

BUILDING REGULATIONS

The Building Act 1984 is the over-arching legal framework which covers *building work* in England and lays out the powers of enforcement. The Building Regulations 2010 provide more detail into what type of building work is covered.

The [Manual to the Building Regulations 2020](#) provides clear guidance on when and where the Building Regulations will apply.

Whilst the Building Regulations may not be applicable to the full scope of building work and do not tell contractors or other interested parties how to perform the work to meet the standards, they do detail the required standards.

This detail is provided through the publishing of [Approved Documents](#).

It is not a mandatory requirement to follow the Approved Documents. However, if you do not follow them then you must ensure that your building work complies with the legal requirements of the Building Regulations.

1. APPROVED DOCUMENTS

The Department for Levelling Up, Housing and Communities (DLUHC) publishes guidance called 'Approved Documents' on ways to meet building regulations. [Approved documents](#) are approved by the Secretary of State and give practical guidance on common building situations about how to meet the requirements of the Building Regulations 2010 for England. Different approved documents give guidance on each of the technical parts of the regulations. These are all listed in the back of the approved documents. In addition to guidance, some approved documents include provisions that must be followed exactly, as required by regulations or where methods of test or calculation are approved by the Secretary of State.

Each approved document covers the requirements of the Building Regulations 2010 relating to a different aspect of *building work*. *Building work* must also comply with all other applicable requirements of the Building Regulations 2010 and all other applicable legislation.

These may contain:

- General and statutory guidance on the performance expected of materials and building work in order to comply with the building regulations
- Practical examples and solutions on how to achieve compliance for some of the more common building situations

The Approved Documents specifically contain legal definitions for some of the terminology used which may be crucial in determining whether or not a work type is "in-scope" or not. If the work is in-scope (defined by terminology in the relevant Approved Document as "Building Work", "Controlled services and fittings", "Material alteration", "Material change of use", etc.) and that building in question is not exempt, **then Building Regulations will apply and the client receiving the work should receive a completion of work certificate to demonstrate that the work has been notified to LABC (Local Authority Building Control)**. It is also worth considering if a discussion with the Local Authority Building Control needs to take place if you are unsure that you are referring to the correct Approved Documents and standards.

2. SOME RELEVANT APPROVED DOCUMENTS

Work Type	Relevant Approved Document
Ventilation & Air Conditioning	F, L, O
Heating & Hot Water	G, J, L
Plumbing	G, H
Solid Fuel	J
Oil	J
Electrical	P

Approved Documents F, G, H, J, O, P in the table above include guidance for existing buildings, new buildings, dwellings and non-dwellings. Approved Document L further expands into separate specific sectors for each of these instances, as in the table below.

Approved Document L : Conservation of fuel and power			
L1A	L1B	L2A	L2B
New Buildings	Existing Buildings	New buildings other than dwellings	Existing Buildings other than dwellings

NOTE: The above list of ADs is not exhaustive. All ADs are relevant in identifying notifiable work.

3. DO I NEED TO NOTIFY SOMEONE? ¹

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. Membership of a Competent Persons Scheme (CPS), such as the one operated by **BESCA**, allows the contractor to “self-certify” their in-scope works, simplifying the process of notification of their works, as shown in the flow chart in Section 4.

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

¹ Copied from the [Manual to the Building Regulations 2020](#) Chapter 3

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 of the Manual).

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.

