

## SUBMISSION OPTIONS

You may wish to choose the '**Full plans**' or '**Building Notice**' option when submitting a Building Regulations Application. An application for Certificate of Regularisation is used where the works have already commenced or have been completed; and is only applicable where the work was completed after 11<sup>th</sup> November 1985 and building regulations were not applied at the time.

**Note:** *This application may require unauthorised works to be opened up where necessary, so that the authority can establish compliance with the Building Regulations.*

**Full Plans** – An application deposited under this procedure needs to contain plans and other information showing all construction details, preferably well in advance of when work is to start on site. Your local authority will check your plans and consult any appropriate authorities (e.g. fire and sewerage). They must complete the procedure by issuing you with a decision within five weeks or, if you agree, a maximum of two months from the date of deposit.

If your plans comply with the Building Regulations you will receive a notice stating that they have been approved. If your local authority is not satisfied you may be asked to make amendments or provide more details. Alternatively, a conditional approval may be issued. This will either specify modifications which must be made to the plans; or will specify further plans which must be deposited with your authority. Your local authority may only apply conditions if you have either requested them to do so or have consented to them doing so.

A full plans approval notice is valid for three years from the date of deposit of the plans, after which the local authority may send you a notice to declare the approval of no effect if the building work has not commenced.

Your local authority will carry out inspections of the building work once it is in progress. They will explain about the notification procedures which the regulations require you to follow at various stages of the work – e.g. in connection with foundations, damp proof courses and drains.

A further point to bear in mind is that, if a disagreement arises with your local authority, the 'full plans' procedure enables you to ask for a 'determination' from (in England) the Office of the Deputy Prime Minister or (in Wales) the Welsh Government, about whether your plans do or do not comply with the Building Regulations

**Building Notice** – This procedure does not involve the passing or rejecting of plans. It therefore avoids the preparation of detailed 'full plans', and is designed to enable some types of building work to get under way quickly (48 hours after deposit); although it is perhaps best suited to small work.

There are also specific exclusions in the regulations as to when building notices cannot be used. These are for:

- building work which is notifiable under the Regulatory Reform (Fire Safety) Order 2005 i.e. commercial, industrial and some residential (flats)
- for work which will be built close to or over the top of rain water and foul drains shown on the 'map of sewers'
- and where a new building will front onto a private street.

If you decide to use this procedure you/your builder need to be confident that the work will comply with the Building Regulations or you will risk having to correct any work you carry out if your local authority requests this. In this respect you do not have the protection provided by the approval of 'full plans'.

Once you have been given your 'building notice' and informed your local authority that you are about to start work, the work will be inspected as it progresses. You will be advised by the authority if the work does not comply with the Building Regulations. If before the start of work, or while work is in progress, your local authority requires further information such as structural design calculations or plans, you must supply the details requested.

A 'building notice' is valid for three years from the date the notice was given to the local authority, after which it will automatically lapse if the building work has not commenced.

A local authority is not required to issue a completion certificate under the 'building notice' procedure; and because no 'full plans' are produced it is not possible to ask for a determination if your local authority says your work does not comply with the Building Regulations.

If you are still unsure of which type of application to use, please refer to '*The Building Regulations Explanatory Booklet*' which is available in electronic format from this Council or from:

Office of the Deputy Prime Minister (ODPM)  
Tel: 0870 1226 236  
E-mail: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)

This document is also available on the ODPM website:  
<http://www.odpm.gov.uk/explanatory-booklet>

**The Party Wall Act 1996** – If your proposals involve works to, or near to, a party wall or boundary, the Party Wall Act may apply to you. Please contact the Building Control Section for a copy of 'The Party Wall Act 1996 – Explanatory Booklet'

## COMPLETING THE APPLICATION FORM

Please ensure you tick the correct box at the top of the application form to tell us if you are submitting a Full Plans application, a Building Notice application or an application for a Certificate of Regularisation. Refer to the guidance given above to help you make an informed choice (*the information numbered below corresponds to each part of the application form*).

