During the consultation process we received a total of 10 responses that are listed below with the relevant feedback after internal consultation:

KEY: – Comments as Submitted

– Comments have been dismissed

– Comments have been actioned

– Comments have been considered and a compromise has been made

– LDCA Recommendations

– ENRC Recommendations

1. **Helena Holck Lochen**

I would encourage you to look a bit more into the wording used in the section regarding "persons with disabilities" – and incorporate the approach of "universal design" rather than focusing only on "disabilities".

I am no expert in the area at all, but please see link below for an explanation of what I mean:

http://universaldesign.ie/Built-Environment/

"Building for Everyone: A Universal Design Approach" provides comprehensive best practice guidance on how to design, build and manage buildings and spaces so that they can be readily accessed and used by everyone, regardless of age, size, ability or disability

Universal design does not necessarily only benefit the disabled – examples from the web page below:

Designing for one group can result in solutions that address the needs of many others. For example:

- *level entry (Step-free) entrances facilitate not just wheelchair users but also people with buggies; people with suitcases or shopping trolleys; people using walking or mobility aids; and people with visual difficulties*
- *larger toilet compartments provide easier access to wheelchair users; those with luggage or parcels; parents with pushchairs or accompanying small children; those using walking or mobility aids; and larger-sized people*
- *clear, well-placed signage that uses recognised symbols or pictograms helps people with reading or cognitive difficulties, and those whose first language is neither English nor Irish*

(Actioned, this was covered when responding to the human rights comments under interpretations Page 6)
(Agree)
(Agree)

2. **Brian Davis**

- Ensure insulation in roofs and ceilings.(part K) not so much walls
  (Actioned under K.2 Page 68)
  (To omit part K or specify types of insulation which can be used to satisfy this regulation as the regulation as written is ambiguous. As these regulations are a minimum standard anyone can still install insulation instead of it being a must for all.)
  (Actioned, after discussion between building control and acting CPO we concluded that the minimum cost not including labour for purchasing enough ceiling insulation for a 100m² property would cost on island £1500 and if you were to import it yourself about £1400, therefore we have omitted this section on that basis. Furthermore as a compromise we decided to create some informational guidelines that we can give to applicants during the process of obtaining building regulations approval which would inform them of the positives that comes from using insulation and sealing buildings properly with the current damp issues, therefore if they have enough in their budget they could implement such suggestions.)
  (Agree)
  Part B2 3a. Disagree that this should be a must, should be a deemed to satisfy
  An alternative could to seal with a sealer. This enables the wood work to be more stable visible for inspections. COST!
  (ACTIONED, Changed wording of B.3.(2)a) to apply an appropriate moisture resistant sealer, Page 28)
  (Agree)
  (Agree)
- Also provide alternative solutions for stronger ceilings.
  (DISMISSED, cannot provide a minimum standard as there are different types of ceiling structures with different uses, applicants should retain the onus and construct it for it intended use. If we use a table from the uk regs the cost of ceiling would increase dramatically)
  (Agree)
  (Agree)

- Septic tanks prefab should accept as per manufactures specifications.
  (Feel that this is adequately covered under section H.3.(2)h)i) Page 54)
  (Agree)
  (Agree)

3. **Connect St Helena**

- B.3.(3) Diagram B(1) – sand blinding is also needs to be included please see attached diagram.
  (Actioned changed Diagram B(1) Page 30)
  (Agree)
  (Agree)
- H.3. (1) c) – can we have sight of Appendix H1.
  (Actioned appendix sent, no response received)

(Agree)
(Agree)

- Please also advise who will carry out the percolation test.
  (Actioned, changed wording to say "to be carried out by an independent competent person" H.3.(1)c) Page 53)
  (Changed wording to "The design of the soakaway and satisfactory percolation test results in accordance with your Decision Notice, to ensure that effluent from a septic tank can be satisfactorily discharged to the available land through a soak away system"
  Left diagrams in document for information purposes)
  (Agree)

In respect of Part L grateful if the following could be considered:

For the electrical safety section:

L1 (1) Every electrical installation in any new, altered or extended building should be designed and installed in accordance with the current edition of the BS7671 Requirement for Electrical Installations (IET Wiring Regulations).
(Actioned, changed wording for L.1.(1) Page 69)
(Check that the BS7671 will remain with new editions, DISMISSED Checked and confirmed that it does not change newer editions will have the year after it e.g. BS7671:2018)
(Agree)

Could the following also be inserted into Section F.1. :

Persons with disabilities and those with limited reach, services and control should comply with the following:

A) Switches and sockets, serving habitable rooms throughout the dwelling be 450-1200 mm above floor level.
B) Consumer units are mounted so that switches are 1350-1450 mm above floor level. Consumer units should be mounted in sensible places to avoid impact but easily accessible to the user.

(Actioned under the electrical safety section L.1.(6)&(7) Page 70, however during internal consultation it was raised that at this height it could be reached by young children. We have since written to connect for advice on how to safely house the consumer units and Connect has advised that the UK Regulations states that at this height it should be out of reach from young children but still accessible by wheel-chair users)
(Agree)
(Members felt that this requirement for the consumer units are too low, they feel that it should be a recommendation and not a regulation)
(Actioned, reworded the clause to say it is recommended because reading the UK Building regulations it states "Approved document M does not recommend a height for new consumer units")

Please see attached also a drawing relating to Heights if switches, socket-outlets etc as shown in the BS7671 On-site guide. **(Actioned, included Diagram L(1) Page 70)**
(Agree)
(Agree)

4. **Equality & Human Rights Commission**

Introduction

The Equality & Human Rights Commission (EHRC) have reviewed the proposed changes to the Building Regulations purely from an equality, equal access perspective. The comments below have been made in the light of information gathered by the EHRC over the last three years.

The Constitution of St Helena, Ascension Island & Tristan da Cunha 2009 protects the individuals and groups from discrimination, in particular it says:

Protection from discrimination

21. (1) Subject to subsection (4), no law shall make any provision which is discriminatory either of itself or in its effect.

(2) Subject to subsections (4) and (6), no person shall be treated in a discriminatory manner by any organ or officer of the executive or judicial branches of government or any person acting in the performance of the functions of the St Helena Public Service or any public authority.

(3) In this section, the expression "discriminatory" means affording different treatment to different persons on any ground such as sex, sexual orientation, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, age, disability, birth or other status.

