

# Lecture #3

## Building Control

### UK & Ireland

25<sup>th</sup> October 2018

Mark Stephens RIBA MRIAI

# Building Control is separate to Planning

Building Control is the legislative and administrative framework where notice of commencement prior to construction takes place and that construction is in accordance with the Building Regulations.

# Building Control is separate to Planning

Building regulations are the minimum standards for design, construction and alterations to virtually every building. The regulations are developed by the UK/Ireland government and approved by Parliament/Government

# The difference between The Building Regulations and Technical Guidance Documents (TGD's



## The TGD



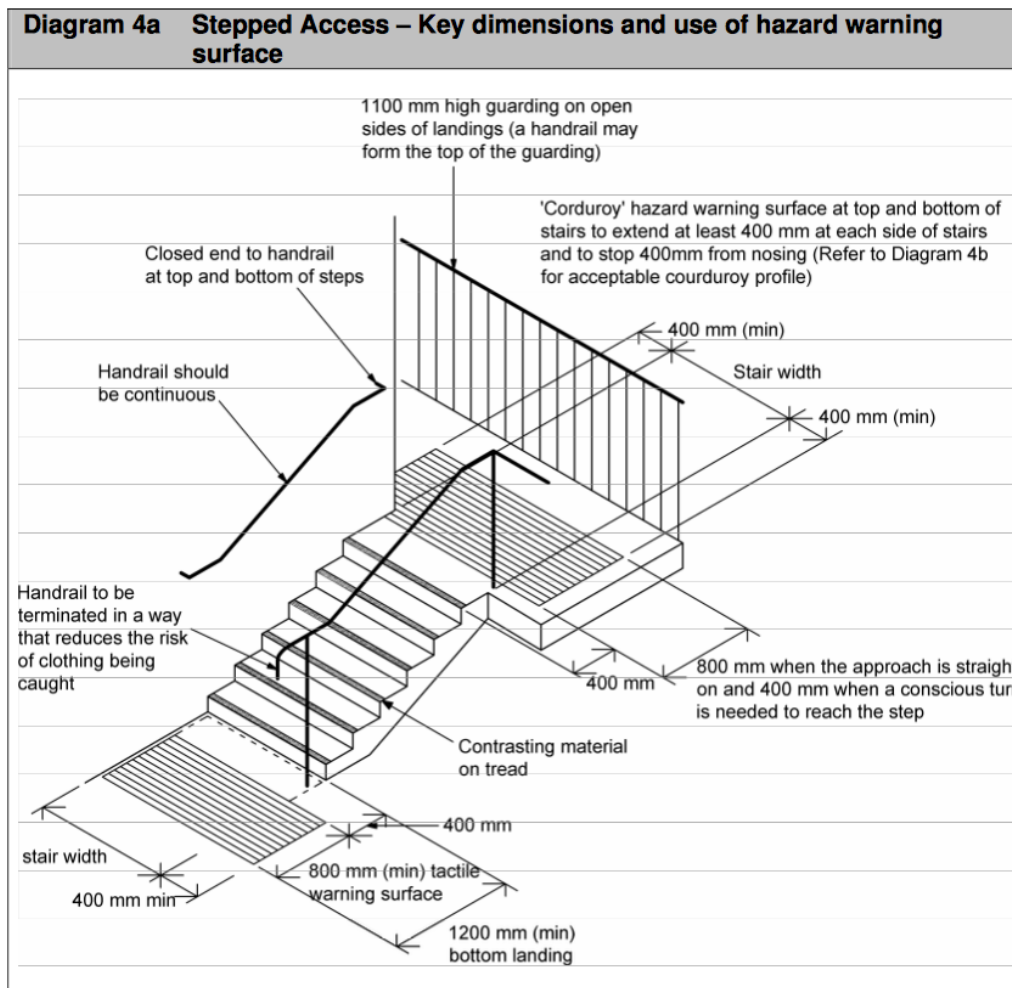
## The Regulation

|                         |    |  |
|-------------------------|----|--|
| Access and Use          | M1 | Adequate provision shall be made for people to access and use a building, its facilities and its environs.   |
| Application of the Part | M2 | Adequate provision shall be made for people to approach and access an extension to a building.   |
|                         | M3 | If sanitary facilities are provided in a building that is to be extended, adequate sanitary facilities shall be provided for people within the extension.              |
|                         | M4 | Part M does not apply to works in connection with extensions to and material alterations of existing dwellings, provided that such works do not create a new dwelling. |

# The TGD

## Section 1.1

### Approach to buildings other than dwellings



## The TGD

Works carried out in accordance with the technical guidance documents, **prima facie**, indicate compliance with the building regulations.



