



Ministry of the Interior and  
Kingdom Relations

# The Environment Buildings Decree of the Netherlands

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**Decree of 3 July 2018, concerning rules about structures in the physical living environment (Environment Structures Decree)**

# Chapter 1 General provisions

## Section 1.1 General

### Article 1.1

#### (terms and definitions)

Annex I to this Decree contains terms and definitions applicable to this Decree.

## Section 1.2 Obligations under international law

### Article 1.2

#### (mutual recognition)

A construction quality certificate, certificate, inspection or standard as intended in this Decree will be deemed equivalent to a construction quality certificate, certificate, inspection or standard issued, performed or approved by a duly competent, independent body in another Member State of the European Union or a State that is not a Member State of the European Union that is a party to a Treaty that is binding upon the Netherlands, with a level of protection that is at least equivalent to the target level under national requirements.

## Chapter 2 General provisions for structures

### Section 2.1 General

#### Article 2.1

##### **(scope: activities)**

This Chapter applies to structures.

#### Article 2.2

##### **(competent authority)**

1. The municipal executive will be the competent authority:

- to which a notification is submitted;
- that may issue a customised instruction; and
- that will decide on a request for permission to take an equivalent measure.

2. Contrary to paragraph one, for an activity as intended in this Decree, which is performed at the same location as an activity as intended in Section 3.3 of the Environmental Activities Decree (*Besluit activiteiten leefomgeving*), to which an environmental permit previously granted by the provincial executive applies, the provincial executive will be the competent authority for the acts as intended in paragraph one.

#### Article 2.3

##### **(customised rules)**

A customised rule will be imposed in the environment plan.

#### Article 2.4

##### **(equivalence in the event of a notification or permit-exempt activity)**

1. If an equivalent measure relates to an activity for which a notification is prescribed in this Decree:

- prior permission as intended in Article 4.7 of the Act will not be required; and
- taking this measure without prior notification will be prohibited.

2. If an equivalent measure relates to an activity for which no environmental permit is required on the basis of the Act and for which no notification is prescribed in this Decree, prior permission as intended in Article 4.7 of the Act will not be required.

#### Article 2.5

##### **(maintaining an equivalent measure)**

An equivalent measure relating to a rule imposed in Chapters 3 through to 6 will be maintained when using the structure.

#### Article 2.6

##### **(special duty of care: structure installation)**

A structure installation present pursuant to the Act:

- will operate in compliance with the rules applicable to that installation;
- will be adequately managed, maintained and inspected; and
- will be used in such a way that no risk to health or safety arises or continues.

#### Article 2.7

##### **(common and joint)**

1. For the purposes of a rule imposed in Chapters 3 through to 6, a structure, a space, a facility or any part of it will be common or non-common as desired, unless indicated otherwise for a rule.

2. For the purposes of a rule imposed in Chapters 3 through to 6, any part of a structure, a space or a facility serving more than one functional unit is considered common. For the purposes of these Chapters, this part, space or facility forms part of all functional units depending on it, with the exception of any ancillary functional unit.

3. For the purposes of a rule imposed in Chapters 3 through to 6, any part of a residential function, a cell function or an accommodation function or a space or facility serving that functional unit, used by more than one residential unit, cell unit or accommodation space in that functional unit, is considered joint.



**Article 2.8****(monuments)**

In as much as an environmental permit for:

- a. an environmental planning activity relating to:
    1. a municipal monument or a provincial monument; or
    2. a provisionally protected municipal monument or a provisionally protected provincial monument;
  - b. an activity for which the environment regulation provides that performing the activity without an environmental permit is prohibited if that activity relates to a provincial monument or a provisionally protected provincial monument; or
  - c. a national monument activity;
- deviates from a rule imposed in Chapters 3 through to 5, only the environmental permit and the corresponding instructions will apply.

**Article 2.9****(deviation on account of the implementation of European regulations)**

In as much as the Machines (Commodities Act) Decree (*Warenwetbesluit machines*), the Lifts (Commodities Act) Decree 2016 (*Warenwetbesluit liften 2016*) or the Gas Appliances Decree (*Besluit gastoestellen*) deviates from a rule imposed in Chapters 3 through to 5 in order to implement a requirement imposed in European regulations, only the requirement imposed pursuant to those Decrees will apply.

