



Statutory Document No. 829/03

THE BUILDING REGULATIONS 2003

Contents

PART 1

GENERAL

1. Citation and commencement
2. Interpretation

PART 2

CONTROL OF BUILDING WORK

3. Meaning of "building work"
4. Requirements relating to building work
5. Meaning of "material change of use"
6. Requirements relating to material change of use
7. Material and workmanship
8. Limitation on requirements
9. Exempt buildings and work

PART 3

NOTICES AND PLANS

10. Deposit of plans
11. Plans
12. Notice of commencement and completion of certain stages of work
13. Completion certificates

PART 4

MISCELLANEOUS

14. Testing of building work
15. Sampling of materials
16. Unauthorised building works
17. Contravention of regulation 13 not an offence
18. Transitional provisions
19. Revocation

SCHEDULES

- Schedule 1 Requirements.
- Schedule 2 Exempt buildings and work.



Statutory Document No. 829/03

THE BUILDING CONTROL ACT 1991

THE BUILDING REGULATIONS 2003

*Approved by Tynwald
Coming into operation*

*9th December 2003
1st March 2004*

In exercise of the powers conferred upon the Department of Local Government and the Environment by sections 1(1), 3(1) and 8(2) of, and paragraphs 1, 2, 4, 6 and 7 of Schedule 1 to, the Building Control Act 1991¹, and of all other enabling powers, the following Regulations are hereby made:—

PART 1

GENERAL

1. Citation and commencement

These Regulations may be cited as the Building Regulations 2003, and subject to section 37(1) of the Act, shall come into operation on the 1st March 2004.

2. Interpretation

- (1) In these Regulations —
- "the Act" means the Building Control Act 1991;
 - "building" means any permanent or temporary building or earth retaining structure but not any other kind of structure, and a reference to a building includes a reference to part of a building;
 - "building work" has the meaning given in regulation 3(1);
 - "conservatory" means a single-storey part of a building which has not less than three-quarters of the area of roof and not less than one-half of the area of walls made of translucent material;
 - "controlled services or fitting" means a service or fitting in relation to which Part G, H, J or L of Schedule 1 imposes a requirement;
 - "dwelling" includes a dwelling-house and a flat;
 - "dwelling-house" does not include a flat or a building containing a flat;
 - "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

¹ 1991 c.21
Price £2.20 Price Code C

walls enclosing the area, or if at any point there is no such wall, by reference to the outermost edge of the floor;

"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 the top of the walls or of the parapet, if any, whichever is higher;

"industrial premises" includes factories and other premises used for manufacturing, altering, repairing, cleaning, washing, breaking-up, adapting or processing any article, generating power, incineration, or slaughtering livestock;

"institution" means an institution (whether described as a hospital, home, school or 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 5 years,

where such persons sleep on the premises;

"material alteration" has the meaning given in regulation 3(3);

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

"multi-occupancy dwelling" means any dwelling occupied by persons who do not form a single household;

"nursing home" has the same meaning as in the Nursing and Residential Homes Act 1988²;

"office premises" includes offices or premises used for the purpose of administration, clerical work (including writing, book-keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication, police and fire service work), handling money (including banking and building society work), and communications (including postal, telegraph and radio communications) or radio, television, film, audio or video recording, or performance not open to the public and their control;

"open-plan dwelling" means a dwelling comprising 2 or more storeys, where any internal staircase gives directly on to a habitable room;

"plans" means plans referred to in regulation 11;

"sewerage authority" means —

(a) the Department of Transport, or

(b) where any functions of that Department are delegated to a local authority under section 2 of the Sewerage Act 1999³, that authority;

"sheltered housing" means an institution comprising (with or without other accommodation) 2 or more dwellings intended to be occupied, under supervision, by old persons or persons under physical or mental incapacity;

"shop or commercial premises" includes shops or premises used for a retail trade or business (including the sale to members of the public of food or drink for immediate consumption and retail by auction, self-

² 1988 c.9

³ 1999 c.2

selection and over-the-counter wholesale trading, the business of lending books or periodicals for gain and the business of a barber or hairdresser) and premises to which the public is invited to deliver or collect goods in connection with their hire, repair or other treatment, or (except in the case of repair of motor vehicles) where they themselves may carry such repairs 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; or
- (c) a place of public worship
- (d) a place of leisure or sports;

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.

