

Planning Permission and building regulation approval

- A guide for householders and small businesses

www.birmingham.gov.uk/planning

This leaflet is for you if you want to carry out building works to your home, shop or business premises.

It explains the different types of permission that you may need and how to apply for them. Getting permission is very important. It is in your interest to check whether you need permission before starting any work, as mistakes can be very costly.

We hope this leaflet will answer some of the questions you may have.

Getting professional advice

If you are considering a building project at your property, you may wish to find someone with the right professional experience to help you draw up plans and apply for the permissions you may need. A qualified surveyor or architect should be able to provide this kind of service, for example. If your application is straightforward you may be able to do the drawings yourself. However, they must be clear, accurate and drawn to a metric scale.

What permission might I need?

It depends on what works you want to carry out. You may need:

- Planning Permission.
- Building Regulations Approval.
- Both.

It is your responsibility to find out what you need. Please visit our website for advice but if you are in any doubt, please ask us. Contact details are given at the end of this leaflet and we do not charge for this advice.

What is planning permission for?

In Birmingham, the Council is the Planning Authority that controls the development and use of land. To do this, the Council considers planning applications and decides whether to give permission or not. Our aim is to protect and improve the quality of the environment by making sure all new development is acceptable. For example, we check that development is well designed, is in an appropriate place and will not cause harm to neighbours.

What are building regulations for?

Building regulations lay down standards for the construction of all types of buildings. They cover all aspects of construction, including foundations, drains, damp-proofing, the overall stability of the building, insulation, ventilation, fire protection and means of escape in case of fire. They also ensure that adequate facilities for people with disabilities are provided in certain types of building. Building regulation approval is the means by which we check that a building is built to required health and safety standards, to protect the people who use the building.



What type of works need planning permission?

Below are some examples of the type of works that need planning permission, to give you an idea.

Most alterations to **business premises** do need planning permission, including:

- All shop and office extensions.
- Alterations to shop fronts.
- External security shutters or grilles.
- You may need planning permission to change the use of your business premises, for example from a shop to an office.

Whether you need planning permission to alter or extend your **house** depends on the **size** and **position** of what you want to do. In most cases, you do need planning permission for:

- A dormer window in the roof of your house facing the road.
- A two storey extension.
- An extension to the front of your house, or to the side if it faces the road.
- A large rear extension.

What type of works need building regulations approval?

Examples of when building regulations approval is needed include:

- Building an extension.
- A loft conversion.
- Internal alterations that affect the means of escape in case of fire.
- Structural alterations.
- Underpinning of your building.
- Replacement windows.

IMPORTANT. Please remember that planning permission is entirely separate from building regulations approval. You must apply separately for both, if both are needed. One permission does not give you the other permission.

If you want to alter your plans

If you change your plans, either before or after work has started, you must be sure to get both planning permission and building regulations approval for the changes. **This is very important.** For example, you will not always get planning permission for changes you have to make under building regulations! However, we will always work with you to try and find a solution.

Other permissions

In some circumstances, you may need other permissions. Again, it is your responsibility to find out.

- If you live in a conservation area, you may need **Conservation Area Consent** to carry out demolition work.
- If your property is listed, you will need **Listed Building Consent** for any work that will affect the character of your building.
- If you want to display an advertisement, for example over your shop, or a business sign, you may need **Advertisement Consent**.
- If your property is leasehold, you may need your **landlord's permission**. Also, in some areas, such as Bournville Village and Four Oaks, you may need the **estate manager's permission**.
- If you are buying the property with the help of a loan such as a mortgage, you may need the permission of your **building society** or **other lender**.

The Party Wall Act

If you want to carry out building work which involves:

- Work on an existing wall shared with another property.
- Building on your boundary.
- Excavating near a neighbouring building.



You must find out whether the Party Wall Act 1996 applies to you. If it does, you must notify all neighbours who would be affected. A free explanatory booklet about this is available from the Department for Communities and Local Government (you can view it on their website). Contact details are at the end of this leaflet.

How to make a planning application

Householders need to complete a householders planning application form. **Other applicants** need to complete a different planning application form. These and other types of forms are available on the Planning Portals website or at our offices, or we can post one to you. When you ask for a form please say briefly what you want to do so that we know which form to give you.

Please visit:

www.birmingham.gov.uk/planningapplications or contact us for more information and advice about how to make a planning application, and for application forms. A leaflet called **A householder's guide to making a planning application** is also available - please see the website or ask us for a copy.

Once you have received planning permission, you normally have 3 years to start the work. After that, you have to re-apply.

How to apply for building regulations approval

For all applicants, there are 2 ways to make an application:

1. Full plans

This is the route most people choose. You complete a building regulations application form and submit this with full plans showing in detail what you want to do. We then check the details to see if they comply with the regulations. We issue an approval notice when the plans are satisfactory.

If you are borrowing from a bank or building society to finance the work, they may ask to see an approval notice (or other evidence of building regulation approval) before advancing you the money. Full plans may also help builders to give you a more accurate price for the work.

2. Building notice

You may alternatively complete a building notice application form and provide a site plan only. Work is checked as it is carried out. This places a greater burden on you and your builder to ensure the work complies with the regulations. It is best to talk to us first if you are thinking of applying in this way. People rarely use this route unless the works are only minor.

Either way you choose, once the building work is underway a building control officer will visit at various stages to check that building regulations are being met. When the works have been completed satisfactorily, we will issue a completion certificate.

Please visit:

www.birmingham.gov.uk/buildingconsultancy for more information and advice about how to make an application for building regulations approval, and for application forms. Alternatively, further information is available in leaflet form - please ask us.

Once you have received building regulations approval, you normally have 3 years to start work. After that time you have to re-apply.



Will I have to pay to apply for permission?

Yes. You will have to pay separate fees for a planning application and for a building regulations application. If you need both types of permission, you will have to pay fees for both. However, in some cases you may be exempt from paying fees. For example, if you want to carry out work to improve conditions for someone with a disability.

Details of fees are given on the application forms and on our website. You can also contact us for details.

Starting work without permission

It is not advisable to start work before you have got all the permissions you need. If the work is not acceptable, you could be asked to put it right at your own expense and/or be fined.

Contact us

Planning applications

Planning Management
PO Box 28
Birmingham
B1 1TU

Telephone: **Planning Direct** (0121) 303 1115
E-mail: planning.enquiries@birmingham.gov.uk
Fax: (0121) 303 4838
Minicom: (0121) 464 0938

Building Regulations approval

Building Consultancy
Birmingham City Council
1 Lancaster Circus
Birmingham
B4 7DY

Telephone: (0121) 675 7006
E-mail: building.consultancy@birmingham.gov.uk
Minicom: (0121) 464 0938

Opening hours

(1 Lancaster Circus, Queensway, Birmingham, B4 7DJ)

Monday - Thursday 8.45 - 5.15pm
Friday 8.45 - 4.15pm

For information about the Party Wall Act

Department for Communities and
Local Government
Telephone: 020 7944 3000
Web address: www.communities.gov.uk

For other general planning information visit:

www.planningportal.gov.uk
or
www.planning-inspectorate.gov.uk

**For a copy of this guide in large print,
another language or other alternative
format, please contact us.**

**Telephone: (0121) 303 1115
Textphone (Minicom): (0121) 464 0938**

