

Principles of the building control system



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During this report I am going to look at the historical development of building control in the UK. I will look at the two current systems currently in place in building control. During this part of my assignment I will also evaluate the role of the government in producing legislation for building control.

I will appraise the role of the building inspector and current inspection methods used in today's world taking into account the beneficial and negative views of inspectors. I will also take a brief look at the wider role of the NHBC (National House Builders Council). P1a) Compare the two systems of control of a construction project Building Control has evidence of being implemented as far back as ancient Greece, below is a time line showing the development of building control within the UK since the 12th Century up to the present legislation in place. 12th Century - London becomes first city to be granted Royal Charter entitling it to its own mayor and some form of self-government.

This included byelaw's put in place for constructing of new buildings in the city originally to set standards for fire and safety precautions. As London grew these set standards of good building practice and town planning.

London Building Act 1667 - After the great fire of London destroyed 80% of the city Charles II proclaimed that any new buildings within the city would be of brick or stone and the streets wide enough so that fire could not spread from one side to the other. Christopher Wren was amongst others who was commissioned to draft regulations which became the London Building Act 1667 - these also accounted for structural load bearing walls, foundations, timber in party walls, beam bearings, joist centers, roof coverings and rainwater guttering and down pipes. From time to time new requirements

were added to the London Building act and similar acts were introduced around Britain.

The Public Health Act 1875 - Was the first piece of countrywide legislation dealing with many aspects of building. Due to the outbreak of disease during the industrial revolution the government was forced to take action against bad sanitation, drainage & ventilation in new building requirements. The Building Regulations 1965 - actually came into place in February 1966, this was the first form of modern legislation that covered the main part of England & Wales apart from Inner London Boroughs where the London Building Acts continued to prevail. Building Act 1984 - consolidated building regulations under one piece of legislation leading to the introduction of, Building Regulations 1985 - introduced in November 1985 and were accompanied by supportive Approved Documents. If the guidance in the approved document was followed this would generally be evidence to show that you have worked in conjunction with the regulations. This is the form of regulations used today.

July 1987 - Inner London finally works alongside the regulations making them a uniformed regulation across England & Wales. The Building Regulations 2000 as amended - These are used in the same format as 1985 with approved documents in place as guidance for those wishing to carry out building works. This is the current legislation in place. Timeline researched through: [http://www. bromley. gov.](http://www.bromley.gov)

ukThere are currently two systems of building control in place that can be used when carrying out building works, extensions or restructuring to ensure

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that you meet the building regulations. The two systems are; Local Authority Building Control Service Approved Inspectors Building Control Service Local Authority Building Control Service: If the Local Authority Service is used you are required to deposit either a full plans application or a building notice depending on the scale of works to be carried out. If a full plans application is deposited it must contain plans and other information showing all construction details, this should be well in advance of when works are due to commence on site. These plans will be checked by the local authority who will in turn consult appropriate authorities e.

g. Fire or sewage. The local authority must then issue a final decision within five weeks, or if agreed a maximum of two months from the date of deposit. If the plans are all correct and comply with the necessary building regulations a notice will be issued stating that they have been approved, or if they have not been accepted amendments are required to be made or more details provided on how regulations will be met. The Local Authority could also issue a conditional approval which will either specify modifications which must be made to the plans or specify further plans which must be submitted.

This approval method will only be used if requested by or with consent. Once approval has been permitted the local authority will then inspect work as they progress through one of the building inspectors they employ, they will also explain about necessary notification periods i. e. Foundations, Damp proof coursing and drainage. Also if requested with your full plans application a completion certificate once works have been completed.

One other advantage of using the full plans method is that if a disagreement arises with the local authority a determination can be requested via the deputy prime ministers office. The building notice procedure does not involve the passing or rejecting of plans therefore avoiding the preparation of full plans enabling some types of building to work to commence quickly, this procedure is best used for small scale building works and there are still specific exclusions from the regulations when building notices cannot be used. Although plans submissions are not required for carrying out work under a building notice it is essential that you are confident that building regulations are being met as a local authority building inspector will inspect works as they progress and anything that deems to be unsuitable will be required to be taken down and started again. The local authority could also request items such as structural calculations whilst works are in progress, all of which are required to be provided as part of the building notice procedure.

