

**LONGFORD COUNTY COUNCIL**  
**BUILDING CONTROL AUTHORITY**  
**INTRODUCTION TO BUILDING CONTROL FOR DEVELOPERS IN**  
**COUNTY LONGFORD**

**1.0 INTRODUCTION**

The purpose of this document is to provide an introduction to all potential Developers of both one off and multi unit developments in County Longford to the requirements of the Building Control Authority and the Building Regulations in general.

The primary purpose of the Building Regulations is to provide for the health, safety and welfare of people in and around buildings. In addition the Regulations make provisions for the special needs of disabled persons in relation to buildings and for the conservation of fuel and energy.

The technical requirements for the design and construction of buildings are set out in the Building Regulations 1997 and its subsequent amendments, with guidance on how these requirements can be met provided in the Technical Guidance Documents.

The Building Regulations sets out the way in which they are to be applied to different categories of work, and are as follows,

- a) In full to new buildings
- b) Extensions to buildings as if it were a new building ie. in full
- c) Existing buildings as affected by an extension to the extent that no new or greater contravention of the building regulations should arise as a result of the extension.
- d) Material alterations, the regulations apply in full to the works which comprise the material alterations and in addition apply to the existing building to the extent that no new or greater contravention of the building regulations should arise as a result of the material alterations.
- e) Material change of use. Specified parts of the Building Regulations identified in Article 13 (1)(a) of S.I. 497: 1997 apply to those categories of change of use identified in Article 13 (2) of S.I. 497: 1997

It should be noted that exempted developments in the Building Regulations are not the same as exempted developments under the Planning Regulations. Clarification should be sought from the Building Control Authority if any doubt arises.

**2.0 ROLE OF THE BUILDING CONTROL AUTHORITY**

Particular note should be taken that the primary responsibility for observing that a building is designed and constructed in accordance with the Building

Regulations lies with the persons who actually designs, constructs and develops the building, not the Building Control Authority.

As the Building Control Authority, our responsibility is to promote compliance of the Building Regulations, which we do as follows,

- a) Promote awareness of the Building Regulations
- b) Advise people if they have queries regarding the Regulations
- c) Monitor compliance with the Building Regulations
- d) Enforce the Building Regulations

The Building Control authority is empowered to inspect buildings or works under Section 11 of the Building Control Act, 1990. Such inspections are for the purpose of checking that the requirements of the Building Control Legislation are been complied with, the primary responsibility for which rests with the Developer. The powers of inspection and enforcement in the Building Control Act is discretionary rather than mandatory.

It is not the responsibility of the Building Control Authority to advise planning applicants on the particulars of the Building Regulations. If they have employed a Designer for the building, they should request an explanation of the Regulations be given to them together with the implications it has on the design of their building. However, if a Developer has a particular query which their Designer is not able to answer regarding the Building Regulations, the Building Control Authority would welcome the opportunity to provide them with any clarification necessary.

### **3.0 DEVELOPER'S RESPONSIBILITIES**

#### **3.1 General**

As one of the parties with the legal responsibility for compliance with the Building Regulations, the Developer should be satisfied that their building is designed and constructed in accordance with the Regulations. It is important from an early stage in the building development process that the Building Regulations are addressed, where they apply, so as not to cause uncertainty, inaccuracies or omissions in subsequent stages of the process.

Failure to comply with the Building Regulations may have financial implications for the Developer where remedial actions have to take place in order to reach compliance. Difficulties may also be experienced where application for the Rural Renewal Grant or Mortgage Approval is being sought.

#### **3.2 Commencement Notice**

Developers should note that the Building Control Regulations 1997, Part II, require a person who intends to carry out any works, or make a material change in use of a building, which requires Planning Permission or who intends on carrying out any other works that requires a Fire Safety Certificate

to give written notice to the Building Control Authority by way of a “Commencement Notice”. The notice must be lodged not less than fourteen days and not more than twenty eight days before the development commences.

Failure to submit a Commencement Notice may lead to Court proceedings being taken against the offending party under the Building Control Act 1990.

### **3.3 Fire Safety Certificates**

In addition, with the exception of houses and agricultural buildings, a Fire Safety Certificate is required for all buildings (including apartments and flats), extensions and changes of use, which are covered by the Building Regulations.

### **3.4 Information Requirements**

The Building Control Authority requires in the case of dwelling houses and extensions less than three storeys in height, for which the Building Regulations apply, submission of the information outlined in Section 3.4.1 and Section 3.4.2.