**Article 2.10****(licensed establishments and hotel and catering establishments)**

In as much as a requirement has been imposed for an activity on the basis of the Requirements for Establishments (Licensing and Hotel and Catering Act) Decree (*Besluit eisen inrichtingen Drink- en horecawet*) and that requirement is more stringent than a rule included in this Decree, only the former requirement will apply.

**Article 2.11****(number of persons in a structure)**

The number of persons present in a structure or any part of a structure will not exceed the number of persons for which the structure or part of the structure is intended in compliance with this Decree.

**Article 2.12****(transitional provisions: number of persons in a structure)**

As long as the number of persons present in a structure or any part of a structure does not exceed the number of persons permitted for that structure or that part immediately prior to 1 April 2012, Article 2.11 will not apply.

**Section 2.2****CE markings and construction quality certificates****Article 2.13****(Construction Products Regulation)**

1. Acting in contravention of the obligations arising from the Construction Products Regulation is prohibited.
2. Our Minister of the Interior and Kingdom Relations will designate an institution that will advise on the suitability of Technical Assessment Bodies as intended in Article 29 of the Construction Products Regulation.
3. A Technical Assessment Body will demonstrate to the institution that it satisfies the requirements included in Table 2 of Annex IV for the product areas as intended in Table 1 of that Annex.
4. The institution will set up a procedure for the notification, assessment and monitoring of Technical Assessment Bodies and will annually publish an up-to-date list of notified Technical Assessment Bodies.
5. The notifying authority as intended in Article 40 of the Construction Products Regulation will advise Our Minister of the Interior and Kingdom Relations on the suitability of notified bodies as intended in Article 39 of that Regulation.

6. The notified body will demonstrate that it satisfies the requirements as intended in Article 43 of the Construction Products Regulation.
7. The institution and the notifying authority will inform Our Minister of the Interior and Kingdom Relations without delay if they believe that a Technical Assessment Body or a notified body does not comply with the requirements attached to the designation or no longer meets the conditions for that designation.
8. A declaration of performance as intended in Article 4(1) of the Construction Products Regulation will be provided in Dutch.
9. Instructions and information as intended in Articles 11(6 and 8), 13(4 and 9) and 14(2 and 5) of the Construction Products Regulation will be drawn up in Dutch.

**Article 2.14****(application of CE markings and construction quality certificates)**

1. If a construction product to which a CE marking as intended in Article 8 of the Construction Products Regulation has been affixed must meet certain performance criteria to ensure that the structure in which it is applied complies with a rule imposed in this Decree, this rule is complied with if the construction product has been applied in compliance with a declaration of performance as intended in Article 4(1) of that Regulation that is tailored to that requirement.
2. If a construction product must meet certain performance criteria that are not covered by a harmonised standard as intended in Article 2(11) of the Construction Products Regulation to ensure that the structure in which it is applied complies with a rule imposed in this Decree, this rule is complied with if the construction product has been applied in compliance with a construction quality certificate tailored to that requirement.
3. If a construction process must meet certain performance criteria to ensure that the structure in which it is executed complies with a rule imposed in this Decree, this rule is complied with if the construction process has been applied in compliance with a construction quality certificate tailored to that requirement.

**Article 2.15****(recognition of construction quality certificates)**

1. Construction quality certificates as intended in Article 2.14(2 and 3) will be issued on the basis of a system of quality certificates for the construction industry recognised by Our Minister of the Interior and Kingdom Relations.
2. The conditions under which a construction quality certificate will be issued will be laid down in an agreement between the parties involved in the recognised system.
3. Our Minister of the Interior and Kingdom Relations will publish this agreement in the Netherlands Government Gazette.
4. Our Minister of the Interior and Kingdom Relations will designate an institution to coordinate the recognised system and publish the construction quality certificates.

**Section 2.3****Demarcation of permit requirements****§ 2.3.1****General provisions****Article 2.15a****(general demarcation requirements)**

1. Parts a through to v of Articles 2.15d and 2.15f do not apply to an activity performed in, on, on top of or near a structure built, maintained or used without the environmental permit required for this purpose.
2. The number of residential dwellings will remain the same where parts a through to v of Articles 2.15d and 2.15f are applied, unless they involve housing in connection with informal care.

