STATUTORY INSTRUMENTS

# 2026 No. 335

# BUILDING AND BUILDINGS, ENGLAND

# The Building Regulations etc. (Amendment) (England) Regulations 2026

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| *Made - - - -* | *23rd March 2026* |
| *Laid before Parliament* | *24th March 2026* |
| *Coming into force in accordance with regulation 1* | |

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 1 and 47(1) of and paragraphs 1D, 1F, 7, 8 and 10 of Schedule 1 to the Building Act 1984(**a**).

In accordance with section 120B(3)(**b**) of the Building Act 1984, the Secretary of State has consulted the regulator (within the meaning given in section 126 of the Building Act 1984) and such other persons as the Secretary of State considers appropriate.

**Citation, commencement, extent and application**

**1.**—(1) These Regulations may be cited as the Building Regulations etc. (Amendment) (England) Regulations 2026.

(2) Subject to paragraph (3), these Regulations come into force on 24th March 2027.

(3) Regulations 3, 4, 6, 7, 8 and 9 come into force in relation to HRB work or work to existing HRB on 24th September 2027.

(4) These Regulations extend to England and Wales and apply to buildings and building work in England.

**Interpretation**

**2.** In these Regulations—

(**a**) 1984 c. 55. Section 1 was amended by section 1(1) to (3) of the Sustainable and Secure Buildings Act 2004 (c. 22) and by paragraph 2 of Schedule 5 to the Building Safety Act 2022 (c. 30). Section 47(1) was amended by sections 46(1), 48(2)(a) and 170(4) of, and paragraph 4(2) of Schedule 4 to, the Building Safety Act 2022 (c. 30), S.I. 1996/1905, article 3(2)(a) and section 8(2) of the Sustainable and Secure Buildings Act 2004. Paragraphs 1D and 1F of Schedule 1 to the Building Act 1984 were inserted by section 33 of the Building Safety Act 2022. Paragraph 7 of Schedule 1 to the 1984 Act was amended by section 11 of the Climate Change and Sustainable Energy Act 2006 (c. 19) and in ways not relevant to these Regulations. Paragraph 8 of Schedule 1 to the 1984 Act was amended by section 3 of the Sustainable and Secure Buildings Act 2004. Paragraphs 8 and 10 of Schedule 1 to the 1984 Act were amended by paragraph 83 of Schedule 5 to the Building Safety Act 2022. See section 126 of the 1984 Act for the definition of "appropriate national authority" and "prescribed". The definition of "appropriate national authority" was inserted by the Building Safety Act 2022, Schedule 5, paragraph 81(2).

(**b**) Section 120B was inserted by paragraph 77 of Schedule 5 to the Building Safety Act 2022 (c. 30).

"the 2013 Regulations" means the Building Regulations &c. (Amendment) (No.2) Regulations 2013(**a**);

"the 2021 Regulations" means the Building Regulations etc. (Amendment) (England) Regulations 2021(**b**);

"building" has the meaning given in regulation 2(1)(**c**) of the Building Regulations;

"building control approval application for a stage of HRB work" has the meaning given in regulation 2(1) of the HRB Regulations;

"building control approval application for HRB work" has the meaning given in regulation 2(1) of the HRB Regulations;

"building control approval application for work to existing HRB" has the meaning given in regulation 2(1) of the HRB Regulations;

"Building Regulations" means the Building Regulations 2010(**d**);

"building work" has the meaning given in regulation 2(1) of the Building Regulations;

"HRB Regulations" means the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023(**e**);

"HRB work" has the meaning given in regulation 2(1) of the HRB Regulations;

"work to existing HRB" has the meaning given in regulation 2(1) of the HRB Regulations.

**Amendments to the Building Regulations**

**3.**—(1) The Building Regulations are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2(1) (interpretation)—

(a) in the definition of "fixed building services"(**f**)—

(i) in paragraph (b), omit "or";

(ii) after paragraph (b), insert—

"(ba) fixed lifts, escalators or moving footways in new buildings, excluding in individual dwellings; or";

(iii) in paragraph (c), for "paragraph (a) or (b)", substitute "paragraph (a), (b) or (ba)".

(b) in the definition of "microgeneration", after "means", insert "except in paragraph L3 (functional requirement for renewable electricity generation - dwellings and buildings containing dwellings) of Schedule 1,".

(3) In regulation 6(1)(a)(**g**) (requirements relating to material change of use), in the row relating to L1 (conservation of fuel and power), after "and power", insert "and minimisation of greenhouse gas emissions".

