

2000 No. 2531

**BUILDING AND BUILDINGS ENGLAND AND
WALES**

The Building Regulations 2000

Made - - - - 13th September 2000

Laid before Parliament 22nd September 2000

Coming into force 1st January 2001

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The Secretary of State, in exercise of the powers conferred on him by sections 1(1), 3(1), 5, 8(2), 35 and 126 of, and paragraphs 1, 2, 4, 7 and 8 of Schedule 1 to, the Building Act 1984^(a) and of all other powers enabling him in that behalf, after consulting the Building Regulations Advisory Committee and such other bodies as appear to him to be representative of the interests concerned in accordance with section 14(3) of that Act, hereby makes the following Regulations:—

PART I

GENERAL

Citation and commencement

1. These Regulations may be cited as the Building Regulations 2000 and shall come into force on 1st January 2001.

Interpretation

- 2.—(1) In these Regulations unless the context otherwise requires—

“the Act” means the Building Act 1984;

“amendment notice” means a notice given under section 51A of the Act;

“building” means any permanent or temporary building but not any other kind of structure or erection, and a reference to a building includes a reference to part of a building;

“building notice” means a notice given in accordance with regulations 12(2)(a) and 13;

“building work” has the meaning given in regulation 3(1);

“controlled service or fitting” means a service or fitting in relation to which Part G, H or J of Schedule 1 imposes a requirement;

(a) 1984 c. 55; section 126 is cited for the definition of “prescribed”.

“day” means any period of 24 hours commencing at midnight and excludes any Saturday, Sunday, Bank holiday or public holiday;

“dwelling” includes a dwelling-house and a flat;

“dwelling-house” does not include a flat or a building containing a flat;

“energy rating” of a dwelling means a numerical indication of the overall energy efficiency of that dwelling obtained by the application of a procedure approved by the Secretary of State under regulation 16(2) of these Regulations;

“European Technical Approval issuing body” means a body authorised by a member state of the European Economic Area to issue European Technical Approvals (a favourable technical assessment of the fitness for use of a construction product for the purposes of the Construction Products Directive^(a));

“final certificate” means a certificate given under section 51 of the Act;

“flat” means separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is divided horizontally;

“floor area” means the aggregate area of every floor in a building or extension, calculated by reference to the finished internal faces of the walls enclosing the area, or if at any point there is no such wall, by reference to the outermost edge of the floor;

“fronting” has the meaning given in section 203(3) of the Highways Act 1980^(b);

“full plans” means plans deposited with a local authority for the purposes of section 16 of the Act in accordance with regulations 12(2)(b) and 14;

“height” means the height of the building measured from the mean level of the ground adjoining the outside of the external walls of the building to the level of half the vertical height of the roof of the building, or to the top of the walls or of the parapet, if any, whichever is the higher;

“initial notice” means a notice given under section 47 of the Act;

“institution” means an institution (whether described as a hospital, home, school or other similar establishment) which is used as living accommodation for, or for the treatment, care or maintenance of persons—

- (a) suffering from disabilities due to illness or old age or other physical or mental incapacity, or
- (b) under the age of five years,

where such persons sleep on the premises;

“material alteration” has the meaning given in regulation 3(2);

“material change of use” has the meaning given in regulation 5;

“private street” has the meaning given in section 203(2) of the Highways Act 1980;

“public body’s final certificate” means a certificate given under paragraph 3 of Schedule 4 to the Act;

“public body’s notice” means a notice given under section 54 of the Act;

“shop” includes premises—

- (a) used for the sale to members of the public of food or drink for consumption on or off the premises,
- (b) used for retail sales by auction to members of the public,
- (c) used by members of the public as a barber or hairdresser, or for the hiring of any item, and

^(a) Council Directive 89/106/EEC as amended by Council Directive 93/68/EEC.

^(b) 1980 c. 66.

(d) where members of the public may take goods for repair or other treatment.

(2) In these Regulations “public building” means a building consisting of or containing—

- (a) a theatre, public library, hall or other place of public resort;
- (b) a school or other educational establishment not exempted from the operation of building regulations by virtue of section 4(1)(a) of the Act; or
- (c) a place of public worship;

but a building is not to be treated as a place of public resort because it is, or it contains, a shop, storehouse or warehouse, or is a dwelling to which members of the public are occasionally admitted.

(3) Any reference in these Regulations to a numbered regulation, Part or Schedule is a reference to the regulation, Part or Schedule so numbered in these Regulations.

PART II

CONTROL OF BUILDING WORK

Meaning of building work

3.—(1) In these Regulations “building work” means—

- (a) the erection or extension of a building;
- (b) the provision or extension of a controlled service or fitting in or in connection with a building;
- (c) the material alteration of a building, or a controlled service or fitting, as mentioned in paragraph (2);
- (d) work required by regulation 6 (requirements relating to material change of use);
- (e) the insertion of insulating material into the cavity wall of a building;
- (f) work involving the underpinning of a building.

(2) An alteration is material for the purposes of these Regulations if the work, or any part of it, would at any stage result—

- (a) in a building or controlled service or fitting not complying with a relevant requirement where previously it did; or
- (b) in a building or controlled service or fitting which before the work commenced did not comply with a relevant requirement, being more unsatisfactory in relation to such a requirement.

(3) In paragraph (2) “relevant requirement” means any of the following applicable requirements of Schedule 1, namely—

- Part A (structure)
- paragraph B1 (means of warning and escape)
- paragraph B3 (internal fire spread—structure)
- paragraph B4 (external fire spread)
- paragraph B5 (access and facilities for the fire service)
- Part M (access and facilities for disabled people).

Requirements relating to building work

4.—(1) Building work shall be carried out so that—

- (a) it complies with the applicable requirements contained in Schedule 1; and
- (b) in complying with any such requirement there is no failure to comply with any other such requirement.

(2) Building work shall be carried out so that, after it has been completed—

- (a) any building which is extended or to which a material alteration is made; or
- (b) any building in, or in connection with, which a controlled service or fitting is provided, extended or materially altered; or

- (c) any controlled service or fitting,

complies with the applicable requirements of Schedule 1 or, where it did not comply with any such requirement, is no more unsatisfactory in relation to that requirement than before the work was carried out.