PART 2

CONTROL OF BUILDING WORK

3. **Meaning of "building work"**

(1) In these Regulations "building work" means —

- (a) the erection or extension of a building;
- (b) subject to paragraph (2), 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 controlled service or fitting, as mentioned in paragraph (2);
- (d) work required by regulation 6 (requirements relating to material change of use);
- (e) insertion of insulation material into cavity wall of a building;
- (f) work involving the underpinning of a building;
- (g) work involving the erection of earth retaining structures;
- (h) Work involving laying of any drain or private sewer in connection with a building or extension to a building.

(2) The provision or extension of a controlled service or fitting —

- (a) in or in connection with an existing dwelling; and
- (b) being a service or fitting in relation to which paragraph L1, but not Part G, H or J, of Schedule 1 imposes a requirement, shall only be building work where that work consists of the provision of a window, roof light, roof window, door (being door which together with its frame has more than 50 per cent of its internal face area glazed), a space heating or hot water service boiler, or a hot water vessel.

(3) 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 services or fitting which before the work commenced did not comply with a relevant requirement, being more unsatisfactory in relation to such a requirement.

- (4) In paragraph (3) "relevant requirement" means any of the following requirements of Schedule 1, namely —
- Part A (structure)
 - Part B (fire safety)
 - Part E (sound)
 - Part L1 (conservation of fuel and power in dwellings)
 - Part L2 (conservation of fuel and power in buildings other than dwellings)
 - Part M (access and facilities for disabled people)

4. Requirements relating to building work

- (1) Building work shall be carried out so that —
- (a) it complies with the relevant 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 relevant 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.

5. Meaning of "material change of use"

For the purpose of paragraph 7(1)(e) of Schedule 1 to the Act and for the purpose of these Regulations, there is a material change of use where there is a change in the purpose 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 a hotel, boarding house or a multi-occupancy dwelling, 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 used as an industrial premises, where previously it was not;
- (g) the building is used as an office premises, where previously it was not;
- (h) the building is used as a shop or commercial premises, where previously it was not; or
- (i) the building is not a building described in classes 1 to 5 in Schedule 2, where previously it was.

6. Requirements relating to material change of use

- (1) Where there is 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 relevant requirements of the following paragraphs of Schedule 1 —
 - (a) in all cases —
 - B1 (means of warning and escape)
 - B2 (internal fire spread — lining)
 - B3 (internal fire spread — structure)
 - B4(2) (external fire spread — roofs)
 - B5 (access and facilities for the fire service)
 - B6 (smoke detectors)
 - B7 (sprinklers)
 - F1 and F2 (ventilation)
 - G1 (sanitary conveniences and washing facilities)
 - G2 (bathrooms)
 - H1 (foul water drainage)
 - H6 (solid waste storage)
 - J1 to J6 (combustion appliances)
 - L1 (conservation of fuel and power — dwellings)
 - L2 (conservation of fuel and power — buildings other than dwellings)
 - Part M (access and facilities for disabled people)
 - (b) in the case of a material change of use described in regulations 5(c), (d), (e) or (f), A1 to A3 (structure);
 - (c) in the case of building exceeding 15 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) or (b), Part E (resistance to the passage of sound).
- (2) Where there is material change of use of part only of a building, such work, if any, shall be carried out as is necessary where reasonable to ensure that —
 - (a) that part complies in all cases with any applicable requirement referred to in paragraph (1)(a);
 - (b) in a case which sub-paragraph (b), (d) or (e) of paragraph (1) apply, that part complies with the requirements referred to in the relevant sub-paragraph; and
 - (c) in case to which sub-paragraph (c) of paragraph (1) applies, the whole building complies with requirement referred to in that sub-paragraph.

7. Material and workmanship

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 function for which they are designed: and
- (b) in a workmanlike manner.

8. Limitation on requirements

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 effected by buildings, or matters connected with buildings).

9. Exempt buildings and work

These Regulations do not apply to —

- (a) the erection of any buildings or extension of a kind described in Schedule 2; or
- (b) the carrying out of any work to or in connection with such 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 3

NOTICES AND PLANS

10. Deposit of plans

A person who intends to —

- (a) carry out building work, or
- (b) make a material change of use, shall deposit plans with the building authority.

