

Report on	Decision Process for Building Control Applications
Date of Meeting	8 th January 2019
Reporting Officer	William Wilkinson

Is this report restricted for confidential business? If 'Yes', confirm below the exempt information category relied upon	Yes	
	No	X

1.0	Purpose of Report
1.1	To advise Members on the system of processing Full Plan Applications submitted to Building Control Department within Mid-Ulster District Council.
2.0	Background
2.1	Currently, there are approximately 2000 applications submitted to the Building Control Service within Mid Ulster District Council on an annual basis. Full plan applications are the main source of applications being submitted at present with approximately 850 being received on annually. The remaining applications being submitted are for Regularisation Certificates (retrospective for works which had been carried out without approval) and Building Notices (used for minor domestic works) where detailed plans are not required.
2.2	Following the submission and validation of "Full Plan Applications", Building Control Officers assess the plans to ensure compliance with the current Building Regulations. In many cases, correspondence is returned to the applicant or their agent requesting additional information/details to be forwarded to demonstrate compliance of their proposals. A Building Control Approval will then be issued when the plans are detailed to achieve compliance with the Building Regulations.
2.3	The current process can be elongated and in many cases work has commenced on site prior to an approval being issued. This can result in work being carried out on site which may not be in compliance with Building Regulations necessitating the need for additional works to be executed to achieve compliance.
2.4	In accordance with The Building Regulations (Northern Ireland) Order 1979 – Article 13, which states: <ul style="list-style-type: none"> a. "if plans are neither defective nor show that the proposed works would contravene any building regulation, pass the plans: or" b. "if plans are defective or show that the proposed works would contravene any building regulation, reject the plans:
2.5	Currently across Northern Ireland, there are seven Councils which have adopted the approach of issuing a deemed refusal in conjunction with the first snag list. Thereby, applicants clearly understand that if they commence work on site, they will be doing so at their own risk.

3.0	Main Report
3.1	It is considered that the process of assessing plans submitted to Building Control could be streamlined and allow for more clarity from an applicant's perspective. It is therefore considered that a rejection notice should be issued in conjunction with a snag list detailing the outstanding matters requiring attention where plans submitted are not in compliance. The application will remain rejected until satisfactorily detailed plans have been submitted. It should be noted that the issuing of a Rejection Notice does not prevent work from commencing on site in accordance with "The Building Regulations (Northern Ireland) 2012".
3.2	With regards to applications where a Rejection Notice has been issued, site inspections would still be carried out to assist the applicant during the construction process and advice offered where clarification is required on issues relating to the rejected plans.
3.3	It has been identified that where rejection notices have not been issued, the likelihood of issues arising on site increases as the applicants are proceeding on site with plans issued by their agent which have not been approved.
3.4	Currently across Northern Ireland, there are seven Councils which have adopted the approach of issuing a deemed refusal in conjunction with the first snag list. Thereby, applicants clearly understand that where work commences on site, they will be doing so at their own risk.
3.5	Within the current Building Control Service Plan, the response times being achieved in relation to domestic applications is currently 21 days and 35 days for non-domestic applications in 90% of all cases. The proposed change of procedure would not alter the response times as specified in the Service Plan.
3.6	With regards to each Building Control Application, fees must be submitted with each applicable application, in accordance with Building (Prescribed Fees) Regulations (Northern Ireland) 1997 as Amended. Where a Rejection Notice has been issued, no further plan fee will be charged in respect of plans subsequently deposited for substantially the same works.
4.1	Financial, Human Resources & Risk Implications
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: None
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	The Members agree the procedure of issuing a Rejection Notice in conjunction with a snag list where submitted plans are not in compliance with the Building Regulations.
6.0	Documents Attached & References
	None