

Introduction

Sometimes building work is carried out without letting the Local Authority know, and without submitting a Building Regulations application. This often only comes to light when the property is being sold. If work starts without building regulations approval, it's classed as 'unauthorised work'.

This leaflet provides guidance on how to apply for retrospective building regulation consent via the Regularisation procedure and what to do subsequently to resolve any difficulties.

You may also need to seek Planning Permission. This is completely different legislation and is not covered in this leaflet. Please contact your local council if you are in doubt.

Purpose

The Regularisation procedure allows the Local Authority to assess any building works that have been carried out and completed without the submission of plans, or giving of statutory notice of inspections.

Once the works have been assessed and any necessary remedial works carried out, a regularisation certificate is issued.

This power does not replace the enforcement powers already available to the local authority and does not provide a short cut for those who fail to follow correct procedures.

Is an Application Required?

If you're unsure whether building work at your property needed Building Regulations approval, or if it was ever properly inspected - we're here to help. You can find simple explanations in our

guidance leaflets: '**Full Plans**' and '**Building Notices**', or visit our website to learn more about the process:

www.hertfordshirebc.co.uk/homeowners/the-building-control-process/

Regularisation Procedure

If building work was done without approval, the current owner doesn't have to apply for a Regularisation Certificate - but it's often needed when selling a property. That certificate is usually the only way to prove the work meets Building Regulations.

You can only apply for regularisation if:

- The work commenced after 11 November 1985 and
- The work fell within the scope of the said Regulations and
- A Building Regulation application was not submitted at the time

You must submit the following with your application

- **Completed Regularisation application form.**
- **Appropriate fee** - please see Fee charges schedule or speak to us.
- **A plan of the unauthorised work;** to a recognised scale, unless the works are of a minor nature.
- **A plan showing any additional work required** - in order to show that the unauthorised work complies with the

Building Regulations in place at the time of construction, unless the works are of a minor nature.

- **Additional details may be requested;** such as calculations to justify structural members, thermal performance of the building or other requirements of the regulations.

Once your application has been received, it is registered and an acknowledgement letter sent. If detailed plans have been submitted, they will be checked for compliance with the relevant Building Regulations, if there are any defects you or your architect/builder will be notified.

To assess whether compliance with Building Regulations has been achieved, the council can ask the applicant to 'open up' work and therefore this will require a reasonable level of co-operation between the applicant and the council.

Issue of Regularisation Certificate

Before a regularisation certificate can be issued the Local Authority must be reasonably satisfied that the works conform to the Building Regulations in force at the time when the original building works were carried out.

If the Local Authority finds upon exposure of the works that they are not satisfactory, advice will be given on the additional work required to meet Building Regulation standards.


Upon satisfactory completion of the works, the Local Authority will issue a Regularisation Certificate indicating that, so far as can be ascertained, the previously unauthorised works

are in compliance with Building Regulation standards.

Further Advice and Information

For tailored advice, our team is here to help - please don't hesitate to get in touch.

Get in touch to see how we can help:

 01438 879990

 building.control@hertfordshirebc.co.uk