11. Plans

- (1) Plans shall be deposited in duplicate and the building authority may retain one copy.
- (2) Where —
 - (a) Part B (fire safety) imposes a requirement in relation to proposed building work, or
 - (b) the building is or is intended to be put to a use which is designated under section 1 of the Fire Precautions Act 1975⁴, a further 2 copies of any such plans as demonstrate compliance with those requirements, or as to the matters referred to in paragraph 3(a) to (d) of Schedule 1 to that Act, as the case may be, shall be deposited, and the building authority may retain both copies.
- (3) Plans generally shall consist of —
 - (a) an accurate description of the proposed building work or material change of use;
 - (b) particulars of the location of the building to which the proposal relates and the use or intended use of that building;
 - (c) a statement specifying the number of storeys (each basement level being counted as one storey), in the building to which the proposal relates;

⁴ 1975 c.18

- (d) a statement as to whether the building is or is intended to be put to a use referred to in paragraph (2)(b);
- (e) particulars of the provision to be made for the drainage of the building or extension;
- (f) particulars, if section 12 of the Act applies (building over sewers etc.) of the precautions to be taken in building over sewer;
- (g) 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 building as extended, and the size, position and use of every other building or proposed building within the 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;
- (h) any other plans which are necessary to show that the work would comply with these Regulations.
- (4) In the case of building work which involves the insertion of insulation material into the cavity walls of a building, plans shall be accompanied by a statement as to —
 - (a) the name and type of insulating material to be used;
 - (b) whether or not the insulating material is approved by the British Board of Agrément or conforms to a British Standard specification;
 - (c) whether or not the installer is a person who is the subject of a British Standard Institution Certificate of Registration or has been approved by the British Board of Agrément for the insertion of that material.
- (5) 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, the plan 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 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.

12. Notice of commencement and completion of certain stages of work

- (1) A person carrying out building work shall not commence any building work unless —
 - (a) he has given the building authority a notice in a written form that he intends to commence work; and
 - (b) at least 2 days have elapsed since the end of the day on which he gave the notice.
- (2) A person carrying out building work shall not carry out any work to which this paragraph applies unless —
 - (a) he has given the building authority a notice in writing that he intends to commence work; and

- (b) at least 2 days have elapsed since the end of the day on which he gave the notice.
- (3) Paragraph (2) applies to —
 - (a) the covering up of any excavation for a foundation, any foundation, any damp-proof course or any concrete or other material laid over site;
 - (b) the haunching or covering up of any drain or sewer in respect of which Part H of Schedule 1 imposes a requirement; and
 - (c) any other part of the building work in respect of which the building authority have imposed a requirement under paragraph (4)(a).
- (4) A person carrying out building work shall not more than 5 days after—
 - (a) the completion of laying of any drain or sewer in respect of which Part H of Schedule 1 imposes a requirement, including any haunching or covering of the drain or sewer and the backfilling of any trench; and
 - (b) the completion of the building work,
give a notice in writing to the building authority of its completion.
- (5) Where a building is being erected, and that building (or part of it) is to be occupied before completion, the owner or the person carrying out that work shall give the building authority notice of such intention in writing at least 5 days before the building or any part of it is occupied.
- (6) Where a person fails to comply with paragraphs (1) to (6) he shall comply within a reasonable time with any notice given by the building authority requiring him to cut into, lay open or pull down so much of the work as prevents it from ascertaining whether these Regulations have been complied with.
- (7) If the building authority has 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 7 days after the completion of such work give a notice in writing to the building authority of its completion.
- (8) In this regulation "day" means any period of 24 hours commencing at midnight and excludes any Saturday, Sunday or bank holiday.

13. Completion certificates

- (1) A building authority shall, where it receives a notice under regulation 12(5)(b) and after taking all reasonable steps to ascertain that the building work satisfies any applicable requirements of Schedule 1, give a certificate to that effect.
- (2) A certificate given in accordance with this regulation shall be evidence (but not conclusive evidence) that any applicable requirements of those Regulations have been complied with.

PART 4

MISCELLANEOUS

14. Testing of building work

The building authority may make such test of any building work as may be necessary to establish whether it complies with regulation 7 or any of the applicable requirements contained in Schedule 1.