**Article 2.15b****(measurement requirements)**

1. Unless otherwise provided, the values expressed in m or m<sup>2</sup> in this Section will be measured as follows:

- a. distances will be measured perpendicularly;
- b. heights will be measured from the adjacent finished site, disregarding local embankments or excavations at the base of the structure that are not in line with the ground level of the site, other than those required for the construction of the structure; and
- c. dimensions will be measured on the exterior, disregarding projecting parts of a subordinate nature of no more than 0.5 m.

2. For the purposes of paragraph one (opening words and b), a structure, in as much as it is located on a property boundary or plot boundary, will be measured at the side where the adjacent finished site is the highest.

**Article 2.15c****(informal care)**

For the purposes of this Section, housing in connection with informal care is considered functionally connected with the main building.

**§ 2.3.2****Cases requiring a permit: construction activity****Article 2.15d****(designation of cases requiring a permit: construction activity)**

The prohibition as intended in Article 5.1(2) of the Act on performing a construction activity without an environmental permit applies to a construction activity, unless it relates to one of the following structures:

- a. a structure in as much as it is subject to regular maintenance;
- b. an ancillary structure or an extension of this structure, if the following requirements are satisfied:
  1. it stands on the ground;
  2. it is no higher than 5 m;
  3. if there is more than one floor, a staying area is located only on the first floor; and
  4. there is no roof terrace, balcony or other outdoor space that is not located on the ground;
- c. a structure for recreational night stays, if the following requirements are satisfied:
  1. it stands on the ground;
  2. it is no higher than 5 m; and
  3. its surface area does not exceed 70 m<sup>2</sup>;
- d. a dormer;
- e. a skylight, deadlight, modular skylight or similar daylight facility in a roof;
- f. a frame, frame filling, façade cladding or roof-edge covering, or plaster;
- g. an awning, roller grille, shutter or roller shutter mounted on or in a building;
- h. a heat generation collector or an electricity generation panel;
- i. playground equipment or sports equipment, if the following requirements are satisfied:
  1. it is no higher than 4 m; and
  2. it only operates by means of gravity or a person's physical strength;
- j. garden furniture;
- k. a swimming pool, jacuzzi or similar facility or a pond on the building premises of a residential dwelling or residential building;
- l. a boundary partition or plot partition;
- m. a partition between balconies or roof terraces;
- n. a flagpole;
- o. a structure for bridging a site height difference of no more than 1 m that is no higher than the adjacent finished site;

- p. an aerial system, if the following requirements are satisfied:
  - 1. it is an aerial system with a corresponding base station for the C2000 infrastructure for mobile communication used by emergency services;
  - 2. for a satellite dish:
    - i. the dish is no more than 2 m in diameter; and
    - ii. the dish, with the dish support, is no higher than 3 m measured from the base; or
  - 3. if an aerial other than as intended in part 1° or 2° is involved: the aerial, with the aerial support, is no higher than 5 m measured from the base or, if it is mounted on the outside wall, measured from the place where the aerial, with the aerial support, crosses the roof surface;
- q. a structure for an infrastructural or public facility, in as much as it is:
  - 1. a structure for a utility, water management, air quality measurement, telecommunications traffic, public transport or road, railway, water or air traffic, if the following requirements are satisfied:
    - i. it is no higher than 3 m; and
    - ii. its surface area does not exceed 15 m<sup>2</sup>;
  - 2. a structure, not being a building, for:
    - i. keeping out objects that could endanger the safety of road, railway, water or air traffic;
    - ii. the safety of a road, railway or waterway or railway premises or aviation premises;
    - iii. traffic control, traffic guidance, enforcement of traffic rules, road indication, vehicle battery charging, lighting or toll charges; or
    - iv. giving access to public transport or public transport buildings or for disabled persons to bridge heights in and near public transport buildings or platforms;
  - 3. overhead lines with the corresponding supporting structures or signal posts;
  - 4. underground piping systems, including underground wildlife crossings;
  - 5. a container for collecting domestic waste substances as intended in Article 1.1(1) of the Environmental Management Act (*Wet milieubeheer*), if the following requirements are satisfied:
    - i. it is no higher than 2 m; and
    - ii. if placed aboveground: its surface area does not exceed 4 m<sup>2</sup>;
  - 6. an electronic siren to warn the population in the event of emergencies or impending emergencies, including the corresponding mounting structure;
  - 7. street furniture; or
  - 8. furniture in public transport buildings or on platforms;
- r. a site hut, construction billboard, scaffold, pile driver, crane, dam wall, site layout or other auxiliary structure serving construction, maintenance or demolition work, temporary work in earthworks, road construction or hydraulic engineering or work with a mobile mining installation as intended in Article 3.322(1) of the Environmental Activities Decree, upon placement on or in the immediate vicinity of the site where that work is performed; or
- s. a pallet rack that only rests on a floor of the building in which it is placed, if the following requirements are satisfied:
  - 1. it is no lower than 3 m and no higher than 8,5 m; and
  - 2. the pallet rack does not have a floor or footbridge;
- t. a structure, not being a building, for agricultural operations, in as much as it is:
  - 1. a silo; or
  - 2. any other structure no higher than 2 m;
- u. any other structure, if the following requirements are satisfied:
  - 1. it is no higher than 1 m; and
  - 2. its surface area does not exceed 2 m<sup>2</sup>; or