(4) Nothing contained in or done under the authority of any law shall be held to breach this section to the extent that it has an objective and reasonable justification and there is a reasonable proportion between the provision of law in question or, as the case may be, the thing done under it and the aim which that provision or the thing done under it seeks to realise.

(5) No person shall be treated in a discriminatory manner in respect of access to any of the following places to which the general public have access, namely, shops, hotels, restaurants, eating-houses, licensed premises, places of entertainment or places of resort; **but the proprietor of such a place has a duty to provide amenities and equipment facilitating the access of disabled persons only to the extent provided by a law.**

It is therefore necessary that the Building Regulations carefully balance the right not to be discriminated against with the difficulties imposed by heritage buildings, narrow footpaths and road ways, limited parking and an underperforming economy.

General Comments

1. The language in the 2018 draft is simpler than that used in 2001. From a human Rights perspective this is excellent plain English makes documents more accessible to us all.
2. The document is intended to be read by professional builders but (we assume) also by those self-building/planning to build. Large print versions should be available on request for those with visual impairments.
3. Definition of disability to match that of the United Nations –

'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others'.
The one used in this draft is limited to walking, hearing and sight difficulties only.

4. The amount of the document given over to disabilities is very small less than one page out of 58. While the EHRC is not suggesting that the total of nearly 200 page over three volumes issued in the UK is necessary, more detail on lighting, rails, signage, hearing loops and floor surfaces is required. **(Actioned, have changed the interpretation to suit Page 6)**
(Agree)
(Agree)

Recommendations

The EHRC recommends that instead of labelling people as disabled the problem is addressed from the angle of universal access for all. The right to dignity is fundamental to us all. This text taken from the Universal Design approach (http://universaldesign.ie/Built-Environment/Building-for-Everyone/) used in Southern Ireland says it all.

People are diverse - some are left-handed and some right-handed - and vary in their age, size and functional capacities. Illness or disability (whether temporary or permanent) can also affect characteristics such as a person's mobility, dexterity, reach, balance, strength, stamina, sight, hearing, speech, touch, knowledge, understanding, memory, or sense of direction.

People of diverse abilities should be able to use buildings and places comfortably and safely, as far as possible without special assistance. (our emphasis). People should be able to find their way easily, understand how to use building facilities such as intercoms or lifts, and know what is a pedestrian facility and where they may encounter traffic.

Given the wide diversity of the population, a universal design approach, which caters for the broadest range of users from the outset, can result in buildings and places that can be used and enjoyed by everyone. That approach eliminates or reduces the need for expensive changes or retro fits to meet the needs of particular groups at a later stage.**(Included in revised interpretation Page 6)**
(Agree)
(Agree)

It is good practice to ascertain the needs of the range of expected users as early as possible, and to check the practicality and usability of emerging designs with a diverse user panel.

Designing for one group can result in solutions that address the needs of many others. For example:

- level entry (Step-free) entrances facilitate not just wheelchair users but also people with buggies; people with suitcases or shopping trolleys; people using walking or mobility aids; and people with visual difficulties
- larger toilet compartments provide easier access to wheelchair users; those with luggage or parcels; parents with pushchairs or accompanying small children; those using walking or mobility aids; and larger-sized people

- clear, well-placed signage that uses recognised symbols or pictograms helps people with reading or cognitive difficulties, and those whose first language is not English

Sometimes one solution will not suit all and a range of options will need to be provided. For example:

- providing both steps and a ramp where there is a change in level
- providing counters at different heights to facilitate use at standing height, sitting height, and by people of small stature

To give some recent local illustrations

- The Counter at the pharmacy is too high for many not just the disabled, yet a lot of thought went into the wheelchair access and space for turning.
- A ramp has replaced the step between the waiting area and the triage room at the Outpatients but this is too steep/short for a wheelchair user to use alone, is too difficult for someone with walking difficulties to get down or up and it has no hand rail.
- The Market has been renovated in the last three years yet there is no lift to the upper floor making access to the shops difficult for the physically disabled, people on crutches, the sight impaired, anyone with pushchairs and/or small children and the elderly.
- A lower counter in the bank and the post office would also be of benefit to many.

This change in perspective means that we are not marginalising or patronising a minority group but we are making access easier and extending to everyone possible the dignity of independence.

Detailed Comment

2001	2018	Comment
(1) Reasonable provision shall be made in all newly erected or substantially altered buildings so that— **(a) disabled persons can reach the principal entrance to the building from the edge of the site curtilage;**	(1) Reasonable provision shall be made in all new or substantially altered buildings so that: a) Persons with disabilities can reach and use the principal entrances; and	No substantive change. This would not apply to listed, historic buildings leaving many of our public services inaccessible. Some definition or illustration of reasonable **(Actioned, changed the wording to F.1.(1)a) Page 46)** **(Agree)** **(Agree)**
(b) elements of the building do not constitute a hazard for a person with an impairment of sight;	(b) Elements of the building shall not constitute a hazard for persons with disabilities, including impaired sight;	Improvement in that it includes disabilities as well as impaired sight. **(Actioned, included in interpretations Page 6)** **(Agree)** **(Agree)**
(c) disabled persons can use the building's facilities;	(c) Except in dwellings or flats (unless specifically designed as accommodation for persons with disabilities), persons with	Is this something that will be insisted upon? The situation in the Market in 2016 should not have been allowed to happen,

2001	2018	Comment
	disabilities can use the building's facilities including by provision of a lift or stair lift where necessary;	a public building must have to have a lift to upper floors. **(Actioned, Covered under F.1.(1)e) Page 46)** **(Agree)** **(Agree)**
(d) adequate sanitary accommodation is available for disabled persons;	(d) In any building to which the public has access or is a place of employment, at least one toilet designed for wheelchair use is available and accessible;	A big improvement however if they are limited to disabled only, then people with buggies, pregnant or larger individuals will still struggle. **(Actioned, Reworded F.1.(1)f) to accommodate this Page 46)** **(Members requested that we check for specific requirements for baby changing shelves to be installed in disabled unisex toilets, DISMISSED in PartM1/3 5.5 of the uk regs clearly states "Wheelchair-accessible unisex toilets should not be used for baby changing". Furthermore under 5.6 it states "In large building developments, separate facilities for baby changing and an enlarged unisex toilet incorporating and adult changing table are desirable.(annex G of BS8300) This annex requires a room of 12m² (3m x 4m) we feel this is unreasonable. We removed baby changing facilities from F.1.(1)f))** **(Actioned, we have included it under the section I.2. Page 55)** **(Agree)**
(e) there is suitable accommodation for disabled persons in audience or spectator seating; and	(e) There is suitable accommodation for persons with disabilities in audience or spectator seating;	There needs to be guidance on counter heights in shops, bars etc. the pharmacy, the bank and the post office etc. shorter people, children and wheelchair users cannot reach. **(Actioned, New clause created F.1.(1)i) Page 47)** **(Agree)** **(Agree)**

