

# GUIDANCE NOTES

Produced by

Tendring District Council  
Building Control Service



## **Building Control Guidance: MAKING AN APPLICATION**

This guidance note provides information to householders on the notification needed to be given to the Building Control Service when undertaking building work.

## **WHAT ARE BUILDING REGULATIONS?**

Building regulations set performance standards in the design and construction of buildings ensuring the health and safety of people in and around those buildings. They also incorporate measures to conserve fuel and power, and ensure the provision of facilities for disabled people.

## **WHEN IS NOTIFICATION REQUIRED?**

Notification needs to be given when you intend to:

- Erect a building, e.g. new dwelling
- Extend an existing building, e.g. kitchen extension
- Make structural alterations to a building, e.g. remove a load bearing wall or a chimney stack (see separate Guidance Note for Chimney Stack Removal)
- Convert a loft, e.g. make a new room in the roof space
- Install services and fittings, e.g. installing showers and toilets
- Change the use of a building, e.g. convert a house to flats
- Erect a large conservatory, e.g. floor area greater than 30m<sup>2</sup> ( a conservatory less than 30m<sup>2</sup> is exempt provided at least 75% of the roof and 50% of the walls are of translucent material (See separate Guidance Notes for conservatories)
- Replace existing windows using a non FENSA registered installer
- Carry out most works on domestic electrical installations (from 01/01/2005)

Notification is required before any relevant work commences on site.

## **WHO GIVES THE NOTIFICATION?**

You may submit the application yourself or you may engage someone to do it for you. If an agent is employed all correspondence will be directed to them.

## **HOW IS NOTIFICATION GIVEN?**

There are two ways of giving notice of the proposed work:

- Submitting a full plans application, or
- Submitting a building notice

The following notes explain the main differences in the two methods:

### **FULL PLANS METHOD**

- Detailed plans of the project, location and site are required. The specification of the materials that will be used is also needed.
- In certain circumstances, e.g. when using steel beams to support floors or walls, structural calculations will be required.

- The plans will be checked to ensure the proposal complies with the Building Regulations. If it does not, then you will be contacted about amending the plans
- When the application complies with the Building Regulations you will be sent an approval notice
- You can use the approved plans to establish whether works comply with the building regulations.
- Approved plans can allow more accurate estimates to be obtained from builders.
- You can start work after you have given 2 days notice but until your plans are approved there is a risk that you may have to alter some of the work
- The work on site will be inspected at various stages.

Following a satisfactory completion inspection we will issue a Completion Certificate.

THIS IS AN IMPORTANT DOCUMENT AND SHOULD BE KEPT WITH OTHER DETAILS OF THE PROPERTY

#### **BUILDING NOTICE METHOD**

- A location/site plan is required but more details may be requested if needed. You must provide them by the date given
- Structural calculations may be required
- A detailed check of the proposals is **not** carried out therefore you do not have an approved plan to work from.
- You will be sent a letter informing you that your Building Notice has been registered together with the registration number
- As with Full Plans, works can start after 2 days notice has been given
- The work will be inspected as with the Full Plans method. You must remember that your builder will not have an approved plan to work from
- Building Notices are well suited to simple jobs such as installing a new bathroom or removing a loadbearing wall. They should be used with care for more complex projects

As with a Full Plans application, we will issue a Completion Certificate. It is an important document so please keep it in a safe place.

**Please note that a Building Notice must not be used if any of the following apply:**

- a. The building is covered by the Regulatory Reform (Fire Safety) Order 2005 (k). Premises where the Fire Safety Order applies include all non domestic buildings, common parts of apartment buildings and shared parts of houses in multiple occupation. There are some exclusions such as certain mines, vehicles and land forming part of an agricultural or forestry undertaking.

- b. The work includes the erection of a new building fronting onto a private street
- c. If the works involve the building over, or within 3m of a sewer shown on the relative map of public sewers.

### **IS THERE A CHARGE?**

With Full Plans, part of the charge is usually paid when the plans are deposited. The remainder after the first inspection. With a building notice, the whole charge is paid when the building notice is given. If the building works are solely for the benefit of disabled people then the application is exempt from the charges. For details of fees visit our website or contact Building Control.

### **WHAT HAPPENS IF THE WORK HAS ALREADY BEEN CARRIED OUT?**

Regularisation Certificates may be used as a last resort option to obtain approval for work that has been carried out and was not approved and inspected at the time. This situation can often arise when the property is being sold and the omission is discovered during a Solicitor's enquiry to us. Upon request, we will inspect the property and, at our discretion, we may accept a Regularisation application. If we accept your application, we will report to you any areas of the work which do not meet the Regulations. In order to do this we may have to ask you to open up some parts of the building for inspection. Some areas of the work may have to be altered to meet the Regulations. Once we are satisfied with the work we will then issue you with a certificate.

### **THE PARTY WALL ACT**

If you are intending to carry out work on, or within, close proximity to your neighbour's boundary or party walls, you will most likely have duties and obligations under the Party Wall Act. This is designed to resolve any disputes that may arise between neighbours when building work is carried out. The minimum requirements of the Act are that you notify your neighbour of the intended work. The Party Wall Act is not administered by Building Control, but a Government explanatory leaflet can be obtained on the Government website at <http://www.communities.gov.uk>

For More Information please call  
Tendring Building Control  
01255 686111

or alternatively call into our offices in Thorpe Road Weeley.

Other guidance leaflets can be downloaded using the following link:  
<http://www.tendringdc.gov.uk/buildingcontrol>

