



Dorset
Council



Building Control Service

Meet the team

Our building control team pride themselves on providing excellent service to all our customers. Our team of 24 registered Building Inspectors have a wealth of experience, dealing with all types of ground conditions, constructions techniques, and mixed building types across the county. This knowledge is being passed on to our 4 apprentices as we commit to “growing our own” inspectors in the future.



Each inspector is responsible for plan checking and inspections received in their area of the county.



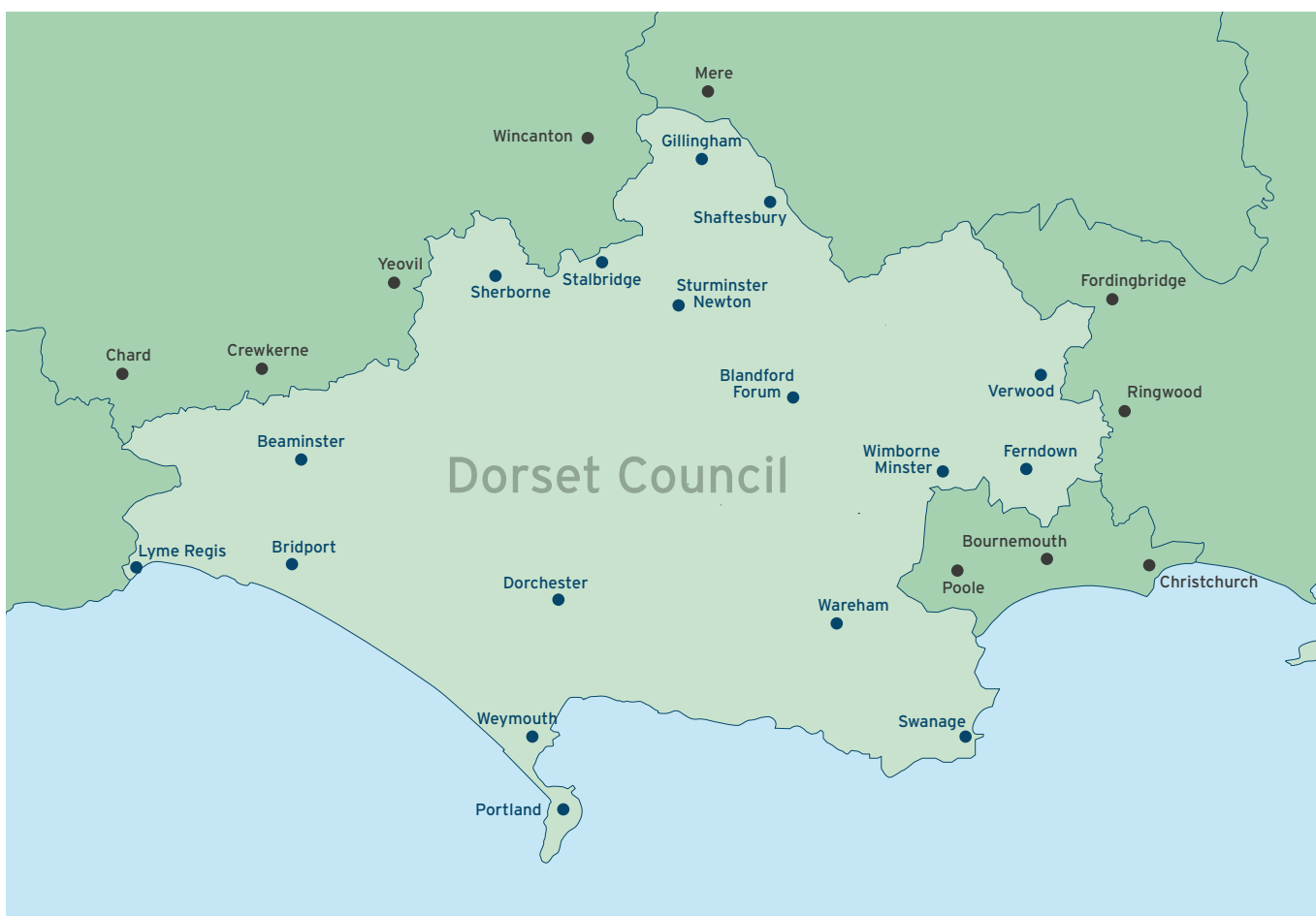
We have a dedicated technical support team who are always available at the end of the phone to help guide you through the application process, booking your inspections, or any other general enquiry.



