

Frequently Asked Questions

Which work is controlled?

For Building Regulation purposes, the term "building work" means any of the following:

1. The erection or extension of a building.
2. An alteration to a building.
3. The provision, extension or alteration of a controlled service or fitting (drainage, boiler or other heated appliance, unvented hot water systems, mechanical ventilation systems) and replacement windows.
4. An alteration involving work which will temporarily or permanently affect the ongoing compliance of the building service or fitting with the requirements relating to structure, fire, or access to and use of buildings (material alteration)
5. Work relating to a change of use of a building*
6. the insertion of insulation into a cavity wall; and
7. underpinning of the foundations of a building

*A material change of use of a building or part.

(*A change of use is where a building is now a dwelling, flat or hotel/boarded house, institution or public building, where previously it was not; Or when an exempt building is converted to a use to which the Building Regulations apply; Or there is a change in the number of dwellings in a building).

Do I need Building Regulation Approval?

1 Do I need Building Regulation Approval to build an extension to my house?

- Yes, unless the extension is exempt, e.g. porch or conservatory (see 7, 8, 9 & 10)

2 Do I need Building Regulation Approval to convert my loft into a room?

- All loft conversions require approval under the Building Regulations. Loft Conversions are not as easy to construct as maybe suggested, they are highly complex, and a Full Plans application is strongly recommended.
- The construction needs to include:
 1. Structural stability,
 2. Fire resistance/protection,
 3. Thermal insulation,
 4. Sound insulation,
 5. Ventilation,
 6. Weather resistance,
 7. Smoke detection,
 8. A protected stairway enclosure and
 9. A fixed stairway to the new floor.

Detailed plans are required for this work to ensure the loft can be constructed and it is what you envisaged. Using the existing loft space with access via a loft hatch for domestic storage only without constructional work being undertaken is acceptable. (this assumes that the ceiling joists have been designed as such to accept the increased loading, and no new flooring has been laid)

3 Do I need approval to convert my garage into a habitable room?

- Yes, even if it is only a store or hobbies room.

4 Do I need Building Regulation Approval to make internal alterations within my house?

- Yes, including
- if the alterations are of a structural nature e.g. the removal or part removal of a load bearing wall, or removal of part or the whole of a chimney,
- or if they affect fire safety e.g. changed layouts, etc.

Generally, if the alteration involves the insertion of a beam or lintel or will affect the stability of the building then the alteration is a structural one.

If you are unsure if the alteration will require approval then please contact the Building Control office.

5 Do I need Building Regulation Approval to install cavity insulation into my house?

- Yes. But if you use an approved installer they will generally submit a Building Notice on your behalf as a matter of course.

6 Do I need Building Regulation Approval to construct a detached garage?

- No, provided that the garage meets the following conditions.
 - a) It is less than 30 square metres internal floor area
 - b) single storey
 - c) one metre from any boundary or constructed of non-combustible materials (including the roof).

Any other garage will require an application. If in doubt please contact Building Control

7 Do I need Building Regulation Approval to construct a carport?

- No, provided its floor area is less than 30 square metres internal floor area and it is open on at least two sides.

8 Do I need Building Regulation Approval to provide a covered yard or covered way to my house?

- No, provided the floor area is less than 30 square metres internal floor area.

9 Do I need Building Regulation Approval to construct a porch?

- No, provided the internal floor area is less than 30 square metres, it is separated from the house by an external quality door, and any glazing in critical locations is safety glass.

10 Do I need Building Regulation Approval to construct a conservatory?

- No, provided
- it is at ground floor and is single storey,
- the internal floor area is less than 30 square metres,
- where the existing walls, doors and windows, in the part of the dwelling which separates the conservatory are retained or, if removed, replaced by walls, windows and doors which meet the energy efficiency requirements and,
- where the heating system of the dwelling is not extended into the conservatory, and,
- any glass within critical locations should be safety glass.

11 Do I need Building Regulation Approval to construct a small detached building on my land?

- No, provided it contains no sleeping accommodation, is less than 30 square metres internal floor area, it is single storey and is either more than one metre from the boundary or is constructed of non-combustible materials. A detached greenhouse or shed usually falls within this class of building.

12 Do I need Building Regulation Approval to install new or replacement windows to my house?

Yes, however there are 2 options

A Building Notice or Full Plans application will be required if the windows are new as this will involve some form of structural works.

An Building Notice or Full Plans application will also be required for the replacement of windows and doors unless

- A registered installer on the Government Competent Persons Scheme carries out the work, then no Building Regulation application will be required, as the registered installer will do this on your behalf.

13 Do I need Building Regulation Approval to carry out repairs to my house?

- No, if the repairs are of a minor nature and you are replacing like for like. This includes replacing a small part of the roof covering, repointing, replacing a small area of brickwork etc.
- Yes, if the repair involves the removal of a major part of a wall and rebuilding it. If the new tile or roofing material is substantially heavier or lighter than the existing material then an approval under Building Regulations will be required.
- If a thermal element to either the walls or the roof is to be upgraded or replaced an application may be required, please check with the Building Regulation office.

14 Do I need Building Regulation Approval to convert my house into flats?

- Yes, this is a change of use.

15 Do I need Building Regulation Approval to underpin my house?

- Yes, this is a structural alteration.

16 Do I need Building Regulation Approval to construct a boundary wall?

- No, not at present. But be aware of the civil requirements of the Party Wall Act. For details please download the Explanatory Booklet.

17 Do I need Building Regulation Approval to install fittings and appliances or carry out drainage work?

- All drainage work in connection with a building requires an application (including the installation of a sink or toilet)
- Installation of heating appliances and boilers, unless using a registered installer on a Governments Competent Persons Scheme.
- Altering the position of a bath or w.c. etc.

