



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs  
Single Market Enforcement  
Notification of Regulatory Barriers

Notification Number : 2024/0340/NL (Netherlands)

## Collective decree construction works living environment decree 2024

Date received : 25/06/2024

End of Standstill : 26/09/2024

### Message

Message 001

Communication from the Commission - TRIS/(2024) 1646

Directive (EU) 2015/1535

Notification: 2024/0340/NL

Notification of a draft text from a Member State

Notification – Notificación – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificaci3n – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznamenie – Obvestilo – Anmälan – F3gra a thabhairt

Does not open the delays - N'ouvre pas de d3lai - Kein Fristbeginn - He ce передвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμία 3ναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéseket - Non fa decorrere la mora - Atid3jimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera op3znień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20241646.EN

1. MSG 001 IND 2024 0340 NL EN 25-06-2024 NL NOTIF

2. Netherlands

3A. Ministerie van Financiën

Belastingdienst/Douane centrale dienst voor in- en uitvoer

3B. Ministerie van Binnenlandse Zaken en Koninkrijksrelaties

Directie Constitutionele Zaken en Wetgeving

Afdeling Wonen en Leefomgeving

4. 2024/0340/NL - B00 - CONSTRUCTION

5. Collective Decree on Environment Buildings Decree 2024

6. new and existing buildings, buildings with educational accommodation, carbon dioxide meter

7.



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8. The amendments have a different background; improving building safety and health, durability and usability.

Article I, subsection U: contains the obligation to install facilities for nests and permanent resting or residence places for house sparrows, swifts and bats in an external partition construction of new buildings. The technical requirements are further developed in an amendment to the environmental regulation to be notified. Subsection S shall provide that the side of the structural part adjacent to the outdoor air shall comply with 'D' fire class, as is the case for similar parts to doors, windows and frames.

Subsections I to L, P, Q, R, V, W, Y, Z, AE, AH and AL all refer to accessibility requirements for buildings. For new residential buildings, a threshold of 20 mm will apply to a main access of a residential building, access to the outdoor space (balcony, garden) and access to the outdoor shed. It is stipulated that both the main access and the access to the outer storage must be accessible and accessible from the public highway. The requirements relating to the accessibility and reachability of buildings other than residential buildings have been specified.

Subsections M, N, AI, AJ extend the requirement to have a carbon dioxide meter in an education accommodation area from primary only, to special and secondary education. In addition, it will be possible to use CO<sub>2</sub>-meters with an electrical power supply in addition to CO<sub>2</sub> meters on only mains voltage.

Subsections AF and AG require new construction works to double the fire-hose connection of a dry fire pipe. This means that there is a connection on each floor both in the stairway or smoke lock and in the adjacent space behind the stairway or smoke lock.

Subsections A to F clarify in which cases an environmental permit is required for a construction activity.

A mutual recognition clause is included in Article 1.2 of the Decree on construction works in living environments.

9. The purpose of the amendments is to protect the health and safety of people using a building, to promote the sustainability of the living environment and to promote the accessibility of buildings.

The rules on nesting facilities are laid down with a view to sustainability. Both buildings and nature are part of the physical environment. Providing facilities for nesting, resting and dwelling places for the preservation or enhancement of protected species that depend on those structures for these facilities ('nature-inclusive building'), contributes to the preservation of natural capital and thus a sustainable physical environment for future generations.

The objective of the carbon dioxide meter requirements is to have tools in place to measure CO<sub>2</sub> values throughout the primary and secondary education system. Based on the CO<sub>2</sub> values, appropriate measures can be applied to maximise indoor climate quality. Only primary and secondary education is taken into account because pupils in this type of education remain mainly in the same educational spaces. The importance of healthy indoor climate conditions is of great importance for them. The government previously made EUR 17.3 million available in 2022 for the purchase of CO<sub>2</sub> meters for each classroom. Research reveals that 40% of the school boards surveyed do not have meters (partly or otherwise). The incentive measure therefore did not have the desired effect. It is therefore considered necessary to require CO<sub>2</sub> meters in each occupied area of an educational post.

The requirement for dry fire pipes follows from recommendations of an advisory committee in relation to the fire at the London Grenfell Tower. Further research has been carried out in order to include requirements in the Bbl (Environment Buildings Decree) that the fire hose connection of the dry fire line must be duplicated in new buildings. A flexible system of fire-fighting water is needed in order to limit the spread of smoke while being able to combat the fire. In this respect, it is crucial that the hose can be connected as close as possible to a fire fireplace and the minimum number of doors – and in particular those to and from common escape routes such as the stairway enclosure – should be opened. At the same time, as there are many variables and uncertainties during an incident, the fire brigade needs fixed locations of facilities or starting points that are the same for all buildings and from where they can work safely. By duplicating the fire hose connection of the dry fire line, the fire brigade can assess on a situational basis whether the focus should be on fire-fighting and rescue and/or evacuation of persons threatened by the smoke, or on limiting the spread of smoke. In addition, it is possible to connect close to the source of the fire.

As part of the implementation of the United Nations Convention on the Rights of Persons with Disabilities (hereinafter the UN Disability Convention), the Minister of the Interior and Kingdom sent the Action Plan "Accessibility for Construction" to the House of Representatives on 18 January 2018. This action plan has, among other things, initiated a movement to



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improve the physical-architectural accessibility of homes and buildings. Amendments to the building regulations have already been made to this end. For outdoor areas of dwellings, it was still necessary to examine whether a threshold height requirement (of 20 mm) is practicable in the case of new buildings in respect of balconies, loggias and roof terraces. Research reveals that the requirement is feasible in outdoor areas. A study also looked at the new accessibility requirements introduced in 2021 and 2022. This has led to a number of adjustments.

The clarification in which cases an environmental permit is required for a construction activity has been made in response to practical questions.

The objectives cannot be achieved by any other or less far-reaching means. The provisions apply to all cases without distinction, and are non-discriminatory. The requirements shall apply to both domestic and foreign construction companies and owners.

10. Numbers or titles of basic texts: The basic texts were sent with a previous notification:  
2019/0496/NL

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

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European Commission

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