



BUILDING REGULATIONS 2014

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Building Control Act 1991

BUILDING REGULATIONS 2014¹

Laid before Tynwald: 20 May 2014
Approved by Tynwald: 16 July 2014
Coming into Operation: 1 October 2014

The Department of Infrastructure makes the following Regulations under section 1(1), 2, 3(1) and paragraphs 1, 2, 4, 4A, 6 and 7 of Schedule 1 of the Building Control Act 1991.

1 Title

These Regulations are the Building Regulations 2014.

2 Commencement

If approved by Tynwald, these Regulations come into operation on 1 October 2014¹.

PART 1

GENERAL

3 Interpretation

(1) In these Regulations —

“**the Act**” means the Building Control Act 1991;

“**building work**” has the meaning given in regulation 4(1);

“**change to a building’s energy status**” means any change that results in a building becoming a building to which the energy efficiency requirements of these Regulations apply, where previously it was not;²

“**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;

¹ Tynwald approval is required by section 37(5) of the Act

“**controlled service or fitting**” means a service or fitting in relation to which Part F, G, H, J, L P or Q of Schedule 1 imposes a requirement;³

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

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

“**electrical installation**” means fixed electrical cables or fixed electrical equipment located on the consumer’s side of the electricity supply meter;

“**energy efficiency requirements**” means the requirements of regulations 21C, 21D, Part L of Schedule 1 and Schedule 4;⁴

“**exempt class**” means a class of building or extension stated in Schedule 2;

“**extra low voltage**” means a voltage not exceeding 50v between conductors and earth for alternating current or 120v between conductors for direct current;

“**fixed building services**” means any part of, or any controls associated with –

- (a) fixed internal or external lighting systems, but does not include emergency escape lighting; or
- (b) fixed systems for heating, hot water, air conditioning or mechanical ventilation;

“**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 or vertically;

“**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;

“**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;

“**house or flat in multiple occupation**” has the same meaning as in the Housing (Definition of Flat or House in Multiple Occupation) Order 2013²;

“**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) living with disabilities due to illness or old age or other physical or mental impairment; or

² SD 0377/13

(b) under the age of 5 years,

if such persons sleep on the premises;

“**low voltage**” means voltage not exceeding —

(a) in relation to alternating current, 1000v between conductors or 600v between conductors and earth; or

(b) in relation to direct current, 1500v between conductors or 900v between conductors and earth;

“**material alteration**” has the meaning given in regulation 5;

“**material change of use**” has the meaning given in regulation 7;

“**notice**” means a notice in writing;

“**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, if any internal staircase gives access directly on to a habitable room;

“**place of public resort**” does not include a building to the extent that it is, or contains, a dwelling or a shop, storehouse or warehouse to which members of the public are occasionally admitted;

“**plans**” means plans referred to in regulation 13;

“**porch**” means a single-storey part of a building which is built to protect any external door into a building from elements of weather and does not contain sanitary or washing facilities;

“**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;

(c) a place of public worship; or

(d) a place of leisure or sports;

“**renovation**” in relation to a thermal element means the provision of a new layer in the thermal element other than if that new layer is provided solely as a means of repair to a flat roof or the replacement of an existing layer, but excludes decorative finishes;

“**room for residential purposes**” means a room or suite of rooms which is not a dwelling house or a flat and which is used by one or more persons to live and sleep and includes a room in a hostel, an hotel, a boarding house, hall

of residence or a residential home, whether or not the room is separated from or arranged in a cluster group with other rooms, but does not include a room in a hospital, or other similar establishment, used for patient accommodation and , for the purpose of this definition, a “**cluster**” is a group of rooms for residential purposes which is –

- (a) separated from the rest of the building in which it is situated by a door which is designed to be locked; and
- (b) not designed to be occupied by a single household;

“**school**” has the same meaning as in section 59 of the Education Act 2001;

“**school building**” means any building forming a school or part of a school;

“**sewerage authority**” means the Manx Utilities Authority;

“**sheltered housing**” means an institution comprising (with or without other accommodation) 2 or more dwellings intended to be occupied, under supervision, by persons over the statutory retirement age or persons living with physical or mental impairment;

“**shop or commercial premises**” includes –

- (a) 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-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
- (b) 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) if they themselves may carry out such repairs or other treatment;

“**single household**” means a single economic unit in which the liability for the housing and living costs is assumed and discharged by one or more members of that unit by reason of common occupation of all areas of domestic habitation;

“**sun room**” means a single-storey part of a building which part has at least half of its wall area made of translucent material;

“**thermal element**” for a building means a wall, floor or roof or other element of the building (but does not include windows, doors, roof windows or roof-lights) which separates a thermally conditioned part of the building (“**the conditioned space**”) from the following or that bounds the conditioned space from the following or from the building’s external environment –

- (a) the external environment (including the ground);
- (b) in the case of floors and walls, another part of the building which is –
 - (i) unconditioned;

- (ii) an extension falling within exempt class 6 of Schedule 2; or
- (c) if the building is not a dwelling, a part of the building that is —
 - (i) used for a purpose for which the conditioned space is used; and
 - (ii) conditioned to a different temperature as the conditioned space,if this paragraph applies, conditioned to a different temperature, and includes all parts of the element between the surface bounding the conditioned space and the external environment or other part of the building as the case may be.

“**tourist premises**” has the same meaning as in the Tourist Act 1975; and

“**working day**” means a day of the week that is not any of the following —

- (a) a Saturday;
 - (b) a Sunday;
 - (c) a bank holiday under the Bank Holidays Act 1989; or
 - (d) a day declared to be a non-business day under a Treasury Order under section 1 of the Banking and Financial Dealings (Isle of Man) Act 1973.
- (2) Section 13 of the Water Act 1991 and any regulations made under that section apply for the purposes of Part G of Schedule 1.

PART 2

CONTROL OF BUILDING WORK

4 Meaning of “**building work**”

- (1) In these Regulations “**building work**” means —
- (a) the erection, extension or repair of a building;
 - (b) subject to paragraph (2), the provision, extension or repair 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 8 (requirements relating to material change of use);
 - (e) the insertion of insulation material into a 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, extension or repair to a building; and

- (i) work required by Part L of Schedule 1 (requirement relating to thermal elements).
- (2) However, the provision, extension or repair of a controlled service or fitting —
 - (a) in or in connection with an existing building, and
 - (b) being a service or fitting in relation to which Part L, but not Part G, H, J or P, of Schedule 1 imposes a requirement,is only building work if that work consists of the provision of 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), an air-conditioning unit or system, a space heating or hot water service boiler, or a hot water vessel.
- (3) For the purpose of this regulation —

“repair” means to restore a building or part of a building or controlled service or fitting which is damaged, worn or faulty so that it complies with the relevant requirements of Schedule 1, provided that the area of the proposed repair exceeds 20% of —

 - (a) an element of the building; or
 - (b) that part of the building or controlled service that needs repairing.

5 Meaning of “material alteration”

- (1) In these regulations an alteration of a building is “material” if the alteration, 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 if 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 regulation 9 (material and workmanship).
- (2) In paragraph (1) “relevant requirement” means any of the following requirements of Schedule 1, namely —
 - (a) Part A (structure);
 - (b) Part B (fire safety);
 - (c) Part C (resistance to moisture);
 - (d) Part E (resistance to the passage of sound);
 - (e) Part L (conservation of fuel and power in buildings); and
 - (f) Part M (access and use of buildings).

6 Requirements relating to building work

- (1) Building work must be carried out so that —

- (a) it complies with the relevant requirements contained in Schedule 1 and Schedule 4; and
 - (b) in complying with any such requirement there is no failure to comply with any other such requirement.⁵
- (2) Building work must be carried out so that, after it has been completed —
- (a) any building which is extended, repaired or to which a material alteration is made;
 - (b) any building in, or in connection with, which a controlled service or fitting is provided, repaired, or materially altered; and
 - (c) any controlled service or fitting,
- complies with the relevant requirements of Schedule 1 and Schedule 4 or, if it did not comply with any such requirement, is no more unsatisfactory in relation to that requirement than before the work was carried out, but still in compliance with regulation 9 (material and workmanship).⁶
- (3) To avoid any doubt, the carrying out of building work for a building must comply with all other relevant requirements under these Regulations.

7 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” of a building if 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 one of the following, and was not previously —
 - (i) a dwelling;
 - (ii) a tourist premises;
 - (iii) an institution;
 - (iv) an industrial premises;
 - (v) an office premises;
 - (vi) a shop or commercial premises; or
 - (vii) a public building;
- (b) the building contains a flat or a room for a residential purpose, and previously it did not; or
- (c) the building is not an exempt class 1, 2, 3, 4 or 5 exempt building, and previously it was.