2001	2018	Comment
(f) there are suitable aids to communication for persons with an impairment of sight or hearing in auditoria, meeting rooms and reception areas.	f) There are suitable aids to communicate for persons with an impairment of sight or hearing in auditoria, meeting rooms and reception areas.	This should be extended to include all buildings accessed by the public i.e. the Post office, bank etc. Lighting is also important for some visual impairments. Pictorial signage for those with learning difficulties should also be included. **(Actioned, Amended clause F1.(1)h Page 46)** **(Omit F.1.(1)h) and reword F.1.(1)g member felt that hearing aids and sight aids is a stretch too far for the island in its current state. They were also not happy with the wording "designed by a professional competent person". Feel we cannot omit h) and reword g) as they are two separate point as g) is about accommodating persons with disabilities in audiences e.g. a wheelchair bay in a cinema, whereas h) asks for hearing and sight aids in auditoria, meeting rooms and reception areas. We feel if this is omitted it would have to be omitted altogether and not merged with another point.** **Reworded h) by removing "designed by a professional competent person" and reverted to the original** **We interpreted h) as the places would be required to provide a visual aid and hearing aid such as in the bank where the number appears on the screen as well as it is called out aloud.** **Included a *Deemed-to-satisfy provision* on minimum requirements))** **(Agree)**
(2) If, as part of a reconstruction of a building, it is impracticable to make	(2) In the case of alterations to a building that is not a dwelling or a flat and it is	

2001	2018	Comment
adjustments to the level of the existing principal entrance or any other appropriate existing entrance, to permit access for wheelchair users, or to provide a new entrance which is suitable, the other requirements of this Regulation shall still apply	impracticable to make adjustments to the level of the existing principal entrance, or any other appropriate existing entrance to permit access for wheelchair users: a) The remaining requirements of this regulation shall still apply; and	
	b) Portable ramps shall be provided for use at the entrance in compliance Part D.3.	Good
(3) Where a building is extended, there is no obligation to carry out improvements within the existing building to make it more accessible to and usable by disabled persons than it was before. **However, the extension shall not adversely affect the existing building with respect to access to, and use of, the building by disabled persons.** **However if an extension is independently approached and entered from the boundary of the site it shall be treated in the same manner as a new building**	(3) Where any building is to be altered or extended, there shall be no obligation to carry out work within the existing building, solely to make it more accessible and usable by persons with disabilities, but: a) Any alteration or extension shall not make the existing building less so; and b) Any extension shall be at least as accessible and usable by persons with disabilities as the building being extended.	Not helpful. This, if I understand it correctly, means that almost any extension to a building could continue to deny access to the disabled, elderly, people with small children etc. The EHRC cannot understand why a new extension should not include access for all. Particularly a building that is public. **(Actioned, Clauses amended in F.1.(3) Page 47)** **Members were not happy with the rewording and requested it be changed back to the original because as an example Prince Andrew School, if they were to extend on the school then it would need the whole building altered to accommodate persons with disabilities)** **(Actioned)** **(Agree)**
(5) When a building is altered there shall be no obligation to improve access and facilities for disabled persons. **However, the level of provision after alteration shall not be any worse. Facilities may be moved but their suitability and access to them shall not be reduced**	See above	See above. **(Actioned, See Above)** **(Same as above)** **(Agree)**

Stairs and Ramps

Many people rely on a rail to assist them climbing stairs or navigating ramps. Often however there is only a hand rail on one side. This if fine if you have two functioning arms/hands but if you have the use of only one arm you need the rail on both sides so that you can hold on with your functioning arm both ascending and descending the stairs.

(Actioned, covered under reworded clauses under access and facilities and common ramps Pages 41 & 46)

(Agree)

(Agree)

For the partially sighted or blind a change in surface to indicate the edge of the stair is a must. There appears to be no specification as to lighting levels on stairs and ramps.

(Actioned, Included new clause D.2.(1)f) page 40 and diagram D(5) Page 44)

(Agree)

(Agree)

5. **Ronald Coleman**

4.11 WHEN PARTIAL COMPLETION IS GIVEN – A COMPLETION TIME SHOULD BE GIVEN FOR THE REMAINER OF THE BUILDING TO BE COMPLETED. OTHERWISE WE WILL HAVE A LOT OF UNFINISHED BUILDING AROUND THE ISLAND.

(Actioned, reworded clause Page 8)

(Agree)

(Agree)

8.1 APART FROM STAGE INSPECTIONS WHERE THE BUILDER OR OWNER INVITE THE BUILDING INSPECTOR TO THE SITE THE INSPECTOR SHOULD GIVE NOTICE IN WRITING TO ENTER THE LAND, THIS CASME INTO PRACTICE IN THE UK AFTER A BUILDING INSPECTOR WAS SHOT. THIS SAFEGUARDS THE INSPECTOR FROM TRESSPASSING.

(DISMISSED, under the Building Control Ordinance it states: *The Building Inspectors shall administer and enforce this Ordinance and the Building Regulations and, for that purpose, may (at any reasonable time) enter on any land or in any building.* Giving notice in writing would enable any work to be covered or hidden before the inspectors arrive. The ordinance also state: *Before exercising any powers under subsection (3), a Building Inspector shall, so far as is practicable to do so, identify himself to the occupier or other person who is or appears to be in control of the land or building concerned.*)

(Agree)

(Agree)

11.2.a) WHEN PEGGING OUT FOR THE SITE PREPARATION THIS SHOULD INCLUDE THE MARKING OUT OF THE ACCESS TO AND FROM THE SITE.

(Actioned, Page 11)

(Agree)

(Agree)

11.2. f) WHEN CHECKING LINTELS THE INSPECTOR SHOULD CHECK THE WINDOW OPENING SIZES **(this is normal practice)**AND THE LENGTH OF THE BEARING ON THE BLOCKWORK.