A building notice is valid for 3 years from the date of when the notice was given to the local authority and works must commence within this period or it will automatically lapse. Using the building notice procedure the local authority is not required to give you a completion certificate and determination cannot be sort if the local authority says work does not comply with Building Regulations. Local authority services are chargeable and subject to VAT. Each authority sets its own charges all of which are available if requested under a scheme depending on what type of works are being carried out. An Approved Inspectors Building Control Service: If you choose to use an approved inspector it is their responsibility to carry out plan checking and inspection of building work. It requires you and the approved

inspector jointly to notify the local authority of the intended building work via an initial notice.

Once this notice has been accepted by the local authority the responsibility for plan checking and site inspection will be formally placed on the approved inspector. An approved inspector will: Advise you on how the Building Regulations apply to your work Check your plans Issue a plans certificate Inspect works as it progresses and Issue a final certificate

The role of the Building Inspector: The approved inspector will state what plans and information is required to check that work will comply with Building Regulations. If the inspector is not happy that the works carried out comply with Building Regulations they cannot issue a final certificate if you are not willing to change the works they will pass the matter to your local authority. If all works comply they are required to issue a final certificate, which states all works have been carried out in accordance with building regulations. If the inspector is not satisfied with works whilst in progress on site and issues cannot be resolved via discussions the inspector will cancel the initial notice via notification to your local authority. Researched through <http://www.planningportal.gov.uk>

It is the role of the building inspector to ensure that works are started in the correct fashion and then throughout their entirety that they are being completed in line with current building regulations highlighting any problems which must be sorted or passing works at the correct moment when they have been completed at certain stages. There is often confusion between the planning officer and the building inspector, despite the fact that their roles are quite separate.

Planning officers are concerned with your use of the land and how it will impact on other people, nearby buildings and the environment in general; whereas building inspectors are concerned about the building work itself and whether it is consistent with the approved plans and complies with Building Regulations. There are effectively two different types of inspector. The first are those who enter the profession with a wealth of prior experience and knowledge about the construction industry because they were once themselves a builder or were indirectly involved in the trade. These inspectors are often able to advise you about practical solutions to difficult problems.

They can help you to overcome obstacles and build your dream home within the bounds of the relevant legislation. Some will even see a major problem as a professional challenge, going all out to resolve it for you, rather than face defeat. The second type includes academics that, with college or graduate training, become inspectors despite having very limited or no on-site experience. Although the latter may have an equal desire to be helpful, their lack of 'hands-on' practice means they may be less able to devise solutions to the same problems. Nonetheless, a solution will probably exist, but it will invariably be down to you or your architect to identify it.

The inspector's service is not free. The local authority will charge for the time given for advice, plan vetting and site inspections. It is wise, therefore, to discuss any proposed works on scheduled inspection dates, rather than contact them with different issues on different days. For example, at the pre-foundation stage you could consult the inspector on the type of damp-proof course recommended and any tips they might have on installation

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techniques. NHBC and their complete role: NHBC (National House Building Council) has many roles that it partakes within the new build sector of our industry and not only as building control inspectors for new build homes.

The council employs over 350 building inspectors who work on behalf of and alongside many big construction companies or smaller house builders around the country, carrying out the role as the approved building inspector, checking plans and ensuring works are carried out according to building regulations issuing final certificates on completion. The NHBC has a consumer committee which is in place to look after what is best for homeowners they have regular meetings in which they discuss consumer affairs regarding new homes. They carry out consumer research. Most important of late is the NHBC's " your new home satisfaction survey" which was launched in April 2004 put in place to raise industry standards through improved customer service.