8 Requirements relating to material change of use

- (1) If there is a material change of the whole of a building, such work, if any, must be carried out as is necessary to ensure that the building complies

with the relevant requirements of Schedule 4 and the following paragraphs of Schedule 1 —

- (a) in all cases —
 - (i) Part B (fire safety);
 - (ii) Part C (resistance to moisture);
 - (iii) F1 (ventilation);
 - (iv) Part G (sanitation, hot water safety and water efficiency);
 - (v) H1 (foul water drainage);
 - (vi) H6 (solid waste storage);
 - (vii) J1 to J6 (combustion appliances);
 - (viii) Part L (conservation of fuel and power in buildings);
 - (ix) Part M (access and use of building); and
 - (x) Part P (electrical safety);
 - (b) in the case of a material change of use described in regulation 7(a)(i), (a)(ii), (d), (e) or (f), A1 to A3 (structure) of Schedule 1;
 - (c) in the case of a material change of use described in regulation 7(a)(i), (a)(ii) and (b), E1 to E3 (resistance to the passage of sound);
 - (d) in the case of a material change of use described in regulation 7(c), or, if the public building consists of or contains a school, E4 (acoustic conditions in schools).⁷
- (2) If there is a material change of use of part only of a building, such work, if any, must be carried out as is reasonably necessary to ensure that —
- (a) that part complies in all cases with any applicable requirement referred to in paragraph (1)(a);
 - (b) in a case to which paragraph (1)(b),(c) or(d) applies, that part complies with the requirements referred to in the relevant paragraph;
 - (c) in a case to which paragraph (1)(a)(i) applies, the whole building complies with the requirement referred to in that paragraph; and
 - (d) in a case to which paragraph (1)(a)(iv) applies —
 - (i) that part and any sanitary conveniences provided in or in connection with that part comply with the requirements referred to in that paragraph; and
 - (ii) the building complies with requirement M1(a) of Schedule 1 to the extent that reasonable provision is made to provide either suitable independent access to that part or suitable access through the building to that part.

9 Material and workmanship

- (1) Building work must 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;
 - (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
- (2) Subject to paragraph (3), building work must be carried out so that materials which become part of an external wall, or specified attachment, of a relevant building are of European Classification A2-s1, d0 or A1, classified in accordance with BS EN 13501-1:2007+A1:2009 entitled "Fire classification of construction products and building elements. Classification using test data from reaction to fire tests" (ISBN 978 0 580 59861 6) published by the British Standards Institution on 30th March 2007 and amended in November 2009.⁹
- (3) Paragraph (2) does not apply to —
 - (a) cavity trays when used between two leaves of masonry;
 - (b) any part of a roof if that part is connected to an external wall;
 - (c) door frames and doors;
 - (d) electrical installations;
 - (e) insulation and water proofing materials used below ground level;
 - (f) intumescent and fire stopping materials where the inclusion of the materials is necessary to meet the requirements of Part B of Schedule 1;
 - (g) membranes;
 - (h) seals, gaskets, fixings, sealants and backer rods;
 - (i) thermal break materials where the inclusion of the materials is necessary to meet the thermal bridging requirements of Part L of Schedule 1; or
 - (j) window frames and glass.¹⁰
- (4) In this regulation —
 - (a) a "relevant building" means a building with a storey (not including roof-top plant areas or any storey consisting exclusively of plant rooms) at least 18 metres above ground level and which —
 - (i) contains one or more dwellings;
 - (ii) contains an institution; or

- (iii) contains a room for residential purposes (excluding any room in a hostel, hotel or boarding house); and
- (b) “above ground level” in relation to a storey means above ground level when measured from the lowest ground level adjoining the outside of a building to the top of the floor surface of the storey.¹¹

10 Limitation on requirements

Parts A to D, F to K, P and Q (except for paragraphs G2, H2 and J7) of Schedule 1 must 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).¹²

11 Exempt buildings and work

- (1) Subject to paragraphs (2) and (3) an application for approval to the building authority is not required for —
 - (a) the erection of any buildings or extension of any exempt class; 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 falling within any exempt class in Schedule 2.
- (2) The requirements of paragraphs G1 and G3(2) and (3) of Schedule 1 apply —
 - (a) to any greenhouse which receives a cold or hot water supply from a source shared with or located inside a dwelling; and
 - (b) to —
 - (i) any small detached building falling within class 5 in Schedule 2; and
 - (ii) any erection of a building falling within class 6 in Schedule 2; andwhich in either case receives a cold or hot water supply from a source shared with or located inside any building other than a building or extension falling within any exempt class in Schedule 2.
- (3) The requirements of Part P of Schedule 1 apply to —
 - (a) any greenhouse;
 - (b) any small detached building falling within class 5 in Schedule 2; and
 - (c) any erection of a building falling within class 6 in Schedule 2.which in any case receives its electricity from a source shared with or located inside a dwelling.

- (4) To avoid any doubt, the carrying out of building work for a building or extension of an exempt class must still comply with all other relevant requirements under these regulations.

PART 3

NOTICES AND PLANS

12 Deposit of plans

- (1) A person who intends to —
 - (a) carry out building work;
 - (b) replace or renovate a thermal element in a building to which the energy efficiency requirements apply;
 - (c) make a material change of use of a building; or
 - (d) make a change to a building's energy status,¹³must deposit plans with the express consent of the legal owner of the premises with the building authority.
- (2) However, paragraph (1) does not apply to building work that consists only of work described in Regulation 22 and Schedule 3.

13 Plans

- (1) Plans must be deposited in duplicate and the building authority may retain one copy.
- (2) If the building is or intended to be put to a use which is designated under section 1 of the Fire Precautions Act 1975, a further 2 copies of any such plans as demonstrate compliance with those requirements, or to the matters referred to in paragraph 3(a) to (d) of Schedule 1 to that Act, as the case may be, must be deposited and the building authority may retain both copies.
- (3) Plans generally must consist of —
 - (a) an accurate description of the proposed building work, renovation or replacement of a thermal element, change of a building's energy status, or material change of use of the building;¹⁴
 - (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;
 - (d) a statement as to whether the building is or is intended to be put to a use referred to in paragraph (2);

- (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 sewers;
 - (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 curtilage; and
 - (iii) the width and position of any street on or within the boundaries of the curtilage of the building or the building as extended; and
 - (h) any other plans or information required by the building authority to show that the work would comply with these Regulations.
- (4) For building work involving the insertion of insulation material into the cavity walls of a building, plans must 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; and
 - (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) If 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 must 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; and
 - (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.

14 Notice of commencement of building work

A person may commence building work only if —

- (a) the person has given the building authority a notice of the person's intention to commence the work; and
- (b) at least 2 days have elapsed since the end of the day on which the person gave the notice.

15 Mandatory notice of commencement of certain stages of building work

The person must give the building authority notice of the following stages of building work —

- (a) the covering up of any excavation for a foundation, any foundation, any damp proof course or any concrete or other material laid over the site;
- (b) the haunching or covering up of any drain or sewer in respect of which Part H of Schedule 1 imposes a requirement;
- (c) any other part of the building work in respect of which the building authority have imposed a requirement under Regulation 16; and
- (d) the completion of the building work.

16 Building authority's power to require notice of other stages of building work

A building authority, on giving notice that plans for the building have been passed, may include in the notice a requirement that the person carrying out building work must give the building authority notice of the person's intention to commence a stated stage or part of the building work.

17 Notice of occupation prior to completion of the building work

- (1) This paragraph applies if —
 - (a) a building is being erected; and
 - (b) it is proposed that the building or part of it is to be occupied for its use as constructed before completion of the building work.
- (2) The person carrying out building work to the building or for the owner of the building must give the building authority notice of intention of the proposed occupation at least 5 days before the occupation starts.

18 Notice of completion of certain drains and sewers

- (1) This paragraph applies on the completion of laying of a drain or sewer for 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.
- (2) The person carrying out the work must give the building authority notice of the completion.

19 Notice of completion of rectification work

- (1) This paragraph applies if —
 - (a) the building authority gives a notice requiring the fixing of building work carried out in contravention of these regulations; and
 - (b) work (“rectification work”) to fix the contravention is completed.
- (2) The person carrying out the rectification work must give the building authority notice of the completion within 7 working days.

20 Building authority’s powers if required notice not given

- (1) This regulation applies if a person does not give a notice required to be given under this part for building work for a building.
- (2) The building authority may give the person a notice requiring the person to within a stated reasonable period, take all necessary action to allow it to work out whether the building work was carried out in compliance with these regulations.
- (3) The person must comply with the notice.
- (4) In this regulation, “action” includes cutting into, laying open or pulling down the building work.