Meaning of material change of use

5. For the purposes of paragraph 8(1)(e) of Schedule 1 to the Act and for the purposes of these Regulations, there is a material change of use where there is a change in the purposes for which or the circumstances in which a building is used, so that after that change—

- (a) the building is used as a dwelling, where previously it was not;
- (b) the building contains a flat, where previously it did not;
- (c) the building is used as an hotel or a boarding house, where previously it was not;
- (d) the building is used as an institution, where previously it was not;
- (e) the building is used as a public building, where previously it was not;
- (f) the building is not a building described in Classes I to VI in Schedule 2, where previously it was; or
- (g) the building, which contains at least one dwelling, contains a greater or lesser number of dwellings than it did previously.

Requirements relating to material change of use

6.—(1) Where there is a material change of use of the whole of a building, such work, if any, shall be carried out as is necessary to ensure that the building complies with the applicable requirements of the following paragraphs of Schedule 1—

- (a) in all cases, B1 (means of warning and escape)
B2 (internal fire spread—linings)
B3 (internal fire spread—structure)
B4(2) (external fire spread—roofs)
B5 (access and facilities for the fire service)
F1 and F2 (ventilation)
G1 (sanitary conveniences and washing facilities)
G2 (bathrooms)
H4 (solid waste storage)
J1 to J3 (heat producing appliances)
L1 (conservation of fuel and power);
- (b) in the case of a material change of use described in regulation 5(c), (d), (e) or (f), A1 to A3 (structure);
- (c) in the case of a building exceeding fifteen metres in height, B4(1) (external fire spread—walls);
- (d) in the case of a material change of use described in regulation 5(a), C4 (resistance to weather and ground moisture); and
- (e) in the case of a material change of use described in regulation 5(a), (b) or (g), E1 to E3 (resistance to the passage of sound).

(2) Where there is a material change of use of part only of a building, such work, if any, shall be carried out as is necessary to ensure that—

- (a) that part complies in all cases with any applicable requirements referred to in paragraph (1)(a);
- (b) in a case in which sub-paragraphs (b), (d) or (e) of paragraph (1) apply, that part complies with the requirements referred to in the relevant sub-paragraph; and

- (c) in a case to which sub-paragraph (c) of paragraph (1) applies, the whole building complies with the requirement referred to in that sub-paragraph.

Materials and workmanship

7. Building work shall be carried out—
- (a) with adequate and proper materials which—
 - (i) are appropriate for the circumstances in which they are used,
 - (ii) are adequately mixed or prepared, and
 - (iii) are applied, used or fixed so as adequately to perform the functions for which they are designed; and
 - (b) in a workmanlike manner.

Limitation on requirements

8. Parts A to K and N of Schedule 1 shall not require anything to be done except for the purpose of securing reasonable standards of health and safety for persons in or about buildings (and any others who may be affected by buildings, or matters connected with buildings).

Exempt buildings and work

9. These Regulations do not apply to—
- (a) the erection of any building or extension of a kind described in Schedule 2; or
 - (b) the carrying out of any work to or in connection with such a building or extension, if after the carrying out of that work it is still a building or extension of a kind described in that Schedule.

PART III

EXEMPTION OF PUBLIC BODIES FROM PROCEDURAL REQUIREMENTS

The Metropolitan Police Authority

10.—(1) The Metropolitan Police Authority is hereby prescribed for the purposes of section 5 of the Act (exemption of public bodies from the procedural requirements and enforcement of building regulations).

(2) The Metropolitan Police Authority is exempt from compliance with these Regulations in so far as the requirements in these Regulations are not substantive requirements.

PART IV

RELAXATION OF REQUIREMENTS

Power to dispense with or relax requirements

11.—(1) The power under section 8(1) of the Act to dispense with or relax any requirement contained in these Regulations shall be exercisable by the local authority.

(2) Any notification by the local authority to an applicant that they have refused his application to dispense with or relax any requirement of these Regulations shall inform the applicant of the effect of section 39(1) and (3) of the Act (appeal against refusal etc. to relax building regulations).

PART V

NOTICES AND PLANS

Giving of a building notice or deposit of plans

12.—(1) In this regulation “relevant use” means a use as a workplace of a kind to which Part II of the Fire Precautions (Workplace) Regulations 1997(a) applies or a use designated under section 1 of the Fire Precautions Act 1971(b);

(a) S.I. 1997/1840 as amended by S.I. 1999/1877.

(b) 1971 c. 40.

(2) Subject to the following provisions of this regulation, a person who intends to carry out building work or to make a material change of use shall—

- (a) give to the local authority a building notice in accordance with regulation 13; or
- (b) deposit full plans with the local authority in accordance with regulation 14.

(3) A person shall deposit full plans where he intends to carry out building work in relation to a building put or intended to be put to a use which is a relevant use.

(4) A person shall deposit full plans where he intends to carry out work which includes the erection of a building fronting on to a private street.

(5) A person who intends to carry out building work consisting only of the installation of a heat-producing gas appliance is not required to give a building notice or deposit full plans if the appliance is to be installed by a person, or an employee of a person, approved in accordance with regulation 3 of the Gas Safety (Installation and Use) Regulations 1998^(a).

(6) Where regulation 20 of the Building (Approved Inspectors etc.) Regulations 2000^(b) (local authority powers in relation to partly completed work) applies, the owner shall comply with the requirements of that regulation instead of with this regulation.

Particulars and plans where a building notice is given

13.—(1) A building notice shall state the name and address of the person intending to carry out the work and shall be signed by him or on his behalf, and shall contain or be accompanied by—

- (a) a statement that it is given for the purpose of regulation 12(2)(a);
- (b) a description of the proposed building work or material change of use; and
- (c) particulars of the location of the building to which the proposal relates and the use or intended use of that building.

