



HM Government

Manual to the Building Regulations

A code of practice for use in England



Acknowledgements

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Introduction

This is a short manual on the [Building Regulations](#), providing guidance on the [Building Regulations](#) system in England. Volume 1 of this manual gives a very high-level outline of how the [Building Regulations](#) system currently works. Volume 2 goes into more detail. The manual is only a summary. You should always rely on what is said in the legislation, rather than the guidance in this manual. You should think about what help you need with your project. There are professionals who can give you advice on your project. This can help you make sure that you comply with the [Building Regulations](#).

When you do one of the following, [Building Regulations](#) are likely to apply:

- a. put up a new [building](#)
- b. change or make bigger a [building](#) that is already built
- c. change the use of a [building](#) that is already built or
- d. alter the building services if they are either what is legally called:
 - i. a ‘[controlled service](#)’ or
 - ii. a ‘[controlled fitting](#)’ (these terms are explained in Appendix I).

The [Building Regulations](#) may apply in and around [buildings](#). These requirements are intended to protect people’s safety, health and welfare. They also set standards for accessibility, water use, energy use and security. The [approved documents](#) give further guidance for many common building situations. They contain statutory guidance on how to meet the requirements of the [Building Regulations](#).

Dame Judith Hackitt led the Independent Review of Building Regulations and Fire Safety following the Grenfell Tower tragedy. Dame Judith’s expert group called for this manual to be revised and made available.

The Building Act 1984 set up a simple way of regulating building in England (and, at the time, in Wales). This new system was explained by a manual, the *Manual to the Building Regulations*. The old manual is now out of date. This current manual replaces previous manuals in England.

In the coming months, the government intends to introduce legislation to deliver a new Building Safety Regulator. The new regulator will be responsible for implementing and enforcing a more stringent regulatory regime for higher-risk residential buildings (HRRBs) (a term defined by the Independent Review). The new regulator will also provide wider and stronger oversight of safety and performance across all [buildings](#).

The Fire Safety Bill, recently introduced by the government, and associated regulatory changes will enable delivery of the recommendations from the Independent Review. The Bill places beyond doubt that external wall systems, including cladding, and the fire doors to individual flats in multi-occupied residential blocks fall within the scope of the Regulatory Reform (Fire Safety) Order 2005. These changes will affirm fire and rescue services’ ability

to enforce locally against building owners or managers who have not remediated unsafe aluminium composite material (ACM) cladding from multi-occupied residential [buildings](#).

This manual is split into two parts:

- a. Volume 1 is an overview of the [Building Regulations](#) system. It is written to give a simple overview of how the system works.
- b. Volume 2 gives more detailed guidance. It is written for people working in the construction industry.

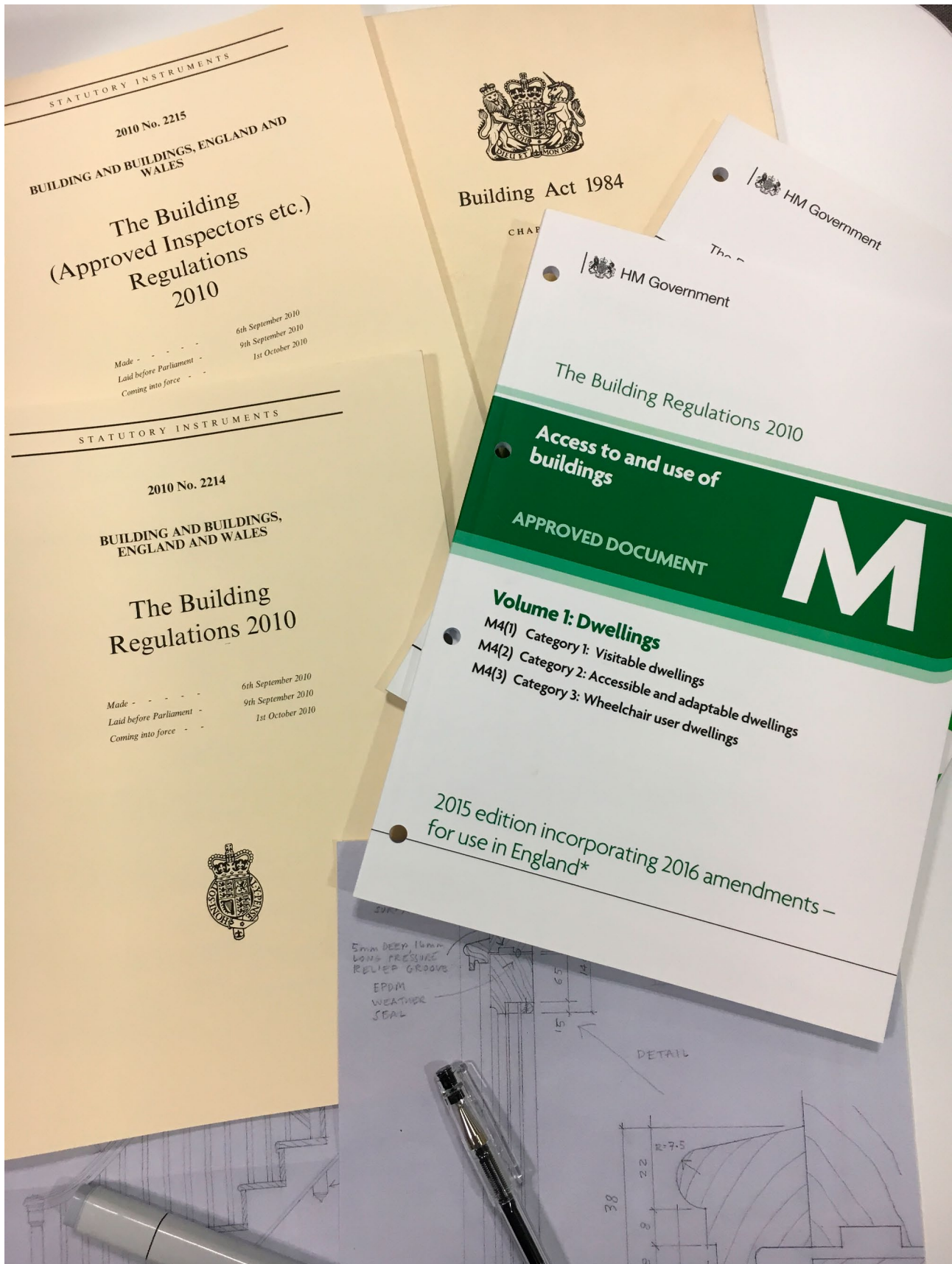
You will need to know when [Building Regulations](#) apply. Before you start to plan a project, you should seek professional advice. This manual is not intended to provide legal, construction, design or planning advice. It is the duty of anyone responsible for [building work](#) to understand and meet their legal obligations.

There will be changes to the legislation and guidance summarised in this manual. You should check whether you are reading the most up-to-date version.

The key terms are highlighted in [blue](#) and listed in Appendix I. A list of references is given in Appendix II.



Manual to the Building Regulations Volume 1: Overview



Chapter 1

The regulatory framework

The Building Regulations

The Building Act 1984 (the [Building Act](#)) is the most wide-reaching law controlling building in England. It sets the enforcement powers. The Building Regulations 2010 (the [Building Regulations](#)) go into more detail about [building work](#). Most [building work](#) carried out in England must comply with the [Building Regulations](#). The legal term ‘[building work](#)’ generally includes building new [buildings](#), making [buildings](#) bigger, altering [buildings](#) and changing what they are used for. It also covers installing a ‘[controlled service](#)’ or a ‘[controlled fitting](#)’. A replacement window is an example of a [controlled fitting](#). A boiler is an example of a [controlled service](#). ‘[Renovation of thermal elements](#)’ is also [building work](#). This includes roofs or external walls. Those responsible for carrying out [building work](#) have a duty to meet the requirements of the [Building Regulations](#).

Generally, the [Building Regulations](#) set out the required standards for the [building work](#). For example, a home must be insulated, but the [Building Regulations](#) do not tell you how you should do it. The [approved documents](#) give help for some common problems.

There are 15 technical requirements in [Schedule 1](#) to the [Building Regulations](#). Each technical requirement corresponds to a letter – for example, Part B is fire safety. These set out some of the legal requirements of the [Building Regulations](#) – these are rules that must be followed. They are often referred to as technical requirements. In addition to these, there are some other requirements in the [Building Regulations](#). Some of these are about keeping energy use low. The people planning the work can decide how best to meet the rules, and there is guidance to help them (see the next section on [approved documents](#)). Everyone involved in carrying out [building work](#) must obey the rules. That includes: the building owner, agents, designers, builders and installers. The [Building Regulations](#) also allow inspections and enforcement to take place. [Building control bodies](#) or building inspectors will need to be satisfied too. [Building control bodies](#) is the term used for the organisations which check or inspect [building work](#).

Approved documents

The [Building Act](#) allows the government to publish [approved documents](#). The government may also approve other guidance. The [approved documents](#) give more detailed advice on how to meet the legal requirements of the [Building Regulations](#) for some common situations. The [approved documents](#) should be useful for most domestic projects. The [approved documents](#) may not be relevant for all situations. Limitations on using the [approved documents](#) are discussed in Chapter 7 of this volume and Chapter F in Volume 2. You do not have to follow the guidance in [approved documents](#), but if you don’t you need to be sure that your [building work](#) meets the legal rules.

Following the [approved documents](#) does not always guarantee that you are complying with the [Building Regulations](#).

A list of the [approved documents](#) is set out in Table 1.1. When working on a [building](#) that is already there, you should agree with the [building control body](#) the approach to standards.

Table 1.1 List of the approved documents and what they cover

Dwellings		Other buildings	
New	Existing ¹	New	Existing ¹
A: Structure			
B: Fire safety, Volume 1: Dwellings		B: Fire safety, Volume 2: Buildings other than dwellings	
C: Site preparation and resistance to contaminants and moisture			
D: Toxic substances			
E: Resistance to the passage of sound			
F: Ventilation			
G: Sanitation, hot water safety and water efficiency			
H: Drainage and waste disposal			
J: Combustion appliances and fuel storage systems			
K: Protection from falling, collision and impact			
L: Conservation of fuel and power L1A New dwellings	L: Conservation of fuel and power L1B Existing dwellings	L: Conservation of fuel and power L2A New buildings other than dwellings	L: Conservation of fuel and power L2B Existing buildings other than dwellings
M: Access to and use of buildings Volume 1: Dwellings		M: Access to and use of buildings Volume 2: Buildings other than dwellings	
P: Electrical safety – dwellings ²		P: No approved document	
Q: Security – dwellings	Q: No requirement	Q: No requirement	
R: Physical infrastructure for high-speed electronic communications networks			
NOTES:			
1. The requirements that apply to material changes of use are covered in Table A2 in Volume 2.			
2. Approved Document P provides guidance for other buildings if the supply is shared with a dwelling.			

Following other guidance

It is important to agree with the [building control body](#) that the standards you are using are right for your project. If you are undertaking a project that needs to be checked by others, you should make sure you are designing to the right standards.

Any work that the [Building Regulations](#) apply to must meet all requirements in [Schedule 1](#) which are relevant to the project. For example, new electrical wiring must comply with Part P (electrical safety), Part L (energy efficiency) and Part M (access to and use of buildings). It also must comply with the fire safety requirements of Part B. The [materials](#) and workmanship must meet [Regulation 7](#) of the [Building Regulations](#). A list of other laws that often govern [buildings](#) or [building work](#) is given at the end of this document (in Appendix II).

The legal requirements of the [Building Regulations](#) must always be met when they apply to your project. Although the local authority has some powers to relax [Building Regulations](#) you should take your own legal advice if you don't think you can comply with every part of the [Building Regulations](#). This applies to all those responsible for [building work](#). This includes: the building owner, agents, designers, builders and installers.

Meeting the requirements of the [Building Regulations](#) can be complex. For example, it is a good idea that those designing or carrying out work are skilled in designing and constructing [buildings](#). It may be necessary to seek advice. The more complex your project, the more expert help you are likely to need.

Chapter 2

The building control process

The building control process involves building inspectors approving some aspects of the [building work](#). Three laws control this process in England. These are the Building Act 1984 ([Building Act](#)), the Building Regulations 2010 ([Building Regulations](#)) and the Building (Approved Inspectors etc.) Regulations 2010 ([Approved Inspectors Regulations](#)).