1. Name and address of applicant/owner – the applicant is the person, company or body on whose behalf the works are being carried out. This will normally be the owner of the building (*please ensure you supply a telephone number*).
  2. Name and address of agent/architect – the agents/architects details (*if applicable*).
  3. Address or location of proposed work – the address where the building work is to be carried out.
  4. Description of proposed work – provide a full description of the proposals. i.e.
    - i. Internal/structural alterations
    - ii. Proposed single storey rear extension
    - iii. Proposed loft conversion c/w flat roof dormer
    - iv. 3 bed detached dwelling with integral garage
  5. Use of building – what use is the building currently put to and what is the proposed use of the building. i.e.
    - i. Commercial – shop/leisure facilities
    - ii. Residential – Dwelling/flat
    - iii. Assembly – Crèche/school
    - iv. Other
- 5c. Does the Regulatory Reform (Fire Safety) Order 2005 apply to this building as proposed – if the answer is yes, then the 'Building Notice' application procedure cannot be used and a 'Full Plans' application must be submitted.
6. Have you obtained planning permission under the Town & Country Planning Act 1990? – Please provide the planning application reference number if applicable.

7. Charges – provide details of the appropriate charge applicable to the application. All applications have to be accompanied by a Full Plans Fee, a Building Notice Fee or a Regularisation Fee (which will be the Building Notice fee excluding VAT + 25%). If an Individual Determined Charge (IDC) is applicable, a quotation and reference number can be provided by Building Control.
8. Drainage –
  - a. Please state how storm water is disposed of – this should be either to soakaway, water course or mains sewer and evaluated in this order.  
*Note: All new connections to public sewers will require the permission of Welsh Water.*
  - b. Please state how foul sewerage will be disposed of – state the method of foul water disposal. *Note: All new connections to public sewers will require the permission of Welsh Water.*
  - c. Is the building over or within 3m of a public sewer to which part H4 of the Building Regulations apply – if the answer is yes, then the ‘Building Notice’ application procedure cannot be used and a ‘Full Plans’ application must be submitted. **Important Note - No construction work over or within 3m of a public sewer shall commence unless a Building Over Sewer Agreement with Welsh Water has been legally completed.** It is advised to notify and engage the services of Welsh Water at the earliest opportunity to through or prior to the application process to avoid unnecessary delays in works proceeding.
9. Prescribed period – by law a decision on a ‘Full Plans’ application must be given within five weeks of deposit. As this may not give the applicant/agent/architect adequate time to respond if we have to request amendments or clarifications, you may wish to extend this period to a maximum of two months by ticking this box. Applications are checked by us strictly in order of receipt, so agreeing to this will not in any way delay the progress of your application.
10. Do you consent to the plans being passed subject to conditions where appropriate – where minor problems are found with the plans during the plans checking procedure, they can sometimes still be approved with the problems dealt with as conditions attached to the approval. If you would be prepared to accept a conditional approval, please consent by ticking the ‘yes’ box.
11. Checklist – please provide additional information applicable to the type of application being submitted. The Building Regulations require a Full Plans/Regularisation application to be submitted in duplicate (an additional copy if the Regulatory Reform (Fire Safety) Order 2005 is applicable). If a Building Notice application is to be submitted, the application should be in duplicate. If you wish to send the application in electronic format this is acceptable as long as a minimum of 1 no. hard copy of the plans are submitted in all cases.
12. Declaration & signature/date – for the application to be validated it is mandatory for the applicant or agent/architect to sign and date the application form and by doing so agree to the statement as applicable.

