How do I apply for Building Regulations approval?
INTRODUCTION
It is very important to remember that there is a big difference between Building Regulations and Planning Permission. Furthermore, both sets of legislation must be dealt with separately by different departments/organisations. When you apply for Planning Permission the Development Control section of the Local Authority will consider issues such as the appearance of the building and how it will affect the adjoining properties etc. Building Regulations deals with how the building will be built, its structural stability, thermal efficiency and accessibility, considering items like foundations, floors, walls and roof etc.

Although Building Regulations and Planning Permission require the submission of completely separate applications to different departments, you must consider the effect of one permission against the other. For example, a requirement of obtaining Planning Permission may dictate that the rooflights to your 1st floor loft conversion will not give an opening large enough to satisfy the means of escape needed for Building Regulations. Should this be the case it is your responsibility to specify a suitable alternative arrangement to show compliance with the Building Regulations.

Please remember that both departments must be satisfied and very rarely will a requirement of the Building Regulations be dispensed with just because of a planning condition.

HOW TO MAKE A BUILDING REGULATIONS APPLICATION
If you need to make a Building Regulations application there are currently 2 ways to do this, a Full Plans Application or a Building Notice.

FULL PLANS APPLICATIONS
The principal advantage of using this method is that once you plans have been approved you can work to those drawings without fear of contravening the regulations during the build; that is unless you make a departure from them!

A Full Plans Application requires you to provide a detailed set of plans together with a specification of materials you propose to use.

Information that should generally be shown on the plan includes:

- Elevations
- Floor Layouts
- Site Location Plan
- Drainage Details
- Sectional Views of the Construction
- Specification Details

In addition, you may also need to submit calculations for:

- Structural Members (steel beams etc)
- Thermal Insulation Values;
- Loft Conversion Work

If the Application is Non-Domestic you will also need to submit:

- Fire Plans (3 copies)
- Access Statement

Once validated, a NELC Building Control surveyor will check the information contained within your application for compliance to the relevant requirements of the Building Regulations. To do this we have imposed on ourselves a 9 working day target and will endeavour to contact you within this period to notify you of any alterations that may be required. If alterations are necessary we must make a decision within 2 months and would ask that any requested information be submitted within this period. Should the plans then be satisfactory, your application will be approved and you will subsequently be notified.

FEES
Unfortunately you will have to pay a fee for Building Regulations approval. However, with a Full Plans Approval the fee is generally paid in two instalments. The Plan Fee is payable when you submit the application and the remainder, the Inspection Fee, will be invoiced once inspections commence.

BUILDING NOTICE APPLICATION
This is more commonly known as a short notice, as to legally commence it must be submitted at least 48 hours prior to commencement on site. Unlike a Full Plans Application you need not submit plans, specification etc with your application for it to be made valid, but unlike a Full Plans Application the onus to demonstrate compliance rests squarely on your shoulders. A person submitting a Building Notice therefore takes full responsibility for the works. Your surveyor will make regular inspections throughout the build with a view to checking to see if the work completed so far complies. Therefore, should defective works be highlighted during the build you may have to undertake destructive works to put it right at your expense. For this reason alone it is worth considering if a full plans application is better suited to the proposed building work.
LIMITATIONS
The Building Notice application is best suited to small works, replacement windows, minor alterations etc. However, it can technically be used in most cases, for most works other than:
- Non-domestic work
- Work within 3m of a public sewer
- Erection of a building fronting onto a private street

As highlighted, the submission of plans are not required for a Building Notice application, this said additional information may be requested by your Surveyor and must be provided. Examples of this include:
- Loft Conversions, a set of structural calculations from a suitably qualified person
- New build houses, an energy rating, i.e. SAP calc and EPC, (Energy Performance Certificate)
- Extensions, a block plan with a scale of 1:1250 must be provided in all cases

FEES
As with a full plans application a fee is required for your Building Regulations approval. However, unlike a Full Plans Application the entire fee is payable when the application is submitted. This said the 2 types of application generate exactly the same fee overall.

POINTS TO REMEMBER
1. Whatever option you choose once building work is underway your Surveyor will visit site at various stages, when requested to check that the Building Regulations are being met. When notification is received and an inspection determines that the works are satisfactorily completed, we will issue a Certificate of Completion.
2. Once we have received your Building Regulations application, you normally have 3 years in which to commence the work, after this time you will need to re-apply.
3. Application forms and Fee Charges are available from visiting the appropriate office, web site or by telephoning the appropriate office.
4. Don’t forget you may also need Planning Permission and you should contact the Planning Department at your local office.
Please note that these guidance notes are for advice only and may not cover all situations. It is your responsibility to ensure that they are appropriate for use in your particular circumstances.