All our fees are bespoke and calculated to reflect the time our officers will take on each development.



We continue to offer a fast turnaround on plan checking and same day inspections if booked before 10am.



Building Control

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Area surveyors - Team leaders

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Technical Support Team Leader - Building Control

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Direct dial contact details for all our building inspectors are available on our website:
dorsetcouncil.gov.uk/contact-building-control-surveyor



Legislation changes

The Building Regulations changed on the 1 October 2023. The changes introduced sections of the Building Safety Act 2022 and a greater responsibility for Building Regulation compliance placed on the Duty Holders and also a new process for dealing with Higher-Risk Buildings (HRBs).



HRBs are defined (within the Building Higher-Risk Buildings (Descriptions and Supplementary Provisions) Regulations 2023) as buildings with seven or more storeys, or at least one storey with a finished floor height more than 18m above ground level and contain two or more residential units. Hospitals and care homes meeting the same height thresholds are also considered as HRBs during the initial design and construction phase only.

New HRB

Where you are creating a new HRB, or you are undertaking alterations within an existing one, you must now contact and register the work with the new Building Safety Regulator (BSR)



[www.hse.gov.uk/
building-safety/
regulator.htm](https://www.hse.gov.uk/building-safety/regulator.htm)



Duty holder responsibilities

The new regime imposes new requirements on all clients, agents, and builders. It is important that everyone involved in a development, no matter how big or small, is aware of their responsibilities. The agent also has a requirement to ensure their clients are aware of and understands their duties, as well as the duties of the people they employ on their project.



The changes imply greater emphasis on the designer to design a build from the outset that will comply with both Planning and Building Regulation requirements.

Dutyholders can be fulfilled by individuals or organisations, they are key roles and assigned specific responsibilities within the process of the project.

Domestic client

Domestic client means a client for whom a project is being carried out which is not in connection with a business.

Duties:

- To ensure suitable arrangements are made for planning, managing and monitoring building work to ensure compliance with the Building Regulations. These arrangements must be maintained throughout the life of the project.

To include: providing building information that they have, or it would be reasonable for them to obtain, to the designers and contractors working on the project.

Cooperating with anyone working on or in relation to the project to the extent necessary to enable them to comply with their duties or functions.

- Must take all reasonable steps to ensure any designers or contractors they appoint are competent to carry out the work they are being appointed to do.
- The client is required to appoint a principal designer and Principal Contractor, if a domestic client fails to make the appointments:
 - the designer in control of the design phase of the project is the principal designer.
 - the contractor in control of the construction phase of the project is the Principal Contractor

Important

Duty holders **must** be appointed at the earliest possible opportunity in the project. You must inform our Building Control team (in writing) of the appointment of Duty Holders, via the



Building Regulation Application form or via our **Appointment of Duty Holder form**.

If the application form is submitted on behalf of the client by a third party, the client must either sign the completed application form, or submit a separate client statement form.



The **client statement form** is a declaration that the client has understood their responsibility as a Duty Holder for the application, is confirming the contents of the application form is correct, and they are happy for it to be submitted on their behalf.

Client

Organisations or individuals for whom a construction project is carried out that is done as part of a business.

