ST HELENA

REVISED EDITION OF THE LAWS, 2017

LAND OWNERSHIP & USE

BUILDING CONTROL ORDINANCE, 2013[1]

Ordinance 10 of 2013
In force 26 August 2014

Amended by L.N. 21/2013

Subsidiary legislation:
LAND PLANNING AND DEVELOPMENT CONTROL REGULATIONS, 2000[2]
Legal Notices 4 of 2000, 14 of 2007 and 23 of 2007
(In force 1 August 2000)

BUILDING CONTROL ORDINANCE, 2013

ARRANGEMENT OF SECTIONS

AN ORDINANCE to make provision for Building Regulations; and for the appointment of Building Inspectors; and for connected or incidental matters.

Citation, commencement and interpretation

1. **(1)** This Ordinance may be cited as the Building Control Ordinance, 2013.

(2) *Omitted*

(3) *Omitted*

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[1] *Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.*
[2] Made under section 43 of the Land Planning & Development Control Ordinance, Cap. 66, and saved by section 95(b) of the Land Planning & Development Control Ordinance, 2008 and the Commencement Notice for the Building Control Ordinance, 2013

(4) In this Ordinance, any word or phrase that has been assigned a meaning in the Land Planning and Development Control Ordinance, 2013 bears the same meaning and—

"**Building Inspector**" includes the Chief Building Inspector, and any Assistant Building Inspector, appointed under section 3; and

"**building"** includes both new buildings and alterations of, or extensions to, existing buildings.

Building Regulations to be made

(See Note above)

2. (1) The Governor in Council may, for the purposes referred to in subsection (2), make regulations (to be known as **"Building Regulations"**) with respect to—

(a) the methods and standards of construction of buildings and structures and systems associated with buildings, including such structures and systems for the supply of water and electricity and disposal of waste water; and

(b) matters generally, for carrying the purposes under subsection (2) into effect.

(2) The purposes of the Building Regulations are to—

(a) secure the health, safety, welfare and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings;

(b) further the conservation of energy;

(c) prevent waste, undue consumption, misuse or contamination of water and make arrangements for disposal of waste water;

(d) further the prevention or detection of crime.

(3) Building Regulations may apply to—

(a) all buildings in St Helena; or

(b) prescribed types or classes of buildings, or buildings in prescribed places or localities,

and may make different provision to apply to different buildings, parts of buildings or classes of buildings, or to buildings in different places or localities.

(4) Except in so far as the Building Regulations provide otherwise, the requirements of the Building Regulations apply in relation to work carried out, or proposed to be carried out, by or on behalf of the Crown.

(5) Building Regulations may include provisions requiring—

(a) the depositing with a Building Inspector of plans, sections, specifications and written particulars of any building which any person proposes or intends to construct or erect;

(b) the giving of notices and certificates, the inspection of work, (including the power to require the uncovering of work which has been covered prior to inspection), the testing of drains and sewers, and the taking by a Building Inspector of samples of materials to be used in the construction of buildings or in the execution of other works; and

(c) the payment of fees for anything done or to be done pursuant to this Ordinance or the Building Regulations.

Building Inspectors

3. **(1)** The Governor must appoint a Chief Building Inspector, and such number (if any) of Building Inspectors and Assistant Building Inspectors as the Governor considers necessary or convenient for the purposes of carrying into effect the provisions of this Ordinance.

(2) The Building Inspectors have the powers and functions conferred upon them by this Ordinance or by Building Regulations, and must exercise those powers and perform those functions under the general superintendence of the Chief Planning Officer appointed under the Land Planning and Development Control Ordinance, 2013.

(3) The Building Inspectors must administer and enforce this Ordinance and the Building Regulations and, for that purpose, may (at any reasonable time) enter on any land or in any building—

(a) for the purpose of ascertaining whether there is, or has been, a contravention of the Building Regulations on or in connection with the land or building;

(b) for the purpose of taking any action, or executing any work, authorised or required by this Ordinance or by the Building Regulations; or

(c) generally for the purpose of the performance of his functions under this Ordinance or the Building Regulations.

(4) Before exercising any powers under subsection (3), a Building Inspector must, so far as is practicable, identify himself or herself to the occupier or other person who is or appears to be in control of the land or building concerned.

