

Application for building regulation approval

Explanatory information

This form can be used for making full plans, building notice, regularisation or partner building regulation submissions in the East Hampshire District Council areas.

1. Applicant or client

The client is the person for whom the building work is done. In many cases this will be the building owner.

Roles and responsibilities:

The client should have suitable arrangements in place to ensure that the design work and the building work are completed in accordance with the building regulations. In practice, this is likely to mean appointing a principal designer and principal contractor, with the right skills, knowledge, experience and behaviours or organisational capability for the work. The client should ensure that those they appoint have systems in place to ensure compliance with the building regulations.

For domestic work, which is not part of a business activity, unless an alternative written appointment is made, the duty for compliance with the building regulations automatically transfers to the principal designer and the principal contractor. The principal designer is the designer in control of most of the design phase of the project and the principal contractor is the contractor in control of most of the construction phase.

For non-domestic work, or work which is part of a business activity, the appointment of the principal designer and principal contractor should be made in writing. Where these appointments are not made in writing the client must fulfil these duties, in this case the duty for compliance with the building regulations will remain with the client.

By completing and signing this form, the council accepts that you have consented to the time period for consideration of the application being extended to two months and that, if appropriate, with the application being passed with conditions.

2. Principal designer

The principal designer is a designer appointed to be in control of all the design work. When there is more than one designer the principal designer should coordinate the design team.

Roles and responsibilities:

The principal designer must plan, manage and monitor the design work, and cooperate, coordinate and communicate with other designers and the principal contractor to ensure the design work, if built, complies with the building regulations.

For domestic work, which is not part of a business activity, unless an alternative written appointment is made, the duty for compliance with the building regulations automatically transfers to the principal designer and the principal contractor.

For non-domestic work, or work which is part of a business activity, the appointment of the principal designer should be made in writing.

Where the principal designer is not appointed, the client must fulfil the roles and responsibilities of the principal designer until such time as that person is appointed.

Where the principal designer has not been appointed at the time of submitting the building regulations application, the client must notify the council in writing following the appointment of the principal designer, including full contact details.

3. Principal contractor

The principal contractor is a contractor appointed to be in control of all the building work. When there is more than one contractor the principal contractor should take responsibility for the site.

Roles and responsibilities:

The principal contractor must plan, manage and monitor the building work and ensure cooperation, communication and coordination between the duty holders and liaise with the principal designer to ensure the building work complies with the building regulations.

For domestic work, which is not part of a business activity, unless an alternative written appointment is made, the duty for compliance with the building regulations automatically transfers to the principal designer and the principal contractor.

For non-domestic work, or work which is part of a business activity, the appointment of the principal contractor should be made in writing.

Where the principal contractor is not appointed, the client must fulfil the roles and responsibilities of the principal contractor until such time as that person is appointed.

Where the principal contractor has not been appointed at the time of submitting the building regulations application, the client must notify the council in writing following the appointment of the principal contractor, including full contact details.

4. Commencement of work as defined by regulation 46A the building regulations 2010 (as amended)

- a) The construction of a complex building, as defined in regulation 46A(5), is deemed to have commenced when the foundations and structure of the lowest floor level of that building are complete.
- b) The construction of a new building, which is not defined as a complex building, or the horizontal extension of an existing building is deemed to have commenced when the foundations, any basement level and the ground floor level construction are complete.
- c) For all other work not described in items a) and b) above, the work is deemed to have commenced when the client considers 15% of the work has been completed, as detailed within the statement of proposed works as described in Section 8 of the application form.
- d) The start of work is deemed as any controllable work being carried out on site. This should be notified to the council and an inspection requested as appropriate. The “start of work” should not be confused with the “commencement of work” as defined by regulation 46A lapse of building control approval: commencement of work, the building regulations 2010 (as amended).

5. Charges

If you have not done so already please contact the council on 01730 234207 to obtain a fee quote or charge advice.

Subject to certain exceptions, all applications attract charges that are payable by the person who carries out the building work or on whose behalf the building work is carried out. Full plan charges are normally payable in two stages. The plan charge must accompany the deposit of your application and the Inspection charge is invoiced as a single payment after the first site inspection of work in progress. The inspection charge will cover all inspections carried out.

Other work

Please provide an estimated cost of works that a builder would charge for carrying out alterations, structural alterations, installation of fittings/services that are not directly associated with an extension, loft conversion or garage conversion.

All building notice and regularisation application charges are paid on submission of the notice/application.

Please note supplementary charges may be applied:

- If the building work subsequently includes high-risk construction techniques, the build duration exceeds 12 months, there is a variation to the original design, where the design and/or building work is carried out by a person or company

without the necessary competencies and additional inspection is required or where the application has been closed/archived and needs to be re-opened.

- Where notifiable electrical work is carried out by a person who is not registered with a part P competent person scheme

Fees can be paid by cheque made payable to East Hants District Council or by phone using a card by calling 01730 234101.

6. Planning permission

A person proposing to carry out building works or change the use of a building is reminded that permission may be required under the Town & Country Planning Act 1990. You are advised to consult the planning department at the council to ascertain whether planning permission is required for your proposed building works.

7. Party Wall Act 1996

Where the Party Wall etc Act 1996 applies the building owner is required to serve notice on the adjoining owner(s). The Party Wall Act is private legislation which is not regulated by the Local Authority.

A guidance booklet on the Party Wall etc Act 1996 may be obtained online from the Planning Portal website - www.planningportal.co.uk.

8. Public sewers

If your development involves building over or within 3 metres of a public sewer, you are advised to contact the relevant water authority who are responsible for such sewers. Their consent may be required prior to building.

It is the client's responsibility to ensure any such consents are obtained. The council may carry out consultations with the water authority for its own purposes but the client must ensure they obtain any relevant consents.

9. Application

Full plans application

You may use a full plans application for any type of work. Full plans applications benefit from a full check and certification at design stage for compliance with the building regulations. You should send us detailed plans and calculations showing how the work will meet the regulations.

Building notice application

Generally suitable for minor works where a competent contractor is used.

You may use a building notice if: -

- (a) The work does not involve the construction, extension, or underpinning of a building, which will be over or within 3m of a public sewer or disposal main.
- (b) The Regulatory Reform (Fire Safety) Order 2005 does not apply to the building where work is proposed.
- (c) The work which includes the erection of a building does not front onto a private street. You should provide a site location plan, identifying the position of any extension and ideally provide plans or basic sketches to promote understanding of the proposed work. Further details and calculations may at our discretion be required at any time during the application and construction process.

Regularisation certificate application

Where work has already been carried out since 1985 but no formal application under the building regulations has been made, a regularisation certificate application to obtain retrospective consent can be submitted.

Fully detailed plans and documents must be submitted showing how the work complies with the regulations or how it will be altered to ensure compliance.

As much detail, as possible must be shown. It is almost certain that we will require you to expose/open up the work for inspection/alteration where necessary and the applicant must be willing to comply with all such reasonable requests.

Please state the date when the regularisation work was completed as accurately as possible.