(Actioned A.5.(2) Page 20)

(Agree)
(Agree)

12.2. THE MINIMUM REQUIREMENTS SHOULD INCLUDE SEALED ROOF
(Actioned Page 12)
(Member felt that walls weatherproofed should be added either a render & paint system or Cladding system e.t.c.)
(Actioned)
(Agree)
AND SHOULD BE 2 COATS OF PAINT OR CLOURWASH ON THE ROOMS TO BE OCCUPIED.
(DISMISSED, this is not considered a minimum standard)
(Agree)
(Agree)
13.2. TO NOTIFY THE OWER IN WRITING.
(DISMISSED, if the event is deemed an emergency written correspondence would take too long)
(Agree)
(Agree)
16. BINDING THE CROWN IS SOO IMPORTANT AS THEY ARE THE LARGEST LAND OWNERS.
(INCLUDED Page 14)
(Agree)
(Agree)

A.5. THERE IS NO REQUIRED LENGTH FOR THE LINTEL TO OVERHANG/PROTRUDE THE BLOCKWORK TO TAKE THE STRESS/LOAD OF THE LINTEL ON THE BLOCKWORK AND A RATIO MIX.
(Actioned Page 20)
(Agree)
(Agree)

B.3 TALK ABOUT THE MOISTURE OF FLOOR BUT I DON'T SEE ANYTHING ON THE CONSTRUCTION OF CONCRETE FLOOR THEIR THICKNESS
(Actioned Page 27),
(Agree)
(Agree)
SPANS
(Dismissed as this is not relevant for ground bearing slabs, however structural calcs would be required for suspended slabs.
(Agree)
(Agree)
AND RATIO MIXES. **(Actioned Page 27)**
(Agree)
(Agree)
B.5. GIVES THE HEIGHT FOR WINDOW, WHAT IS THE HEIGHT FOR DOORS? ALSO THE WIDTHS?
(Actioned door widths covered under the fire regulations C.1.(2)a) Page 33 and have included a minimum height for lintels A.5.(1) Page 20)
(Agree)
(Agree)

B.5. a) AND b) FOR NATURAL LIGHT AND VENTILATION OF HABITABLE ROOMS AND DOMESTIC KITCHENS, THE WINDOW TO THE EXTERNAL AIR SHOULD BE ONE EIGHTH OF THE FLOOR AREA AND THE BATHROOMS AND TOILETS ONE TENTH OF THE FLOOR AREA.
(Actioned B.5.(2)a) & b) Page 32)
(Agree)
(Agree)

D.4. DOES THIS COVER DIFFERENCES IN FLOOR LEVEL IN A BUILDING?
(YES)
(Agree)
(Agree)

PART I NORMALLY WE SHOULD'T USE "I" WE SHOULD GO TO " J" ANYWAY
(Dismissed, Irrelevant)
(Agree)
(Agree)

THERE IS NO WHERE TO SAY WHERE YOU CAN POSITION A TOILET OR A BATHROOM WITH A TOILET IN A BUILDING ESPECIALLY A HOUSE OR FLAT. DO WE REQUIRE VENTILATED LOBBIES OR OTHERWISE
(Actioned I.1.(2)b) Page 55).
(Agree)
(Agree)
OR SIZE
(Dismissed, to be discussed)
(Agree)
(Agree)

TABLE 11 WE REALLY NEED TO LOOK AT THIS, THIS IS TOO MANY W.C'S AFTER 100 PERSONS, THE OLD TABLE IN THE EXISTING REGS SHOULD BE ADQUATE.
(Actioned, included tables from Environmental Health Pages 56 - 59)
(Agree)
(Agree)

6. Crown Estates

H.1. RAINWATER DRAINAGE, STORAGE AND DISPOSAL

(4) Roof water from any building of ground floor area up to 100m² shall be discharged to not less than one storage tank of capacity at least 450 litres with a stopcock on the bottom (to enable re-use) and tank overflow directed to a landscaped area or to a storm drain connected to a public storm sewer or to a watercourse or to a soak away but not to any part of a foul drainage system. Roof water from buildings of ground floor area greater than 100m² or made to exceed that floor area by extension, shall be discharged to one storage tank of capacity at least 450 litres for every 100m² or part thereof, with a separate downpipe to each tank.

Will SHG calculate this and regulate?

(this is a simple calculation which will be completed by the Building Inspectors when processing applications)
(Agree)
(Agree)

H.3. SEPTIC TANKS, SOAKAWAY AND SECONDARY TREATMENT SYSTEMS

1c) It is proved, by percolation test carried out in accordance with Appendix H1, that effluent from a septic tank can be satisfactorily discharged to the available land through a soak away system designed and constructed in accordance with Diagram H(1) & H(2).

Does Appendix H1 indicate how and explains how a percolation test are carried out? **(YES)** Also is this process confirmed or checked by the CBI and BI?
(Building Inspectors will review the percolation submissions to ensure they are correctly completed)
(Changed wording to "The design of the soakaway and satisfactory percolation test results has been approved by the Chief Planning Officer, that effluent from a septic tank can be satisfactorily discharged to the available land through a soak away system"
Left diagrams in document for information purposes)
(Actioned, Building Inspectors will not review percolation test submission as this will already been reviewed and approved by the planning department, development permission should not be granted without approved percolation test as there is no way of dealing with sewage)
(Agree)

7. **Rob Midwinter**

Interlinking Fire Alarm Systems in Residential Dwelling with more than one storey is unreasonable.
(Spoke to fire department who feels this is still a must)
(Agree)
(Agree)

Disabled access should be provided to existing structures when they are renovating or something like that if practically possible.
(Feel that this is adequately covered under section F.1.(2) Page 46)
(Agree)
(Agree)

8. **Gregory Cainswicks**

1. The list of wood sizes & spans recommended do not include the popular 114mm (4½") treated timber, this I believe should be included as it is the most common size of purlin used on Island.
   (Actioned, Included in Table 8 Page 25)
   (Agree)
   (Agree)

2. The draft BR's only speak of 50mm timbers & actually 38mm joists are commonplace in both UK & RSA, they offer the same depth of beam but with a 38mm thickness

which is cheaper than using 50mm. CCA treatment is also better with 38mm timbers, and should be included in the regulations
(**Actioned, Included in Table 5 Page 24)**
(Agree)
(Agree)

