Reasons for the Rejection of Applications at Gateway Two

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Introduction

The Building Safety Act, which is the foundation of the new building safety regime for the construction sector, introduces the requirement for Higher-Risk Buildings (HRBs) to obtain Building Control Approval from the Building Safety Regulator (BSR), and Build UK has produced an overview of the Gateway Two process and the documents that must be included within application to the BSR.

The BSR expects applications for Building Control Approval to demonstrate how the design and construction of an HRB will comply with the Building Regulations by:

- **Identifying** every single element that needs to demonstrate compliance with each part of the Building Regulations
- **Clarifying** which code or standard will be used to demonstrate compliance, with an explanation of why it is the most appropriate
- **Justifying** how the functional requirements have been met, with clear and comprehensible narrative referring to suitably labelled plans and drawings.

If the BSR is **not** satisfied that an application demonstrates how it meets all the functional requirements of the Building Regulations, it will be rejected.

To improve the information provided by applicants at Gateway Two, this Build UK guide collates feedback received from the BSR on the reasons why applications have been rejected for not complying with the Building Regulations, and it will be updated as more feedback becomes available.

Further Information

- The Building Regulations 2010 are statutory regulations that set standards for building work to protect the safety, health and welfare of people in and about a building.
- The Manual to the Building Regulations gives an overview of how the Building Regulations system works (Volume 1) and provides guidance for those working in the construction industry (Volume 2).
- The Approved Documents provide practical guidance on how to comply with the Building Regulations.
- Build UK's overview of Gateway Two sets out the documents that must be included in an application for Building Control Approval to the BSR.

The BSR can be contacted on **0300 790 6787** with queries relating to the submission and management of applications for Building Control Approval for HRBs.

Approved Documents

The Approved Documents have been approved by the Secretary of State to provide practical guidance on how to comply with the requirements of the Building Regulations. There is an online PDF available containing all the Approved Documents, which is designed to make it easier to find, view and search them in one place.

When changes are made to the Building Regulations or new guidance is issued, a separate amendment to the relevant Approved Document is published, which should be read in conjunction with the original Approved Document.

Why Applications are Rejected

According to data released by the Building Safety Regulator (BSR), around a third of applications have been approved to date, with the remainder invalid, rejected or withdrawn.

The key reasons why applications are rejected include:

- Not containing sufficient detail
- Not meeting the legal requirements for work on HRBs
- Setting out work which would contravene Building Regulations
- Not adequately setting out how changes would be managed through the construction phase
- Not adequately setting out how the project would satisfy the requirements for the Golden Thread and Mandatory Occurrence Reporting.

An application must **demonstrate** how it meets all the functional requirements of the Building Regulations, such as structure and fire safety; simply stating that a design or element is compliant without supporting evidence is not sufficient.

For example, to demonstrate compliance with Part A – Structure, design loading information should be clear, complete and consistent for every element of the building and a list of safety critical elements provided with links or references to where the design information can be found. For Part B – Fire Safety, full details of all elements of the fire design strategy should be included showing positions of all fire protection measures, as well as product certification, to demonstrate compliance with relevant standards and test requirements.

Feedback from the BSR

Approved Document	Insufficient and Inconsistent Information and Detail	BSR Example Reasons for Rejection

Part A – Structure
 	
A1: Loading
A2: Ground Movement
A3: Disproportionate Collapse
	• Calculations demonstrating design and compliance to relevant standards
	• Connection and bracket details including:
	  ○ balconies
	  ○ facades
	  ○ steelwork
	• Crack width calculations for retaining walls
	• Critical structural elements
	• Design loads including:
	  ○ accidental loads on precast columns
	  ○ additional loads on ground beams
	  ○ arches
	  ○ balconies
	  ○ cladding loads on slab edges
	  ○ column base design calculations
	  ○ horizontal loads
	  ○ internal partitions
	  ○ masonry
	  ○ piles
	  ○ snow
	  ○ wind
	• Material grades e.g. concrete and steel
	• Movement joints and how movement is accommodated
	• Pile settlement analysis
	• Presence or use of transfer elements in the building
	• Service holes in reinforced concrete
	• Strategy for robustness and disproportionate collapse
	• Structural analysis of wind posts, masonry panel checks, masonry support brackets, SFS inner skin, etc.
	• Vibration limits for balcony designs
		Insufficient information regarding the fact that the building/piling is close to an existing highway's retaining wall structure and there are likely to be considerations for this which need to be taken into account.
		
		No reference to the testing regime of the piling proposed beyond concrete cube testing.
		
		Insufficient calculations to demonstrate the works had been designed to Eurocode requirements.
		
