

EVOLUTION OF REGULATORY FRAMEWORKS FOR INCLUSIVE BUILT ENVIRONMENTS: FROM PARAMETRIC REQUIREMENTS TO A SCENARIO-BASED FUNCTIONAL APPROACH

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Abstract. The article presents a comprehensive analysis of international approaches to the regulatory framework governing accessibility and inclusivity of the built environment from an architectural and legal perspective. The relevance of the study is driven by the need to reconsider the current system of Ukrainian state building regulations in the field of inclusion, which, under conditions of post-war reconstruction, redevelopment of historical environments, and adaptation of public buildings to contemporary requirements, increasingly reveals the limitations of a purely parametric approach. It is demonstrated that architectural accessibility, in its modern understanding, cannot be reduced solely to technical compliance with regulatory indicators but represents a materialized form of implementing the principles of equality, human dignity, and non-discrimination within the spatial environment.

The paper examines the provisions of DBN V.2.2-40:2018 in comparison with international standards and national regulatory documents of selected countries, including ISO 21542:2021, DIN 18040 (Germany), TEK17 (Norway), Disability (Access to Premises — Buildings) Standards 2010 (Australia), Approved Document M and BS 8300 (England), the Spanish Building Technical Code (Código Técnico de la Edificación), and SIST EN 17210 (Slovenia). The analysis focuses on identifying methodological differences between the parametric regulatory model characteristic of the Ukrainian normative framework and the scenario-based and performance-based approaches applied in international practice.

The methodological framework of the study is based on comparative legal analysis, a systemic examination of the built environment, and a scenario-based functional approach to assessing spatial use by different population groups. The results indicate that there are no fundamental discrepancies between Ukrainian and international regulatory documents regarding basic geometric accessibility parameters. However, the key difference lies in the logic of regulation: while Ukrainian state building norms are primarily oriented toward fixing minimum permissible parameters as compliance criteria, international standards and national systems of leading countries emphasize the achievement of functional accessibility outcomes.

The synthesis of international experience substantiates the feasibility of a two-level regulatory model for inclusivity, which combines mandatory minimum technical requirements as a baseline level of compliance with the possibility of applying alternative design solutions, provided that their equivalent or higher inclusive quality is demonstrated. The findings may be used in the process of updating Ukrainian state building regulations, as well as in architectural design and expert practice when substantiating inclusive solutions under complex architectural and urban planning conditions.

Keywords: inclusion, accessibility, universal design, state building regulations, scenario-based functional approach, international standards.

Introduction. In the second half of the twentieth and early twenty-first centuries, provisions aimed at ensuring the barrier-free and inclusive character of the built environment have evolved from narrowly specialised technical prescriptions into indicators of the maturity of the legal system and the democratic character of the state. Architectural accessibility is increasingly understood not as an optional social feature, but as a materialised expression of respect for human dignity, equality, and non-discrimination.

It is precisely through the norms of construction and urban planning law that abstract constitutional principles acquire a spatial dimension — manifested in the dimensions and logic of horizontal and vertical circulation, and in the ability to use space independently without external assistance.

Comparative analysis of international experience demonstrates that the higher the level of democratic development of a state, the more systematic and detailed is its regulatory concern for the individual as a user of space. In democratic legal systems, inclusion is secured not only through general declarations, but also through binding technical standards, effective enforcement mechanisms, and the availability of legal remedies in cases of non-compliance. Consequently, barrier-free design becomes not an "additional convenience", but a legally guaranteed right, the implementation of which does not depend on the discretion or goodwill of the client or designer. This approach fosters a new professional culture in which inclusivity is perceived as a fundamental qualitative attribute of architectural design.

