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STATUTORY RULES OF NORTHERN IRELAND

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**2000 No. 389**

**Building Regulations (Northern Ireland) 2000**

**PART A**

**Interpretation and general**

**Citation and commencement**

**A1** These regulations may be cited as the Building Regulations (Northern Ireland) 2000 and shall come into operation on 1st April 2001.

**Interpretation**

**A2.**—(1) In these regulations—

**AGRICULTURE** includes horticulture, fruit growing, seed growing, dairy farming, breeding and keeping of livestock, fish farming, the use of land as grazing land, meadow land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes;

**BOUNDARY** means, in relation to a building, the boundary of the land to which the building belongs and, except for the purposes of Part R, such land shall be deemed to include any abutting part of any street, canal or river but only up to the centre line thereof; and **BOUNDARY OF THE PREMISES** shall be construed so as to include any such part to the same extent;

**BUILDING WORK** means the erection of a building, the structural alteration or extension of a building (including work in connection with the making of a material change of use) or the provision of a service or fitting;

**CONSERVATORY** means a part or extension of a building attached to and having a door giving access from the attached building and having not less than three-quarters of the area of its roof and not less than one-half of the area of its external walls made of translucent material;

**CONSTRUCTION PRODUCTS DIRECTIVE** means European Council Directive [89/106/EEC](#) on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products<sup>(1)</sup>;

**DEPARTMENT** means the Department of Finance and Personnel;

**DISTRICT COUNCIL** in relation to any building or building work means the district council for the area in which the building is situated or the building work is carried out;

**DRAIN** means any pipe or drain used solely for or in connection with the rain-water or foul water drainage of one building or of any buildings or yards appurtenant to buildings within the same curtilage;

DWELLING (except in Part E and Part R) means a house, flat or maisonette and includes any accommodation therein of not more than 50 m<sup>2</sup> in total floor area, forming part of the dwelling and used by a resident of the dwelling for the purposes of any business, profession or calling;

EDUCATIONAL BUILDING means—

- (a) a university;
- (b) a school or college of education within the meaning of the Education and Libraries (Northern Ireland) Order 1986(2); or
- (c) any other institution providing facilities for further education under Article 27 of that Order;

EEA STATE means a State which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993, but until that Agreement comes into force in relation to Liechtenstein does not include that State;

EUROPEAN TECHNICAL APPROVAL means a favourable technical assessment of the fitness for use of a construction product for an intended use, issued for the purposes of the Construction Products Directive by a body authorised by a Member State to issue European Technical Approvals for those purposes and notified by that Member State to the European Commission;

EXEMPTED BUILDING means any building falling within one of the classes described in Schedule 1;

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

GARAGE includes a carport;

HABITABLE ROOM means a room in any building (whether or not that building is or contains a dwelling) used or intended to be used for dwelling purposes, including any bedroom, but not any room used only for kitchen purposes;

HARMONISED STANDARD means a standard established, as mentioned in the Construction Products Directive, by the European Standards Organisation on the basis of a mandate given by the Commission of the European Economic Community and published by the Commission in the Official Journal of the European Communities;

INSTITUTION means—

- (a) a hospital, nursing home, home for old people or for children, school, or other similar establishment used as living accommodation or for the treatment, care or maintenance of people suffering from illness or mental or physical disability or handicap; and
- (b) a place of lawful detention,

where people sleep on the premises;

KITCHEN PURPOSES means the purposes of preparing, storing, treating, cooking or manufacturing food or drink intended for human consumption or the cleansing of utensils or appliances which come into contact with such food or drink;

MATERIAL CHANGE OF USE (except in regulation A4) has the meaning assigned to it by regulation A9(1);

PORCH means a single storey enclosure providing protection to an access door to a building and having an external door or an opening to the external air;

PRIVATE SEWER means any part of a sewer, not being a public sewer, which serves two or more properties;

PROVISION OF A SERVICE OR FITTING in relation to any building includes the installation of any service or fitting to which these regulations apply or the alteration or the extension of any such service or fitting;

PUBLIC BUILDING means a building consisting of or containing—

- (a) a theatre, public library, hall or other place of public resort;
- (b) an educational building; or
- (c) a place of public worship,

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

REGULARISATION CERTIFICATE shall be construed in accordance with regulation A12(1);

SAP ENERGY RATING in relation to a dwelling means the rating of the overall energy efficiency for that dwelling calculated using The Government's Standard Assessment Procedure for Energy Rating of Dwellings: 1998 edition;

SEWER includes all sewers, pipes or drains, other than a drain as defined in this regulation, and includes any apparatus used in connection with a sewer;

SHOP means—

- (a) premises used for the retail of goods or services and includes premises—
  - (i) used for the sale to members of the public of food or drink for consumption on or off the premises;
  - (ii) used for retail sales by auction to members of the public;
  - (iii) used to provide hairdressing or similar personal services to members of the public;
  - (iv) where members of the public may take goods for repair or other treatment; and
  - (v) where members of the public may go to hire an item; and
- (b) premises used for wholesale self-selection trading;

SINGLE STOREY BUILDING means a building consisting of one storey only the floor of which is at or about the level of the finished surface of the ground adjoining the building;

SITE, in relation to a building, means the area of ground covered or to be covered by the building, including its foundations;

STATUTORY PROVISION includes any instrument made under any statute;

STATUTORY UNDERTAKING means an undertaking authorised by any statutory provision being a railway, road transport, air transport, water transport, inland navigation, dock or harbour undertaking, the Post Office Corporation or any undertaking for the generation, transmission or supply of electricity or gas;

STRUCTURAL ALTERATION means the execution of any work (other than the erection of a building and the provision of a service or fitting) to which the requirements of these regulations would apply if the work were part of a building being newly erected and includes the replacement of windows (other than replacement by ones having essentially similar features) and the insertion of material into a cavity in a wall of an existing building for the purpose of insulation;

SUBSTANTIVE REQUIREMENTS means the requirements of these regulations or, if appropriate, of any of the statutory provisions referred to in regulation A4 with respect to the design and

construction of buildings and the provisions of a service or fitting, as distinct from procedural requirements;

UNDER FORMER CONTROL—

- (a) used in relation to any building, refers to a building the erection of which was—
  - (i) completed before 1st October 1973;
  - (ii) completed on or after 1st October 1973 in accordance with plans deposited with the district council before that date with or without any departures or deviations from those plans; or
  - (iii) begun before but completed on or after 1st October 1973 (being a building the erection of which was exempt from compliance with the provisions of all relevant bye-laws in force immediately before that date); and
- (b) used in relation to any alteration or extension of a building or the provision of any service or fitting, refers to any such alteration, extension or provision which was—
  - (i) completed before 1st October 1973;
  - (ii) completed on or after 1st October 1973 in accordance with plans deposited with the district council before that date with or without any departures or deviations from those plans; or
  - (iii) begun before but completed on or after 1st October 1973 (being an alteration or extension or provision of a service or fitting which was exempt from compliance with the provisions of all relevant bye-laws in force immediately before that date);

WINDOW means any sash, casement or other framing and associated glazing set in an opening in a wall or roof of a building; and

WORK OF PUBLIC UTILITY means a pipeline, gas holder, gas main, electricity supply line and supports, water main, public sewer or telephone line and supports.

(2) For the purposes of these regulations any of the following operations shall be deemed to be the erection of a building—

- (a) the re-erection of any building or part of a building when an outer wall of that building or (as the case may be) that part of a building has been pulled down or burnt down to within 3 metres of the surface of the ground adjoining the lowest storey of the building or of that part of the building;
- (b) the re-erection of any frame building or part of a frame building when that building or part of a building has been so far pulled down or burnt down as to leave only the framework of the lowest storey of the building or of that part of the building; and
- (c) the roofing over of any open space between walls or buildings.

(3) For the purpose of these regulations, the installation of a cesspool, septic tank or similar structure shall be treated as the provision of a service and not as the erection of a building.

(4) In these regulations any reference to a building shall extend to and include any part of a building, and any reference to the purpose for which a building is used shall extend to, include or mean the purpose for which it is intended to be used.

(5) Where in relation to a specific purpose, a European Council Directive prescribes a requirement in relation to a particular characteristic of a material, component or other manufactured product, or part thereof, then where that characteristic complies with that requirement, it shall be deemed to satisfy any requirement of these regulations insofar as it relates to that purpose.

And, accordingly, for the removal of doubt, it is hereby declared that products designed and manufactured in accordance with the requirements of a European Council Directive relating to a specific purpose do not have to comply with any standard or code of practice (British,

International or other) prescribed or otherwise referred to in these regulations relating to any purpose covered by that Directive.

(6) In these regulations any reference to a British Standard or British Standard Code of Practice shall be construed as a reference to an appropriate British Standard or British Standard Code of Practice issued by the British Standards Institution and also to—

- (a) a relevant harmonised standard or a relevant standard or code of practice of a national standards body, or equivalent body, of any European Economic State;
- (b) any relevant international standard recognised for use in any EEA State;
- (c) any appropriate, traditional procedures of manufacture of an EEA State where these are the subject of a written technical description sufficiently detailed to permit assessment of the goods or materials for the use specified; or
- (d) a European Technical Approval issued in accordance with the Construction Products Directive (or, until procedures are available for the issue of such approvals, a specification sufficiently detailed to permit assessment):

Provided that the proposed standard, code of practice, specification, technical description or European Technical Approval provides, in use, equivalent levels of safety, suitability and fitness for purpose as that provided by the British Standard or British Standard Code of Practice.

