



Means of Escape from Enclosed Private Balconies to Flats

Purpose

BCA technical guidance notes are for the benefit of its members and the construction industry, to provide information, promote good practice and encourage consistency of interpretation for the benefit of our clients. They are advisory in nature, and in all cases the responsibility for determining compliance with the Building Regulations remains with the building control body concerned.

This guidance note is based upon information available at the time of issue and may be subject to change. The Approved Documents should be consulted for full details in any particular case.

Introduction

This guidance has been produced as a result of the increased practice of enclosing external balconies in order to extend the living accommodation for occupants of flats.

This advice note does not consider external open balconies for means of escape purposes however, as they will require some provisions for means of escape, reference can be made to BS9991:2011 Annex C which details precautions that should be taken for both open and enclosed balconies.

Key Issues

It is considered the enclosure of a balcony post completion of the dwelling would attract an application under the building regulations by virtue of building regulation 3 (1) (c) 'the material alteration of a building', further supported by sub section (2) (a) or (b) where the carrying out of that work may result in a building not complying where previously it did, or causing a greater contravention to one that already existed.

Consideration should be given as to the range of regulations that are applicable. Part B is an obvious choice but Part C, E and L are also likely to come into play; however this advice note will concentrate on Part B and means of escape provisions only.

Building Regulations Approved Document B Volume 2 'Buildings other than dwellinghouses' (2006 edition) is silent on the subject of external balconies (open or enclosed) where they form a part of a single dwelling, all references to balconies relate to their use when forming a part of a common escape route once outside the confines of the dwelling (2.7, 2.17, 2.22), no guidance is given as to the enclosure or otherwise, travel distance or fire resistance requirements that could impact on means of escape.

Clause 2.5 makes reference to escape routes from inner rooms; however the definition is narrow and does not include a habitable room which is likely to be the purpose of an enclosed balcony.

BS 9991:2011 –'Fire safety in the design management and use of residential buildings' does give guidance, Section 1 – General, clause 1(Scope) confirms the guidance applies to new build, material alterations or material change of use.

Section 2 clause 7 states where alternative escape from a flat is recommended reliance should not be placed on external rescue 'The reliance of fire safety on manipulative apparatus, e.g. lowering lines or throw-out ladders, for means of escape, or on external rescue from the lower storeys of a building by the fire and rescue service using mobile ladders, is not advisable'.

Therefore there is no expectation that the balcony, through being enclosed, will adversely affect an escape route, in that it should not have been considered as such from the outset. However, it does state enclosed private balconies serving a single dwelling should be treated as inner rooms and be in accordance with Annex C of the standard.

This best practice note will focus on the requirements of BS9991:2011, and it must be borne in mind that a mix of requirements from this document and Approved Document B should not be used to prove or disprove a particular solution.

Clause 5.1 goes into greater detail informing of the need to keep areas below balconies clear of obstruction to allow a ladder to be used, this is despite advice elsewhere in the BS that external escape from balconies should not be incorporated in any means of escape design, and so is presumably a last resort situation that could be used to aid rescue.

Clause 7.1 defines an enclosed private balcony as being an inner room with Annex C of the BS providing further details on standards to be achieved (see Appendix 1), and thus clearly brings them within the scope of BS9991 for means of escape purposes.

Clause 9 'Internal Planning of Flats' deals with travel distances within the flat, exact distances being dependant on flat layout and the existence, or otherwise of internal protected hallways. Travel distances must include the balcony, with the total permissible travel distance within the flat being measured from the furthest point of the balcony to the place of safety.

Clause 9.1 Advises that cooking facilities in open plan flats should be so sited as to not prejudice escape, with annex C3.d providing greater detail when an enclosed balcony exists. If there is a cooking risk in the access room it must be separated unless it is considered sufficiently remote from the travel route from the balcony as to not pose a threat, or as an alternative automatic fire suppression can be considered. The caveat to the above is that in any case where the travel distance exceeds 7.5m then an alternative escape route must be provided.

Clause 9.3 states any flat situated not more than 4.5m above ground level with an inner room that is used for habitable purposes (an enclosed balcony) must have either a door or window opening that conforms to clause 5.1 for escape or be fitted with a Grade D L1 fire alarm system (clause 9.3).

Annex C3.a confirms an open balcony that serves a flat more than 4.5m above ground level must ensure any internal escape route from it to the entrance door must not pass through more than one access room and all parts of that room must be visible from all areas of the balcony to assist in early visual warning of the outbreak of fire, and if travel distances are excessive an alternative route must be provided from the balcony without having to pass through the inner access room.

Clause 29.2 advises where an enclosed balcony abuts other balconies on adjoining dwellings it must have fire

Guidance

- A balcony that is enclosed post completion is subject to control under the building regulations, regardless of its floor area
- Enclosure of the balcony will result in the link room to the balcony becoming an access room and as such the balcony can only be accessed through a single access room between it and a protected corridor or flat entrance
- Travel distances are restricted and must meet internal travel distances for the accommodation type, this also being dependant on the floor height above GL with floors over 4.5m attracting greater restrictions on travel distances.
- Fire resisting construction must be used to separate the balcony from adjoining and contiguous balconies on adjoining dwellings
- All parts of access rooms must be visible from all areas of the balcony

Key Notes

Once a decision has been taken that building regulations apply to an enclosed balcony, it is for the Building Control Body to determine the extent and range of regulations that should be taken into account.

It is a considered view that Parts C & L should apply, but if the balcony is thermally separated from the dwelling by walls/glazed doors then reference should be made to the BCB's policy on 'conservatories attached to dwellings' as a means of addressing matters of energy efficiency.

Part C should be a material consideration as the ingress of water is frequently cited as a point of dissatisfaction by persons having such work carried out.