

Building Regulations & Building Control

Once planning permission has been granted, you must then obtain building regulations approval for your project to ensure that your plans are fully compliant with the latest government standards. Most construction work in England and Wales is covered by the Building Regulations 2010. These minimum technical standards set out by the government ensure that building work is both designed and constructed properly.

When appointing a building control inspectorate to deal with your project, you have two options. Select an independent Approved Inspector or chose the local authority to carry out the duties for you. Costs can vary, so can the service in which you receive. Our advice would be to obtain quotes and seek recommendations as to which direction to take. Your architect should also be able to provide invaluable advice at this stage based on their experience.

As Building Regulations are only the minimum standards and only cover what is necessary for the building to be constructed safely, you should be aware that just meeting these standards alone may not be enough to ensure that your building is fully compliant. By law, you, your architect or your builder must make the appropriate application to Building Control and ensure compliance with the Building Regulations. If this is not done, then you do face the prospect of an unsafe building as well as being prosecuted.

There are 3 types of Building Regulation application. A Full plans application, Building notice application and a less common Regularisation application.

Full Plans Application

Under a full plans application, you are required to submit fully detailed drawings illustrating compliance with the Building Regulations. An appointed inspector will then scrutinise the plans to ensure that they do indeed comply on plan with the Regulations. If they do, then a conditional approval is issued and work can commence. If it is deemed that the plans do not comply, then the inspectorate and confirm what amendments are required before you submit revised drawings.

The benefit of this method is that you ensure that the drawings are fully compliant before starting the works on site. The downside is that this method is a lengthy process and will take a minimum of 5 weeks.

Building Notice

This method provides homeowners a quick path to carrying out small and uncomplicated works without undue fuss. Unlike the full plans option, where Building Control will scrutinise the plans before works can start, a Building Notice will allow works to start on site as the plans are not pre-assessed. The benefit of this option is that you may start on site a mere 48 hours after making the submission. Your builder can even deal with a building notice application. The drawback with this option is that it introduces uncertainty. You start on site without knowing if what you are doing will be accepted - you rely on the expertise of your architect or builder to make sure that they are in full compliance with the Regulations. This can ultimately lead to the risk of abortive works which can add time and cost delays.

Regularisation Application

This is not like the other two options in that a Regularisation application can only be made once the works are complete. Its effectively a retrospective B.Control application. This option should only ever be seen as an emergency for those homeowners who have fallen fowl of the correct procedures. Sadly there are many who have received poor advice or who have hastily bypassed due process in order to start their building work on site. Once people realise that they will be unable to sell their property due to not having the correct sign off, they then begin to see sense and seek the necessary approval. The sad thing is that this usually requires invasive opening-up works in order for the inspector to see what has been built.

On the condition that your architect has provided you a set of detailed, compliant drawings alongside the structural engineer's information, then a building notice will be an acceptable route to take. However, if your project is complicated then we would recommend that you opt for a Full Plans Application.