

Retaining walls across private gardens

(November 2024) (Third issue – supersedes June 2022)

The Technical Guidance Notes are produced by NHBC as guidance solely for our builder customers as to how to interpret the technical requirements in relation to the warranty cover provided by NHBC under its Buildmark, Buildmark Choice, Buildmark Link, Buildmark Solo, Buildmark Connect or any similar product from time to time. It has not been created or intended for distribution or use outside of that purpose. The information contained in this Technical Guidance Note does not constitute advice and is not to be relied upon by any third party. Nothing in this Technical Guidance Note is intended to, nor should it be taken to, create any legal or contractual relationship. Any third party who chooses to rely upon the information contained in the Technical Guidance Notes shall do so entirely at their own risk and NHBC accepts no duty of care or liability, however caused, in connection with its use or reliance by any third party.

Question

Is permanent access and guarding always required to retaining walls across private gardens?

Considerations

- NHBC Standards clauses 10.2.5 require steps and guarding where structures retain land more than 600mm high to which people have access.
- NHBC Standards clause 10.2.9 states access is not required to small isolated garden areas such as narrow strips of land at the top or bottom of retaining walls.
- Areas of low maintenance planting above or below a retaining wall may only require limited access for maintenance.

Answer

Where any area of land above a retaining wall is planted solely with low maintenance plants which require only infrequent access for maintenance and the retaining structure cannot be readily climbed by young children (under 5 years), permanent access and guarding is not required (See diagram 1).

Temporary access e.g. a ladder, can be provided by the gardener who should be aware of the potential risk of falling from unguarded drops and be responsible for their own safety.

Where land below a retaining wall is similarly planted permanent access is not required but guarding is required in accordance with NHBC Standards clause 10.2.5 (See diagram 2).

Retaining walls across private gardens

(November 2024) (Third issue – supersedes June 2022)

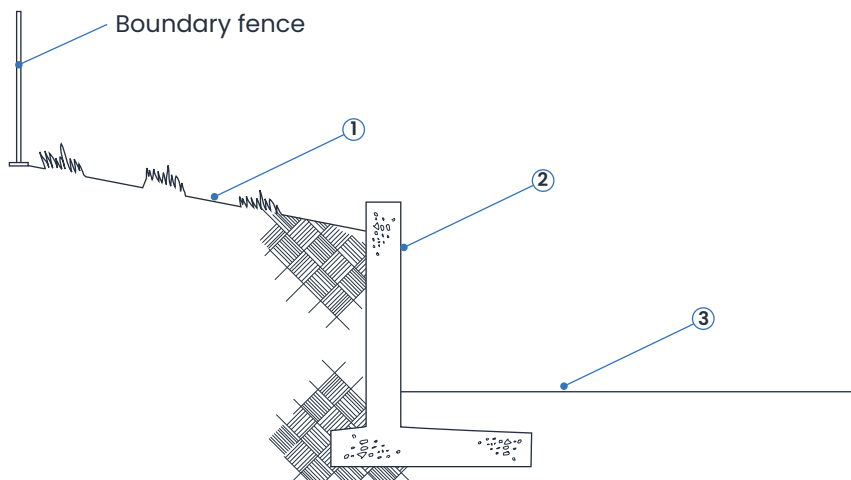


Diagram 1 – No guarding or permanent access required

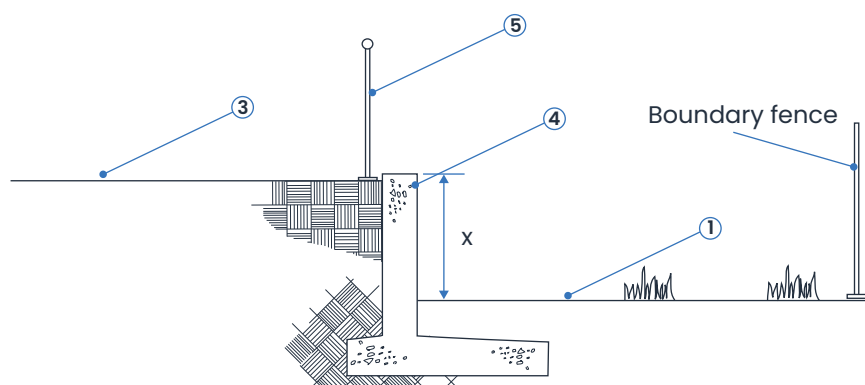


Diagram 2 – No permanent access required
– Guarding required where 'x' is greater than 600mm

- 1 Low maintenance planting to whole area
- 2 Retaining structure not readily climbed by children under 5 years e.g. fairface masonry at least 900mm high
- 3 Main garden area for family use
- 4 Retaining structure
- 5 Guarding where 'x' is greater than 600mm. Guarding to be 1100mm high, not readily climbed by children with no gaps able to pass 100mm sphere.