(5) The powers of entry conferred by this section include permitting a Building Inspector to make any examination and inquiries necessary to achieve the intended purpose of such entry.

Contravention of building regulations

4. **(1)** Subject to subsection (7), if it appears to the Chief Building Inspector that there has been a contravention of the Building Regulations on or in connection with any land or building, he or she may issue and serve on the owner or occupier of such land or building a notice (hereinafter referred to as an **"enforcement notice"**) ordering the owner or occupier to take any steps necessary to ensure that the land or building complies with the Building Regulations.

(2) An enforcement notice must state—

(a) the person or persons to whom it is addressed;

(b) the land or building to which it relates;

(c) the Building Regulation which has been contravened;

(d) the steps which must be taken to rectify the alleged contravention and the time, being not less than 2 months, within which such steps must be taken;

(e) the powers of the Chief Building Inspector under subsection (4) in the case of default in compliance with the notice;

(f) the penalties which might be incurred if the steps specified in paragraph *(d)* are not taken;

(g) the right of the owner and occupier of the land or building which is the subject of the enforcement notice to appeal against the enforcement notice under subsection (6).

(3) The steps which may be specified for the purposes of subsection (2)*(d)* are all or any of the following, namely to—

(a) demolish or remove a building in whole or in part;

(b) erect, re-erect or alter a building in whole or in part;

(c) carry out any building or other operations on the land or building to which the notice relates;

(4) If a person on whom an enforcement notice has been served fails to take the action required by the notice to rectify the contravention, the Chief Building Inspector may, subject to any appeal against the issue of the enforcement notice, enter the land or building and take all ~~such~~ necessary action in respect of the contravention to enforce the notice as he or she sees fit.

(5) If the Chief Building Inspector has exercised any power under subsection (4), he or she may recover as a civil debt, from any person upon whom the notice under subsection (1) has been served, the expenses reasonably incurred in the exercise of the power.

(5A) If a person who is entitled to appeal under subsection (6) has failed to make such an appeal, the person is not entitled in any proceedings to dispute the validity of the action taken by the Chief Building Inspector under subsection (4) or (5) upon any ground that could have been entertained on such an appeal.

(6) A person to whom an enforcement notice is issued under subsection (1) may appeal to the Tribunal established under the Land Planning and Development Control Ordinance, 2013.

(6A) The Building Regulations must prescribe the procedures to be adopted in relation an appeal under subsection (5), and the powers of the Tribunal when determining such an appeal.
(See note 1 above)

(7) An enforcement notice under subsection (1) must not be issued in respect of any building after a period of 5 years from the date on which the contravention of the building regulations first occurred.

Offences

5. It is an offence for a person, without reasonable excuse, to—

(a) fail to comply with any requirement of the Building Regulations, or of an enforcement notice; or

(b) wilfully obstructs a Building Inspector in the performance of any of his or her functions under this Ordinance or the Building Regulations.

Penalty: A fine, or imprisonment for 5 years, or both.

LAND PLANNING AND DEVELOPMENT CONTROL REGULATIONS, 2000

Made under section 43 of the Land Planning & Development Control Ordinance, Cap. 66, and saved by section 95(b) of the Land Planning & Development Control Ordinance, 2008 and the Commencement Notice for the Building Control Ordinance, 2013

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PART I
PRELIMINARY

Citation

1. These Regulations may be cited as the Land Planning and Development Control Regulations, 2000.

Application

2. These Regulations apply to the construction, demolition, rebuilding or alteration of any structure on or affixed to land, including any addition or change to the external appearance of such structure, plans of which are deposited on or after the commencement of these Regulations.

Interpretation

3. In these Regulations—

"Agency" means the Chief Building Inspector or a person authorised by him or her for the purpose;

"change of use" means there is a change in the purpose for which a building or part is used;

"development" has the meaning given to it by section 2(2) of the Land Planning and Development Control ordinance, 2013 and for the purpose of these Regulations includes "change of use";

"persons with a disability" means persons who have—

(a) an impairment which limits their ability to walk and which requires them to use a wheelchair for mobility, or

(b) impaired hearing or sight;

"dwelling" includes a single dwelling having any number of storeys, but does not include a flat;

"flat" means a self contained residential unit separated horizontally from some part of the same building.