Despite differences in political regimes and levels of democratic development, even states with limited democratic institutions seek to demonstrate alignment with contemporary global trends in human rights and social inclusion. This is reflected in the adoption of regulatory acts and technical provisions that, at least formally, declare the necessity of ensuring accessibility for persons with disabilities and persons with reduced mobility. In such legal systems, inclusivity is typically codified in the form of framework social legislation or general provisions within construction regulations, which do not constitute a comprehensive system of universal design and are rarely supported by detailed technical standards or effective enforcement mechanisms. At the same time, the very existence of such instruments — including laws on the protection of the rights of persons with disabilities or specific provisions within national building codes — indicates an intention to "keep pace with modern developments" by integrating the fundamental principles of barrier-free accessibility into national law, even where their practical implementation remains limited.

In this context, a comparison of Ukrainian state building codes in the field of inclusivity with international standards and the regulatory practices of selected countries makes it possible not only to identify technical differences, but also to conceptualise the deeper relationship between architectural accessibility, democratic institutions, and legal culture as a whole. Within this framework, inclusion emerges as a spatial-legal category reflecting the degree of state attention to all segments of the population and their everyday needs.

Analysis of Recent Research and Publications. The issue of ensuring barrier-free accessibility and inclusivity of the built environment has been extensively examined over recent decades in the works of international and Ukrainian scholars, as well as within international standards and regulatory frameworks. A significant body of contemporary research focuses on the concept of universal design as both a theoretical and practical foundation for the creation of accessible environments, as reflected in the works of R. Imrie [1], S. Goldsmith [2], and M. Story [3], as well as in the recommendations of the United Nations and the European Union.

Recent publications in professional architectural and urban planning journals increasingly emphasise the relationship between inclusion, quality of life, and spatial justice, as well as the necessity of integrating accessibility principles into the overall design logic rather than applying them as isolated technical additions.

At the same time, a substantial body of literature is devoted to the analysis of regulatory frameworks governing accessibility in different countries. International research increasingly highlights the effectiveness of performance-based and scenario-based regulatory models, which allow for the reconciliation of mandatory requirements with design flexibility. This approach is reflected in international standards such as ISO 21542 [4] and EN 17210 [5], as well as in national regulations, including Germany's DIN 18040 [6], Norway's TEK17 [7], the United Kingdom's Approved Document M and BS 8300 [8, 9], and Australia's Disability (Access to Premises — Buildings) Standards [10]. Within these documents and related academic publications, accessibility is conceptualised not as a checklist of minimum dimensional requirements, but as the achievement of functional usability of space for a diverse range of users.

In recent Ukrainian academic publications, the issue of inclusion in construction and

architecture has been primarily addressed in two main dimensions. First, it is examined as a matter of social protection and the realisation of the rights of persons with disabilities. Second, it is considered in the context of compliance with existing national building regulations, particularly DBN V.2.2-40:2018, including Amendment No. 1 [11]. Within this regulatory-oriented approach, a significant proportion of publications focus on explaining and verifying the compliance of design solutions with DBN requirements and on describing specific accessibility elements, such as circulation routes, ramps, entrance groups, and sanitary facilities. This is evident, in particular, in works addressing inclusivity in architectural theory and practice (V. Shulyk) [12], applied research on the design of entrance groups and spatial planning solutions (O. Kovalska; P. Dumnych) [13], broader typological and urban studies (V. Osychnanskyi; A. Dmytrenko; Ye. Yanovytskyi) [14], and related engineering and safety research that considers the needs of persons with reduced mobility in evacuation scenarios (M. Peleshko; V. Myroshkin) [15].

In parallel, a growing body of research emphasises universal design as a contemporary framework for the formation of barrier-free environments (O. Baldyniuk) [16], alongside studies reviewing and synthesising international approaches (O. Anholova) [17] and examining the application of DBN requirements to specific building types (Ya.-R. Chernii) [18]. However, despite the accumulation of applied research, the Ukrainian academic discourse has not yet sufficiently developed a methodological re-evaluation of the regulatory model itself — namely, the transition from a "catalogue of parameters" approach toward a scenario-based and performance-oriented understanding of accessibility, compatible with European standards and the practice of alternative design solutions, provided that an equivalent or higher level of inclusive quality can be demonstrably achieved.