21 Completion certificates

- (1) A building authority must, after the giving of all notices required to be given under this Part for building work for a building and the taking of all reasonable steps to work out whether the building work satisfies any applicable requirements of Schedule 1, Schedule 4 and Schedule 5, give a certificate to that effect.¹⁵
- (2) A certificate given under this regulation is evidence (but not conclusive evidence) that any applicable requirements of those regulations have been complied with.

PART 3A - VENTILATION¹⁶**21A Information about ventilation**

- (1) This regulation applies where paragraph F1(1) of Schedule 1 imposes a requirement in relation to building work.
- (2) The person carrying out the work must not later than 5 days after the work has been completed, give sufficient information to the owner about the building’s ventilation system and its maintenance requirements so that the ventilation system can be operated in such a manner as to provide adequate means of ventilation.¹⁷

21B Mechanical ventilation air flow rate testing

- (1) This regulation applies where paragraph F1(1) of Schedule 1 imposes a requirement in relation to the creation of a new dwelling by building work.
- (2) The person carrying out the work must, for the purpose of ensuring compliance with paragraph F1(1) of Schedule 1, —
 - (a) ensure that testing of the mechanical ventilation air flow rate is carried out in accordance with a procedure approved by the building authority; and
 - (b) give notice of the results of the testing to the building authority.
- (3) The notice referred to in paragraph (2)(b) must —
 - (a) record, in a manner approved by the building authority, the results and the data upon which they are based; and
 - (b) be given to the building authority not later than 5 days after the final test is carried out.¹⁸

PART 3B - FUEL AND POWER¹⁹**21C Information about use of fuel and power**

- (1) This paragraph applies where Part L1(a)(i) of Schedule 1 applies in relation to building work.
- (2) The person carrying out the work must, not later than 5 days after the work has been completed, provide to the owner information —
 - (a) about the building; and
 - (b) about the fixed building services and their maintenance requirements;

that is sufficient for the building to be operated in such a manner as to use no more fuel and power than is reasonable in the circumstances.²⁰

PART 3C - COMMISSIONING²¹**21D Commissioning**

- (1) This regulation applies to building work in relation to which paragraph F1(2) of Schedule 1 imposes a requirement, but does not apply to the provision or extension of any fixed system for mechanical ventilation or any associated controls where testing and adjustment is not possible.
- (2) This regulation also applies to building work in relation to which either Schedule 4 or paragraph L1(b) of Schedule 1 imposes a requirement, but does not apply to the provision or extension of any fixed building service

where testing and adjustment is not possible or would not affect the energy efficiency of that fixed building service.

- (3) Where this regulation applies the person carrying out the work must give to the building authority a notice confirming that the fixed building services have been commissioned in accordance with a procedure approved by the building authority. This requirement is for the purpose of ensuring compliance with paragraph F1(2) or L1(b) of Schedule 1 or Schedule 4.
- (4) The notice must be given to the building authority —
 - (a) where this regulation applies, not later than 5 days after building work has been completed; or
 - (b) where this regulation does not apply, not more than 30 days after completion of the work.²²

PART 3D - ENERGY EFFICIENCY²³

21E Energy Efficiency Requirements

Schedule 4 (energy efficiency requirements) has effect.²⁴

PART 3E - PHYSICAL INFRASTRUCTURE FOR HIGH SPEED ELECTRONIC COMMUNICATIONS NETWORKS²⁵

21F Exemptions from paragraph R1 of Schedule 1

The requirements of paragraph R1 (in-building physical infrastructure for high-speed electronic communications networks) of Schedule 1 do not apply to the following types of building or building work —

- (a) buildings which are —
 - (i) listed on the Protected Buildings Register in accordance with section 14 (the protected buildings register) of the Town and Country Planning Act 1999; or
 - (ii) in a conservation area designated in accordance with section 18 of that Act,
where compliance with paragraph R1 of Schedule 1 would unacceptably alter their character or appearance;
- (b) buildings occupied for purposes connected to national security;
- (c) buildings situated in isolated areas where the prospect of high-speed connection is considered too remote to justify equipping the building with high-speed ready in-building physical infrastructure or an access point;

- (d) major renovation works in cases in which the cost of compliance with paragraph R1 of Schedule 1 would be disproportionate to the benefit gained.²⁶

21G Interpretation of Part R of Schedule 1

In Part R of Schedule 1 —

“**access point**” means a physical point, located inside or outside the building, accessible to undertakings providing or authorised to provide public communications networks, where connection to the high-speed ready in-building physical infrastructure is made available;

“**high-speed electronic communications network**” means an electronic communications network which is capable of delivering broadband access services at speeds of at least 30 Mbps;

“**high-speed ready in-building physical infrastructure**” means in-building physical infrastructure intended to host elements, or enable delivery, of high-speed electronic communications networks;

“**in-building physical infrastructure**” means physical infrastructure or installations at the end-user’s location, including elements under joint ownership, intended to host wired or wireless access networks, where such access networks are capable of delivering electronic communications services and connecting the building access point with the network termination point;

“**major renovation works**” means works at the end-user’s location encompassing structural modifications of the entire in-building physical infrastructure, or of a significant part of it;

“**network termination point**” means a physical point at which an occupier is provided with access to high-speed electronic communications networks; and

“**undertakings**” means persons carrying out works, construction or maintenance for the purposes of providing public communications networks.²⁷

PART 4

MISCELLANEOUS

22 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 9 (material and workmanship), or any of the applicable requirements contained in Schedule 1 or Schedule 4.²⁸

23 Sound insulation testing

- (1) This regulation applies to —
 - (a) building work in relation to which paragraph E1 of Schedule 1 imposes a requirement; and
 - (b) work which is required to be carried out to a building to ensure that it complies with paragraph E1 of Schedule 1 by virtue of regulation 8(1) (c) and (d) or (8)(2)(b).
- (2) However, if the building work is erecting a dwelling- house or a building containing flats, this regulation does not apply to any part of the building for which the person carrying out the building work notifies the building authority, not later than the date on which notice of commencement of the work under regulation 15, that, for the purpose of achieving compliance of the work with paragraph E1 of Schedule 1, the person is using one or more design details approved by Robust Details Limited³ or one or more design details approved by the Department, and —
 - (a) the notification specifies —
 - (i) the part or parts of the building in respect of which the person is using the design detail;
 - (ii) the design detail concerned; and
 - (iii) the unique number issued by Robust Details Limited or the Department in respect of the specified use of that design detail; and
 - (b) the building work carried out in respect of the part or parts of the building identified in the notification is or are in accordance with the design detail specified in the notification.
- (3) The person carrying out the building work must ensure all of the following take place —
 - (a) appropriate sound insulation testing is carried out in accordance with procedures approved by the Department;
 - (b) the result of the testing is recorded in a way approved by the Department; and
 - (c) the building authority is given the result no later than the date on which the notice under regulation 15 is given after the completion of the building work, and prior to occupation by any person.

24 Airtightness testing of building fabric

- (1) This regulation applies to —

³ Robust Details Limited is a non-profit distributing company limited by guarantee in the United Kingdom who work and grant approvals in accordance with a Memorandum of Understanding between Robust Details Limited and a Department of the United Kingdom government.

- (a) building work in relation to all buildings to which Schedule 4 and Part L1(a)(i) of Schedule 1 imposes a requirement; and²⁹
 - (b) work which is required to be carried out to a building to ensure that it complies with Part L of Schedule 1 by virtue of regulation 8(1)(a)(viii) and 8(2)(b).
- (2) The person carrying out the building work must ensure all of the following take place —
- (a) appropriate air permeability testing is carried out in accordance with procedures approved by the Department;
 - (b) the result of the testing is recorded in a way approved by the Department; and
 - (c) the building authority is given the result prior to occupation of the building by any person.
- (3) [Revoked]³⁰

25 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.

26 Unauthorised building works

- (1) This regulation applies if it appears to the building authority for building work as follows (“the unauthorised work”) has been carried out —
- (a) building work for which a notice has not been given under regulation 14 (notice of commencement of building work); or
 - (b) building work done without full plans of the work being deposited with the building authority.
- (2) The owner of the building in question may apply in writing to the building authority for a regularisation certificate under this regulation.
- (3) The application must include —
- (a) a statement that the application is made under this regulation;
 - (b) a description of the unauthorised work;
 - (c) the date of commencement and completion of the unauthorised work;
 - (d) so far as is reasonably practicable, a plan of the unauthorised work;
 - (e) 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”); and

- (f) any other information relating to the unauthorised works which the applicant or the building authority considers may be relevant.
- (4) On the making of the application, the building authority may require (an “investigation requirement”) the owner 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 work out —
- (a) whether the unauthorised work was carried out in compliance with these regulations; and
- (b) if the unauthorised work was not so carried out, what work, if any, is needed to ensure compliance.
- (5) After deciding not to make an investigation requirement or, if an investigation requirement has been made, the owner has complied with it, and having had regards to any direction given under 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 must give the owner notice —
- (a) of work which in its opinion is required to comply with relevant requirements or those requirements as dispensed with or relaxed;
- (b) that it cannot determine what work is required to comply with the relevant requirements or those requirements as dispensed with or relaxed;
- (c) that no work is required to secure compliance with the requirements or those requirements as dispensed with or relaxed.
- (6) If 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 under 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 is evidence (but not conclusive evidence) that the relevant requirements specified in the certificate have been complied with.
- (8) Part 3 (other than Regulation 15) does not apply to the supply of plans or the taking of other action under this regulation.
- (9) To remove any doubt, action mentioned under paragraph (8) does not constitute the deposit of plans under these regulations.

