

OCDEA

A Guide to Photographic Evidence for New Homes

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A Guide to Photographic Evidence for New Homes

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Introduction

In recent years, the construction industry and Government have grown increasingly concerned over the potential gap between design and as-built energy performance. The performance gap in new built homes is particularly affected by three major factors: limitations of energy models; different occupant behaviour of each dwelling; and build quality. Poor build quality in particular can lead to a new home not meeting the intended primary energy rate, CO₂ emission rate, or limiting U-values and can result in higher energy bills for occupants. As the energy performance of new dwellings is also affected by compliance with Building Regulations requirements, the government is considering it within the broader review of reforms on building safety, design, construction and occupation.

In the 2019 Future Homes Standard consultation there was an acknowledgement of the performance gap, and a number of proposals were made to tackle this in Part L 2021. These included additional guidance on typical build quality issues, a standardised compliance report, known as the BREL, provision of further information to Building Control Bodies (BCBs) and homeowners and a requirement for photographic evidence to improve the accuracy of energy calculations and to provide assurance that the SAP assessments are a reflection of as-built dwellings.

In previous versions of Building Regulations On Construction Domestic Energy Assessors (OCDEAs) were not required to obtain on site photographs as part of the evidence needed to produce Building Regulation compliance reports or Energy Performance Certificates. However, the Government's response to the consultation and subsequent publication of Approved Document (AD) L: Volume 1 2021 saw the introduction of this requirement in England from 15th June 2022. Furthermore, Wales also confirmed the introduction of this requirement in their AD L: Volume 1 2022 which came into force on 23rd November 2022.

For simplification the guidance in this document refers to AD L: Volume 1 2021 but equally applies to AD L: Volume 1 2022 used in Wales.

This guide has been developed as a pragmatic approach to meet the regulatory requirement for photographs. It is intended to help OCDEAs understand how the requirement for photographic evidence impacts their role. It is not intended to be a guide for builders in

how to take photographs to satisfy Building Regulations however we are happy for assessors to circulate this document to their clients to help with the photographic evidence process.

This technical bulletin must be read in conjunction with our 'Assessors Guide to Reviewing Photographic Evidence' found [here](#).

What Photographs are needed?

The following is taken from Appendix B of AD L: Volume 1 (2021) for England and AD L: Volume 1 (2022) for Wales;

B6 - Photographs should be taken for each dwelling on a development as a record during the construction of a property. The photographs should be made available to the energy assessor and the building control body. Anyone may take the photographs.

B7 - Photographs should be taken of typical details as listed below and should be unique to each property. One photograph per detail should be recorded. Additional images, such as a closeup detail, should be provided only when necessary (see below). Photographs should be taken at appropriate construction stages for each detail when completed, but prior to closing-up works.

1. **Foundations/substructure and ground floor, to show thermal continuity and quality of insulation in the following places.**
 - a. At ground floor perimeter edge insulation.
 - b. At external door threshold.
 - c. Below damp-proof course on external walls.

2. **External walls: for each main wall type, to show thermal continuity and quality of insulation for the following.**
 - a. Ground floor to wall junction.
 - b. Structural penetrating elements.

NOTE: For blown fill, photos should show clean cavities and clean brick ties with very limited mortar droppings.