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**prima facie** is a Latin expression in common law jurisdictions denotes evidence that, unless rebutted, would be sufficient to prove a particular proposition or fact.

# UK:

You have two choices over who supplies your Building Control service:

- 1. The Local Authority Building Control section or*
- 2. Independent 'Approved Inspectors'*

# UK:



The Approved inspectors are relatively recent (since the Building Act 1984) and are licensed by the [Construction Industry Council](#). Once you have chosen your preferred Building Control service you then have two routes to ensure you are building in accordance with the Building Regulations.

When using the Local Authority Building Control method the options are:

*1. Full Plans Approval*

- a. You submit all the construction drawings, details and specifications for inspection/checking.
- b. You are then informed of any defects/amendments that need to be addressed in order to receive approval. You can receive a conditional approval where items can be addressed prior to work commencing.

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## *2. Building Notice*

- a. You give minimum 48 hours notice to the Local Authority of your intention to build. There is an inherent risk in proceeding in this way as you do not have the benefit of 'approved' plans.

# UK:

Where a Local Authority building control service is being used, the Building Regulations require that notice is given to the Local Authority of commencement and completion of the work and at certain other stages:

Commencement:

- At least two days before the work is commenced
- Completion: not more than five days after the work is completed

In respect of other stages, the notice required is (in practice) at least one whole day's and relates to:

- excavation for a foundation (before covering up)
- the foundation itself (before covering up)
- any damp proof course (before covering up)
- any concrete or material laid over a site (before covering up)

When these stages are reached the work should pause to give the authority time to make an inspection. They will advise you if the work does not comply with the Building Regulations.

# UK:



If the local authority is not informed of relevant stages of work for inspection it may, by notice in writing, require the work to be opened up for inspection so that it can be ascertained whether or not the work complies with the Building Regulations.

# UK:



The method if you use an Approved Inspector is slightly different in that you and the Approved Inspector jointly notify the Local Authority Building Control Section of your intention to build in an 'Initial Notice'. Once this notice is accepted, the plans and site inspections are then checked, inspected and approved by the Approved inspector.



# UK:



## **Completion Certificate**

On completion the Local Authority Building Control Section or the Approved Inspector will issue a final completion certificate stating that the works have been constructed in accordance with the Building Regulations.

# UK:



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In Northern Ireland, there is a full system of local authority inspections for all stages of all projects, even small domestic works. More information is available at <http://www.buildingcontrol-ni.com/>

# Ireland:



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- The Assigned Certifier inspects that the work on site complies with the Building Regulations
- In 2015 SI. No. 365 was brought in for new houses/ extensions that allowed you to ‘opt-in’ or ‘out’ of the above



# Ireland:

SI No. 9 of 2014 requires that Commencement Notices are uploaded via BCMS (Building Control management System)

On the right are the Statutory Documents



A screenshot of the localgov.ie website. The header is dark green with 'localgov.ie - BETA' on the left and 'English | Gaelge' on the right. A search bar contains 'Business And Economy'. The breadcrumb trail is 'Home &gt; BCMS Home &gt; List applications &gt; View application'. The main heading is 'Project: Test'. Below it are navigation tabs: 'BCMS Home', 'My Account', 'List applications' (selected), and 'New Application'. A progress bar shows 'Project Details' (checked), 'Nominate Roles' (checked), 'Project Particulars' (red dot), 'Documentation' (red dot), and 'Payment' (red dot). A table lists application details: ID (555), Form type (Commencement Notice), Form status (Pending), and Form description (Test). Below the table are several download buttons: 'Download Forms for Signing', 'Download Notice for Design Certificate', 'Download Notice for Commencement Notice', 'Download Notice for Assigned Certifier', 'Download Notice for Assigned Builder', 'Undertaking for Assigned Certifier', and 'Undertaking for Assigned Builder'. At the bottom, there are sections for 'Commencement Notice', 'Design Certificate', 'Notice of Assignment', and 'Undertaking by Assigned Certifier', each with the text 'No document uploaded yet'.

# Ireland:

Supporting Documentation is then also uploaded

As well as the required Statutory documents, at least 3 supporting documents are also required for submission.