(2) In the case of the erection or extension of a building, a building notice shall be accompanied by—

- (a) a plan to a scale of not less than 1:1250 showing—
 - (i) the size and position of the building, or the building as extended, and its relationship to adjoining boundaries;
 - (ii) the boundaries of the curtilage of the building, or the building as extended, and the size, position and use of every other building or proposed building within that curtilage;
 - (iii) the width and position of any street on or within the boundaries of the curtilage of the building or the building as extended;
- (b) a statement specifying the number of storeys (each basement level being counted as one storey), in the building to which the proposal relates; and
- (c) particulars of—
 - (i) the provision to be made for the drainage of the building or extension;
 - (ii) the precautions to be taken in building over a drain, sewer or disposal main as mentioned in section 18 of the Act^(c) (building over sewers etc.); and
 - (iii) the steps to be taken to comply with any local enactment which applies.

^(a) S.I. 1998/2451.

^(b) S.I. 2000/2532.

^(c) Section 18 of the 1984 Act was amended by section 102(2) of, and Schedule 17 to the Local Government Act 1985 c. 51; the Building (Inner London) Regulations S.I. 1987/798; paragraph 6 of Schedule 8 to the Water Act 1989 c. 15; section 2(1) of, and paragraphs 39(1) and 39(2) of Schedule 1 to the Water Consolidation (Consequential Provisions) Act 1991 c. 60; and section 22(3) of, and paragraph 15(1) of Schedule 9 to the Local Government (Wales) Act 1994 c. 19.

(3) In the case of building work which involves the insertion of insulating material into the cavity walls of a building, a building notice shall be accompanied by a statement which specifies—

- (a) the name and type of insulating material to be used;
- (b) the name of any European Technical Approval issuing body which has approved the insulating material;
- (c) the requirements of Schedule 1 in relation to which any body referred to in (b) has approved the insulating material;
- (d) any national standard of a member state of the European Economic Area to which the insulating material conforms; and
- (e) the name of any body which has issued any current approval to the installer of the insulating material.

(4) Where building work involves the provision of a hot water storage system in relation to which paragraph G3 of Schedule 1 (hot water storage) imposes a requirement, a building notice shall be accompanied by a statement which specifies—

- (a) the name, make, model and type of hot water storage system to be installed;
- (b) the name of the body, if any, which has approved or certified that the system is capable of performing in a way which satisfies the requirements of paragraph G3 of Schedule 1;
- (c) the name of the body, if any, which has issued any current registered operative identity card to the installer or proposed installer of the system.

(5) Where a building notice has been given, a person carrying out building work or making a material change of use shall give the local authority, within such time as they specify, such plans as are, in the particular case, necessary for the discharge of their functions in relation to building regulations and are specified by them in writing.

(6) Neither a building notice nor plans which accompany it or are given under paragraph (5) are to be treated for the purposes of section 16 of the Act as having been deposited in accordance with building regulations.

(7) A building notice shall cease to have effect on the expiry of three years from the date on which that notice was given to the local authority, unless before the expiry of that period—

- (a) the building work to which the notice related was commenced; or
- (b) the material change of use described in the notice was made.

Full plans

14.—(1) Full plans shall be accompanied by a statement that they are deposited for the purpose of regulation 12(2)(b).

- (2)(a) Full plans shall be deposited in duplicate, of which the local authority may retain one copy; and
 - (b) where Part B of Schedule 1 (fire safety) imposes a requirement in relation to proposed building work, an additional two copies of any such plans as demonstrate compliance with that requirement shall be deposited, both of which may be retained by the local authority.
- (3) Full plans shall consist of—
- (a) a description of the proposed building work or material change of use, and the plans, particulars and statements required by paragraphs (1) to (4) of regulation 13; and
 - (b) any other plans which are necessary to show that the work would comply with these Regulations.

(4) Full plans shall be accompanied by a statement as to whether the building is put or is intended to be put to a use which is a relevant use as defined by regulation 12(1).

(5) Full plans may be accompanied by a request from the person carrying out building work that on completion of the work he wishes the local authority to issue a completion certificate in accordance with regulation 17.

(6) Paragraph (2)(b) shall not require the deposit of additional copies of plans where the proposed building work relates to the erection, extension or material alteration of a dwelling-house or flat.

Notice of commencement and completion of certain stages of work

15.—(1) A person who proposes to carry out building work shall not commence that work unless—

- (a) he has given the local authority notice that he intends to commence work; and
- (b) at least two days have elapsed since the end of the day on which he gave the notice.

(2) A person carrying out building work shall not—

- (a) cover up any excavation for a foundation, any foundation, any damp-proof course or any concrete or other material laid over a site; or
- (b) cover up in any way any drain or sewer to which these Regulations apply, unless he has given the local authority notice that he intends to commence that work, and at least one day has elapsed since the end of the day on which he gave the notice.

(3) A person who has laid, haunched or covered any drain or sewer in respect of which Part H of Schedule 1 (drainage and waste disposal) imposes a requirement shall give notice to that effect to the local authority not more than five days after the completion of the work.

(4) A person carrying out building work shall, not more than five days after that work has been completed, give the local authority notice to that effect.

(5) Where a building is being erected, and that building (or any part of it) is to be occupied before completion, the person carrying out that work shall give the local authority at least five days notice before the building or any part of it is occupied.

(6) Where a person fails to comply with paragraphs (1) to (3), he shall comply within a reasonable time with any notice given by the local authority requiring him to cut into, lay open or pull down so much of the work as prevents them from ascertaining whether these Regulations have been complied with.

(7) If the local authority have given notice specifying the manner in which any work contravenes the requirements in these Regulations, a person who has carried out any further work to secure compliance with these Regulations shall within a reasonable time after the completion of such further work give notice to the local authority of its completion.

Energy rating

16.—(1) This regulation applies where a new dwelling is created by building work or by a material change of use in connection with which building work is carried out.

(2) Where this regulation applies, the person carrying out the building work shall calculate the energy rating of the dwelling by means of a procedure approved by the Secretary of State and give notice of that rating to the local authority.

(3) The notice referred to in paragraph (2) shall be given not later than the date on which the notice required by paragraph (4) of regulation 15 is given, and, where a new dwelling is created by the erection of a building, it shall be given at least five days before occupation of the dwelling.