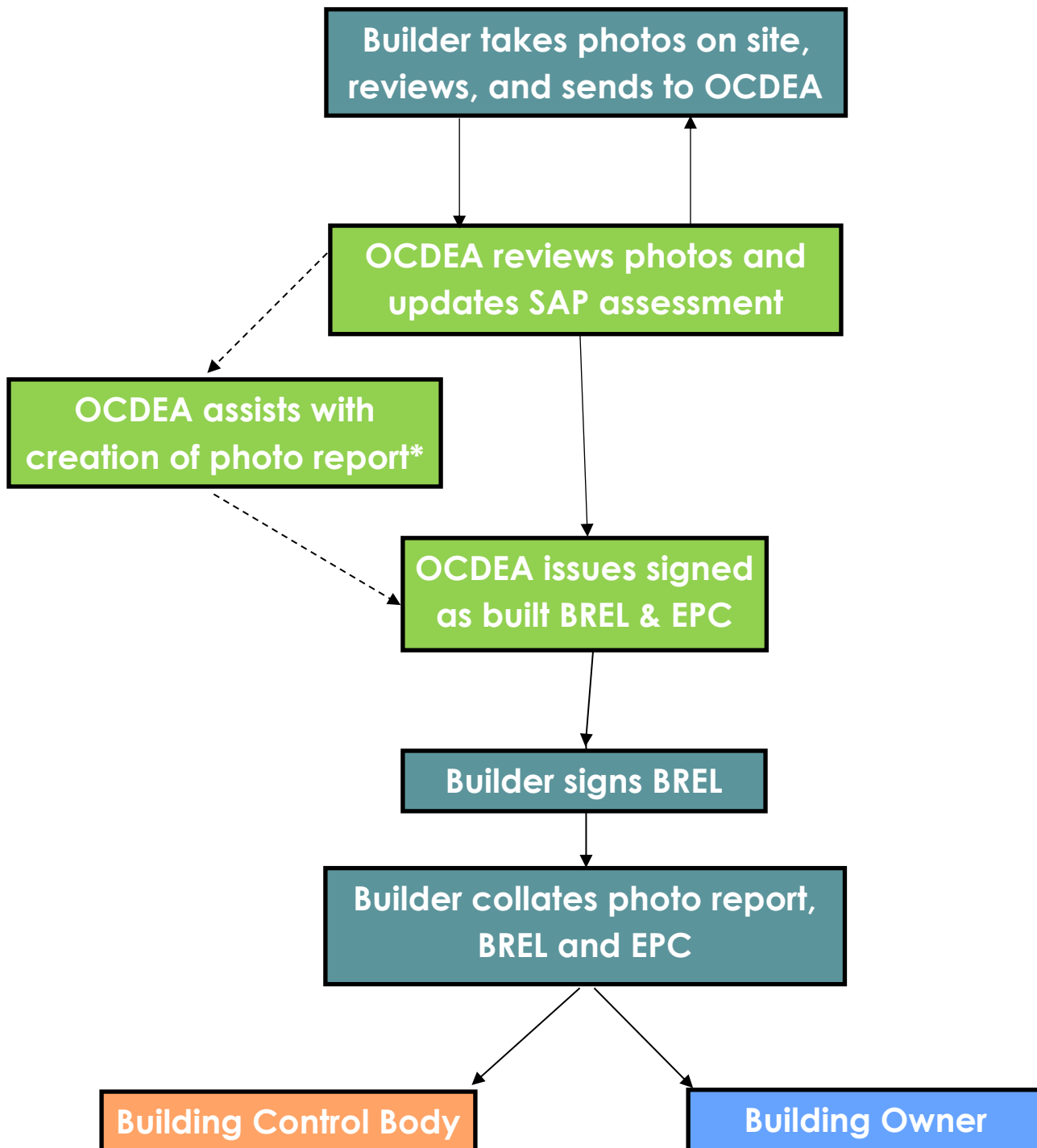
3. **Roof: for each main roof type, to show thermal continuity and quality of insulation at the following.**
 - a. Joist/rafter level.
 - b. Eaves and gable edges.
4. **Openings: for each opening type (one image per wall or roof type is sufficient), to show thermal continuity and quality of insulation with photographs of the following.**
 - a. Window positioning in relation to cavity closer or insulation line.
 - b. External door set positioning in relation to cavity closer or insulation line
5. **Airtightness:** additional photographs for all details 1–4 to show airtightness details (only if not included or visible in continuity of insulation image).
6. **Building services: for all plant associated with space heating, hot water, ventilation and low or zero carbon technology equipment within or on the building, show the following.**