(7) For the purposes of these regulations, any construction product (within the meaning of the Construction Products Directive) which bears a CE marking shall be treated as if it satisfied the requirements of any appropriate British Board of Agrément Certificate, British Standard or British Standard Code of Practice relating to such a product, where the CE marking relates to the same characteristic and specific purpose as the Certificate, Standard or Code of Practice.

(8) Where for the purposes of these regulations testing is carried out, it shall be carried out by an appropriate organisation offering suitable and satisfactory evidence of technical and professional competence and independence and such condition shall be satisfied where the testing organisation is accredited in an EEA State in accordance with the relevant parts of the EN 45000 series of standards for the tests carried out.

(9) Any note in a Table or Schedule shall be treated for all purposes as a substantive provision.

(10) Any reference in these Regulations to a Table identified only by a letter shall be construed as a reference to the Table so identified in Schedule 5.

(11) Any reference in these regulations, other than in paragraphs (6)(a) to (d), to a publication shall be construed as follows—

- (a) in any case where no date is included in the reference, the reference is to the edition thereof current at 22nd November 2000 together with any amendments, supplements or addenda thereto published at that date;
- (b) in any case where a date is included in the reference, the reference is to the edition of that date, together with such amendments to the publication, as are mentioned in Schedules 4, 5 and 6; and
- (c) any reference to any publication is a reference to so much only thereof as is relevant in the context in which such publication is quoted.

(12) The abbreviations and symbols listed in the following Table are used in these regulations—

Abbreviation or symbol	Definition
BS	British Standard
CP	British Standard Code of Practice

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Abbreviation or symbol	Definition
°	degree (angular measure)
°C	degree Celsius
kN/m <sup>2</sup>	kilonewton per square metre
kW	kilowatt
m	metre
m <sup>2</sup>	square metre
m <sup>3</sup>	cubic metre
mm	millimetre
%	percent
W	watt

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### Deemed-to-satisfy provisions

**A3** Where any provision (in these regulations called a deemed-to-satisfy provision) states that the use of a particular material, method of construction or specification shall be deemed to satisfy the requirement of any regulation or part thereof, that provision shall not be construed so as to require any person necessarily to use such material, method of construction or specification.

### Transitional provisions

**A4.**—(1) In this regulation—

WORK means the erection of a building, the alteration or extension of a building, the execution of works, the installation of a fitting or the making of a material change of use (within the meaning of the Building Regulations (Northern Ireland) 1990(3)).

(2) These regulations (other than regulation A12) shall not apply to—

- (a) plans which were deposited with the district council before 1st April 2001;
- (b) work or building work and a material change of use carried out in accordance with such plans with or without any departure or deviation from those plans; and
- (c) work or building work and a material change of use completed before that date.

(3) The Building Regulations (Northern Ireland) 1973(4) shall continue to apply to—

- (a) plans deposited in accordance with those regulations before 1st October 1977;
- (b) work carried out in accordance with such plans with or without any departure or deviation from those plans; and
- (c) work completed on or after 1st October 1973 but before 1st October 1977, other than work to which building bye-laws continue to apply in accordance with paragraph 2 of Schedule 2 to the Building Regulations (Northern Ireland) Order 1979.

(4) The Building Regulations (Northern Ireland) 1977(5) shall continue to apply to—

- (a) plans deposited in accordance with those regulations before 1st June 1990;

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(3) S.R. 1990 No. 59 (N.I.) as amended by S.R. 1991 No. 169 and S.R. 1993 No. 84

(4) S.R. & O. (N.I.) 1973 No. 105 as amended by S.R. & O. (N.I.) 1973 No. 506 and S.R. 1975 No. 112

(5) S.R. 1977 No. 149 as amended by S.R. 1979 No. 79, S.R. 1980 No. 86; S.R. 1980 No. 332; S.R. 1982 No. 81; S.R. 1984 No. 295; S.R. 1984 No. 343 and S.R. 1987 No. 268

- (b) work carried out in accordance with such plans with or without any departure or deviation from those plans; and
  - (c) work completed on or after 1st October 1977 but before 1st June 1990, other than work to which building bye-laws continue to apply in accordance with paragraph 2 of Schedule 2 to the Building Regulations (Northern Ireland) Order 1979 and work to which the Building Regulations (Northern Ireland) 1973 continue to apply by virtue of paragraph (3).
- (5) The Building Regulations (Northern Ireland) 1990 shall continue to apply to—
- (a) plans deposited in accordance with those regulations before 28th November 1994;
  - (b) work carried out in accordance with such plans with or without any departure or deviation from those plans; and
  - (c) work completed on or after 1st June 1990 but before 28th November 1994, other than work to which building bye-laws continue to apply in accordance with paragraph 2 of Schedule 2 to the Building Regulations (Northern Ireland) Order 1979 and work to which the Building Regulations (Northern Ireland) 1973 and 1977 continue to apply by virtue of paragraphs (3) and (4).
- (6) The Building Regulations (Northern Ireland) 1994(6) shall continue to apply to—
- (a) plans deposited in accordance with those regulations before 1st April 2001;
  - (b) building work and any material change of use carried out in accordance with such plans with or without any departure or deviation from those plans; and
  - (c) building work and any material change of use completed on or after 28th November 1994 but before 1st April 2001, other than work to which building bye-laws continue to apply in accordance with paragraph 2 of Schedule 2 to the Building Regulations (Northern Ireland) Order 1979 and work to which the Building Regulations (Northern Ireland) 1973, 1977 and 1990 continue to apply by virtue of paragraphs (3), (4) and (5).

## Exemptions

- A5.—**(1) Subject to paragraph (2), these regulations shall not apply to—
- (a) building work in connection with any buildings belonging to any statutory undertaking and held or used by them for the purposes of their undertaking provided that this exemption shall not extend to dwellings or to buildings used as offices, shops, showrooms or passenger stations for air, road, rail or sea travel;
  - (b) the erection of any exempted building (including the provision of any service or fitting solely in connection therewith); and
  - (c) the alteration of or extension to or the provision of any service or fitting solely in connection with an exempted building, if after the carrying out of that work the building remains an exempted building.
- (2) The building work in paragraph (1) shall not create a new or greater contravention of any relevant requirement of these regulations in any part of a building or in any other building to which these regulations apply.
- (3) In determining for the purposes of paragraph (2) whether any building work would cause a new or greater contravention of any of these regulations, sub-paragraphs (a) and (b) of regulation A7(3) shall apply.
- (4) For the purposes of paragraph (2) and Schedule 1—
- (a) a building shall not be regarded as attached to another building solely by virtue of it being attached to a fence, garden wall or similar structure; and

- (b) BUILDING TO WHICH THESE REGULATIONS APPLY means a building which, if it were being newly erected, would be subject to the control of any regulation in Parts C to K, regulations L2(2) and (3) and L5 and Parts R and V.

### **Application to erection of buildings**

**A6** Subject to the provisions of regulation A5, the following provisions, that is to say, Parts A to K, regulations L2(2) and (3) and L5 and Parts R and V shall apply to the erection of a building.

### **Application to alterations and extensions**

**A7.**—(1) Subject to the provisions of paragraph (4) and regulation A5, the following provisions, that is to say, Parts A to K, regulations L2(2) and (3) and L5 and Parts R and V shall apply to—

- (a) a structural alteration or extension of an existing building; and
- (b) the existing building as affected by that alteration or extension to the extent (subject to the provisions of regulation A9) of prohibiting any alteration or extension which would cause a new or greater contravention of any regulation.

(2) In applying the regulations under paragraph (1)(a), the alteration or extension shall be treated as if it were part of a building being newly erected identical to and to be used for the same purposes as the building as altered or extended.

(3) In determining for the purposes of paragraph (1)(b) whether the alteration or extension would cause a new or greater contravention of any regulation, the following provisions shall apply—

- (a) the regulations shall be applied in each of the following ways—
  - (i) to the building as altered or extended treated as if it were being newly erected in its proposed form for the purposes for which it will be used when altered or extended; and
  - (ii) to the existing building treated as if it were being newly erected in its existing form but for the purposes for which it will be used when altered or extended; and
- (b) the alteration or extension shall be regarded as being such as would cause a new or greater contravention if (when the regulations are applied as directed in sub-paragraph (a)) the building as altered or extended—
  - (i) contravenes any regulation which does not apply to the existing building;
  - (ii) contravenes any regulation which is satisfied by the existing building; or
  - (iii) contravenes to a greater extent any regulation which is contravened by the existing building.

(4) Part R shall only apply to—

- (a) the ground storey of an extension to a building to which Part R did not apply when built if—
  - (i) the area of the ground storey of the extension exceeds 10% of the area of the ground storey of the building to be extended and is greater than 200 m<sup>2</sup>;
  - (ii) the extension incorporates an external entrance; or
  - (iii) there is access for disabled people to and within the ground storey of the building to be extended;
- (b) the alteration or extension of any storey to which Part R applied when that storey was erected;
- (c) the vertical extension of a building to the uppermost storey of which Part R applied when that storey was erected; and



- (d) the provision or alteration of a facility provided for disabled people.

### **Application to services and fittings**

**A8** Subject to any express provisions to the contrary and the provisions of regulation A5—

Part A (Interpretation and general)

In Part B (Materials and workmanship) regulation B2

Part E (Fire safety)

In Part F (Conservation of fuel and power) regulations F3 and F4

Part K (Ventilation)

In Part L (Heat-producing appliances and liquified petroleum gas installations) regulations L2(1), L3 and L4

Part N (Drainage)

Part P (Sanitary appliances and unvented hot water storage systems)

shall apply to the provision of any service and fitting (whether by way of new work, alteration or replacement) to which any of those Parts respectively relate.