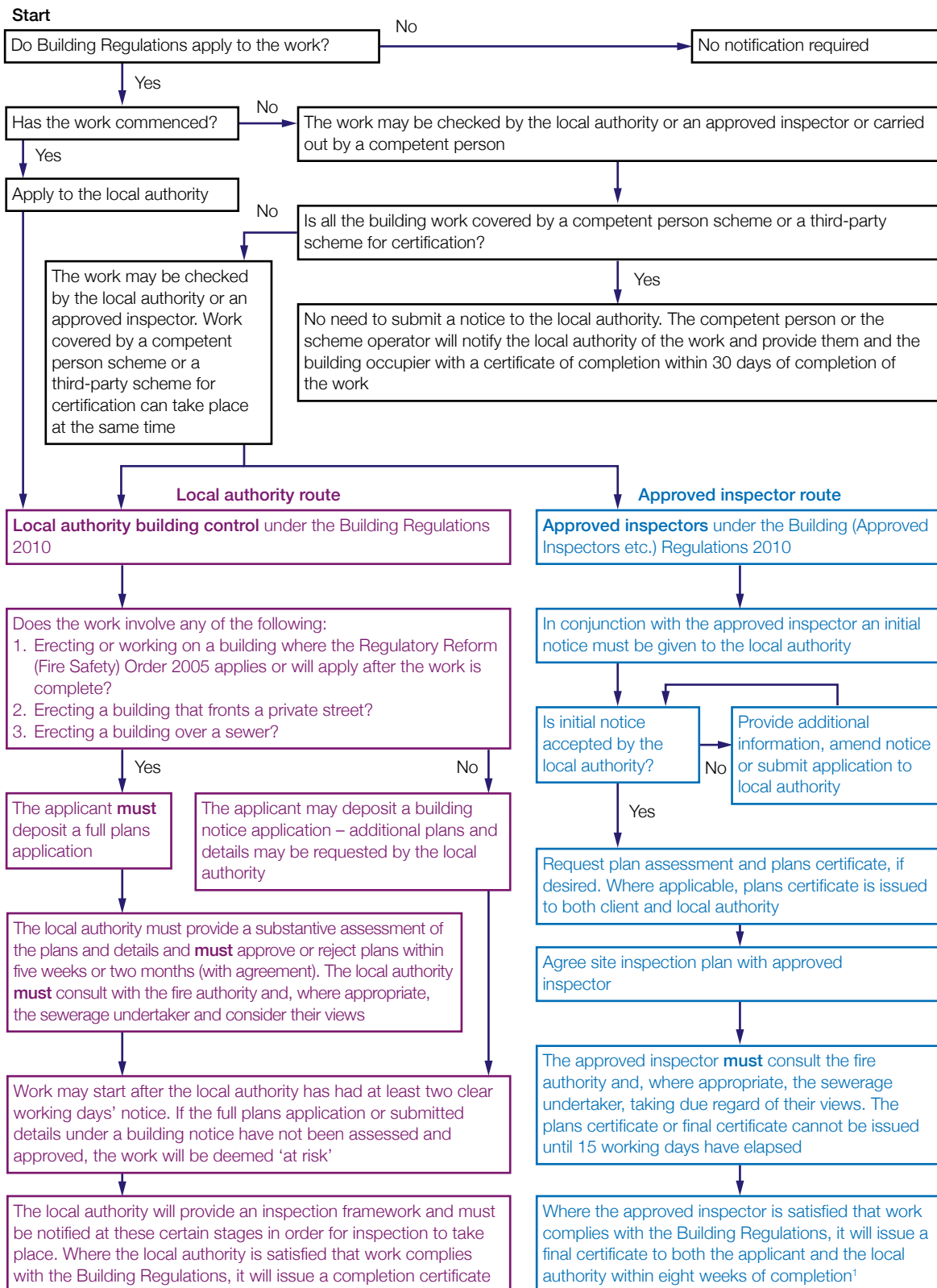
There are several paths through the building control process.

- a. The work may be checked by a [building control body](#), either:
 - i. [local authority building control](#) or
 - ii. a licensed [approved inspector](#).
- b. Some types of work may be done by a 'competent person'. This is a term for an installer who works under a scheme that has been approved by the government.



The flowchart in Figure 2.1 provides a simplified overview of the building control process for those involved in [building work](#).

Figure 2.1 The building control process



NOTES:

1. The approved inspector must issue a final certificate within four weeks of occupation for buildings other than dwellings or eight weeks for dwellings. Regulation 17(7) of the Approved Inspectors Regulations allows a local authority to extend these time periods either before or after expiry.

Refer to Volume 2, Chapter E for details of **approved inspectors' initial notices**.

More information on the building control process can be found in Volume 2, Chapter A.

Chapter 3

Do I need to notify someone?

If you are going to carry out [building work](#) that is controlled under the [Building Regulations](#) then you need to notify or get approval from a [building control body](#) before you start the work. This does not apply to work which is carried out under a [competent person scheme](#).

[Building Regulations](#) approval is different to [planning permission](#) and [listed building consent](#). You could need all three. To find out if your project will need planning consents, contact your local planning authority. If you are carrying out work under planning 'permitted development' rights, you are likely to need to go through the building control process. Even if your building project follows your planning permission, you must still meet the requirements of the [Building Regulations](#).

You must check if the work you are about to carry out is controlled under the [Building Regulations](#) before you start work. You can ask a [building control body](#) whether the [Building Regulations](#) apply to your project. A [building control body](#) can be either your [local authority building control](#) service or an [approved inspector](#). [Regulation 3](#) of the [Building Regulations](#) sets out the meaning of the term [building work](#). [Building work](#) is controlled by the [Building Regulations](#).

In summary, when you do one of the following, [Building Regulations](#) are likely to apply:

- a. put up a new [building](#)
- b. change or make bigger a [building](#) that is already built
- c. change the use of a [building](#) that is already built or
- d. alter the building services if they are either what is legally called:
 - i. a '[controlled service](#)' or
 - ii. a '[controlled fitting](#)' (these terms are explained in Appendix I).

You may also need [Building Regulations](#) approval for many other things, such as:

- a. replacing consumer units or installing new electric circuits
- b. installing new plumbing and waste connections
- c. changing existing electric circuits near a bath or shower
- d. putting in a ventilation or air-conditioning system
- e. replacing windows and doors
- f. replacing roof coverings on pitched and flat roofs
- g. putting in or replacing a heating system
- h. adding extra radiators

- i. removing a chimney breast
- j. removing a wall (load bearing and sometimes non-load bearing)
- k. creating a through lounge.

[Local authority building control](#) or an [approved inspector](#) can advise on whether the [Building Regulations](#) apply.

Some work does not have to be checked by a [building control body](#) but must still comply with the [Building Regulations](#). An example is putting in new loft insulation (unconnected to a material change of use or other [building work](#)). In all cases, seek advice from a [building control body](#) to see if the [Building Regulations](#) apply.

Combustion installations, such as gas boilers, must be installed to comply with the Gas Safety (Installation and Use) Regulations 1998 (subsequently referred to as the Gas Safety Regulations) and the [Building Regulations](#). Gas installations, such as a gas cooker, must also comply with the Gas Safety Regulations and the [Building Regulations](#). The Gas Safety Regulations require that people who work on gas systems must be registered as competent. This means that they must be on the Gas Safe Register. This is a list of competent persons who may install, service or repair gas appliances or fittings. You can check the list at the following website:

<https://www.gassaferegister.co.uk/>

The Gas Safety Regulations cover the installation, maintenance and use of gas fittings, appliances and flues.

Summary

You might need approval, or be required to follow certain rules, for works not listed here. Check with your [local authority building control](#) service or an [approved inspector](#) to decide whether you need approval. You do not need [Building Regulations](#) approval for the following:

- a. Work that is not covered by the [Building Regulations](#).
- b. Work carried out by someone who is registered with a [competent person scheme](#) where the type of work is within the scope of the scheme.
- c. You do not need advance approval for emergency repairs to your boiler or heating system, but you must comply with the Gas Safety Regulations.

What happens to those who don't comply with the Building Regulations?

Where [building work](#) is carried out without asking for [Building Regulations](#) approval, the owner or the person doing the work may be taken to court. Local authorities can take action when [building work](#) does not comply with the [Building Regulations](#) or when [buildings](#) are unsafe. The local authority can take action against the building owner or those doing the [building work](#). You may be made to pay for faulty work to be fixed. The courts can impose unlimited fines. Without approval the building owner will not have certificates of compliance, which they may need when selling or insuring their home.

See Volume 2, Chapter A, for more details on when the [Building Regulations](#) apply. You can also check with your [local authority building control](#) service or an [approved inspector](#).

Chapter 4

Is a building control body involved?

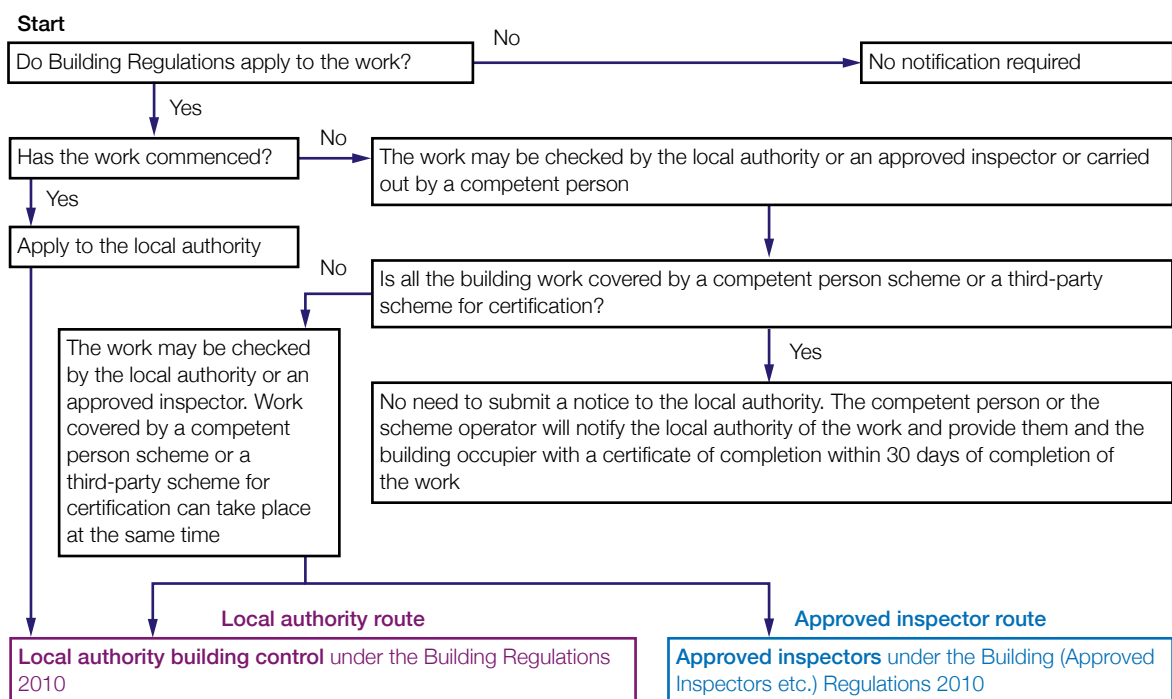
When [Building Regulations](#) apply to the work you want to do, then you need either to:

- involve a [building control body](#) – either [local authority building control](#) or an [approved inspector](#) – or
- use an installer registered under a [competent person scheme](#) to do the work.

If you need to involve a [building control body](#), you will need to notify them of your [building work](#). You will then need to seek their approval and explain how your work will meet the requirements of the [Building Regulations](#). They will provide advice and carry out some checks.

For some types of work you can use a [competent person scheme](#). Examples include mechanical ventilation systems, electrical work and home window replacement. This means that you do not have to get the [building control body](#) to check the work done under the [competent person scheme](#). Installers registered with a [competent person scheme](#) must follow certain rules to make sure they comply with the [Building Regulations](#). They must issue a certificate to show that they have complied.

You can use both a [building control body](#) and a [competent person scheme](#) on the same project.



Using a building control body

If the work has started or been completed and you have not notified a [building control body](#) then you cannot use an [approved inspector](#). You can only use your [local authority building control](#) service to approve your work. [Local authority building control](#) are not obliged to approve work that has already been carried out. It is a good idea to seek approval before starting your work. This may avoid you being asked to change or demolish your work later.

Where [building work](#) does not comply with the [Building Regulations](#), the person who did the work may be taken to court. To make it easier for people who wish to have work approved which has already been started or finished, there is a process called 'regularisation'. The local authority will try to determine whether the works meet the [Building Regulations](#). The reason for doing this is to get a 'certificate of regularisation' for your works. This may mean that you have to open up works. You could be asked to take down or rebuild work.

You should discuss your project with your [local authority building control](#) service before making a 'regularisation application'. You will be charged for this service. For further information on the process, see Volume 2, Chapter B, paragraphs B13 to B17.



You can learn more about when to use a [building control body](#) in Volume 2, Chapter B.

Chapter 5

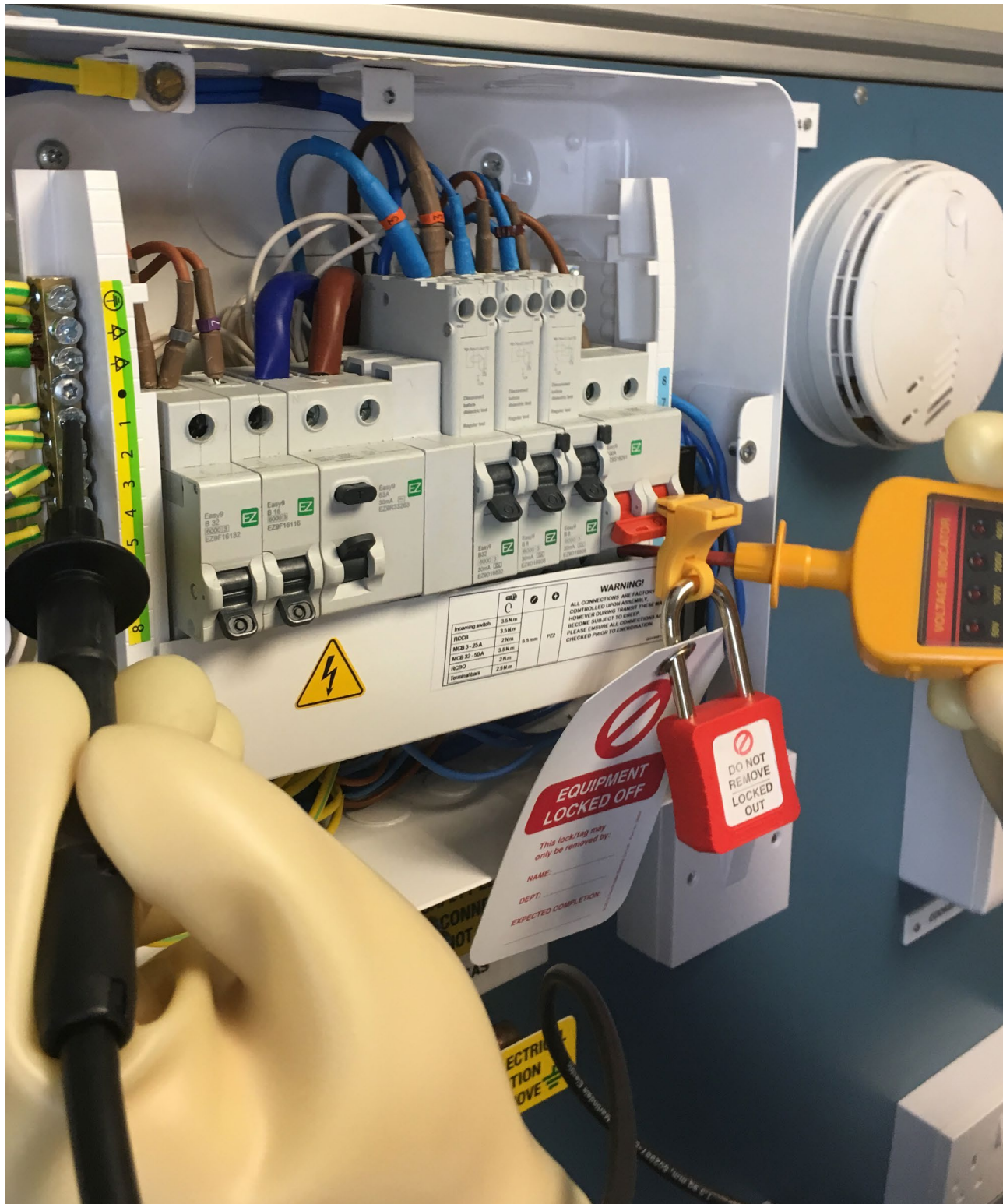
Competent person schemes

Competent person schemes let tradespeople show that they can do certain works. Examples include home window replacements or gas boiler installations. You do not need to apply for [Building Regulations](#) approval for work completed by an installer who is working under a [competent person scheme](#).