Applications for development permission

4. *Omitted*

Fees

5. *Omitted*

Appeal against development decision

6. *Omitted*

Appeal against enforcement notice

7. *Omitted*

Appeal against improvement notice

8. *Omitted*

Deemed-to-satisfy provisions

9. Where any provision in these regulations called a deemed-to-satisfy provision states that the use of a particular material method of construction or specification is deemed-to-satisfy the requirements of a regulation, that provision is not to be construed so as to require any person necessarily to use such material method of construction or specification.

Power to delegate

10. *Omitted*

Testing of drainage installations

11. The Agency may make or cause to be made tests of any drainage system that is necessary to establish compliance with Regulation 5 of Part 2 of these regulations.

Material sampling and testing

12. The Agency may take or cause to be taken any samples of materials used or proposed to be used in the work and have them subjected to testing that are necessary to establish that its particular properties and use will comply with these Regulations.

Powers of entry

13. The Agency may enter upon any land or structure at any time to establish whether these Regulations are being complied with. Any person who wilfully obstructs or assaults the Agency or any person acting on behalf of the Agency when acting in the exercise of the powers conferred by this regulation commits an offence.
Penalty: A fine of £500 or imprisonment for 6 months, or both.

Notices to be given

14. Any person who carries out any development must give notice to the Agency at the following stages and will not proceed beyond that stage until the passing of 24 hours or the earlier inspection and approval of work by the Agency:

(a) Site preparation.
(b) Excavation for foundations.
(c) Foundation concrete laid.
(d) Damp proof course laid.
(e) Lintels in position.
(f) Roof structure and covering complete.
(g) Drains laid.
(h) Drains backfilled.
(i) Septic tank constructed.
(j) Soakaway excavation.
(k) Completion of work.

Failure to give notice will render the person responsible for exposing or opening up the work

in order that compliance may be ascertained.

Dangerous structures emergency measures

15. **(1)** If it appears to the Agency at any time that a structure is in a dangerous condition the Agency may take whatever emergency measures are be necessary to remove the danger.

(2) Before exercising the power set out in sub-regulation (1) the Agency must make such attempts as it reasonably can to notify the owner of the proposed measures and may accept a proposal from the owner to undertake to remove the danger.

(3) If the Agency finds it necessary to carry out any emergency work itself the cost of so doing is to be recovered from the owner of the structure upon which such work was carried out.

Power of Agency to exempt certain buildings

16. **(1)** In the case of—

(a) a single storey dwelling intended for the accommodation of not more than one family and not exceeding 30m2 in total area;

(b) single storey huts and other small buildings not exceeding 28m2 in area to be erected for non-residential purposes; and

(c) additions and modifications to existing buildings,

the Agency may modify any of these Regulations in their application to such building in any manner the Agency sees fit or may exempt such building from all or any of these Regulations.

(2) The following buildings are exempt from the provisions of these Regulations as a matter of course—

(a) a building that is not intended to remain for more than 28 days; and

(b) a building on the site of construction of civil engineering works, which is intended to be used only during the course of construction of those works and contains no sleeping accommodation.

Contravention of regulations

17. A person who carries out any development in contravention of these regulations commits an offence.
Penalty: A fine of £500.

PART II
STRUCTURES AND FITTINGS

Site preparation and resistance to moisture

Clearance of site and site contamination

18. The area of ground to be covered by a structure must have all vegetable matter removed from it by stripping the site to remove all topsoil. If the site contains dangerous and

offensive substances these must be removed and safely disposed of.

Drainage of subsoil and re-routing watercourses

19. (1) Wherever the dampness or position of a site so requires, a system of land drains must be installed to protect the structure from damage due to moisture.

(2) Where on excavation an existing land drain is severed or a watercourse discovered, steps must be taken to ensure the continuance of the water away from the structure and its foundations.

Resistance to moisture for walls, floors and roofs

20. (1) The walls, floors and roof of any structure must be resistant to the passage of moisture such as to allow the structure to be substantially free from any damp.