### **Application to material change of use**

**A9.**—(1) For the purposes of these regulations a change in the purposes for which or the circumstances in which a building, or part of a building, is used shall only be regarded as a material change of use if after that change any one of the following cases applies—

Case I— the building is used as a dwellinghouse, where previously it was not.

Case II— the building contains a flat or maisonette, where previously it did not.

Case III— the building is used as—

- (a) a hotel or boarding house, where previously it was not;
- (b) an institution, where previously it was not;
- (c) a public building, where previously it was not;
- (d) a shop, where previously it was not;
- (e) an office, where previously it was not; or
- (f) a store, where previously it was not.

Case IV— the building, by virtue of the change of use, is not an exempted building where previously it was.

(2) Where there is a material change of use to the whole or part of a building the provisions of the regulations set out in the Table to this regulation shall apply.

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**Table to Regulation A9**  
**Application to a material change of use**

Parts		Cases			
		I	II	III#	IV
A	Interpretation and general	*	*	*	*
B	Materials and workmanship	—	—	—	*
C	Preparation of site and resistance to moisture	* <sup>1</sup>	* <sup>1</sup>	* <sup>1</sup>	* <sup>1</sup>
D	Structure	* <sup>2</sup>	* <sup>2</sup>	* <sup>2</sup>	*
E	Fire safety	* <sup>3</sup>	* <sup>3</sup>	* <sup>3</sup>	* <sup>3</sup>
F	Conservation of fuel and power	* <sup>4</sup>	* <sup>4</sup>	* <sup>4</sup>	* <sup>4</sup>
G	Sound insulation of dwellings	*	*	—	*
H	Stairs, ramps, guarding and protection from impact	—	—	—	*

Notes to Table

# Only Parts A, D and E shall apply to Case III(d) to (f) and, in the application of Parts D and E, only in so far as indicated by Notes 2 and 3 respectively.

\* Denotes Parts which apply.

— Denotes Parts which do not apply.

<sup>1</sup> All regulations except C2 and C3.

<sup>2</sup> Part D shall apply to those parts of the building affected by any increase in imposed loading resulting from the change of use.

<sup>3</sup> In the application of Part E the requirements of regulation E5 shall only apply, in relation to external walls, when the height of a building exceeds 20m (such height shall be measured from the mean level of the ground adjoining the outside of the external walls of the building to the level of half the vertical height of the roof of the building, or to the top of the walls or of the parapet, if any, whichever is the higher).

<sup>4</sup> Regulation F2 only.

<sup>5</sup> Regulations L2(2) and (3) only.

<sup>6</sup> All regulations except P5.

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Parts		Cases			
		I	II	III#	IV
J	Solid waste in buildings	*	*	*	*
K	Ventilation	*	*	*	*
L	Heat-producing appliances and LPG installations	* <sup>5</sup>	* <sup>5</sup>	* <sup>5</sup>	* <sup>5</sup>
N	Drainage	—	—	—	—
P	Sanitary appliances and unvented hot water storage systems	* <sup>6</sup>	* <sup>6</sup>	* <sup>6</sup>	* <sup>6</sup>
R	Access and facilities for disabled people	—	—	—	—
V	Glazing	*	*	—	—

## Notes to Table

# Only Parts A, D and E shall apply to Case III(d) to (f) and, in the application of Parts D and E, only in so far as indicated by Notes 2 and 3 respectively.

\* Denotes Parts which apply.

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<sup>1</sup> All regulations except C2 and C3.

<sup>2</sup> Part D shall apply to those parts of the building affected by any increase in imposed loading resulting from the change of use.

<sup>3</sup> In the application of Part E the requirements of regulation E5 shall only apply, in relation to external walls, when the height of a building exceeds 20m (such height shall be measured from the mean level of the ground adjoining the outside of the external walls of the building to the level of half the vertical height of the roof of the building, or to the top of the walls or of the parapet, if any, whichever is the higher).

<sup>4</sup> Regulation F2 only.

<sup>5</sup> Regulations L2(2) and (3) only.

<sup>6</sup> All regulations except P5.

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(3) Where a material change of use neither involves nor is accompanied by an alteration or extension, the provisions referred to in the Table to this regulation shall apply to the building or part of the building in which the change of use occurs as if it were a new building identical to the building as it exists and to be used for the same purpose or purposes as the building will have after the change of use.

- (4) Where a material change of use involves or is accompanied by an alteration or extension—
- (a) the provisions referred to in the Table to this regulation (other than regulation A8) shall apply to the building or part of the building in which the change of use occurs as if it were part of a new building identical to the building as altered or extended and to be used for the same purpose or purposes as that building will have after the change of use; and
  - (b) the application of regulation A7 by paragraph (2) shall apply any requirements of that regulation which are additional to those directly applied by the Table to this regulation.
- (5) Where a change of use will result in an exempted building being put to a use as described in Cases I, II or III the provisions of those regulations applicable to Case IV shall apply in precedence to those of Cases I, II or III.

### **Giving of notices and deposit of plans**

**A10.**—(1) Subject to the provisions of paragraphs (3), (4) and (6) any person who intends to carry out any building work or make any material change of use of a building shall, if the provisions of these regulations apply to such work or such change of use—

- (a) give notices, deposit full plans, sections, specifications and written particulars in accordance with the relevant rules of Part A of Schedule 2; or
  - (b) in the case of a dwelling serve such other documents (in this regulation known as a 'building notice') as may be necessary in accordance with Part B of Schedule 2.
- (2) A building notice shall only be considered to have been validly given under paragraph (1) (b) if the building work or the material change of use to which it relates commenced within three years of the date on which the notice was given.
- (3) The provisions of paragraph (1) shall not apply to—
- (a) the provision of a heat-producing appliance to which Part L relates, by way of replacement of an existing heat-producing appliance, if compliance with the relevant regulations in that Part does not require the carrying out of any structural alteration;
  - (b) the provision of a fitting to which Part N or P (except regulation P5) relates, by way of replacement of an existing fitting, if compliance with the relevant regulations in that Part does not require the carrying out of any structural alteration; and
  - (c) the replacement of windows.
- (4) The provisions of paragraph (1) where they relate to the requirements of regulation F4 shall not apply where the work involves only the extension of an existing system and does not involve the carrying out of any structural alteration.
- (5) In paragraph (3)(a) heat-producing appliance has the same meaning as in Part L.
- (6) Notwithstanding that the replacement of windows does not require the giving of notices or deposit of plans and other particulars, the work of replacement shall in all respects meet any relevant requirements of these regulations.

### **Notice of commencement and completion of certain stages of work**

**A11.**—(1) In this regulation—

- (a) BUILDER means any person carrying out or intending to carry out any building work to which any of these regulations apply; and
  - (b) in the calculation of a period of notice, DAY means any period of 24 hours commencing at midnight on the day on which the notice is given and excludes any Saturday, Sunday or public holiday.
- (2) Subject to the provisions of paragraph (6), a builder shall furnish the district council with—

- (a) not less than 2 days notice in writing of the date and time at which the operation will be commenced;
- (b) not less than 2 days notice in writing before the covering up of any excavation for a foundation, any foundation, any damp-proof course or any concrete or other material laid over a site;
- (c) not less than 2 days notice in writing before any drain or private sewer to which these regulations apply will be haunched or covered in any way; and
- (d) notice in writing not more than 5 days after the work of laying such drain or private sewer has been carried out, including any necessary work of haunching or surrounding the drain or private sewer with concrete and backfilling the trench.

(3) If the builder neglects or refuses to give any such notice, he or any person appearing to the district council to have control over the building work or the building as the case may be shall comply with any notice in writing from the district council requiring him within a reasonable time to cut into, lay open or pull down so much of the building, services or fittings as prevents the district council from ascertaining whether any of these regulations have been contravened.

(4) If the builder, in accordance with any notice in writing received from the district council which specifies the manner in which any building or services or fittings contravenes the requirements of these regulations, has altered or added to the building, services or fittings so as to secure compliance with these regulations, he shall, within a reasonable time after the completion of such alteration or addition, give notice in writing to the district council of its completion.

(5) Subject to the provisions of paragraph (6), the builder shall give to the district council notice in writing of—

- (a) the erection of a building, not more than 5 days after completion, or (if a building or part of a building is occupied before completion) not less than 5 days before occupation as well as not more than 5 days after completion;
- (b) any alteration or extension of a building, not more than 5 days after completion; and
- (c) the provision of any service or fitting in connection with a building, not more than 5 days after completion; and
- (d) the SAP energy rating for any completed dwelling, whether erected or created by a material change of use, not more than 5 days after completion.

(6) The requirements of this regulation shall not apply to the provision of any fitting if the giving of notices and the deposit of plans, sections, specifications and written particulars are not required under the provisions of regulation A10.

### **Regularisation certificates**

**A12.**—(1) Where it appears to a district council that—

- (a) a person carried out unauthorised work; and
- (b) in relation to such work all or any of the substantive requirements of the relevant building regulations have been satisfied, it may on application made to it issue a certificate (in this regulation referred to as a 'regularisation certificate') to the person who carried out the work or any person appearing to the district council to have control over the work or building as appropriate.

(2) A district council shall not issue a regularisation certificate in relation to any unauthorised work unless it has taken such steps (if any) as it thinks reasonable (including the carrying out of inspections, testing of drains and private sewers and sampling of materials) to ascertain whether that work complies with the substantive requirements of the relevant building regulations.