Only installers who are registered with a [competent person scheme](#) can self-certify that their work complies with the [Building Regulations](#). Where necessary, they will tell your local authority about the work for you. You will receive a certificate from them within 30 days of completion of the work. This will confirm that the work complies with the [Building Regulations](#). This certificate will also show up in property searches if you sell your home. If you don't receive a certificate within 30 days of completion, the [competent person scheme](#) operator that your installer is registered with should be able to help.

You can learn more about [competent person schemes](#) in Volume 2, Chapter C.



Chapter 6

Local authority building control and approved inspectors

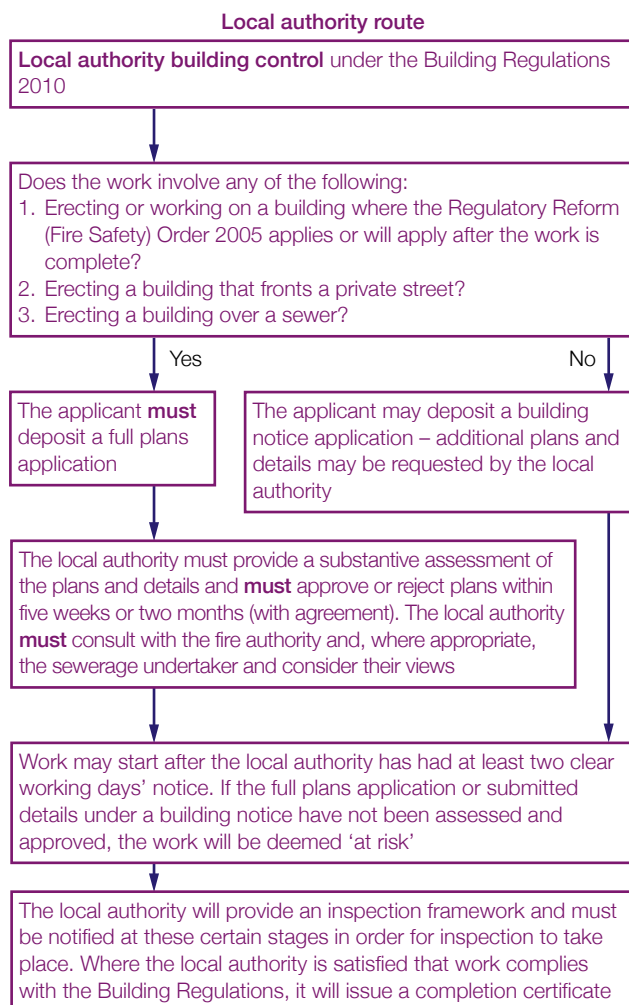
There are two types of **building control body**. These are:

- a. local authority building control
- b. approved inspectors.

It is up to you which you use if your work has not started. If it has started, you must use **local authority building control**.

Local authority building control

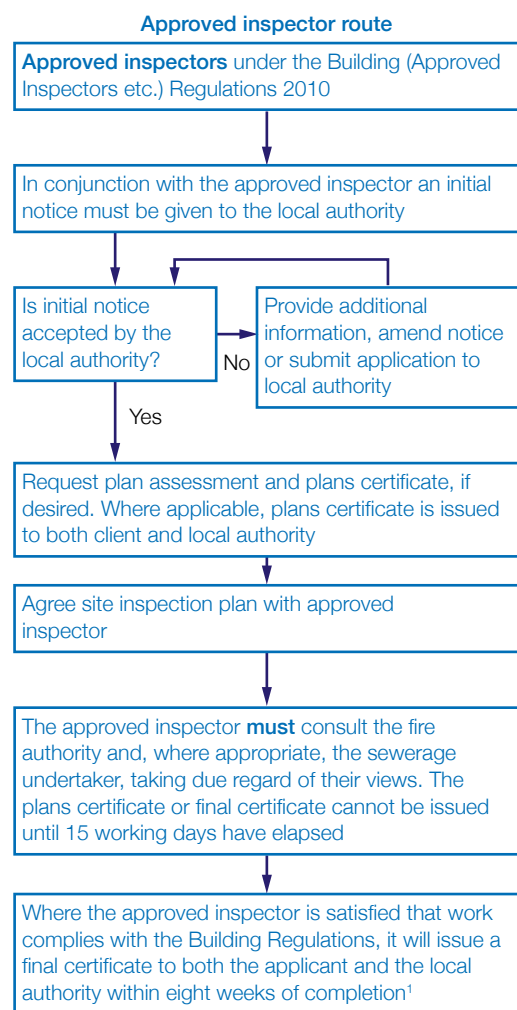
If you apply for approval for your project from your local authority, then the process will broadly follow this route:



Approved inspectors

You can apply for approval for your project through a licensed [approved inspector](#). [Approved inspectors](#) are independent of your local authority. An [approved inspector](#) will inform your local authority of the work by giving an [initial notice](#).

The Building (Approved Inspectors etc.) Regulations 2010 ([Approved Inspectors Regulations](#)) are the main law governing [approved inspectors](#). If you use an [approved inspector](#) then the process will broadly follow this route:



When the person carrying out the building work engages an approved inspector, together the person and the approved inspector must give the local authority both of the following:

- a. an initial notice
- b. an insurance declaration demonstrating that the approved inspector has the appropriate professional and public liability insurance.

The content of an initial notice is outlined in Form 1 in Schedule 1 to the Approved Inspectors Regulations. The initial notice must contain all of the following information:

- a. a description of the work
- b. in the case of a new building or extension:
 - i. a site plan to a scale of not less than 1:1250 showing the boundaries and location of the site
 - ii. a statement that if work involves building over or near any drain, sewer or disposal main shown on any map of sewers kept by the sewerage undertaker, the approved inspector will consult the sewerage undertaker.

NOTES:

1. The approved inspector must issue a final certificate within four weeks of occupation for buildings other than dwellings or eight weeks for dwellings. Regulation 17(7) of the Approved Inspectors Regulations allows a local authority to extend these time periods either before or after expiry.

You can learn more about these two types of [building control body](#) and their role in checking that [building work](#) complies with the [Building Regulations](#) later in this manual. Chapter D in Volume 2 covers [local authority building control](#) and Chapter E looks at [approved inspectors](#).

Chapter 7

Meeting the technical requirements

Complying with the Building Regulations

The key legal requirements which your [building work](#) must meet in order to comply with the [Building Regulations](#) are frequently referred to as the ‘technical requirements’. The technical requirements are set out in [Schedule 1](#) to the [Building Regulations](#) and the areas addressed in the requirements are summarised in Table 7.1 below.

Table 7.1 Key technical requirements of the Building Regulations	
Lettered parts from Schedule 1	Building Regulations specific to each part
A: Structure	
B: Fire safety	Regulations 7, 38
C: Site preparation and resistance to contaminants and moisture	
D: Toxic substances	
E: Resistance to the passage of sound	Regulation 41
F: Ventilation	Regulations 39, 42, 44
G: Sanitation, hot water safety and water efficiency	Regulations 36, 37
H: Drainage and waste disposal	
J: Combustion appliances and fuel storage systems	
K: Protection from falling, collision and impact	
L: Conservation of fuel and power	Regulations 23, 24, 25, 25a, 26, 26a, 27, 27a, 28, 35, 40, 43, 44
M: Access to and use of buildings	
P: Electrical safety (dwellings)	
Q: Security (dwellings)	
R: Physical infrastructure for high speed electronic communications networks (dwellings)	
NOTE: The Building Regulations, including Regulation 7, also apply.	

In addition to complying with the technical requirements in [Schedule 1](#) to the [Building Regulations](#), work controlled by the [Building Regulations](#) must be carried out with adequate and proper [materials](#) and in a workmanlike manner, as required by [Regulation 7](#) of the [Building Regulations](#). Further details are given in Chapter F in Volume 2.



The visual quality of [building work](#) is only controlled by the [Building Regulations](#) if it affects technical compliance with the [Building Regulations](#). This means that the quality of pointing of brickwork is only important if it affects, for example, the structural stability of the wall or another requirement regarding work controlled by the [Building Regulations](#).

[Building Regulations](#) ban the use of combustible [materials](#) in the external walls of certain tall residential [buildings](#). For further information, see [Approved Document B](#), Volume 1: Dwellings.

How to use the technical guidance

While the legal requirements are contained in the [Building Regulations](#) (summarised above), the [approved documents](#) contain guidance on how you may be able to meet those legal requirements.

The [approved documents](#) provide guidance for common building situations. They may not provide appropriate guidance if the case is unusual in terms of its design, setting, use, scale or technology. Non-standard conditions may include any of the following:

- a. difficult ground conditions
- b. [buildings](#) with unusual occupancies or high levels of complexity
- c. very large or very tall [buildings](#)
- d. large timber [buildings](#)
- e. some [buildings](#) that incorporate modern construction methods.

The full list of the [approved documents](#) and what they cover is given in Table 1.1 in Chapter 1. The [approved documents](#) will be relevant in many common building situations. Anyone using the [approved documents](#) should have sufficient knowledge and skills to understand the guidance and correctly apply it to the [building work](#). This is important because simply following the guidance does not guarantee that your [building work](#) will comply with the legal requirements of the [Building Regulations](#).

Each [approved document](#) contains legal requirements (which you must follow) and guidance (which you may or may not choose to follow). The text in a box with a green background

at the beginning of each section of an [approved document](#) is taken from the [Building Regulations](#). This text sets out the legal requirements. The explanation which follows the legal requirements is guidance (Figure 7.1).

The guidance then explains one or more ways to demonstrate how [building work](#) should comply with the legal requirements in common circumstances.

The terms in green lettering in an [approved document](#) are key terms, listed and explained in the appendix to that [approved document](#).

Guidance in the [approved documents](#) addresses most, but not all, situations that homeowners will face. Situations may arise that are not covered. You or your advisers will need to carefully consider whether following the guidance will mean that the requirements of the [Building Regulations](#) will be met.

Figure 7.1 The relationship between regulations and guidance in the approved documents

K4
Protection against impact with glazing

Requirement K4: Protection against impact with glazing

This approved document deals with the following requirement from Part K of Schedule 1 to the Building Regulations 2010.

Requirements	Limits on application
<p><i>Requirement</i></p> <p>Protection against impact with glazing</p> <p>K4.—Glazing, with which people are likely to come into contact whilst moving in or about the building shall:</p> <ul style="list-style-type: none"> (a) if broken on impact, break in a way which is unlikely to cause injury; or (b) resist impact without breaking; or (c) be shielded or protected from impact. 	<p><i>Limits on application</i></p>

Performance

In the Secretary of State’s view, you can meet requirement K4 if you adopt, in critical locations, one of the following approaches.

- a. Measures to limit the risk of cutting and piercing injuries by the use of glazing that is reasonably safe, such that, if breakage did occur, any particles would be relatively harmless.
- b. Use of glazing sufficiently robust to ensure that the risk of breakage is low.
- c. Steps are taken to limit the risk of contact with the glazing.

Key

- 1 The law: extract from Schedule 1 to the Building Regulations 2010.
- 2 Statutory guidance.

Where the [approved documents](#) do not provide appropriate guidance, there may be other ways to demonstrate compliance. It may be possible to achieve compliance by following the advice in one or more of the sources set out below:

- a. guidance from recognised standards bodies
- b. industry recognised codes
- c. manufacturers' technical literature.

Where you wish to follow an alternative approach to the guidance in the [approved documents](#), you should discuss and agree it with a [building control body](#) before starting [building work](#).

British and European standards and other technical guidance also deal with matters that are not covered by the [Building Regulations](#). Nothing in the [Building Regulations](#) or an [approved document](#) prevents you from adopting higher standards.