27 Alternative approach showing compliance with Schedule 1

- (1) In complying with Part B or Part L of Schedule 1, an alternative approach to compliance may be the provision of —
 - (a) in Part B, Schedule 1, a fire safety engineering solution under the relevant standard approved by the Department for the application of fire safety engineering principles to the design of buildings and the production of a full fire safety strategy by a qualified fire safety engineer who is a member of the Institute of Fire Engineers or an institution of similar standing acceptable to the building authority; and
 - (b) in Part L, Schedule 1, an engineering design under the relevant standard approved by the Department from a qualified building services engineer who is a member of the Institute of Building Services Engineers or an institute of similar standing acceptable to the building authority.
- (2) In this regulation “relevant standards” means the applicable, or higher comparable British, European, ISO or equivalent standard in force at the time the requirements of the regulation falls to be complied with and which is acceptable to the Department.

28 Provision applicable to self-certification schemes

- (1) This regulation applies to the extent that the building work consists only of work of a type described in column 1 of the Table in Schedule 3 and the work is carried out by a person who is described in the corresponding entry in column 2 of that Table in respect of that type of work.
- (2) The building authority for the building may accept, as evidence that the requirements of regulations 6 and 9 have been satisfied, a certificate (a “compliance certificate”) to that effect by the person carrying out the building work.
- (3) If a compliance certificate has been accepted for building work under exempt Schedule 3 work, the person carrying out the work must not more than 30 days after the completion of the work —
 - (a) give to the owner or occupier of the building a copy of the certificate referred to in paragraph (2); and
 - (b) give to the building authority —
 - (i) notice to that effect, or
 - (ii) the certificate referred to in paragraph (2).
- (4) In this regulation, “exempt Schedule 3 work” means building work described in Schedule 3 consisting only of work on a low voltage or an extra-low voltage electrical installation.

29 Contravention of regulation 21 not an offence

Regulation 21 is designated as a provision to which section 17 of the Act (penalty for contravening building regulations) does not apply.

30 Savings and transitional provisions

- (1) These Regulations apply in relation to an application for building work made on or after the date these regulations came into operation, and despite their revocation, the Building Regulations 2007⁴, apply otherwise.
- (2) Regulation 26 applies to unauthorised work (within the meaning of that regulation) carried out before the day these Regulations came into operation.
- (3) However, regulation 26 does not apply to unauthorised work carried out before 1 May 1993.
- (4) In another regulation or a document, a reference to the 2007 regulations may, if the context permits, be taken to be reference to these regulations.
- (5) Despite the coming into operation of the Building (Amendment) Regulations 2019 and the Building (Amendment) Regulations 2020 (“new requirements”), any building work in respect of which an application has been made before 31 December 2019 and which is completed before 31 December 2025 may be granted a certificate under regulation 21 if the work complies with the requirements of these Regulations as they were in operation immediately before the coming into force of the new requirements.³¹
- (6) Nothing in paragraph (5) prevents building works in respect of which an application was made before 31 December 2019 from being completed in compliance with these Regulations, as amended by the new requirements.³²

31 Revocation

The Building Regulations 2007 are revoked.

MADE 2ND MAY 2014

⁴ SD 153/07

SCHEDULE 1
REQUIREMENTS
(Regulation 6)

<i>Requirement</i>	<i>Limits on application</i>
PART A – STRUCTURE	
Loading	
<p>A1.(1) The building must be constructed so that the combined dead, imposed and wind loads are sustained and transmitted by it to the ground –</p> <p>(a) safely; and</p> <p>(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.</p> <p>(2) In assessing whether a building complies with sub-paragraph (1) regard must 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.</p>	
Ground movement	
<p>A2. The building must be constructed so that ground movement caused by –</p> <p>(a) swelling, shrinkage or freezing of subsoil; or</p> <p>(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.</p>	
Disproportionate collapse	
<p>A3. The building must be constructed so that in the event of an accident the building will not suffer collapse to an extent disproportionate to the cause.</p>	
Landslip	
<p>A4. Earth retaining structures must be constructed as to prevent land-slip.</p>	<p>Requirement A4 does not apply to retaining walls less than 1.2m in height which do not form part of a building.</p>
PART B – FIRE SAFETY	
Means of warning and escape	

B1. The building must 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 1995⁵.

Internal fire spread (linings)

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

(a) adequately resist the spread of flame over their surface; and

(b) have, if ignited, a rate of heat release which is reasonable in the circumstances.

(2) In this requirement "internal linings" means the materials lining any partition, wall, ceiling or other internal structure.

Internal fire spread (structure)

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

Requirement B3 does not apply to an institution provided under section 11 of the Custody Act 1995.

(2) A wall common to 2 or more buildings must be designed and constructed so that it adequately resists the spread of fire between those buildings, and for this subparagraph, a house in a terrace or a semi-detached house are taken to be a separate building.

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

Requirement B3(3) does not apply to an institution provided under section 11 of the Custody Act 1995.

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

External fire spread

⁵ 1995 c.1

B4.(1) The external walls of the building must 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 must 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 must be designed and constructed so as to provide facilities to assist fire fighters in the protection of life.

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

Smoke and heat detectors

B6. The building must be fitted with one or more smoke and heat detectors in such manner as to make adequate provision for the early detection of the outbreak of fire in the building.

Requirement B6 applies only to dwellings.

Sprinklers

B7. Reasonable provision must be made for installation of sprinklers to the building appropriate for the use to which the building is to be put, to facilitate escape from the building in case of fire.

Requirement B7 applies only to —

- (a) a house or flat in multiple occupation;
- (b) buildings containing flats;
- (c) buildings to be used for sheltered housing;
- (d) tourist premises
- (e) hospitals and institutions;
- (f) schools;
- (g) open-plan dwellings; and
- (h) other buildings with compartments over 5,000m³.

Design, installation and testing

B8.(1) Reasonable provision must be made in the design, installation, inspection and testing of sprinklers to protect against false operation of sprinklers.

Provision of information

B8.(2) Sufficient information must be provided so that persons wishing to operate, maintain or alter a sprinkler installation can do so with reasonable understanding of the system.

PART C – SITE PREPARATION AND RESISTANCE TO CONTAMINANTS AND MOISTURE

Preparation of site and resistance to contaminants.

C1.(1) The ground to be covered by the building must be reasonably free from any material that might damage the building or affect its stability, including vegetable matter, topsoil and pre-existing foundations.

(2) Reasonable precaution must be made to avoid danger to health and safety caused by contaminants on or in the ground covered or to be covered by the building and any land associated with the building.

(3) Adequate sub-soil drainage must be provided if it is needed to avoid –

(a) the passage of ground moisture to the interior of the building;

(b) damage to the building, including damage through the transport of water borne contaminants to the foundation of the building.

(4) In this requirement “containment” means any substance which is or may be harmful to persons or buildings including substances which are corrosive, explosive, flammable, radioactive or toxic.

Resistance to moisture

C2. The floors, walls and roof of the building must adequately protect the building and people who use the building from harmful effect caused by –

(a) ground moisture;

(b) precipitation including wind-driven spray;

(c) interstitial and surface condensation; and

(d) spillage of water from or associated sanitary fittings or fixed appliances.

PART D – TOXIC SUBSTANCES

Cavity insulation

D1. If insulating material is inserted into a cavity in a cavity wall, reasonable precautions must 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

Protection against sound from other parts of the building and adjoining buildings

E1. Dwelling houses, flats and rooms for residential purposes must be designed and constructed in such a way that they provide reasonable resistance to sound from other parts of the same building and from adjoining buildings.

Protecting against sound within a dwelling-house etc.

E2. Dwelling houses, flats and rooms for residential purposes must be designed and constructed in such a way that –

(a) internal walls between a bedroom or a room containing a water closet, and

(b) other rooms; and internal floors, provide reasonable resistance to sound.

Requirement E2 does not apply to –

(a) an internal wall which contains a door;

(b) an internal wall which separates an en suite toilet from the associated bedroom; or

(c) existing walls and floors in a building which is subject to material change of use.

