

Advice Note 41

Regularising Unauthorised Works



This procedure allows for regularisation of unauthorised building work that has been carried out without submitting a Building Notice or Full Plans application for Building Regulation approval or without giving notice of commencement of works.

It does not replace the Councils enforcement powers nor does it provide a short cut for those who did not follow the correct procedure.

Regularisation Procedure

There is no obligation for either an owner to make an application for regularisation nor for the Council to issue a certificate where they cannot be reasonably satisfied that the works comply with the Building Regulations. The charge made for an application is not refundable if a certificate is not issued.

In order to assess whether compliance with Building Regulations has been achieved the Council may ask the applicant to “open up parts of the work to enable otherwise hidden details of construction to be inspected.

An application for Regularisation can only be made where,

- a) The work commenced on or after 11 November 1985
- b) The work came under the scope of the Building Regulations
- c) Notification was not given to the Local Authority

Applying for a Certificate

Complete and submit a Notification of Building Work form with payment of the appropriate fee (refer to Scheme of Charges) together with, so far as is reasonably practical, the following information.

- a) A plan of the unauthorised work, and
- b) Details of any proposed work required to ensure that the building work complies with the building regulations.

Issue of a Certificate

Upon receipt of our acknowledgement you should contact the named Surveyor who will arrange to carry out an inspection. Following inspection he will inform you of the construction that requires exposing and / or what additional works are required.

If you are successful in demonstrating that the unauthorised building work is in full compliance with the Building Regulations a Certificate of Regularisation will be issued.