Thus, despite the existence of a substantial body of research, the integration of a scenario-based and performance-oriented approach into the national system of building regulation in Ukraine remains insufficiently developed. In particular, the academic discourse lacks studies aimed at substantiating mechanisms for reconciling the strict regulatory control function of the DBN with the possibility of applying alternative design solutions that provide an equivalent level of inclusive quality. This gap — between formal regulatory compliance and the actual accessibility of space — defines the subject of the present study.

The results of the research indicate that there are no fundamental contradictions between Ukrainian and international standards with regard to the basic geometric parameters of accessibility. The key distinction lies in the regulatory methodology: whereas the DBN is primarily oriented toward the specification of minimum permissible parameters, international standards and national regulatory systems of leading countries apply a scenario-based or performance-based approach, in which parameters are understood as instruments for achieving functional accessibility rather than as ends in themselves. The scientific novelty of this study lies in substantiating a two-tier regulatory model that combines mandatory minimum requirements with the possibility of applying alternative design solutions, provided that their equivalent or superior inclusive quality can be demonstrated.

The practical significance of the obtained results lies in the potential application of the proposed model in the revision of DBN V.2.2-40:2018, as well as in design and expert practice when substantiating inclusive solutions in complex architectural and urban planning contexts.

Purpose and Objectives of the Study. The purpose of this article is to substantiate the possibilities for the evolutionary revision of Ukrainian state building codes in the field of inclusivity of the built environment by integrating mandatory minimum technical requirements with a scenario-based and performance-oriented approach to accessibility assessment, based on an analysis of international standards and national regulatory systems of selected countries.

To achieve this objective, the article addresses the following tasks:

1. To analyse the current regulatory model for ensuring barrier-free accessibility in Ukraine, as established in DBN V.2.2-40:2018, from the perspective of its parametric logic and regulatory control function.
2. To conduct a comparative analysis of DBN V.2.2-40:2018 and the international standard ISO 21542:2021 in order to identify methodological differences in approaches to accessibility regulation.
3. To examine national regulatory systems governing inclusivity of the built environment in

selected countries (Germany, Norway, Australia, England, Spain, and Slovenia) as examples of scenario-based and performance-based regulatory models.

4. To substantiate a two-tier regulatory model for inclusion that combines mandatory minimum requirements with the possibility of applying alternative design solutions.

5. To identify practical directions for applying the proposed model in design and expert practice, as well as in the process of revising national building codes.

Materials and Methods. The research materials included international and national legal, regulatory, and technical documents related to accessibility and inclusivity of the built environment, in particular DBN V.2.2-40:2018 [11], ISO 21542:2021 [4], DIN 18040 [6], the Norwegian technical regulation TEK17 [7], the Disability (Access to Premises — Buildings) Standards 2010 (Australia) [10], Approved Document M and BS 8300 (England) [8, 9], the Código Técnico de la Edificación (Spain) [19], SIST EN 17210 (Slovenia) [5], as well as related methodological and analytical materials.

The methodological framework of the study is based on the comparative legal method, which enabled the comparison of regulatory approaches to inclusion across different legal systems and the identification of their common features and distinctions. A systems approach was applied to analyse the built environment as an integrated set of spatial, functional, and regulatory elements. To assess the actual usability of architectural solutions, a scenario-based and performance-oriented method was employed, involving the analysis of circulation routes, manoeuvring, orientation, and the use of key building functions by different user groups. In addition, formal-logical and structural-analytical methods were applied to generalise the findings and to formulate conclusions regarding the possibilities for the evolutionary revision of national building regulations.

Main Body. The current state building codes of Ukraine in the field of inclusivity, in particular DBN V.2.2-40:2018 [11], are predominantly structured according to a parametric regulatory logic. Within this framework, accessibility of the built environment is defined through a set of minimum permissible geometric and technical parameters of the usable space, including ramp gradients, passage widths, sanitary facility dimensions, door opening parameters, and related characteristics. Compliance with these parameters constitutes a mandatory condition for obtaining expert approval and commissioning of a building.