(2) The following are deemed-to-satisfy provisions in respect of—

(a) a solid concrete floor laid next to the ground:

Provide a concrete floor at least 100mm thick composed of cement and fine and coarse aggregate in the proportions of 50kg of cement to 0.1m3 of fine aggregate and 0.2m3 of coarse aggregate all laid on compacted hardcore incorporating a damp proof membrane of 1000 gauge P.V.C. The finished floor level to be 150mm above adjacent external ground. If the highest ground adjoining for a distance of 1.8m from the building, except this distance may be reduced to 900mm if a sloping concrete apron not less than 50mm thick and a cut-off drain is laid outside the structure.

(b) moisture resistance of external walls:

Provide a solid concrete block not less than 100mm thick with a compressive stress of not less than 3.5 N/mm2. Insert damp proof course at floor level linked and lapped to any 1000 gauge membrane. Bond and render the blocks externally with 20mm sand cement render 1 part cement to 3 parts sand.

(c) moisture resistance of roofs:

Provide a sheet material of aluminium or cement fibre adequately lapped on ends and sides and securely fixed to the roof supports. Include any necessary flashing to ensure moisture cannot be transmitted to the inside of the building.

Structural stability

Foundations

21. (1) The foundations of a structure must safely sustain and transmit to the ground the combined dead load, imposed load and wind load so as not to cause any settlement which could impair the stability of or cause damage to the new structure or any adjoining structure. Foundations must be taken down to a depth that will safeguard the structure from landslip on sloping sites.

(2) The following are deemed-to-satisfy provisions for strip foundations:
Provide a concrete strip foundation composed of 50kg cement to 0.1m3 of fine aggregate and 0.2m3 of coarse aggregate. The thickness to be a minimum of 200mm and its width dependent upon the loadbearing characteristics of the soil and in any event in accordance with Table 1.
There is to be no made ground or wide variation in the type of subsoil.
Any step in the foundation should extend a lap of the thickness of the concrete or 300mm whichever is the greater.

TABLE 1

Type of Soil	Test Excavation	Projection each side of the wall		
Rock	Pneumatic pick	Single Storey 150mm	Two Storey 225mm	Three Storey 225mm
Gravel	Hand pick	150mm	225mm	225mm
Clayhard	Hand pick	150mm	225mm	225mm
Claysoft	Spade dig	150mm	225mm	225mm

Substructure and retaining walls

22. (1) The substructure of any structure must be constructed to transmit the load of the superstructure safely to the foundations.

(2) The following are deemed-to-satisfy provisions for substructure and retaining walls:
Provide a solid concrete block with a compressive stress not less than 3.5N/mm2 to a thickness of ¼ its retaining height in a 1:3 cement mortar. Place 100mm of clean hardcore, broken stone over the site and compact prior to laying the concrete floor slab.

Walls above ground

23. (1) Walls constructed above ground level must sustain vertical loading, horizontal wind loading and roof uplift. Walls must be tied to other elements of a structure in order that they act structurally together.

(2) The following are deemed-to-satisfy provisions for walls above ground level—

(a) Provide solid concrete blocks to a thickness referred to in Table 2 dependent upon the height and length of the wall. The compressive stress of blocks to be not less than 3.5N/mm2 for buildings not more than two storeys and 7.0N/mm2 for lowest storey of a three storey building laid in a 1:3 cement mortar.

(b) Maximum depth of any chase must be one sixth the wall thickness for horizontal chases and one third the wall thickness for vertical chases.

TABLE 2

Height of wall	Length of Wall	Thickness of Wall
Not exceeding 3m	Not exceeding 5m between buttresses, return walls or chimneys	100mm for the full height of the wall
Exceeding 4m but not exceeding 5m	As above	150mm for the full height of the wall
Exceeding 4m but	As above	225mm for he lower storey and 100mm for the upper
Exceeding 6m but not exceeding 9m.	As above	225mm for the full height of the wall

Support over openings

24. (1) Any opening in a structural wall must have a beam or lintel provided to safely support the structure above the opening.