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(**a**) S.I. 2013/1959.
(**b**) S.I. 2021/1391.
(**c**) The definition of "building" was inserted into regulation 2(1) by S.I. 2023/911, regulation 3. There are other amendments to regulation 2(1) which are not relevant to this regulation.
(**d**) S.I. 2010/2214.
(**e**) S.I. 2023/909.
(**f**) The definition of "fixed building services" was amended by S.I. 2012/3119, regulation 3(c).
(**g**) Regulation 6(1) has been amended in ways not relevant to this regulation.

(4) In regulation 23(**a**) (requirements for the renovation or replacement of thermal elements), for "L1(a)(i)", substitute "L1(1)(a)(i)", in both places it occurs.

(5) In the heading to regulation 40 (information about use of fuel and power), after "and power", insert "and minimisation of greenhouse gas emissions".

(6) After regulation 40B(**b**) (information about overheating), insert—

**"Provision of information for the purposes of regulations 39 to 40B - new dwellings**

**40C.** Where regulation 39, 40, 40A or 40B requires a person carrying out work to provide information to a dwelling owner in relation to a new dwelling, the requirement will only be met if the information is provided to the dwelling owner in an appropriate format.".

(7) In regulation 43(**c**) (pressure testing), for "L1(a)(i)", substitute "L1(1)(a)(i)", in both places it occurs.

(8) In regulation 44(**d**) (commissioning), for "L1(b)", substitute "L1(1)(b)", in both places it occurs.

(9) In Schedule 1 (requirements), Part L(**e**) (conservation of fuel and power)—

(a) for the heading to Part L, substitute, "PART L ENERGY AND GREENHOUSE GAS EMISSIONS";

(b) for paragraph L1 (conservation of fuel and power), substitute—

"Conservation of fuel and power and minimisation of greenhouse gas emissions

| L1 |
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| L1.—(1) Reasonable provision must be made for the conservation of fuel and power in buildings and the minimisation of greenhouse gas emissions from buildings by—<br>(a) limiting heat gains and losses—<br>(i) through thermal elements and other parts of the building fabric; and<br>(ii) from pipes, ducts and vessels used for space heating, space cooling and hot water services;<br>(b) providing fixed building services which—<br>(i) are energy efficient to a reasonable standard;<br>(ii) minimise greenhouse gas emissions;<br>(iii) have effective controls; and<br>(iv) are commissioned by testing and adjusting as necessary to ensure they use no more fuel and power than is reasonable in the circumstances.<br>(2) In this paragraph—<br>"greenhouse gas" has the meaning given in section 92 of the Climate Change Act 2008(**f**).": |

(c) after paragraph L2 (on-site generation of electricity), insert—

"Renewable electricity generation - dwellings and buildings containing dwellings

(**a**) Regulation 23 was substituted by S.I. 2012/3119, regulation 15 and Schedule, as amended by S.I. 2013/181, regulation 5 and Schedule.
(**b**) Regulation 40B was inserted by S.I. 2021/1391, regulation 8.
(**c**) Regulation 43 has been amended in ways not relevant to this regulation.
(**d**) Regulation 44 has been amended in ways not relevant to this regulation.
(**e**) Part L was amended by S.I. 2021/1391, regulation 11(a) and (b).
(**f**) 2008 c. 27. Section 92 was amended by S.I. 2023/118, articles 1(2) and 3(3).

| L3 | |
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| L3.—(1) When a building is erected which is or contains one or more dwellings, a system for on-site renewable electricity generation must be installed on the building or within the boundaries of the curtilage of the building.<br>(2) The system installed for the purpose of this requirement must be—<br>(a) designed to enable generated electricity to be available for the use of residents of the dwellings;<br>(b) capable of generating a reasonable output taking account of the building's design and surroundings.<br>(3) For the purposes of paragraph L3—<br>"energy from renewable sources" has the meaning given in regulation 25A(**a**);<br>"microgeneration" means the use for the generation of electricity of any plant (which for this purpose includes any equipment, apparatus or appliance) which in generating electricity relies wholly or mainly on energy from renewable sources;<br>"system for on-site renewable electricity generation" means a system for on-site electricity generation which generates electricity by microgeneration. | Requirement L3 does not apply to a building—<br>(a) which is a relevant building for the purpose of regulation 7(4)(**b**);<br>(b) on which it is not possible to install a system for on-site renewable electricity generation capable of generating a reasonable output on account of its design and surroundings; or<br>(c) where—<br>(i) equivalent renewable electricity generation output to that required by requirement L3 is available to the building from a system for on-site renewable electricity generation which is not on the building or within the boundaries of the curtilage of the building; and<br>(ii) that system is designed to enable generated electricity to be available for the use of residents of the dwellings.". |

**Amendment to the Building (Registered Building Control Approvers etc.) (England) Regulations 2024**

**4.** In regulation 4(2)(**c**) (functions of approvers) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024(**d**), for paragraph (xxii), substitute—

> "(xxii) regulations 40B (information about overheating) and 40C (provision of information for the purposes of regulations 39 to 40B - new dwellings),".