3. Page 27 (3) iii Talks of a minimum exterior cement render of 20mm thick. This is far too thick & would require double rendering to achieve the specified thickness, to attempt 20mm in one application would result in render falling off the wall while still wet – 9mm is more than enough to ensure a good barrier to the elements. I would suggest to recommended use of a waterproofing mortar admix to increase resistance to ingress of damp on external walls especially in country locations.
(Made a compromise to change this to 12mm render, we also feel that 20mm is too high but 9mm too low, 12mm is common practice at present, Included in Diagram B(1) Page 30).
(Agree)
(Agree)

4. Page 22 end trimming of joists when fitted to metal joist hangers is unnecessary & will only add to costs without any positive gain, furthermore removal of the outside of treated timber is an invitation for termites to get to the less well treated core of the joist.
(Diagram A(3) is simply for information and not a regulation making it a must.)
(Agree)
(Agree)

5. Part C Fire Safety C1 (2) C) The distance to the external door should be increased from 3m to 4m to comply with minimum floor m2 of living areas as specified earlier in the document. To explain, (assuming 'external door' means a door leading to the outside of a building) If the external door of the room is located at the other end of the room from the stairwell then it would be impossible to comply with the 3m rule. I believe there has been some misinterpretation in the understanding of UK fire regulations as I have been in many buildings where the stairwell terminates far away from the nearest external door.
(DISMISSED, it is a minimum of 3m away from the exit point of the room containing the stairway and not from the bottom of the stairs)
(Agree)
(Agree)

6. Glass Safety E1. The tables given for annealed glass (toughened) are not workable with the factory-made windows & patio doors imported, indeed it would require 10mm glass to be fitted to patio doors to comply with these tables – and it should be noted that 10mm toughened glass cannot be incorporated into sliding doors because of the weight.
(Actioned, Included Table 10 and Diagram E(1) Page 46)
(Agree)
(Agree)

9. **Disabled Persons Aid Society**

1. Page 6: Section 3.14 Persons with disabilities means people who have:

Current definition sounds not inclusive…..

Feedback: Definition can read as: people who have: Physical, cognitive or sensory impairments which significantly limits their participation in daily life activities and requiring environmental considerations to increase their performance.

(Actioned, used wording from the human rights submission for interpretations Page 6)

(Agree)

(Agree)

2. Page 41: Part F No. 3

Where any building is to be altered or extended, there shall be no obligation to carry out work within the existing building, solely to make it more accessible and usable by persons with disabilities, but:…..

Feedback: The sounds limiting to areas where there is possibility to improve accessibility of building. Probably a process can be provided in the regulations for any member of the community to lobby for changes even in existing buildings such that determination can be done as to if it is possible or not.

(DISMISSED, regulations are a yes or no function. What is being suggested could be a is a planning issue and could be dealt with by the planning office as an application. Building regulations doesn't apply to existing structures unless they are being substantially altered as they would have been dealt with under previous legislation)

(Agree)

(Agree)

3. Page 38: Section D.3. RAMPS

Feedback: on No. 2 (restricting ramps to 6m may not be practical in some instances considering the terrain of the Island) rather longer ramps should have landings at every 10m or something along these lines.

(Actioned Part D.3 Page 40)

(Agree)

(Agree)

General specifications for accessibility that can be considered for inclusion in the regulations:

Ramps: Range of 1:10 to 1: 12 gradient (depending on home environment)

(Actioned Because of difficult island terrain D.3. Page 40)

(Agree)

(Agree)

Width of ramp 1300mm

(Actioned, Uk Regs asks for 1500mm, for common and 900mm for private D.3 Page 40)

(Agree)

(Agree)

Ramp landing length of 1200mm and width equivalent to ramp.

(Actioned, added in a common section which complies with UK Regs D.3 Page 40)

(Agree)

(Agree)

Ramp surface should be hard and non-slippery

(Already included D.3. Page 40)

(Agree)

(Agree)

NB: If ramp is more than 10 metres there should be a landing after every 10 meters to allow for resting. Three types of ramps can be considered depending on the terrain at the home to be modified i.e. straight run, or 90 turn or 180 turn (switch back).

(Actioned for common ramps. D.3 Page 41)

(Agree)

(Agree)

Hand rails: Where need is indicated, protective handrails should be 400mm high along the full length of ramp There should be handrails.

(Dismissed, uk regs Part M1 & M2 (access to and use of buildings) asks for handrails between 900mm & 1000mm)

(Agree)

(Agree)

Distance between hand rails when both hands are used for gripping should be between 900mm to 1300mm

(Dismissed, should suit the width for example a ramp could be 3m wide making this extremely impossible)

(Agree)

(Agree)

Corridors: At least a Width of 1200mm

(Actioned F.1.(1)b) Page 45)

(Agree)

(Agree)

Doors: Standard swing door (should be opening inside and go beyond 90degree angle) or Light weight sliding door

(DISMISSED, minimum requirement is the effective clear opening width, the uk regs does not advise of the angle the door should open)

(Agree)

Door way width 800mm to 900mm

(This is included under part C.1.(2)a) Page 32 & C.7.(3)a) Page 36)

(Agree)

Door handle height 800mm to 1000m (exact height and type of door handle to be recommended by occupational therapist)

(ACTIONED F.1.(1)c) Page 46)

(Agree)

Wet room: Entrance to the bathroom should have a flush transition from the room/corridor to the shower (no curb), and slope directly to the drain at a gradient of 1:80 up to the inner shower/wet area where the gradient should be 1:60 to allow easy drainage of water.

Wet shower area dimensions should be at least 1100mmx1100mm

Length of shower hand held shower hose 1500mm to 1800mm

Preferably shower to be adjustable at the handle of the hand held shower (occupational therapist to give appropriate recommendation per client)

Mixer shower handle to be placed at a height of 800 to 1000mm from floor

Horizontal grab rails to be installed on the back wall and side wall of the wet area, the grab rails shall be installed 150mm from adjacent walls at a height of 800 to 900mm from the floor with a length of 500mm to 1000mm each grab rail.

The shower grab rail should be made of stainless steel and with a thickness of 30mm to 40mm and should be able to withstand forces of at least 110kg or 1000 Newtons when fixed to wall.