(2) In accordance with Table 3 the following are deemed-to-satisfy sizes for beams and lintels in reinforced concrete—

TABLE 3

Opening Width	Lintel Section	Bar Reinforcement
Up to 0.75m	100mm wide x 150mm deep	1No. 10mm
Up to 1.4m	100mm wide x 200mm deep	1No. 12mm
Up to 2.0m	100mm wide x 200mm deep	1No. 20mm

Concrete cover to the bar reinforcement must be 40mm from the bottom of the beam and not less than 40mm to the ends. Bars to be bent at each end to form a right angle of 150mm minimum upstand. Bar overlaps must be 30 times their diameter.

Timber as a structural member

25. (1) Timber used as a structural member must be of sufficient size and be placed at adequate centres to safely support the structure.

(2) Floor and roof members must be securely fixed to walls in both their direction of span and at right angles to the span in order to provide lateral restraint to external walls.

(3) Ground floors and roof structure must be cross ventilated.

(4) Softwood timber used as a structural member must be treated to prevent attack by termites.

(5) Timber ground floors must have a surface level at least 150mm above the highest level of adjoining grounds.

(6) The size and centres of particular species of timber must be adequate for the purpose referred to in Tables 4 to 9.

TABLE 4
FLOOR JOISTS – SOFTWOOD

Spacing of joist mm	400	450	600
Size of Joist mm	Maximum Span of Joist m		
50 x 75	1.35	1.22	0.93
50 x 100	2.22	2.03	1.58
50 x 125	2.84	2.72	2.33
50 x 150	3.4	3.26	2.84
50 x 175	3.95	3.78	3.30
50 x 200	4.51	4.31	3.76
50 x 225	5.06	4.83	4.22

TABLE 5
FLOOR JOISTS - IROKO

Spacing of Joists mm	400	450	600
Size of Joist mm	Maximum span of Joists m		
50 x 75	2.36	2.11	1.93
50 x 100	3.16	2.82	2.58
50 x 125	3.95	3.53	3.22
50 x 150	4.74	4.24	3.87
50 x 175	5.53	4.94	4.51

TABLE 6
RAFTERS SUPPORTING SLATE OR TILES - SOFTWOOD

Spacing of Rafters mm	400	450	600
Size in mm	Maximum span of Rafters m		
50 x 75	2.31	2.18	1.89
50 x 100	3.06	2.89	2.51
50 x 125	3.80	3.59	3.13
50 x 150	4.53	4.29	3.14

TABLE 7
RAFTERS SUPPORTING SLATES OR TILES - IROKO

Spacing of Rafters mm	400	450	600
Size in mm	Maximum span of Rafters m		
50 x 75	2.73	2.58	2.24
50 x 100	3.65	3.45	2.98
50 x 125	4.56	4.30	3.73
50 x 150	5.47	5.17	4.48

TABLE 8
PURLINS SUPPORTING ROOF SHEETS AT 1.2M CENTRES - SOFTWOOD

Size in mm	Maximum span of Purlin m
50 x 75	1.52
50 x 100	2.04
50 x 125	2.55
50 x 150	3.06
50 x 175	3.57
50 x 200	4.07

TABLE 9
PURLINS SUPPORTING ROOF SHEETS AT 1.2M CENTRES - IROKO

Size in mm	Maximum span of Purlin m
50 x 75	2.37
50 x 100	3.16
50 x 125	3.94
50 x 150	4.74

Miscellaneous

Ventilation and room sizes

26. (1) There must be adequate means of natural ventilation provided to dilute pollutants at a sufficient rate for the health and comfort of people in the building. This requirement does not apply to storage buildings, buildings into which people do not normally go or a garage used in connection with a dwelling.

(2) Deemed-to-satisfy provisions for rooms and kitchens:
With the exception of the buildings contained in sub-regulation (1), all rooms must have a ventilated opening of a window or louver directly to the external air of an area not less than 1/8 of the floor area of the room and must be constructed so that at least one half may be opened. Some part of the ventilated opening to be a minimum of 2m above floor level.

(3) Deemed-to-satisfy provisions for bathrooms and toilets:
Bathrooms and toilets must have a ventilated opening with an area of not less than one tenth of the floor area. Some part of the ventilation opening to be a minimum of 2m above floor level.

(4) Deemed-to-satisfy provisions for room sizes:
In any dwelling or flat, at least one bedroom, every living room and any dining room combined with a kitchen must have a floor area of not less than 11m2. Each such room must have a minimum width of 2.4m and a minimum ceiling height of 2.4m measured to half the internal pitch where there is no ceiling.