**Transitional provision: building work which is not HRB work or work to existing HRB**

**5.**—(1) This paragraph applies to building work on a particular building where a building notice, an initial notice or an application for building control approval with full plans has been given to the relevant authority in respect of that building before 24th March 2027, provided that the building work to which the notice or application relates is commenced in relation to that building before 24th March 2028.

(2) This paragraph applies to building work on a particular building where regulation 17(1)(b)(**e**) (transitional provision) of the 2021 Regulations applies.

(3) Paragraphs (1) and (2) do not apply in relation to HRB work or work to existing HRB.

(**a**) Regulation 25A was inserted by S.I. 2012/3119, regulation 17 and was amended in ways which are not relevant to this Part.
(**b**) Regulation 7(4) was inserted by S.I. 2018/1230, regulation 2(7) and amended by S.I. 2022/603, regulation 2(4)(a).
(**c**) Regulation 4 has been amended in a way which is not relevant to this reguation.
(**d**) S.I. 2024/110
(**e**) Regulation 17(1) was amended by S.I. 2023/520, regulation 3.

(4) Where paragraph (1) or (2) applies, the amendments made by regulations 3 and 4 do not apply to the building work.

(5) For the purposes of paragraph (1), paragraphs (2) to (5) of regulation 46A(**a**) (lapse of building control approval: commencement of work) of the Building Regulations apply to determine whether work is to be regarded as commenced in relation to a building.

(6) In this regulation, "application for building control approval with full plans", "building notice", "initial notice" and "relevant authority" have the meanings given in regulation 2(1)(**b**) of the Building Regulations.

**Transitional provision: HRB work - building control approval application for HRB work**

**6.**—(1) This paragraph applies to HRB work on a particular building where a valid building control approval application for HRB work has been submitted to the regulator in relation to that HRB work in accordance with regulation 4(1) (building control approval applications for HRB work or a stage of HRB work) of the HRB Regulations before 24th September 2027, provided that the application—

(a) has not been rejected before that date; and

(b) is not rejected on of after that date.

(2) This paragraph applies to HRB work on a particular building where regulation 17(1)(b) of the 2021 Regulations applies.

(3) Where paragraph (1) or (2) applies the amendments made by regulation 3 do not apply to the HRB work.

**Transitional provision: HRB work - building control approval application for a stage of HRB work**

**7.**—(1) This paragraph applies to HRB work on a particular building where a valid building control approval application for a stage of HRB work has been submitted to the regulator in relation to that building in accordance with regulation 4(3) (building control approval applications for HRB work or a stage of HRB work) of the HRB Regulations before 24th September 2027, provided that the application—

(a) has not been rejected before that date; and

(b) is not rejected on or after that date.

(2) Where paragraph (1) applies, the amendments made by regulation 3 do not apply to any HRB work on the particular building.

**Transitional provision: work to existing HRB**

**8.**—(1) This paragraph applies to work to existing HRB on a particular building where a valid building control approval application for work to existing HRB has been submitted to the regulator in relation to that building in accordance with regulation 12 (building control approval application for work to existing HRB) of the HRB Regulations before 24th September 2027, provided that the application—

(a) has not been rejected before that date; and

(b) is not rejected on or after that date.

(2) Where paragraph (1) applies, the amendments made by regulation 3 do not apply to the work to existing HRB.

(**a**) Regulation 46A was inserted by S.I. 2023/911, regulation 15(2).
(**b**) Regulation 2(1) was amended by S.I. 2023/911, regulation 3(a) and in ways not relevant to this regulation.

**Transitional provision: Schedule 3 (transitional, supplementary and savings provisions) to the HRB Regulations**

**9.**—(1) This regulation applies in relation to HRB work or work to an existing HRB on a particular building where—

(a) paragraph 7 of Schedule 3 (transitional, supplementary and savings provisions) to the HRB Regulations applies in relation to that work and paragraph 11 of that Schedule does not apply;

(b) paragraph 9 of Schedule 3 to the HRB Regulations applies and a notice has been given to the Regulator in accordance with paragraph 9(3) of that Schedule.

(2) Where this regulation applies, the amendments made by regulations 3 and 4 do not apply in relation to the HRB work or work to an existing HRB.