18 Can I access a Building Regulation application form online?

- Yes, Winchester City Council's Building Control division main page has downloadable Building Regulation forms, www.winchester.gov.uk
- If you are unsure which application form to use you can either read our guidance notes or alternatively contact the department on 01962 848176.

19 How can I get an access to the Building Regulations documents?

- The documents can be accessed from website of the Department of Communities and Local Government ,

20 Can you give me the name of a good architect or builder?

- The Council is not permitted to give you any names of Architects or Builders.
- Your Building Control Officer is required to be completely impartial in his dealings with any Architect, Builder or client and this would obviously not be possible if he were in the position of recommending one Builder ahead of another.
- The best advice we can give you would be to contact the [RIBA](#), [RICS](#), [Federation of Master Builders](#),

Look through the [yellow pages](#) or follow these simple rules:

1. Choose an established builder and ask to talk to previous clients - find out if they were happy with the work, whether it was started and completed on time and if the final bill was in line with the estimate. A builder with a reputation to preserve is more likely to be around if you have problems later.
2. Never choose a builder on the basis of a low estimate alone. Good builders who refuse to cut corners will seldom be able to compete on price with those that do.
3. Avoid builders who offer VAT free deals in return for cash payments. A builder who will fiddle the taxman will probably not think twice about fiddling you as well!
4. Be clear from the outset exactly what you want the builder to do and then stick to it - changing your mind too often will probably prove expensive.
5. Try to agree a simple contract with your builder - the vast majority of smaller work is carried out without the benefit of any written contract at all. Try to get as much as possible in writing, for example:

- Exactly what is included in the estimate (or preferably quotation)?
- When will work start and how long will it take?
- What payments will the builder expect from you before the works are finished?
- On what basis you will want to agree any increase in cost (before the money is spent)?
- What arrangements will the builder make for your safety and convenience as works proceed?
- Is the builder properly insured?

When the works are completed to the satisfaction of your Building Control Officer you will be sent a 'Completion Certificate.' We recommend that you do not make the final payment to your builder until you have the certificate, but try to agree this with your builder at the outset (see 5 above).

You can download a simple contract from the Federation of Master Builders

21 How long do I have to start work after my plans have been fully approved?

- Once you have received full approval you have a time limit of three years for works to start on site. If this time elapses, a new application may be required to be submitted to Local Authority.
- Building Notices also lapse after 3 years.

22. How long do I have to complete the works once work has commenced on site?

- Once work has commenced, you have an unlimited time limit to complete the work, however it is strongly recommended completion of the work to save unnecessary delay if the property is sold at a later date. (You may also be charged a further fee if the works do not commence within 12 months from the date of submission)

23 What is the difference between Building Regulation and Planning permission?

- The legislation for both is very important in development but is fundamentally different.
- Building Regulations consider the construction of the proposed work and how to comply with the Regulations. They represent a minimum standard.
- Town Planning legislation (planning permission) principally deals with the appearance of new building work and how it will impact on the surrounding residents and general locality.

24 If you do not check plans on Building Notice applications, why are the fees the same as for Full Plans Applications?

- As no plan check is made, additional reliance is placed on the inspection stage of the process to ensure the Building Regulations are complied with.

- This translates into a requirement for either more inspections being necessary, or the inspections made taking longer than would be the case with a Full Plans application; hence the total cost is the same.

25 If I make a Building Notice application, will the Building Control Officer tell me how to carry out the work during his first visit?

- No - while we are always willing offer help and advice you should not expect to use the Building Control Officer as a substitute for an architect or designer.
- If you are not confident that you (or your builder) are fully conversant with the requirements of the regulations, then we would strongly advise that you do not use a Building Notice application.

26 Is a completion certificate the same as a guarantee or warranty?

- No. The completion certificate simply confirms that, as far as the Local Authority has been able to ascertain, the work on-site complies with the current Building Regulations. This means that inspections will need to have been carried out at the appropriate times, and that any problems found were put right. The Local Authority does not however provide a guarantee or warranty on the work.
- If you are buying a new or altered property, always make sure your solicitor checks that a completion certificate has been issued for the work. This is particularly important as if defects are found later; it may be you who is responsible for correcting them rather than the previous owner!

27 What if things go wrong?

- If problems arise during the progress of works our officers will do their best to help find solutions, and will be happy to offer advice to both you and your builder.
- Ultimately however the Building Control service is not a warranty organisation and if the building work fails to meet your needs or expectations your redress would be against your builder, not the Council.

For this reason you should take great care in selecting a builder who is reliable and who is still likely to be around if you have problems two or three years into the future.(see 20)

28 Building Control charges

- The Building Control Division is required to cover all its costs from Charges income (none of the financial burden can fall on the Local Authority taxpayer) so we must set Charge levels accordingly.
- Our Charges reflect the need to visit the site as work progresses (and remember, we endeavour to do next working day inspections provided you contact us before 4pm the previous working day) to check the work complies with the Regulations. Lower Charges could only mean lower service, which would mean waiting longer for plans to be approved and fewer inspectors available to visit sites. Leading to increased costs, and delays in construction
- Feedback from our customers indicates that they would prefer that our service standards are maintained, but we promise our charges will be no higher than necessary to achieve this. [Click here for the fee schedule](#)

Do you have a question you would like answered?

Please e-mail Buildingcontrol@winchester.gov.uk and we will try to answer your question.

Please note that this service is only available for generic questions as above. Any questions that you have that refer specifically to a property or an application, please contact the Building Control department directly.