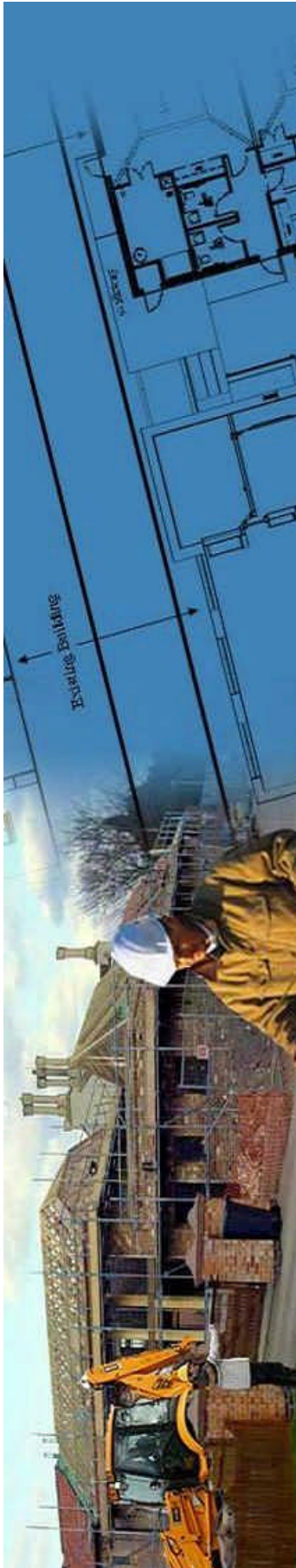


BUILDING REGULATIONS



What are Building Regulations?

Building Regulations set performance standards in the design and construction of buildings ensuring the health, safety, welfare and convenience of people in and around those buildings. They are a wholly different and separate set of regulations to Planning Regulations. They incorporate measures to conserve fuel and power and prevent waste, undue consumption, misuse or contamination of water. They also ensure buildings can be access and used by all people including those with disabilities.

When do I need to make an Application for Building Regulations Approval?

You must make an application in the following instances:

- When you erect a building, e.g. a new dwelling.
- When you make structural alterations to a building, e.g. remove a load-bearing wall.
- When you extend an existing building, e.g. build on a kitchen.
- When you install fittings or services in connection with a building, e.g. install a central heating system.
- When you make a material change of use to a building, e.g. convert a house to flats.
- When you install replacement windows (If you do not use a FENSA registered company).
- When you rewire or modify electrical installations to an existing dwelling (If you have not used a member of a Competent Person Self-Certification Scheme)

Who do I make an Application to?

The application is usually made to the Local Authority Building Standards department; however, you may choose to submit your application to an independent Approved Inspector.

Are there any buildings Exempt from the Building Regulations?

Yes! There are buildings which are wholly exempt from the Building Regulations: such as detached buildings not normally used by people, buildings used for agricultural purposes, greenhouses, buildings principally for the keeping of animals, temporary buildings which will not remain on site and ancillary buildings such as: a site sales office, or a construction site office to be used during the construction work.

Do I have to pay anything when I make a Building Regulation Application?

Yes, there are normally two payments to be made. On submission of your application you pay a plan charge, then, once the work has commenced you will be invoiced for an inspection charge. Charges for Building Regulations applications differ slightly depending on whether a local authority or independent approved inspector is used.

When can I start work?

You can start work immediately after you have lodged your application with the relevant authority. However you are obliged to give notice of your intent to commence work without approved plans. You should be aware that if you commence work before gaining approval, the works may not comply with the Building Regulations and the Building Control Officer may ask you to make alterations. Waiting for your approval gives you some protection against having to make costly amendments on site.

Who is responsible for ensuring that my building complies with the Building Regulations?

There are several people who bear the responsibility of ensuring the building complies with the Building Regulations. They include the building owner, the contractor, and the occupier. The Building Control inspector will provide plan assessment and a number of key inspections to determine compliance during construction.

How do I know when the Building Control service is satisfied with the works?

A completion certificate will be issued to the person making the application, once the Building Control inspector is satisfied that the works are in compliance with the Building Regulations.

Submitting a Building Regulations Application

You may submit the application yourself or you may engage someone to do it for you. If an agent or architect is employed, all correspondence will be directed to them. When submitting an application this should be accompanied with the correct fee for your Building Regulations Application. If your proposal will affect your neighbour in some way you have responsibility under the **Party Wall etc Act 1996** to contact them before your application is made.

Important Notes for Homeowners Proposing to Extend or Make Alterations to Their Homes

This guidance is provided to assist owners in understanding their role and the role of other parties if the owner decides to build an extension to their property or alter the construction of their property (this also applies to the construction of a non-exempt garage and/or carport). Unless the work to be carried out is exempt from the requirements of the Building Regulations you will need to deposit either a Full Plans Application, or a Building Notice Application.

Role of Building Regulation Section

The role is that of an enforcement body. The local authority expects reasonable compliance with the regulations administered with the occasional need to resort to enforcement powers to achieve compliance with these regulations. Accordingly the local authority will expect that the vast majority of Building Regulation Full Plans Applications deposited will comply with the Regulations and that the builder you employ and the level of supervision given to the builder (either by you or your agent) will produce work that meets the regulatory requirements.



Your Role and Responsibilities as Owner

The specification of the proposed alteration and extension – what you want and where you want it – assuming your proposals are in compliance with the Building Regulations. The extent to which you can do this yourself will depend on the level of your knowledge and expertise. Whilst we all know what we want from a project, few can prepare the necessary drawings and design specifications to the detail required in order to define an acceptable standard of finished work to meet your own quality requirements and demonstrate compliance with the Building Regulations. To decide if you require an agent to provide professional and technical assistance in part or the entire process through to satisfactory completion of your project there are a range of options for you to choose from and the role and responsibility of your agent will depend on which option (detailed below) you select:

- a) Site survey and preparation of drawings, calculations and specifications for your proposal.
- b) As above – plus obtaining of all necessary regulatory approvals (planning permission and building regulations approval)
- c) As above – plus preparation of Bills of Quantities and tender documents, selection of builders to tender, administration of the tender process and recommendation of a preferred builder on the outcome of the tender process.
- d) As above – plus commissioning of the builder through a formal contract arrangement.
- e) As above – plus supervision of the building works on-site to completion and certification of payments due under the contract.

Many owners choose an agent to provide an Option c) service and rely on the builder to deal with any problems during construction and to carry out the works to the required standards of materials and workmanship. Where there are no problems encountered during construction and when the builder meets the required standards this approach can be cost effective and economic. When problems are encountered and variations required the builder's best interests may not be the same as the owners. **Poor workmanship is not always obvious to the inexperienced eye. Many owners have adopted this approach thinking that the Building Control Officer (BCO) would fulfil the agent's role for them; this is an incorrect assumption.**

The Building Control Officer is solely interested in compliance with the building regulations primarily with regard to health and safety and environmental matters. The BCO will inspect specific aspects of the works on their visits. The BCO can only inspect those sections of the work open at the time of the visit unless there is sound evidence to support opening up completed construction to reveal non-compliant work. The BCO cannot be expected to identify areas where poor workmanship has rendered previously compliant work ineffective. If a problem is encountered that would result in non-compliance with the building regulations, while the BCO may be able to provide guidance towards a solution, the owner is responsible for the implementation of that solution; an architect, however, can assist in such an instance.