Duties:

- make suitable arrangements for planning, managing and monitoring a project, including the allocation of sufficient time and resource, to deliver compliance with building regulations. In practice, this means appointing the right people, with the right competencies (the skills, knowledge, experience and behaviours) for the work, and ensuring those they appoint have systems in place to ensure compliance with Building Regulations.
- where there are several firms working on different aspects of the project, the Client will need to appoint a principal designer to be in control of design work, and a Principal Contractor to be in control of the building work.
- provide building information to every designer and contractor on the project and have arrangements to ensure information is provided to designers and contractors to make them aware that the project includes any existing or proposed higher-risk building work.
- cooperate and share information with other relevant duty holders.

Principal designers

A designer appointed by the client in projects. They can be an organisation or an individual with sufficient knowledge, experience, and ability to carry out the role.

Duties:

- plan, manage and monitor the design work during the design phase.
- take all reasonable steps to ensure the design work carried out by them and anyone under their control is planned, managed and monitored so that the design is such that, if built, it would comply with all relevant requirements of the Building Regulations.
- ensure that they, and all those working on the project, co-operate, communicate and co-ordinate their work with the client, the Principal Contractor, and other designers and contractors.
- liaise with the Principal Contractor and share information relevant to the building work.
- assist the client in providing information to others.

Change of duty holder

If any of the duty holders change throughout the life of the project, again the Building Control team must be informed (in writing) of the change via our



Change of Duty Holder form.

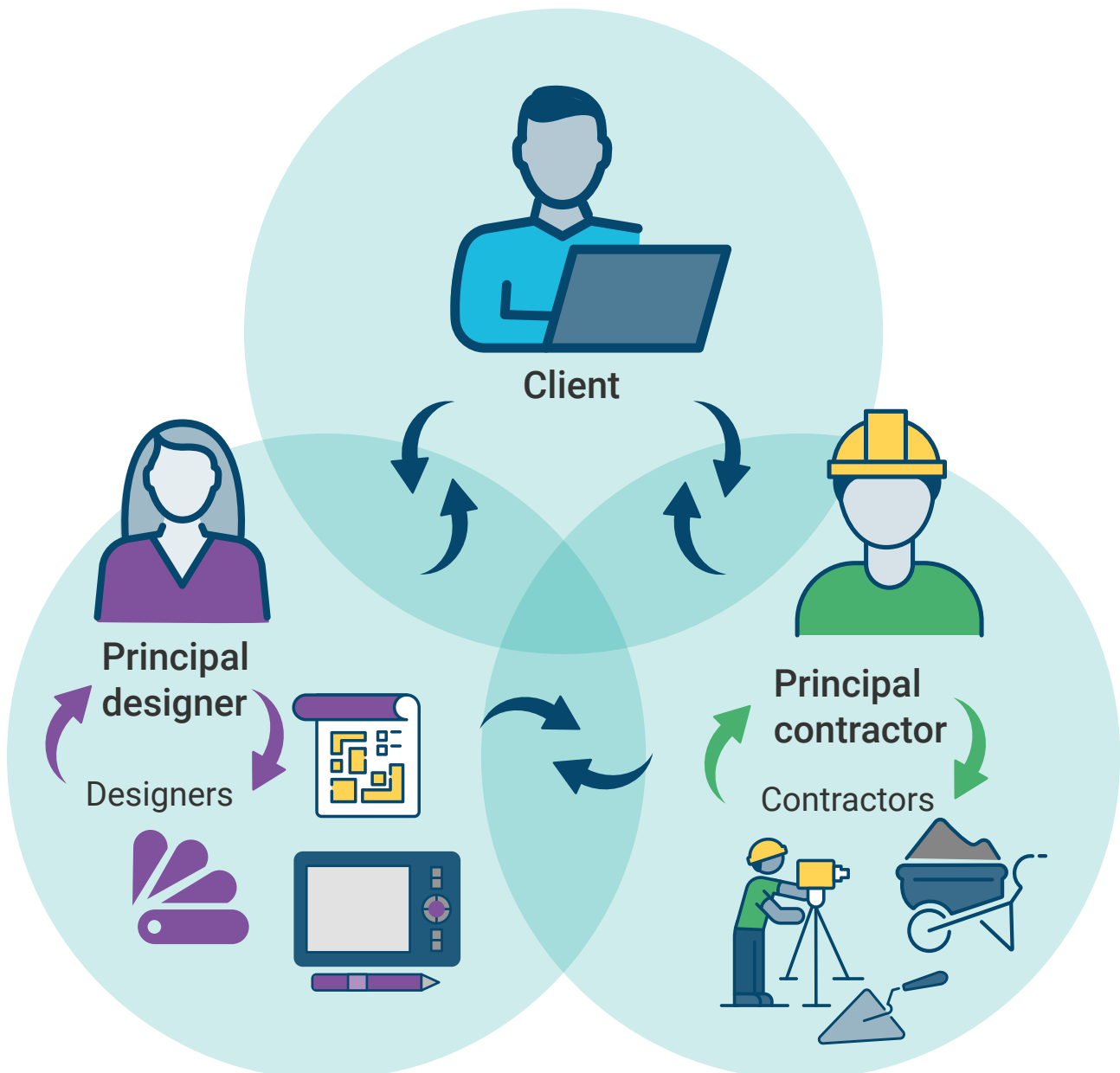
If the content of the application changes at any stage during the application process (e.g. description of works change), we may need to request a new application form and a new client statement or if a minor change an email or letter from the client confirming they are happy with the change.