		Obvious lack of co-ordination between structural engineer's loading document and façade design with loading assumptions and support points not matching.

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Part B – Fire Safety: Volume 1 Dwellings & Volume 2 Buildings Other Than Dwellings
 	
B1: Means of warning and escape
B2: Internal fire spread (linings)
B3: Internal fire spread (structure)
B4: External fire spread
B5: Access and facilities for the fire service
	• Fire detection systems and positions
	• Fire resistance of structure, wall and ceiling linings including roof garden
	• Fire stopping and cavity barrier proposals in relation to fire strategy
	• Integrity of façade around openings
	• Layout of water suppression or sprinkler system
	• Location of premises information box
	• Position of cavity barriers
	• Smoke extraction system
	• Sprinkler system layout and water supply
	• Test data of fire-rated elements
	• Water supply for wet riser system and fire service
	• Evacuation information including:
	  ○ corridor lengths
	  ○ management of evacuation for persons with disability
	  ○ methods of releasing door hold open devices
	  ○ proximity of staircases
	  ○ reference to incorrect British Standards
	  ○ routes through adjacent or adjoining compartments
	  ○ separation distances
	  ○ siting of lifts adjacent to firefighting lifts
	  ○ travel times to place of safety
		Fire strategy drawings do not provide complete details of the fire safety features such as locations of dry risers, inlets, fire alarm panels, refuges, access controls etc.
		
		Lack of information demonstrating how integrity of façade would be maintained around ventilation duct openings in façade.
		
		Insufficient information on the products proposed for the façade to demonstrate compliance with Part B requirements.
		
		No information on elevations showing position of cavity barriers and fire stops.
		
		The simulations do not include pre-travel time and the results of the study do not show that the occupants evacuate to a place of relative safety in five minutes.
		
		Both staircases are in close proximity, located on the same portion of corridor, and could be compromised by fire and smoke concurrently. This poses a risk to means of escape and fire services access.

Part C – Site Preparation and Resistance to Contaminants and Moisture	• Certification, continuity and performance of rainscreen cladding • Continuity of below ground waterproofing • Membrane details for specific situations e.g. ground floor vs roof products • Waterproofing detail to contain water spillage on basins, baths etc.	
Part D – Toxic Substances	*No feedback available*	*No feedback available*

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Part E – Resistant to the Passage of Sound		Insufficient justification of how the proposed construction meets the acoustic requirements.
Part F – Ventilation: Volume 1 Dwellings & Volume 2 Buildings Other Than Dwellings	*No feedback available*	*No feedback available*
Part G – Sanitation, Hot Water Safety, and Water Efficiency		Evidence/explanation required as to how temperature to baths and showers is controlled to 48°C.
Part H – Drainage and Water Disposal	• Foul water drainage • Liaison with water company • Pumped drainage system including storage tanks • Rainwater drainage • Storage of refuse, number of bins, frequency of emptying	
Part J – Combustion Appliances and Fuel Storage Systems	• Air supply and discharge of products of combustion • Generator package fuel tank and pipework • Volume and protection of liquid fuel storage system	
Part K – Protection from Faling, Collision and Impact	• Glazing, type used and how compliance is achieved • Manufacturers' information on products or elements used • Protection against impact and trapping in relation to doors • Protection from falling • Safe access for cleaning of windows • Safe opening and closing of windows	
Part L – Conservation of Fuel and Power: Volume 1 Dwellings & Volume 2 Buildings Other Than Dwellings		Insufficient explanation on how Part L is achieved

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Part M – Access to and Use of Buildings: Volume 1 Dwellings & Volume 2 Buildings Other Than Dwellings	• Heights of services and controls within the dwelling • Further adaptability of the bathroom units • Access statement and plans • Number of accessible rooms	
Part O – Overheating	*No feedback available*	*No feedback available*
Part P – Electrical Safety	*No feedback available*	*No feedback available*
Part Q – Security		Details for the accessible doors, windows, security devices and resilient layers not provided.
Part R - Infrastructure for Electronic Communications: Volume 1 New Dwellings & Volume 2 High-Speed Networks		Building work must be carried out so as to ensure that the building is equipped with a high speed ready in-building physical infrastructure, up to a network termination point for high-speed electronic communications networks. Details of ductwork providing a route for connection is the Building Regulations requirement. The work to connect to individual rooms and clusters is beyond scope.
Part S - Infrastructure for the Charging of Electric Vehicles		Insufficient details provided on level of parking on the site to enable assessment of provision can be assessed.
Part T – Toilet Accommodation		This applies to this application, but limited information to demonstrate compliance has been provided.