
EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Building Regulations 2010 (S.I. 2010/2214; relevant amending instruments are S.I. 2011/1515, S.I. 2012/718, S.I. 2012/3119, S.I. 2013/10, S.I. 2013/747, S.I. 2013/1959, S.I. 2014/579, S.I. 2015/767, S.I. 2016/285 and S.I. 2016/361) (“the Building Regulations”).

Regulation 2(2) inserts definitions for “external wall” and “specified attachment” in regulation 2 (interpretation) of the Building Regulations.

Regulation 2(3) amends regulation 4(2) (requirements relating to building work) of the Building Regulations to clarify that the application of regulation 7 (materials and workmanship) of the Building Regulations is not limited.

Regulation 2(4) and (5) amends regulations 5 (meaning of material change of use) and 6 (requirements relating to material change of use) of the Building Regulations respectively to provide for the introduction of a new requirement for the materials contained in the external wall or specified attachment of a building which, following a change of use, is used as a building described in the new regulation 7(4) of the Building Regulations. Such materials must achieve European Classification A2-s1, d0 or A1.

Regulation 2(6) and (7) amends regulation 7 of the Building Regulations to provide that, subject to the exempted items in the new regulation 7(3) of the Building Regulations, only materials which achieve European Classification A2-s1, d0 or A1 may become part of an external wall or specified attachment of a “relevant building”. The new regulation 7(4) of the Building Regulations provides the definition for “relevant building”.

Regulation 3 makes transitional provisions under which the amendments made by regulation 2 will not apply where a building notice or initial notice has been given to, or full plans deposited with, a local authority before 21st December 2018 but only if the building work has already started or starts within two months of that date.

The Regulations were notified in draft (Notification No. 2018/0563/UK on 14 November 2018) to the European Commission in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council (OJ No L 241, 17.9.2015, p.1), which lays down a procedure for the provision of information in the field of technical standards and regulation.

An impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available with the explanatory memorandum for these Regulations at www.legislation.gov.uk. A copy is also available from the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London SW1P 4DF.

Copies of the British Standard referred to in these Regulations can be obtained from www.bsigroup.com and hard copies can be obtained from BSI Customer Services, 389 Chiswick High Road, London W4 4AL (telephone number 0345 086 9001).

Copies of the British Standard referred to in these Regulations will also be made available for inspection free of charge by contacting the Building Regulations Technical Policy Team at Ministry of Housing, Communities and Local Government at the address mentioned above.