15. Sampling of materials

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

16. Unauthorised building works

- (1) This regulation applies where it appears to a building authority that unauthorised building work has been carried out on or after the 1st May 1993.
- (2) In this regulation "unauthorised building work" means building works, which has been done without —
 - (a) full plans of the work being deposited with the building authority; or
 - (b) a notice of commencement of work being given, in accordance with regulation 12(1), where full plans have been deposited.
- (3) Where this regulation applies, the owner ("the applicant") may apply in writing to the building 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 unauthorised work, and
 - (d) so far as is reasonably practicable, a plan showing any additional work required to be carried out to secure that 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 ("the relevant requirements").
- (4) Where a building authority receives an application in accordance with this regulation, it 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 thinks 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 building authority as are described in paragraph (4), and having had regards to any direction given in accordance with sections 6 and 7 of, and Schedule 2 to, the Act dispensing with or relaxing a requirement in building regulations which applies to the unauthorised work, the building authority shall notify the applicant —
 - (a) of work which in its opinion is required to comply with relevant requirements or those requirements as dispensed with or relaxed, or

- (b) that it 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 requirements or those requirements as dispensed with or relaxed.
- (6) Where the building authority has been able to satisfy itself, after taking all reasonable steps for that purpose, that —
 - (a) the relevant requirements have been satisfied (taking into account of any work carried out and any dispensation or relaxation given in accordance with sections 6 and 7 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),it may give a certificate to that effect ("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 10 and 12 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 11 of the Act as the deposit of plans in accordance with building regulations.

17. Contravention of regulation 13 not an offence

Regulation 13 is designated as a provision to which section 17 of the Act (penalty for contravening building regulations) does not apply.

18. Transitional provisions

Nothing in these Regulations applies to —

- (a) any plans which, in accordance with the Building Regulations 1993⁵, are deposited with a building authority before the coming into operation of these Regulations,
- (b) work carried out in accordance with plans deposited before such coming into operation; or
- (c) (except as provided by regulation 16) work carried out and completed before such coming into operation.

19. Revocation

The following instruments are revoked —

- (a) the Building Regulations 1993, and
- (b) the Building (Amendment) Regulations 2000⁶.

⁵ SD 2/93

⁶ SD 86/00

Regulations 4 and 6.

SCHEDULE 1
REQUIREMENTS

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) regards 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 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 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 slop of the roof does not exceed 70° to the horizontal.

A4. The building shall be constructed so that in the event of failure of any part of the roof, including its supports, the building will not collapse to an extent disproportionate to that failure.

Requirement A4 applies only to those parts of public buildings, shops or a shopping mall which have a roof with clear span exceeding 9m between supports.

Landslip

A5. Earth retaining structures shall be constructed as to prevent land-slip.

Requirement A5 does not apply to retaining walls less than 1.2m in height which do not form part of a building.

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 an institution provided under section 11 of the Custody Act 1995⁷.

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

⁷ 1995 c.1

<i>Requirement</i>	<i>Limits on application</i>
<p>their surface; and</p> <p>(b) have, if ignited, a rate of heat release which is reasonable in the circumstances.</p> <p>(2) In this paragraph "internal linings" means the materials lining any partition, wall, ceiling or other internal structure.</p> <p>Internal fire spread (structure)</p> <p>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.</p> <p>(2) A wall common to 2 or more buildings shall be designed and constructed so that it 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.</p> <p>(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.</p> <p>(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.</p> <p>External fire spread</p> <p>B4. (1) The external walls of the building shall 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.</p> <p>(2) The roof of the building shall resist the spread of fire over the roof and from one building to another, having regard to the use and position of the building.</p> <p>Access and facilities for the fire service</p> <p>B5. (1) The building shall be designed and constructed so as to provide facilities to assist fire fighters in the protection of life.</p> <p>(2) Reasonable provision shall be made within the site of the building to enable fire appliances to gain access to the building.</p> <p>Smoke detectors</p> <p>B6. The building shall be fitted with one or more smoke detectors in such manner as to make adequate provision for the early detection of the outbreak of fire in the building.</p> <p>Sprinklers</p> <p>B7. The building shall be fitted with such sprinklers as are reasonably required, having regard to the use to which the building is to be put, to facilitate escape from the building in case of fire.</p>	<p>Requirement B3(3) does not apply to an institution provided under section 11 of the Custody Act 1995.</p> <p>Requirement B6 applies only to dwellings.</p> <p>Requirement B7 applies only to —</p> <ul style="list-style-type: none"> (a) multi-occupancy dwellings; (b) buildings containing flats; (c) buildings to be used for sheltered housing; (d) hospitals and nursing homes; (e) schools; (f) open-plan dwellings; and (g) other buildings with compartments over 5,000m³.

