

**Borough of Darlington**

**REGULATIONS**

**With respect to**

**Underground Rooms  
(used for human habitation)**

**1986**

## **BOROUGH OF DARLINGTON**

### **HOUSING ACT, 1985, SECTION 281(1)**

REGULATIONS prescribed by the Council of the Borough of Darlington for securing the proper ventilation and lighting of rooms to which Section 280 of the Housing Act, 1985 applies, and the protection thereof against dampness, effluvia or exhalation.

Every room used, or suitable for use, for human habitation, the surface of the floor of which is more than three feet below the surfaces of the part of the street adjoining or nearest to the room, or more than three feet below the surface of any ground within nine feet of the room, shall comply with the following regulations, that is to say :-

#### **Drainage**

1. The subsoil of the site of the room shall be effectually drained wherever the dampness of the site renders this necessary.
2. No subsoil drain shall discharge into a soil drain except through a suitable trap.
3. Every drain passing through the room, and every drain or sewer passing under the room other than a subsoil drain, shall be gastight and watertight.

#### **Floors**

4. The floors of the room shall be of such material or materials and construction as adequately to resist the passage of moisture or exhalation from the ground.

#### **Walls**

5. The walls of the room shall either be of such material and construction, or shall have been so treated, as adequately to resist the passage of moisture to their inner surface, or to any timber or other material forming part of the building that would be harmfully affected by dampness.

#### **Ventilation and Lighting**

6. Subject to the next following regulation, the room shall have a window or windows as specified in paragraph (i) of this regulation for the purposes of ventilation, and in paragraph (ii) for the purposes of lighting.
  - (i) One or more windows which can be opened at the top directly into the external air to an extent equivalent in aggregate area to not less than one-twentieth of the area of the floor of the room.
  - (ii) One or more windows having an aggregate area clear of the window frame accounting to not less than one-tenth of the area of the floor of the room, and so situated that from any point thereon, or, if this total window area exceeds the foregoing minimum requirement, from any point on a part or parts thereof which satisfy that requirement, a line can be drawn upwards at an angle of thirty degrees with the horizontal in a vertical plane at right angles to the plane of the window without intercepting any obstruction except an open fence within a distance of ten

feet measured horizontally from the window.

For this purpose a bay window with side lights shall be deemed to be a flat window equal in area to the sum of the areas of the front and side lights, situated at a distance from the face of the wall from which it projects equal to half the maximum depth of the projection.

7. (1) A room which is used exclusively for purposes other than those of a living room (which expression shall include a room of any kind mentioned in the next following paragraph) shall be exempt from the requirements of the last foregoing regulation.
  - (2) A room which is used as any one of the following, namely a bedroom, a dining-room, a kitchen, or a home workroom, and which is not otherwise used as a living-room, shall be exempt from the requirements of paragraph (ii) of the last foregoing regulation. In the case of any dining-room or home workroom in which a window or windows are not sufficiently large to satisfy the requirement of regulation 6(i), that requirement shall be deemed to have been satisfied provided the room has an opening so constructed as to allow an adequate flow of air, which together with the ventilation provided by the window or windows will provide not less ventilation than required under regulation 6(i).
  - (3) Any room to which paragraph (1) of this regulation applies shall be provided with effectual means of natural or artificial ventilation and lighting, and any room to which Paragraph (2) of this regulation applies shall be provided with effectual means of natural or artificial lighting, adequate in each case for the purpose for which the room is used.
8. Immediately outside any window provided in pursuance of these regulations there shall be an unobstructed space which shall conform with the following requirements :-
- (i) The space shall extend throughout the entire width of the window and (except where the area of such window is not less than one-seventh of the area of the floor of the room) for two feet on each side of the window.
  - (ii) The space shall in every part extend for not less than two feet from the external wall of the room except that, where the window is a bay window with side lights, the depth of the space in front of that window may be reduced to not less than one foot.
  - (iii) If the space is below the general level of the ground within nine feet from the window so much of it as satisfies the foregoing requirements of this regulation shall be properly paved with impervious material and effectually drained, and the paved surface shall be at least six inches below the level of the bottom of the sill of the window.
  - (iv) Nothing in this regulation shall prohibit the placing in or over such open space of any steps necessary for access to any part of the building in which the room is contained provided they are not placed over or across any window or windows satisfying the requirements of the preceding regulations.

GIVEN under the Common Seal of the Council of the Borough of Darlington this eighteenth day of December One thousand nine hundred and eighty six

THE COMMON SEAL OF THE )  
COUNCIL OF THE BOROUGH OF )  
DARLINGTON was hereunto affixed )  
in the presence of :- )

L.S.

K. Fairer

Mayor

H.F.C. Owen

Chief Executive