Minimum space between grab rail and wall should be at least 40mm

(Made a compromise to include diagrams from the uk regs Pages 61 to 65 to cover a wide range of scenario's including wet rooms)

(Agree)

Toilet: Height of toilet seat 460mm (from floor to top of seat

(DISMISSED UK Regs asks for 480mm Diagram I(2) Page 61)

(Agree)

Toilet roll holder 650mm from floor and 330mm from front of toilet seat

(DISMISSED UK Regs asks for 800mm to 1000mm Diagram I(2) Page 61)

(Agree)

(Agree)

Height of grab rails behind toilet seat and hinged support rail besides the toilet seat should be 840 to 915mm.

(DISMISSED, heights for grab rails are clearly shown in diagrams I(1) & I(2) Pages 60 & 61 in accordance with the uk building regulations)

(Agree)

(Agree)

Face basin/sink: Height of 860mm from floor to top of wash basin,

(DISMISSED UK Regs asks for 720mm to 740mm Diagram I(2) Page 61)

(Agree)

(Agree)

Free open space of 760mm x 1220mm must be provided in front of basin to allow front approach

(DISMISSED, heights for grab rails are clearly shown in diagrams I(1) & I(2) Pages 60 & 61 in accordance with the uk building regulations)

(Agree)

(Agree)

Underneath the basin there should be Clarence for the knees and toes

(Actioned, Diagram I(2) & I(3) Page 61 shows that there should be nothing installed under the sink)

(Agree)

(Agree)

Kitchen working surfaces: Height of at least 860mm with underneath clearance for the knees and toes, and water pipes should be diverted out of the way and hot water pipes should be insulated.

(DISMISSED, cannot include this as a minimum standard because everyone would have to comply with these regulations. uk regs only has specifications for kitchens in dwellings, if someone want to construct a wheel chair friendly dwelling then this can be checked against the uk regs.)

(Agree)

(Agree)

10. Andrew Pearce

13. DANGEROUS STRUCTURES EMERGENCY MEASURES

13.1. If it appears to the Chief Building Inspector at any time that a structure is in a dangerous condition, emergency measures may be taken to remove the danger.

13.2. Before exercising the power set out in sub-Regulation (1) above, the Chief Building Inspector shall make such attempts as reasonably possible to notify the owner of the proposed measures and may accept a proposal from the owner to undertake to remove the danger in a defined timescale.

13.3. Where the Chief Building Inspector finds it necessary to arrange for the carrying out of emergency work, the owner of the structure shall be liable for the full cost of such work.

Should the Building Inspector be required to consult the planning officer where works involve a listed building or any building in a conservation area?

(In an emergency situation there might not be enough time to get advice from the planning office as it could be a matter of life and death)(Agree) (Agree)

A.6. TIMBER AS A STRUCTURAL MEMBER

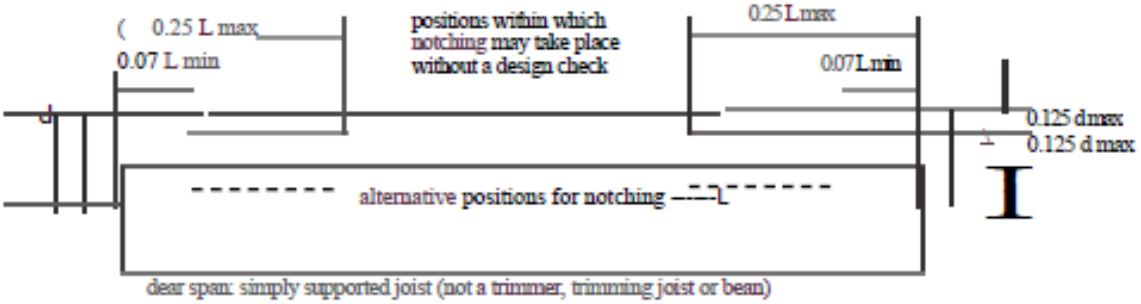
(1) Timbers used as structural members shall be of sufficient strength to safely support the loads to be carried and shall be resistant to fungal and insect attack. All cut ends shall be re-treated on site before building in and any timbers reduced in thickness after chemical treatment must be re-treated before building in.

(2) Floor and roof members shall be securely fixed to walls in both their direction of span and at right angles to the span in order to provide lateral restraint to external walls. Wall plates must be fixed to walls sufficient to resist wind uplift.

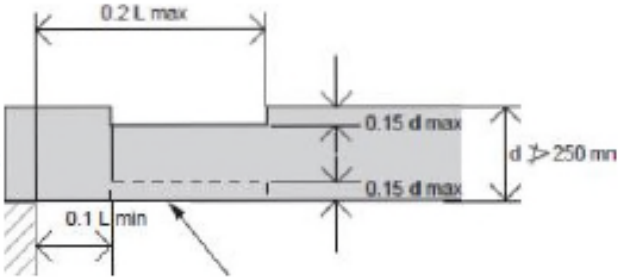
(3) Ground floors and roof structures shall be cross ventilated in accordance with Regulation B3, for which deemed to satisfy provisions are given under that regulation.

(4) The following spans, sizing and spacing shown in Tables 5 to 8 inclusive are *deemed-to-satisfy provisions* for timbers with a stress grade of C24 or equivalent.

Diagram Mg) Timber Floor Joint Notching Detail



a) limits for notching

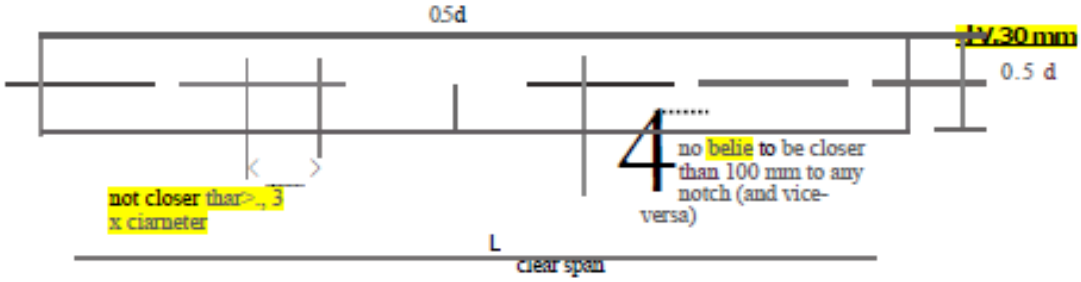


Note: This alternative notching may occur at both ends without a design check

b) alternative limits for notching

alternative position for notching

holes not exceeding 0.25 d diameter may be positioned on the centre line between 0.25 L aid 0.4 L from a support without a design check



c) limits for drilling None of these diagrams are clear

end of joists, trimmers, etc. supported by a joist hanger should be shaped to house the thickness and profile of the joist hanger N, chosen

d) end trimming

.7> means not greater than

(The diagrams submitted in this consultation response has been altered from the original diagrams in the document, we feel the original diagrams are extremely clear)

(Agree) **(Agree)**

Diagram A(4) Timber or Steel Fink Truss Design **NO EXPLANATION**

Diagram A(5) Timber or Steel Howe Truss Design **NO EXPLANATION**

(ACTIONED, added a clause to say that these diagrams are deemed-to-satisfy A.6.(5) Page 21)

(Agree) **(Agree)**

B.3. RESISTANCE TO MOISTURE OF FLOORS, WALLS AND ROOFS

The floors, walls and roofs of any structure shall be resistant to the passage of moisture sufficient to ensure that the structure is:

i) Internally free from damp; and
ii) Not at risk of deterioration through dampness.