Principal Contractor

A contractor appointed by the client to coordinate the construction phase of a project.

Duties:

- plan, manage, and monitor the building work during the construction phase.
- cooperate with the client, the principal designer, and other designers and contractors to the extent necessary to ensure that the work complies with all relevant requirements of the building regulations.
- ensure that they, and all those working on the project, co-operate, communicate, and co-ordinate their work with the client, the principal designer, and other designers and contractors.
- liaise with the principal designer and share information relevant to the building work. assist the client in providing information to others.



Commencement of work

The way works are defined as having “commenced” under the building regulations has changed. This should now be considered more of a “meaningful start” and there are various criteria that need to be achieved.

For construction of a new building, or horizontal extension of a building, it is split into two types. “complex” and “non-complex”.

For a complex building, commencement will be at the date at which the foundations supporting the buildings and the structure of the lowest floor level of that building (but not other buildings or structures to be supported by those foundations) are completed.

For non-complex buildings, commencement will be at the date at which the sub-surface structure of the building or the extension, including all foundations, basement levels (if any) and the structure of the ground floor level, is complete.

15%

For all “other works”, not involving the construction or extension of a building, commencement is defined at the point at which 15% of the construction works will be completed.

It’s important that the duty holders agree what constitutes 15% work with the Building Control Team.

Remember that a Building Inspector’s first inspection is most likely to be carried out prior to reaching the formal stage of commencement (e.g. foundation excavations will still require a visit from our team). So, please call us at the start of the work stage to book in your first inspection.


Formal commencement

Formal commencement of work must be notified to us in writing within 5 working days of reaching the appropriate stage.

We provide a **Notice of Commencement form** for you to tell us when you have reached this stage. We will check to ensure commencement conditions have been met. Also, if we believe the work hasn’t reached the formal commencement stage, we may send a rejection notice with an explanation. If you disagree, you can appeal according to Regulation 16 of The Building Regulations 2010.



Completion notice

 **Completion Statement form**

When works have been completed on site, we must now be informed formally. The Completion Statement form has to be completed and signed by all the Duty Holders.

We are unable to undertake our final inspection on site until this form has been completed and returned to us by all the Duty Holders involved in the project.

5
days

The Completion Statement form must be sent to us within five working days of completion of works on site. Failure to provide this notice within the five working days is a breach of the Building Regulations and enforceable under Section 35 of the Building Act.