[Building work](#) must meet the relevant technical requirements in the [Building Regulations](#). [Regulation 7](#) of the [Building Regulations](#) requires [building work](#) to be carried out 'with adequate and proper [materials](#)' and 'in a workmanlike manner'. [Regulation 7](#) also controls the combustibility of external walls of certain tall [buildings](#). For further information, see [Approved Document B](#), Volume 1: Dwellings.

Responsibility for compliance

Receiving a [completion certificate](#) or [final certificate](#) is not a complete guarantee of compliance with the [Building Regulations](#). The legal meaning of the certificate is that it is 'evidence but not conclusive evidence' of compliance. The building control officer or [approved inspector](#) will not have checked every piece of building material and how it has been fitted or every aspect of submitted documents. It is the responsibility of those carrying out [building work](#) to comply with the [Building Regulations](#). The [building control body](#) will inspect the work on site at appropriate stages, but you cannot rely on this as the only method of ensuring that the work complies with the [Building Regulations](#). The responsibility for ensuring compliance rests with the people carrying out the work.

For example, a [building](#) has just received the [final certificate](#) or [completion certificate](#), but the roof is leaking. The fact that the roof leaks is the builder's or building designer's problem and not the [building control body's](#) problem. However, the [building control body](#) may point out problems either with the design or construction at any stage up to granting the [final certificate](#) or [completion certificate](#).

Planning building work

By carefully planning [building work](#) in advance, you can avoid many potential problems. Homeowners in particular may wish to engage building design professionals to help guide them through the complexities of construction projects. Design professionals can produce coordinated drawings and other design information to reduce risks once you start to build. The people who design [buildings](#) should be suitably competent and skilled in order to satisfy the requirements of [Schedule 1](#) to the [Building Regulations](#).

If you carry out your [building work](#) without first ensuring that it will comply with [Building Regulations](#), you may later be required to undo or redo it, and this may be expensive.

You can learn more about the [approved documents](#) and [Regulation 7](#) of the [Building Regulations](#) in Volume 2, Chapter F.

Constructing and altering buildings

The people who construct and alter [buildings](#) should be suitably competent and skilled in order to satisfy the requirements of the [Building Regulations](#).

Chapter 8

Before the work is finished

Completion certificates

Typically, the building owner will have received a [completion certificate](#) (from [local authority building control](#)) or a [final certificate](#) (from an [approved inspector](#)) before the [building](#) is occupied. These certificates are issued when the work is complete. In some circumstances a [building](#) may be occupied before the building owner has received the [completion certificate](#) or the [final certificate](#). If this happens, the [building](#) owner will not be sure that the work meets all of the requirements of the [Building Regulations](#) and this may stop you from re-mortgaging your home or someone from buying your home.

Other legislation

The Regulatory Reform (Fire Safety) Order 2005 generally applies to most [buildings](#) other than houses or individual flats. This requirement comes from [Regulation 38](#) of the [Building Regulations](#).

The Regulatory Reform (Fire Safety) Order creates the duty of the '[responsible person](#)'. This person should take reasonable steps to reduce the risk from fire and make sure people can safely escape if there is a fire. The person carrying out the [building work](#) must provide fire safety information to the [responsible person](#) before the completion of the work. The [responsible person](#) should use this information when they carry out their fire risk assessment.

Once a [building](#) is finished and occupied, other laws and regulations will apply. The Housing Act 2004 is relevant to residential properties. The Health and Safety at Work etc. Act 1974 covers [buildings](#) in which people are working. There are many other regulations which apply to [buildings](#) in use, some of which are listed in Appendix II.

Alterations

When [buildings](#) are extended or altered or their use is changed, [Building Regulations](#) are likely to apply again. This will be the case if the work is defined as [building work](#) or if the change of use comes under the scope of the [Building Regulations](#).

An aerial photograph of a construction site. Several large, red, cylindrical pipes are suspended horizontally across the site. Below them, a complex network of steel reinforcement bars (rebar) is laid out on a concrete slab, forming a grid for a structure. Numerous construction workers in high-visibility vests and hard hats are visible, working on the site. The scene is filled with construction materials, scaffolding, and equipment.

Manual to the Building Regulations Volume 2: Further guidance

Chapter A

Do the Building Regulations apply?

General considerations

- A1** This second volume of the *Manual to the Building Regulations* looks in more detail at how the system works. It is intended to be used by people working professionally in the design and construction of [buildings](#).
- A2** [Building control bodies](#) can provide advice on when the [Building Regulations](#) apply.
- A3** Those carrying out [building work](#) (e.g. agents, designers, builders, installers and the building owner) are responsible for ensuring that the work complies with all applicable requirements of the [Building Regulations](#).
- A4** If [building work](#) does not comply with the [Building Regulations](#), the local authority may serve an enforcement notice on the building owner.
- A5** This manual can only provide a summary of the applicable legislation and, in addition, the legislation will be amended from time to time. **You should always rely on the text of the legislation in preference to relying on the summary in this manual.**

Exempt premises

- A6** The [Building Regulations](#) do not apply to some types of [buildings](#) or [building work](#), and these are summarised in paragraphs A7 to A13 below. In the remainder of this chapter, where we refer to [buildings](#), we are generally referring to [buildings](#) which are not exempt from the [Building Regulations](#).

Crown buildings

- A7** The procedural aspects of the [Building Regulations](#) do not apply to Crown [buildings](#), such as central government offices and courts of law. These have their own systems of control.

Statutory undertakers and airport operators

- A8** Statutory undertakers are bodies that have been given statutory powers in relation to functions that are of a public character. Generally, they are utilities, telecoms companies or companies such as Network Rail, but you should check. Gas and electricity suppliers are not regarded as statutory undertakers under [Section 4](#) of the [Building Act](#).
- A9** A building that belongs to a statutory undertaker, the Civil Aviation Authority or an airport operator is exempt from the [Building Regulations](#) if both of the following apply:
 - a. The company uses the [building](#) for the purposes of its undertaking.

- b. Any **building** owned by a statutory undertaker is not used as either of the following:
 - i. a house or hotel
 - ii. an office or showroom, unless it is part of a railway station or airport.

A10 The Metropolitan Police Authority is exempt from the procedural elements of the **Building Regulations**. Local authorities do not have powers of enforcement over the Metropolitan Police Authority. However, **building work** undertaken by the Metropolitan Police Authority is still subject to the same standards (referred to as ‘substantive requirements’ in the **Building Act**).

Exempt buildings

A11 **Regulation 9** of the **Building Regulations** exempts some small buildings, extensions, and **buildings** used for specific purposes from the **Building Regulations**. Exempt **buildings** are defined in **Schedule 2** to the **Building Regulations** and summarised in Table A1. The **buildings** must continue to meet the definitions in **Schedule 2** after the works are complete.

Table A1 Buildings exempt from the Building Regulations

Class 1	Buildings controlled under legislation for explosives, nuclear facilities or ancient monuments
Class 2	Certain buildings not visited by people, such as plant rooms
Class 3	Certain greenhouses, agricultural buildings and buildings for animals
Class 4	Temporary buildings not intended to remain in situ for more than 28 days
Class 5	Buildings used for site accommodation
Class 6	Certain small detached buildings, generally without sleeping accommodation
Class 7	Includes certain conservatories, porches and open-sided carports (see paragraphs A12 and A13). Any glazing in a Class 7 building must comply with the safety requirements of Schedule 1 to the Building Regulations, which are set out in Approved Document K (see K4 and K5)

NOTE: If any water or electricity in an exempt greenhouse or building exempted under Class 6 or 7 is supplied from or shared with a dwelling, the work must comply with the requirements of Schedule 1 for water supply and electricity. See Regulation 9 of the Building Regulations and Approved Documents G (G1 and G3) and P (P1). Certain works may be carried out under a competent person scheme, and these works will not require Building Regulations approval.

Conservatories, porches and open-sided carports

A12 The exemption in Class 7 (see paragraph A11) applies to conservatories, porches and open-sided carports only where the **building control body** is satisfied that all of the following conditions are met:

- a. The work is an extension to an existing **building**.
- b. The extension is at ground level.
- c. The extension has a maximum floor area of 30m².
- d. Any glazing complies with requirements K4, K5.1, K5.2, K5.3 and K5.4 of **Schedule 1** to the **Building Regulations**.
- e. Thermal separation is maintained between the **building** and the extension.

f. The **building's** heating system does not extend into the extension.

The requirements listed in a to d above come from [Schedule 2](#) to the [Building Regulations](#). The conditions set out in e and f come from the [approved documents](#).

Work to an existing conservatory or porch remains exempt to the same extent as building a new conservatory or porch, provided that the resulting conservatory or porch continues to meet the exemption criteria.

A13 If the extension is not an exempt conservatory or porch (or other extension exempt under Class 7), then a building control process is required.

Building work – general

A14 Where a **building** is not exempt, the [Building Regulations](#) apply to the types of **building work** defined in [Regulation 3](#) of the [Building Regulations](#). This can include any of the following work:

- a. Erecting or extending a **building** ([Regulation 3\(1\)\(a\)](#)).
- b. Providing, extending or otherwise materially altering a **controlled service or fitting** (paragraphs A15 to A18) ([Regulation 3\(1\)\(b\)](#)).
- c. Work required due to a material change of use (paragraph A20) ([Regulation 3\(1\)\(d\)](#)).
- d. Installing cavity wall insulation ([Regulation 3\(1\)\(e\)](#)).
- e. Underpinning a **building** ([Regulation 3\(1\)\(f\)](#)).
- f. Changes to a **building's** energy status ([Regulation 22](#)).
- g. **Renovation** or replacement of part of the thermal envelope ([Regulation 23](#)).
- h. Making certain changes to **buildings** over 1,000m² in area ([Regulation 28](#)).

Controlled services and fittings

A15 Where a **building** is not exempt, the [Building Regulations](#) apply to providing or extending a **controlled service or fitting**.

A16 A **controlled service or fitting** is a service or fitting to which the requirements of the following parts of [Schedule 1](#) to the [Building Regulations](#) apply:

- a. Part G Sanitation, hot water safety and water efficiency – this includes hot water systems, WCs and washing facilities.
- b. Part H Drainage and waste disposal – this includes drainage systems and septic tanks.
- c. Part J Combustion appliances and fuel storage systems – this includes boilers, fireplaces, flues, air supply to combustion appliances and fuel tanks.
- d. Part L Conservation of fuel and power – this includes heating and air conditioning systems, mechanical ventilation systems, external windows and doors and solar panels.
- e. Part P Electrical safety – dwellings – this covers the fixed electrical system in dwellings or common parts of blocks of flats.

A17 The relevant [approved document](#) (see Chapter 7) gives details of the requirements and performance standards of Parts G, H, J, L and P.

A18 Some requirements for [controlled services or fittings](#) only apply when dwellings are initially erected, and the fitting or service may not continue to be controlled after the dwelling has been completed. As long as any subsequent changes to the [controlled service or fitting](#) do not make it less compliant with [Building Regulations](#) than it was before the [building work](#) took place, the change does not have to comply with the [Building Regulations](#).

Material alteration

A19 The [Building Regulations](#) always apply to the [material alteration](#) of a [building](#). An alteration is a [material alteration](#) under [Regulation 3](#) if the proposals would at any stage make a [building](#) or a [controlled service or fitting](#) less satisfactory or no longer compliant in terms of structural safety, fire safety or disabled access. [Building control bodies](#) commonly ask for building control approval for structural works, such as chimney breast removal or structural alterations.

Material change of use

A20 The [Building Regulations](#) apply to [building work](#) when any of the following changes are proposed (this list is a summary of [Regulation 5](#)):

- a. Changing a [building's](#) use to that of a dwelling.
- b. Creating a flat.
- c. Changing the use to become a hotel or boarding house.
- d. Changing the use to become a residential institution.
- e. Changing the use to become a public [building](#).
- f. Changing the use so that the [building](#) would no longer be classed as exempt under Classes 1 to 6 of Schedule 2.
- g. Changing the number of dwellings in a [building](#) that contains at least one dwelling.
- h. Adding a room for residential purposes.
- i. Changing the number of rooms for residential purposes in a [building](#) with at least one such room.
- j. Changing the use to that of a shop.
- k. Changing the [building](#) to become a relevant [building](#) as set out under [Regulation 7\(4\)](#) when it was previously not a relevant [building](#).

In relation to change of use (k) above, [Regulation 7](#) applies to [buildings](#) with a storey at least 18m above ground level and containing a dwelling or institution, and in some cases rooms for residential use.

Under [Regulation 6](#), where a material change of use is proposed, work must be carried out so that the [building](#) complies with the requirements indicated in Table A2. If only part of a [building](#) is affected by a material change of use, then under [Regulation 6](#) in most cases the [Building Regulations](#) apply only to the part that is subject to the change of use. However, the change of use may adversely affect other parts of a [building](#), for example in relation to fire safety.

Table A2 Requirements that apply to material changes of use

Requirement (from Schedule 1 to the Building Regulations 2010)	Material change of use under:											
	All cases	5(a)	5(b)	5(c)	5(d)	5(e)	5(f)	5(g)	5(h)	5(i)	5(j)	5(k)
A1–A3				✓	✓	✓	✓					
B1	✓											
B2	✓											
B3	✓											
B4(1)	✓ ¹											
B4(2)	✓											
B5	✓											
Reg. 6(3)												✓
C1(2)		✓	✓	✓	✓		✓ ²	✓	✓	✓		
C2		✓ ³										
C2(c)	✓											
E1–E3		✓	✓	✓				✓	✓	✓		
E4						✓ ⁴						
F1	✓											
G1	✓											
G2		✓	✓									
G3(1)–(3)	✓											
G3(4)		✓	✓									
G4	✓											
G5	✓											
G6	✓											
H1	✓											
H6	✓											
J1–J4	✓											
K1–K6												
L1	✓											
M1				✓	✓	✓					✓	
P1	✓ ⁵	✓	✓				✓	✓				
Q1		✓	✓					✓				
R1												

NOTES:

1. B4(1) applies to buildings over 15m high. It applies to the whole building even if the change of use only applies to a part.
2. Where new residential accommodation is created.
3. Applies to the whole building not just the parts converted to residential use.
4. If the public building after the change contains a school.
5. P1 applies in all cases if the electricity supply is shared with a dwelling.
6. Regulations 7(1) and 7(2) always apply to the above requirements.