(3) Where in the opinion of a district council further work is required in relation to any work to which an application under paragraph (1) relates, it shall notify the person who made the application of the fact and give him an opportunity to carry out such work before deciding whether to grant or refuse the certificate.

(4) A regularisation certificate relating to any unauthorised work shall be evidence (but not conclusive evidence) that that work complies with such of the substantive requirements of the relevant building regulations as are specified in the certificate.

(5) An application under paragraph (1) shall be made in writing and shall be accompanied by—

- (a) a statement that it is made in accordance with this regulation;
- (b) a description of the unauthorised work to which it relates;
- (c) a statement of the date on which the work was completed; and
- (d) so far as is reasonably practicable, a plan of that work including, where appropriate, any further building work intended to ensure that the unauthorised work complies with the relevant building regulations.

(6) In this regulation—

- (a) BUILDING REGULATIONS means these regulations and any of the statutory provisions referred to in regulation A4 and in relation to any unauthorised work “relevant building regulations” means those building regulations in force at the time when such work was completed; and
- (b) UNAUTHORISED WORK means any work (within the meaning of regulation A4(1)), any building work or any material change of use notification of which was required by building regulations to be given to a district council but was not so given.

### Completion certificates

**A13.**—(1) Where in relation to any building work, carried out in relation to a building or part of a building, a district council has been able to ascertain after taking all reasonable steps in that behalf, that relevant requirements of these regulations have been satisfied, it may issue a certificate (in this regulation referred to as a ‘completion certificate’) specifying the requirements so satisfied.

(2) Subject to and in accordance with paragraph (1) and without prejudice to the generality of that paragraph, a district council shall issue a completion certificate in relation to any building work where—

- (a) it has approved plans for the building work; and
- (b) it has—
  - (i) been requested to do so; or
  - (ii) been notified (in accordance with paragraph 5 of Rule A of Part A of Schedule 2) that the building work is in relation to a building which is or is intended to be put to a use which is a designated use for the purposes of the Fire Services (Northern Ireland) Order 1984(7) and been requested to do so in respect of that notification.

(3) Without prejudice to paragraph (2), a district council may in accordance with paragraph (1) issue a completion certificate in such other circumstances as it may think fit and proper.

(4) For the purposes of paragraph (1) the relevant requirements of these regulations are—

- (a) in relation to building work generally – any requirement of these regulations which apply in relation to that building work; and

(b) in relation to any building work mentioned in paragraph (2)(b)(ii) – the requirements of Part E.

(5) Any person having an interest to do so may apply for a completion certificate.

(6) A completion certificate issued in accordance with this regulation shall be evidence (but not conclusive evidence) that the relevant requirements specified in the certificate have been complied with.

### **Testing of drains and private sewers**

**A14** An authorised officer of the district council shall be permitted to make such tests of any drain or private sewer as may be necessary to establish compliance with any of the provisions of Part N.

### **Sampling of materials**

**A15** An authorised officer of the district council shall at all reasonable times be permitted to take such samples of the materials used or to be used in the erection, alteration or extension of a building, or the provision of services or fittings, as may be necessary to enable the district council to ascertain whether such materials comply with the provisions of these regulations.

### **Exercise of power of dispensation or relaxation**

**A16.**—(1) Subject to paragraph (2), the power under Article 15(1) of the Building Regulations (Northern Ireland) Order 1979 to dispense with or relax any requirement of building regulations shall, in accordance with Article 15(2) of the said Order, be exercisable by the district council in relation to any requirement of these regulations other than those in—

Part A (Interpretation and general)

Part D (Structure).

(2) Paragraph (1) shall not apply to any application made by a district council.

### **Application for dispensation or relaxation**

**A17.**—(1) Any application for a direction dispensing with or relaxing any requirement of these regulations shall be submitted in duplicate.

(2) Before giving a direction the Department or, as the case may be, the district council may if it thinks fit send—

(a) to the applicant, a copy of its draft direction; and

(b) to any other person or body appearing to it to be interested, a copy of the application and of its draft direction,

inviting comment on the draft direction, and it shall take into account any comments received before making the direction final.

(3) Before giving a direction the Department or, as the case may be, the district council may if it thinks fit afford to the applicant or any other person appearing to it to be interested, an opportunity of appearing before and being heard by a person appointed by the Department or, as the case may be, the district council for that purpose.

(4) After giving a direction the Department or, as the case may be, the district council shall notify the applicant and any other person who was sent a copy of the draft direction under paragraph (2), of the direction and its reasons therefor.

### Appeals and prescribed periods

**A18.**—(1) Where the applicant has a right of appeal to the Department under Articles 16, 17 or 18B of the Building Regulations (Northern Ireland) Order 1979<sup>(8)</sup> against a decision of a district council the notification of that decision to the applicant shall indicate—

- (a) that there is a right of appeal;
- (b) where the decision relates to a contravention notice, that in addition to a right of appeal against the service of the notice there is also a right to obtain a report under Article 18A of the Building Regulations (Northern Ireland) Order 1979 in respect of the notice and the periods within which he may notify the district council of his intention to obtain such a report and (where he has obtained it) submit it to the council;
- (c) the prescribed period within which the appeal may be made; and
- (d) the requirements of paragraph (2).

(2) An appeal to the Department shall set out the grounds of appeal and a copy shall be sent to the district council.

(3) The district council on receiving the copy of the appeal shall at once transmit to the Department a copy of the application and a copy of all documents furnished by the applicant for the purposes of his application.

(4) The district council shall at the same time give to the Department in writing any representations which it desires to make as regards the appeal and shall send a copy to the appellant.

(5) The prescribed period for the purposes of Article 16(1) of the Building Regulations (Northern Ireland) Order 1979 (appeal against refusal by a district council to dispense with or relax regulations or against conditions attaching to dispensation or relaxation) shall be 56 days.

(6) The prescribed period for the purposes of Article 16(2) of the Building Regulations (Northern Ireland) Order 1979 (period for consideration of application for relaxation by a district council) shall be 56 days.

(7) The prescribed period for the purposes of Article 17(1) of the Building Regulations (Northern Ireland) Order 1979 (appeal against rejection of plans by a district council) shall be 56 days.

(8) The prescribed period for the purposes of Article 17(2) of the Building Regulations (Northern Ireland) Order 1979 (period after which an applicant may assume plans to be rejected) shall be 56 days.

### Revocations

**A19** Subject to the provisions of regulation A4 the regulations specified in column 1 of the Table to this regulation are hereby revoked.

**Table to Regulation A19**

Regulations revoked (1)	References (2)
Building Regulations (Northern Ireland) 1994	<a href="#">SR 1994 No 243</a>
Building (Amendment) Regulations (Northern Ireland) 1995	<a href="#">SR 1995 No 473</a>
Building (Amendment) Regulations (Northern Ireland) 1997	<a href="#">SR 1997 No 481</a>

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(8) [S.I. 1979 No. 1709 \(N.I. 16\)](#), Article 18B was inserted by [S.I. 1990 No. 1510 \(N.I. 14\)](#)



Regulations revoked (1)	References (2)
Building (Amendment) Regulations (Northern Ireland) 1998	<a href="#">SR 1998 No 453</a>

## PART B

### Materials and workmanship

#### Interpretation

**B1** In this Part—

HARMFUL SUBSTANCES includes fumes and vapours;

MATERIALS means any materials whether occurring naturally, recycled or manufactured; and

RELEVANT WORK means—

- (a) the erection of a building;
- (b) the structural alteration or extension of a building;
- (c) the provision of any service or fitting; or
- (d) the backfilling of any excavation carried out in connection with (a), (b) or (c).

#### Fitness of materials and workmanship

**B2** In any relevant work—

- (a) the materials used shall—
  - (i) be of a suitable nature and quality in relation to the purposes for and the conditions in which they are used;
  - (ii) be adequately mixed and prepared;
  - (iii) be applied, used or fixed so as adequately to perform the functions for which they are designed; and
  - (iv) not continue to emit any harmful substance longer than is reasonable in the circumstances; and
- (b) the standards of materials and workmanship need be no more than are necessary to secure the health and safety of people in or about the building and, where appropriate, the convenience of disabled people and the conservation of fuel and power.

#### Suitability of certain materials

**B3.**—(1) In determining whether a material is of a suitable nature and quality for use as the weather-resisting part of an external wall or roof no account shall be taken of that material being either—

- (a) painted; or
- (b) coated, surfaced or rendered with any other material which, when so used, does not in itself constitute effective resistance against weather.

(2) Any material which depends on periodic maintenance, replacement or renewal for its suitability shall be readily accessible or positioned so that such maintenance, replacement or renewal is practicable.

### **Urea formaldehyde foam**

**B4.**—(1) Subject to paragraph (2), in-situ foamed urea formaldehyde shall not be used in the erection, structural alteration or extension of a building.

(2) In-situ foamed urea formaldehyde may be used for filling the cavity of a cavity wall having an inner leaf constructed of bricks or blocks, provided that it is—

- (a) suitable for such an application; and
- (b) satisfactorily installed.

### **Preservative treatment of timber**

**B5** Where the preservative treatment of timber against decay caused by moisture is necessary it shall be carried out to provide adequate protection.

### **Deemed-to-satisfy provisions for regulations B2, B4 and B5**

**B6.**—(1) *The requirements of regulation B2 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table B opposite the reference to that regulation, if the materials and workmanship used in the building are in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation B4 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table B opposite the reference to that regulation, if the in-situ foamed urea formaldehyde used in the building is manufactured, prepared and installed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(3) *The requirements of regulation B5 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table B opposite the reference to that regulation, if the preservative treatment for timber used in the building is carried out in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## **PART C**

### **Preparation of site and resistance to moisture**

#### **Application and interpretation**

**C1.**—(1) Regulation C2(2) shall not apply in relation to an existing dwelling or part of an existing dwelling—

- (a) which is altered; or
- (b) which is extended by less than 30 m<sup>2</sup>,

if measures to prevent or limit the ingress of radon are not already incorporated in that dwelling.