The additional support documents are as follows:

**Select at least one from the following**

- General Arrangement Drawings
- Plans
- Sections
- Elevations

**And at least one of the following**

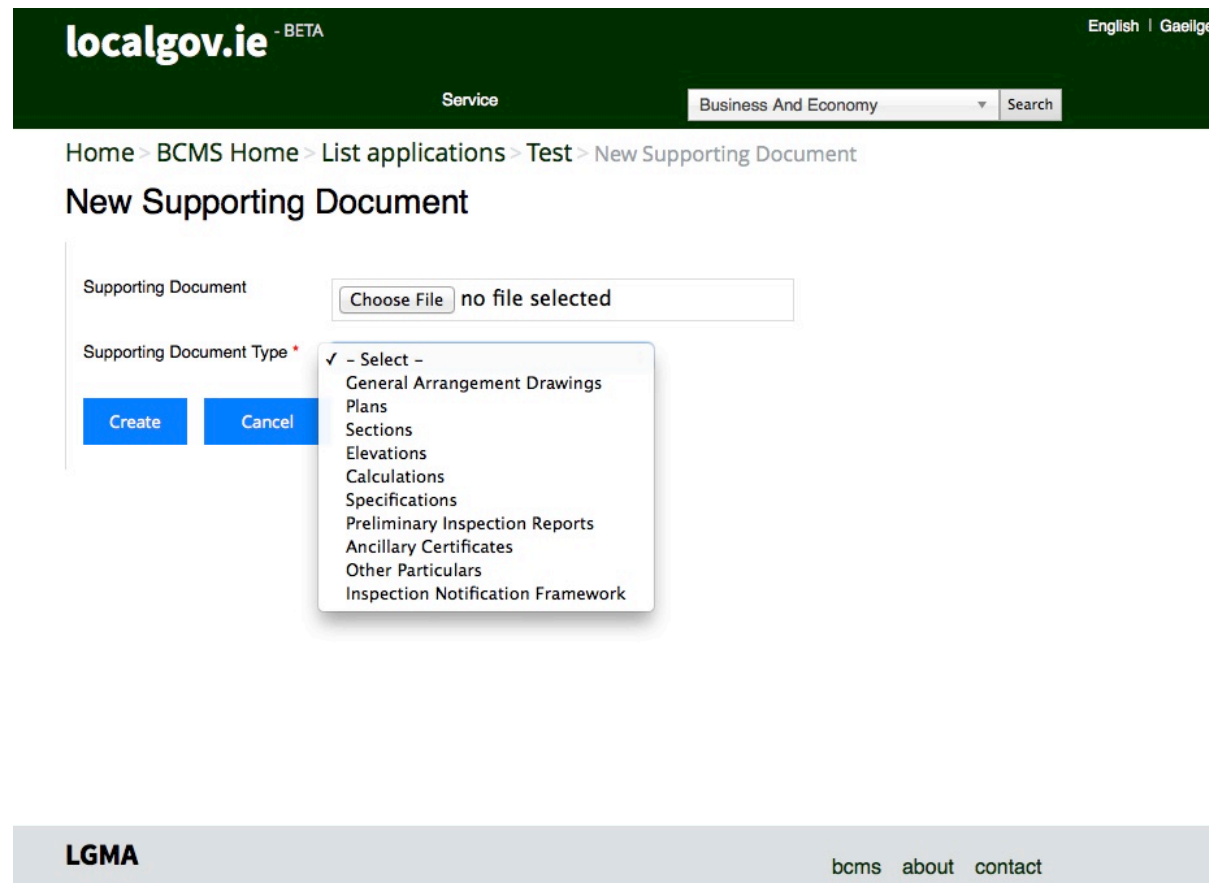
- Part L Compliance Report including Building Energy Rating
- Calculations
- Specifications and Particulars

**And at least one of the following**

- Compliance Report- with Second Schedule (Part A-M) of Building Regulations
- Preliminary Inspection Plan, prepared by the Assigned Certifier

# Ireland:

Supporting Documentation is then also uploaded



localgov.ie - BETA English | Gaelge

Service Business And Economy Search

Home > BCMS Home > List applications > Test > New Supporting Document

### New Supporting Document

Supporting Document  no file selected

Supporting Document Type \*

- ✓ - Select -
- General Arrangement Drawings
- Plans
- Sections
- Elevations
- Calculations
- Specifications
- Preliminary Inspection Reports
- Ancillary Certificates
- Other Particulars
- Inspection Notification Framework

LGMA bcms about contact

# Ireland:

Commencement Notice is uploaded & validated – within 2 weeks of Commencement

Sligo County Council  
County Hall  
Riverside  
Sligo

0 0 0 0 8 4 0 3 6 9 4

**BCMS**  
Building Control Management System

Unique Identifier: \_\_\_\_\_

**Form of Commencement Notice for Development**  
Building Control Acts 1990 AND 2007

SECOND SCHEDULE (Article 9)