100'000 surveys will be sent to new home buyers each year giving them the opportunity to state the customer service level they were provided by their new home builder within the first year of moving in. One of NHBC kite mark services is providing " Buildmark", the most comprehensive warranty and insurance policy for new homes in the UK, offering up to 10 years warranty on most items/materials installed within new homes that hold " Buildmark". The NHBC is trying to help to create a more sustainable environment providing information to developers to help improve the environmental performance of new homes as well as how to manage the impact of house building on the environment. P1b) Describe the role of government in producing legislation for building control Today every industry has standards

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and regulations to follow as set out by certain Government legislations. Very well known historic events have led to these standards being introduced and to this day they are still very much in force and must be adhered to if a business is to legally work within the industry.

2 particular events helped shape our current building regulations and how we live and work; The Plague which first hit Britain in 1665 and the Great Fire of London that crept through the inner city streets in 1666. Due to cramped and poorly sanitised conditions that people were living and working in and through two hundred years of a very rapid Industrial Revolution, people were forced to live in poor and densely populated conditions. The quick spread of the disease and fire was aided by the close proximity of dwellings and businesses and also through the lack of drainage and raw sewage being spilled onto streets. These being the two most significant events in Britain's history meant the Government had to take action and led to the building legislation being introduced in 1667.

Through this legislation the Building Regulations adapted and evolved until eventually the Government introduced the Building Act 1984. The Building Act 1984 is issued for people in England and Wales to follow; it is the enabling Act under which the Building Regulations and Building (Local Authority and Approved Inspectors), Regulations have been made. They are set down by Parliament and are legal requirements aimed at achieving adequate standards for the design and construction of domestic, commercial and industrial buildings, to guarantee the safety and welfare of the people living and working in and around the building. Separate documents support the Building Regulations and these are called 'Approved Documents', they

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are produced in several parts and relate to individual sections of the Regulations, for example Part A (Structure), Part B (Fire Safety). They also include requirements for the conservation of fuel and power and its consumption.

Not to mention the provision of disability facilities such as ramps, toilets and easy access in and outside the building. The Building Regulations cover, (14 parts of the technical section of the regulations):* Structure* Fire safety* Site preparation and resistance to moisture* Toxic substances* Resistance to the passage of sound* Ventilation* Hygiene* Drainage and waste disposal* Combustion appliances and fuel storage systems* Protection from falling, collision and impact* Conservation of fuel and power* Access to and use of buildings* Glazing – safety in relation to impact, opening and cleaning* Electrical safety

Communities and Local Government is responsible for Building Regulations in particular the Planning, building and the environment Department are responsible for planning policy and building regulations in England. It is their responsibility to ensure that all developments are constructed in the right place, at the right time with all the standards met. They also publish guidance notes on how to comply with and meet the requirements that are set out by the ‘ Approved Documents’. This extract from <http://www.planningportal.gov.uk> briefly describes the what standards may be included in the current legislation; ‘There are a number of pieces of legislation that relate to the standards of premises or construction and, depending on the type of premises and whether any building work is being carried one or more could apply at any given time. New or Altered PremisesIf building work is

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being carried out, the Building Regulations are likely to apply and will require certain standards to be met. The Building Regulations are made under powers in the Building Act.

Separate Planning Permission may also be required for the work. Checking that the Building Regulations have been complied with is done by Building Control Bodies – either based in the Building Control department of the local authority or established as an “ Approved Inspector” in the private sector. Certain types of building work close to or directly affecting the boundary or party wall of a premises may also be covered by the “ Party Wall Act” which places obligations on people carrying out work. The recently introduced “ Sustainable & Secure Buildings Act” also has powers that could affect new and altered premises. Some non-domestic premises may also be subject to Local Acts.

Existing Premises Existing domestic premises (housing) may well be covered by the Housing Act, enforced typically by the local housing authority. Click here to learn more from the Communities and Local Government (CLG) website. Existing non-domestic premises are likely to be covered by general fire safety law, enforced typically by the local Fire and Rescue Service. Click here to learn more from the Communities and Local Government (CLG) website or here to learn from the Fire Gateway. There will also be requirements of general health ; safety legislation which should be met in non-domestic premises.

