

Applying for a regularisation certificate (for work already done to domestic properties and other buildings)

Guidance notes: 6

Purpose

Sometimes building work and alterations that need Building Regulations approval are carried out to a property without anyone applying to us for approval. This is often discovered when a property is being sold. We call this 'unauthorised' or 'illegal' work.

The regularisation procedure allows us to inspect unauthorised work and assess it under the Building Regulations that were in force at the time. If the work meets the appropriate regulations, we will issue a regularisation certificate. Regularisation is also known as 'retrospective approval'.

Procedure

You can apply for a regularisation certificate for any type of building work as long as:

- the work started on or after 1 October 1973;
- the work needed Building Regulations approval; and
- no-one has applied for approval for the unauthorised work.

You do not have to apply for a regularisation certificate, and we do not have to accept your application or issue a certificate.

The regularisation process will not replace or reduce our enforcement powers. We will make sure that people who follow the correct procedure for applying for approval before starting the work will not be at a disadvantage compared to those who did not and so have to apply for regularisation.

Fee

The fee for a regularisation certificate is 20% more than the fee would have been if you had applied for approval before you started the work rather than when the work was already finished.

Inspecting the work

Before we can issue a regularisation certificate, we must carry out reasonable checks to try and make sure that the work meets the relevant standards and that there is no risk to the health and safety of people in or around the property.

To help us assess whether work meets the Building Regulations, we can ask you to expose some or all of the work so we can inspect it. If you apply to us for regularisation, you must meet all reasonable requests, such as if we ask you to show us critical areas of work and supply samples of materials for investigation and testing.

After we have assessed the work we will:

- tell you that extra work is needed to meet the relevant standards under the Buildings Regulations; or
- issue a regularisation certificate which confirms that the unauthorised work meets the relevant standards under the Building Regulations.

When we issue a regularisation certificate we may mention very minor issues which do not meet the Building Regulations but which are not serious enough for us to withhold the certificate, or we may make it clear exactly what we are regularising.