Repairs (other than renovation of thermal elements and controlled fittings)

A21 The [Building Regulations](#) apply to repair or replacement work if the work is to renovate a [thermal element](#) (see paragraphs A22 and A23 below), replace a [controlled fitting](#) (see paragraphs A24 and A25), underpin a [building](#) or if the work is classed as [building work](#) under [Regulation 3](#). Otherwise, unless at any stage the work makes:

- a. any [building](#) that does not comply with [Building Regulations](#) less compliant or
- b. any [building](#) that does comply with [Building Regulations](#) non-compliant (as set out in [Regulation 3\(2\)](#))

then the [Building Regulations](#) do not apply to the repair or replacement work.

Renovation of thermal elements and controlled fittings

A22 Examples of [thermal elements](#) include roofs, external walls and ground floors. Examples of [controlled fittings](#) include windows and doors.

A23 [Major renovation](#) and [renovation](#) of a [thermal element](#) are defined in [Approved Document L1B](#), 5.6A and [L2B](#), 3.1.

Under [Regulation 23](#), if more than 50 per cent of a [thermal element](#) is renovated or replaced, the whole [thermal element](#) must comply with the current energy conservation requirements of requirement L1(a)(i) of [Schedule 1](#) if technically and economically feasible. If a [building](#) undergoes [major renovation](#), the same requirements from [Schedule 1](#) apply.

[Renovation](#) of a [thermal element](#) covers replacing a roofing membrane or adding a new layer (such as insulation). In case of repairs to [thermal elements](#), such as a flat roof, which involve work to less than 50 per cent of the element's surface area, no thermal upgrade is required.

A24 If a [controlled fitting](#), such as a window or door is replaced, and not just repaired, the replacement should comply with all relevant aspects of the current [Building Regulations](#). For example, for an external door, relevant aspects of the [Building Regulations](#) include Part K (Protection from falling, collision and impact) and Part L (Conservation of fuel and power) and [Regulation 7](#).

A25 Guidance on complying with [Regulation 23](#) is given in [Approved Documents L1B](#) and [L2B](#). This includes consideration of listed [buildings](#), [buildings](#) in conservation areas and scheduled ancient monuments.

Responsibility for compliance

A26 Ensuring that [building work](#) complies with all applicable requirements of the [Building Regulations](#) is the responsibility of those carrying out the work, for example, agents, designers, builders, installers and the building owner. Details of local authority enforcement powers are given in Chapter B.

Chapter B

Should a building control body be involved?

Notification of work

B1 When [Building Regulations](#) apply to the work you are proposing, then you either need to:

- a. involve a [building control body](#) (local authority building control or an [approved inspector](#)) or
- b. use an installer registered under a [competent person scheme](#) to do the work.

You can use both a [building control body](#) and a [competent person scheme](#) on the same project.

B2 Except for the work described in paragraph B3, you must notify a [building control body](#) of all of the following:

- a. [Building work](#) as defined under [Regulation 3](#) of the [Building Regulations](#).
- b. Any change in a [building's](#) energy status.
- c. Replacement or [renovation](#) of [thermal elements](#).
- d. Material changes of use.

The [building control body](#) will then consider whether the work complies with the [Building Regulations](#), although it remains the responsibility of those carrying out the [building work](#) to ensure that it does.

B3 [Regulation 12\(6\)\(a\)](#) states that a [building control body](#) does not need to be notified if one of the following conditions applies:

- a. The work is listed in [Schedule 4](#) to the [Building Regulations](#).
- b. The work will be self-certified by a registered competent person.
- c. The work will be certified by a registered third party.

B4 The person carrying out the [building work](#) can choose which type of [building control body](#) to notify. This same [building control body](#) will then inspect the work. The two types of [building control body](#) are:

- a. [local authority building control](#)
- b. [approved inspectors](#).

- B5** Some work does not have to be checked by a [building control body](#) but must still comply with the [Building Regulations](#). An example is installing loft insulation unconnected to a material change of use or other [building work](#). In all cases, seek advice from a [building control body](#) to see if [Building Regulations](#) apply.
- B6** If [building work](#) does not comply with the [Building Regulations](#), the [local authority building control body](#) can take enforcement action.

Enforcement action

- B7** The [Building Regulations](#) can be contravened by not following the correct procedures or not meeting the required technical performance requirements.
- B8** Local authorities may take enforcement action if notifiable [building work](#) (as set out in paragraph B2 above) is carried out without having previously notified the local authority by submitting a [Building Regulations](#) application or an [initial notice](#).
- B9** Local authorities may also take enforcement action if [building work](#) does not comply with [Building Regulations](#).
- B10** Under [Section 95](#) of the [Building Act](#), local authorities have the right of entry into [buildings](#) in relation to enforcing the [Building Act](#).
- B11** Under [Sections 35, 35A and 36](#) of the [Building Act](#) the local authority has the power to take enforcement action. Local authorities can take action against the building owner and those carrying out the works and this can include requiring that the works are pulled down or removed.
- B12** If the building owner or those carrying out the works contravene the [Building Regulations](#), the local authority may prosecute them in the magistrates' court, where an unlimited fine may be imposed ([Sections 35 and 35A](#) of the [Building Act](#)).

Regularisation certificates

- B13** Where unauthorised [building work](#) has been carried out on or after 11 November 1985, it may be possible to obtain a [regularisation certificate](#) from the local authority. If issued, the [regularisation certificate](#) shows that the works complied with the [Building Regulations](#) that were in place when the unauthorised work was carried out.
- B14** [Regulation 18](#) lists the information to include in an application for a [regularisation certificate](#). This includes both of the following:
- A description, preferably including drawings, of the unauthorised work.
 - Plans showing any additional work needed to ensure compliance with the [Building Regulations](#) which were in force when the work was originally carried out.
- B15** The local authority may require the building owner to take reasonable steps so that it can decide what work, if any, is needed to comply with the [Building Regulations](#). Such steps may include laying open work or carrying out tests.
- B16** When the local authority has sufficient information, it will tell the building owner what work, if any, is needed to comply with the [Building Regulations](#).
- B17** If the specified work has been completed to its satisfaction, the local authority can issue a [regularisation certificate](#) to the building owner. However, the local authority has no obligation to issue a [regularisation certificate](#).

Chapter C

Competent person schemes and third-party testing

Competent person schemes

- C1** For some types of [building work](#), such as replacing certain windows or reroofing, people working under a relevant approved [competent person scheme](#) can self-certify that their work complies with the [Building Regulations](#).
- C2** [Competent person schemes](#) are set up under [Regulation 20](#) and listed in [Schedule 3](#) to the [Building Regulations](#). An up-to-date list of current schemes is also given at:
<https://www.gov.uk/guidance/competent-person-scheme-current-schemes-and-how-schemes-are-authorised#current-schemes>
- C3** If [building work](#) is carried out under a [competent person scheme](#), there is no need to submit a [building notice](#) or an [initial notice](#) or to deposit [full plans](#) for that work.
- C4** The competent person will notify the local authority of the work and issue a [completion certificate](#), either directly or through the scheme operator. The certificate must be given to both the building occupier and the local authority within 30 working days of completion of the work.
- C5** If you don't receive a certificate within 30 days of completion, contact the [competent person scheme](#) operator that your installer is registered with and they may be able to help you resolve the matter.
- C6** Even if work is carried out under a [competent person scheme](#), if the work contravenes the [Building Regulations](#), [local authority building control](#) still have enforcement powers.

Third-party testing for airtightness

- C7** Third-party certification schemes are available for testing airtightness, enabling approved airtightness testers to certify that the work meets the required performance standard. These are established under [Regulation 43](#) of the [Building Regulations](#). An up-to-date list of testing organisations can be found at:
<https://www.gov.uk/guidance/competent-person-scheme-current-schemes-and-how-schemes-are-authorised#types-of-building-work>

Third-party testing of domestic electrical work

- C8** Under a third-party certification scheme for electrical installations in dwellings, a person who is registered with the scheme can inspect and test the domestic electrical work of others and certify that it complies with the [Building Regulations](#). This is expanded upon in more detail in [Approved Document P](#).
- C9** Third-party certification schemes for electrical installations in dwellings are listed in [Schedule 3A](#) to the [Building Regulations](#). An up-to-date list is also given at: <https://www.gov.uk/guidance/third-party-certification-schemes-for-domestic-electrical-work>
- C10** If electrical work is approved under a third-party certification scheme, there is no need to submit a [building notice](#) or an [initial notice](#) or to [deposit full plans](#) for that work.
- C11** The operator of the third-party certification scheme will notify the local authority of work that complies with the [Building Regulations](#).



Chapter D

Local authority building control

- D1** Local authorities provide a building control service for all categories of work and all types of [building](#). Local authorities may also be responsible for other statutory requirements, including town planning, [listed building consent](#) and licensing, that may affect the design of the [building](#).
- D2** If you are planning to carry out [building work](#) that needs to be checked by a [building control body](#) you can choose either of the following routes:
- depositing [full plans](#) (described in [Regulation 14](#)) or
 - submitting a [building notice](#), which contains less information than [full plans](#) (see [Regulation 13](#)).
- D3** To start work without either depositing [full plans](#) or submitting a [building notice](#) is likely to contravene [Regulation 12](#), unless the exceptional circumstances set out in [Regulation 12\(8\)](#) are applicable. If [Regulation 12](#) is contravened, the local authority can prosecute. In either of the cases detailed above, the applicant may be required to pay a penalty.
- D4** It is necessary to deposit [full plans](#) instead of a [building notice](#) if any of the following work is proposed:
- [Building work](#) in relation to a [building](#) to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply after [building work](#) is complete. Examples of such [buildings](#) include hotels, boarding houses, offices, shops and factories.
 - [Building work](#) that includes erecting a [building](#) that fronts a private street.
 - [Building work](#) that involves building over or otherwise interfering with an existing shared drain, sewer or disposal main shown on a map of sewers.

Deposit of plans

- D5** When [full plans](#) are deposited, the applicant must pay the plan charge to the local authority.
- D6** The local authority must pass or reject the [full plans](#) within five weeks, or within two months if the applicant has agreed to an extension of time in writing (see [Section 16](#) of the [Building Act](#)).

- D7** The local authority may reject the plans for either of the following reasons:
- The plans show that work will contravene the [Building Regulations](#).
 - The plans are defective (for example incomplete) – they fail to show that work will comply with the [Building Regulations](#).

The local authority must give the reason in the notice of rejection.

Building in accordance with deposited plans

- D8** [Building work](#) does not need to conform exactly to the plans but must comply with the requirements of the [Building Regulations](#).
- D9** If [building work](#) deviates from what the deposited and passed (or not rejected) plans show, the local authority may require this work to be taken down or altered. It is therefore advisable to consult the local authority before deviating from approved plans.

Building notices

- D10** A [building notice](#) may be used where the Regulatory Reform (Fire Safety) Order 2005 does not apply. Where the [building work](#) is simple and drawings are not required, this may be appropriate.
- D11** The [building notice](#) enables work to be started without having to provide the local authority with plans. The local authority must be informed before the work is started.
- D12** When a [building notice](#) is deposited, the [building notice](#) fee must be paid to the local authority. The [building notice](#) fee is similar to the combined plan and inspection fees of the [full plans](#) option.
- D13** The [building notice](#) will typically be submitted on a form produced by the local authority and should include the information specified in [Regulation 13](#). In the case of a new [building](#) or extension, the information should include a site plan.
- D14** Once the [building notice](#) has been deposited, the local authority may ask in writing for further information.
- NOTE:** Once the [building notice](#) has been submitted, [building work](#) may start on the third day after the local authority has been informed. If [building work](#) has not started within three years of a [building notice](#) being deposited, under [Regulation 13\(5\)](#) the [building notice](#) is no longer valid.
- D15** The local authority is not required to pass or reject a [building notice](#). If you use a [building notice](#) instead of the full plans route, then both of the following apply:
- You will not have the protection of having [full plans](#) passed by the local authority. If the local authority has passed your plans, then you know that they are happy for you to build from them.
 - You cannot ask the Secretary of State for a determination if the person carrying out the [building work](#) disagrees with the requirements of the local authority.
- D16** If [building work](#) contravenes the [Building Regulations](#), the local authority can require the work to be altered or removed.

Consulting the fire authority

D17 Details of the consultation procedures that should be followed at the design and construction stages of a building project are given in the Joint Regulators Group's forthcoming *Technical Guide: Building Regulations and Fire Safety Procedural Guidance* (2020).

Consulting the sewerage undertaker

D18 When **full plans** have been deposited with the local authority and the work affects a drain, sewer or disposal main (as described in paragraph D4(c)), under **Regulation 15** the local authority must consult the sewerage undertaker. The local authority must consider the views of the sewerage undertaker before passing the plans or issuing a **completion certificate**. The local authority must be satisfied that work will not be detrimental to either the **building** in question or the continued maintenance of any drain, sewer or disposal main.

Conditional passing of plans

D19 A local authority may pass plans subject to either or both of the following conditions, under **Section 16(2)** of the **Building Act**:

- a. The local authority may pass the plans subject to required additions or amendments being made.
- b. The local authority may request further plans to be submitted.

