



Building Act 1984

1984 CHAPTER 55

PART I

BUILDING REGULATIONS

[^{F1} Passing of plans][^{F1} Building control approval]

19 Use of short-lived materials.

- (1) [^{F1}Where plans of a building are, in accordance with building regulations, deposited with a local authority, and the plans show][^{F1}Where an application for building control approval in respect of a proposed building is made to a building control authority, and it appears] that it is proposed to construct a building of materials to which this section applies, or to place or assemble on the site a building constructed of such materials, the authority may, notwithstanding that the [^{F2}plans conform][^{F2}application conforms] with the regulations—
- (a) reject [^{F3}the plans][^{F3}the application], or
 - (b) in [^{F4}passing the plans][^{F4}granting the application]—
 - (i) fix a period on the expiration of which the building must be removed, and
 - (ii) impose with respect to the use of the building such reasonable conditions, if any, as having regard to the nature of the materials used in its construction they deem appropriate,but no condition shall be imposed that conflicts with any condition imposed on the grant of planning permission for that building under Part III of [^{F5}the Town and Country Planning Act 1990].
- (2) If a building in respect of which [^{F6}plans ought under the building regulations to have been deposited, but have not been deposited,][^{F6}an application for building control approval ought to have been made but was not made] appears to the authority to be constructed of such materials as aforesaid, the authority, without prejudice to their right to take proceedings in respect of any contravention of the regulations, may—
- (a) fix a period on the expiration of which the building must be removed, and

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- (b) if they think fit, impose such conditions with respect to the use of the building as might have been imposed under subsection (1) above upon the [F7 passing of plans for the building][F7 granting of such an application].
- and where they fix such a period they shall forthwith give notice thereof, and of any conditions imposed, to the owner of the building.
- (3) A [F8 local authority][F8 building control authority] may from time to time extend any period fixed, or vary any conditions imposed, under this section; but, unless an application in that behalf is made to them by the owner of the building in question, they shall not exercise their power of varying conditions except when granting an extension, or further extension, of the period fixed with respect to the building.
- (4) A person aggrieved by the action of a [F8 local authority][F8 building control authority] under this section in rejecting [F9 plans][F9 an application], or in fixing or refusing to extend any period, or in imposing or refusing to vary any conditions, may appeal to [F10 a magistrates' court][F10 the appropriate court or tribunal].
- (5) The owner of a building in respect of which a period has been fixed under this section shall, on the expiration of that period, or, as the case may be, of that period as extended, remove the building, and, if he fails to do so—
- (a) the [F8 local authority][F8 building control authority] shall remove it and may recover from him the expenses reasonably incurred by them in so doing, and
 - (b) without prejudice to the right of the authority to exercise that power, he is liable on summary conviction to a fine not exceeding level 1 on the standard scale and to a further fine not exceeding £5 for each day during which the building is allowed to remain after he is convicted.
- (6) A person who uses a building in contravention of a condition imposed under this section, or who permits a building to be so used, is liable on summary conviction to a fine not exceeding level 1 on the standard scale and to a further fine not exceeding £5 for each day on which the offence continues after he is convicted.
- (7) Building regulations may provide that this section applies to any materials specified in the regulations as being materials that are, in the absence of special care, liable to rapid deterioration, or are otherwise unsuitable for use in the construction of permanent buildings.
- (8) This section applies in relation to an extension of an existing building as it applies in relation to a new building.
- (9) This section ceases to have effect upon the coming into force of section 20 below (which supersedes it).

Textual Amendments

- F1** Words in s. 19(1) substituted (1.10.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 21\(3\)\(a\)](#); S.I. 2023/993, reg. 2(n)(ix) (with reg. 3)
- F2** Words in s. 19(1) substituted (1.10.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 21\(3\)\(b\)](#); S.I. 2023/993, reg. 2(n)(ix) (with reg. 3)
- F3** Words in s. 19(1)(a) substituted (1.10.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 21\(3\)\(c\)](#); S.I. 2023/993, reg. 2(n)(ix) (with reg. 3)
- F4** Words in s. 19(1)(b) substituted (1.10.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 21\(3\)\(d\)](#); S.I. 2023/993, reg. 2(n)(ix) (with reg. 3)

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- F5** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 67(1)**
- F6** Words in s. 19(2) substituted (1.10.2023 except in relation to W.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 21(4)(a)**; S.I. 2023/993, reg. 2(n)(ix) (with reg. 3)
- F7** Words in s. 19(2)(b) substituted (1.10.2023 except in relation to W.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 21(4)(b)**; S.I. 2023/993, reg. 2(n)(ix) (with reg. 3)
- F8** Words in s. 19 substituted in part (1.10.2023 except in relation to W.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 21(2)**; S.I. 2023/993, reg. 2(n)(ix) (with reg. 4)
- F9** Words in s. 19(4) substituted (1.10.2023 except in relation to W.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 21(5)**; S.I. 2023/993, reg. 2(n)(ix)
- F10** Words in s. 19(4) substituted (1.10.2023 except in relation to W.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 6 para. 9(a)**; S.I. 2023/993, reg. 2(o)(i) (with reg. 6)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1A)(d) inserted by [2015 c. 7 s. 37\(2\)](#)
- s. 44(11) inserted by [2004 c. 22 s. 3\(8\)](#)
- s. 79A inserted by [2023 asc 3 Sch. 13 para. 65](#)
- s. 91B inserted by [2022 c. 30 Sch. 5 para. 56](#)
- s. 95(5) inserted by [2022 c. 30 s. 60\(2\)](#)
- s. 105C inserted by [2022 c. 30 s. 58](#)
- s. 116(3)-(6) inserted by [2022 c. 30 s. 45\(2\)\(d\)](#)
- s. 117(A1)(A2) inserted by [2022 c. 30 s. 45\(3\)\(b\)](#)
- s. 118(1A) inserted by [2022 c. 30 s. 45\(4\)\(b\)](#)
- s. 131A inserted by [2022 c. 30 s. 59](#)
- s. 131B inserted by [2022 c. 30 s. 60\(3\)](#)
- Sch. 1 para. 7A inserted by [2015 c. 7 s. 37\(4\)](#)