

Levelling Up, Housing and Communities Circular 02/2024

Department for Levelling Up, Housing and Communities

Fry Building, 2 Marsham Street, London SW1P 4DF

15 May 2024

THE BUILDING ACT 1984

THE BUILDING REGULATIONS 2010

THE BUILDING (AMENDMENT) (ENGLAND)
REGULATIONS 2024

NEW APPROVED DOCUMENT T (TOILET
ACCOMMODATION) TO SUPPORT NEW REQUIREMENTS
IN THE REGULATIONS

AMENDMENTS TO APPROVED DOCUMENTS TO
SUPPORT THE FOLLOWING REQUIREMENTS OF THE
BUILDING REGULATIONS 2010:

Part M: Amendments to Approved Document M (access to and
use of buildings) volume 2: buildings other than dwellings, 2015
edition incorporating 2020 amendments

Part G: Amendments to Approved Document G (sanitation, hot
water safety and water efficiency), 2015 edition incorporating
2016 amendments

INTRODUCTION

1. On behalf of the Secretary of State I draw your attention to the publication of The Building (Amendment) (England) Regulations 2024 (S.I. 2024/645) (“the Amendment Regulations”), which were laid on 15 May 2024 and will come into force on 1 October 2024, and the publication of Approved Document T (Toilets).
2. In accordance with section 120B of the Building Act 1984, the Regulations were made after public consultation, consultation with the Building Safety Regulator and with other bodies representative of the interests concerned.
3. The purpose of this Circular is to:
 - draw attention to the amendments and explain the changes they make to the Building Regulations 2010; and
 - draw attention to the publication of new Approved Document T;
 - draw attention to the transitional provision; and
 - draw attention to consequential amendments in Approved Document M (Access to and use of buildings) volume 2: buildings other than dwellings, 2015 edition incorporating 2020 and 2024 amendments, and Approved Document G (Sanitation, hot water safety and water efficiency), 2015 edition incorporating 2016 and 2024 amendments.
4. Annex A to this Circular sets out the changes to the Building Regulations 2010 made by S.I. 2024/645.
5. This Circular does not give advice on the technical requirements in the Building Regulations 2010 as these are matters covered by the Approved Documents.

APPLICATION OF THE REGULATIONS AND GUIDANCE

6. The amendment regulations and Approved Document T apply only to buildings and building work in England.

AMENDMENT REGULATIONS

7. The Amendment Regulations amend the Building Regulations 2010 to:
 - Introduce a new functional requirement, T1, which states that toilet accommodation in buildings other than dwellings -
 - (a) must consist of-
 - (i) reasonable provision for male and female single-sex toilets, or –
 - (ii) where space precludes provision of single-sex toilets, universal toilets, and
 - (b) may consist of universal toilets in addition to single-sex toilets.
 - Include a list of exemptions from the requirement, i.e. dwellings. en-suite facilities in individual rooms for residential purposes and care homes, premises used for early years provision, schools, and cellular accommodation in custodial facilities.
 - Make transitional provisions.

APPROVED DOCUMENT

8. The Secretary of State has approved new statutory guidance to support compliance with Part T of Schedule 1 to the Building Regulations 2010 as Approved Document T. It describes the size, layout, fittings and equipment of universal toilets and single-sex toilets.

9. Annexes B, C and D to this Circular give the Notice of:

- Approval for the new Approved Document;
- Approval of revision of previous editions of Approved Document M (Access to and use of buildings) volume 2: buildings other than dwellings, 2015 edition incorporating 2020 and 2024 amendments, and Approved Document G (Sanitation, hot water safety and water efficiency), 2015 edition incorporating 2016 and 2024 amendments (subject to the transitional provisions); and
- Withdrawal of Approval of previous editions of Approved Document M (Access to and use of buildings) volume 2: buildings other than dwellings, 2015 edition incorporating 2020 amendments, and Approved Document G (Sanitation, hot water safety and water efficiency), 2015 edition incorporating 2016 amendments (subject to the transitional provisions).

10. The Approved Documents are available at:

<https://www.gov.uk/government/collections/approved-documents>

or paper copies may be ordered from RIBA Bookshops (www.ribabookshops.com)

TRANSITIONAL PROVISION

11. The Amendment Regulations, new Approved Document, and new versions of Approved Document M (Access to and use of buildings) vol 2: buildings other than dwellings and Approved Document G (Sanitation, hot water safety and water efficiency) do not apply where a building notice or an initial notice or an application for building control approval with full plans, has been given to the relevant authority in respect of that building before 1 October 2024 and either the building work to which it relates:

- a. has started and is sufficiently progressed before that day; or
- b. is started and is sufficiently progressed within the period of six months beginning on that day.

12. For the purpose of these transitional provisions, building work is to be regarded as 'sufficiently progressed':

- a. where the building work consists of the construction of a building, when the pouring of concrete for the permanent placement of the trench, pad or raft foundations has started, or the permanent placement of piling has started; or
- b. where the building work consists of work to an existing building, when that work has started; or
- c. where the building work consists of a material change of use of a building, when work to effect that change of use has started.