(2) Regulation C4 in respect of resistance to ground moisture of floors and walls, and weather resistance of walls shall not apply where the building is intended to be used wholly for—

- (a) storing goods, provided that any person who is habitually employed in the building is engaged only in storing, caring for or removing the goods; or
- (b) a purpose such that compliance with regulation C4 would not serve to increase protection to the health or safety of any person habitually employed in the building.

(3) Regulation C5 applies only to a dwelling.

(4) In this Part—

DANGEROUS AND HARMFUL SUBSTANCES includes any substance which is or could become corrosive, explosive, inflammable, radioactive or toxic and includes deposits of faecal or animal matter;

FLOOR includes any base or structure between the surface of the ground, or the surface of any hardcore laid upon the ground, and the upper surface of the floor;

MOISTURE includes water vapour as well as liquid water; and

WALL includes piers, chimneys, columns and parapets which form part of the wall.

### **Preparation of site and resistance to dangerous and harmful substances**

**C2.**—(1) The site of a building and the ground adjacent to it shall be prepared and treated, and measures shall be taken, so as to prevent, as far as reasonably practicable, any harmful effect on the building or the health or safety of the occupants caused by—

- (a) vegetable soil; and
- (b) dangerous or harmful substances.

(2) Without prejudice to the generality of paragraph (1) measures shall be taken to prevent or limit the ingress of radon from the ground into any dwelling situated in a zone marked on the map set out in Schedule 3.

### **Subsoil drainage**

**C3** The site of a building and the ground adjacent to it shall be drained as far as reasonably practicable, or the building otherwise protected so as to prevent any harmful effect on the building or the health of the occupants caused by—

- (a) ground water; and
- (b) existing subsoil drainage.

### **Resistance to ground moisture and weather**

**C4** Every wall, floor and roof shall be constructed so as to prevent any harmful effect on the building or the health of the occupants caused by the passage of moisture to any part of the building from—

- (a) the ground; and
- (b) the weather.

### **Condensation**

**C5** A building to which this regulation applies shall be designed and constructed so as to prevent, as far as reasonably practicable, any harmful effect on the building from moisture in the form of interstitial condensation.

### **Deemed-to-satisfy provisions for regulations C2(2), C4 and C5**

**C6.**—(1) *The requirements of regulation C2(2) shall be deemed to be satisfied, in the case of a building specified in column (2) of Table C opposite the reference to that regulation, if the measures to prevent or limit the ingress of radon into the building are in accordance with the relevant provisions of the publications or measures specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation C4 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table C opposite the reference to that regulation, if the walls, floors and roofs of the building are constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(3) *The requirements of regulation C5 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table C opposite the reference to that regulation, if the building is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## PART D

### Structure

#### Stability

**D1** A building shall be designed and constructed so that the combined dead, imposed and wind loads are sustained and transmitted to the ground, taking into account the nature of the ground—

- (a) safely; and
- (b) without impairing the safety of any part of another building.

#### Disproportionate collapse

**D2.**—(1) A building to which this paragraph applies shall be designed and constructed so that in the event of damage occurring to any part of the building, the extent of any resulting collapse will not be disproportionate to the cause of the damage.

(2) Paragraph (1) applies to a building having 5 or more storeys, counting each basement level as one storey but discounting a storey within a roof space where the slope of the roof does not exceed 70° to the horizontal.

#### Deemed-to-satisfy provisions for regulations D1 and D2

**D3.**—(1) *The requirements of regulation D1 shall be deemed to be satisfied—*

- (a) *if any loadings to which the building will be subjected, specified in column (2) of the Table in Schedule 4, are calculated in accordance with the relevant provisions of the publications specified opposite there to in column (3), as amended by the publications specified opposite thereto in column (4):*

*Provided that—*

- (i) *the actual loads are used, where the actual loads to which the building is to be subjected are likely to exceed the loads so calculated; and*
- (ii) *loads used allow for possible dynamic, concentrated and peak load effects which may occur; and*
- (b) *in the case of any structural work specified in column (2) of Table D opposite the reference to that regulation, if the structural work is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation D2 shall be deemed to be satisfied, in the case of any structural work specified in column (2) of Table D opposite the reference to that regulation, if the structural work is designed and constructed in accordance with the relevant provisions of the publications*

*specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## PART E

### Fire safety

#### Application and interpretation

**E1.**—(1) Regulations E2 and E4(3) shall not apply to a prison within the meaning of the Prisons Act (Northern Ireland) 1953(9) or any other place of lawful detention.

(2) In this Part—

ASSEMBLY BUILDING includes places of entertainment or recreation; conference, exhibition, and leisure centres; museums and art galleries; law courts; churches and other buildings for worship; libraries open to the public; health centres and surgeries; passenger stations for air, rail, road and sea travel; and public toilets;

DWELLING means a self-contained unit of residential accommodation occupied (whether or not as a sole or main residence)—

- (a) by a single person or by people living together as a family; or
- (b) by not more than 6 people living together as a single household, including a household where care is provided for residents;

DWELLINGHOUSE means a dwelling on one or more storeys which is detached or forms part of a building from all other parts of which it is divided only vertically;

FLAT means a dwelling on one storey forming part of a building from some other part of which it is divided horizontally;

HOUSE IN MULTIPLE OCCUPATION means a building, or part of a building, occupied by people who do not form a single household and containing units of residential accommodation which are not self-contained;

INTERNAL LININGS means the materials lining any partition, wall, ceiling or other internal structure;

MAISONETTE means a dwelling on more than one storey forming part of a building from some other part of which it is divided horizontally;

MEANS OF ESCAPE means structural means whereby, in the event of a fire, a safe route or routes is or are provided for people to travel from any point in a building to a place of safety;

OFFICE includes premises used for the purposes of administration; clerical work; handling money; and communications;

PLACE OF SAFETY means a place, outside the building, in which people are in no danger from fire within the building;

RESIDENTIAL HEALTH CARE BUILDING includes nursing homes; homes for old people, children, mentally ill and the mentally or physically handicapped;

SHOPPING COMPLEX means a shopping complex that includes a covered mall or similar area in which—

- (a) more than 15 m of the length of the mall section is covered by a bridge or roof; or

- (b) at least one-quarter of its plan area is obscured by a roof or by floors, bridges, galleries or canopies, unless there is a continuous open slot above the mall section in which case more than one-half of its plan area is obscured; and

SPECTATOR ACCOMMODATION means covered seating accommodation at sports grounds.

### **Means of escape**

**E2** A building shall be so designed and constructed that in the event of a fire there is—

- (a) where appropriate, adequate means of automatic detection;
- (b) adequate means of giving warning; and
- (c) adequate means of escape, which can be safely and effectively used at all material times.

### **Internal fire spread – Linings**

**E3** To inhibit the spread of fire within a building the internal linings shall—

- (a) offer adequate resistance to the spread of flame over their surfaces; and
- (b) where they are located in a circulation space, have a low rate of heat release when ignited.

### **Internal fire spread – Structure**

**E4.**—(1) A building shall be so designed and constructed that, in the event of a fire, its stability will be retained for a reasonable period.

(2) A wall common to two or more buildings shall be so designed and constructed that it provides adequate resistance to the spread of fire between those buildings and for the purposes of this paragraph a dwellinghouse in a terrace and a semi-detached dwellinghouse shall be considered as a separate building.

(3) To inhibit the spread of fire within it, a building shall be adequately sub-divided with fire-resisting construction.

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

### **External fire spread**

**E5** The external walls and roof of a building shall be so designed and constructed that they afford adequate resistance to the spread of fire over them, and from one building to another, having regard to—

- (a) in the case of an external wall – the use, position and height of the building; and
- (b) in the case of a roof – the use and position of the building.

### **Facilities and access for the Fire Brigade**

**E6.**—(1) A building shall be designed and constructed with such reasonable facilities as are necessary to assist the Fire Brigade in ensuring the safety of people in and about the building in the event of a fire.

(2) Reasonable provisions shall be made within the boundary of the premises for access to the building by fire brigade appliances for the purpose of paragraph (1).

## **Deemed-to-satisfy provisions for regulations E2, E3, E4, E5 and E6**

**E7.**—(1) *The requirements of regulation E2 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table E opposite the reference to that regulation, if the means of detection, giving warning and escape in the building are in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation E3 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table E opposite the reference to that regulation, if the internal linings used in the building are designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(3) *The requirements of regulation E4 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table E opposite the reference to that regulation, if the building and measures to inhibit the spread of fire within it are in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(4) *The requirements of regulation E5 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table E opposite the reference to that regulation, if the external walls and roof of the building are designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(5) *The requirements of regulation E6 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table E opposite the reference to that regulation, if the facilities in and access to the building for the Fire Brigade are in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## **PART F**

### **Conservation of fuel and power**

#### **Application and interpretation**

**F1.**—(1) Subject to paragraphs (2) and (3) this Part shall apply to any building and, where a building contains one or more dwellings, to each such dwelling separately.

