

STATUTORY INSTRUMENTS

2010 No. 2214

The Building Regulations 2010

PART 3

Notices, Plans and Certificates

Giving of a building notice or [^{F1}an application for building control approval] **E**

12.—(1) This regulation applies to a person who intends to—

- (a) carry out building work;
- (b) replace or renovate a thermal element in a building to which the energy efficiency requirements apply;
- (c) make a change to a building's energy status; or
- (d) make a material change of use.

(2) Subject to the following provisions of this regulation, a person to whom this regulation applies shall—

- (a) give to the [^{F2}relevant authority] a building notice in accordance with regulation 13; or
- (b) [^{F3}give an application for building control approval with full plans to the relevant authority] in accordance with regulation 14.

(3) A person intending to carry out building work in relation to a building to which the Regulatory Reform (Fire Safety) Order 2005 ^{M1} applies, or will apply after the completion of the building work, shall [^{F4}give an application for building control approval with full plans].

(4) A person intending to carry out building work which includes the erection of a building fronting onto a private street shall [^{F5}give an application for building control approval with full plans].

(5) A person intending to carry out building work in relation to which paragraph H4 of Schedule 1 imposes a requirement shall [^{F6}give an application for building control approval with full plans].

(6) A person intending to carry out building work is not required to give a building notice or [^{F7}an application for building control approval with full plans] where the work consists only of work—

- (a) described in column 1 of the Table in Schedule 3 if the work is to be carried out by a person described in the corresponding entry in column 2 of that Table;
- (b) described in Schedule 4 ^{F8}[^{F9}]; or
- (c) described in column 1 of the Table in Schedule 3A if the work is to be inspected by a person described in the corresponding entry in column 2 of that Table (a “third party certifier”) who has been appointed by the person intending to carry out the building work before the commencement of that work].

[^{F10}(6A) A person intending to carry out building work in relation to which Part P of Schedule 1 imposes a requirement is required to give a building notice or [^{F11}an application for building control approval with full plans] where the work consists of—

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E - England extent W - Wales extent

Changes to legislation: The Building Regulations 2010, Section 12 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) the installation of a new circuit;
- (b) the replacement of a consumer unit; or
- (c) any addition or alteration to existing circuits in a special location.]

(7) Where [^{F12}regulation 22 of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024] (local authority powers in relation to partly completed work) applies, the owner shall comply with the requirements of that regulation instead of with this regulation.

(8) Where—

- (a) a person proposes to carry out building work which consists of emergency repairs;
- (b) it is not practicable to comply with paragraph (2) before commencing the work; and
- (c) paragraph (6) does not apply,

the person shall give a building notice to the [^{F13}relevant authority] as soon as reasonably practicable after commencement of the work.

(9) In this regulation—

“fronting” has the meaning given in section 203(3) of the Highways Act 1980^{M2, F14} ...

“private street” has the meaning given in section 203(2) of the Highways Act 1980^{M3F15} ... [^{F16};
and

“special location” means—

- (a) within a room containing a bath or shower, the space surrounding a bath tap or shower head, where the space extends—
 - (i) vertically from the finished floor level to—
 - (aa) a height of 2.25 metres; or
 - (bb) the position of the shower head where it is attached to a wall or ceiling at a point higher than 2.25 metres from that level; and
 - (ii) horizontally—
 - (aa) where there is a bath tub or shower tray, from the edge of the bath tub or shower tray to a distance of 0.6 metres; or
 - (bb) where there is no bath tub or shower tray, from the centre point of the shower head where it is attached to the wall or ceiling to a distance of 1.2 metres; or
- (b) a room containing a swimming pool or sauna heater.]

Extent Information

- E1** This version of this provision applies to England only; a separate version has been created for Wales only

Textual Amendments

- F1** Words in [reg. 12 heading](#) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), [7\(2\)\(a\)](#) (with regs. 22-24)
- F2** Words in [reg. 12\(2\)\(a\)](#) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), [7\(2\)\(b\)\(i\)](#) (with regs. 22-24)
- F3** Words in [reg. 12\(2\)\(b\)](#) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), [7\(2\)\(b\)\(ii\)](#) (with regs. 22-24)
- F4** Words in [reg. 12\(3\)](#) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), [7\(2\)\(c\)](#) (with regs. 22-24)

