
EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Building Regulations 2010 (S.I. 2010/2214, as amended by S.I. 2011/1515, S.I. 2012/718, S.I. 2012/3119, S.I. 2013/181, S.I. 2013/1105, S.I. 2013/1959, S.I. 2014/579 and S.I. 2014/2362) (“the Building Regulations”).

Regulation 2(2) inserts definitions “new dwelling” and “optional requirement” in regulation 2(1) (interpretation).

Regulation 2(3) amends regulation 4 (meaning of building work) to provide for compliance with optional requirements, which will apply instead of a requirement that is applicable in all cases, in cases where compliance with the optional requirement is made a condition of the planning permission under which building work is carried out.

Regulation 2(4) amends regulation 6 (requirements relating to material change of use) to provide for compliance with the new Part Q (security) of Schedule 1 (requirements relating to building work), inserted by regulation 2(11)(c), in cases where a dwelling is formed as a result of a material change of use of a building.

Regulation 2(5) and (6) amends regulations 13 (particulars and plans where a building notice is given) and 14 (full plans) respectively to provide for the giving of information about optional requirements in notices and plans given to local authorities by persons carrying out building work in relation to new dwellings.

Regulation 2(7) inserts a definition “new dwelling” in regulation 36 (interpretation of Part 6-energy efficiency requirements) to distinguish it from the definition “new dwelling” inserted by regulation 2(2) of these Regulations.

Regulation 2(8) and (9) amends regulations 36 (water efficiency of new dwellings) and 37 (wholesome water consumption calculation) to provide for the introduction of an optional requirement for water efficiency in certain new dwellings.

Regulation 2(10) amends regulation 43(4) (pressure testing) in relation to the bodies who may certify compliance with that regulation.

Regulation 2(11)(b) substitutes a new Part M (access to and use of buildings) in Schedule 1 (requirements). This includes in Part M4 (access to and use of dwellings) two levels of optional requirement, M4(2) (accessible and adaptable dwellings) and M4(3) (wheelchair user dwellings) as alternatives to requirement M4(1) (access to and use of dwellings). Regulation 2(11)(a) makes an amendment to Part H (drainage and waste disposal) requirement H3(2) (rainwater drainage) consequential upon regulation 2(11)(b).

Regulation 2(11)(c) adds a new Part Q (security) to Schedule 1 (requirements relating to building work).

Regulation 2(12) and Schedule 1 substitute the Table in Schedule 3 (self-certification schemes and exemptions from requirement to give building notice or deposit full plans) with a revised and updated Table.

Regulation 3 of these Regulations amends the Building (Approved Inspectors etc.) Regulations 2010 ((S.I. 2010/2215, as amended by S.I. 2012/3119, S.I. 2013/1959 and S.I. 2014/579).

Regulation 3(2) inserts in regulation 2 (interpretation) two definitions “optional requirement”, by reference to the Building Regulations, and “new dwelling”.

Changes to legislation: *There are currently no known outstanding effects for the The Building Regulations &c. (Amendment) Regulations 2015. (See end of Document for details)*

Regulation 3(3) and Schedule 2 substitute the various forms in Schedule 1 (forms) relating to the giving to local authorities of building notices and plans certificates in respect of building work supervised by bodies other than local authorities with revised and updated forms that include requirements to give information concerning optional requirements in the case of new dwellings.

Regulation 3(4) to (9) amends Schedules 2 to 7 (grounds for rejection by a local authority of various forms in Schedule 1) in consequence of the new forms introduced by Schedule 2 to these Regulations.

Regulations 4 and 5 contain transitional provisions.

Three impact assessments of the effect that these Regulations will have on the costs to business and the public and voluntary sectors have been prepared: RPC14-CLG-2252: Housing Standards Review Implementation; RPC14-CLG-2276: Housing Standards Review Security Final Implementation; and RPC14-FT-CLG-2311: Authorisation of New and Extended Competent Person Schemes. These are annexed to the Explanatory Memorandum to these Regulations which is available alongside the Regulations on the website www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Building Regulations &c. (Amendment) Regulations 2015.