(Notice to a Building Control Authority pursuant to Part II of the Building Control Regulations 1997 to 2014)

Building Control Authority: Sligo County Council

1. I, hereby give notice in accordance with Part II of the Building Control Regulations 1997 to 2014 that it is intended to carry out the development as described below commencing on the date of 14/3/2018

Name of Building Owner(s): Louis Armstrong GERRY MACRUAIRC

Address: Cully CHARLESTOWN CO SLIGO  
F12 P 088

Telephone: 086 820 8848 Fax: \_\_\_\_\_

Email: louisarm44@gmail.com

2. I enclose the fee payable for making this Notice of € 30.00

3a. PROJECT PARTICULARS: (In addition, for Residential Developments, please complete Section 3b below)

Description of proposed development:  
for development consisting of construction of extensions to an existing dwelling  
house and upgrading of an existing septic tank to a packaged tertiary effluent  
treatment unit with polishing filter and all ancillary works

Planning Permission No.: 17333 Date Granted: 17/10/2017 Date of expiry: 17/10/2022

Fire Safety Certificate No.: (if applicable) N/A

Disability Access Certificate No.: (if applicable) N/A

Location of development: Cully, Charlestown, Co. Sligo

Number of buildings: 1 Number of new buildings: 1

Use of buildings: RESIDENTIAL

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# Ireland:



Commencement Notice is uploaded & validated – within 2 weeks of Commencement

Sligo County Council  
County Hall  
Riverside  
Sligo

0 0 0 0 8 4 0 3 6 9 4

**BCMS**  
Building Control Management System

**Form of Commencement Notice for Development**  
Building Control Acts 1990 AND 2007

**SECOND SCHEDULE (Article 9)**

**3b. Residential Development Information:**

Total number of dwelling units (all phases\*): 1

Total number of phases\* 1 of which 0 are multiple unit dwellings

Phase for this commencement notice: 1

No. of units for this phase/commencement notice\*\*: 1

Commencement date for this phase: 14/3/2018

(Proposed) End-date for this phase: 01/08/2018

(\* Where applicable, i.e. phasing not relevant for single houses) (\*\* Include single house figure here also)

**4. Builder:**

Name: VINCENT BENSON (PADRAIC)

Address: Ballygawley Sligo, Sligo, sligo, ireland

Telephone: 0719167650 Fax: 0719167650

Email: vincentbenson@gmail.com

Construction Industry Register Ireland Registration No. (where applicable): N/A

Page 2 of 3

# Ireland:



Commencement Notice is uploaded & validated – within 2 weeks of Commencement

Sligo County Council  
County Hall  
Riverside  
Sligo

0 0 0 0 0 4 0 3 6 9 4

**BCMS**  
Building Control Management System

**Form of Commencement Notice for Development**  
Building Control Acts 1990 AND 2007

**SECOND SCHEDULE (Article 9)**

5. Building designer details:

Name: Mark Stephens

Address: Rooskey Foxford, mayo, ireland

Telephone: 085159 4084 Fax: N/A

Email: mdstephens@gmail.com

Practice Registration No. (where relevant): 05210

Where required under Part III of the Building Control Regulations 1997 to 2014, the mandatory Certificate of Compliance (Design) signed by the above Building Designer accompanies this notice.

6. Submission of Documents (where applicable): A Schedule of Documents accompanying this Commencement Notice is attached in the following format:

Schedule of Documents (Plans, Calculations, Specifications, Ancillary Certificates & Particulars)

| Documents            | Reference | Description / Remarks |
|----------------------|-----------|-----------------------|
| <u>SEE ATTACHED.</u> |           |                       |

7. Signature by building owner:

Signature: [Signature] Louis Bernstein

(Building Owner)

