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STATUTORY INSTRUMENTS

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**1995 No. 1356**

**BUILDING AND BUILDINGS**

**The Building Regulations (Amendment) Regulations 1995**

<i>Made</i>	- - - -	<i>23rd May 1995</i>
<i>Laid before Parliament</i>		<i>31st May 1995</i>
<i>Coming into force</i>	- -	<i>1st July 1995</i>

The Secretary of State, in exercise of the powers conferred on him by sections 1(1) and 3(1) of, and paragraphs 2, 4, 7, 8 and 10 of Schedule 1 to, the Building Act 1984<sup>(1)</sup> and of all other powers enabling him in that behalf, after consulting the Building Regulations Advisory Committee and such other bodies as appear to him to be representative of the interests concerned in accordance with section 14(3) of that Act, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Building Regulations (Amendment) Regulations 1995 and shall come into force on 1st July 1995.

(2) In these Regulations, “the principal Regulations” means the Building Regulations 1991<sup>(2)</sup>.

**Amendment of the Building Regulations 1991**

2.—(1) The principal Regulations shall be amended in accordance with the following paragraphs.

(2) In regulation 5 (meaning of material change of use)—

(a) the word “or” after paragraph (e) shall be omitted; and

(b) there shall be added the following paragraph—

“or

(g) the building, which contains at least one dwelling, contains a greater or a lesser number of dwellings than it did previously.”

(3) In regulation 6 (requirements relating to material change of use), in paragraph 1(e), for “or (b)” there shall be substituted the following—

“, (b) or (g)”.

(4) In regulation 13A (unauthorised building work)—

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(1) 1984 c. 55. See sections 1(2) and 126 respectively for the definitions of “building regulations” and “prescribed”.

(2) S.I. 1991/2768; the relevant amending instrument is S.I. 1994/1850.

- (a) in paragraph (1)(b), for the words “by building regulations to deposit plans” there shall be substituted the words “(whether by these Regulations, other building regulations, the Act or the London Building Acts (Amendment) Act 1939(3) ) to deposit full plans”;
- (b) in paragraph (4), for the words “Having taken such steps” there shall be substituted the words “When the applicant has taken any such steps required by the local authority”; and
- (c) in paragraph (5)—
  - (i) the words “so far that” shall be omitted, and
  - (ii) in sub-paragraph (b), for the word “contravening” there shall be substituted the word “unauthorised”.

### **Transitional Provisions**

3.—(1) Where the conditions specified in paragraph (2) apply, the amendments to the principal Regulations contained in—

- (a) regulation 2(2)(a) and (5)(b) and (c) of the Building Regulations (Amendment) Regulations 1994(4), and
- (b) regulation 2(2) and (3) of these Regulations

shall not apply and the principal Regulations shall apply to such a notice, plans or work as are mentioned in that paragraph as if those amendments had not been made.

(2) The conditions are that—

- (a) before 1st July 1995 a building notice has been given to, or full plans deposited with, a local authority, or an initial notice or a public body’s notice has been given in accordance with sections 47(1) or 54(1) respectively of the Building Act 1984; and
- (b) building work is carried out after that date in accordance with any such notice or plans, whether with or without any departure from them.

Signed by authority of the Secretary of State

*Robert Jones*  
Parliamentary Under Secretary of State,  
Department of the Environment

23rd May 1995

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(3) 1939 c. xcvi.  
(4) S.I. 1994/1850.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Building Regulations 1991 (S.I. [1991/2768](#)) (“the principal Regulations”) in order to—

- (a) amend the definition of a material change of use and the requirements relating thereto in regulations 5 and 6 of the principal Regulations; and
- (b) make drafting amendments in regulation 13A of the principal Regulations.

In addition transitional provisions are included for the amended definition of material change of use and associated requirements and for specified provisions of the Building Regulations (Amendment) Regulations 1994 (S.I. [1994/1850](#)).