Reg 22. Requirements relating to a change in energy status

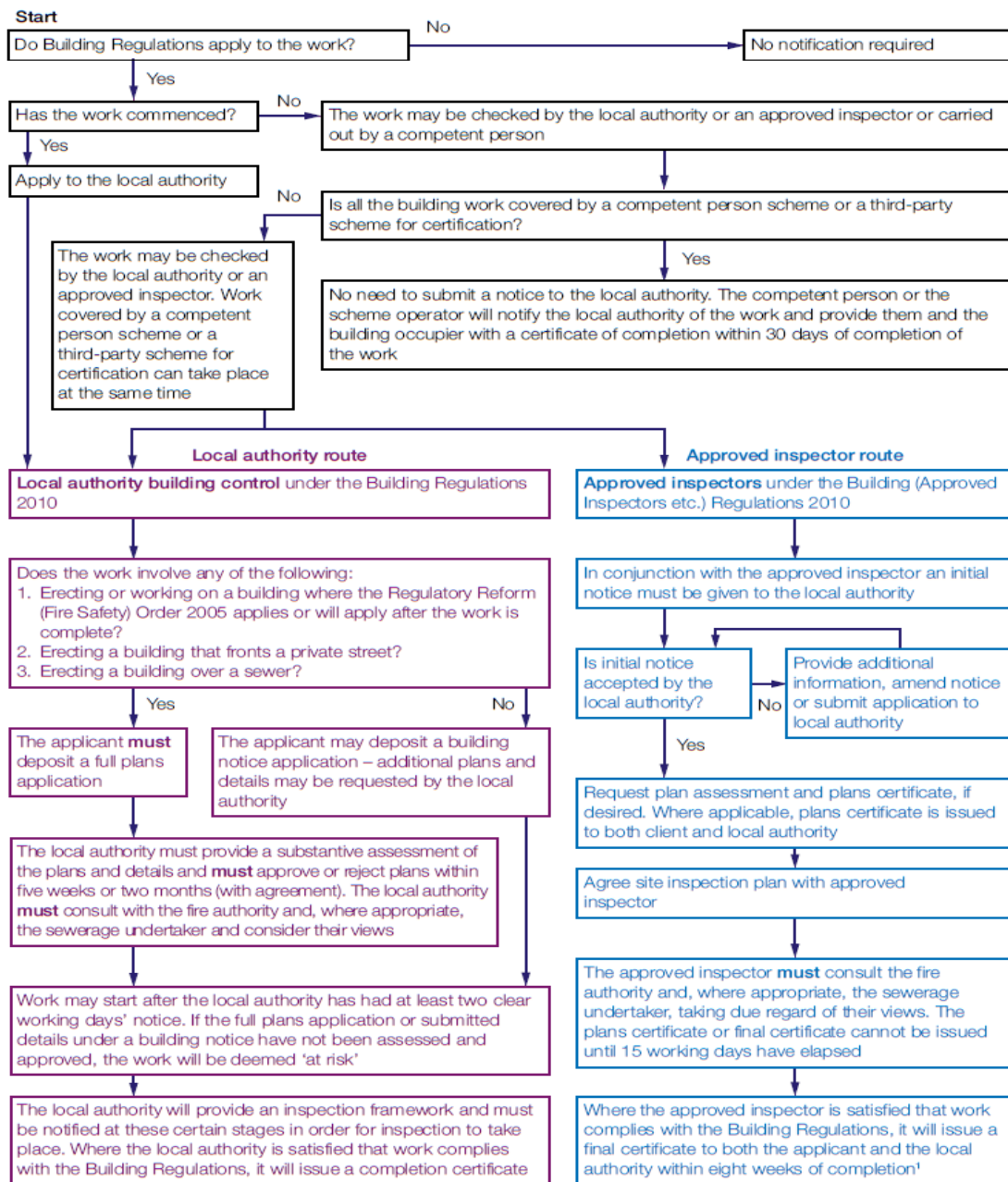
- Where there is a change to a building's energy status, such work, if any, shall be carried out as is necessary to ensure that the building complies with the applicable requirements of Part L of Schedule 1.

Reg 28. Consequential improvements to energy performance

- The initial provision or increase of the installed capacity of any fixed building service should comply with Part L of Schedule 1 and should be technically, functionally and economically feasible.

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

4. THE BUILDING CONTROL PROCESS²



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.

Note: this document is based on knowledge available at the time of publication and is meant for general purposes, not for reliance on in relation to specific technical or legal issues, in which case you should always seek independent advice. No responsibility of any kind for any injury, death, loss, damage or delay however caused, resulting from the use of the advice and recommendations contained herein, is accepted by the authors or others involved in its publication (including the Building & Engineering Services Association). 10/01/2022

² Copied from the Manual for the Building Regulations, Chapter 2, Figure 2.1