- a. *Plant/equipment identification label(s), including make/model and serial number.*
- b. *Primary pipework continuity of insulation.*
- c. *Mechanical ventilation ductwork continuity of insulation (for duct sections outside the thermal envelope).*

B8 - Photographs should be digital and of sufficient quality and high enough resolution to allow a qualitative audit of the subject detail. Close-up photographs may be needed where a long shot image provides insufficient detail. More than one image of each detail may be needed. Geolocation should be enabled to confirm the location, date and time of each image. Each image file name should include a plot number and detail reference according to the numbers used in paragraph B7. For example, Plot 1 eaves detail would be P1/3b.

Who should take the photographs?

The following diagram indicates typically how photographs can flow from site to OCDEA and eventually to the Building Control Body and the occupant of the new home. AD L: Volume 1 2021 does not specify who can take the photographs. It is the builder's responsibility to organise who takes the photos and Elmhurst believes in the vast majority of cases these will be taken by the builder themselves;



**OCDEAs may wish to offer this service but do not have to.*

When should photographs be taken?

AD L: Volume 1 lists a number of photographs that will be required to be taken during construction, whilst others could be taken closer to completion. It will be imperative that the builder understands the requirements and the correct timeframe to take the photographs.

The below is a guide as to at what construction stage each photo should be taken based on an example of typical build stages of a new dwelling;

Build Stage	Typical elements constructed	AD L Photo Reference
Oversite	Foundations	1A, 1B, 1C
	Sub masonry	
	Drains	
	Oversite	
Roofed	Masonry to Joists	2A, 2B, 3A, 3B, 4A, 4B, 6B
	Joists	
	Second floor	
	Third floor	
	Masonry to plate	
	Gables/roof carcass	
	Roof coverings	
1st fix	1st fix carpentry	
	1st fix plumbing	
	1st fix electrics	
	Plastering	
Completion	2nd fix carpentry	6A, 6B, 6C
	2nd fix plumbing	
	2nd fix electrics	
	Kitchen	
	Ceramics	
	Decorations	
	Finals	
	QCFI	
	CML	
	Completion	

Creating a photograph evidence report

From discussions with Building Control Bodies (BCBs), builders and other stakeholders Elmhurst understands BCBs would prefer if the photographs are submitted to them in a report which presents the photographs in line with the requirements of Appendix B. This could be completed by the builder or an OCDEA and should you wish to offer this service to your clients we would advise reports to be set out in a similar manner to the following;

Part L Photograph Evidence Report



(The above image could be a photo set as cover or company logo)

Address: Plot 1, Example Site

Client: Example Developer

Report issue date: DD/MM/YYYY

The following photographs have been compiled in line with the criteria of Appendix B of Approved Document L: Volume 1 2021. The photographs have been taken by the developer

and supplied to the On Construction Domestic Energy Assessor (OCDEA) to verify the as built details used within the Building Regulations England Part L (BREL) report and Energy Performance Certificate (EPC).

1. Foundations and ground floor

a. Ground floor perimeter edge insulation (SAP junction reference E5)



Photo reference; P1/1a

Additional notes;

b. External door threshold (SAP junction reference E3)



Photo reference; P1/1b

Additional notes;

The remaining photographs listed in Appendix B of AD L: Volume 1 should be set out as per the guidance above.

Frequently Asked Questions

Although the photographic evidence requirement was introduced in 2022 as the transition to Part L 2021 has progressed, we have received numerous questions on this requirement. Below are some of the most frequently asked questions;

What responsibility does each stakeholder have in the process?

The Builder

As per the [Building Safety Act \(2022\)](#) the responsibility for constructing a home that is compliant with Building Regulations lies with the 'Client' and 'Contractor' which is usually the builder. In the vast majority of new homes, it will be the builder or contractor who takes the photographs and therefore will need to ensure they are in accordance with Appendix B of the AD L 2021: Volume 1. Good practice would be for the builder to review the photos to check workmanship and build quality before sending to the OCDEA and Building Control Body to prevent any delays in the process.

