



Building Act 1984

1984 CHAPTER 55

PART I

BUILDING REGULATIONS

Power to make building regulations

[^{F1}2B] **Optional requirements**

- (1) Building regulations made by the Secretary of State in relation to England may include a requirement that applies only where a planning authority makes compliance with the requirement a condition of a grant of planning permission.
- (2) In the following provisions of this section, a requirement included in building regulations by virtue of subsection (1) is referred to as an “optional requirement”.
- (3) Building regulations may specify that an optional requirement is capable of applying only in respect of development of a kind described in the regulations.
- (4) Building regulations may specify conditions that must be satisfied before a planning authority may make compliance with an optional requirement a condition of the grant of planning permission.
- (5) Building regulations may specify the steps that a planning authority must take to inform a person subject to an optional requirement of the requirement.
- (6) Where building regulations include an optional requirement that would (to any extent) be inconsistent with another requirement imposed by the regulations, the building regulations must provide—
 - (a) that the other requirement does not apply in any case where the optional requirement applies, or
 - (b) that the other requirement applies in any such case with modifications specified in the regulations.
- (7) In this section —

Status: Point in time view as at 07/01/2019.

Changes to legislation: Building Act 1984, Section 2B is up to date with all changes known to be in force on or before 23 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“development” has the same meaning as in the Town and Country Planning Act 1990 (see section 55 of that Act);

“planning authority” means—

- (a) a local planning authority within the meaning of that Act (see section 336(1));
- (b) the Secretary of State (in the exercise of functions of granting planning permission);

“planning permission” has the same meaning as in that Act (see section 336(1)).]

Textual Amendments

F1 S. 2B inserted (26.3.2015) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 42**, 115(1)(b)

Status:

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