(5) Deemed-to-satisfy provision for roof spaces:
A dwelling or flat must have a means of natural cross ventilation to any roof space within the dwelling or a flat. Louvers, air bricks, profiled sheeting or stand off soffits should provide insect and bird proof ventilation equivalent to 1/10 of a square metre each side of the building.

Stairs, ramps and balustrades

27. (1) Stairs and ramps must be constructed to ensure the safety to users of a building moving between different levels exceeding 600mm. Stairs, ramps, the edges of floors and balconies and any roof to which people have access must be guarded to protect users from the risk of falling.

(2) Deemed-to-satisfy provisions for stairs, ramps and balustrades:
A private stairway is one situated in a dwelling and a common stairway is one situated in any other building. Any stairway or ramp constructed in accordance with the dimensions in Table 10 will satisfy the requirement.

TABLE 10

STAIRS

Private	Common
Rise (Maximum)	
220mm	190mm
Going (Minimum)	
220mm	240mm
Twice Rise plus going	
550mm - 700mm	550mm - 700mm
Pitch (Maximum)	
42 degrees	38 degrees
Landings going	
Equal to width	Equal to Width
Width of Stairs (Minimum)	
800mm	900mm
Headroom height (Minimum)	
2m	2m

Handrail height 840mm - 900mm	840mm - 900mm
Balustrade Height Internal (Minimum) 900mm	900mm
Balustrade Height External (Minimum) 1.1m	1.1m

RAMPS

Gradient (Maximum) 1:12	1:12
Landing Equal to Width	Equal to Width

Access to buildings for persons with a disability

28. **(1)** Reasonable provision must be made in all newly erected or substantially altered buildings so that—

(a) persons with a disability can reach the principal entrance to the building from the edge of the site curtilage;

(b) elements of the building do not constitute a hazard for a person with an impairment of sight;

(c) persons with a disability can use the building's facilities;

(d) adequate sanitary accommodation is available for persons with a disability;

(e) there is suitable accommodation for persons with a disability in audience or spectator seating; and

(f) there are suitable aids to communication for persons with an impairment of sight or hearing in auditoria, meeting rooms and reception areas.

(2) If, as part of a reconstruction of a building, it is impracticable to make adjustments to the level of the existing principal entrance or any other appropriate existing entrance, to permit access for wheelchair users, or to provide a new entrance which is suitable, the other requirements of this regulation still applies.

(3) Where a building is extended, there is no obligation to carry out improvements within the existing building to make it more accessible to and usable by persons with a disability than it was before. However the extension must not adversely affect the existing building with respect to access to, and use of, the building by such persons.

(4) An extension to a building must be at least as accessible to and usable by persons with a disability as the building being extended. Where access to an extension is achieved only through the existing building, it will be subject to the limitations of the existing building and does not require higher standards that the existing building. However if an extension is independently approached and entered from the boundary of the site it must be

treated in the same manner as a new building.

(5) When a building is altered there is no obligation to improve access and facilities for persons with a disability. However the level of provision after alteration must not be any worse. Facilities may be moved but their suitability and access to them must not be reduced.

(6) For the purpose of this regulation—
"access" means approach or entry;
"building" means non-domestic buildings;
"substantially altered building" means a building that has been substantially demolished to leave only external walls;
"suitable", with respect to means of access and to facilities, means that they are designed for use by persons with a disability.

Drainage

29. (1) Rainwater drainage storage and disposal:
Any gutter or pipe fitted to a building and intended for collecting rainwater from the roof must be of adequate size and composed of a suitable material for its purpose. It must be adequately fixed and have sufficient outlets to accommodate the maximum likely flow and not cause dampness to the inside of the building.

(2) Deemed-to-satisfy sizes for rainwater gutters and pipes and roof water disposal—

(a) Roofs up to 18m2 may be served by a 75mm half round gutter and a single 50mm outlet.

(b) Roofs up to 37m2 may be served by a 100mm half round rainwater gutter and a single 63mm outlet.

Areas in excess of these should be served by a number of rainwater pipes, the sizes of which correspond to the area's drained.