(4) Where this regulation applies, subject to paragraphs (6) and (7), the person carrying out the building work shall affix, as soon as practicable, in a conspicuous place in the dwelling, a notice stating the energy rating of the dwelling.

(5) The notice referred to in paragraph (4) shall be affixed not later than the date on which the notice required by paragraph (4) of regulation 15 is given, and, where a new dwelling is created by the erection of a building, it shall be affixed not later than five days before occupation of the dwelling.

(6) Subject to paragraph (7), if, on the date the dwelling is first occupied as a residence, no notice has been affixed in the dwelling in accordance with paragraph (4), the person carrying out the building work shall, not later than the date on which the notice required by paragraph (4) of regulation 15 is given, give to the occupier of the dwelling a notice stating the energy rating of the dwelling calculated in accordance with paragraph (2).

(7) Paragraphs (4) and (6) shall not apply in a case where the person carrying out the work intends to occupy, or occupies, the dwelling as a residence.

Completion certificates

17.—(1) A local authority shall give a completion certificate in accordance with this regulation and as provided for in paragraph (2) where—

- (a) they receive a notice under regulation 15(4) or (5) that building work has been completed, or, that a building has been partly occupied before completion; and
- (b) they have either—
 - (i) been notified, in accordance with regulation 14(4), that the building is put or is intended to be put to a use which is a relevant use as defined by regulation 12(1); or
 - (ii) been requested, in accordance with regulation 14(5), to give a completion certificate.

(2) Where in relation to any building work or, as the case may be, to any part of a building which has been occupied before completion, a local authority have been able to ascertain, after taking all reasonable steps, that the relevant requirements of Schedule 1 specified in the certificate have been satisfied, they shall give a certificate to that effect.

(3) In this regulation “relevant requirements” mean—

- (a) in a case mentioned in paragraph (1)(b)(i), the applicable requirements of Part B of Schedule 1 (fire safety); and
- (b) in a case mentioned in paragraph (1)(b)(ii), any applicable requirements of Schedule 1.

(4) A certificate given in accordance with this regulation shall be evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with.

PART VI

MISCELLANEOUS

Testing of drains and private sewers

18. The local authority may make such tests of any drain or private sewer as may be necessary to establish whether it complies with any of the requirements of Part H of Schedule 1 (drainage and waste disposal).

Sampling of material

19. The local authority may take such samples of the material to be used in the carrying out of building work as may be necessary to enable them to ascertain whether such materials comply with the provisions of these Regulations.

Supervision of building work otherwise than by local authorities

20.—(1) Regulations 12, 15, 16, 17, 18 and 19 shall not apply in respect of any work specified in an initial notice, an amendment notice or a public body’s notice, which is in force.

(2) Regulations 18 and 19 shall not apply in respect of any work in relation to which a final certificate or a public body’s final certificate has been accepted by the local authority.

Unauthorised building work

21.—(1) This regulation applies where it appears to a local authority that unauthorised building work has been carried out on or after 11th November 1985.

(2) In this regulation, “unauthorised building work” means building work other than work in relation to which an initial notice, an amendment notice or a public body’s notice has effect, which is done without—

- (a) a building notice being given to the local authority; or
- (b) full plans of the work being deposited with the local authority; or
- (c) a notice of commencement of work being given, in accordance with regulation 15(1) of these Regulations, where a building notice has been given or full plans have been deposited.

(3) Where this regulation applies, the owner (in this regulation referred to as “the applicant”) may apply in writing to the local authority for a regularisation certificate in accordance with this regulation, and shall send with his application—

- (a) a statement that the application is made in accordance with this regulation,
- (b) a description of the unauthorised work,
- (c) so far as is reasonably practicable, a plan of the unauthorised work, and
- (d) so far as is reasonably practicable, a plan showing any additional work required to be carried out to secure that the unauthorised work complies with the requirements relating to building work in the building regulations which were applicable to that work when it was carried out (in this regulation referred to as “the relevant requirements”).

(4) Where a local authority receive an application in accordance with this regulation, they may require the applicant to take such reasonable steps, including laying open the unauthorised work for inspection by the authority, making tests and taking samples, as the authority think appropriate to ascertain what work, if any, is required to secure that the relevant requirements are met.

(5) When the applicant has taken any such steps required by the local authority as are described in paragraph (4), and having had regard to any direction given in accordance with sections 8 and 9 of, and Schedule 2 to, the Act dispensing with or relaxing a requirement in building regulations which applies to the unauthorised work, the local authority shall notify the applicant—

- (a) of the work which in their opinion is required to comply with the relevant requirements or those requirements as dispensed with or relaxed, or
- (b) that they cannot determine what work is required to comply with the relevant requirements or those requirements as dispensed with or relaxed, or
- (c) that no work is required to secure compliance with the relevant requirements or those requirements as dispensed with or relaxed.

(6) Where the local authority have been able to satisfy themselves, after taking all reasonable steps for that purpose that—

- (a) the relevant requirements have been satisfied (taking account of any work carried out and any dispensation or relaxation given in accordance with sections 8 and 9 of, and Schedule 2 to, the Act), or
- (b) no work is required to secure that the unauthorised work satisfies the relevant requirements (taking account of any such dispensation or relaxation),

they may give a certificate to that effect (in this regulation referred to as “a regularisation certificate”).

(7) A regularisation certificate shall be evidence (but not conclusive evidence) that the relevant requirements specified in the certificate have been complied with.

(8) Where this regulation applies, regulations 12 and 14 shall not apply, and neither the supply of plans nor the taking of any other action in accordance with this regulation is to be treated for the purposes of section 16 of the Act as the deposit of plans in accordance with building regulations.

Contravention of certain regulations not to be an offence

22. Regulation 17 is designated as a provision to which section 35 of the Act (penalty for contravening building regulations) does not apply.

Transitional provisions

23.—(1) Subject to paragraph (2), the Regulations specified in Schedule 3 shall continue to apply in relation to any building work as if these Regulations had not been made where—

- (a) before 1st January 2001 a building notice, an initial notice, an amendment notice or a public body's notice has been given to, or full plans have been deposited with, a local authority; and
- (b) building work is carried out or is to be carried out in accordance with any such notice or plans, whether with or without any departure from such plans.

