

BUILDING REGULATIONS

By Mark Doyle

Looking at the UK's published building regulations in full, you can be forgiven for thinking they are long and complex. Similarly, for those of us who regularly work with building inspectors, we know that their interpretation can also vary from inspector to inspector and council to council.

So yes, they are detailed, specialist, complex, confusing and their interpretation can vary!

Unless you have a background in construction or building work, you are unlikely to have any knowledge of what's expected. Hence when we start out as property investors, we rely on the expertise of our builders and maybe an architect or an engineer.

But how much do you need to know? How much of this information will you use?

In this article, I'll attempt to pick out examples from the regulations you are most likely encounter as investors, will hopefully fill some knowledge gaps and answer some questions.

UK Building Regulations Current Standards

In England and Wales, the Building Regulations 2010 are scheduled in 16 parts (Part A through to Part Q). In Scotland, the regulations are set out in the Building Scotland Act 2003. In Northern Ireland, the regulations are the Building Regulations (Northern Ireland) 2012



WHAT ARE BUILDING REGULATIONS?

The building regulations are a series of documents (see Table 1) that set out the UK's statutory requirements. They give examples of approved "best practice" methods to construct and build pretty much anything.

NOTE: They do not cover gas installations as this has separate regulation.

The regulations cover all aspects of construction, but as with anything, the devil is in the detail. Whole discussions can take place on site over what is the right or wrong way to do something, that may or may not be covered in detail in one paragraph in the regulations. The catch here is that the regulations cover standard issues on a typical standard project, and we all know that every project is different.

All professionals in the construction industry will have some knowledge of the building regulations. However, only building inspectors and a few other highly experienced engineers, surveyors and site/project managers will have real detailed knowledge.

The Building Regulations (England & Wales)

- A) Structure:** Approved Document A, 1 September 2013 Statutory guidance
- B) Fire safety:** Approved Document B, 18 December 2018 Statutory guidance
- C) Site preparation and resistance to contaminants and moisture:** Approved Document C, 3 September 2013 Statutory guidance
- D) Toxic substances:** Approved Document D, 2 December 2010 Statutory guidance
- E) Resistance to sound:** Approved Document E, 4 March 2015 Statutory guidance
- F) Ventilation:** Approved Document F, 1 December 2010 Statutory guidance
- G) Sanitation, hot water safety and water efficiency:** Approved Document G, 9 March 2016 Statutory guidance
- H) Drainage and waste disposal:** Approved Document H, 4 December 2010 Statutory guidance
- J) Combustion appliances and fuel storage systems:** Approved Document J, 3 December 2010 Statutory guidance
- K) Protection from falling, collision and impact:** Approved Document K, 3 January 2013 Statutory guidance
- L) Conservation of fuel and power:** Approved Document L, 5 April 2018 Statutory guidance
- M) Access to and use of buildings:** Approved Document M, 9 March 2016 Statutory guidance
- P) Electrical safety:** Approved Document P, 1 January 2013 Statutory guidance
- O) Security in dwellings:** Approved Document Q, 5 March 2015 Statutory guidance
- R) High speed electronic communications networks:** Approved Document R, 20 April 2016 Statutory guidance
- 7) Material and workmanship:** Approved Document 7, 29 November 2018 Statutory guidance

Table 1, Showing The Ministry of Housing, Communities and Local Government published guidance referred to as 'Approved Documents' on ways to meet building regulations.

www.gov.uk/government/collections/approved-documents www.gov.uk/government/collections/approved-documents



CASE STUDY 1

Five-bed, two shower rooms + one extra toilet, HMO, Merseyside

This project was a straightforward conversion and refurbishment of a four-bedroom end-terrace Victorian building into a licensed five-bedroom HMO with shared facilities in a conservation area. It was to be refinanced onto a bricks and mortar HMO mortgage and would need building regulations approval.

The building inspector wanted to see any works of *material change to the structure of the property* on five separate visits. This included removal of walls, adding lintels and the other major systems (ie ventilation and extraction, all drainage works, fire doors and door furniture, smoke, heat and carbon monoxide detectors, emergency lighting, replacing upvc double-glazed windows, protecting the windows/tenants, raising the banister 100mm and signage.

No drawings were prepared for this project as the works were relatively straightforward and undertaken on a building regulations-written builders notice submitted to the council's building control team.

On each visit, lasting some 30 minutes, recommendations were made and works undertaken as requested. At the final visit a snagging list was prepared and these works were confirmed by emailing photos to the BCO for final approval. A memory stick comprising approximately 500 photos of the works was also submitted for the BCO's files.

A signed off Building Control Completion Certificate was received a few days later by email.

Costs

To submit to the council building control department	£450
To prepare the floor plan and drawing for the HMO licence application	£40



1 Front View



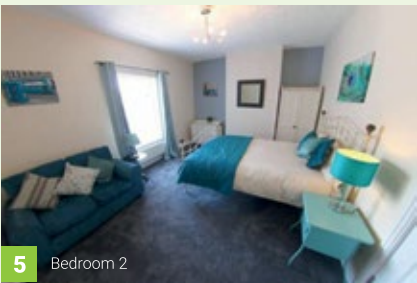
2 Building floor plan for Council HMO Licence



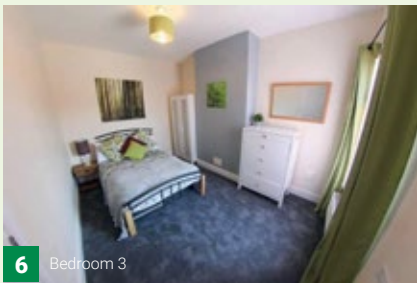
3 Lounge



4 Bedroom 1



5 Bedroom 2



6 Bedroom 3

HOW MUCH DO I NEED TO KNOW?

