means:

- a balcony attached to an external wall;
- a device for reducing heat gain within a building by deflecting sunlight which is attached to an external wall; or
- a solar panel attached to an external wall.

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Which materials are exempt?

The new regulations do not apply to the below list of components found in external walls and specified attachments:

- cavity trays when used between two leaves of masonry;
- any part of a roof (other than any part of a roof which falls within paragraph (iv) of regulation 2(6)) if that part is connected to an external wall;
- door frames and doors;
- electrical installations;
- insulation and water proofing materials used below ground level;
- intumescent and fire stopping materials where the inclusion of the materials is necessary to meet the requirements of Part B of Schedule 1;
- membranes (must achieve a minimum classification of European Class B-s3, d0);
- seals, gaskets, fixings, sealants and backer rods;
- thermal break materials where the inclusion of the materials is necessary to meet the thermal bridging requirements of Part L of Schedule 1; or
- window frames and glass.

Which building types are affected by the ban?

	Affected by the scope of the ban	Not affected by the scope of the ban
With a storey (not including roof-top plant areas or any storey consisting exclusively of plant rooms) at least 18m above ground level	<ul style="list-style-type: none"> - All new residential buildings - Student accommodation - Registered care homes - Hospitals - Dormitories in boarding schools 	<ul style="list-style-type: none"> - Schools* - Offices - Hotels and hostels - Car parks - Retail - Any other building types with a storey at least 18m above ground level not included within the scope of the ban
Under 18m	The ban does not affect any buildings under 18m	

*Separate to the building regulation amendments, the Minister for Education announced that schools, built as part of the Government’s centrally delivered build programmes, will follow the same guidance as the buildings types outlined in the ban.

Is BS 8414 still applicable?

Buildings with a storey at least 18m above ground level which fall outside the scope of the ban may still use external cladding systems that have been tested to BS 8414 and meet the requirements of BR 135. BSI are currently developing a new standard BS 9414 that may also become an appropriate route to compliance in the future.

What about change of use?

Where the use of a building is changed, so that the building falls under those listed within the scope of the ban, the construction of the external walls, and specified attachments, must be investigated and, where necessary, work must be carried out to ensure they only contain materials achieving European Class A2-s1, d0 or Class A1 (other than those listed as exempt).

What about building undergoing remediation?

Materials which are already part of the external wall, or are existing specified attachments, and are not being replaced are not covered by the ban (unless there is a change of use). See MHCLG FAQs for further information.

Useful Links

MHCLG Frequently Asked Questions

<https://www.gov.uk/government/publications/building-amendment-regulations-2018-frequently-asked-questions/building-amendment-regulations-2018-frequently-asked-questions>

The Building (Amendment) Regulations 2018

<http://www.legislation.gov.uk/uksi/2018/1230/contents/made>

2018 updated edition of Fire Safety: Approved Document B

<https://www.gov.uk/government/publications/fire-safety-approved-document-b>

2018 updated edition of Material and Workmanship: Approved Document 7

<https://www.gov.uk/government/publications/material-and-workmanship-approved-document-7>

Government response to the Consultation

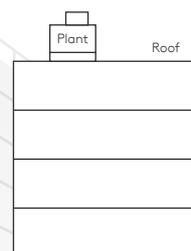
<https://www.gov.uk/government/consultations/banning-the-use-of-combustible-materials-in-the-external-walls-of-high-rise-residential-buildings>

What is meant by a storey at least 18m above ground level?

The height of the building is to be measured from the lowest ground level adjoining the outside of an external wall to the finished floor surface of the top occupied space.

Height of top storey excludes rooftop plant areas and any top storeys consisting exclusively of plant rooms

Height of top storey measured from upper floor surface of top floor to ground level on lowest side of building



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