(3) Foul water drainage and disposal:
Any system which carries foul water from a building must discharge to a suitable means of disposal and not allow foul air to enter the building.

(4) Deemed-to-satisfy provision for foul water drainage and disposal—

(a) Any waste appliance comprising a shower, bath, hand basin or sink may discharge into a 32mm diameter P.V.C pipe with a trap arrangement. Disposal of the waste water may be conveyed by 100mm diameter P.V.C. pipe laid to a minimum fall of 1:40 and terminate in a soakaway at least 5m from the building.

(b) Any sanitary convenience may discharge into a 100mm diameter P.V.C. pipe laid to a minimum fall of 1:40 and be ventilated at least 900mm above any opening into the building. Drains should be laid with a minimum of 300mm cover and access provided by manhole or rodding eye at positions necessary for inspection and cleansing.

The disposal of the contents of a sanitary convenience smust be by way of a public system. Alternatively disposal may be to a septic tank the details of construction and size together with effluent disposal must be to the satisfaction of the Agency.

(5) Soakaways:
Unless a drain connection is provided to a public system, the site on which any building is constructed must be provided with a sufficient number of soakaways constructed to the satisfaction of the Agency and adequate to deal with all rainwater, domestic effluent other than sewage and waste water from the site and all buildings.

Structural fire precautions

30. (1) Fire resistance of walls, floors, beams and columns:
Any wall, a floor (other than a ground floor) beam, column or any other member providing structural support to any of the foregoing must be provided with fire protection to prevent the premature collapse of a building or part before the occupants have been able to escape. Such protection will not apply to members forming part of the roof structure only.

(2) Deemed-to-satisfy provisions for fire resistance of walls, floors, beams and columns:

(a) Buildings having not more than a ground and two upper storeys may be provided with half hour fire protection to the above structural members by means of insulation board lining or 25mm concrete cover or by consisting of masonry not less than 100mm thick. In buildings with a greater number of storeys the period will be increased to one hour.

(b) Any wall forming an escape route horizontally or vertically, referred to in regulation 32, will have a fire resistance of half an hour and any opening in such a wall will be fitted with a half hour fire resistant self closing door.

(c) Any opening between a house and attached garage will be fitted with a half hour fire resistant self closing door with a threshold height not less than 100mm above garage floor level.

Internal fire spread

31. (1) Any wall or ceiling must have a surface material covering that will offer a restriction to the spread of fire over its surface either by limiting the type of material used or using a material which would not contribute to the outbreak of or support a fire.

(2) Deemed-to-satisfy provisions internal fire spread—

(a) Any wall or ceiling in an escape route referred to in Section 7, will have a surface material finish to the walls and ceilings that is non combustible such as block work, concrete or a fibre insulation board.

(b) Any wall or ceiling in a room not forming part of an escape route may have a surface material covering not inferior to timber cladding to its contribution to fire, but only to the following extent:—

(i) The whole of the ceiling area provided all walls satisfy the non-combustible specification; or

(ii) Half the total wall area provided the remainder, together with the ceiling satisfy the non-combustible specification.

What is this?

Means of escape in case of fire

32. **(1)** Every building must be provided with a means of escape consisting of exits and escape routes, both horizontally and vertically, of such number size and layout as is reasonably necessary in the circumstances to enable the occupants of a building to escape to a place of safety.

(2) Deemed-to-satisfy provisions for dwellings not exceeding 2 storeys:
Any room which approached from within another room must have for escape purposes an openable side hung window of minimum size 850mm x 500mm with a sill height not less than 800mm and not more than 1.1m above floor level.

(3) Deemed-to-satisfy provisions for dwellings exceeding 2 storeys:
The provisions in sub-regulation (1) apply equally to dwellings exceeding two storeys. In addition any stairway must be enclosed with half hour fire resisting construction and the door of any room opening onto the stairway must be self closing.

(4) Deemed-to-satisfy provisions for flats:
The provisions in sub-regulation (1) apply equally to flats. In addition within a flat the internal arrangement will be such that cooking facilities are remote from the entrance door and any bedroom should not be located off an area used for cooking unless there is an alternative means of escape from that bedroom. The entrance door to any flat situated off or adjacent to an area not used solely with that flat will be half hour fire resistant and self closing with a locking device that does not preclude re entry from the outside without a key.