Requirement

Limits on application

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. 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. Subsoil drainage shall be provided if it is needed to avoid —

- (a) the passage of 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 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 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 —

- (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 resist 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 resist the transmission of airborne sound.

Impact sound (floors and stairs)

E3. A floor or 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 resist 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.

<i>Requirement</i>	<i>Limits on application</i>
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 purpose, or in bathrooms. Any such room or bathroom shall be separated from places where food is prepared.

Requirement G1(1) applies only to dwellings.

(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 must be installed by a person competent to do so, and there shall be precautions —

Requirement G3 does not apply to —

- (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.

- (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) An adequate system of drainage shall be provided to carry foul water from appliances within the building to one of the following, listed in order of priority —

Requirement H1 does not apply to the diversion of water which has been used for personal washing or for the washing of cloth, linen or other articles to collection systems for reuse.

- (a) a public sewer; or, where that is not reasonably practicable,
- (b) either a septic tank which has appropriate form of secondary treatment or another wastewater treatment system; or, where that is not reasonably practicable,
- (c) a cesspool.

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

- (a) waste from a sanitary convenience or other

<i>Requirement</i>	<i>Limits on application</i>
<p>soil appliance;</p> <p>(b) water which has been used for cooking or washing.</p> <p>Cesspools, septic tanks and settlement tanks</p> <p>H2. (1) Any septic tank and its form of secondary treatment wastewater system or cesspool, shall be so sited and constructed that —</p> <p>(a) it is not prejudicial to the health of any person;</p> <p>(b) it will not contaminate any watercourse, underground water or water supply;</p> <p>(c) there shall be adequate means of access for emptying and maintenance; and</p> <p>(d) where relevant, it will function to a sufficient standard for the protection of health in the event of a power failure.</p> <p>(2) Any septic tank, holding tank which is part of a wastewater treatment system or cesspool shall be —</p> <p>(a) of adequate capacity;</p> <p>(b) so constructed that it is impermeable to liquids; and</p> <p>(c) adequately ventilated.</p> <p>(3) Where a foul water drainage system from a building discharges to a septic tank, wastewater treatment system or cesspool, a durable notice shall be affixed in a suitable place in the building containing information on any continuing maintenance required to avoid risks to health.</p> <p>Rainwater drainage</p> <p>H3. (1) Adequate provision shall be made for rainwater to be carried from the roof of the building.</p> <p>(2) Paved areas around the building shall be so constructed as to be adequately drained.</p> <p>(3) Rain water from a system provided pursuant to sub-paragraphs (1) or (2) shall discharge to one of the following, listed in order of priority —</p> <p>(a) an adequate soakaway or some other adequate infiltration system; or, where that is not practicable,</p> <p>(b) a watercourse; or, where that is not reasonably practicable,</p> <p>(c) a sewer.</p> <p>Building over sewers</p> <p>H4. (1) The erection or extension of a building or work involving the underpinning of a building shall be carried out in a way that is not detrimental to the building or building extension or to the continued maintenance of the drain, sewer or disposal main.</p> <p>(2) In this paragraph "disposal main" means any pipe, tunnel or conduit used for the conveyance of effluent to or from a sewage disposal works, which is not a public sewer.</p> <p>(3) In this paragraph and paragraph H5 "map of sewers" means any records kept pursuant to section 16 of the Sewerage Act 1999.</p>	<p>Requirement H3(2) applies only to paved areas —</p> <p>(a) which provide access to the building pursuant to paragraph M2 (access for disabled people);</p> <p>(b) which provide access to or from a place of storage pursuant to paragraph H6(2) (solid waste storage); or</p> <p>(c) in any passage giving access to the building, where this is intended to be used in common by the occupiers of one or more other buildings.</p> <p>Requirement H3(3) does not apply to the gathering of rainwater for reuse.</p> <p>Requirement H4 applies only to work carried out —</p> <p>(a) over a drain, sewer or disposal main which is shown on any map of sewers; or</p> <p>(b) on any site or in such a manner as may result in interference with the use of, or obstruction of the access of any person to, any drain, sewer or disposal main which is shown on any map of sewers.</p>