Reverberation in common internal parts of buildings containing flats or rooms for residential purposes

E3. The common internal parts of buildings which contain flats or rooms for residential purposes must be designed and constructed in such a way as to prevent more reverberation around the common parts than is reasonable.

Requirement E3 only applies to corridors, stairwells, hallways and entrance halls which give access to the flat or room for residential purposes.

Acoustic conditions in schools

E4. Each room or other space in a school building must be designed and constructed in such a way that it has the acoustic conditions and insulation against disturbance by noise appropriate to its intended use.

PART F – VENTILATION

Means of ventilation

F1.(1) There must be adequate means of ventilation provided for people in the building.

(2) Fixed systems for mechanical ventilation and any associated controls must be commissioned by testing and adjusting as necessary to secure that the objective referred to in sub-paragraph (1) is met and is compliant with Part L.

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

(a) into which people do not normally go;

(b) which is used solely for storage; or

(c) which is a garage used solely in connection with a single dwelling.

PART G – SANITATION, HOT WATER SAFETY AND WATER EFFICIENCY

Cold water supply

- G1.(1) There must be a suitable installation for the provision of, —
- (a) wholesome water to any place where drinking water is drawn off;
- (b) wholesome water or softened wholesome water to any washbasin or bidet provided in or adjacent to a room containing a sanitary convenience;
- (c) wholesome water or softened wholesome water to any washbasin, bidet, fixed bath and shower in a bathroom; and
- (d) wholesome water to any sink provided in any area where food is prepared.
- (2) There must be a suitable installation for the provision of water of suitable quality to any sanitary convenience fitted with a flushing device.

Requirement G1(1) applies only to dwellings.

Water efficiency

- G2. Reasonable provision must be made by the installation of fittings and fixed appliances that use water efficiently for the prevention of undue consumption of water.

Requirement G2 applies only when a dwelling is, —

- (a) erected; or
- (b) formed by a material change of use of a building within the meaning of regulation 7(a) or (b).

Hot water supply and systems

- G3.(1) There must be a suitable installation for the provision of heated wholesome water or heated softened wholesome water to, —
- (a) any washbasin or bidet provided in or adjacent to a room containing a sanitary convenience;
- (b) any washbasin, bidet, fixed bath and shower in a bathroom; and
- (c) any sink provided in any area where food is prepared.
- (2) A hot water system, including any cistern or other vessel that supplies water to or receives expansion water from a hot water system, must be designed, constructed and installed so as to resist the effects of temperature and pressure that may occur either in normal use or in the event of such malfunctions as may reasonably be anticipated, and must be adequately supported.

- (3) A hot water system that has a hot water storage vessel must incorporate precautions to, —
- (a) prevent the temperature of the water stored in the vessel at any time exceeding 100°C; and
- (b) ensure that any discharge from safety devices is safely conveyed to where it is visible but will not cause a danger to persons in or about the building.
- (4) The hot water supply to any fixed bath must be so designed and installed as to incorporate measures to ensure that the temperature of the water that can be delivered to that bath does not exceed 48°C.

Requirement G3(3) does not apply to a system which heats or stores water for the purposes only of an industrial process.

Requirement G3(4) applies only when a dwelling is —

- (a) erected; or
- (b) formed by a material change of use of a building within the meaning of regulation 7(a) or (b).

Sanitary conveniences and washing facilities

G4.(1) Adequate and suitable sanitary conveniences must be provided in rooms provided to accommodate them or in bathrooms.

- (2) Adequate hand washing facilities must be provided in, —
- (a) Rooms containing sanitary conveniences; or
- (b) Rooms or spaces adjacent to rooms containing sanitary conveniences.
- (3) Any room containing a sanitary convenience, a bidet, or any facility for washing hands provided under subparagraph (2) (b), must be separated from any kitchen or any area where food is prepared.

Bathrooms

G5. A bathroom must be provided containing a washbasin and either a fixed bath or a shower.

Requirement G5 applies only to dwellings and to buildings containing one or more rooms for residential purposes.

Kitchen and food preparation areas

G6. A suitable sink must be provided in any areas where food is prepared.

PART H — DRAINAGE AND WASTE DISPOSAL

Foul water drainage

H1.(1) An adequate system of drainage must be provided to carry foul water from appliances within the building to one of the following, listed in order of priority –

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

(2) In this Part “foul water” means waste water which comprises or includes –

- (a) waste from a sanitary convenience, bidet or other appliance used for washing receptacles for foul waste; or
- (b) water which has been used for food preparation, cooking or washing.

Waste water treatment systems and cesspools

H2.(1) Any septic tank and its form of secondary treatment, other wastewater treatment system or cesspool, must be so sited and constructed that –

- (a) it is not prejudicial to the health of any person;
- (b) it will not contaminate any watercourse, underground water or water supply;
- (c) there are adequate means of access for emptying and maintenance; and
- (d) if relevant, it will function to a sufficient standard for the protection of health in the event of a power failure.

(2) Any septic tank, holding tank which is part of a wastewater treatment system or cesspool must be –

- (a) of adequate capacity;
- (b) so constructed that it is impermeable to liquids; and
- (c) adequately ventilated.

(3) if a foul water drainage system from a building discharges to a septic tank, wastewater treatment system or cesspool, a durable notice must be prominently displayed in a suitable place in the building containing information on any continuing maintenance required to avoid risks to health.

Rainwater drainage

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

H3.(1) Adequate provision must be made for rainwater to be carried from the roof of the building.

(2) Paved areas around the building must be adequately drained.

(3) Rain water from a system provided pursuant to sub-paragraphs (1) or (2) must discharge to one of the following, listed in order of priority —

- (a) an adequate soakaway or some other adequate infiltration system; or, if that is not reasonably practicable,
- (b) a watercourse; or, if that is not reasonably practicable;
- (c) a sewer.

Building over sewers

H4.(1) The erection or extension of a building or work involving the underpinning of a building must 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.

(2) In this requirement "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.

(3) In this requirement and requirement H5 "map of sewers" means any records kept pursuant to section 16 of the Sewerage Act 1999⁶.

Separate system of drainage

Requirement H3(2) applies only to paved areas —

- (a) which provide access to the building pursuant to requirement M1 (access and use), or requirement M2 (access to extensions to buildings other than dwellings) ;
- (b) which provide access to or from a place of storage pursuant to paragraph H6(2) (solid waste storage); or
- (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.

Requirement H3(3) does not apply to the gathering of rainwater for reuse.

Requirement H4 applies only to work carried out —

- (a) over a drain, sewer or disposal main which is shown on any map of sewers; or
- (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.

⁶ 1999 c.2

H5. Any system for discharging water to a sewer which is provided pursuant to requirement H3 must 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 provision must be made for storage of solid waste.

(2) Adequate means of access must be provided —

- (a) for people in the building to the place of storage; and
- (b) from the place of storage to a collection point (if one has been specified pursuant to regulations under section 66(9) of the Public Health Act 1990⁷) or to a street (if no collection point has been specified).

PART J — COMBUSTION APPLIANCES AND FUEL STORAGE SYSTEMS

Air supply

J1. Combustion appliances must be so installed that there is an adequate supply of air to them for combustion, to prevent overheating and for the efficient working of any flue.

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

Discharge of products of combustion

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

Warning of release of carbon monoxide

J3. Where a combustion appliance is provided, appropriate provision having regard to the design and location of the appliance must be made to detect and give early warning of the release of carbon monoxide at levels harmful to persons.

Requirement J3 applies only to fixed combustion appliances located in dwellings.

Protection of building

J4. Combustion appliances and flue-pipes must be installed, and fireplaces and chimneys must be so constructed and installed, as to reduce to a reasonable level the risk of people suffering burns or the building catching fire in consequence of their use.

Requirement J4 applies only to fixed combustion appliances (including incinerators).

Provision of information

J5. 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 must be prominently displayed in a suitable place in the building for the purpose of enabling combustion appliances to be safely installed.

Protection of liquid fuel storage systems

J6. Liquid fuel storage systems and the pipes connecting them to combustion appliances must be 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.

Requirement J6 applies only to —

- (a) fixed oil storage tanks with capacities greater than 90 litres and connecting pipes; and
- (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.

Protection against pollution

J7. Oil storage tanks and the pipes connecting them to combustion appliances must —

- (a) have a secondary containment and protected as to prevent the risk of the oil escaping and causing pollution; and
- (b) have a durable notice prominently displayed containing information on how to respond to an oil escape so as to reduce to a reasonable level the risk of pollution.

Requirement J7 applies only to fixed oil storage tanks with capacities of 3500 litres or less, and connecting pipes, which are —

- (a) located outside the building; and
- (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.

PART K — PROTECTION FROM FALLING, COLLISION AND IMPACT

Stairs, ladders and ramps

K1. Stairs, ladders and ramps must be 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, must 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, must be provided with barriers where it is necessary to protect people in or about the building.