ENQUIRIES

13. All enquiries on matters covered by this Circular should be addressed to:

Department for Levelling Up, Housing and Communities
Fry Building
2 Marsham Street
London SW1P 4DF

Tel: 0303 444 0000 E-mail: buildingassurance@levellingup.gov.uk

Signed:

A handwritten signature in black ink, appearing to read 'John Palmer', written in a cursive style.

John Palmer

Deputy Director for Building Performance

Safer Greener Buildings Group

Department of Levelling Up, Housing and Communities

ANNEX A

The Building (Amendment) (England) Regulations 2024 (S.I. 2024/645)

These Regulations amend the Building Regulations 2010 2024 (S.I. 2024/645) as they apply in relation to England.

Regulation 3 amends Schedule 1 (Requirements) to include the new Part T.

Regulation 3 inserts Part T (Toilet Accommodation) in regulation 3 (3).


Regulation 3 inserts requirement T1 (Toilet Accommodation) in regulation 6 (1)(a).

Regulation 4 covers the transitional provision for these Amendment Regulations so that those amendments do not apply where a building notice or an initial notice or an application for building control approval with full plans, has been given to the authority in respect of that building before 1 October 2024 and either the building work to which it relates:

- a. has started and is sufficiently progressed before that day; or
- b. is started and is sufficiently progressed within the period of six months beginning on that day.


ANNEX B

Building Act 1984

NOTICE OF APPROVAL OF NEW DOCUMENT GIVING PRACTICAL GUIDANCE WITH RESPECT TO THE REQUIREMENTS OF THE BUILDING REGULATIONS 2010	
<p>The Secretary of State hereby gives notice under Section 6 of the Building Act 1984 that, in the exercise of said powers under Section 6, he has approved the documents listed below for the purposes of giving practical guidance with respect to the specified requirements of the Building Regulations 2010.</p> <p>The approval takes effect on 1 October 2024 except in respect of work where a building notice or an initial notice or an application for building control approval with full plans, has been given to the relevant authority in respect of that building before 1 October 2024 and either the building work to which it relates:</p> <ul style="list-style-type: none">a. has started and is sufficiently progressed before that day; orb. is started and is sufficiently progressed within the period of six months beginning on that day.	
Document	Requirements of the Building Regulations 2010 in respect of which the document is approved
Approved Document T - Toilets 2024 edition	Regulations 3, 6, and Schedule 1: Part T
Signed by authority of the Secretary of State	 J. Palmer An Assistant Secretary in the Department for Levelling up, Housing and Communities 15 May 2024


ANNEX C

Building Act 1984

NOTICE OF APPROVAL OF REVISION OF DOCUMENTS GIVING PRACTICAL GUIDANCE WITH RESPECT TO THE REQUIREMENTS OF THE BUILDING REGULATIONS 2010	
<p>The Secretary of State hereby gives notice under Section 6 of the Building Act 1984 that, in the exercise of said powers under Section 6, he has approved revisions to the documents listed below for the purposes of giving practical guidance with respect to the specified requirements of the Building Regulations 2010.</p> <p>The approval takes effect on 1 October 2024 except in respect of work where a building notice or an initial notice or an application for building control approval with full plans, has been given to the relevant authority in respect of that building before 1 October 2024 and either the building work to which it relates:</p> <p>a. has started and is sufficiently progressed before that day; or</p> <p>b. is started and is sufficiently progressed within the period of six months beginning on that day.</p>	
Document	Requirements of the Building Regulations 2010 in respect of which the document is approved
Approved Document M - (Access to and use of buildings) volume 2 – buildings others than dwellings 2015 edition incorporating 2020 and 2024 amendments	Building Regulations Schedule 1, Part M: Section 5, sanitary accommodation in buildings other than dwellings
Approved Document G (Sanitation, hot water safety and water efficiency), 2015 edition incorporating 2016 and 2024 amendments	Building Regulations Schedule 1, Part G: G4 Sanitary convenience and washing facilities
Signed by authority of the Secretary of State	 J. Palmer An Assistant Secretary in the Department for Levelling up, Housing and Communities 15 May 2024

ANNEX D

Building Act 1984

NOTICE OF WITHDRAWAL OF APPROVAL OF DOCUMENTS GIVING PRACTICAL GUIDANCE WITH RESPECT TO THE REQUIREMENTS OF THE BUILDING REGULATIONS 2010	
<p>The Secretary of State hereby gives notice under Section 6 of the Building Act 1984 that, in the exercise of the powers under Section 6(5), he has withdrawn approval of the documents listed below for the purposes of giving practical guidance with respect to the specified requirements of the Building Regulations 2010.</p> <p>The withdrawal of approval takes effect on 1 October 2024 except in respect of work where a building notice or an initial notice or an application for building control approval with full plans, has been given to the relevant authority in respect of that building before 1 October 2024 and either the building work to which it relates:</p> <ul style="list-style-type: none">a. has started and is sufficiently progressed before that day; orb. is started and is sufficiently progressed within the period of six months beginning on that day.	
Document	
Approved Document M - (Access to and use of buildings) volume 2 – buildings other than dwellings 2015 edition incorporating 2020 amendments	
Approved Document G (Sanitation, hot water safety and water efficiency), 2015 edition incorporating 2016 amendments	
Signed by authority of the Secretary of State	 J. Palmer An Assistant Secretary in the Department for Levelling up, Housing and Communities 15 May 2024