- v. a structure that is to be changed, if the following requirements are satisfied:
  - 1. the supporting structure is not changed;
  - 2. the fire compartmentation or protected sub-fire compartmentation is not changed;
  - 3. the constructed area is not expanded;
  - 4. the cubic content is not increased; and
  - 5. it is not a structure as intended in b through to u that does not satisfy the requirements imposed for that structure in those parts.

### § 2.3.3

### **Permit-exempt cases: environmental planning activities relating to structures**

#### **Article 2.15e**

##### **(scope)**

This subsection applies to environmental planning activities consisting of:

- a. a construction activity;
- b. the maintenance of a structure; or
- c. the use of a structure.

#### **Article 2.15f**

##### **(permit-exempt environmental planning activities relating to structures)**

Without prejudice to the rules in the environment plan about the maintenance of a structure that relate to the serious disfigurement of the appearance of that structure, the prohibition as intended in Article 5.1(1) of the Act on performing an environmental planning activity without an environmental permit does not apply to an environmental planning activity in as much as the activity relates to one of the following structures:

- a. a structure in as much as it is subject to regular maintenance and the detailing, profiling and design of the structure remain unchanged;
- b. a dormer in the back roof surface or a side roof surface facing an area that is not open to the public, if the following requirements are satisfied:
  - 1. it has a flat roof;
  - 2. measured from the base of the dormer, it is no higher than 1.75 m;
  - 3. the bottom is more than 0.5 m and less than 1 m above the eave;
  - 4. the top is more than 0.5 m below the roof ridge; and
  - 5. the sides are more than 0.5 m from the sides of the roof surface;
- c. a skylight, deadlight, modular skylight or similar daylight facility in a roof, if the following requirements are satisfied:
  - 1. if placed in the back roof surface, a side roof surface facing an area that is not open to the public or a flat roof:
    - i. the structure projects no more than 0.6 m beyond the roof surface or the flat roof, respectively; and
    - ii. the sides, bottom and top are more than 0.5 m from the edges of the roof surface or the flat roof; and
  - 2. if placed in a roof surface other than as intended in 1°:
    - i. the structure does not project beyond the roof surface; and
    - ii. the sides, bottom and top are more than 0.5 m from the edges of the roof surface;
- d. a heat generation collector or an electricity generation panel on a roof, if the following requirements are satisfied:
  - 1. if placed on a pitched roof:
    - i. it is placed within the roof surface;
    - ii. it is placed in or directly on the roof surface; and
    - iii. the pitch is equal to the pitch of the roof surface;
  - 2. if placed on a flat roof: the distance to the sides of the roof is at least equal to the height of the collector or panel;
  - 3. if the collector or the panel is not an integral part of the system for water storage or for the conversion of the electricity generated: that system is placed on the inside of a structure;