(2) Regulation F2 shall not apply to—

(a) an external wall, floor or roof of any part of a dwelling which consists of—

- (i) a shed or store entered solely from outside; or
- (ii) a boathouse, conservatory, garage or porch;

(b) a building, other than a dwelling, which has a floor area not exceeding 30 m<sup>2</sup>; and

(c) a building or part of a building, other than a dwelling, which—

- (i) in the case of a building for industrial or storage purposes – is unheated or has a space heating system with a design output rating not exceeding 50 W per square metre of floor area; or
- (ii) in the case of any other building – is unheated or has a space heating system with a design output rating not exceeding 25 W per square metre of floor area.

(3) Regulation F3(2) shall not apply to—

- (a) a dwelling;
  - (b) the common parts of a building which are intended for the exclusive use of two or more dwellings; and
  - (c) a building in which the floor area provided with artificial lighting does not exceed 100 m<sup>2</sup>.
- (4) In this Part—

SPACE HEATING SYSTEM and HOT WATER SUPPLY SYSTEM do not include a system or that part of a system which heats or stores water solely for a commercial or industrial process; and PIPES AND DUCTS means any pipe and any duct in a space heating system or hot water supply system which is intended to carry a heated liquid or gas, and includes associated fittings.

### **Building fabric**

**F2** Reasonable provisions shall be made in the fabric of the building or, as the case may be, of the dwelling for the conservation of fuel and power.

### **Space heating, hot water supply and artificial lighting systems**

**F3.**—(1) Reasonable provisions shall be made in any building or, as the case may be, in any dwelling for the purposes of the conservation of fuel and power to—

- (a) regulate the output of a space heating system; and
- (b) limit the temperature of stored hot water in a hot water supply system,

by means of automatic controls.

(2) Artificial lighting systems used in any building or part of a building shall be so designed and constructed as to use no more fuel and power than is reasonable to provide adequate lighting according to the purposes for which the building or part is used and for this purpose reasonable provisions shall be made for controlling such systems.

### **Insulation of pipes, ducts and hot water storage vessels**

**F4** Reasonable provisions shall be made to limit the heat loss from pipes, ducts and hot water storage vessels, other than that from a pipe or duct which is designed to contribute to the space heating of the space through which it passes.

### **Deemed-to-satisfy provisions for regulations F2, F3 and F4**

**F5.**—(1) *The requirements of regulation F2 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table F opposite the reference to that regulation, if the fabric of the building is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation F3 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table F opposite the reference to that regulation, if—*

- (a) (2) (a) *the space heating and hot water supply system used in the building is provided with controls in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4); and*
- (b) *the artificial lighting system used in the building is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*



(3) *The requirements of regulation F4 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table F opposite the reference to that regulation, if the pipes, ducts and hot water storage vessels used in the building are insulated in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications opposite thereto in column (4).*

## PART G

### Sound insulation of dwellings

#### Application and interpretation

**G1.**—(1) This Part—

- (a) applies only to a dwelling; but
- (b) does not apply to a wall separating a dwelling from an open access balcony.

(2) Regulation G2 shall apply to the erection of a building and to the structural alteration or extension of an existing building.

(3) Regulation G3 shall apply to the material change of use of an existing building or part of an existing building.

(4) In this Part—

OPEN ACCESS BALCONY means a balcony which—

- (a) gives access to dwellings or a common service area; and
- (b) ignoring structural columns is open to the external air for more than one-third of its floor to ceiling height and throughout the length of the dwellings; and

SEPARATING WALL AND SEPARATING FLOOR mean respectively a wall or floor (including a stair) separating a dwelling from—

- (a) another dwelling or another building; or
- (b) another part of the same building which is not used exclusively with that dwelling.

#### Separating walls and separating floors

**G2.**—(1) A separating wall in conjunction with its flanking construction shall provide adequate resistance to airborne sound transmission.

(2) Subject to paragraph (3) a separating floor in conjunction with its flanking construction shall provide adequate resistance to airborne sound transmission and, where such a floor is above a dwelling, adequate resistance to impact sound transmission.

(3) A separating floor or part of a separating floor which forms an open access balcony shall provide adequate resistance to impact sound transmission only.

#### Existing walls and floors which become separating walls and separating floors

**G3.**—(1) An existing wall which becomes a separating wall shall provide adequate resistance to airborne sound transmission.

(2) Subject to paragraph (3) an existing floor or stair which becomes a separating floor shall provide adequate resistance to airborne sound transmission and, where such a floor is above a dwelling, adequate resistance to impact sound transmission.

(3) A separating floor or part of a separating floor which forms an open access balcony shall provide adequate resistance to impact sound transmission only.

### **Deemed-to-satisfy provisions for regulations G2 and G3**

**G4.**—(1) *The requirements of regulation G2 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table G opposite the reference to that regulation, if the separating wall or separating floor (in conjunction with its flanking construction) of the building is constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation G3 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table G opposite the reference to that regulation, if the separating wall or separating floor is constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## **PART H**

### **Stairs, ramps, guarding and protection from impact**

#### **Application and interpretation**

**H1.**—(1) Subject to paragraphs (2), (3), (4) and (5) this Part shall apply to any building or part of a building.

(2) The requirements of regulation H4(1) shall not apply—

- (a) to the extent that compliance therewith would unreasonably obstruct normal movement into, out of or within any building;
- (b) in relation to the two steps at the bottom of a stair where the landing from which the stair rises does not require guarding in accordance with that paragraph;
- (c) in relation to a flight within a stair with a total rise of less than 600 mm;
- (d) in relation to a sunken area less than 600 mm in depth; and
- (e) in relation to a roof or other place to which access is solely for maintenance purposes provided that either—
  - (i) access is infrequent; or
  - (ii) any fall would be—
    - (A) less than 2000 mm; or
    - (B) to an area which does not present a hazard.

(3) The requirements of regulation H4(2) shall not apply in relation to a car showroom, a garage within the boundary of a dwelling, or a single storey building comprising two or more garages each of which has an area not exceeding 40 m<sup>2</sup>.

(4) The requirements of regulation H6 shall not apply to—

- (a) a dwelling; and
- (b) a door or gate which is part of a lift.

(5) Insofar as they relate to a dwelling, the requirements of regulation H7 shall only apply to a window, skylight or ventilator which opens over a public route of travel.

(6) For the purposes of this Part access to any place is infrequent if it takes place on average on less than one occasion a month during the course of a year.

(7) In this Part—

BALCONY includes a gallery;

BARRIER includes a wall or screen;

FLIGHT means that part of a stair or ladder between landings that has a step or a continuous series of steps;

LADDER means a fixed ladder having a flight with a pitch greater than 55°;

LANDING means a platform situated—

(a) at the top or bottom of a stair, ladder or ramp; and

(b) between consecutive flights of stairs;

RAMP means an inclined surface which provides a route of travel; and

STAIR means a flight or flights (other than a ladder) and landings that make it possible to pass on foot to another level or levels.

### **Provision of stairs in dwellings**

**H2** Within every dwelling of more than one storey there shall be provided between such storeys access by means of a stair complying with the relevant provisions of this Part:

Provided that nothing in this regulation shall require the provision of a stair to any storey within a dwelling if that storey is used only as general storage accommodation.

### **Stairs, ladders, ramps and landings**

**H3** A stair, ladder and a ramp and its landings, shall offer reasonable safety to people using them to move between—

(a) levels within the building; and

(b) an entrance or exit of the building and the general ground level immediately outside that entrance or exit.

### **Guarding**

**H4.**—(1) A stair, ladder, ramp, floor, balcony, landing, platform and any roof or other place to which people normally have access (including access for the purpose of maintenance) and a sunken area next to a building, shall, where it is necessary to protect people in or about the building from the risk of falling, be adequately guarded with a barrier which does not present a hazard.

(2) Any part of a building which is a vehicle ramp, floor or roof to which vehicles have access shall, where it is necessary to protect people, be adequately guarded with a barrier which does not present a hazard.

### **Vehicle loading bays**

**H5** A vehicle loading bay shall be designed and constructed to minimise the risk of people in it from being struck by a vehicle.

### **Protection against impact from and trapping by doors**

**H6.**—(1) In any building a door or gate which is across a main route of travel and can be pushed open from either side, shall have a means to ensure that people approaching it have a clear view of the space on the opposite side.

(2) In any building a door or gate which slides or opens upwards shall have a means to prevent it from sliding into or falling on any person.

(3) In any building a powered door or gate shall have a means to prevent it trapping any person and a means to open it in the event of a power failure.

### **Protection from collision with open windows, skylights or ventilators**

**H7** Reasonable provision shall be made to minimise the risk of people colliding with an open window, skylight or ventilator when moving in or about a building.

### **Deemed-to-satisfy provisions for regulations H3, H4, H5, H6 and H7**

**H8.**—(1) *The requirements of regulation H3 shall be deemed to be satisfied, in the case of any element specified in column (2) of Table H opposite the reference to that regulation, if the element is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation H4 shall be deemed to be satisfied, in the case of any element specified in column (2) of Table H opposite the reference to that regulation, if the element is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(3) *The requirements of regulation H5 shall be deemed to be satisfied, in the case of any element specified in column (2) of Table H opposite the reference to that regulation, if the element is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(4) *The requirements of regulation H6 shall be deemed to be satisfied, in the case of any element specified in column (2) of Table H opposite the reference to that regulation, if the element is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(5) *The requirements of regulation H7 shall be deemed to be satisfied, in the case of any element specified in column (2) of Table H opposite the reference to that regulation, if the element is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## **PART J**

### **Solid waste in buildings**

#### **Interpretation**

**J1** In this Part—

INDIVIDUAL WASTE CONTAINER means a moveable container for the storage of waste from a single dwelling;

COMMUNAL WASTE CONTAINER means a moveable container for the storage of waste from more than one dwelling;

WASTE means solid waste; and

WASTE CHUTE SYSTEM means a system comprising of a hopper or hoppers, a waste chute, a waste container chamber and associated ventilation provisions.