As part of the completion process, we also need to receive copies of certification provided by any competent person(s) who carried out work as part of this project (e.g. Electrical certificates, Gas Safe certificates.)



Enforcement

Compliance and stop notices

The Building Safety Act 2022 strengthens the enforcement powers of building inspectors. It enables local authorities and the regulator to issue compliance and stop notices where building regulations have been breached.

Compliance notices are notices given to the accountable person, and will require certain steps that must be taken within a specific timescale in order to rectify the non-compliance.

Stop notices can only be issued in certain situations:

- carrying out work would contravene certain building regulations,
- an existing compliance notice has not been complied with, or
- works carried out contravene regulations and could potentially cause a risk of serious harm.

A stop notice will require work specified in the notice to be stopped altogether until remedial action has been taken. A stop notice can apply a specific area of work, a specified part of a site or a whole site. These powers are introduced for a breach that has occurred after 1 October 2023.

Failure to comply with either a compliance notice or a stop notice is a criminal offence and will carry a maximum penalty of an unlimited fine and/or two years in prison.

Appeals

Recipients can appeal notices or apply for a compliance period to be extended within 21 days of the notice being issued. An appeal in the First-tier Tribunal can be made where the notice was erroneous in fact, wrong in law, unreasonable, or procedurally flawed.



Step by step guide

Fee quote / Application form

Application fees for Building Regulation are bespoke for each individual application. We use our hourly rate and assess the proposal to work out how much time our officers will need to spend on the application to calculate your fee.

We have combined our application forms to cover a fee quote request, and then for it to seamlessly become the application form should you wish to continue to submit your application with us.

We aim to provide fee quotes.

Application submission

The fee quote application form is designed to be able to become the actual application form. So, when you are ready to confirm you wish to formally submit your Building Regulation application you just need to pay the fee.

You can pay online using the link in your fee quote letter.

Or our technical support officers can take payments over the phone.

As soon as the fee is received, and we have the signed client statement form, we will register your building regulation application.

We aim to register your application within 3 working days. The Client and Agent will receive an acknowledgement letter to confirm the application has been registered. It will also set out who your Building Inspector will be, and your inspection plan.

Client statement

Every application form must be signed by the client.

If the application form is submitted on behalf of the client by a third party the client must either sign the application form (once completed) or submit our separate client statement form.

The Client Statement form is a declaration that the client has understood their responsibility as a Duty Holder for the application and is confirming the contents of the application form is correct and they are happy for it to be submitted on their behalf.

Application for Building Notice

A Building Notice is a streamlined route to obtaining building regulations approval for certain types of construction projects.

No drawings are required (structural calculation may still be requested). Compliance is agreed during the site inspections. While it does mean you can start construction sooner, there is an element of uncertainty as you rely on the construction to have been built in compliance with the Building Regulations. If any issues arise during inspections, remedial work will need to be carried out, which can often occur additional costs.

Application for Building Control approval with full plans

Your Building Inspector will review everything provided as part of the application to check it meets the requirements of the Building Regulations.

If we need further information, we will contact the agent/principal designer or client setting out what we require.

We have an initial five weeks to issue a decision on an application. If we or the agent/principal designer/client need additional time to provide and subsequently check all the additional information, we can agree a mutually acceptable extension of time to the application.

The extension of time must be agreed in writing by both parties.

We will issue a decision of either:

- Grant of Full Plans
- Grant of Full Plans with requirements, meaning further details are required or to be agreed on site. Some requirements need to be cleared prior to commencement, some prior to a completion certificate being issued.

Start of work on site

When you start work on site, please call us to book in your first site inspection.

All our planned site inspections are listed on your acknowledgement letter, and we must be notified at each of these stages, to inspect progress.

We aim to provide same day inspections, if booked before 10am.

Formal Commencement

Formal Commencement must be notified to us using our Notice of Commencement form within five days of reaching this stage.