(2) Where an initial notice given before 1st January 2001 is varied by an amendment notice given on or after that date, the Regulations specified in Schedule 3 shall continue to apply as if these Regulations had not been made, to so much of the building work as could have been carried out under that initial notice if the amendment notice had not been given.

Revocations

24. The Regulations specified in Schedule 3 are hereby revoked.

13th September 2000

Nick Raynsford
Minister of State,
Department of the Environment,
Transport and the Regions

SCHEDULE 1
REQUIREMENTS

Regulations 4 and 6

Requirement

Limits on application

PART A STRUCTURE

Loading

A1.—(1) The building shall be constructed so that the combined dead, imposed and wind loads are sustained and transmitted by it to the ground—

- (a) safely; and
- (b) without causing such deflection or deformation of any part of the building, or such movement of the ground, as will impair the stability of any part of another building.

(2) In assessing whether a building complies with sub-paragraph (1) regard shall be had to the imposed and wind loads to which it is likely to be subjected in the ordinary course of its use for the purpose for which it is intended.

Ground movement

A2. The building shall be constructed so that ground movement caused by—

- (a) swelling, shrinkage or freezing of the subsoil; or
- (b) land-slip or subsidence (other than subsidence arising from shrinkage), in so far as the risk can be reasonably foreseen,

will not impair the stability of any part of the building.

Disproportionate collapse

A3. The building shall be constructed so that in the event of an accident the building will not suffer collapse to an extent disproportionate to the cause.

Requirement A3 applies only to a building having five or more storeys (each basement level being counted as one storey) excluding a storey within the roof space where the slope of the roof does not exceed 70° to the horizontal.

PART B FIRE SAFETY

Means of warning and escape

B1. The building shall be designed and constructed so that there are appropriate provisions for the early warning of fire, and appropriate means of escape in case of fire from the building to a place of safety outside the building capable of being safely and effectively used at all material times.

Requirement B1 does not apply to any prison provided under section 33 of the Prisons Act 1952(a) (power to provide prisons etc.).

(a) 1952 c. 52 as amended by the Criminal Justice and Public Order Act 1994 c. 33 and by the Prison Commissioners Dissolution Order 1963, S.I. 1963/597.

SCHEDULE 1—continued

Requirement

Limits on application

Internal fire spread (linings)

B2.—(1) To inhibit the spread of fire within the building the internal linings shall—

- (a) adequately resist the spread of flame over their surfaces; and
- (b) have, if ignited, a rate of heat release which is reasonable in the circumstances.

(2) In this paragraph “internal linings” mean the materials lining any partition, wall, ceiling or other internal structure.

Internal fire spread (structure)

B3.—(1) The building shall be designed and constructed so that, in the event of fire, its stability will be maintained for a reasonable period.

(2) A wall common to two or more buildings shall be designed and constructed so that it adequately resists the spread of fire between those buildings. For the purposes of this sub-paragraph a house in a terrace and a semi-detached house are each to be treated as a separate building.

(3) To inhibit the spread of fire within the building, it shall be sub-divided with fire-resisting construction to an extent appropriate to the size and intended use of the building.

(4) The building shall be designed and constructed so that the unseen spread of fire and smoke within concealed spaces in its structure and fabric is inhibited.

Requirement B3(3) does not apply to material alterations to any prison provided under section 33 of the Prisons Act 1952.

External fire spread

B4.—(1) The external walls of the building shall adequately resist the spread of fire over the walls and from one building to another, having regard to the height, use and position of the building.

(2) The roof of the building shall adequately resist the spread of fire over the roof and from one building to another, having regard to the use and position of the building.

Access and facilities for the fire service

B5.—(1) The building shall be designed and constructed so as to provide reasonable facilities to assist fire fighters in the protection of life.

SCHEDULE 1—continued

Requirement

Limits on application

(2) Reasonable provision shall be made within the site of the building to enable fire appliances to gain access to the building.

PART C SITE PREPARATION AND RESISTANCE TO MOISTURE

Preparation of site

C1. The ground to be covered by the building shall be reasonably free from vegetable matter.

Dangerous and offensive substances

C2. Reasonable precautions shall be taken to avoid danger to health and safety caused by substances found on or in the ground to be covered by the building.

Subsoil drainage

C3. Adequate subsoil drainage shall be provided if it is needed to avoid—

- (a) the passage of the ground moisture to the interior of the building;
- (b) damage to the fabric of the building.

Resistance to weather and ground moisture

C4. The walls, floors and roof of the building shall adequately resist the passage of moisture to the inside of the building.

PART D TOXIC SUBSTANCES

Cavity insulation

D1. If insulating material is inserted into a cavity in a cavity wall reasonable precautions shall be taken to prevent the subsequent permeation of any toxic fumes from that material into any part of the building occupied by people.

PART E RESISTANCE TO THE PASSAGE OF SOUND

Airborne sound (walls)

E1. A wall which—

SCHEDULE 1—continued

<i>Requirement</i>	<i>Limits on application</i>
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- (a) separates a dwelling from another building or from another dwelling, or
- (b) separates a habitable room or kitchen within a dwelling from another part of the same building which is not used exclusively as part of the dwelling,

shall have reasonable resistance to the transmission of airborne sound.

Airborne sound (floors and stairs)

E2. A floor or a stair which separates a dwelling from another dwelling, or from another part of the same building which is not used exclusively as part of the dwelling, shall have reasonable resistance to the transmission of airborne sound.

Impact sound (floors and stairs)

E3. A floor or a stair above a dwelling which separates it from another dwelling, or from another part of the same building which is not used exclusively as part of the dwelling, shall have reasonable resistance to the transmission of impact sound.

PART F VENTILATION

Means of ventilation

F1. There shall be adequate means of ventilation provided for people in the building.

Requirement F1 does not apply to a building or space within a building—

- (a) into which people do not normally go; or
- (b) which is used solely for storage; or
- (c) which is a garage used solely in connection with a single dwelling.

Condensation in roofs

F2. Adequate provision shall be made to prevent excessive condensation—

- (a) in a roof; or
- (b) in a roof void above an insulated ceiling.