# SCHEME OF CHARGES

## Establishing the Fee

Our standard fees are set out in tables for the type of work applicable. These tables are set out below:

- **Table A** – Domestic housing and flats (up to 300sq.m and 3 storeys)
- **Table B** – Domestic extensions to a single dwelling (all extensions including loft conversions and garage conversions)
- **Table C** – Alterations to a single domestic building (i.e installing a steel beam or converting a store room to a wet room)
- **Table D** – Non-domestic extensions & new builds (i.e. assembly, commercial and industrial units)
- **Table E** – Alterations to a single non domestic building.
- **Table F** – All other Charges

If your proposals are not covered under the categories above then the fee would be based on an **Individual Determined Charge (IDC)**. A quotation for an IDC must be obtained from Building Control which will be given a reference number which will need to be cross referenced when completing section 7 of the application form.

A **'Full Plans'** application fee is broken down into 2 parts explained below:

- PLAN FEE
- INSPECTION FEE

The sum of these fees is payable on deposit of the application.

A **'Building Notice'** application fee is payable when the Building Notice is given to the Authority. The fee covers all necessary checks and site inspections. The building notice fee is equivalent to the sum of the relevant plan fee and inspection fee.

A **Regularisation Charge** is 125% of the Building Notice Fee (excl VAT) and is payable on receipt of the Application for Regularisation.

**Additional Charges** – some applications may require us to engage the services of specialists/competent persons i.e. structural engineers, competent electricians. In these cases the applicant shall be informed and the appropriate fees shall be recharged to the application.

**Chargeable Advice** – Building Control can make a charge for giving pre-application advice in anticipation of the future exercise of their chargeable functions. This will be payable on an hourly basis after the first hour of demand. This charge will be discounted from any subsequent application or notice received for the work in question.

**Reductions for Multiple Works (up to 2 separate elements of work)** - When it is intended to carry out work on 2 separate elements in relation to a dwelling (e.g. Extension and removal of a chimney breast) at the same time to which Table B or C relates, then fee of lower charge (for individual elements) shall be reduced by 25% and the two charges added together to give the relevant charge payable.

When it is intended to carry out multiple elements of building work (more than 2) on a dwelling or repetitive work on multiple buildings at the same time that any of the work to which Table B or C relates then the charge for this additional work shall be individually determined, with the agreement of the applicant.

**Exemptions** – where plans have either been approved or rejected no further fee is payable on resubmission for substantially the same work. If it is determined that the works have changed substantially to afford an additional fee this will be an IDC.

Works to provide access and/or facilities for disabled people to existing dwellings and buildings to which the public have access are exempt from fees; exemption does not apply to new dwellings.

In these regulations 'Disabled Person' means a person who is within certain categories of the descriptions of persons to whom Section 29(1) of the National Assistance Act 1948 applies or a child who is disabled for the purposes of Part III of the Children's Act 1989. On application, proof of the disabled person's registration is required.

For further information on Building Regulations application charges for Torfaen County Borough Council please refer to '*The Scheme for the Recovery of Building Regulation Charges and Associated Matters*' which is available on request from the Building Control Section.

## **METHODS OF PAYMENT**

To make a payment securely on-line click on the link below. Please use your Application reference number or the address where works are being carried out as a reference.

<https://www.civicaepay.co.uk/TorfaenEstore/estore/default/Catalog/index?catalogueitemreference=E0001478>

Alternatively, payments can be made by

- Debit/credit card over the phone on 01633 647300
- By cheque All cheques to be made payable to: Torfaen County Borough Council
- By cash/cheque/card at our office: Tŷ Blaen Torfaen Panteg Way New Inn Pontypool NP4 OLS

Note: Cash payments should not be sent through the post and should be submitted in person to ensure receipt of payment

**Note:** *for the application to be validated, the total fee applicable to the application must be deposited with the application. Whether a 'Full Plans' application or a 'Building Notice' the 5 week (2 month) determination period or 48 hours notice prior to commencement, will not have effect until an application is validated.*

In certain circumstances the fees may be payable in instalments. Contact the Building Control Section for more information on the number above.

Applications should be posted/submitted to the office below:

**Building Control  
Planning & Public Protection  
Torfaen County Borough Council  
Tŷ Blaen Torfaen  
Panteg Way  
New Inn  
Pontypool  
NP4 OLS**