NOTE: The local authority is not obliged to use these procedures. The written agreement of the applicant is required.

Starting work

D20 When a **building notice** has been served, **building work** may begin at any time provided the local authority is given two clear working days' notice of the intention to start work, as required by **Regulation 16(1)**.

D21 When **full plans** have been deposited and the notice described above has been given, work may begin.

Giving notices at relevant stages

D22 You are required under the **Building Regulations** to give the local authority notice of when the work has reached relevant stages. The local authority will set out the notification procedure. The work should be programmed to allow the local authority time to inspect at the required stages.

D23 If the local authority is not informed of a relevant stage of work for inspection it may, by giving notice in writing, require the work to be opened up for inspection so that it can be ascertained whether or not the work complies with the **Building Regulations**.

Contravention of the requirements

D24 During the **building work**, or within a year of its completion, if the local authority considers that the work contravenes any requirement of the **Building Regulations**, it may serve a notice under **Section 36** of the **Building Act** requiring the work to be taken down or altered within 28 days.

D25 Where the person who carried out the work disagrees with the local authority, they may notify the local authority that they want to obtain an independent expert report under

[Section 37](#) of the [Building Act](#). In this case, the deadline for the work to be taken down is extended to 70 days.

D26 Where the local authority has considered an expert report, it may withdraw the [Section 36](#) notice.

If the local authority does not withdraw the notice, the person who carried out the work may appeal to the magistrates' court under [Section 40](#) of the [Building Act](#).

Completion certificates

D27 Once the work has finished, and if they are satisfied that the work complies with the relevant provisions of the [Building Regulations](#), the local authority must issue a [completion certificate](#).

D28 The relevant provisions of the [Building Regulations](#) are [Regulations 25A, 26, 29, 36, 38](#) and [Schedule 1](#). The first four of these regulations deal with environmental performance and [Regulation 38](#) concerns fire safety information.

D29 The local authority is authorised to accept testing carried out in accordance with [Regulations 41 to 44](#) as demonstrating that the requirements in the [Building Regulations](#) have been satisfied.

Duration of approval

D30 If [building work](#) does not commence within three years of the date when the local authority passed the plans, the local authority may serve a notice under [Section 32](#) of the [Building Act](#) to rescind the approval. It is important to note that this is different to the requirements for starting work under planning legislation.

Determinations and appeals

D31 The local authority has the power (under [Regulation 11](#) of the [Building Regulations](#)) to relax requirements of the [Building Regulations](#) other than those relating to:

- a. [Regulation 23\(1\)\(a\)](#)
- b. [Regulation 25A](#)
- c. [Regulation 25B](#)
- d. [Regulation 26](#) and
- e. paragraph R1 of [Schedule 1](#) to the [Building Regulations](#).

Those responsible for the [building work](#) may submit a formal application to the local authority for relaxation of the [Building Regulations](#).

D32 If, after a request, the local authority refuses to ignore or relax the requirements, the person carrying out the [building work](#) can appeal to the Secretary of State.

Details of appeals can be found at:

www.gov.uk/guidance/building-regulations-appeals--6

D33 If the local authority and the person carrying out the [building work](#) disagree about whether work shown on [full plans](#) complies with the [Building Regulations](#), a determination can be requested from the Secretary of State before work starts. There is no statutory timetable for this process.

Details of determinations can be found at:

www.gov.uk/guidance/building-regulations-determinations

Chapter E

Approved inspectors

- E1** This chapter refers to the Building (Approved Inspectors etc.) Regulations 2010, subsequently referred to as the [Approved Inspectors Regulations](#).
- E2** [Approved inspectors](#) are companies or individuals, licensed through CICAIR Ltd under the [Building Act](#) to provide a building control service for all categories of work and for any [building](#) type. With the exception of minor works, [approved inspectors](#) must be financially and professionally independent of the work they inspect. Minor works are defined in [Regulation 9\(5\)](#) of the [Approved Inspectors Regulations](#).
- E3** [Approved inspectors](#) are independently monitored and regulated by CICAIR Ltd to carry out building control work in England (and Wales). CICAIR Ltd is a wholly owned subsidiary of the Construction Industry Council (CIC) and the approval process it operates provides a route to registration as an [approved inspector](#). For more information, visit the CICAIR website:
<https://www.cicair.org.uk/>
- E4** [Approved inspectors](#) are required to have insurance from a government approved scheme.
- E5** The person carrying out the [building work](#) enters into a formal contract with the [approved inspector](#) and may negotiate the fees involved.

The initial notice

- E6** When the person carrying out the [building work](#) engages an [approved inspector](#), that person and the [approved inspector](#) must together give the local authority an [initial notice](#).
- E7** The contents of an [initial notice](#) are outlined in Form 1 in [Schedule 1](#) to the [Approved Inspectors Regulations](#). The [initial notice](#) must contain all of the following:
- a. A description of the work.
 - b. In the case of a new [building](#) or extension, both of the following:
 - i. A site plan to a scale of not less than 1:1250 showing the boundaries and location of the site.
 - ii. A statement that if work involves building over or near any drain, sewer or disposal main shown on any map of sewers kept by the sewerage undertaker, the [approved inspector](#) will consult the sewerage undertaker.

- E8** The [initial notice](#) must show how any new drainage will be connected.
- If drainage will be connected to an existing sewer, it is often sufficient to indicate on the site plan the points at which the drainage will be connected.
 - If drainage will not be connected to an existing sewer, the [initial notice](#) must describe how drainage discharges will be dealt with. For example, this could include details of the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or cesspool.

Acceptance or rejection of initial notice

- E9** After receiving an [initial notice](#), the local authority has five working days in which to consider its validity.
- E10** If the local authority considers that the [initial notice](#) contains insufficient information, it may reject it. The local authority may only reject an [initial notice](#) on the grounds prescribed in [Schedule 2](#) to the [Approved Inspectors Regulations](#).
- E11** If the local authority does not reject the [initial notice](#) within five working days of receipt, it is presumed to have accepted the [initial notice](#) unconditionally.
- E12** Once the [initial notice](#) has been accepted or is deemed to have been accepted (five days after receipt), the [approved inspector](#) will certify that they are satisfied that the works have been completed.

NOTE: Those responsible for carrying out the [building work](#) (which includes clients, designers, builders and installers) must ensure that the work complies with the [Building Regulations](#).

Independence of approved inspectors

- E13** [Approved inspectors](#) must have no professional or financial interest in the work that they supervise, and should be independent of the designer, builder or building owner, unless the work comprises any of the following:
- The [material alteration](#) or extension of a one or two storey house, provided that the house has no more than three storeys when work is complete (ignoring any basement storeys).
 - The provision, extension or [material alteration](#) of a [controlled service or fitting](#) in any [building](#).
 - The underpinning of any [building](#).

Consulting the fire authority

- E14** If work is proposed to a [building](#) to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply once [building work](#) is complete, the [approved inspector](#) must consult the fire authority at each of the following stages:
- Before or as soon as practicable after giving an [initial notice](#) (or [amendment notice](#) where there is a need to subsequently change the [initial notice](#)), the [approved inspector](#) must supply the fire authority with sufficient information to show that the work described in the [initial notice](#) will comply with Part B (Fire safety) of [Schedule 1](#) to the [Building Regulations](#).

- b. Before giving a [plans certificate](#) (whether combined with an [initial notice](#) or not), the [approved inspector](#) must give the fire authority a copy of the relevant plans.
 - c. Before giving a [final certificate](#).
- E15** Before giving a [plans certificate](#) or [final certificate](#) to the local authority, the [approved inspector](#) must allow the fire authority up to 15 working days to comment. The [approved inspector](#) must consider the views of the fire authority.

Consulting the sewerage undertaker

- E16** If an [initial notice](#) or [amendment notice](#) involves proposals to erect or extend or carry out underpinning works to a [building](#) within 3 metres of the centreline of a drain, sewer or disposal main to which paragraph H4 of [Schedule 1](#) to the [Building Regulations](#) applies, the [approved inspector](#) must consult the sewerage undertaker.
- E17** Before giving a [plans certificate](#) or [final certificate](#) to the local authority, the [approved inspector](#) must allow the sewerage authority up to 15 working days to comment. The [approved inspector](#) must consider the views of the sewerage authority.

Plans certificate

- E18** A [plans certificate](#) can be used to demonstrate that detailed plans of the work or a part of it comply with the [Building Regulations](#). A [plans certificate](#) can provide protection if the [initial notice](#) is cancelled or ceases to be valid and no new [initial notice](#) is given or accepted.
- E19** [Plans certificates](#) are described in [Regulations 14](#) and [15](#) of the [Approved Inspectors Regulations](#) and [Section 50](#) of the [Building Act](#). The person proposing the [building work](#) can ask the [approved inspector](#) to supply a [plans certificate](#). If the [approved inspector](#) is satisfied with the plans, they must give a [plans certificate](#) to both of the following parties:
- a. the person proposing the [building work](#) and
 - b. the local authority.

The [approved inspector](#) can give the [plans certificate](#) with the [initial notice](#) or later.

Final certificate

- E20** When the [building work](#) is complete and the [approved inspector](#) is satisfied that the work meets all the relevant requirements of the [Building Regulations](#), the [approved inspector](#) must give the local authority a [final certificate](#) as described in [Section 51](#) of the [Building Act](#) and Form 5 of [Schedule 1](#) to the [Approved Inspectors Regulations](#). A [final certificate](#) provides evidence, but not conclusive evidence, of compliance with the [Building Regulations](#).
- E21** A [final certificate](#) need not relate to all the work specified in an [initial notice](#). For example, for a single [initial notice](#) that covers a new housing estate, separate [final](#) or [plans certificates](#) might be given for individual houses or groups of houses.

E22 The local authority may reject the [final certificate](#) only on the grounds given in [Schedule 4](#) to the [Approved Inspectors Regulations](#). The local authority has 10 working days within which to reject the [final certificate](#), otherwise it is deemed to have been accepted. If a [final certificate](#) is rejected, the [initial notice](#) ceases to be valid four weeks later.

Events causing the initial notice to become invalid

E23 There are limitations on the validity of the [initial notice](#), where the [initial notice](#) has been given to erect, extend or materially alter a [building](#). This applies when any part of the [building](#) or extension is subsequently occupied and no [final certificate](#) has been given. In such situations the [initial notice](#) is no longer valid after a 'relevant change of use', as described in [Regulation 12\(6\)](#) of the [Approved Inspectors Regulations](#).

E24 For most [buildings](#), the [initial notice](#) will lapse eight weeks from the date when the [building](#) is occupied.

For [buildings](#) comprising only flats and common parts, the [initial notice](#) will lapse four weeks after the [building](#) is occupied.

NOTE: A local authority can, however, extend the period of the [initial notice](#). The local authority may wish to extend the period if it is reasonably confident that a [final certificate](#) will be given soon.

E25 In case of a material change of use covered by an [initial notice](#) (paragraph E23), if the change of use takes place and no [final certificate](#) is given, the [initial notice](#) for the work will no longer have effect eight weeks after the change of use.

E26 Once the [initial notice](#) no longer has effect, both of the following situations apply:

- a. The [approved inspector](#) will be unable to give a [final certificate](#).
- b. The local authority has the power, under [Section 36](#) of the [Building Act](#), to take enforcement action against non-compliant work.

This has the same consequences as an [approved inspector](#) withdrawing (as described below).

Withdrawal of approved inspector

E27 An [approved inspector](#) who cannot continue to supervise work for which they have given an [initial notice](#) must cancel the [initial notice](#) and inform both of the following parties:

- a. The person doing the [building work](#).
- b. The local authority.

E28 If the person responsible for the work (building owner or client) becomes aware that the [approved inspector](#) is unable to continue supervising the work, the owner or client must cancel the [initial notice](#) (see [Section 52](#) of the [Building Act](#) and [Regulation 18](#) of the [Approved Inspectors Regulations](#)).

E29 The person responsible for the work (building owner or client) may give a new [initial notice](#) jointly with a new [approved inspector](#) provided the original [approved inspector](#) agrees to cancel the earlier notice as soon as the new notice is accepted (see [Schedule 2](#) to the [Approved Inspectors Regulations](#), paragraph 12).

Change of person intending to carry out work

- E30** If a different person from that named in the original [initial notice](#) intends to carry out the work, the procedure is as follows. The [approved inspector](#) and the person who originally intended to carry out the work may jointly give written notice to the local authority to state that a new person or organisation intends to carry out the work ([Section 51C](#) of the [Building Act](#)). The [initial notice](#) is then treated as having been given by the new person intending to carry out the work and the [approved inspector](#).
- E31** In a situation where the [approved inspector](#) considers that the [building work](#) does not comply with the [Building Regulations](#) and there is a refusal to bring it into compliance, the [approved inspector](#) will cancel the [initial notice](#). If no other [approved inspector](#) takes on the work, the building control function will automatically be taken on by the local authority. From this point, the local authority will have enforcement powers.

Local authority's powers in relation to partially completed work

- E32** If an [initial notice](#) is no longer valid, the local authority becomes responsible for enforcing the [Building Regulations](#) in relation to any completed work for which a [final certificate](#) has not been given ([Regulation 19](#) of the [Approved Inspectors Regulations](#)). The local authority must be provided with both of the following:
- a. Plans of the [building work](#) carried out, if requested by the local authority.
 - b. Plans referred to in a [plans certificate](#) where granted by the [approved inspector](#).
- E33** For any partially completed work, the local authority may require the person carrying out [building work](#) to cut into, lay open or pull down work so that the local authority may determine whether any work (not covered by a [final certificate](#)) contravenes the [Building Regulations](#). However, the local authority cannot take action against that person in relation to any work carried out as described in a [plans certificate](#).
- E34** If it is intended to continue with partially completed work, the local authority must be given sufficient plans to show that the work can be completed without contravening the [Building Regulations](#).