### **Solid waste storage**

**J2.**—(1) A building shall be provided with adequate space for the storage of waste in a container, and such space shall be—

- (a) sited so as not to be prejudicial to the health of any person;
  - (b) sited so as to be reasonably accessible for use by people in the building in the storage of waste and for emptying or removing the container; and
  - (c) of sufficient capacity having regard to the quantity of waste and the frequency and method of removal.
- (2) Every dwelling—
- (a) on or below the fourth storey of a building, shall have space for an individual waste container or access to a communal waste container or a waste chute system; and
  - (b) above the fourth storey of a building, shall have access to a waste chute system.

### **Waste chute systems**

**J3** A waste chute system shall—

- (a) be of such size, layout and construction as will ensure the hygienic conveyance of waste to a waste container;
- (b) be constructed of non-combustible materials;
- (c) have non-absorbent inner surfaces;
- (d) have adequate means of ventilation to the external air; and
- (e) be so constructed as to prevent the ignition of any part of the building in the event of any waste within the system catching fire.

### **Deemed-to-satisfy provisions for regulations J2(1)(b) and J3**

**J4.**—(1) *The requirements of regulation J2(1)(b) shall be deemed to be satisfied, in the case of a building specified in column (2) of Table J opposite the reference to that regulation, if—*

- (a) *the waste container space is sited in accordance with the provisions specified opposite thereto in column (3); or*
- (b) *the waste container space is sited in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation J3 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table J opposite the reference to that regulation, if the waste chute system used in the building is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## PART K

### Ventilation

#### Application and interpretation

**K1.**—(1) Regulation K2 shall not apply to a building or a space within a building which is used solely for storage or which is otherwise not intended for use by people.

(2) Regulations K2 and K3 shall not apply to a garage used solely in connection with a single dwelling.

(3) In this Part—

DOMESTIC BUILDING means a building or part of a building used for residential purposes such as a house, flat, maisonette, student accommodation or residential care premises but does not include an hotel, hostel or similar building where people reside only temporarily; and

NON-DOMESTIC BUILDING means a building or part of a building which is not a domestic building.

#### Means of ventilation

**K2** Adequate means of ventilation shall be provided for people in a building.

#### Ventilation of car parks

**K3** Adequate means of ventilation shall be provided for every space in a car park.

#### Deemed-to-satisfy provisions for regulations K2 and K3

**K4.**—(1) *The requirements of regulation K2 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table K opposite the reference to that regulation, if the ventilation for the building is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation K3 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table K opposite the reference to that regulation, if the ventilation for the building is designed and constructed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## PART L

### Heat-producing appliances and liquefied petroleum gas installations

#### Interpretation and application

**L1.**—(1) In this Part—

CHIMNEY means a structure (not being a flue pipe, but including a factory made insulated chimney) enclosing one or more flues, but does not include any chimney pot or other flue terminal;

FLUE means a passage which conveys the combustion products from an appliance to the external air;

FLUE-PIPE means a pipe forming a flue, but not a pipe fitted as a lining in a chimney;

HEAT-PRODUCING APPLIANCE means a fixed appliance (including a cooker) which—

- (a) is designed to burn solid fuel, gas, or oil; or
- (b) is an incinerator;

LIQUEFIED PETROLEUM GAS (hereinafter referred to as LPG) means commercial butane and commercial propane in accordance with BS 4250: Part 1: 1987;

LPG INSTALLATION means an LPG storage tank and pipework, fittings, supports and all other items required to enable liquefied petroleum gas to be conveyed from the storage tank to the heat-producing appliance; and

LPG STORAGE TANK means a fixed bulk storage tank or vessel which is used for the storage of liquefied petroleum gas and is designed to be refilled in position.

(2) Any provision in regulation L2 which applies to a heat-producing appliance shall also apply where solid fuel is intended to burn directly on a hearth without the installation of any appliance.

(3) Regulation L4 applies to LPG installations which supply fuel to heat-producing appliances in a dwelling or other residential building, which is not an institution, but not to an installation whose LPG storage tank is less than 150 litres or greater than 337,500 litres water capacity.

### **Heat-producing appliances and associated constructions**

**L2.**—(1) A heat-producing appliance shall be so installed that—

- (a) it receives a sufficient supply of air to ensure the safe and efficient operation of the heat-producing appliance and any associated flue-pipe or chimney;
- (b) combustion products discharged from the installation do not create a hazard to the health of any person;
- (c) in the case of a heat-producing appliance designed to operate with a flue, combustion products are discharged to the external air through a flue-pipe or chimney complying with paragraph (2); and
- (d) its use shall not cause damage to a building by heat or fire.

(2) Flue-pipes and chimneys shall be so constructed and installed that during operation of the heat-producing appliance to which they are connected they—

- (a) ensure combustion products are discharged to the external air without creating a hazard to the health of any person; and
- (b) prevent damage to a building by heat or fire.

(3) Hearths and fireplace recesses shall be so constructed and installed that they prevent damage to a building by heat or fire resulting from the operation of any heat-producing appliances installed therein or thereon.

### **Prevention of smoke emission**

**L3** A heat-producing appliance installed in a building for the purpose of heating or cooking, and which discharges its combustion products to the external air shall be capable of, or readily adaptable to, the burning of fuel smokelessly, unless it is—

- (a) a furnace which complies with Article 5 of the Clean Air (Northern Ireland) Order 1981<sup>(10)</sup> (which requires that new furnaces shall so far as practicable be smokeless); or

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<sup>(10)</sup> S.I. 1981 No. 158 (N.I. 4)

- (b) an appliance of a class exempted conditionally or unconditionally from the provisions of Article 17 of that Order (which relates to smoke control areas) by any order for the time being in force under paragraph (7) of that Article.

### **LPG fixed installations**

**L4** The design, construction and installation of any LPG installation to which this regulation applies shall be safe and adequate for its purpose.

### **Separation distances from an existing LPG storage tank**

**L5** A building shall be separated by a safe distance from any existing LPG storage tank within the same curtilage.

### **Deemed-to-satisfy provisions for regulations L2, L4 and L5**

**L6.**—(1) *The requirements of regulation L2 shall be deemed to be satisfied, in the case of a heat-producing appliance specified in column (2) of Part (1) of Table L opposite the reference to that regulation, if the appliance and its associated construction is designed, constructed and installed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation L4 shall be deemed to be satisfied, in the case of an aspect specified in column (2) of Part (2) of Table L opposite the reference to that regulation, if the aspect is in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(3) *The requirements of regulation L5 shall be deemed to be satisfied, in the case of an aspect specified in column (2) of Part (2) of Table L opposite the reference to that regulation, if the separation distances are in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## **PART N**

### **Drainage**

#### **Interpretation and application**

**N1.**—(1) In this Part—

**FOUL WATER** means waste from a sanitary appliance and water which has been used for cooking or washing purposes and not contaminated by trade effluent;

**RAIN-WATER DRAINAGE** includes gutters, pipes, drains and fittings which convey rain-water only;

**SANITARY APPLIANCE** has the meaning assigned to it by regulation P1;

**SANITARY PIPEWORK** means a pipe or system of pipes for conveying foul water from a fitting to an underground foul drain; and

**UNDERGROUND FOUL DRAINAGE** includes drains and private sewers used in connection with buildings but not a system which is solely for the conveyance of subsurface water.

(2) Regulation N5 shall not apply to a drainage system intended for use in connection with a roof or balcony of 6 m<sup>2</sup> or less in area, unless that roof or balcony receives a flow of rain-water from another part of a building.



### **Drainage systems**

**N2** Every building shall be provided with such sanitary pipework, underground foul drainage and rain-water drainage as may be necessary for the hygienic and adequate disposal of foul water and rain-water from that building.

### **Sanitary pipework**

**N3** Sanitary pipework shall—

- (a) consist of pipes and fittings—
  - (i) of such size, layout, construction and watertightness; and
  - (ii) with sufficient ventilation,to ensure the hygienic conveyance of foul water to an underground foul drainage system; and
- (b) have such means of access as is necessary to facilitate the clearance of blockages.

### **Underground foul drainage**

**N4** Underground foul drainage shall—

- (a) consist of pipes and fittings—
  - (i) of such size, layout, construction and watertightness; and
  - (ii) with sufficient ventilation,to ensure the hygienic conveyance of foul water to a sewer, cesspool, septic tank or similar structure; and
- (b) have such means of access as is necessary to facilitate the clearance of blockages.

### **Rain-water drainage**

**N5** Rain-water drainage shall—

- (a) consist of pipes and fittings—
  - (i) of such size, layout, construction and watertightness; and
  - (ii) with sufficient ventilation,to ensure the hygienic conveyance of rain-water to a surface water or combined sewer, a soakaway or a watercourse; and
- (b) have such means of access as is necessary to facilitate the clearance of blockages.