Due to the complexity and specific nature of other building types further information requirements, if necessary, to clarify compliance with the Building Regulations will be requested on an individual basis.

The structural stability of a building is of paramount importance, therefore all buildings must be designed in accordance with the requirements of Technical Guidance Document A of the Building Regulations.

Noting on drawings and specifications that “all works and materials must be in accordance with the Building Regulations 1997”, is not a sufficient means of complying with the Regulations. The Building Control Authority requires that all drawings and specifications clearly detail how this compliance is been met. The drawings are required to show relevant dimensions, and the specification shall give detailed information on materials and construction methods to show compliance. All building materials and workmanship specified must be in accordance with Technical Guidance Document D of the Building Regulations.

The Building Control Authority can only accept black line drawings on a white background; multi-coloured line drawings are not acceptable. Poor quality draughtsmanship must not be submitted as it can cause misinterpretation of the information on the drawings and may lead to clarification/further information been sought.

Specifications shall be laid out in a clear and concise manner with pages numbered and an index to the front of the document.

### 3.4.1 **Drawings**

Drawings will be required to show compliance with the Building Regulations by indicating,

- Details of materials, construction methods and finishes to be used.
- Dimensions and sizes of all the major components of the building.

Particular attention shall be made to show compliance to the following,

- a) Part B: Fire Safety,
  - Elevations and sections are to show window locations dimensioned, with sash openings identified and noted.
  - The number off, type and location of fire alarm sensors to be noted.
- b) Part C: Site Preparation,
  - Sections to show and detail locations of damp proofing.
  - Drawings of houses to be constructed in high radon areas shall give details of a radon barrier, sump and connecting pipework, in all other areas a sump and connecting pipework shall be shown.
- c) Part F: Ventilation,
  - Location of room vents, paying particular attention to meeting the requirements of the revised Part F, which came into effect on the 1<sup>st</sup> January 2003. This revision to Part F, in summary is the requirement to install mechanical ventilation or passive stack ventilation or equivalent to areas where moist air is generated. Such areas principally comprise of kitchens, bathrooms, utility rooms and ensuite bathrooms.
- d) Part L: Conservation of Fuel and Energy,
  - Location, details and thickness of insulation shall be shown, paying particular attention to meeting the U-Value requirements of the revised Part L, which came into effect on the 1<sup>st</sup> January 2003.
  - Details of window and door glazing to comply with the revised Part L.
  - Details of means to reduce thermal bridging to be noted.
- e) Part M: Access for Disabled,
  - Location and width of wheelchair accessible entrance, and detail of access ramp to be shown. Weathering to threshold at wheelchair accessible entrance to be noted.
  - Corridor, passageway and door widths to habitable rooms in the entrance storey or, where there is no habitable room at this level, in

the storey containing the main living room shall be dimensioned and detailed to show compliance.

- Height of doorbell, door handles and electric light switches to be noted.
- A wheelchair accessible toilet should be provided at entry level or where there is no habitable room at this level, in the storey containing the main living room. A 1200mm x 750mm clear area shall be shown on the plan drawing as per the relevant diagram in Technical Guidance Document M.

### **3.4.2 Specification**

The Specifications shall give detailed information on proposed materials and construction methods, which demonstrate compliance with the Building Regulations.

## **4.0 FURTHER INFORMATION**

The following are a number of worthwhile publications that would be of assistance to any prospective Developer,

- PL 11 – Guide to the Building Control System published by the Department of the Environment and Local Government
- House Building Manual published by HomeBond

PL 11 – Guide to the Building Control System is a simple guide to understanding the Building Control System published by the Department of the Environment and Local Government. As a matter of course it will be issued to all successful planning applicants by the Building Control Authority.

The House Building Manual published by HomeBond, available in most bookshops, is an excellent publication for prospective house Developers to consult as a general guidance on the construction of a house that complies with the Building Regulations and HomeBond requirements.

## **5.0 CONCLUSION**

Compliance with the Building Regulations is beneficial to us all. It makes provision for the environment, the requirements of persons with special needs and the health, safety and welfare of persons who live, work or use the buildings. A building constructed in accordance with the Regulations will last longer, require less maintenance, be a safer and healthier place, and cheaper to heat. Therefore the economic sense of constructing in accordance with the Regulations vastly outweighs any costs there may be in reaching compliance.