**Revocations, amendments, savings and transitional provision**

**10.**—(1) Subject to paragraph (4), regulation 9 (transitional arrangements) of the 2013 Regulations is revoked.

(2) Subject to paragraph (4), in regulation 17(1) (transitional provision) of the 2021 Regulations, omit sub-paragraph (a).

(3) This paragraph applies in relation to building work on a particular building where immediately before 24th March 2027, regulation 9 of the 2013 Regulations applied in relation to the building work, provided that—

(a) the building work is started before 24th March 2028; or

(b) the building work is HRB work or work to an existing HRB.

(4) Where paragraph (3) applies in relation to building work on a particular building—

(a) the revocation made by paragraph (1) and the amendment made by paragraph (2) do not apply in relation to that building work;

(b) the amendments made by regulations 3 and 4 do not apply in relation to that building work.

**Review**

**11.**—(1) The Secretary of State must from time to time—

(a) carry out a review of the regulatory provision contained in these Regulations; and

(b) publish a report setting out the conclusions of the review.

(2) Section 30(4)(**a**) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—

(a) set out the objectives intended to be achieved by the regulatory provision contained in these Regulations;

(b) assess the extent to which those objectives are achieved;

(c) assess whether those objectives remain appropriate; and

(d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(3) The first report must be published before the end of the period of five years beginning with the day on which regulation 1 comes into force.

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(**a**) Section 30 was amended by the Enterprise Act 2016 (c. 12), section 19(a) and (b) and by the European Union (Withdrawal) Act 2018 (c. 16), Schedule 8, paragraph 36(a) and (b).

(4) Subsequent reports must be published at intervals not exceeding five years.

(5) In this regulation, "regulatory provision" has the same meaning as in sections 28 to 32(**a**) of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

Signed by authority of the Secretary of State for Housing, Communities and Local Government

*Samantha Dixon*
Parliamentary Under Secretary of State
23rd March 2026 Ministry of Housing, Communities and Local Government

(**a**) Section 29 has been amended by the European Union (Revocation and Reform) Act 2023 (c. 28), section 18(3).

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make the legislative changes needed to implement the Future Homes and Buildings Standards (FHBS). They apply to buildings and building work in England. Those terms are defined in regulation 2(1) of the Building Regulations 2010 (the 2010 Regulations).

Regulation 3 amends the 2010 Regulations.

Paragraph (2) amends the definition of "fixed building services" so that it includes lifts, escalators and moving footways in new buildings otherwise than in individual dwellings and the definition of "microgeneration", so that it does not apply for the purpose of paragraph L3. Paragraph L3, inserted by regulation 3(9)(c), includes a definition of "microgeneration" for the purposes of paragraph L3.

Paragraphs (3), (4), (5), (7) and (8) amend regulations 6(1)(a), 23, 40, 43 and 44 respectively to reflect the changes made to paragraph L1 in Schedule 1 to the 2010 Regulations.

Paragraph (6) inserts a new regulation 40C to require that where information must be provided to a dwelling owner in relation to a new dwelling, pursuant to regulations 39-40B, it is provided in an appropriate format.

Paragraph (9) amends Part L of Schedule 1 to the 2010 Regulations to make the main legislative changes needed to implement the FHBS in England. Sub-paragraph (a) amends the heading to Part L. Sub-paragraph (b) updates paragraph L1 (requirement L1) so that it includes references to the minimisation of greenhouse gas emissions and a definition of "greenhouse gas". Sub-paragraph (c) inserts a new functional requirement (requirement L3) for the installation of an on-site renewable electricity system when a dwelling or a building which contains a dwelling is erected, together with limitations on the new requirement.

Regulation 4 amends the Buildings (Registered Building Control Approvers etc.)(England) Regulations 2024 to add a reference to new regulation 40C.

Regulations 5 to 8 provide for transitional arrangements relating, respectively, to building work which is not HRB work or work to an existing HRB (regulation 5); HRB work for which a valid building control approval application for HRB work has been submitted to the regulator (regulation 6); HRB work for which a valid building control approval application for a stage of HRB work has been submitted to the regulator (regulation 7); and work to existing HRB (regulation 8).

Regulation 9 makes transitional provision in relation to some cases to which Schedule 3 (transitional, supplementary and savings provisions) to the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023 applies.

Regulation 10 revokes, subject to savings, transitional arrangements by the Building Regulations & c. (Amendment) (No.2) Regulations 2013 and the Building Regulations etc. (Amendment) (England) Regulations 2021. It also makes transitional arrangements in relation to cases where those savings apply, so that the amendments made by regulations 3 and 4 do not apply.

Regulation 11 provides for review of the regulatory provision made by these Regulations.

A full impact assessment of the effect that this instrument will have on the costs to business is published with an Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

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