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- F5** Words in reg. 12(4) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(2)(c)** (with regs. 22-24)
- F6** Words in reg. 12(5) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(2)(c)** (with regs. 22-24)
- F7** Words in reg. 12(6) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(2)(d)** (with regs. 22-24)
- F8** Reg. 12(6)(c) and word "; or" omitted (W.) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **5(1)(a)(ii)(iii)** (with reg. 29)
- F9** Reg. 12(6)(c) and word inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) Regulations 2014 \(S.I. 2014/579\)](#), regs. 1(4), **2(3)(a)(ii)** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F10** Reg. 12(6A) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 6(a)**, Sch. 1 (with regs. 1(3), 45-47) (as amended by [S.I. 2013/181](#), reg. 5, Sch.) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F11** Words in reg. 12(6A) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(2)(d)** (with regs. 22-24)
- F12** Words in reg. 12(7) substituted (E.) (6.4.2024) by [The Building \(Registered Building Control Approvers etc.\) \(England\) Regulations 2024 \(S.I. 2024/110\)](#), regs. 1(3), **38(2)**
- F13** Words in reg. 12(8) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(2)(e)** (with regs. 22-24)
- F14** Word in reg. 12(9) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 6(b)(i)**, Sch. 1 (with regs. 1(3), 45-47) (as amended by [S.I. 2013/181](#), reg. 5, Sch.) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F15** Reg. 12(9): full stop omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 6(b)(ii)**, Sch. 1 (with regs. 1(3), 45-47) (as amended by [S.I. 2013/181](#), reg. 5, Sch.)
- F16** Words in reg. 12(9) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 6(b)(ii)**, Sch. 1 (with regs. 1(3), 45-47) (as amended by [S.I. 2013/181](#), reg. 5, Sch.) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

Marginal Citations

- M1** [S.I. 2005/1541](#).
- M2** [1980 c. 66](#).
- M3** Section 203(2) was amended by paragraph 45(11) of Schedule 2 to the [Planning \(Consequential Provisions\) Act 1990 \(c.11\)](#) and Part 5 of Schedule 19 to the [Planning and Compensation Act 1991 \(c.34\)](#).

Giving of a building notice or deposit of plans W

- 12.—(1) This regulation applies to a person who intends to—
- (a) carry out building work;
 - (b) replace or renovate a thermal element in a building to which the energy efficiency requirements apply;
 - (c) make a change to a building's energy status; or
 - (d) make a material change of use.

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(2) Subject to the following provisions of this regulation, a person to whom this regulation applies shall—

- (a) give to the local authority a building notice in accordance with regulation 13; or
- (b) deposit full plans with the local authority in accordance with regulation 14.

(3) A person intending to carry out building work in relation to a building to which the Regulatory Reform (Fire Safety) Order 2005 applies, or will apply after the completion of the building work, shall deposit full plans.

(4) A person intending to carry out building work which includes the erection of a building fronting onto a private street shall deposit full plans.

(5) A person intending to carry out building work in relation to which paragraph H4 of Schedule 1 imposes a requirement shall deposit full plans.

(6) A person intending to carry out building work is not required to give a building notice or deposit full plans where the work consists only of work—

- (a) described in column 1 of the Table in Schedule 3 if the work is to be carried out by a person described in the corresponding entry in column 2 of that Table; [^{F17}or]
- (b) described in Schedule 4; ...
- (c)

(6A)

(7) Where regulation 19 of the Building (Approved Inspectors etc) Regulations 2010 (local authority powers in relation to partly completed work) applies, the owner shall comply with the requirements of that regulation instead of with this regulation.

(8) Where—

- (a) a person proposes to carry out building work which consists of emergency repairs;
- (b) it is not practicable to comply with paragraph (2) before commencing the work; and
- (c) paragraph (6) does not apply,

the person shall give a building notice to the local authority as soon as reasonably practicable after commencement of the work.

(9) In this regulation—

“fronting” has the meaning given in section 203(3) of the Highways Act 1980; ...

“private street” has the meaning given in section 203(2) of the Highways Act 1980 ... [^{F18}; and
.....]

Extent Information

E2 This version of this provision applies to Wales only; a separate version has been created for England only

Textual Amendments

F17 Word "or" in reg. 12(6)(a) inserted (W.) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **5(1)(a)(i)** (with reg. 29)

F18 Words in reg. 12(9) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 6(b)(ii)**, Sch. 1 (with regs. 1(3), 45-47) (as amended by S.I. 2013/181, reg. 5, Sch.) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

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

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

- Sch. 1 Pt. T inserted by [S.I. 2024/645 reg. 2\(4\)](#)