Where photos are not provided, or do not show the required details in Appendix B of AD L: Volume 1, the client declaration section of the BREL report should not be signed. If the builder does not supply photographs in accordance with Appendix B they will need to find an alternative solution to demonstrate compliance to the Building Control Body. This could involve remedial works or opening up of building fabric.

The OCDEA

It is Elmhurst's view that it is the OCDEA's responsibility to ensure that the as built SAP assessment used to generate the BREL report and EPC is accurate and any clear and obvious product substitution that has occurred during the build process is accounted for. Detailed guidance on what OCDEAs should review in photographic evidence can be found in our 'Assessors Guide to Reviewing Photographic Evidence' technical bulletin [here](#).

Where a photograph is ambiguous or shows a difference to the SAP assessment then the SAP assessment should be updated accordingly. This will require the use of default values that will likely lead to compliance issues.

Where no photos are provided the assessor declaration section of the BREL/BRWL report should not be signed. The OCDEA must liaise with the builder who will need to determine how compliance can be achieved. For example, this may involve opening up works to retrospectively obtain the required photographs.

An OCDEA is not required to comment on workmanship or design that is outside of the scope of the SAP assessment unless they have the competence to do so. For example, the airtightness section (Section 5 of Appendix B, AD L 2021) is in relation to workmanship that

influences the airtightness of the home so OCDEAs do not need to comment on this unless competent to do so.

The Building Control Body

When work is complete the Building Control Body should be provided with a complete as-built BREL report. This should be signed by the OCDEA to confirm that the as-built calculations are accurate and that the supporting documentary evidence and photographs have been reviewed. The as-built BREL report should be signed by the developer to confirm that the dwelling has been constructed or completed according to the specifications in the report. Photographic evidence should be provided alongside the signed as-built BREL to the Building Control Body.

If photographs are not available for some or all of the sections in Appendix B does that prevent me issuing a BREL and EPC?

If the builder is unable to provide any photographs ultimately, they are not compliant in line with Appendix B of AD L: Volume 1.

For OCDEAs the SAP Conventions advise that where photos are not available then SAP default psi values for relevant junctions should be used. Whilst following this will allow issuing of a BREL and EPC, it will most likely result in a compliance fail against the Fabric Energy Efficiency Standard (TFEE) so will create a different issue.

We are aware that since this requirement was introduced there have been issues with supply of adequate photos in accordance with Appendix B. We have heard that some solutions to resolve this situation have included;

- The builder opening up some areas of the building fabric for each home where photos are not available. In this scenario the builder would need to decide if this is a viable solution based on their competence and responsibilities.
- Alternative forms of documentary evidence may be acceptable for example written statements, certificates of blown fibre insulation etc. However, in this case we would recommend advising the builder that the Building Control Body may take issue with photographs being missed and this could cause delays in issuing a completion notice.

In either case any issues must be advised to your client who will need to establish a solution to the issue. This will likely involve dialogue with the OCDEA and Building Control Body.

Do photographs need to be provided for every plot?

Yes. AD L: Volume 1 states “*Photographs should be taken for each dwelling on a development*”.

How should the photos be transferred from site to assessor?

Elmhurst recommends using one of the many apps available or a file sharing platform to transfer the photos from site to the assessor. Using these allows for easy and quick transfer of photos and some apps also have the ability for the assessor to approve or reject photos and provide feedback instantly.

A list of available apps can be found [here](#).