This approach ensures formal controllability and standardisation of design solutions; however, it has limited capacity to assess the actual usability of space for independent use by diverse user groups. Within the DBN framework, instruments for scenario-based analysis of building use are largely absent, and deviations from prescribed parameters — even where functional accessibility is effectively achieved — are typically interpreted as regulatory violations. This limitation is particularly problematic in the context of renovation projects, historic buildings, and complex urban conditions.

The international standard ISO 21542:2021 [4] is based on a fundamentally different regulatory methodology, centred on the concepts of accessibility and usability of the built environment. Unlike DBN [11], ISO [4] does not reduce inclusivity to a fixed set of dimensional requirements, but instead conceptualises it as the outcome of a coherent user scenario, encompassing the entire sequence of spatial interaction — from arrival at the site to the completion of activities within the building as a user of the built environment.

Comparative analysis demonstrates that there are no fundamental contradictions between DBN V.2.2-40:2018 [11] and ISO 21542 [4] with respect to basic geometric parameters. The difference lies not in the numerical values themselves, but in the logic of their application: whereas DBN establishes minimum permissible values as fixed compliance criteria, ISO treats such parameters as one of several possible means of achieving functional accessibility. Consequently, the standard allows for alternative design solutions, provided that an equivalent or higher level of inclusive quality of the built environment can be demonstrated.

Based on the comparison of Ukrainian and international regulatory practices, it is appropriate to propose an evolutionary model for revising DBN in the field of inclusivity. The essence of this model lies in the introduction of a two-tier regulatory system. The first tier retains mandatory minimum technical requirements as a baseline standard of compliance, ensuring the state's regulatory control function and providing legal certainty for expert review.

The second tier provides for the possibility of applying alternative design solutions that deviate from specific prescribed parameters but achieve an equivalent or higher level of accessibility from the perspective of user scenarios. Such solutions must be supported by a substantiated demonstration of functional usability, including safe manoeuvring, independent use, and spatial orientation. The introduction of this tier would enable the transformation of DBN from a purely prescriptive regulatory instrument into a framework for the professional assessment of the inclusive quality of architectural design solutions.

The effectiveness of this two-tier model (mandatory minimum parameters combined with permitted alternative solutions) is clearly demonstrated in countries where accessibility regulation is structured not as a rigid catalogue of numerical values, but as a system of accessibility objectives and verifiable functional outcomes. In Germany, for example, the DIN 18040-1:2010-10 standard [6] establishes clear minimum geometric requirements for circulation routes, including corridors and communication spaces that must be sufficiently wide to accommodate wheelchair users and bidirectional movement, typically with a minimum width of 150 cm, alongside specific provisions for narrow sections and passing areas. At the same time, DIN incorporates the logic of *Schutzziele* (protective or functional objectives), whereby a requirement — such as the perceptibility of glass walls — may be satisfied through alternative means, provided that the same functional objective of safety and orientation is achieved. This fundamentally distinguishes the DIN approach from a strictly parametric interpretation of DBN, as it grants architects the possibility of implementing alternative spatial or technical solutions, subject to the obligation to demonstrate functional equivalence in terms of visibility, legibility, and safe passage.

In Norway, a comparable form of functional flexibility is provided by TEK17 (Regulations on Technical Requirements for Construction Works) [7], where requirements are formulated in terms of usability and functional accessibility of routes and entrances. For buildings subject to universal design requirements or accessible residential units, the regulation establishes step-free access, maximum permissible slopes (not steeper than 1:15), and minimum corridor widths of 1.5 m, with certain exceptions for short sections. In addition, functional manoeuvring spaces in front of doors (typically 1.5×1.5 m) and other usability-related requirements are prescribed. For the purposes of Ukrainian comparative analysis, this is particularly significant, as TEK17 explicitly links dimensional requirements to user scenarios — such as orientation, passing of two wheelchair users, accessibility of controls, and safety — thereby reflecting a scenario-based and performance-oriented logic that remains insufficiently developed in DBN, where parametric prescriptions tend to dominate.