- e. a frame, frame filling, façade cladding, insulation board or roof-edge covering, or plaster, if placed in or mounted on the rear wall or a side wall of a main building facing an area that is not open to the public, or placed in or mounted on an outside wall of an ancillary structure, in as much as that wall is located in the back garden area;
- f. an awning, roller grille, shutter or roller shutter mounted on or in a building, if, in as much as it is a roller grille, shutter or roller shutter mounted on a façade or a side wall of a main building, other than a residential dwelling or residential building, facing an area that is not open to the public, the following requirements are satisfied:
  - 1. it is placed on the inside of the external partition; and
  - 2. at least 75% comprises crystal-clear viewing openings;
- g. a partition between balconies or roof terraces;
- h. garden furniture, if it is no higher than 2.5 m;
- i. playground equipment or sports equipment for private use only, if the following requirements are satisfied:
  - 1. it is no higher than 2.5 m; and
  - 2. it only operates by means of gravity or a person's physical strength;
- j. a boundary partition or plot partition, if it is no higher than 1 m;
- k. a structure for bridging a site height difference of no more than 1 m that is no higher than the adjacent finished site;
- l. a flagpole on building premises, if the following requirements are satisfied:
  - 1. it is no higher than 6 m; and
  - 2. there is no more than one pole per building premises;
- m. an aerial system for mobile telecommunications on top of or mounted on a structure, including a fence for the security of such an aerial system on top of or mounted on a structure as intended in 1°, if the following requirements are satisfied:
  - 1. if placed on top of or mounted on a transmission tower, road gantry, advertising column, light tower, wind turbine, siren tower or a chimney that is not part of a structure, or on top of an aerial system as intended in n or another aerial system in as much as it is higher than 5 m:
    - i. the aerial, with the aerial support, is no higher than 5 m measured from the base; and
    - ii. the aerial is placed higher than 3 m, measured from the finished site adjacent to the structure; and
  - 2. if placed on top of or mounted on a structure other than as intended in 1°:
    - i. the aerial, with the aerial support, is no higher than 0.5 m measured from the base; or
    - ii. the aerial, with the aerial support, is no higher than 5 m measured from the base or, if it is mounted on an outside wall of a building, measured from the place where the aerial, with the aerial support, crosses the roof surface; in which respect:
      - the aerial, with the aerial support, is placed higher than 9 m, measured from the finished site adjacent to the structure;
      - the wires are placed in or directly along the aerial support or indoor, or in a cable tray, if this cable tray is placed more than 1 m behind the façade; and
      - the aerial support, if placed on the roof of a building:
        - 1. is mounted on or placed near an object present on the roof;
        - 2. is placed in the middle of the roof; or
        - 3. is placed elsewhere on the roof, if the distance in metres to the façade of the structure is at least equal to: 18 divided by the height at which the aerial, with the aerial support, is placed, measured from the finished site adjacent to the structure to the base of the aerial, with the aerial support;
  - n. an aerial system with a corresponding base station for the C2000 infrastructure for mobile communication used by emergency services;
  - o. an aerial system other than as intended in m and n, if the following requirements are satisfied:

1. for a satellite dish:
  - ii. the aerial system is placed behind the front garden area;
  - iii. the dish is no more than 2 m in diameter; and
  - iv. the dish, with the dish support, is no higher than 3 m measured from the base; and
2. for an aerial other than as intended in 1°:
  - i. the aerial system is placed behind the front garden area; and
  - ii. the aerial, with the aerial support, is no higher than 5 m measured from the base or, if it is mounted on the outside wall, measured from the place where the aerial, with the aerial support, crosses the roof surface;
- p. a structure for an infrastructural or public facility, in as much as it is:
  1. a structure for a utility, water management, air quality measurement, telecommunications traffic, public transport or road, railway, water or air traffic, if the following requirements are satisfied:
    - i. it is no higher than 3 m; and
    - ii. its surface area does not exceed 15 m<sup>2</sup>;
  2. a structure, not being a building, for:
    - i. keeping out objects that could endanger the safety of road, railway, water or air traffic;
    - ii. the safety of a road, railway or waterway or railway premises or aviation premises;
    - iii. traffic control, traffic guidance, enforcement of traffic rules, road indication, vehicle battery charging, lighting or toll charges;
    - iv. giving access to public transport or public transport buildings or for disabled persons to bridge heights in and near public transport buildings or platforms;
    - v. reducing noise produced by a road or railway line in implementation of a decision establishing a noise-production ceiling as an environmental value as intended in Article 2.13a or 2.15(2) of the Act; or
    - vi. reducing noise produced by a road or railway line in implementation of a measure chosen for a location in a programme as intended in Article 22.18 of the Act or a remediation plan as intended in Article 11.6o of the Environmental Management Act;
  3. overhead lines with the corresponding supporting structures or signal posts;
  4. underground piping systems, including underground wildlife crossings and with the exception of a pipeline as intended in Article 3.101 of the Environmental Activities Decree;
  5. a container for collecting domestic waste substances as intended in Article 1.1(1) of the Environmental Management Act, if the following requirements are satisfied:
    - i. it is no higher than 2 m; and
    - ii. if placed aboveground: its surface area does not exceed 4 m<sup>2</sup>;
  6. an electronic siren to warn the population in the event of emergencies or impending emergencies, including the corresponding mounting structure;
  7. street furniture; or
  8. furniture in public transport buildings or on platforms;
- q. a site hut, construction billboard, scaffold, pile driver, crane, dam wall, site layout or other auxiliary structure serving construction, maintenance or demolition work, temporary work in earthworks, road construction or hydraulic engineering or work with a mobile mining installation as intended in Article 3.322(1) of the Environmental Activities Decree, upon placement on or in the immediate vicinity of the site where that work is performed; or
- r. any other structure in the front or back garden area, if the following requirements are satisfied:
  1. it is no higher than 1 m; and
  2. its surface area does not exceed 2 m<sup>2</sup>.