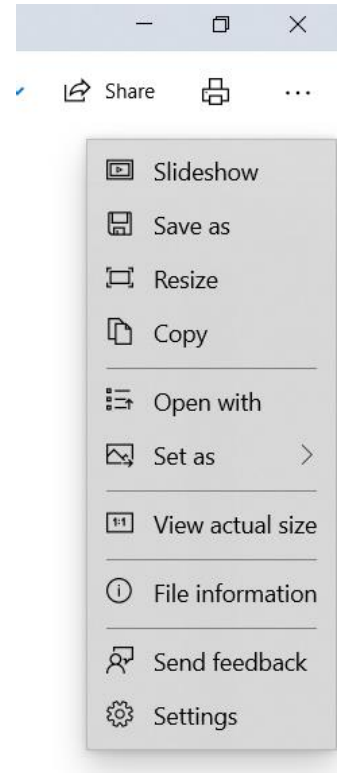
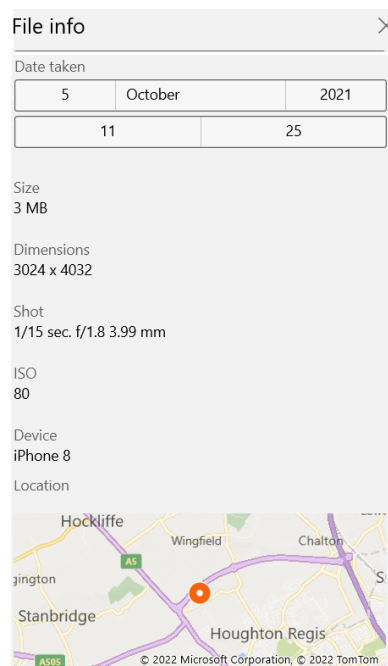
Elmhurst does not recommend emailing photographs from site to assessor due to the size of the files and potential issues of emails being blocked or going to junk. Additionally sending photographs as attachments on emails is likely to lose the geotag and data/time information needed as per Appendix B of AD: Volume 1.

How do I check the time, date and geotag on photographs?

AD L: Volume 1 states that photographs must be date stamped and geotagged to be compliant with the guidance. There are applications freely available that will stamp a map image based on the geotag, and time/date of the photograph. Some developers may utilise this as an easy visual check of location and time the photograph was taken.

Alternatively, if you are sent photographs as files that do not display the date and location on them then as with any other form of evidence you should check them to ensure they are relevant to the plot being assessed. If you are using a Windows PC geotag information can be viewed as follows;

1. Open the photograph in the 'Windows Photos' application.
2. Click the ellipsis button and select 'File Information'
3. This will show the time and date the photograph was taken, and a map of the location the photograph was taken;



Finally, it should be remembered that the Building Regulations put the onus on the builder to ensure compliance. Therefore, the responsibility for presenting photographs taken in the correct location is with the builder.

What should I do if I believe the same photographs are being used for different plots?

The geotag can be inspected to see if the location of the photographs supplied for multiple plots is the same. If you believe this to be the case then this is not in accordance with Appendix B of AD L: Volume 1 and you should discuss your concerns with the individuals who supplied the photographs, likely to be the builder. We would advise not to sign the BREL report until satisfactory photographs have been received, or an alternative solution has been agreed between the builder and the Building Control Body.

Should I expect to receive the photographs during construction or at completion?

To some extent this will depend on your working relationship with the builder. We would suggest good practice would be to send the photographs to the OCDEA throughout the build process, so any issues can be mitigated before completion. This would entail running SAP assessments incorporating any changes to ensure compliance is achieved.

However, if photographs are only received at as built stage and are in accordance with Appendix B and the SAP assessment complies with the energy efficiency requirements of AD L: Volume 1 this is also acceptable. The risk with this approach is that if there are any issues identified from the photographs this may result in costly remedial work needing to be undertaken if the SAP assessment does not meet the energy efficiency requirements in Building Regulations.

Does this apply to Part L 2013 or earlier developments?

No, this only applies to homes that fall under Part L 2021 in England and Part L 2022 in Wales.

Does this apply to material change of use (conversion) work or construction of a new extension at an existing home?

No, this only applies to the construction of new homes. However, it was proposed to extend the scope of this requirement to material change of use (conversion) work in the Future Homes Standard consultation issued in 2023.