PART G HYGIENE

Sanitary conveniences and washing facilities

G1.—(1) Adequate sanitary conveniences shall be provided in rooms provided for that

SCHEDULE 1—continued

Requirement

Limits on application

purpose, or in bathrooms. Any such room or bathroom shall be separated from places where food is prepared.

(2) Adequate washbasins shall be provided in—

- (a) rooms containing water closets; or
- (b) rooms or spaces adjacent to rooms containing water closets.

Any such room or space shall be separated from places where food is prepared.

(3) There shall be a suitable installation for the provision of hot and cold water to washbasins provided in accordance with paragraph (2).

(4) Sanitary conveniences and washbasins to which this paragraph applies shall be designed and installed so as to allow effective cleaning.

Bathrooms

G2. A bathroom shall be provided containing either a fixed bath or shower bath, and there shall be a suitable installation for the provision of hot and cold water to the bath or shower bath.

Requirement G2 applies only to dwellings.

Hot water storage

G3. A hot water storage system that has a hot water storage vessel which does not incorporate a vent pipe to the atmosphere shall be installed by a person competent to do so, and there shall be precautions—

- (a) to prevent the temperature of stored water at any time exceeding 100°C; and
- (b) to ensure that the hot water discharged from safety devices is safely conveyed to where it is visible but will not cause danger to persons in or about the building.

Requirement G3 does not apply to—

- (a) a hot water storage system that has a storage vessel with a capacity of 15 litres or less;
- (b) a system providing space heating only;
- (c) a system which heats or stores water for the purposes only of an industrial process.

PART H DRAINAGE AND WASTE DISPOSAL

Foul water drainage

H1.—(1) Any system which carries foul water from appliances within the building to a sewer, a cesspool or a septic or settlement tank, shall be adequate.

(2) Foul water in sub-paragraph (1) means waste water which comprises or includes—

- (a) waste from a sanitary convenience or other soil appliance;

SCHEDULE 1—continued

<i>Requirement</i>	<i>Limits on application</i>
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- (b) water which has been used for cooking or washing.

Cesspools, septic tanks and settlement tanks

H2. Any cesspool, septic tank or settlement tank shall be—

- (a) of adequate capacity and so constructed that it is impermeable to liquids;
- (b) adequately ventilated; and
- (c) so sited and constructed that—
 - (i) it is not prejudicial to the health of any person,
 - (ii) it will not contaminate any underground water or water supply, and
 - (iii) there are adequate means of access for emptying.

Rainwater drainage

H3. Any system which carries rainwater from the roof of the building to a sewer, soakaway, watercourse, or some other suitable rainwater outfall shall be adequate.

Solid waste storage

H4.—(1) Adequate means of storing solid waste shall be provided.

(2) Adequate means of access shall be provided—

- (a) for people in the building to the place of storage; and
- (b) from the place of storage to a street.

PART J HEAT PRODUCING APPLIANCES

Air supply

J1. Heat producing appliances shall be so installed that there is an adequate supply of air to them for combustion and for the efficient working of any flue-pipe or chimney.

Discharge of products of combustion

J2. Heat producing appliances shall have adequate provision for the discharge of the products of combustion to the outside air.

Protection of building

J3. Heat producing appliances and flue-pipes shall be so installed, and fire-places and chimneys shall be so constructed, as to reduce to a reasonable level the risk of the building catching fire in consequence of their use.

The requirements in this Part apply only to fixed heat producing appliances which—

- (a) are designed to burn solid fuel, oil or gas; or
- (b) are incinerators.

SCHEDULE 1—continued

Requirement

Limits on application

PART K PROTECTION FROM FALLING, COLLISION AND IMPACT

Stairs, ladders and ramps

K1. Stairs, ladders and ramps shall be so designed, constructed and installed as to be safe for people moving between different levels in or about the building.

Requirement K1 applies only to stairs, ladders and ramps which form part of the building.

Protection from falling

K2. (a) Any stairs, ramps, floors and balconies and any roof to which people have access, and
(b) any light well, basement area or similar sunken area connected to a building,

Requirement K2 (a) applies only to stairs and ramps which form part of the building.

shall be provided with barriers where it is necessary to protect people in or about the building from falling.

Vehicle barriers and loading bays

K3.—(1) Vehicle ramps and any levels in a building to which vehicles have access, shall be provided with barriers where it is necessary to protect people in or about the building.

(2) Vehicle loading bays shall be constructed in such a way, or be provided with such features, as may be necessary to protect people in them from collision with vehicles.

Protection from collision with open windows etc.

K4. Provision shall be made to prevent people moving in or about the building from colliding with open windows, skylights or ventilators.

Requirement K4 does not apply to dwellings.

Protection against impact from and trapping by doors

K5.—(1) Provision shall be made to prevent any door or gate—

- (a) which slides or opens upwards, from falling onto any person; and
- (b) which is powered, from trapping any person.

Requirement K5 does not apply to—

- (a) dwellings, or
- (b) any door or gate which is part of a lift.

(2) Provision shall be made for powered doors and gates to be opened in the event of a power failure.

SCHEDULE 1—continued*Requirement**Limits on application*

(3) Provision shall be made to ensure a clear view of the space on either side of a swing door or gate.

PART L CONSERVATION OF FUEL AND POWER

L1. Reasonable provision shall be made for the conservation of fuel and power in buildings by:—

- (a) limiting the heat loss through the fabric of the building;
- (b) controlling the operation of the space heating and hot water systems;
- (c) limiting the heat loss from hot water vessels and hot water service pipework;
- (d) limiting the heat loss from hot water pipes and hot air ducts used for space heating;
- (e) installing in buildings artificial lighting systems which are designed and constructed to use no more fuel and power than is reasonable in the circumstances and making reasonable provision for controlling such systems.

Requirements L1(a), (b), (c) and (d) apply only to—

- (a) dwellings;
- (b) other buildings whose floor area exceeds 30m².

Requirement L1(e) applies only within buildings where more than 100m² of floor area is to be provided with artificial lighting and does not apply within dwellings.

