

STATUTORY INSTRUMENTS

2010 No. 2214

The Building Regulations 2010

PART 2

Control of Building Work

Meaning of material change of use

5. For [^{F1}the purposes of paragraph 8(1)(e) of Schedule 1 to the Act and for] the purposes of these Regulations, there is a material change of use where there is a change in the purposes for which or the circumstances in which a building is used, so that after that change—

- (a) the building is used as a dwelling, where previously it was not;
- (b) the building contains a flat, where previously it did not;
- (c) the building is used as an hotel or a boarding house, where previously it was not;
- (d) the building is used as an institution, where previously it was not;
- (e) the building is used as a public building, where previously it was not;
- (f) the building is not a building described in classes 1 to 6 in Schedule 2, where previously it was;
- (g) the building, which contains at least one dwelling, contains a greater or lesser number of dwellings than it did previously;
- (h) the building contains a room for residential purposes, where previously it did not;
- (i) the building, which contains at least one room for residential purposes, contains a greater or lesser number of such rooms than it did previously; ^{F2F3} ...
- (j) the building is used as a shop, where previously it was not ^{F4F5} [^{F5}], or
- (k) the building is a building described in regulation 7(4)(a), where previously it was not].

Textual Amendments

- F1** Words in reg. 5 omitted (E.) (1.10.2023) by virtue of [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **17(1)** (with regs. 22-24)
- F2** Word in reg. 5 omitted (W.) (13.1.2020) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), regs. 1(4), **2(4)(a)** (with reg. 3)
- F3** Word in reg. 5 omitted (E.) (21.12.2018) by virtue of [The Building \(Amendment\) Regulations 2018 \(S.I. 2018/1230\)](#), regs. 1(4), **2(4)(a)** (with regs. 1(3), 3)
- F4** Reg. 5(k) and word inserted (W.) (13.1.2020) by [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), regs. 1(4), **2(4)(b)** (with reg. 3)
- F5** Reg. 5(k) and word inserted (E.) (21.12.2018) by [The Building \(Amendment\) Regulations 2018 \(S.I. 2018/1230\)](#), regs. 1(4), **2(4)(b)** (with regs. 1(3), 3)

Changes to legislation:

There are currently no known outstanding effects for the The Building Regulations 2010, Section 5.