- For complex buildings: Foundations are constructed, and the structure of the lowest floor level is complete.
- For new buildings and horizontal extensions: The sub-surface structure of the building or extension, including all foundations, and the structure of the ground floor level is completed.
- For all other works: At least 15% of the overall work has been constructed.

Building work progresses, and our inspector will continue to inspect at certain stages through the build, in line with your inspection plan.

Completion

We must be notified that works have completed on site within five working days.

- We will undertake a final site inspection to ensure everything on site has completed and as far as can be ascertained, complies with the Building Regulations.
 - All certification of works undertaken by a competent person (e.g. Electrical certificates) must be provided.
 - The Completion Statement must also be received, signed by ALL the Duty Holders.
- Once all the above has been received and found satisfactory, we will be able to issue our Completion Certificate.

Duty Holder / change of Duty Holder

We must be notified at the earliest stage of a Duty Holder appointment, either on the application form or via our Appointment of Duty Holder form. If there is a change of Duty Holder at any stage of the project we must be notified in writing using our Change of Duty Holder Form. By the completion stage we should have a complete audit trail of the Duty Holders involved in the project and a signed completion statement by all the Duty Holders at the end of the project.

FAQs

What is a Duty Holder?

A Duty Holder is any person that is involved with the design, construction or modification of a building project which falls under the legal framework of The Building Act 1984, The Building Safety Act 2022 and the Building Regulations 2010. This would include, but not be limited to, the client, designers and contractors.

What is the difference between a principal designer for building control and that of principle designer for CDM?

The principal designer for building control and CDM fall into different legislation:

The principal designer to the Construction (Design and Management) Regulations 2015 (CDM regulations) will coordinate, manage and monitor the works in line with the CDM Regulations. This is predominantly focused on health and safety during the design, construction and maintenance of a building to avoid accidents and injuries during the construction (and demolition process).

The principal designer to the building regulations will coordinate, manage and monitor the works in line with the legal and technical requirements of the Building Regulations 2010. This predominately focuses on compliance with the minimum standards of the Building Regulations. It also now includes requirements to ensure that all duty holders can also prove competency for the projects on which they are working.

I am removing a load bearing wall to a domestic property. Do I still need to comply?

The requirements apply to all works that require Building Regulation Approval. Domestic customers will still be required to understand their duties and ensure they appoint the appropriate designers and contractors for the project.

Who is the Building Safety Regulator?

As part of the changes set out in the Building Safety Bill, a new Building Safety Regulator (BSR) is created within the Health and Safety Executive (HSE) with extensive new powers of regulation, inspection and enforcement.

The BSR will have new powers and responsibilities to ensure the safety of all buildings and will have additional responsibilities for higher-risk buildings. These additional powers apply not only to the design, construction and refurbishment of such buildings, but also to their ongoing safety management while they are occupied, so that residents are safe – and feel safe – in their homes.

It will be independent and give expert advice to local regulators, landlords and building owners, the construction and building design industry, and to residents.

The BSR will have three main functions:

- Overseeing the safety and standards of all buildings.
- Helping and encouraging the built environment industry and Building Control professionals to improve their competence.
- Leading implementation of the new regulatory framework for Higher-Risk Buildings. Under current legislation, the BSR will regulate Higher-Risk Buildings. These are buildings with seven or more storeys or that are 18 metres or higher, and either:
 - Have at least two residential unit
 - Are hospitals or care homes (during design and construction)

What is the time limit on a contravention?

Under Section 35 of the Building Act, there is no time limit on a contravention.

When can compliance notices be served?

They cannot be served post 12 months of the date of that particular contravention. However, the contraventions still exist under Section 35.

How long after building work has completed can Section 36 of the Building Act be served?

The time limit for serving the notice of Section 36 of the Building Safety Act has been increased to 10 years. This is for removing, altering, or affecting offending work.