This may be achieved by the following *Deemed-to-Satisfy* methods for conventional construction or by alternative means that are proven by relevant experience or independent professional certification to be not less effective.

The following are *Deemed-to-Satisfy provisions* in respect of:

(1) Moisture Resistance of ground supported concrete floors laid next to the ground:

a) Provide a concrete floor at least 100mm thick laid on a damp proof membrane of minimum 1000 gauge P.V.C, lapped 300mm at joints, laid on blinded compacted hard-core.

b) The finished floor level to be minimum 150mm above any adjacent external ground.

c) Any building which has any adjacent external ground within 1.8m of the building requires a concrete pavement,

(ACTIONED, reworded to make more clear Page 27)

(Agree) **(Agree)**

d) the pavement to be not less than 50mm thick, 900mm wide and laid with a slope away from the building at not less than 1 in 20 or 30.

(2) Moisture Resistance of Suspended Timber Floors:

Provide a timber or composite floor with the underside of its supporting beams or joists at least 450mm clear of the ground, open for cross-ventilation on at least two opposing sides and with:

a) A continuous breathable membrane on the underside of the floor structure; and

This is ambiguous. Membrane between joist and floor or under joists?

(Actioned, we reworded this clause Page 28)

(Agree) (Agree)

b) A damp proof and termite resistant material between the timber, at its point of support, and any material which can carry moisture from the ground.

(3) Moisture Resistance of External Walls:

a) **Buildings in the following Registration Districts:** Jamestown, Half Tree Hollow and Rupert's Valley, or Buildings entirely sheltered from wind and rain, for their full height and width, in other Registration Districts (see Diagram B(1):

What does this mean?

(Actioned, altered wording to make more clear Page 28)

(Agree) (Agree)

i) Provide a solid concrete block wall not less than 105mm thick with a compressive strength of not less than 3.5 N/mm².

ii) Insert a horizontal damp proof course at floor level through the full thickness of the wall and projecting minimum 6mm externally, lapped 300mm at joints.

iii) Render the blocks externally with 20mm sand cement render or lime-based render from damp proof course up to eaves level.

iv) Below the damp proof course paint any exposed edge of floor slab and the block work with bituminous paint down to ground level.

The applicant may, at his own discretion and risk, apply a material to form a key and render the bituminous paint provided such render does not bridge the damp proof course.

b) **Buildings in locations other than as described in paragraph (c) above** (see Diagram B(1):

This makes no sense. (Actioned, Should have read paragraph (a) change made Page 28)

(Agree) **(Agree)**

i) Provide a solid concrete block wall not less than 150mm thick with a compressive strength of not less than 3.5 N/mm².

ii) Insert a horizontal damp proof course at floor level through the full thickness of the wall and projecting minimum 6mm externally, lapped 300mm at joints.

iii) Render the blocks externally with 20mm sand cement render or lime-based render from damp proof course up to eaves level.

iv) Below the damp proof course paint any exposed edge of floor slab and the block work with bituminous paint down to ground level.

The applicant may, at his own discretion and risk, apply a material to form a key and render the bituminous paint provided such render does not bridge the damp proof course.

c) Provide a cavity wall comprising a solid concrete block wall or aerated concrete block wall with damp proof course all as in paragraph (3)a)ii) above, plus an additional leaf, with a cavity not less than 50mm wide with wall ties at 450 centres; plus a continuous stepped tray at damp proof course level, at lintels and window cills, to discharge water in the cavity towards the outside leaf; or

This is not clear. What happens at floor junctions? (Actioned, included Diagram B(2) Page 30)

(Agree) **(Agree)**

d) Provide a continuous proprietary external cladding to the whole area of the wall, with appropriate flashings and details all in accordance with the manufacturer's recommendations, to avoid ingress of rainwater to the blockwork; or

e) Insulate and render the wall with a proprietary external insulation and render system applied and detailed in accordance with the manufacturer's recommendations, or

D and E require diagrams for clarity. (DISMISSED, cladding should be done to manufacturers details, cladding can be done various ways with various products so 1 diagram would not suit all and impossible to draw render system)

(Agree) (Agree)

Diagram B(1) Moisture Resistance of External Walls

Render and bituminous paint should be shown.
Why does floor project through wall? If floor stops at wall – easier to lay floor, better moisture control and reduced cold bridging, thereby reducing efflorescence on internal wall face and improving health of occupants.
(DISMISSED, on island we construct walls like this to prevent white ants entering the building through the seam between the slab and external wall, this has been done traditionally for many years. Also if anyone wishes to construct with the slabs poured inside the wall they may do so as this is a deemed-to-satisfy)

(Agree) (Agree)

B.5. VENTILATION, DAYLIGHTING AND ROOM SIZES IN DWELLINGS

(1) In any dwelling or flat:

a) At least one bedroom shall have a floor area of not less than 11m²;

Every living room shall have a floor area of not less than 11m²; and

b) Any room combined with a kitchen shall have a floor area of not less than 11m².

Each such room shall have a minimum width of 2.4m and a minimum ceiling height of 2.4m measured to half the internal pitch where there is no horizontal ceiling.

(2) There shall be adequate natural daylight and means of ventilation provided to dilute pollutants and to avoid condensation, at a sufficient rate for the health and comfort of people in the building. The means of ventilation may be natural or mechanical or a combination. Nothing in this regulation shall preclude the use of a whole-house passive-stack ventilation system.

a) *Deemed-to-satisfy provisions* for **Natural Daylight and Ventilation of Habitable Rooms** - Provide:

i) a window to the external air having a glazed area not less than one tenth of the floor area of the room, at least half of which is openable with the top of that half not less than 1.8m above floor level;

ii) A permanently open ventilation grille to the external air measuring at least 0.33m² (150 x 225mm) not more than 300mm below ceiling level and fitted with an insect screen.