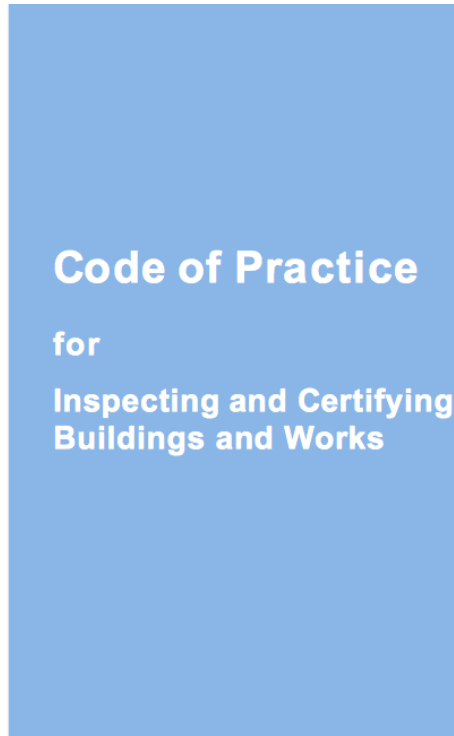
Date: 15 February 2018

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# Ireland:

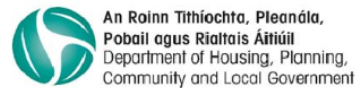


Works are then inspected & certified during construction:



**Building Control  
Regulations  
1997 to 2015**

September, 2016



# Ireland:

## Completion certificate:



**BCMS**  
Building Control Management System

Unique identifier: \_\_\_\_\_  
(for official use only)

**Certificate of Compliance on Completion** **(Article 20F)**  
Building Control Acts 1990 AND 2007

**Building Control Authority:** \_\_\_\_\_

1. This certificate relates to Commencement / 7 Day Notice reference no. \_\_\_\_\_  
in respect of the following building or works:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Part A – Certificate signed by Builder**

2. I confirm that I am the Builder assigned by the owner to construct, supervise and certify the building or works.

3. I certify, having exercised reasonable skill, care and diligence, that the building or works as completed has been constructed in accordance with the plans, calculations, specifications, ancillary certificates and particulars as certified under the Form of Certificate of Compliance (Design) and listed in the schedule to the Commencement / 7 Day Notice relevant to the above building or works, together with such further plans, calculations, specifications, ancillary certificates and particulars, if any, as have been subsequently issued to me and certified and submitted to the Building Control Authority, and such other documents relevant to compliance with the requirements of the Second Schedule to the Building Regulations as shall be retained by me as outlined in the Code of Practice for Inspecting and Certifying Buildings and Works.

4. Reliant on the foregoing, I certify that the works are in compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(to be signed by a Principal or Director of a Building Company only)

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Construction Industry Register Ireland registration number (where applicable): \_\_\_\_\_

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# Ireland:

## Completion certificate:



|   |                      |
|---|----------------------|
| <b>BCMS</b><br>Building Control Management System   |                      |
| <b>Certificate of Compliance on Completion</b><br><small>Building Control Acts 1990 AND 2007</small>  | <b>(Article 20F)</b> |
| <p><b>Part B – Certificate signed by Assigned Certifier</b></p> <p>5. I confirm that I am the Assigned Certifier assigned by the owner to inspect and certify the building or works concerned.</p> <p>6. Plans, calculations, specifications and ancillary certificates and particulars as required for the purposes of Part IIIC of the Building Control Regulations are included in the Annex (see attached).</p> <p>7. I now confirm that the inspection plan, drawn up having regard to the Code of Practice for Inspecting and Certifying Buildings and Works, or equivalent, has been undertaken by the undersigned having exercised reasonable skill, care and diligence, and by others nominated therein, as appropriate, on the basis that all have exercised reasonable skill, care and diligence in certifying their work in the ancillary certificates scheduled.</p> <p>8. Based on the above, and relying on the ancillary certificates scheduled, I now certify, having exercised reasonable skill, care and diligence, that the building or works is in compliance with the requirements of the Second Schedule to the Building Regulations, insofar as they apply to the building or works concerned.</p> <p>Signature: _____ Date: _____</p> <p>Registration No.: _____</p> <p>(where the signatory is an employee) On behalf of: _____</p> <p>Name &amp; Address: _____<br/>_____<br/>_____</p> <p>Tel: _____ Fax: _____</p> <p>Email: _____</p> <p>Practice registration number (where relevant): _____</p> |                      |
| <small>Page 2 of 3</small>  |                      |

# Ireland:

## Completion certificate:



**BCMS**  
Building Control Management System

**Certificate of Compliance on Completion**  
Building Control Acts 1990 AND 2007 (Article 20F)

ANNEX

Table of Plans, Calculations, Specifications, Ancillary Certificates and Particulars used for the purpose of construction and demonstrating compliance with the requirements of the Second Schedule to the Building Regulations and showing, in particular how the completed building or works differ from the design submitted to the Building Control Authority prior to construction.

(Details of relevant plans, etc. may be listed below and attached hereto)

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