NOTE: Where an [approved inspector](#) is used, the local authority cannot give a notice under [Section 36](#) of the [Building Act](#) to remove or alter any offending work so long as the [initial notice](#) remains valid. Work covered by an [approved inspector's final certificate](#) that the local authority has accepted cannot be subject to local authority action under [Section 36](#) of the [Building Act](#).

Contravention of Building Regulations

- E35** An [approved inspector](#) cannot enforce the [Building Regulations](#). If work appears not to comply with the [Building Regulations](#), an [approved inspector](#) may, however, give the person carrying out the [building work](#) a written notice.
- E36** If the work that appears not to comply with the [Building Regulations](#) is not remedied within three months, the [approved inspector](#) must cancel the [initial notice](#). The [approved inspector](#) must give the person carrying out the [building work](#) and the local authority a cancellation notice in the set form. This notice must describe how the work appears not to comply with the [Building Regulations](#) (see [Section 52](#) of the [Building Act](#) and [Regulation 18](#) of the [Approved Inspectors Regulations](#)).

Limitations on the enforcement powers of local authorities

- E37** If the [initial notice](#) ceases to be in force (as described in [Section 47\(1\)](#) of the [Building Act](#)) and the conditions in [Section 53\(2\)](#) of the [Building Act](#) are satisfied, the local authority may not:
- give a notice under [Section 36\(1\)](#) of the [Building Act](#) (removal or alteration of work which contravenes [Building Regulations](#)) or
 - institute proceedings under [Section 35](#) of the [Building Act](#) for a contravention of [Building Regulations](#).

For details of this situation, refer to [Regulation 15](#) of the [Approved Inspectors Regulations](#).

Dealing with variations to the work

- E38** To vary the work detailed in an [initial notice](#) (e.g. to build six units instead of five on a site), the person carrying out the [building work](#) and the [approved inspector](#) should give the local authority an [amendment notice](#). (See [Sections 51A](#) and [51B](#) of the [Building Act](#) and Form 2 of [Schedule 1](#) to the [Approved Inspectors Regulations](#)).

Contents of an amendment notice

- E39** The [amendment notice](#) must be as described in Form 2 in [Schedule 1](#) to the [Approved Inspectors Regulations](#). The [amendment notice](#) must contain the information required for an [initial notice](#) (set out above in paragraph E7) plus either of the following:
- A statement that all plans submitted with the original notice remain unchanged.
 - Copies of all the amended plans with a statement that any plans not included remain unchanged.

Acceptance and rejection of amendment notice

- E40** The local authority has five working days in which to consider the [amendment notice](#). The local authority may only reject the [amendment notice](#) on grounds set out in [Schedule 2](#) to the [Approved Inspectors Regulations](#). The procedure is identical to that for accepting or rejecting an [initial notice](#).

Duration of validity of initial notices and plans certificates

- E41** If work has not started within three years of the date on which an [initial notice](#) was accepted or deemed to have been accepted, a local authority may cancel an [initial notice](#) under [Section 52\(5\)](#) of the [Building Act](#).

If work has not started within three years of accepting a [plans certificate](#), the local authority may rescind its acceptance, under [Section 50\(8\)](#) of the [Building Act](#).

Determinations and appeals

- E42** An [approved inspector](#) cannot relax [Building Regulations](#). However, the building owner or client can apply to the local authority to relax [Building Regulations](#), even when an [approved inspector](#) is used.

- E43** Before work begins, if the [approved inspector](#) and the person carrying out the [building work](#) disagree about whether the work shown on the plans complies with the [Building Regulations](#), the building owner or client can request a determination from the Secretary of State.
- E44** Once work has started, the only recourse against the decision of the [building control body](#) is an appeal to the Secretary of State.
- E45** Details of appeals and determinations can be found at:
Appeals: www.gov.uk/guidance/building-regulations-appeals--6
Determinations: www.gov.uk/guidance/building-regulations-determinations

Local authorities acting as approved inspectors

- E46** Local authorities can operate as [approved inspectors](#) beyond the boundaries of their local authority area.



Chapter F

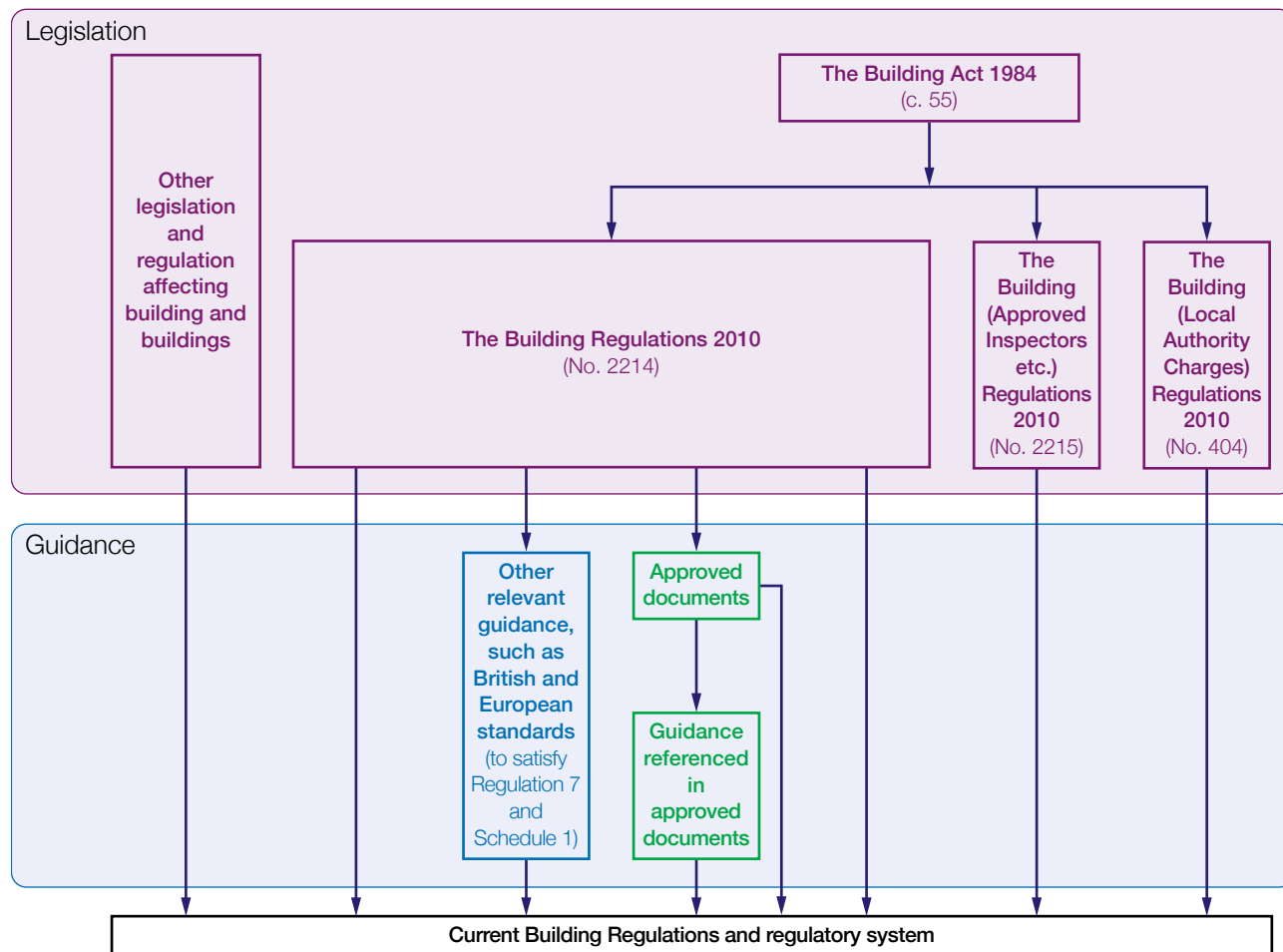
Meeting the technical requirements

The approved documents

- F1** The [approved documents](#) set out what, in ordinary circumstances, may be accepted as one way to comply with the [Building Regulations](#). However, [Section 7](#) of the [Building Act](#) indicates that following the guidance in [approved documents](#) may be relied upon as tending to negative liability, while failing to follow the guidance may be relied upon as tending to establish liability. Therefore, following the [approved documents](#) alone does not guarantee compliance.
- F2** It remains the responsibility of those designing or undertaking [building work](#) to assess, on a case-by-case basis, whether specific circumstances require additional or alternative measures to achieve compliance with the regulatory requirements.
- F3** Following industry guidance referenced in the [approved documents](#) may, depending on the circumstances, have the same legal effect as following the [approved document](#) itself. Using other guidance, including a different version of a referenced guidance document, would not give the same legal presumption. Figure F1 shows how the [approved documents](#) and other sources of guidance fit into the overall regulatory system.



Figure F1 Structure of the regulatory system



F4 [Approved documents](#) vary in length and complexity and in how the guidance applies to different types of [buildings](#).

Table 1.1 in Chapter 1 of this manual lists the [approved documents](#) for different types of new or existing dwellings and other [buildings](#).

F5 In some mixed-use developments, parts of a [building](#) are used as dwellings while other parts have non-domestic uses. If the requirements of the [approved documents](#) for dwellings and other [buildings](#) differ, the more onerous requirements apply in any shared parts of the [building](#). This is discussed in detail with regard to fire safety in [Approved Document B](#) and ventilation in [Approved Document F](#).

F6 When an [approved document](#) refers to a named standard, the relevant version of the standard is listed at the end of the [approved document](#). Until the [approved document](#) is amended, these references are part of the guidance approved under [Section 6](#) of the [Building Act](#).

If work complies with the guidance referred to in the [approved document](#), that makes it likely that the work conforms with the relevant requirements of the [Building Regulations](#). Following other guidance would not provide that legal protection.

F7 If an [approved document](#) refers to an older version of a standard that the issuing standards body has now revised or updated, the new version may be used as a source of guidance, provided it continues to address the relevant requirements of the [Building Regulations](#).

Designing and constructing buildings

- F8** Any **building work** that is subject to the requirements imposed by **Schedule 1** to the **Building Regulations** must be carried out in accordance with **Regulation 7**. **Building work** is defined in **Regulation 3**.
- F9** **Building work** under **Regulation 7** shall be carried out:
- a. with adequate and proper **materials** which
 - i. are appropriate for the circumstances in which they are used
 - ii. are adequately mixed or prepared and
 - iii. are applied, used or fixed so as adequately to perform the functions for which they are designed, and
 - b. in a workmanlike manner.
- F10** **Regulation 7** places requirements on **materials** and workmanship to deliver the performance required under the **Building Regulations**. Those responsible for **building work** must be able to demonstrate that both **materials** and workmanship comply with the **Building Regulations**, as part of the overall scheme.
- F11** **Regulation 7** applies to all **building work** to which the **Building Regulations** apply. However, in accordance with **Regulation 8**, the standards of **materials** and workmanship need be no higher than are necessary to satisfy the following conditions:
- a. For Parts A–D, F–K and P (except for paragraphs G2, H2 and J7) of **Schedule 1**: to secure reasonable standards of health or safety for people in or about the **building**.
 - b. For Part E of **Schedule 1**: to secure reasonable resistance to the passage of sound for the welfare and convenience of people in or about the **building**.
 - c. For Part L of **Schedule 1**: to conserve fuel and power.
 - d. For Part M of **Schedule 1**: to provide access to **buildings** and their facilities for people.

Demonstrating compliance

- F12** Whether **materials** and associated workmanship meet the requirements of the **Building Regulations** could be established in a number of different ways. It may be necessary to use more than one of these methods to provide appropriate evidence of compliance. The properties of the **materials** and workmanship being demonstrated as fit could be established by the methods listed below.
- a. A **CE marking**, provided it is relevant and the product is used appropriately. Accompanying performance information may not cover all of the required properties of the product.
 - b. Following relevant guidance of the **approved documents** or standards referenced by the **approved documents**.
 - c. Compliance with a relevant British or European standard or standards.
 - d. Compliance with a relevant ISO or other national technical standards.
 - e. Use of a **competent person scheme** to carry out work or to certify **materials** and workmanship within the scope of the scheme.

- f. Use of an independent certification scheme accredited by a certification body belonging to the European co-operation for Accreditation (EA). In the UK, the United Kingdom Accreditation Service ([UKAS](#)) is the national accreditation body.
- g. Past experience from safe and successful longstanding relevant practice in the existing building stock. Existing practice should be reviewed to ensure that it is safe, appropriate and relevant to the proposed conditions.
- h. Tests are often used to show that [materials](#) and workmanship are appropriate. In many circumstances, testing is one way of showing compliance, but in the following three instances the [Building Regulations](#) require those undertaking [building work](#) to have tests carried out to demonstrate compliance.
 - i. Sound insulation as described in [Regulation 41](#).
 - ii. Air flow rate of mechanical ventilation as described in [Regulation 42](#).
 - iii. Pressure testing as described in [Regulation 43](#).
- i. Where there is no relevant harmonised European standard, calculations against appropriate standards could demonstrate the compliance of [materials](#) and workmanship.

Other design standards

F13 Where design standards other than those referred to in the [approved documents](#) are used, it is important that the acceptability of these standards is discussed with the [building control body](#) in advance. It should be noted that [building control bodies](#) may not be familiar with all standards, and mixing standards produced by different bodies may be unacceptable.

CE markings under the Construction Products Regulations

F14 The future status of [CE markings](#) may be reviewed as part of the UK exiting the European Union.