(2) Vehicle loading bays must 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 against impact with glazing

K4. Glazing, with which people are likely to come into contact while 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.³³

Protection from collision with open windows etc.

K5.1. Provision must be made to prevent people moving in or about the building from colliding with open windows, skylights or ventilators.³⁴

Requirement K5.1 does not apply to dwellings.³⁵

Manifestation of glazing

K5.2 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.³⁶

Requirement K5.2 does not apply to dwellings.³⁷

Safe opening and closing of windows etc.

K5.3 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.³⁸

Requirement K5.3 does not apply to dwellings.³⁹

Safe access for cleaning windows etc.

K5.4 Provision shall be made for any windows, skylights or any transparent or translucent walls, ceilings or roofs to be safely accessible for cleaning.⁴⁰

Requirement K5(4) does not apply to –
 (a) dwellings; or
 (b) any transparent or translucent elements whose surfaces are not intended to be cleaned.⁴¹

Protection against impact from and trapping by doors

K6. (1) Provision must 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.
 (2) Provision must be made for powered doors and gates to be opened in the event of a power failure.
 (3) Provision must be made to ensure a clear view of the space on either side of a swing door or gate.⁴²

Requirement K6 does not apply to –
 (a) dwellings; or
 (b) any door or gate which is part of a lift.⁴³

PART L – CONSERVATION OF FUEL AND POWER IN BUILDINGS

L1 Conservation of fuel and power.

Reasonable provision must be made for the conservation of fuel and power in buildings by –
 (a) limiting heat gains and losses –
 (i) through thermal elements and other parts of the building fabric ;
 (ii) from pipes, ducts and vessels used for space heating, space cooling and hot water services;
 (b) providing fixed building services which –
 (i) are energy efficient;
 (ii) have effective controls; and
 (iii) are commissioned by testing and adjusting as necessary to ensure they use no more fuel and power than is reasonable in the circumstances.

Requirement L1 does not apply to buildings to which Schedule 4 does not apply.⁴⁴

PART M, – ACCESS TO AND USE OF BUILDINGS OTHER THAN DWELLINGS⁴⁵

Access to and use of buildings other than dwellings

M1. Reasonable provision must be made for people to –
 (a) gain access to; and
 (b) use the building and its facilities.⁴⁶

Requirement M1 does not apply to 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.⁴⁷

Access to extensions to buildings other than dwellings

M2. Suitable independent access must be provided to the extension where reasonably practicable.

Requirement M2 does not apply where suitable access to the extension is provided through the building that is extended.

Sanitary conveniences in extensions to buildings other than dwellings

M3. If sanitary conveniences are provided in any building that is to be extended, reasonable provision must be made within the extension for sanitary conveniences.

Requirement M3 does not apply where there is reasonable provision for sanitary conveniences elsewhere in the building, such that people occupied in, or otherwise having occasion to enter the extension, can gain access to and use those sanitary conveniences.

Access to and use of dwellings Category 1 - visitable dwelling

M4.(1) Reasonable provision must be made for people to –
(a) gain access to; and
(b) use,
the dwelling and its facilities.⁴⁸

Requirement M4(1) does not apply to:
(a) an extension to a dwelling; or
(b) any part of a building that is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained.⁴⁹

Category 2- accessible and adaptable dwellings

M4.(2) optional requirement
(1) Reasonable provision must be made for people to –
(a) gain access to; and
(b) use,
the dwelling and its facilities.
(2) The provision made must be sufficient to –
(a) meet the needs of occupants with differing needs, including some older or disabled people; and
(b) to allow adaptation of the dwelling to meet the changing needs of occupants over time.⁵⁰

Optional requirement M4(2) –
(a) may apply only in relation to a dwelling that is erected;
(b) will apply in substitution for requirement M4(1);
(c) does not apply where optional requirement M4(3) applies;
(d) does not apply to any part of a building that is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained.⁵¹

Category 3- wheelchair user dwellings

M4(3) optional requirement

(1) Reasonable provision must be made for people to –

- (a) gain access to; and
 - (b) use,
- the dwelling and its facilities.

(2) The provision made must be sufficient to –

- (a) allow simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs; or
- (b) meet the needs of occupants who use wheelchairs.⁵²

Optional requirement M4(3) –

- (a) may apply only in relation to a dwelling that is erected;
- (b) will apply in substitution for requirement M4(1);
- (c) does not apply where optional requirement M4(2) applies;
- (d) does not apply to any part of a building that is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained.

Optional requirement M4(3)(2)(b) applies only where the planning permission under which the building work is carried out specifies that it shall be complied with.⁵³

PART N – [Revoked]⁵⁴**PART P – ELECTRICAL SAFETY****Design and installation**

P1. Reasonable provision must be made in the design and installation of electrical installations in order to protect persons operating or altering the installations from fire or injury.

P2. Sufficient information must be provided so that persons wishing to operate, maintain or alter an electrical installation can do so with reasonable safety.

The requirements of this Part apply only to electrical installations that are intended to operate at low or extra- low voltage and are –

- (a) in or attached to a dwelling;
- (b) in the common parts of a building serving one or more dwellings, but excluding power supplies to lifts;
- (c) in a building that receives its electricity from a source located within or shared with a dwelling; or
- (d) in a garden or in or on land associated with a building where the electricity is from a source located within or shared with a dwelling.

PART Q – CRIME DETECTION AND PREVENTION⁵⁵

Q1 Reasonable provision must be made in the design and installation of any material or equipment for detection and prevention of crime by the provision of –

- (a) sufficient external illumination to allow safe access to and around the building between the hours of sunset to sunrise;
- (b) the appropriate mechanism for securing windows, roof windows, external doors and roof lights; and
- (c) external surveillance systems of areas around buildings, and

Q1(a) and (b) must, if appropriate, be compatible for use in an emergency.⁵⁶

Requirement Q1(a) does not apply to extension(s) less than 25% of the existing total floor area of a building.

Requirement Q1(c) only applies to equipment if specified by the designer or as a requirement by the Department of Home Affairs.⁵⁷

PART R – PHYSICAL INFRASTRUCTURE FOR HIGH-SPEED ELECTRONIC COMMUNICATIONS NETWORKS⁵⁸

In-building physical infrastructure

R1

(1) Building work must be carried out so as to ensure that the building is equipped with a high-speed ready in-building physical infrastructure, up to a network termination point for high-speed electronic communications networks.

(2) Where the work concerns a building containing more than one dwelling, the work must be carried out so as to ensure that the building is equipped in addition with a common access point for high-speed electronic communications networks.⁵⁹

Requirement R1 applies to building work that consists of –

- (a) the erection of a building; or
- (b) major renovation works to a building.⁶⁰

SCHEDULE 2**EXEMPT BUILDINGS AND WORK**

(Regulation 11)

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, if —
 - (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 30m 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 and is not re-erected on the same site within the next 12 months.

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 30m², which contains no sleeping accommodation and is a building –
 - (a) no point of which is less than 1m 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 is not heated, contains no sleeping accommodation and is a building –
 - (a) no point of which is less than 1m from the boundary of its curtilage;
or
 - (b) which is constructed substantially of non-combustible material.

CLASS 6**Extensions**

The extension of a building by the addition at ground level of a structure to which the following apply –

- (a) the structure is –
 - (i) a conservatory, sun room, porch, covered yard or covered way with a floor area not exceeding 15m²; or
 - (ii) a carport open on at least two sides with a floor area not exceeding 30m²;
- (b) in the case of a conservatory, sun room or porch which is wholly or partly glazed, the glazing satisfies the requirements of Part L1 and Part N K4, K5.1, K5.2, K5.3 and K5.4 of Schedule 1;⁶¹
- (c) no point of the structure is less than 1m from the boundary of its curtilage;
- (d) the maximum span of roof members between end supports does not exceed 4m; and
- (e) access to the roof is for the purpose of maintenance and repairs only.

Exclusion

Proposed building work which involves building over or within 3m of a public sewer or private drainage serving more than one building is not exempt from these Regulations.

CLASS 7**Alterations**

Replacement of, –

- (a) a window, roof light, roof window, or door provided –
 - (i) any windows, roof window, or roof light have a Window Energy Rating (WER) Band C or better, or U value 1.6 W/m²K;
 - (ii) any doors with >50% of internal face glazed have a U value 1.8 W/m²K;
 - (iii) other doors have a U value 1.8 W/m²K; and
 - (iii) any windows, doors comply with the requirements of Part Q, Schedule 1; or⁶²
- (b) a space heating or hot water service boiler or a hot water vessel, provided that it satisfies the requirement of Part L of Schedule 1 in connection with an existing dwelling.

