

How to make a Regularisation application

Until recently, Building Regulations made no provision for the approval of unauthorised work. This created problems in the conveyancing of property when such work was identified. This issue was addressed by the introduction of the Regularisation procedure, whereby unauthorised work could be certified by Building Control, bringing it in line with the relevant Regulatory requirements.

Where unauthorised work has been carried out, with no notice given nor plans submitted, an application can be made to Building Control for a Regularisation Certificate. Regularisation applications can be made for both domestic and non-domestic works commenced on or after **11 November 1985**. Work completed prior to this date is not covered by the Regularisation procedure. It cannot be overstressed that undertaking unauthorised works is **not** a recommended route to take as it will cause you great inconvenience and expense at a later date.

What is needed for a Regularisation application?

Submit one copy of the completed Regularisation application form. This should be signed and returned together with:

- Plans showing the building before and after the works.
- Additional plans, details and calculations showing how you will bring the works up to the building regulation standards in force at the time if required.
- The correct charge (there is a specific fee for Regularisation applications – see Table B for residential works).

What happens next?

Once the application has been registered you are required to contact us to arrange for an inspection to be carried out to ascertain whether or not the work complies with Building Regulations. This may necessitate opening up of the works, carrying out tests and/or sampling of materials.

You will then be notified of any further work required to bring the building to the requisite standards in force when the original work was carried out.

When this work has been satisfactorily completed, or if no further work is necessary, a Regularisation Certificate will be issued.

Loft conversions and structural alterations, such as the removal of a chimney breast are common alterations, which are overlooked with regards to Building Regulations. Not only will it prove difficult to sell your house, but also the building work may not comply with the regulations and you could be living in an unsafe building. The work in question may have to be opened up for inspection purposes; this will cause you inconvenience as well as time and money.

Whilst there is no legal requirement to apply for a Regularisation Certificate, there is most definitely a legal requirement to comply with Building Regulations. Failure in this regard is not only an offence in law but may create problems when the property changes ownership.

Please be aware that submitting a Regularisation application and paying the fee does not guarantee that a certificate will be issued.