**Making a Building Control Application**

**Why are the Building Regulations and Building Control necessary?**

Building Regulations are necessary to ensure that an acceptable standard of construction is achieved to protect the health and safety of people in and around buildings and also to regulate access to buildings and apply energy conservation regulations.

**When will you need to make an application?**

Building Regulations apply to most ‘building work’. This requires you to make an application before proceeding with the work. Building Control applications must be submitted to Building Control Services. Applications are required for new build, property extensions and also work of a minor nature; particularly installing fittings, new heating appliances and systems, altering a building’s structure, changing the use of a building or building work affecting fire safety. In some instances, repair work to buildings will also require a Building Control application. Some work is exempt from making a Building Control application but will still need to comply with the Building Regulations.

The best way to check that you are doing the right thing is to contact Building Control Services before starting your project. Getting good advice from the beginning will help you avoid problems later.

Examples of work that require an application are:

● New Buildings

- Dwellings

- Detached garages (over 30m² floor area)

● Structural Alterations

- Removal of walls

- Patio door installation

- Roof space conversions

- Extensions

- Attached garages

● Thermal Alterations

- Cavity wall insulation

- Renovation of thermal elements

● Installation of works and fittings

- Drainage alterations

- Central heating alterations and installations

- Mains powered smoke detectors

- Pressurised domestic hot water systems

● Changing a building’s use

- Apartment conversion

Note: This list is not exhaustive, other works also require an application to be made.

**How to I make an application?**

You can contact Building Control Services to receive advice on the appropriate application form and to discuss your project.

**Full Plans Application**

The Full Plans application is required in order to obtain ‘Notice of Passing of Plans’ for the design shown on drawings. These maybe for the:

* Erection of a commercial building or domestic dwelling
* Alteration or extension to a commercial building
* Erection of a domestic dwelling
* Extension of an existing dwelling e.g. kitchen extension
* Converting a loft within a dwelling e.g. extra bedroom
* Change of a buildings use e.g. existing garage to a granny flat
* Installation or alteration of services and fittings e.g. central heating appliance or replacement central heating systems

You can submit an application yourself or appoint someone to do it for you. Agents, such as Architects or Chartered Surveyors can handle all correspondence for you. This type of Building Control application must include the postal address of the property where the work is to be carried out, a description of the work and/or the use of the building, drawings for assessment together with the appropriate fee.

**Building Notice Application**

The Building Notice application allows work to be carried out without the submission of full plans, however in certain situations plans may be requested. This type of application can be used in the following instances:

Extensions to an existing dwelling e.g. kitchen extension (if less than 10sqm in floor area)

Converting a loft within a dwelling (if less than 3sqm in floor area)

Installation or alteration of services and fittings e.g. central heating appliance or replacement central heating systems

The Building Notice procedure may only be used for domestic proposals and the application form requires the following information:

* Description of the works and its location
* Intended use of the Building
* Means of drainage
* Materials to be used
* The size of the building and proximity to other buildings and boundaries
* Site Plan

Other information that may be required:

* Structural Calculations
* Thermal performance and specification, such as CO2 emissions and sap calculations

**Regularisation Application**

The Regularisation Application procedure allows the Council to formally consider, as appropriate, works carried out and completed without the submission of a Full Plans or Building Notice application. This is called unauthorised work.

The purpose of the Regularisation application is to ensure that the works are compliant with the Building Regulations that were in operation at the time the unauthorised work was carried out.

A Regularisation form must be submitted to the Building Control Service by the person who is legally responsible for the works.

The completed application must detail:

- A description of the unauthorised work or works

- The date these works were undertaken

- The use of the building

Once a Regularisation Application has been received, Building Control Services will arrange to survey the work.

The Building Control Officer will assess compliance of the work with Building Regulations and advise of any necessary remedial work that needs to be carried out in order for a certificate to be issued. On occasion, plans of the work may be requested and should be submitted with the relevant fee.

The Regularisation fee payable to the Council is based upon the estimated cost of the unauthorised works against a sliding scale costs. A copy of this can be obtained from Building Control Services or viewed on the Council website.

Verification that work has been carried out to the required standard may involve opening up and exposure of certain critical areas for inspection or investigation.

If remedial work is necessary to ensure compliance with the Building Regulations, the owner of the property has a responsibility to ensure that this work is undertaken.

Building Control Services aims to assist applicants as best it can to ensure that any unauthorised work complies with the minimum standard relevant at the time the works were undertaken.

In circumstances where an applicant takes the decision not to proceed with the additional or remedial work for reasons of expense or disruption, the Building Control Service is required to review the nature and seriousness of such a decision and act accordingly. This may mean the commencement of legal proceedings if appropriate.

Applicants should be aware that once a Building Control Officer is invited onto a property on behalf of the Council, issues cannot be ignored that might be detrimental to the health and safety of the occupants of and visitors to the building. This also applies to viewed work that does not form part of the Regularisation Application.

In certain circumstances, unauthorised building works can negate the conditions of home insurance contracts.

The Regularisation process is not available for work completed prior to October 1973, as there is no legal mechanism for dealing with this work.

If you require further information on Regularisation or would like to discuss any building work you suspect to have been carried out without the necessary Building Control Application having been made, please contact Building Control Services for advice.

**Appeals**

An applicant may make an appeal to the Department of Finance and Personnel against any decision made by Building Control Services. The appeal must be made in writing and lodged with the DFP at the address below:

Building Regulations Unit

Properties Division,

Department of Finance and Personnel,

Level 5, Causeway Exchange

1-7 Bedford Street

Belfast

BT2 7EG

[www.dfpni.gov.uk/index/buildings-energy-efficiency-buildings/building-regulations/br-appeals.htm](http://www.dfpni.gov.uk/index/buildings-energy-efficiency-buildings/building-regulations/br-appeals.htm)

The Appeal may be in relation to rejected plans, refusal of relaxation/dispensation of Building Regulations or the serving of a contravention notice in respect of defective works.

You may at any time, request guidance on making an appeal to the Department of Finance and Personnel.

It is important to choose a builder who has a good technical knowledge of Building Regulations and building practices. This is for your own protection and is probably the most important decision you will make throughout the entire project. Look at previous work the builder has recently completed and ask for recommendations from people you trust. Unfortunately Building Control Services cannot give advice on individual builders.

A Building Control Officer will carry out regular inspections of the building work to ensure Building Regulations are met.

Fees will be payable on submission of applications and subsequent inspections of the work, in both instances these are one-off payments. Under the Building Notice system, the plan and inspection fee are combined and are payable once the application is submitted.

Building Control Services are here to help with any problems you may be having and to offer professional advice at any stage of the building works.

Please speak to a member of the Building Control Service unit if you have a query in relation to making a Building Control Application.