Does this mean in every room? At Longwood this would make a house uninhabitable for much of the year. How can it be ensured the hole will not be blocked up?
(ACTIONED Clause removed Page 32)
(Agree) (Agree)

Note: a habitable room which is combined with a kitchen shall, for the purposes of this regulation, be construed as a kitchen (as sub-regulation B6 (5)) below) for the purposes of ventilation but as a habitable room for the purposes of providing natural daylight.

b) *Deemed-to-Satisfy provisions* for **Ventilation of Bathrooms, Toilets and Domestic Kitchens** – Provide:

i) a window to the external air having a glazed area not less than one eighth of the floor area of the room, at least half of which is openable with the top of that half not less than 1.8m above floor level;

ii) Where gas facilities are used a permanently open ventilation grille to the external air measuring at least 0.50m² (225 x 225mm) not more than 300mm below ceiling level with an insect screen fitted shall be incorporated. Alternatively, but not in kitchens containing a cooking or heat producing appliance that takes combustion air from the room, provide mechanical ventilation extracting at the rate of not less than three air changes of the room per hour and permanently open incoming air at the same rate.

This is totally confusing. Mechanical vent in the Kitchen? To run permanently?
(DISMISSED, this is a requirement where an appliance has a pilot light which could result in the pilot light being blown out and allowing a build-up of gas in the room area. This forms part of the uk Gas regulations)
(Agree) (Agree)

c) There shall be adequate means of ventilation in roof spaces, under timber floors and in otherwise unventilated voids to avoid deterioration of the building.

Why is this in the room section? Ventilation can be provided by eaves or gable vents. This is out of place and therefore confusing.
(DISMISSED, this is not just in the room section, this is a combined ventilation, day lighting & rooms section. The second question is covered below in d) however we did reword the title to follow the order of the paragraphs)

(Agree) **(Agree)**

d) *Deemed-to-Satisfy provision* for **Ventilation of Roof Spaces**:

i) Provide natural cross ventilation in any roof space in the form of air bricks or grilles, sufficient to provide insect and bird proof ventilation.

No minimum standard then?
(Actioned, included minimum standard Page 32)
(Agree) **(Agree)**

e) *Deemed-to-Satisfy provision* for **Ventilation under Timber Ground Floors**:

i) Provide natural cross ventilation in the form of air bricks or openings, sufficient to provide insect and rodent proof ventilation in at least two opposing walls.

Likewise no minimum standard.
(Actioned, included minimum standard Page 32)
(Agree) **(Agree)**

This surely refers only to ground floor roofs?
(DISMISSED, this relates to timber ground floor, an example of this would be if you had to build up 4 courses to reach floor level then install joist, the area below the joist shall be ventilated as described. Don't understand the ground floor roof comment)
(Agree) **(Agree)**

PART D: STAIRCASES, RAMPS AND PROTECTION FROM FALLING

Stairs and ramps shall be constructed to ensure the safety to users of a building moving between different levels exceeding 600mm. Stairs, ramps, the edges of floors and balconies and any roof to which people have access, shall be guarded to protect users from the risk of falling.

D.1. PRIVATE STAIRCASES

(1) A private staircase is a staircase within, or intended to be used by a single dwelling;

a) The rise and going of each step shall be identical in every step and the treads shall be horizontal.

b) In any tapered tread the minimum going shall be 50mm and the going measured at the mid-point of the nosing of the tread, shall be equal to the going in the remainder of the staircase.

That make no sense. Provide diagram.
(Actioned, Included Diagram D(1) Page 42)

(Agree) **(Agree)**

c) There shall be a notional landing ***equal to the width of the stair*** at the top and bottom of every staircase:

(DISMISSED, this is covered under Table 9 Page 40)
(Agree) (Agree)

i) The notional landing at the top of the staircase and any intermediate landing shall be unobstructed.

ii) The notional landing at the bottom of a staircase may be encroached by the swing of a door provided it is at least 400mm at its closest, from the lowest riser.

Use word AWAY instead from the lowest riser.
(COMPRAMISE, we removed at it closest to simplify the wording Page 39)(Agree)
(Agree)
If the staircase has open risers, the treads shall overlap each other by not less than 16mm and the open risers shall be constructed such that a 100mm sphere cannot pass through them.

d) All private staircases shall be constructed in compliance with Table 9.

D.2. COMMON STAIRCASES

(1) A common staircase is a staircase serving more than one dwelling or any other purpose;

a) The rise and going of each step shall be identical in every step and the treads shall be horizontal; and

b) In any tapered tread the minimum going shall be 50mm and the going measured at the mid-point of the nosing of the tread, shall be equal to the going in the remainder of the staircase.

That make no sense again.
(Actioned, Included Diagram D(1) Page 42)
(Agree) (Agree)
There shall be a notional landing **equal to the width of the stair** at the top and bottom of every common staircase.

(DISMISSED, this is covered under Table 9 Page 40)
(Agree) (Agree)
The notional landing at the top and bottom of a common staircase and any intermediate landing shall be unobstructed including by the swing of a door.

PART K: THERMAL INSULATION

K.1. In any new building or in any extension to which persons normally have access other than solely for the maintenance of plant and equipment, reasonable provision shall be made to control excessive build-up of heat or loss of heat through the roof and walls of the building without the use of electrical equipment.
Why no minimum standard? Ceiling insulation is a major contributor to reduction of damp and improvement of quality of life and health.
(Actioned, Included Minimum Standard Page 68)

(To omit part K or specify types of insulation which can be used to satisfy this regulation as the regulation as written is ambiguous. As these regulations are a minimum standard anyone can still install insulation instead of it being a must for all.)

(Actioned, after discussion between building control and acting CPO we concluded that the minimum cost not including labour for purchasing enough ceiling insulation for a 100m² property would cost on island £1500 and if you were to import it yourself about £1400, therefore we have omitted this section on that basis. Furthermore as a compromise we decided to create some informational guidelines that we can give to applicants during the process of obtaining building regulations approval which would inform them of the positives that comes from using insulation and sealing buildings properly with the current damp issues, therefore if they have enough in their budget they could implement such suggestions.) **(Agree)**