**Article 2.15g****(restriction of permit-exempt environmental planning activities relating to structures on account of cultural heritage)**

1. Article 2.15f does not apply to an environmental planning activity performed in, on or on top of a municipal monument, provisionally protected municipal monument, provincial monument, provisionally protected provincial monument, national monument or provisionally protected national monument.
2. Only the following parts of Article 2.15f apply to an environmental planning activity performed near a municipal monument, provisionally protected municipal monument, provincial monument, provisionally protected provincial monument, national monument or provisionally protected national monument:
  - a. Article 2.15f(a), in as much as the colour and material of the structure also remain unchanged; and
  - b. Article 2.15f(b, c, f, h, i, k, l, p(2° through to 8°), q and r).
3. The following applies to an environmental planning activity performed at a location that has been assigned the function designation of a State-protected urban or village conservation area in the environment plan:
  - a. Article 2.15f(a), only in as much as the colour and material of the structure also remain unchanged; and
  - b. Article 2.15f(b through to r), only in as much as they comprise:
    1. internal changes;
    2. a change to a rear wall or back roof surface, if that wall or roof surface does not face an area that is open to the public;
    3. a structure on building premises at the back of a main building, if these building premises do not also form part of the building premises at the side of that building and do not face an area that is open to the public; or
    4. a structure at a location that is part of an area that is open to the public.

**Section 2.4****Floating structures****article 2.16****(floating structures)**

Chapters 3 through to 5, with the exception of Article 3.5, do not apply to a floating structure with a residential function created by changing the function of a ship.



## Chapter 3 Existing structures

### Section 3.1 General

- Article 3.1 (scope: activities)**  
This Chapter applies to the maintenance of an existing structure.
- Article 3.2 (scope: objectives)**  
The rules in this Chapter were drawn up with a view to:
- a. guaranteeing safety;
  - b. protecting health; and
  - c. sustainability and usability.
- Article 3.3 (scope: parties subject to the regulations)**  
The owner of the structure or the party that is authorised to alter that structure on another basis will comply with the rules in this Chapter. That party will ensure compliance with the rules governing the activity.
- Article 3.4 (scope: guiding article does not apply)**  
In this Chapter, a guiding article does not apply to a functional unit for which no rule is included in the table of that guiding article. This does not apply to Articles 3.11, 3.30, 3.36, 3.42 and 3.114.
- Article 3.5 (special duty of care: existing structures)**  
The party that is aware or may reasonably suspect that the condition of the structure may result in a risk to health or safety is required to take all measures that may be reasonably requested to prevent or discontinue that risk.
- Article 3.6 (obligation to inspect)**  
The owner of a structure or the party that is authorised to alter that structure on another basis is required to inspect the condition of that structure if it can be categorised in a category of structures designated by ministerial order which has reasonably been established to constitute a potential risk to health or safety.
- Article 3.7 (customised instructions)**
1. A customised instruction may be imposed on Article 3.5 and Sections 3.2 through to 3.7, with the exception of provisions on measurement or calculation methods.
  2. A customised instruction on Sections 3.2 through to 3.7 may only entail the imposition of an obligation to take measures to bring the condition of a structure to a level that is higher than the level of the rules in this Chapter, but no higher than the level of the rules in Chapter 4. The customised instruction will only be imposed if taking those measures is necessary in the judgement of the competent authority.
  3. Contrary to paragraph two, a customised instruction as intended in Articles 3.86, 3.130 and 3.132 may only cover the provisions of those Articles.