- (c) an existing window in a dwelling-house with new patio or French doors, provided, —
 - (i) no works may be undertaken except at ground floor level;
 - (ii) any new patio or French doors must only utilise an existing width; and
 - (iii) the works comply with the requirements of Part Q, Schedule 1.⁶³

SCHEDULE 3

**DESCRIPTIONS OF WORK FOR WHICH NO DEPOSIT OF PLANS REQUIRED
UNDER REGULATION 12**

(Regulation 28)

Self- Certification Schemes and exemptions from requirement to deposit full plans

Column 1	Column 2
<i>Type of work</i>	<i>Person carrying out work</i>
Installation of a heat-producing gas appliance.	A person, or an employee of a person, who is a member of a class of persons approved under regulation 3 of the Gas Safety (Installation and Use) Regulations ¹⁹⁹⁴ ⁸ as Applied by the Gas Safety (Application) Order 1996 ⁹
Installation of an oil-fired combustion appliance which has a rated heat output of 45 kw or less and which is installed in a building with no more than 3 storeys (excluding any basement).	An individual registered under the Oil Firing Registration Scheme by the Oil Firing Technical Association for the Petroleum Industry Ltd ¹⁰ in respect of that type of work.
Installation of oil storage tanks and the pipes connecting them to combustion appliances.	An individual registered under the Oil Firing Registration Scheme by the Oil Firing Technical Association for the Petroleum Industry Ltd in respect of that type of work.
Installation of a solid fuel burning combustion appliance which has a rated heat output of 50 kw or less and which is installed in a building with no more than 3 storeys (excluding any basement).	An individual registered under the Registration Scheme for Companies and Engineers involved in the Installation and Maintenance of Domestic Solid Fuel Fired Equipment by HETAS Ltd ¹¹ or the Department in respect of that type of work.
Installation of fixed low or extra-low voltage electrical installations.	A person registered by BRE Certification Limited ¹² , British Standards Institution ¹³ , NICEIC Certification Services Ltd ¹⁴ , or the Department with the minimum of a certificate in 17 th Edition of Electrical Installation Regulations in respect of that type of work.

⁸ S.I.1994 No. 1886

⁹ SD 326/96

¹⁰ A company incorporated under the Companies Act 1985 (of Parliament) (c.6) with the registration number 2739706.

¹¹ HETAS Ltd (Heating Equipment Testing and Approval Scheme) is the official approval body, recognised by the United Kingdom government as the official approval body for the domestic solid fuel industry. It is a non profit making independent body.

¹² A company incorporated under the Companies Act 1985 (of Parliament) (c.6) with the registration number 3548352.

¹³ Incorporated by Royal Charter.

¹⁴ A company incorporated under the Companies Act 1985 (of Parliament) (c.6) with the registration number 4411293.

SCHEDULE 4⁶⁴

ENERGY EFFICIENCY REQUIREMENTS

[Regulations 6 and 21E]

PART 1 – INTRODUCTORY

1 Interpretation of Schedule 4

[SI 2010/2214/35 and drafting]

In this Schedule —

“**building**” means the building as a whole or parts of it that have been designed or altered to be used separately;

“**building envelope**” in relation to a building means the walls, floor, roof, windows, doors, roof windows and roof-lights;

“**fabric energy efficiency**” means the space heating and cooling requirements per square metre of floor area of a new dwelling;

“**major renovation**” means the renovation of a building where more than 25% of the surface area of the building envelope undergoes renovation;

“**new dwelling**” does not include a dwelling that is formed by a material change of use of a building;

“**SAP value**” means the value of the energy performance of a building calculated or measured in accordance with the approved documents; and

“**target SAP value**” means the value in column B of the table in the Schedule to the Building Control (Approved Documents) (No. 2) Order 2019¹⁵ for the time period in the corresponding row of column A of that table where plans are deposited for a new building with the building authority.

2 Application of energy efficiency requirements

[SI 2010/2214/21 and drafting]

- (1) The energy efficiency requirements apply to —
- (a) the erection of any building of a kind falling within this sub-paragraph;
 - (b) the extension of any such building, other than an extension to which sub-paragraph (4) applies; and
 - (c) the carrying out of any work to or in connection with any such building or extension.

¹⁵ SD 2019/0448.

- (2) A building falls within sub-paragraph (1) if it —
- (a) is a roofed construction having walls;
 - (b) uses energy to condition the indoor climate; and
 - (c) does not fall within one or more of the categories listed in sub-paragraph (3).
- (3) The categories referred to in sub-paragraph (2)(c) are buildings which are —
- (a) included on the Protected Buildings Register in accordance with section 14 (the protected buildings register) of the Town and Country Planning Act 1999 where compliance with the requirements would unacceptably alter their character or appearance;
 - (b) used primarily or solely as places of worship;
 - (c) temporary buildings, industrial sites, workshops and non-residential agricultural buildings with low energy demand;
 - (d) stand-alone buildings other than dwellings with a total useful floor area of less than 50 square metres.
- (4) This sub-paragraph applies to any extension of a building falling within class 6 in Schedule 2 except a conservatory, sunroom or porch —
- (a) where any wall, door or window separating the conservatory or porch from that building has been removed and not replaced with a wall, door or window; or
 - (b) into which the building's heating system has been extended.
- (5) In this paragraph —
- (a) a reference to industrial sites and workshops with low energy demand is a reference to buildings used to accommodate industrial activities in spaces where the air is not habitually heated or cooled other than by the industrial activity itself;
 - (b) a reference to non-residential agricultural buildings with low energy demand is a reference to buildings designed to be used separately that are heated only for specific purposes of short duration (such as plant germination or egg hatching);
 - (c) “place of worship” means a building used for formal public worship and any adjoining space the function of which is directly linked to that use;
 - (d) “stand-alone building” means a building entirely detached from any other building;
 - (e) “temporary building” has the same meaning as in Class 3 of Schedule 2 and includes a portable or modular building;
 - (f) “total useful floor area” means the total area of all enclosed spaces measured to the internal face of the external walls.

PART 2 — ENERGY EFFICIENCY REQUIREMENTS FOR EXISTING BUILDINGS

3 Requirements relating to a change to energy status

[SI 2010/2214/22 and drafting]

Where there is a change to a building's energy status, such work, if any, must be carried out as is necessary to ensure that the building complies with the applicable requirements of Part L of Schedule 1.

4 Requirements for the renovation or replacement of thermal elements

[SI 2010/2214/23 and drafting]

- (1) Where the renovation of an individual thermal element —
- (a) constitutes a major renovation; or
 - (b) amounts to the renovation of more than 50% of the element's surface area,

the renovation must be carried out so as to ensure that the whole of the element complies with paragraph L1(a)(i) of Schedule 1, in so far as that is technically and functionally feasible and economically reasonable.

- (2) Where the whole or any part of an individual thermal element is proposed to be replaced and the replacement —
- (a) constitutes a major renovation; or
 - (b) (in the case of part replacement) amounts to the replacement of more than 50% of the thermal element's surface area,

the whole of the thermal element must be replaced so as to ensure that it complies with paragraph L1(a)(i) of Schedule 1, in so far as that is technically and functionally feasible and economically reasonable.

5 Consequential improvements to energy performance

[SI 2010/2214/28 and drafting]

- (1) Sub-paragraph (2) applies to an existing building with a total useful floor area over 1,000m² where the proposed building work consists of or includes —
- (a) an extension;
 - (b) the initial provision of any fixed building services; or
 - (c) an increase to the installed capacity of any fixed building services.
- (2) Subject to sub-paragraph (3), where this sub-paragraph applies, such work, if any, must be carried out as is necessary to ensure that the building complies with the requirements of Part L of Schedule 1.
- (3) Nothing in sub-paragraph (2) requires work to be carried out if it is not technically and functionally feasible and economically reasonable.

PART 3 — ENERGY EFFICIENCY REQUIREMENTS FOR NEW BUILDINGS

6 Consideration of high-efficiency alternative systems for new buildings

[SI 2010/2214/25A and drafting]

- (1) Before construction of a new building starts, the person who is to carry out the work must analyse and take into account the technical, environmental and economic feasibility of using high-efficiency alternative systems (such as the following systems) in the construction, if available —
 - (a) decentralised energy supply systems based on energy from renewable sources;
 - (b) cogeneration;
 - (c) district or block heating or cooling, particularly where it is based entirely or partially on energy from renewable sources; and
 - (d) heat pumps.
- (2) The person carrying out the work must —
 - (a) not later than the beginning of the day before the day on which the work starts, give the building authority a notice which states that the analysis referred to in sub-paragraph (1) —
 - (i) has been undertaken;
 - (ii) is documented; and
 - (iii) the documentation is available to the authority for verification purposes; and
 - (b) ensure that a copy of the analysis is available for inspection at all reasonable times upon request by an officer of the building authority.
- (3) An authorised officer of the building authority may require production of the documentation in order to verify that this paragraph has been complied with.
- (4) The analysis referred to in sub-paragraph (1) —
 - (a) “cogeneration” means simultaneous generation in one process of thermal energy and one or both of the following —
 - (i) electrical energy;
 - (ii) mechanical energy;
 - (b) “district or block heating or cooling” means the distribution of thermal energy in the form of steam, hot water or chilled liquids, from a central source of production through a network of multiple buildings or sites, for the use of space or process heating or cooling;
 - (c) “energy from renewable sources” means energy from renewable non-fossil sources, namely wind, solar, aerothermal, geothermal,

hydrothermal and ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases; and

- (d) “heat pump” means a machine, a device or installation that transfers heat from natural surroundings such as air, water or ground to buildings or industrial applications by reversing the natural flow of heat such that it flows from a lower to a higher temperature. (For reversible heat pumps, it may also move heat from the building to the natural surroundings.).

