

## Frequently Asked Questions

### What are Building Regulations?

Building Regulations are a set of standards for the design and construction of buildings to ensure the safety and health of people who use and go around those buildings. They also include requirements to ensure that fuel and power is conserved and that facilities are provided for people with disabilities.

### Is Building Regulation Approval the same as Planning Permission?

No. These are two entirely separate functions. Planning permission may be required even if the Building Regulations do not apply, as the proposal may be an exempt structure. Planning advice is available from the Development Control Section.

### Who administers Building Regulations?

Surveyors in the Building Control Section perform this role. Highly qualified and experienced teams of surveyors will examine plans and carry out site inspections of work in progress. Their extensive knowledge of materials and construction methods and local conditions is available to assist you at all stages of the construction process.

### Can I get Retrospective Consent (Regularisation)?

If the work was done after 11th November 1985, there is a procedure that you can use to obtain permission retrospectively.

You should submit one copy of plans showing the work before and after with full structural details, along with a regularisation application form and the appropriate fee. This type of fee does not attract VAT but is 120% of the normal fee (pre VAT) as indicated in the fee advice tables.

Once your application is received, a surveyor will contact you to visit the premises and evaluate what has been done. If remedial work is necessary this will be highlighted and once corrected, a regularisation certificate will be issued.

### When do I need Building Regulations Approval?

Please contact a Building Control Officer.

### Are any building work proposals exempt from Building Regulation Approval?

Yes – see Guide to Exempt Buildings.

### I have assessed that I do need Building Regulations Approval, so what do I do next?

There are two ways in which you can apply to us for permission to build:- Either by depositing 'FULL PLANS' or by the 'BUILDING NOTICE' procedure.

Note: That if you are proposing to erect a building containing offices or shops you must deposit 'FULL PLANS'.

### What are the differences between the two Procedures?

- The benefits of the 'Full Plans' procedure are:-  
We will advise you on the Building Regulations at the design stage of your project, which means your plans are more likely to be passed by the Local Authority.  
We will ensure that you have a decision usually within 3 weeks – passed or conditionally approved.  
You may save yourself the costly delays that can occur if your work is not up to standard. See the 'Full Plans' guide.
- The benefits of the 'Building Notice' procedures are:-  
Where the building proposals are for minor work the Building Notice procedure is simpler than the 'Full Plans' procedure.  
If your proposed work is not too extensive or complex it is a good idea to use a Building Notice, but your builder (or you) must know what he is doing as rectification of work can be expensive.  
There are no limits to its use except as mentioned above where the building contains a shop or an office. See the 'Building Notice' Guide.

### Does the approval of plans permit me to build over the boundary onto my neighbour's property?

No. We are not responsible for establishing boundaries between properties. If you find that your neighbour has built over your boundary, we suggest that you discuss the matter with them. If you are unable to resolve the problem, you should then seek legal advice from a solicitor. [Click here for information on The Party Wall Act 1996.](#)

### Will I have to pay for Building Regulations Approval?

Yes, we are obliged to make a charge for the work of administering the Regulations. The initial amount you have to pay will depend on whether you choose the 'Full Plans' or 'Building Notice' procedure. You should calculate the correct fee by reading the page on charges. You will be sent an account for the balance of the fees after commencement.

### When Can I Start Work?

We always advise that you should only start work once your plans have been approved or your Building Notice has been accepted because in our experience this reduces the risk of problems occurring. However, should you wish to start as soon as your 'Full Plans' application or 'Building Notice' has been received by us then you may do so, but, whatever the circumstances of your application, you or your builder must also give us two days notice of your intention to commence work. We ask for this commencement notice to be in writing so that we are able to record the name and address of your builder. This is for your benefit should we find that at any time the work is unsatisfactory and we need to take further action. See also the pages on

'Inspecting the building works' and 'Enforcement'. We provide simple cards for you to fill in for this purpose which are sent to you with your receipt letter.

### Have my neighbours the right to object to my proposal under the Building Regulations?

No. Under the Building Regulations adjoining owners have no rights of objection.

### Can anyone look at my plans?

No. Plans given as part of a Building Regulations application are not documents which the public have a right to view. We often, however, receive requests for information from our archives. Subject to copyright and proof of legitimate interest the records can be examined in our offices but we do not allow them to be taken away. Research of archived records is time consuming and therefore we charge a fee for this service. For further information please contact our administration service, for details see 'Contacts'.

When requesting information from archives, please help us to help you by providing the full postal address of the property where the work was carried out and, if known, our application reference number. Remember it can take time to find and extract the information you have requested so please allow sufficient time when making your request.

### What happens if the required notices are not given?

If we are not given the opportunity to inspect the works as they progress we may serve a notice on the builders requiring them to 'open up' the work so that inspections can be made. If we do not have the name and address of the builder, we will require you to 'open up' the work. Any person contravening the Building Regulations can, on conviction at a local Magistrates' court, be liable to a fine not exceeding £2,000.00 for each contravention and a further fine not exceeding £50 for every day that each fault continues.

### What happens if my builder damages my neighbour's property?

Your builder should have adequate insurance to cover damages to property and injury to people. You should make sure that your builder has this type of insurance. We have no control over this aspect of the works and we would advise any aggrieved parties to seek the advice of a solicitor.

### Is there any documentation I should keep?

Yes. You must keep your 'Full Plans' approval or 'Building Notice' acceptance and any completion certificate for the work that has been carried out. These are as important as the original deeds of the property. If you wish at any time to sell your property you may experience difficulty in completing the sale if you do not have them.

### You received my Building Notice. Do you require any further information?

If we do we will contact your Agent or yourself. As you do not have any approved plans to work to it is important that you discuss your work with the Building Control Officer on our visit to your property. If you have not stated on the Building Notice form when you intend to start work, you will need to notify us in writing when work is about to commence giving two working days notice.

### What happens if my works do not comply with the national Building Regulations?

The simple answer is that the works will have to be altered so that they do comply. As owner you are ultimately responsible for the works.

### Are there penalties for not complying with the Regulations?

Yes. The person carrying out the works could be taken to Court and fined for contravening the regulations. As owner you are responsible for putting the work right and again there are penalties for not doing this.

### Apart from commencement, what other stages of the works should I call you in to inspect?

If your works involve the digging of excavations, the laying of concrete foundations and concrete floors, putting in damp proof courses and membranes, the provision of above or below ground drainage, providing or altering the roof construction, and finally occupation and completion of the building, you should inform us.

### What other fees do I have to pay?

All fees for Building Notices are paid on submission of your application so there are no additional fees for site inspections for this type of application. However, there may be inspection charges for a 'Full Plans' application and these would be invoiced after the first inspection on site.

### What happens when my works are about to commence?

The person carrying out the works should give two working days notice prior to the works commencing.

### What should I do when works are nearing completion?

Remember – we are checking the works on your behalf. Although the person carrying out the works must inform us that the works are complete, we would advise you to contact us to see if we have made all the necessary inspections and the works are satisfactory.

Provided we have made sufficient inspections, all fees have been paid and we are satisfied that the work complies with the Building Regulations, we will then issue to you a Completion Certificate. This is another important document and should be kept in a safe place. This too will be needed when you sell your property.

### Failure to tell the Council.

If you carry out work without telling the Council, you may be committing a criminal offence for which you can receive a fine upon conviction of up to £5,000.00.

Problems can also arise in the future if the property is offered for sale and the relevant Local Authority searches reveal that permission was not obtained.