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BUILDING REGULATIONS:

Whereas the planning process is concerned largely with what you may build, Building Regulations deal with how it is to be done. They are concerned with matters relating to health and safety, both of the building users and those around the building, energy conservation, waste disposal and access matters. They are not concerned with the quality of finishes (unless they affect fire, structural or other relevant performance), nor are they concerned with the management with health and safety during the construction process.

Information demonstrating how the regulations can be met is provided in a series of 'Approved Documents'. These are designated by letters from A to P. Each deals with a different aspect of the regulations, so A deals with structure, B with fire and so on. It is possible to follow an alternative solution to that shown in the Approved Document, but if you do so you must be able to demonstrate that it achieves a performance equivalent to, or better, than those illustrated.

It is important to realise that you are required to obtain building regulations approval for most building work. It is not optional. There are some exemptions, for example some small conservatories. Equally there are other seemingly small works that are covered including electrical works and alterations, refurbishment of external walls (which includes replacement of plaster to the internal face.) and window replacements.

There are two application procedures that can be followed:

1. A full plans application
2. A building notice.

The latter is not appropriate for all works and is mainly intended to be used for small scale domestic works.

There are fees for the processing of the application. They are the same for both types, although they are divided into two stages for a full plans application. In this event part is payable when the plans are submitted with the balance being invoiced immediately after the first site inspection of the works. If works have been carried out without Building Regulations approval they can be dealt with retrospectively by regularisation. The fee for regularisation is larger. It may also be necessary to open-up works to allow adequate inspection.

Normally building Regulations will be dealt with by the local authority. However there are independent bodies licensed to provide the service.

You need very little information to apply for a Building Notice, basically an outline description of the work and a plan of the location. As a consequence the Building Officer will not be able to gain an accurate picture of the whole project, approving individual items as they are done, but not being able to assess some matters, such as fire escape, until late in the build. As a result the works must be considered as being undertaken 'at risk'.

On the other hand, for a Full plans application you will need much more information up front. The Building Officer can then consider and comment on the proposals before work begins and any areas of concern can be dealt with. This process also means that your builder will have a much better idea of what is to be done, and hence is likely to provide a more economical job.

Depending on the size and nature of the works you may need to provide supporting documentation. This can include SAP/Carbon index ratings for new dwellings or a Breeam assessment for other building types to demonstrate energy efficiency, information regarding the sound resistance of party walls, soil investigation reports to demonstrate that the foundations will be adequate, and structural engineering designs.

There are some parts of the works that should be certified by the person carrying them out. This includes gas and electrical installations. For works to gas pipework and equipment it is a legal requirement that the installer is registered with CORGI. For electrical work the person carrying out the works can be registered to self-certify the works by a recognised and approved trade body. Alternatively the installation can be carried out by another person and inspected and tested by a such a person. If neither of these routes is followed the local authority will employ, at your expense, a registered electrical installer to check and test the work. You should be aware that there are some small works to an electrical system that do not require approval. They are very limited in scope and do not include any work in kitchens and bathrooms or to a central heating system.

Once the works are complete the building control officer may issue a certificate of completion which is evidence of compliance with the regulations.

In order to comply with the regulations new houses must display a copy of the thermal performance rating calculated in accordance with the construction details of the finished house or flat. Tests must also have been conducted to ensure that party walls and floors achieve specified sound insulation properties, and the building is sufficiently air-tight. There are occasions when these tests are not required for small and simple developments.

The information in this document is provided in good faith as general guidance. It is not a definitive statement of the law. Peter Jackson Architects, its members, staff and associates cannot be held responsible for damages or liabilities arising from the use or misuse of this information. You are advised to seek qualified professional advice on these and other matters relating to any project before undertaking any work or making any financial commitment.