7 Definition of approved methodology for the calculation and expression of energy performance

[SI 2010/2214/24 and drafting]

- (1) The approved methodology of calculation of the energy performance of buildings (including for asset ratings and operational ratings of buildings) and the ways in which such performance must be expressed, are those approved in the Notice of Approval¹⁶ issued further to regulation 24 of the Building Regulations 2010¹⁷ (of Parliament) (“the approved methodology”).

- (2) In this paragraph —

“**asset rating**” means an energy performance indicator determined from the amount of energy estimated to meet the different needs associated with a standardised use of the building; and

“**operational rating**” means an energy performance indicator determined from the amount of energy consumed during the occupation of a building over a period of time and the energy demand associated with a typical use of the building over that period.

8 Calculation of energy performance requirements for a new building

- (1) Energy performance requirements for a new building that is a dwelling must be calculated and expressed in accordance with the approved methodology in the form of the SAP value and target SAP value.
- (2) Energy performance requirements for a new building other than a dwelling must be calculated and expressed in accordance with the approved methodology in the form of CO₂ emission rates and target CO₂ emission rates.

¹⁶ Notice of Approval of the methodologies of calculation of the energy performance of buildings to demonstrate compliance with the Building Regulations 2010 in England and in respect of certain buildings in Wales, available from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/301453/140404_-_Notice_of_approval__Methodologies_for_energy_performance_of_buildings__final.pdf

¹⁷ SI 2010/2214, as amended by SI 2016/285.

9 Energy performance targets for a new dwelling

Where a new building that is a dwelling is erected the SAP value for that building must meet or exceed the target SAP value.

10 Energy performance targets for buildings other than a dwelling

Where a new building other than a dwelling is erected, the CO₂ emission rate for that building must not exceed the target CO₂ emission rate specified in the approved methodology.

11 Submission of energy performance information for new dwellings

- (1) This paragraph applies where a new building that is a dwelling is erected.
- (2) Not later than the day before the work starts, the person carrying out the work must give the building authority a notice which specifies –
 - (a) the target SAP value and the SAP value for the dwelling as designed; and
 - (b) a list of specifications to which the dwelling is to be constructed.
- (3) Not later than 5 days after the work has been completed, the person carrying out the work must give the building authority a notice that specifies –
 - (a) the target SAP value and the SAP value for the building as constructed; and
 - (b) whether the dwelling has been constructed in accordance with the list of specifications referred to in sub-paragraph (2)(b), and if not a list of any changes to those specifications.
- (4) In this paragraph, “specifications” means specifications used for the calculation of the CO₂ emission rate and the fabric energy efficiency rate.

12 Submission of energy performance information for a new building other than a dwelling

- (1) This paragraph applies where a building other than a dwelling is erected.
- (2) Not later than the day before the work starts the person carrying out the work must give the building authority a notice that specifies –
 - (a) the target CO₂ emission rate for the building, calculated and expressed in accordance with the approved methodology;
 - (b) the CO₂ emission rate for that building as designed, calculated and expressed in accordance with the approved methodology; and
 - (c) a list of specifications to which that building is to be constructed.
- (3) Not later than 5 days after the work has been completed, the person carrying out the work must give the building authority a notice that specifies –

- (a) the target CO₂ emission rate for that building, calculated and expressed in accordance with the approved methodology;
 - (b) the CO₂ emission rate for that building as constructed, calculated and expressed in accordance with the approved methodology; and
 - (c) whether that building has been constructed in accordance with the list of specifications referred to in sub-paragraph 2(c), and if not a list of any changes to those specifications.
- (4) In this paragraph, “specifications” means specifications used for the calculation of the CO₂ emission rate.

SCHEDULE 5⁶⁵

FOSSIL FUEL HEATING SYSTEM REQUIREMENTS

[Regulation 21]

Compliance with the Climate Change Act 2021

Building work must comply with any requirements relating to fossil fuel heating systems in, or under, section 28 of the Climate Change Act 2021.

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.

² Definition of “change to a building’s energy status” inserted by SD2019/0276.

³ Definition of “controlled service or fitting” amended by SD2019/0276.

⁴ Definition of “energy efficiency requirements” inserted by SD2019/0276.

⁵ Para (1) amended by SD2019/0276.

⁶ Para (2) amended by SD2019/0276.

⁷ Para (1) amended by SD2019/0276.

⁸ Existing text renumbered as para (1) by SD2019/0276.

⁹ Para (2) inserted by SD2019/0276.

¹⁰ Para (3) inserted by SD2019/0276.

¹¹ Para (4) inserted by SD2019/0276.

¹² Reg 10 amended by SD2019/0276.

¹³ Subpara (d) inserted by Sd2019/0276.

¹⁴ Subpara (a) amended by SD2019/0276.

¹⁵ Para (1) amended by SD2019/0276 and by SD2023/0332.

¹⁶ Part 3A inserted by SD2019/0276.

¹⁷ Reg 21A inserted by SD2019/0276.

¹⁸ Reg 21B inserted by SD2019/0276.

¹⁹ Part 3B inserted by SD2019/0276.

²⁰ Reg 21C inserted by SD2019/0276.

²¹ Part 3C inserted by SD2019/0276.

²² Reg 21D inserted by SD2019/0276.

²³ Part 3D inserted by SD2019/0276.

²⁴ Reg 21E inserted by SD2019/0276.

²⁵ Part 3E inserted by SD2019/0276.

²⁶ Reg 21F inserted by SD2019/0276.

²⁷ Reg 21G inserted by SD2019/0276.

²⁸ Reg 22 amended by SD2019/0276.

²⁹ Subpara (a) amended by SD2019/0276 and by SD2020/0042.

³⁰ Para (3) substituted by SD2019/0276 and revoked by SD2020/0042.

³¹ Para (5) inserted by SD2020/0042.

³² Para (6) inserted by SD2020/0042.

³³ Entry inserted by SD2019/0276.

³⁴ Entry amended by SD2019/0276.

³⁵ Entry amended by SD2019/0276.

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- ³⁶ Entry inserted by SD2019/0276.
- ³⁷ Entry inserted by SD2019/0276.
- ³⁸ Entry inserted by SD2019/0276.
- ³⁹ Entry inserted by SD2019/0276.
- ⁴⁰ Entry inserted by SD2019/0276.
- ⁴¹ Entry inserted by SD2019/0276.
- ⁴² Entry amended by SD2019/0276.
- ⁴³ Entry amended by SD2019/0276.
- ⁴⁴ Entry inserted by SD2019/0276.
- ⁴⁵ Entry heading amended by SD2019/0276.
- ⁴⁶ Entry amended by SD2019/0276.
- ⁴⁷ Entry amended by SD2019/0276.
- ⁴⁸ Entry inserted by SD2019/0276.
- ⁴⁹ Entry inserted by SD2019/0276.
- ⁵⁰ Entry inserted by SD2019/0276.
- ⁵¹ Entry inserted by SD2019/0276.
- ⁵² Entry inserted by SD2019/0276.
- ⁵³ Entry inserted by SD2019/0276.
- ⁵⁴ Part N revoked by SD2019/0276.
- ⁵⁵ Part S renumbered as Part Q by SD2019/0276.
- ⁵⁶ Entry amended by SD2019/0276.
- ⁵⁷ Entry amended by SD2019/0276.
- ⁵⁸ Part R inserted by SD2019/0276.
- ⁵⁹ Entry inserted by SD2019/0276.
- ⁶⁰ Entry inserted by SD2019/0276.
- ⁶¹ Para (b) amended by SD2019/0276.
- ⁶² Subpara (iii) amended by SD2019/0276.
- ⁶³ Subpara (iii) amended by SD2019/0276.
- ⁶⁴ Sch 4 inserted by SD2019/0276 and substituted by SD2020/0042.
- ⁶⁵ Sch 5 inserted by SD2023/0332.