<i>Requirement</i>	<i>Limits on application</i>
Separate system of drainage H5. Any system for discharging water to a sewer which is provided pursuant to paragraph H3 shall be separate from that provided for the conveyance of foul water from the building.	Requirement H5 applies only to a system provided in connection with the erection or extension of a building where it is reasonably practicable for the system to discharge directly or indirectly to a sewer for the separate conveyance of surface water which is — (a) shown on a map of sewers; or (b) under construction either by the sewerage undertaker or by some other person (where the sewer is the subject of an agreement to make a declaration of vesting pursuant to section 8 of the Sewerage Act 1999).
Solid waste storage H6. (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 collection point (where one has been specified pursuant to regulations under section 66(9) of the Public Health Act 1990 ⁸ or to a street (where no collection point has been specified).	
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, to prevent over-heating and for the efficient working of any flue.

Requirements J1, J2 and J3 apply only to fixed combustion appliances (including incinerators).

Discharge of products of combustion

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

Protection of building

J3. Combustion appliances and fluepipes shall be so installed, and fireplaces 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.

Provision of information

J4. Where a hearth, fireplace, flue or chimney is provided or extended, a durable notice containing information on the performance capabilities of the hearth, fireplace, flue or chimney shall be affixed in a suitable place in the building for the purpose of enabling combustion appliances to be safely installed.

⁸ 1990 c.10

<i>Requirement</i>	<i>Limits on application</i>
<p>Protection of liquid fuel storage systems</p> <p>J5. Liquid fuel storage systems and the pipes connecting them to combustion appliances shall be so constructed and separated from the building and the boundary of the premises as to reduce to a reasonable level of risk of the fuel igniting in the event of fire in adjacent buildings or premises.</p>	<p>Requirement J5 applies only to —</p> <p>(a) fixed oil storage tanks with capacities greater than 90 litres and connecting pipes; and</p> <p>(b) fixed liquefied petroleum gas storage installations with capacities greater than 150 litres and connecting pipes, which are located outside the building and which serve fixed combustion appliances (including incinerators) in the building.</p>
<p>Protection against pollution</p> <p>J6. Oil storage tanks and the pipes connecting them to combustion appliances shall —</p> <p>(a) be so constructed and protected as to reduce to a reasonable level the risk of the oil escaping and causing pollution; and</p> <p>(b) have affixed in a prominent position a durable notice containing information on how to respond to an oil escape so as to reduce to a reasonable level the risk of pollution.</p>	<p>Requirement J6 applies only to fixed oil storage tanks with capacities of 3500 litres or less, and connecting pipes, which are —</p> <p>(a) located outside the building; and</p> <p>(b) serve fixed combustion appliances (including incinerators) in a building used wholly or mainly as a private dwelling, but does not apply to buried systems.</p>

PART K — STAIRS, RAMPS AND GUARDS

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 or access to the building.

Protection from falling

K2. The following —

- (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,
- shall be guarded with barriers where it is necessary to protect people in or about the building from falling.

Vehicle barriers

K3. (1) Vehicle ramps, and any level 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) a dwelling, 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

<i>Requirement</i>	<i>Limits on application</i>
power failure. (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

Dwellings

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

- (a) limiting the heat loss —
 - (i) through the fabric of the building;
 - (ii) from hot water pipes and hot air ducts used for space heating;
 - (iii) from hot water vessels;
- (b) providing space heating and hot water systems which are energy efficient;
- (c) providing lighting systems with appropriate lamps and sufficient controls so that energy can be used efficiently;
- (d) providing sufficient information with the heating and hot water services so that the building's occupiers can operate and maintain the services in such a manner as not to use more energy than is reasonable in the circumstances.

The requirement for sufficient control in requirement L1(c) applies only to external lighting systems fixed to the building.

Buildings or part of buildings other than dwellings

L2. Reasonable provision shall be made for the conservation of fuel and power in buildings or parts of buildings other than dwellings by —

- (a) limiting the heat losses and gains through the fabric of the building;
- (b) limiting the heat loss —
 - (i) from hot water pipes and hot air ducts used for space heating;
 - (ii) from hot water vessels and hot water service pipes;
- (c) providing space heating and hot water systems which are energy-efficient;
- (d) limiting exposure to solar overheating;
- (e) making provision where air conditioning and mechanical ventilation systems are installed, so that no more energy needs to be used than is reasonable in the circumstances;
- (f) limiting the heat gains by chilled water and refrigerant vessels and pipes and air ducts that serve air conditioning systems;
- (g) providing lighting systems which are energy-efficient;
- (h) providing sufficient information with the relevant services so that the building can be operated and maintained in such a manner as to use no more energy than is reasonable in the circumstances.