(5) Any stairway serving more than one flat must be enclosed with one hour fire resisting construction and terminate at ground level directly to the external air and a place of safety. A single stairway is acceptable for buildings up to 3 storeys. For buildings having more than 3 storeys an alternative independent stairway will need to be provided. Any stairway to be ventilated at its topmost level by 1m2 of opening.

(6) Deemed-to-satisfy provisions for buildings other than dwellings and flats—

(a) In the case of a single storey building there will be a maximum travel distance in one direction of no more than 18m to an external exit. Where escape is available to external exits in substantially different directions, i.e a position subtending an angle in excess of 45o between openings, the distance may be extended to 45m. Alternative exits will always be necessary if the building is likely to hold 50 or more occupants.

(b) In the case of a building not exceeding 3 storeys it may be served by a single stairway provided the stairway is enclosed with half hour fire resisting construction and any door off the stairway is half hour fire resistant and self closing. The travel distance referred to in paragraph (a) apply equally to buildings not exceeding three storeys measured into the stairway enclosure.

(c) In the case of a building exceeding 3 storeys it should be served by at least 2 stairways enclosed with half hour fire resisting construction and any door off the stairway to be fire resistant and self closing. The stairways are to be remote from each other so they may be regarded as alternatives and it will not be acceptable to pass through one stairway to reach the other.

(7) A minimum width of a door or doors will be dependent upon the number of

occupants in a building. In the case of more than 50 people doors will need to open in the direction of escape. Such doors should only be fixed by fastening that does not require a key for operation. Table 11 indicates the minimum width of opening dependent upon the number of people it serves. The largest opening of 2 or more openings should be discounted from the calculation as this may be the opening unavailable due to fire.

(8) Notwithstanding sub-regulation (7) and Table 11, the minimum width of a door or doors, to a non-domestic building, that facilitates access by persons with a disability must be not less than 800mm.

TABLE 11

Minimum Number of Persons	Minimum Width mm
50	800
110	900
220	1100
More than 220	5 per person

Sanitary convenience and washing facilities

33. (1) There must be provided adequate numbers of the appropriate type and size of sanitary convenience for both sexes of all ages in any building. A sanitary convenience must be provided with ancillary washing facilities, and an intervening lobby must separate both from any habitable room unless used solely for sleeping purposes.

(2) Any dwelling or flat must contain—

(a) a bathroom with a fixed bath or shower;
(b) separate kitchen sink suitable for the washing of cooking and eating utensils.

(3) Deemed-to-satisfy provisions for sanitary conveniences and washing facilities—

(a) In a dwelling or a flat at least one water closet should be provided together with a wash basin with a cold water supply next or near to the water closet. All water closets should have a dual flush cistern ability.
(b) In a building other than a dwelling or flat the following provisions in Table 12 dependent upon the number and sex of people likely to occupy the building may be made for water closets hand basins and urinals.

TABLE 12

Number of persons	Female w.c.'s	Male w.c.'s	Urinals
Up to 50	1	1	1
51 to 100	2	1	2
101 to 150	2	1	3
151 to 200	1	1	3
201 to 250	3	2	3

251 to 300	4	2	4
301 to 350	4	2	5
351 to 400	5	2	6
401 to 450	5	3	6
451 to 500	6	3	7
Wash Basins	1 per 2 W.C.'s	1 per 2 W.C.'s plus 1 per 5 urinals or part thereof.	

Heat producing appliances

34. (1) Any cooker, boiler, stove, fireplace or other heat producing appliance, other than an electrical appliance, must when installed in a building operate without danger of igniting the building or producing gases which could be harmful to the occupants.

(2) Deemed-to-satisfy provisions for the installation of heat producing appliances: Any flue pipe may be constructed of cast iron and have a diameter not less than that of the appliance outlet. Combustible material should not be situated closer than 200mm unless the pipe is surrounded by a block work chimney not less than 100mm thick in which case combustible material should be not closer than 75mm from the chimney. The outlet to the flue should be situated above any opening to the building and not less than 900mm above the pitch line of the roof. A supply of air should be made from external ventilation of 8000mm2 in the case of dwellings and flats and to the appliance manufacturers recommendations in other buildings.