A second group of examples demonstrates the integration of inclusivity through the interconnection of human rights protection, building regulation, and functional standardisation. In Australia, the relationship between the right to non-discrimination and architectural solutions is formalised in the *Disability (Access to Premises — Buildings) Standards 2010* [8, 9], in conjunction with the Access Code. This regulatory framework explicitly operates within a performance-based paradigm: it first establishes a Performance Requirement — for example, sanitary facilities must be "suitable", taking into account the building's function, the number of users, and their needs — and subsequently defines the *Deemed-to-Satisfy* provisions, specifying how compliance may be demonstrated through adherence to particular technical criteria. A similar logic applies to vertical circulation, where the requirement that "a lift must be suitable for use by persons with disabilities" defines the intended functional outcome, followed by a set of acceptable technical solutions through which this outcome may be achieved.

In England (United Kingdom), building regulations are reinforced by governmental guidance documents. Approved Document M (*Access to and Use of Buildings*) refers to BS 8300-2:2018 [8] as a recognised code of practice for inclusive environments and introduces mandatory provisions for specialised accessibility solutions, including, for example, *Changing Places* toilets in certain categories of large public buildings. In this context, inclusivity is not treated as an optional feature, but as an essential quality requirement of public infrastructure.

The Spanish regulatory model is likewise illustrative, as inclusivity is embedded within the *Código Técnico de la Edificación (CTE)* [19]. The Code explicitly permits the use of alternative

technical solutions, provided that their equivalence to established requirements is adequately substantiated. At the same time, in the domain of accessibility — particularly with respect to accessible sanitary facilities — it establishes specific dimensional and functional parameters as part of a broader system ensuring safety and usability.

Slovenia, in turn, represents the European standards-based framework through SIST EN 17210:2021 (EN 17210:2021) [5]. This standard defines minimum functional requirements for accessibility and usability and is grounded in the principles of Universal Design. It explicitly acknowledges its conceptual foundation in ISO 21542 [4] and does not prescribe a single method of compliance, thereby preserving flexibility for national regulatory systems and technical specifications.

Taken together, these examples reinforce the central conclusion of this study: the most effective regulatory systems do not abandon minimum compliance requirements, but instead shift the focus of regulatory control from the verification of fixed numerical parameters to the verification of achieved functional outcomes. This approach creates a legally structured framework that enables innovative architectural solutions while ensuring the preservation — and potentially enhancement — of inclusive quality.

The generalisation of this international experience demonstrates that contemporary European and Anglo-Saxon regulatory models of inclusivity are oriented toward the functional outcomes of spatial use, rather than solely toward formal dimensional compliance. This approach constitutes a relevant and necessary reference point for the further development and modernisation of Ukrainian building regulations.

Conclusions. The conducted study has established that the current regulatory model for ensuring inclusivity of the built environment in Ukraine, as defined in DBN V.2.2-40:2018, is predominantly based on a parametric approach oriented toward compliance with minimum permissible geometric and technical parameters. While this model ensures formal regulatory control over design solutions, it has limited capacity to assess the actual usability of space for independent and safe use by diverse population groups, particularly in the context of renovation, historic environments, and complex urban planning conditions.

A comparative analysis of DBN V.2.2-40:2018 and the international standard ISO 21542:2021 demonstrates that there are no fundamental contradictions between them with respect to basic spatial parameters. The key difference lies in the regulatory methodology: whereas Ukrainian standards establish parameters as fixed compliance criteria, ISO 21542 interprets them as one of several possible instruments for achieving functional accessibility within a comprehensive user scenario. It is precisely this scenario-based and performance-oriented approach that enables accessibility to be assessed not formally, but from the perspective of the actual user experience.

The scientific novelty of this study lies in substantiating a two-tier model for the evolutionary revision of Ukrainian state building codes in the field of inclusion. The proposed model provides for the retention of mandatory minimum technical requirements as the baseline level of regulatory compliance, while simultaneously introducing a mechanism for alternative design solutions, permitted on the condition that their equivalent or superior inclusive quality is demonstrably achieved. This approach enables the reconciliation of the state's regulatory control function with the necessary degree of design flexibility and professional responsibility on the part of the architect.