Further information is available from the Health ; Safety Executive (HSE) website. Construction Sites Certain types of construction sites will be subject

to the Construction Design and Management (CDM) Regulations, which are enforced by the Health and Safety Executive (HSE). Learn more about construction site safety from the HSE website.'The Building Control section of a Local Authority administer the planning application which is a completely separate entity from the Building Regulations but it is the person carrying out the works that holds primary responsibility for complying with the regulations and achieving the set standards. Researched through [http://www. communities.](http://www.communities.gov.uk/planningandbuilding/planning/)

[gov. uk/planningandbuilding/planning/](http://www.gov.uk/planningandbuilding/planning/) and [http://www. bromley. gov. uk/environment/buildingcontrol/the_regulations. htm](http://www.bromley.gov.uk/environment/buildingcontrol/the_regulations.htm)P1c) Describe the application of primary legislation The Approved Documents give practical guidance on how to fully comply with the requirements of the regulations.

The documents relate to the 14 ' parts' of the Schedule 1 as mentioned above, and each one is specifically associated with the specifications and regulations of that particular `part` of Schedule 1. Each document contains - ' general guidance on the performance expected of materials and building work in order to comply with each of the requirements of the Building Regulations; and, practical examples and solutions on how to achieve compliance for some of the more common building situations.' Extract taken from [http://www. planningportal.](http://www.planningportal.gov.uk)

[gov. uk](http://www.gov.uk) Although it is not mandatory to follow the guidelines exactly it is important to ensure that the requirements are met, this meaning that the materials or methods described in the guidance notes can be replaced with alternatives as long as they still comply with all the relevant requirements.

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See Appendix 01 an example of the Approved Document, I have not included the whole document as it is 47 pages long! The Building Control Service has the job of checking if the plans and the work comply with the requirements set out in Schedule 1 of the Building Regulations; this does not mean if they do follow the guidance or examples given in the Approved Documents then the work will be approved. For the Building Regulations to apply in practice there are types of projects that amount to ' Building Works', which are defined under Regulation 3. The following describes the types of projects that are classed as ' Building Work';* the erection or extension of a building;* the installation or extension of a service or fitting which is controlled under the regulations;* an alteration project 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;* the insertion of insulation into a cavity wall; and* the underpinning of the foundations of a building. Extract Taken from [http://www.](http://www.planningportal.gov.uk)

[planningportal. gov. uk](http://www.planningportal.gov.uk)For the work to be compliant, whether a new building is erected or an extension added, then the alterations must not make other fabric, services and fittings fail under the requirements. ConclusionBuilding Control and the use of local authority or approved building inspectors is very important in ensuring that new buildings and building works throughout the UK are completed to a standard which is reliable and will last the test of time. Hopefully this will help prevent the construction of dangerous or poor buildings that do not create a happy habitat for people to live in.

The NHBC also holds a big role in ensuring new homes standards are what consumers expect for the ever rising and over inflated prices that we have to pay for our home. Hopefully they are as good at carrying out their role as what they promote sticking to their consumer charter and “ Buildmark” 10 year warranty ensuring customers are looked after by developers and not left in the dark if defects do occur. The regulations set are lawful and the controls in place that enforce them have to be strict to ensure that the standards met remain at a high level. The procedures for following the regulations may seem arduous but the guidelines and free advice are of great importance; it gives people the confidence to build new structures or make alterations to improve their existing ones. With the introduction of green or sustainable construction further amendments will have to be made to the Building Act 1984, and possibly a new Act will have to be written to incorporate the social trends and the environmental issues today’s developers are faced with. Lessons learnt in history have told us not to be complacent with construction, the building regulations are in place for a very good reason and though we might loathe the Building Control Inspector when he visits and undoes all the hard work, it is imperative that the work is done according to the requirements.