PART M ACCESS AND FACILITIES FOR DISABLED PEOPLE**Interpretation**

M1. In this Part “disabled people” means people who have—

- (a) an impairment which limits their ability to walk or which requires them to use a wheelchair for mobility, or
- (b) impaired hearing or sight.

The requirements of this Part do not apply to—

- (a) a material alteration;
- (b) an extension to a dwelling, or any other extension which does not include a ground storey;
- (c) any part of a building which is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained.

Access and use

M2. Reasonable provision shall be made for disabled people to gain access to and to use the building.

Sanitary conveniences

M3.—(1) Reasonable provision shall be made in the entrance storey of a dwelling for sanitary conveniences, or where the entrance storey contains no habitable rooms, reasonable provision for sanitary conveniences shall be

SCHEDULE 1—continued

Requirement

Limits on application

made in either the entrance storey or principal storey.

(2) In this paragraph “entrance storey” means the storey which contains the principal entrance to the dwelling, and “principal storey” means the storey nearest to the entrance storey which contains a habitable room, or if there are two such storeys equally near, either such storey.

(3) If sanitary conveniences are provided in any building which is not a dwelling, reasonable provision shall be made for disabled people.

Audience or spectator seating

M4. If the building contains audience or spectator seating, reasonable provision shall be made to accommodate disabled people.

Requirement M4 does not apply to dwellings.

PART N GLAZING—SAFETY IN RELATION TO IMPACT, OPENING AND CLEANING

Protection against impact

N1. Glazing, with which people are likely to come into contact whilst moving in or about the building shall—

- (a) if broken on impact, break in a way which is unlikely to cause injury; or
- (b) resist impact without breaking; or
- (c) be shielded or protected from impact.

Manifestation of glazing

N2. Transparent glazing, with which people are likely to come into contact while moving in or about the building, shall incorporate features which make it apparent.

Requirement N2 does not apply to dwellings.

Safe opening and closing of windows etc.

N3. Windows, skylights and ventilators which can be opened by people in or about the building shall be so constructed or equipped that they may be opened, closed or adjusted safely.

Requirement N3 does not apply to dwellings.

Safe access for cleaning windows etc.

N4. Provision shall be made for any windows, skylights, or any transparent or translucent walls, ceilings or roofs to be safely accessible for cleaning.

Requirement N4 does not apply to—

- (a) dwellings; or
- (b) any transparent or translucent elements whose surface are not intended to be cleaned.

EXEMPT BUILDINGS AND WORK

CLASS I

Buildings controlled under other legislation

1. Any building the construction of which is subject to the Explosives Acts 1875(a) and 1923(b).
2. Any building (other than a building containing a dwelling or a building used for office or canteen accommodation) erected on a site in respect of which a licence under the Nuclear Installations Act 1965(c) is for the time being in force.
3. A building included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979(d).

CLASS II

Buildings not frequented by people

A detached building—

- (a) into which people do not normally go; or
- (b) into which people go only intermittently and then only for the purpose of inspecting or maintaining fixed plant or machinery,

unless any point of such a building is less than one and a half times its height from

- (i) any point of a building into which people can or do normally go; or
- (ii) the nearest point of the boundary of the curtilage of that building,

whichever is the nearer.

CLASS III

Greenhouses and agricultural buildings

1. Subject to paragraph 3, a greenhouse.
2. A building used, subject to paragraph 3, for agriculture, or a building principally for the keeping of animals, provided in each case that—
 - (a) no part of the building is used as a dwelling;
 - (b) no point of the building is less than one and a half times its height from any point of a building which contains sleeping accommodation; and
 - (c) the building is provided with a fire exit which is not more than 30 metres from any point in the building.
3. The descriptions of buildings in paragraphs 1 and 2 do not include a greenhouse or a building used for agriculture if the principal purpose for which they are used is retailing, packing or exhibiting.
4. In paragraph 2, “agriculture” includes horticulture, fruit growing, the growing of plants for seed and fish farming.

(a) 1875 c. 17.

(b) 1923 c. 17.

(c) 1965 c. 57; the only relevant amending instrument is S.I. 1974/2056.

(d) 1979 c. 46.

CLASS IV

Temporary buildings

A building which is not intended to remain where it is erected for more than 28 days.

CLASS V

Ancillary buildings

1. A building on a site, being a building which is intended to be used only in connection with the disposal of buildings or building plots on that site.
2. A building on the site of construction or civil engineering works, which is intended to be used only during the course of those works and contains no sleeping accommodation.
3. A building, other than a building containing a dwelling or used as an office or showroom, erected for use on the site of and in connection with a mine or quarry.

CLASS VI

Small detached buildings

1. A detached single storey building, having a floor area which does not exceed 30m², which contains no sleeping accommodation and is a building—
 - (a) no point of which is less than one metre from the boundary of its curtilage; or
 - (b) which is constructed substantially of non-combustible material.
2. A detached building designed and intended to shelter people from the effects of nuclear, chemical or conventional weapons, and not used for any other purpose, if—
 - (a) its floor area does not exceed 30m²; and
 - (b) the excavation for the building is no closer to any exposed part of another building or structure than a distance equal to the depth of the excavation plus one metre.
3. A detached building, having a floor area which does not exceed 15m², which contains no sleeping accommodation.

CLASS VII

Extensions

The extension of a building by the addition at ground level of—

- (a) a conservatory, porch, covered yard or covered way; or
- (b) a carport open on at least two sides;

where the floor area of that extension does not exceed 30m², provided that in the case of a conservatory or porch which is wholly or partly glazed, the glazing satisfies the requirements of Part N of Schedule 1.

SCHEDULE 3

Regulation 24

REVOCATION OF REGULATIONS

Title	Reference
The Building Regulations 1991	S.I. 1991/2768
The Building Regulations (Amendment) Regulations 1992	S.I. 1992/1180
The Building Regulations (Amendment) Regulations 1994	S.I. 1994/1850
The Building Regulations (Amendment) Regulations 1995	S.I. 1995/1356
The Building Regulations (Amendment) Regulations 1997	S.I. 1997/1904
The Building Regulations (Amendment) Regulations 1998	S.I. 1998/2561
The Building Regulations (Amendment) Regulations 1999	S.I. 1999/77
The Building Regulations (Amendment) (No. 2) Regulations 1999	S.I. 1999/3410
The Building Regulations (Amendment) Regulations 2000	S.I. 2000/1554

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Building Act 1984 (“the Act”). They revoke and replace with amendments the Building Regulations 1991 (“the 1991 Regulations”) and consolidate all subsequent amendments to those Regulations. They impose requirements on people carrying out certain building operations.

