GUIDANCE NOTE FOR CONSTRUCTION PROFESSIONALS ON THE USE OF ACCESS STATEMENTS IN DEMONSTRATING COMPLIANCE WITH PART M OF THE BUILDING REGULATIONS – ACCESS TO AND USE OF BUILDINGS

Introduction

The current Part M of the Building regulations came into effect on 1 May 2004, with amendments being published in 2010 and 2013. Approved Document M suggests various ways of achieving compliance with the core requirements and in the majority of cases the designer will choose to accord with these recommendations or the similar guidance contained in the British Standard Code of Practice B.S.8300:2009. This is not mandatory however as these documents only show one way in which to comply and there may be other equally satisfactory ways in which the requirements can be met. Approved Document M also introduces the concept of an Access Strategy.

By considering access issues for all members of society at the earliest opportunity steps can be taken to ensure facilities are suitable for use, and accessible by everyone. The process will also help inclusive design proposals to be fully integrated into the design from the beginning rather than considered towards the end of the process when only less effective, compromise solutions can be achieved.

The access statement should clearly identify:
- The philosophy and approach to inclusive design
- The key issues of the particular scheme
- The source of advice and guidance used
- How the principles of inclusive design have been implemented into the scheme
- How inclusion will be maintained and managed

Purpose of an Access Strategy

Alternative solutions to access problems will vary depending on the intended use of a building, its size and location. The gradient of the plot will also have an influence. Changes of use and extensions to existing buildings can present problems particularly if they are of architectural or historic importance. The purpose of an Access Strategy is to allow a designer to outline their philosophy and approach to achieving a reasonable level of accessibility. In its simplest form this may be a confirmation that they intend to accord fully with the guidance contained in either Approved Document M or B.S.8300:2009. In this case the specifications and drawings submitted with the Building Regulations application should demonstrate this.

Non-conformity with Usual Design Guidance

For designs that deviate from the usual design guidance, the Access Statement provides an opportunity to bring the Building Control Surveyor’s attention to this fact and to explain and justify that reasonable provision for accessibility has been made in other ways. The designer may wish to adopt more innovative methods or it may be that the normal provisions are not feasible for reasons of security, structural integrity, safety, cost constraints or conservation issues. In all the above cases the designer needs to demonstrate the achievement of a reasonable provision, or an equivalent or better level.

It should be noted that approval of proposed works by a building control body does not necessarily indicate compliance with duties under the Equalities Act 2010.
Further guidance on Access Statements and related matters can be found in Approved Document M (Paras 0.20-0.28) and on the Equality and Human Rights Commission website at www.equalityhumanrights.com. The Centre for Accessible Environments (CAE) also offers advice.