What photographs are required for blown cavity wall insulation?

Many of the photographs require the insulation to be in place and visible to verify the construction. However, for blown insulation this will not be possible as the cavities will be closed off before insulation is blown into them.

Therefore, Appendix B of AD L: Volume 1 states *"For blown fill, photos should show clean cavities and clean brick ties with very limited mortar droppings."*

What photographs are needed for MMC/offsite manufactured homes?

Currently the requirements in Appendix B of the AD are the same for all types of construction. Therefore MMC/offsite manufactured systems must comply with the requirements to take photographic evidence in the AD.

For offsite construction our guidance is that the requirements would be met by photographs of the construction taken either during the manufacturing process or onsite during construction as applicable.

Are the same amount of photographs required for apartments?

The requirements in AD L: Volume 1 Appendix B are the same for all types of dwelling. However, Elmhurst believes a pragmatic approach would be to treat the building envelope as one entity, therefore a photograph in one apartment could be used for the others where the same construction applies. If a different construction occurs, then additional photographs will be required.

In regard to apartments that have party floors and ceilings the requirements may vary. For example, photos 1A and 1C are only required for the ground floor to external wall junction, so mid or top floor apartments may not require these photos. Photos 3A and 3B are only required for the roof to wall junctions, so ground or mid floor apartments may not require these photos.

However, there should be photographs showing the junction between the external walls and party floors/ceilings instead. These would be classed as SAP junction E7.

The photographs that cover the building services (6A, 6B, 6C) must be taken for each apartment.

Do I need to retain a copy of the photographs?

Yes. BREL reports are signed documents used to demonstrate compliance with the Building Regulations and should be provided to the occupant of the new homes. Elmhurst expects photographs to be stored securely alongside the other evidence compiled for completing Building Regulation compliance reports and Energy Performance Certificates. In

accordance with the MHCLG's Scheme Operating Requirements the evidence described above should be kept for a period of at least 15 years.

Will photographs be required for EPC Quality Assurance audits?

As photographs can be used to verify the construction of the dwelling and sign BREL reports it makes sense to ask for these to be supplied for homes built to Part L 2021. From 1st February 2025 photographs are treated as minimum evidence in the minimum evidence requirements that OCDEAs must adhere to when compiling evidence for audit. A copy of the minimum evidence requirements for Quality Assurance audits can be found [here](#).

Where photos are supplied Elmhurst auditors will review the photos provided against the as built SAP assessment to check the SAP assessment and EPC reflects the as built construction of the new home.

Do the photographs need to be supplied to the building occupant?

Paragraph 9.3 of AD L: Volume 1 states;

"For new dwellings, a signed copy of the Building Regulations England Part L compliance report (BREL report) and photographic evidence of the build quality should be provided to the homeowner."

As per our flowchart earlier in this guide the builder should make a copy of the signed BREL and photographs available to the occupant alongside other documentation required by Building Regulations.

Is there any other guidance available?

This technical bulletin must be read in conjunction with our 'Assessors Guide to Reviewing Photographic Evidence' found [here](#).

The Future Homes Hub have published guidance for builders covering both masonry and timber frame construction which can be found [here](#).

The SAP Conventions also contain guidance for OCDEAs on what photos should typically look like. The latest SAP Conventions can be found [here](#).

It is expected other industry stakeholders may produce further guidance in due course.

Conclusion

The requirement for onsite photographs in Part L 2021 is a significant change to the compliance process and evidence requirements. It is vital builders understand the range of photographs that are required and ensure they are taken at the appropriate time.

The Building Safety Act is clear that it is the builder's responsibility to ensure compliant homes are constructed. The OCDEA is responsible for ensuring the as built SAP assessment and associated BREL and EPC is accurate based on the evidence provided to them.

The Government have stated this is a step towards closing the performance gap and improving compliance standards in new homes and it is expected this requirement will remain in the Future Homes Standard expected in 2025.

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