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STATUTORY INSTRUMENTS

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**2015 No. 767**

**The Building Regulations &c. (Amendment) Regulations 2015**

**Amendments to the Building (Approved Inspectors etc.) Regulations 2010**

3.—(1) The Building (Approved Inspectors etc.) Regulations 2010<sup>(1)</sup> are amended in accordance with the following paragraphs.

(2) In regulation 2(1) (interpretation) after the definition “material change of use” insert the following definitions—

““new dwelling” includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Principal Regulations;

“optional requirement” has the meaning given in regulation 2(1) of the Principal Regulations;”.

(3) In Schedule 1<sup>(2)</sup> (forms) for forms 1 to 12 substitute in each case the form with the same number in Schedule 2 to these Regulations.

(4) In Schedule 2<sup>(3)</sup> (grounds for rejecting an initial notice, an amendment notice, or a plans certificate combined with an initial notice) after the text of paragraph 4(b) (information about the proposed work) insert a semicolon and the following subparagraphs—

(c) information whether or not the work concerns a new dwelling;

(d) in the case of an initial notice or an amendment notice in relation to a new dwelling, either—

(i) a statement whether or not one or more, and if so which, of the following optional requirements applies to the building work—

(aa) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),

(bb) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),

(cc) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings), or

(ii) a statement that planning permission has not yet been granted for the work, and that the information required by subparagraph (i) will be supplied as soon as is reasonably practicable after that permission is granted;

(e) in the case of a plans certificate combined with an initial notice, a statement in accordance with subparagraph (d)(i)”.

(5) In Schedule 3<sup>(4)</sup> (grounds for rejecting a plans certificate, or a plans certificate combined with an initial notice), after paragraph 2 (work) insert the following paragraph—

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(1) [S.I. 2010/2215](#), as amended as described in the footnotes on specific provisions below. There are other amendments, but they are not relevant.

(2) As amended by [S.I. 2012/3119](#) and [S.I. 2013/181](#).

(3) As amended by [S.I. 2012/3119](#).

(4) As amended by [S.I. 2012/3119](#).

**“Optional requirements**

**2A.** The certificate does not contain—

- (a) information whether or not the work concerns a new dwelling; or
- (b) in the case of a new dwelling, information whether or not one or more, and if so which, of the following optional requirements applies to the building work—
  - (i) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
  - (ii) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
  - (iii) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings); or
- (c) in the case of a plans certificate relating to a new dwelling, a statement that it relates only to such part of the work to which no requirement under regulation 36 of, or requirements M4(1), (2) or (3) of Schedule 1 to, the Building Regulations 2010 may apply.”.

(6) In Schedule 4(5) (grounds for rejecting a final certificate), after paragraph 2 (work) insert the following paragraph—

**“Optional requirements**

**2A.** The certificate does not contain information—

- (a) whether or not the work concerns a new dwelling; or
- (b) in the case of a new dwelling, information whether or not one or more, and if so which, of the following optional requirements applies to the building work—
  - (i) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
  - (ii) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
  - (iii) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings).”.

(7) In Schedule 5 (grounds for rejecting a public body’s notice, or a combined public body’s notice and plans certificate) after the text of paragraph 4(b) (information about the proposed work) insert a semicolon and the following subparagraphs—

- “(c) information whether or not the work concerns a new dwelling;
- (d) in the case of a public body’s notice in relation to a new dwelling, either—
  - (i) a statement whether or not one or more, and if so which, of the following optional requirements applies to the building work—
    - (aa) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
    - (bb) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
    - (cc) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings), or

- (ii) a statement that planning permission has not yet been granted for the work, and that the information required by subparagraph (i) will be supplied as soon as is reasonably practicable after that permission is granted;
  - (e) in the case of a combined public body’s notice and plans certificate, a statement in accordance with subparagraph (d)(i) ”.
- (8) In Schedule 6 (grounds for rejecting a public body’s plans certificate, or a combined public body’s notice and plans certificate) after paragraph 2 (work) insert the following paragraph—

**“Optional requirements**

**2A.** The certificate does not contain—

- (a) information whether or not the work concerns a new dwelling; or
- (b) in the case of a new dwelling, information whether or not one or more, and if so which, of the following optional requirements applies to the building work—
  - (i) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
  - (ii) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
  - (iii) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings); or
- (c) in the case of a public body’s plans certificate relating to a new dwelling, a statement that it relates only to such part of the work to which no requirement under regulation 36 of, or requirements M4(1), (2) or (3) of Schedule 1 to, the Building Regulations 2010 may apply.”.

- (9) In Schedule 7 (grounds for rejecting a public body’s final certificate) after paragraph 2 insert the following paragraph—

**“Optional requirements**

**2A.** The certificate does not contain information—

- (a) whether or not the work concerns a new dwelling; or
- (b) in the case of a new dwelling, information whether or not one or more, and if so which, of the following optional requirements applies to the building work—
  - (i) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
  - (ii) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
  - (iii) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings).”.