### **Cesspools, septic tanks and similar structures**

**N6.**—(1) Any cesspool, septic tank or similar structure shall be—

- (a) so constructed as to be impervious to both liquid from the inside and subsoil water from the outside; and
- (b) so sited—
  - (i) as not to render liable to pollution any spring, stream, well, adit or other source of water which is used, or is likely to be used, for drinking, domestic or kitchen purposes;
  - (ii) that there is ready means of access for cleansing it and removing its contents without carrying them through any building in which any person resides or is employed in any manufacture, trade or business, or to which the public has access; and

- (iii) as not to be in such proximity to any building in which any person resides or is employed in any manufacture, trade or business, or to which the public has access, as to be liable to become a source of nuisance or a danger to health.
- (2) A cesspool shall be—
- (a) of suitable depth to enable it to be emptied completely;
  - (b) properly covered so as to be impervious to surface water and rain-water;
  - (c) fitted with a suitable manhole cover for the purposes of inspection (including inspection of the inlet), emptying and cleansing;
  - (d) adequately ventilated;
  - (e) without any outlet for overflow or discharge other than the outlet provided for emptying or cleansing; and
  - (f) of a capacity, measured below the level of the inlet, of not less than 18 m<sup>3</sup>.
- (3) Any structure to which paragraph (1) applies other than a cesspool shall be—
- (a) of suitable depth;
  - (b) of adequate size, having in no case a capacity of less than 2.7 m<sup>3</sup>;
  - (c) covered or fenced in;
  - (d) if covered, adequately ventilated and constructed with means of access for the purposes of inspection (including inspection of the inlet and outlet), emptying and cleansing; and
  - (e) fitted with filter or other treatment facility for effluent (including subsurface irrigation) or both, sited to comply with the requirements of paragraph (1)(b)(i) and (iii).

#### **Deemed-to-satisfy provisions for regulations N3, N4 and N5**

**N7.**—(1) *The requirements of regulation N3 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table N opposite the reference to that regulation, if the sanitary pipework used in the building complies with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation N4 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table N opposite the reference to that regulation, if the underground foul drainage for the building complies with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(3) *The requirements of regulation N5 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table N opposite the reference to that regulation, if the rain-water drainage for the building complies with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## **PART P**

### **Sanitary appliances and unvented hot water storage systems**

#### **Interpretation**

**P1** In this Part—

DOMESTIC HOT WATER means water that has been heated for ablution, culinary and cleansing purposes irrespective of the type of building;

SANITARY ACCOMMODATION means a room or space which contains a water closet or urinal whether or not it contains other sanitary appliances;

SANITARY APPLIANCES includes a water closet or urinal and a bath, shower, wash-hand basin, bidet or other fitting for ablutionary purposes;

SANITARY PIPEWORK AND UNDERGROUND FOUL DRAINAGE have the meaning assigned to them by regulation N1; and

URINAL includes one or more slabs, stalls, troughs, bowls and other suitable receptacles.

### **Provision of sanitary appliances**

**P2.**—(1) A dwelling shall have at least one water closet, one wash-hand basin and one fixed bath or shower.

(2) A wash-hand basin shall be provided, in the case of—

- (a) a dwelling – either in the same room as a water closet or in an adjoining room; and
- (b) any other building – either in the same room as a water closet or in an adjoining room which provides the sole means of access to the room containing the water closet:

Provided that where the wash-hand basin is located in the adjoining room, that room is not used for the preparation of food.

(3) A water closet fitted with a macerator shall not be provided in any building unless the building has another water closet, accessible to all occupants, which discharges directly to sanitary pipework or underground foul drainage.

(1) Every sanitary appliance shall have smooth and readily cleansed, non-absorbent surfaces and shall discharge through an effective trap of suitable dimensions.

(2) Every wash-hand basin, bath and shower shall have provision for the piped supply of hot and cold water and where a sequential single control mixer valve is provided it shall start from the cold supply.

(3) Every water closet and urinal shall have flushing apparatus capable of effectively cleansing the receptacle, no part of which shall be directly connected to any pipe other than a flush pipe or sanitary pipework.

(4) The outlet of an urinal shall have an effective grating.

(5) A sanitary appliance fitted with a macerator, pump and drainage pipe shall ensure the hygienic conveyance of foul water to an underground foul drainage system.

### **Sanitary accommodation**

**P4.**—(1) Sanitary accommodation in any building other than a dwelling shall not open directly into a room used for kitchen purposes.

(2) Any sanitary accommodation which can be entered directly from a room used for sleeping purposes, shall be so constructed that it can also be entered without passing through any such room, but this paragraph shall not apply if in the case of—

- (a) a dwelling – there is other such sanitary accommodation within the dwelling which can be entered without passing through any such room; or
- (b) any other building – there is within the building other such sanitary accommodation which is available for common use.

### Unvented hot water storage systems

**P5.**—(1) This regulation shall apply to any hot water storage system (other than a system or part of a system used solely for space heating or an industrial process) that has a storage vessel which—

- (a) has a capacity greater than 15 litres; and
- (b) does not incorporate a vent pipe to the atmosphere.

(2) A hot water storage system to which this regulation applies, whether heated directly or indirectly, shall incorporate—

- (a) safety devices to ensure that the temperature of the stored water does not exceed 100°C at any time; and
- (b) devices to control the working pressure and to relieve excessive pressure.

(3) Any discharge from devices provided for the purpose of paragraph (2) shall be conveyed safely to where it can be seen readily and will cause no danger to people.

### Deemed-to-satisfy provisions for regulation P5

**P6** *The requirements of regulation P5 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table P opposite the reference to that regulation, if the unvented domestic hot water storage system used in the building is designed, constructed and installed in accordance with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## PART R

### Access and facilities for disabled people

#### Application and interpretation

**R1.**—(1) Subject to paragraphs (2) and (3) this Part shall apply to any building or part of a building.

(2) This Part shall not apply to—

- (a) any garage or outbuilding associated with a dwelling;
- (b) any part of a building which is used solely to enable the building or any service or fitting in the building to be inspected, maintained or repaired; and
- (c) the alteration or extension of an existing dwelling to which this Part did not apply when the dwelling was erected other than where the alteration or extension affects a facility suitable for use by disabled people, in the existing building.

(3) The requirements of regulation R4 shall not apply to a dwelling.

(4) In this Part—

DISABLED PEOPLE means people who have—

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

DWELLING means a house, flat, maisonette and any purpose built student living accommodation which is comprised of self-contained units of accommodation;

ENTRANCE STOREY in a dwelling means the storey which contains the principal entrance for the dwelling;

PRINCIPAL ENTRANCE in relation to a dwelling means the entrance a visitor (not familiar with the dwelling) will normally expect to use to enter it;

PRINCIPAL STOREY in a dwelling means the storey nearest to the entrance storey which contains a habitable room, or if there are two such storeys equally near, either such storey;

SANITARY ACCOMMODATION has the meaning assigned to it by regulation P1; and

SANITARY CONVENIENCE means a water closet and a wash-hand basin.

### **Access and use**

**R2** Reasonable provision shall be made for disabled people to have access to and within and to use any building or part of a building to which this Part applies:

Provided that in a dwelling this requirement shall be limited to the entrance storey or, where that storey contains no habitable room, to the principal storey.

### **Sanitary accommodation and sanitary conveniences**

**R3.**—(1) If sanitary accommodation is provided in a building, other than in a dwelling or in a shop which has a floor area of less than 50 m<sup>2</sup>, that accommodation shall include reasonable provision for disabled people.

(2) In a dwelling a sanitary convenience shall be provided—

- (a) in the entrance storey; or
- (b) where the entrance storey contains no habitable rooms – in the principal storey.

### **Audience or spectator seating**

**R4** If a building contains audience or spectator seating, reasonable provision shall be made to accommodate disabled people.

### **Deemed-to-satisfy provisions for regulations R2, R3 and R4**

**R5.**—(1) *The requirements of regulation R2 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table R opposite the reference to that regulation, if provision for access to and use of the building complies with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation R3 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table R opposite the reference to that regulation, if the sanitary accommodation and sanitary conveniences provided in the building comply with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(3) *The requirements of regulation R4 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table R opposite the reference to that regulation, if the audience or spectator seating provided in the building comply with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

## PART V

### Glazing

#### Application and interpretation

**V1.**—(1) Subject to paragraphs (2) and (3) this Part shall apply to any building or part of a building.

(2) Regulation V3 shall not apply to glazing in a dwelling.

(3) Regulation V5 shall not apply to glazing that is not intended to be cleaned.

(4) In this Part—

GLAZING includes glass, plastic and other transparent or translucent materials.

#### Impact with glazing

**V2** Reasonable provision shall be made to limit the risk of people sustaining cutting and piercing injuries from accidental impact with glazing.

#### Transparent glazing

**V3** Transparent glazing, of which people may otherwise be unaware and with which they are likely to collide while in passage in or about a building, shall incorporate features which make it apparent.

#### Safe opening and closing of windows, skylights and ventilators

**V4** Any window, skylight or ventilator which can be opened by a person shall be so constructed or equipped that it may be opened, closed and adjusted safely.

#### Safe means of access for cleaning glazing

**V5** Reasonable provision shall be made for safe means of access to clean glazing in walls, ceilings and roofs.

#### Deemed-to-satisfy provisions for regulations V2, V3, V4 and V5

**V6.**—(1) *The requirements of regulation V2 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table V opposite the reference to that regulation, if the glazing used in the building complies with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(2) *The requirements of regulation V3 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table V opposite the reference to that regulation, if the glazing used in the building complies with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(3) *The requirements of regulation V4 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table V opposite the reference to that regulation, if the windows, skylights and ventilators provided in the building comply with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

(4) *The requirements of regulation V5 shall be deemed to be satisfied, in the case of a building specified in column (2) of Table V opposite the reference to that regulation, if the means of access*

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*to the building complies with the relevant provisions of the publications specified opposite thereto in column (3), as amended by the publications specified opposite thereto in column (4).*

Sealed with the Official Seal of the Department of Finance and Personnel on 11th December 2000.

L.S.

*T. Pearson*  
Assistant Secretary