If you are working on a project that needs input for building regulations, and you don't understand what's shown on the drawings (see Case Study 1 for a straightforward example), then you may need some help.

Most building inspectors and council building control officers (BCOs) will expect you to have little/limited knowledge, and are often helpful. They will usually take the time to explain and point out what needs to be done to meet the regulations.

Do all building projects need building regulations approval? - No!

If you want to take control of your own project for building regulations approval, what are the steps?

- **Arrange to get an architect or technician to produce your floorplan survey and building regulations drawings**
- **Decide whether you want to employ your own building inspector or utilise the council's BCO. Find out the timescale they need to assess your project/drawings and its cost and then submit your drawings**
- **Meet your building inspector on site and walk through the project. Make notes of all the things that need to be amended on your building regulations drawings**
- **Send your drawings back to whoever did them for you to be amended as per the building inspector's comments. Then re-submit them to your inspector for any more comments and subsequent amendments**
- **Notify your building inspector of your start date and get going.**

Generally in England, Wales and Northern Ireland, you are looking to get a *Conditional Approval of Building Regulations*. In Scotland, you need a *Building Warrant* prior to undertaking the works.

WHY DO I NEED BUILDING REGULATIONS APPROVAL?

Once you have worked out what you want to do on your project, you then need to determine whether you need to get building regulations approval. It's crucial that you know whether you need the approval or not, as it's **your** project and if there's an issue, **you** pick up the pieces.

Ultimately, a certificate of approval from a building inspector for the works you have

completed is a statement that the works have been undertaken correctly and it will help your exit. You will need this certificate for mortgages and refinace. It may also help with insurance and warranties, and you can provide it to a future purchaser as evidence of the quality of work undertaken. In these terms, the value of the certificate can be as much as the works themselves.

It's also useful to know that you can get retrospective building inspection certification after you have already completed the works.

CASE STUDY 2 SPECIALIST WORKS

Lower ground floor means of escape, Lancashire

This project was a refurbishment of two city centre lower ground floor one-bedroom flats. Each flat had its own entrance to the rear of the property in very poor condition. At the front of the property a narrow opening allowed light into an older half-buried window into the bedroom. The project was made more complex as the building was in a conservation area.

It was obvious that the existing escape window did not meet the current building regulations to allow these flats to be rented out. You could hardly open it, let alone escape quickly through a 450mm minimum sized opening. Following a discussion with the council conservation officer, it became apparent that she did not want the surface area opening being made any bigger.

Site sketches and detailed drawings were prepared for submission to the council's building control team for their comments and approval. Two site visits, lasting approximately one hour each, took place with the council's building control officer, conservation officer, environmental health representative and fire officer, all making suggestions. At no stage did the council's technical officers actually state exactly what they wanted.

In total, six revisions of the proposed works were submitted to building control, with suggested amendments being put forward prior to each submission. Ultimately after the sixth revision, the inspector stated he couldn't see anything wrong with the proposal. Note: this was not an approval, but it was the best we could get.

On completion of the works a Building Control Completion Certificate was received.

BUILDING CONTROL TRENDS

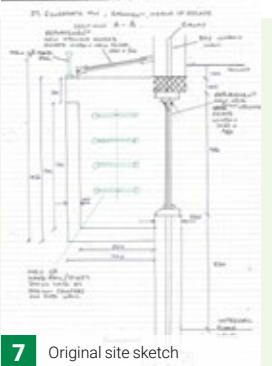
Although the building control regulations are standard documents, their interpretation by inspectors often reflects recent events. Hence, it's no surprise that inspectors are particularly keen on fire regulations. But they also have their own hot buttons and these can often be seen in the conditional approval document that you receive prior to starting work on site.

As an example, they may ask for: **confirmation of sill heights for protection from falling or sound testing and certification upon completion of the works. Or even to provide**

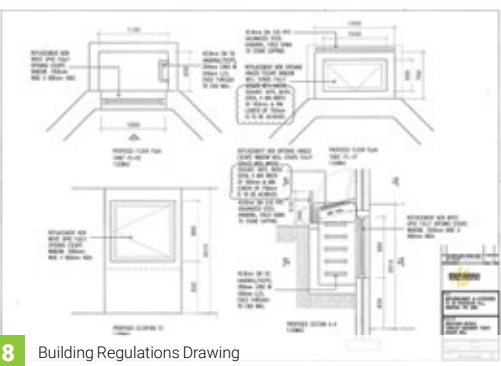
water efficiency calculations to demonstrate maximum water usage of 125 litres per person per day. These are all perfectly normal requests for building inspectors.

It's impossible for all of us to know everything about the building regulations, so at least we are in the majority. What's important is knowing when you need advice and where to go to get some help when you need it.

Most architects and consulting engineers can access other specialists even if the issue is something new to them, so don't be fobbed off with quick answers. Make sure you push to get the additional information you need.



7 Original site sketch



8 Building Regulations Drawing



9 Emergency escape from outside

Costs for the means of escape to meet building regulations

To provide building control drawings (with unlimited revisions)	£450
To the council building control department	£450
For the two new UPVC double glazed windows (inc specialist glass)	£1,550
Labour	£1,200
TOTAL	£3,650



10 Main entrance before works



11 New emergency escape from outside



12 New Access from inside

CONTACT

Mark is happy to mentor or chat with anyone that may need some assistance and can be contacted at: **mark@cheshlancs.co.uk** or via **www.cheshlancs.co.uk**



Mark and his wife Claire have well over 20 years' experience in BTLs, HMOs, developments and conversions. Today, Claire runs their business while Mark's chartered engineering background allows them to work on properties in poor condition.