The Regulations for the most part carry forward the provisions of the 1991 Regulations, as successively amended, with minor alterations to clarify the sense or to reflect changes in other legislation. The additional requirements are those introduced by regulation 16 (see below).

Regulation 2 contains definitions used in these Regulations.

Control is imposed on “building work” as defined in regulation 3(1). “Building work” includes work required by regulation 6 (requirements relating to material change of use). “Material change of use” is defined in regulation 5.

Regulation 4 makes provision for building work to be carried out in compliance with the applicable requirements in Schedule 1. Regulation 6 provides that, where a material change of use is made, the building or the part in question must meet the applicable requirements in Schedule 1.

Regulation 7 provides that any building work is to be carried out with adequate and proper materials and in a workmanlike manner.

Regulation 8 provides that compliance with the requirements in Parts A to K and N of Schedule 1 does not require anything to be done beyond what is necessary to secure reasonable standards of health and safety.

Regulation 9 and Schedule 2 exempt from control the erection of, and work in connection with, certain buildings and extensions.

Regulation 10 prescribes the Metropolitan Police Authority for the purposes of section 5 of the Act, thereby making the Authority exempt from the procedural requirements of these Regulations.

Regulation 11 empowers local authorities to dispense with or relax the requirements of these Regulations.

Regulation 12 requires a person intending to carry out building work or make a material change of use to give a building notice to, or deposit full plans with, the local authority. There is an exception for gas appliances installed by, or under the supervision of, persons approved under the Gas Safety (Installation and Use) Regulations 1998. Full plans are required in two cases: 1) where the building is to be put to a “relevant use”, defined in regulation 12(1) as a use as a workplace of a kind to which Part II of the Fire Precautions (Workplace) Regulations 1997 applies or a use designated under section 1 of the Fire Precautions Act 1971; and 2) where the intention is to erect a building fronting on to a private street. Under Regulation 20, a person who elects under Part II of the Act for building work to be supervised by an approved inspector is not required to give a building notice or deposit plans.

Regulation 13 specifies the plans and particulars to be given in or with a building notice. Regulation 14 specifies the matters to be covered by full plans, which are to be deposited in duplicate (with additional copies of plans where Part B of Schedule 1 imposes a requirement).

Regulation 15 requires a person carrying out building work under local authority supervision to notify them before work starts; and before and after certain operations are carried out. Notice must also be given on the completion of the work; and when the building or part of it is first occupied if this occurs before completion.

Regulation 16 requires the calculation of an energy rating for a new dwelling and notification of that rating to the local authority. Regulation 16 further requires the posting in the dwelling of a

notice of that rating, or, in certain circumstances, the giving of a notice of that rating to the occupier of the dwelling—these requirements are additional to those arising under the equivalent provisions in the 1991 Regulations, as amended, i.e. those in regulation 14A, introduced by S.I. 1994/1850.

Regulation 17 provides for the issue by the local authority, where they have been requested to do so or where the building is to be put to a “relevant use” as defined by regulation 12(1), of certificates of completion.

Regulations 18 and 19 provide for the local authority to test drains and private sewers and to sample materials.

Regulation 20 disapplies certain regulations where work is supervised in accordance with Part II of the Act and the Building (Approved Inspectors etc.) Regulations 2000.

Regulation 21 provides for the issue by the local authority of regularisation certificates in relation to unauthorised building work.

Regulation 22 designates regulation 17 as a provision to which section 35 of the Act does not apply; accordingly, contravention of regulation 17 is not an offence.

Regulation 23 sets out the transitional provisions.

Regulation 24 revokes the Regulations specified in Schedule 3.

Schedule 1 is set out in tabular form and contains the functional requirements that are to be complied with. The right-hand column indicates the cases in which a particular requirement does not apply.

The Secretary of State is empowered by the Building Act 1984 to approve and issue documents containing practical guidance with respect to the requirements contained in these Regulations. It is intended that the Secretary of State will re-approve the following publications, originally approved for the purposes of the 1991 Regulations, for the purposes of these Regulations:

- Approved Document A – Structure: 1992 Edition, fourth impression (with amendments) 1994
- Approved Document B – Fire safety: 2000 Edition
- Approved Document C – Site preparation and resistance to moisture: 1992 Edition, second impression (with amendments) 1992
- Approved Document D – Toxic Substances: amended 1992
- Approved Document E – Resistance to the passage of sound: 1992 Edition, second impression (with amendments) 1992
- Approved Document F – Ventilation: 1995 Edition
- Approved Document G – Hygiene: 1992 Edition, second impression (with amendments) 1992
- Approved Document H – Drainage and Waste Disposal: amended 1992
- Approved Document J – Heat Producing Appliances: amended 1992
- Approved Document K – Protection from falling, collision and impact: 1998 Edition
- Approved Document L – Conservation of fuel and power: 1995 Edition
- Approved Document M – Access and facilities for disabled people: 1999 Edition
- Approved Document N – Glazing—safety in relation to impact, opening and cleaning: 1998 Edition
- Approved Document to support regulation 7 – materials and workmanship: 1999 Edition

Copies of these Approved Documents are available from The Stationery Office.

The intention is that these approvals will be subject to amendments to be contained in a forthcoming publication “Amendments 2000 to the Approved Documents” that will be available from The Stationery Office.

A Regulatory Impact Assessment has been prepared for the new requirements contained in regulation 16. A copy may be obtained from Building Regulations Division, DETR, Zone 3/A1, Eland House, Bressenden Place, London, SW1E 5DU (Tel: 020 7944 5753; Fax 020 7944 5739; E-mail: bregsa_br@detr.gov.uk).

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STATUTORY INSTRUMENTS

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The Building Regulations 2000

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