## Section 3.2

### § 3.2.1

#### Article 3.8

## Safety

### Structural safety

#### (guiding article)

1. A structure will be able to withstand forces exerted on the structure during its intended use.
2. If Table 3.8 designates rules for a functional unit, paragraph one will be complied with for that functional unit by complying with those rules.

Table 3.8

Gebruiksfunctie	Leden van toepassing		
	Artikel	Fundamentele belasting-combinaties	Bepalings-methode niet-bezwijken
	Lid	•	1 2
<b>1. Woonfunctie</b>			
a. in een woongebouw		•	1 –
b. andere woonfunctie		•	1 2
<b>7. Logiesfunctie</b>			
a. in een logiesgebouw		•	1 –
b. andere logiesfunctie		•	1 2
Alle niet hierboven genoemde gebruiksfuncties		•	1 –

#### Article 3.9

#### (fundamental combinations of loads)

A load-bearing structure will not collapse during its remaining useful life as intended in NEN 8700 in the event of the fundamental combinations of loads as intended in NEN 8700.

#### Article 3.10

#### (method of non-collapse determination)

1. The non-collapse as intended in Article 3.9 will be determined in accordance with NEN 8700.
2. For a residential function or accommodation function not located in a residential building or accommodation building, the determination of the non-collapse as intended in Article 3.9 may take into account a stabilising device of a functional unit of the same type located on an adjacent structure plot.

[...]

Sections 3.2.2 through Chapter 8 are not available in English. This also applies to Annexes I and II.

## Notice

This text is based up the following official publications in Dutch:

- Besluit bouwwerken leefomgeving ([Stb. 2018, 291](#))
- Invoeringsbesluit Omgevingswet ([Stb. 2020, 400](#))
- Aanvullingsbesluit geluid Omgevingswet ([Stb. 2020, 557](#))
- Aanvullingsbesluit natuur Omgevingswet ([Stb. 2021, 21](#))
- Aanvullingsbesluit grondeigendom Omgevingswet ([Stb. 2020, 532](#))
- Besluit, houdende wijziging van het Bouwbesluit 2012 en van enkele andere besluiten inzake bijna energie-neutrale nieuwbouw ([Stb. 2019, 501](#))
- Besluit, houdende wijziging van het Bouwbesluit 2012 en van enkele andere besluiten inzake de implementatie van de tweede herziening van de richtlijn energieprestatie gebouwen ([Stb. 2020, 84](#))
- Besluit tot wijziging van het Bouwbesluit 2012 en het Besluit bouwwerken leefomgeving in verband met het verbeteren van de veiligheid bij het bouwen en de veiligheid en gezondheid in bouwwerken en enkele andere wijzigingen ([Stb. 2020, 189](#))
- Besluit houdende wijziging van het Bouwbesluit 2012, het Besluit bouwwerken leefomgeving, het Besluit kwaliteit leefomgeving en het Omgevingsbesluit in verband met de introductie van een stelsel van certificering voor werkzaamheden aan gasverbrandingsinstallaties ([Stb. 2020, 348](#))
- Besluit tot wijziging van diverse besluiten in verband met de aanpassing van de methodiek voor het bepalen van de energieprestatie van gebouwen en de inijking van energielabels ([Stb. 2020, 454](#)).<sup>1</sup>

This document is a courtesy translation and not an official legal document. The Dutch texts contain the applicable legislation.

## Contact

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<sup>1</sup> The following subsequent modifications (and any later modifications) have not yet been translated and added tot this consolidated version:

- Besluit tot wijziging van het Asbestverwijderingsbesluit 2005, het Besluit stortplaatsen en stortverboden afvalstoffen, het Bouwbesluit 2012 en het Besluit bouwwerken leefomgeving ([Stb. 2021, 10](#))
- Besluit houdende aanpassing van het Bouwbesluit 2012 en het Besluit bouwwerken leefomgeving in verband met het regelen van de veiligheidscoördinator directe omgeving en enkele andere wijzigingen ([Stb. 2021, 147](#))
- Besluit tot wijziging van enkele algemene maatregelen van bestuur (stikstofreductie en natuurverbetering) ([Stb 2021, 287](#))

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