F15 At present, [CE markings](#) are used to demonstrate that either:

- a. a product complies with a harmonised European standard or standards (British versions of standards are numbered starting BS EN and contain an Annex ZA) or
- b. a product has undergone a European Technical Assessment.

F16 [CE marking](#) includes the reference of the product standard and the levels or classes of performance being declared against some or all of the characteristics covered by the standard. The [CE marking](#) should be on the product, its label, the packaging or accompanying documents. The CE symbol by itself does not necessarily indicate that the [material](#) is suitable for the [building work](#).

F17 In addition to [CE marking](#), the product will have a declaration of performance containing more detailed information on the product. This may be a paper or electronic document, or it may be on a website. It is essential to check that the declared performance is suitable for the [building work](#).

F18 In the absence of indications to the contrary, the [building control body](#) may assume that the information given in the [CE marking](#) and declaration of performance is accurate and reliable, and that the product meets the declared performance.

F19 If the declared performance of a product is suitable for its intended use and the product is installed correctly, the **building control body** should not unreasonably prohibit or impede the use of the product.

Optional requirements

F20 Local planning authorities may impose planning requirements that may exceed the minimum standards required by the **Building Regulations**. These may include the following cases:

- a. accessible housing (Requirements M4(2) and M4(3) of **Schedule 1** to the **Building Regulations**)
- b. water efficiency (**Regulation 36**).

F21 Such planning requirements will appear as conditions in the relevant planning consent. Enforcement of such options is part of the planning process. However, it is important that the **building control body** is made aware of such planning conditions.

Historic buildings

F22 The **Building Regulations** should be complied with in a manner that respects historic buildings and environments. **Local authority building control** officers and conservation officers may be able to advise on how to comply appropriately with **Building Regulations**.

F23 **Approved Documents B, C, E, F, G, H, J, L and M** provide detailed guidance on meeting the **Building Regulations** in historic buildings.

F24 Additional guidance is available in Historic England's *Energy Efficiency and Historic Buildings: Application of Part L of the Building Regulations to historic and traditionally constructed buildings*. This can be downloaded from the following website:

<https://historicengland.org.uk/images-books/publications/energy-efficiency-historic-buildings-ptl/>

Design and construction tolerances

F25 Dimensions given in the **approved documents** make no mention of any allowance for construction tolerances. To ensure that design standards are met, appropriate allowance for tolerance should be considered in the design process. A critical dimension may depend on multiple construction tolerances. Industry standards may provide guidance on achievable tolerances.

Ban on combustible materials

F26 The use of combustible materials in the external walls and specified attachments of certain buildings with a storey at 18m or more above ground level is prohibited by the **Building Regulations**. See **Regulation 7(2)** of the **Building Regulations** and **Approved Document B: Volume 2, part B4** for details.

NOTE: The requirement B4(1) applies to buildings of any height. The external walls of the building shall adequately resist the spread of fire over the walls and from one building to another, having regard to the height, use and position of the building.

Properties of certain materials

- F27** Some [materials](#), in the absence of special care, may be considered unsuitable because of their rapid deterioration in relation to the expected life of the [building](#).
- F28** A short-lived [material](#) which is readily accessible for inspection, maintenance and replacement may meet the requirements of the [Building Regulations](#) if the consequences of failure are not likely to be serious to the health or safety of people in and around the [building](#).
- F29** If a short-lived [material](#) is not readily accessible for inspection, maintenance and replacement, and the consequences of failure are likely to be serious for health or safety, it is unlikely that the [material](#) will meet the requirements of the [Building Regulations](#).
- F30** A local authority may impose conditions on the proposed use of short-lived or otherwise unsuitable [materials](#) under [Section 20](#) of the [Building Act](#).
- F31** If a [material](#) is at risk of spontaneous failure, such as toughened glass, and the consequences of failure are likely to present a safety risk, it is unlikely that the [material](#) will meet the requirements of the [Building Regulations](#).

Sampling by building control bodies

- F32** A local authority may take samples to establish whether [materials](#) that are used in [building work](#) comply with the [Building Regulations](#) under [Regulation 46](#).
- F33** An [approved inspector](#) may sample [materials](#) under [Regulation 8](#) of the [Approved Inspectors Regulations](#).

Record keeping

- F34** Those carrying out [building work](#) will want to keep accurate records on the source of [materials](#) to help demonstrate that [materials](#) comply with [Regulation 7](#) or other requirements in the [Building Regulations](#).

Enduring powers under the Building Act

- F35** Once [building work](#) is complete the [Building Regulations](#) no longer control the [materials](#) or workmanship used. Outside the building control process, the [Building Act](#) gives local authorities powers in relation to unsafe [buildings](#) and structures. Any changes to a [building](#) may trigger a new building control process, as detailed earlier in this manual.

Appendix I

Key terms

Terms relating to the structure of legislation:

Regulation *followed by a number* refers to a regulation in the Building Regulations 2010.

Schedule refers to a schedule contained in the Building Regulations 2010, for example Schedule 1 to the Building Regulations.

Section refers to a section of the Building Act 1984.

Other terms:

Amendment notice refers to a change of the scope of an initial notice. For further information see Chapter E.

Approved document refers to a document approved by government that provides practical guidance on how the Building Regulations can be satisfied in some common situations. Approved documents are given legal status by the Building Act 1984.

Approved inspectors are companies or individuals authorised under the Building Act 1984 to carry out building control work in England and Wales. They must be registered with the Construction Industry Council Approved Inspectors Register (CICAIR), which provides a list of approved inspectors.

<https://www.cicair.org.uk/approved-inspectors-register/>

Approved Inspectors Regulations refers to the Building (Approved Inspectors etc.) Regulations 2010.

Building is generally any permanent or temporary building. A reference to a building includes a reference to part of a building. Buildings include dwellings (houses, flats) and public buildings.

Building Act refers to the Building Act 1984.

Building control body is a local authority building control department or an approved inspector.

Building notice is a route to Building Regulations approval using local authority building control. Refer to Chapter D for details.

Building Regulations refers to the Building Regulations 2010.

Building work includes erecting or extending a building, providing or extending a controlled service or fitting in or in connection with a building, and the material alteration of a building or a controlled service or fitting.

CE marking under the Construction Products Regulation (305/2011/EU-CPR). The Construction Products Regulation requires that construction products on the EU market covered by a harmonised European product standard normally have a CE marking. Refer to Chapter F for details.

Competent person schemes allow tradespeople to demonstrate their ability to carry out certain work to required standards instead of the work going through a building control body approval process. Refer to Chapter 5 and Chapter C.

Completion certificates are issued by the local authority to confirm that it has taken reasonable steps to ensure that there is evidence, but not necessarily conclusive evidence, that the work complies with the relevant requirements of the Building Regulations.

Controlled services or fittings include a service or fitting subject to Schedule 1 (to the Building Regulations) requirements in respect of sanitation, hot water safety, water efficiency, drainage and waste disposal, combustion appliances and fuel storage, conservation of fuel or power, and electrical safety.

Final certificate refers to the certificate issued by the approved inspector to the person carrying out the work and the local authority and confirms that the work in the initial notice is complete and that the approved inspector is satisfied that it complies with the relevant requirements of the Building Regulations.

Full plans refers to the route to Building Regulations approval using local authority building control. Refer to Chapter D for details.

Initial notice refers to the notice served on the local authority jointly by the client and the approved inspector when an approved inspector is selected as the building control body.

Listed building consent operates in addition to normal planning controls under the Planning (Listed Buildings and Conservation Areas) Act 1990. Listed building consent is likely to be required for any alteration to a listed building.

Local authority building control is the building control department of the local authority.

Major renovation is defined in Approved Document L1B, 5.6A and L2B, 3.1.

Material alteration is defined under Regulation 3 of the Building Regulations. An alteration is a material alteration if the proposed building work would make a building less safe structurally, more at risk from fire or less accessible for disabled people.

Materials include: manufactured products, such as components, fittings, items of equipment and systems; naturally occurring materials, such as stone, timber and thatch; and backfilling for excavations in connection with building work.

Planning permission is approval to carry out building work from a town and country planning point of view. It is typically required to construct or extend a building or change the use of a building. The local planning authority decides whether a project will need planning permission.

Plans certificates can be used to demonstrate that detailed plans of the work or a part of it comply with the Building Regulations. They are described in Regulations 14 and 15 of the Approved Inspectors Regulations and Section 50 of the Building Act.

Regularisation certificates can be issued by local authorities retrospectively to indicate that work started after 11 November 1985 which has been completed complies with the Building Regulations which applied at the time the works were done.

Renovation (in relation to a thermal element) is defined in Approved Document L1B, 5.6A and L2B, 3.1.

Responsible person is the person defined in article 3 of the Regulatory Reform (Fire Safety) Order 2005 and having the duties for compliance with the Order as prescribed in article 5.

Thermal element is a material that contributes to the thermal performance of a building's thermal envelope, such as any element of a wall, floor or roof but not a door or window. Thermal element is defined in Regulation 2(3) of the Building Regulations.

UKAS is the United Kingdom Accreditation Service (www.ukas.com).



Appendix II

References

Publications

Joint Regulators Group (2020) *Technical Guide: Building Regulations and Fire Safety Procedural Guidance*.

Historic England (2017) *Energy Efficiency and Historic Buildings: Application of Part L of the Building Regulations to historic and traditionally constructed buildings*. Available at:

<https://historicengland.org.uk/images-books/publications/energy-efficiency-historic-buildings-ptl/>

Websites

Gas Safe Register

www.gassaferegister.co.uk

Competent person schemes

www.gov.uk/guidance/competent-person-scheme-current-schemes-and-how-schemes-are-authorised#current-schemes

Testing organisations for building work

www.gov.uk/guidance/competent-person-scheme-current-schemes-and-how-schemes-are-authorised#types-of-building-work

Third-party certification schemes for electrical installations in dwellings

www.gov.uk/guidance/third-party-certification-schemes-for-domestic-electrical-work

Building Regulations appeals and determinations

www.gov.uk/guidance/building-regulations-appeals--6

www.gov.uk/guidance/building-regulations-determinations

CICAIR: Construction Industry Council Approved Inspectors Register

www.cicair.org.uk/

Legislation (available via www.legislation.gov.uk)

The following list includes selected legislation that is often relevant to the design, construction and use of buildings. This list is not comprehensive.

Building Act 1984 (c. 55)

The Building (Approved Inspectors etc.) Regulations 2010 (No. 2215)

The Building Regulations 2010 (No. 2214)

The Confined Spaces Regulations 1997 (No. 1713)

The Construction (Design and Management) Regulations 2015 (No. 51)

The Contaminated Land (England) Regulations 2006 (No. 1380)
The Control of Substances Hazardous to Health Regulations 2002 (No. 2677)
Criminal Procedure and Investigations Act 1996 (c. 25)
Environmental Protection Act 1990 (c. 43)
Equality Act 2010 (c. 15)
The Equality Act 2010 (Disability) Regulations 2010 (No. 2128)
The Fire Precautions (Workplace) Regulations 1997 (No. 1840)
The Food Safety and Hygiene (England) Regulations 2013 (No. 2996)
The Gas Safety (Installation and Use) Regulations 1998 (No. 2451)
Health and Safety at Work etc. Act 1974 (c. 37)
The Health and Safety (Consultation with Employees) Regulations 1996 (No. 1513)
The Health and Safety (Display Screen Equipment) Regulations 1992 (No. 2792)
Highways Act 1980 (c. 66)
Housing Act 2004 (c. 34)
The Lifting Operations and Lifting Equipment Regulations 1998 (No. 2307)
The Management of Health and Safety at Work Regulations 1999 (No. 3242)
The Manual Handling Operations Regulations 1992 (No. 2793)
The Notification of Conventional Tower Cranes Regulations 2010 (No. 333)
Party Wall etc. Act 1996 (c. 40)
The Personal Protective Equipment at Work Regulations 1992 (No. 2966)
Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)
Police and Criminal Evidence Act 1984 (c. 60)
The Private Water Supplies (England) Regulations 2016 (No. 618)
The Provision and Use of Work Equipment Regulations 1998 (No. 2306)
Public Health Act 1936 (c. 49)
The Regulatory Reform (Fire Safety) Order 2005 (No. 1541)
Sustainable and Secure Buildings Act 2004 (c. 22)
Town and Country Planning Act 1990 (c. 8) (and other planning legislation)
The Town and Country Planning (Use Classes) Order 1987 (No. 764)
The Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012 (No. 1715)
Water Industry Act 1991 (c. 56)
Water Resources Act 1991 (c. 57)
The Water Supply (Water Fittings) Regulations 1999 (No. 1148)
The Water Supply (Water Quality) Regulations 2016 (No. 614)
The Work at Height Regulations 2005 (No. 735)
The Workplace (Health, Safety and Welfare) Regulations 1992 (No. 3004)

List of approved documents

The following documents have been published to give guidance on how to meet the Building Regulations. Approved documents are available at: www.gov.uk/government/collections/approved-documents

Approved Document 7

Materials and workmanship

Approved Document A

Structure

Approved Document B

Fire safety

Approved Document C

Site preparation and resistance to contaminants and moisture

Approved Document D

Toxic substances

Approved Document E

Resistance to the passage of sound

Approved Document F

Ventilation

Approved Document G

Sanitation, hot water safety and water efficiency

Approved Document H

Drainage and waste disposal

Approved Document J

Combustion appliances and fuel storage systems

Approved Document K

Protection from falling, collision and impact

Approved Document L

Conservation of fuel and power

Approved Document M

Access to and use of buildings

Approved Document P

Electrical safety – dwellings

Approved Document Q

Security – dwellings

Approved Document R

Physical infrastructure for high speed electronic communications networks



HM Government

Manual to the Building Regulations

A code of practice for use in England

