

Definition of Commencement of Work

This comes from Section 11. Wider changes to the Building Regulations to align the existing system with the new system of current consultation documents

Defining commencement of work in relation to new buildings

11.16 We propose that either of the following two definitions for commencing work on new buildings (both higher-risk and non-higher-risk) should apply depending on the construction method:

i. Completion of the sub-structure of a building up to and including the foundations and any basement levels, the construction of walls up to damp proof course level, the laying of foul and surface water drainage (within the footprint of the building) and the installation of the ground floor structure; or

ii. Completion of the sub-structure of a building up to and including the foundations and any basement levels, the laying of foul and surface water drainage (within the footprint of the building) and the installation of the ground level supporting structure.

11.17 Government considers this approach to all buildings to be suitable as it is reasonable to expect at least this level of commencement work to have started within three years.

Defining commencement of work in relation to work to existing buildings

11.18 We however consider that a more flexible approach is needed where building work is carried out to existing buildings (both higher-risk buildings and buildings which are not higher-risk buildings) as such work can vary significantly in scale and nature from the addition of storeys and/or residential flats to changing the external wall system.

11.19 We propose to define commencement of work in relation to certain building work in existing buildings (both higher-risk and non-higher-risk buildings) where we consider the potential impact to be most significant if work does not commence within specified timescales. We propose to define commencement of work in relation to extending an existing building; replacing the external wall system on an existing building; and carrying out a material change of use.

Extending an existing building

11.20 We propose to define commencement of work in relation to a horizontal extension in an existing building (regulation 3(1)(a) of the Building Regulations (2010) as "the completion of the sub-structure of the building up to and including the foundations and any basement levels, the laying of foul and surface water drainage (within the footprint of the building) and the installation of the ground level supporting structure".

Material change of use

11.22 In recognising the variability of material changes of use (as defined in regulation 5) to existing buildings and the extent to which 'commencing' work might differ, we propose that for the work to be deemed as commenced, at least one of the following conditions must be met, as applicable:

Removal of the heating or ventilation system throughout the area to undergo the change of use;

Removal of at least 25% of the façade of the building;
Removal of the internal fit out, including partitions, ceilings and suspended floors
from at least 25% of the area to undergo the change of use;
Completion of work to an entire floor of the building.