Requirements L2(e) and (f) apply only within buildings and parts of buildings where more than 200m² of floor area is to be served by air conditioning or mechanical ventilation system. Requirement L2(g) applies only within buildings and parts of buildings where more than 100m² is to be served by artificial lighting.

PART M — ACCESS AND FACILITIES FOR DISABLED PEOPLE

Interpretation

M1. In this Part "disabled people" means people who have —

- 1. The requirements of this Part do not apply to —

<i>Requirement</i>	<i>Limits on application</i>
<p>(a) an impairment which limits their ability to walk or which requires them to use a wheel chair for mobility, or</p> <p>(b) impaired hearing or sight.</p> <p>Access and use</p> <p>M2. Reasonable provision shall be made for disabled people to gain access to and use the building.</p> <p>Sanitary conveniences</p> <p>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 made in either the entrance storey or principal storey.</p> <p>(2) In this paragraph "entrance storey" means the storey which contains the principle entrance to the dwelling, and "principal storey" means the storey nearest to the entrance storey which contains a habitable room, or if there are 2 such storeys equally near, either such storey.</p> <p>(3) If sanitary conveniences are provided in any building which is not a dwelling, reasonable provision shall be made for disabled people.</p> <p>Audience or spectator seating</p> <p>M4. If the building contains audience or spectator seating, reasonable provision shall be made to accommodate disabled people.</p>	<p>(a) a material alteration;</p> <p>(b) an extension to a dwelling, or any other extension which does not include a ground storey;</p> <p>(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.</p> <p>2. The requirements of this part do not apply to a dwelling the total area of which does not exceed 80m².</p>
<p>M4. If the building contains audience or spectator seating, reasonable provision shall be made to accommodate disabled people.</p>	<p>Requirement M4 does not apply to dwellings.</p>

PART N — GLAZING: MATERIALS AND PROTECTION

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 building shall be so constructed or equipped that they may be opened, closed or adjusted safely.

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.

Regulation 9.

SCHEDULE 2
EXEMPT BUILDINGS AND WORK

CLASS 1

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 2

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.

CLASS 3

Temporary buildings

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

CLASS 4

Ancillary buildings

1. A building on a site, being a building which is intended to be used only in connection with the disposal of building 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 5

Small detached buildings

1. A detached single storey building, having a floor area which does not exceed 30 square metres, 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 30 square metres; 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 10 square metres, which contains no sleeping accommodation.

CLASS 6

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 30 square metres, provided that in the case of a conservatory or porch which is wholly or partly glazed satisfies the requirements of Part L1 and Part N of Schedule 1.

CLASS 7

Alterations

The installation of —

- (a) a window, roof light, roof window, door (being a door which together with its frame has more than 50 per cent of its internal face area glazed), or
- (b) a space heating or hot water service boiler or a hot water vessel, provided that it satisfies the requirement of Part L1 of Schedule 1 in connection with an existing dwelling.

MADE 11th November 2003

Pamela M. Crowe
Minister for Local Government and the Environment

EXPLANATORY NOTE
(This note is not part of the Regulations.)

These Regulations revoke and replace the Building Regulations 1993. The following changes of substance are made.

The definition of "controlled service or fitting" in regulation 2(1) is extended to include services or fittings in relation to which Part L (conservation of fuel and power) imposes a requirement.

In regulation 3 the definition of building work has been extended to include work involving building earth retaining structures; work involving laying a drain or sewer and certain work involving the provision of controlled services (subject to exceptions for the provision of certain controlled services and fittings in existing dwellings).

The applicable requirements relating to material changes of use contained in regulation 6 are extended to include paragraphs —

- H6 (solid waste drainage)
- J5 (protection of liquid fuel storage systems)
- J6 (protection against pollution)
- L (conservation of fuel and power)
- M (access and facilities for disabled people)

Regulation 12 now requires that notice given to a building authority before work commences be in a written form, and also that notice be given of intention to start works and of completion of works. Notice to the building authority that works to rectify a contravention of the regulations has been completed must be given within 7 days.

Regulation 14 now allows the building authority to test any building work to check that it complies with the Regulations.

Regulation 16 provides for the issue by the building authority of "regularisation certificates" in relation to unauthorised building work.