The analysis of international experience (Germany, Norway, Australia, England, Spain, and Slovenia) confirms the effectiveness of scenario-based and performance-based regulatory models, within which inclusivity is understood as an integral spatial quality rather than a set of isolated regulatory elements. In these systems, alternative solutions are not only permitted but constitute a legitimate instrument for ensuring accessibility, provided that defined functional objectives are achieved.

The practical significance of the research findings lies in the potential application of the proposed model in the preparation of amendments and revisions to DBN V.2.2-40:2018, as well as in design and expert practice when substantiating inclusive solutions in complex architectural contexts. Prospects for further research include the development of methodologies for scenario-based accessibility assessment, the formalisation of criteria for equivalent inclusive quality, and the adaptation of these tools to the national system of technical regulation in construction.

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ЕВОЛЮЦІЯ РЕГУЛЮВАННЯ НОРМАТИВНОСТІ ІНКЛЮЗІЇ ПРОСТОРОВОГО СЕРЕДОВИЩА: ВІД ПАРАМЕТРИЧНИХ ВИМОГ ДО СЦЕНАРНО-ФУНКЦІОНАЛЬНОГО ПІДХОДУ

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Анотація. У статті здійснено комплексний аналіз міжнародних підходів до нормативного регулювання безбар'єрності та інклюзивності просторового середовища з позиції архітектурно-правової методології. Актуальність дослідження зумовлена необхідністю переосмислення чинної системи державних будівельних норм України у сфері інклюзії, яка в умовах післявоєнної відбудови, реконструкції історичної забудови та адаптації громадських будівель до сучасних умов дедалі частіше виявляє обмеженість суто параметричного підходу. Показано, що архітектурна доступність у сучасному розумінні не може зводитися виключно до технічної відповідності нормативним показникам, а є матеріалізованою формою реалізації принципів рівності, людської гідності та недискримінації у просторовому середовищі.

У роботі проаналізовано положення ДБН В.2.2-40:2018 у редакції зі змінами до № 2 (чинна з 01 травня/01 вересня 2025) у зіставленні з міжнародними стандартами та національними нормативними документами окремих країн, зокрема ISO 21542:2021, DIN 18040 (Німеччина), TEK17 (Норвегія), Disability (Access to Premises — Buildings) Standards 2010 (Австралія), Approved Document M і BS 8300 (Англія), Código Técnico de la Edificación (Іспанія), SIST EN 17210 (Словенія). Аналіз спрямований на виявлення методологічних відмінностей між параметричною моделлю нормування, характерною для української нормативної бази, та сценарно-функціональними й performance-based підходами, які застосовуються у міжнародній практиці.

Методологічну основу дослідження становлять порівняльно-правовий метод, системний аналіз побудованого середовища та сценарно-функціональний підхід до оцінювання користування простором різними групами населення. У результаті дослідження встановлено, що між українськими та міжнародними нормативними документами відсутні принципові розбіжності у базових геометричних параметрах доступності. Водночас ключова різниця полягає у логіці нормативного регулювання: якщо державні будівельні норми України орієнтовані переважно на фіксацію мінімально допустимих параметрів як критеріїв відповідності, то міжнародні стандарти та національні системи провідних країн базуються на оцінці досягнення функціональної доступності простору.

Узагальнення міжнародного досвіду дозволило обґрунтувати доцільність дворівневої моделі нормативного регулювання інклюзивності, яка поєднує обов'язкові мінімальні технічні вимоги як базовий рівень відповідності з можливістю застосування альтернативних проектних рішень за умови доведення їх еквівалентної або вищої інклюзивної якості. Отримані результати можуть бути використані у процесі оновлення державних будівельних норм України, а також у проектній та експертній діяльності під час обґрунтування інклюзивних рішень у складних архітектурних і містобудівних умовах.

Ключові слова: інклюзія, безбар'єрність, універсальний дизайн, державні будівельні норми, сценарно-функціональний підхід, міжнародні стандарти.

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