

CLIENT FACT SHEET II BUILDING CONTROL APPROVAL

INTRODUCTION

The purpose of this fact sheet is to give an overview of applying for building control approval for works within your home.

ORIGINS

[The Building \(Higher-Risk Buildings Procedures\) \(England\) Regulations 2023](#)

FURTHER INFORMATION

[HSE – FAQ](#)
[Building Control Approval](#)

DISCLAIMER

This fact sheet is intended as a summary of our understanding of this matter as at the time of publication and does not constitute advice.

REQUIREMENTS

The Building (Higher-Risk Buildings Procedures) (England) Regulations 2023 sets out the requirement to notify the Building Safety Regulator (BSR) and obtain their approval for “works” to be carried out to or in existing buildings that are defined as high-risk buildings (HRB).

There are two categories of works that are notifiable: Category A and Category B. Details of the full list of works that are notifiable can be found by clicking the link on the left hand dark blue box. As this applies to leaseholders, they must notify the Regulator and obtain their approval for any works that change the layout of their apartment, removing or moving walls, removing floors (i.e. within a mezzanine) or any works that will impact the passive (fire stopping, fire doors) or active (alarm systems, sprinklers, sounders) fire protection. Works that are likely to impact on passive fire systems include alterations such as bathroom and kitchen renovations. Note further that changes to drainage, and any change to the external wall or glazing are likely to require BSR approval.

The lease will set out the requirements for seeking a Licence to Alter from the Landlord for the building and sometimes planning permission will be required too. This process is in addition to both those permissions. It is an offence to carry out notifiable works without BSR approval. The BSR has powers under the Building Safety Act 2022 to stop works from taking place and take enforcement action against those who do not obtain their approval for works.

If leaseholders are planning to undertake works to their apartment, we encourage them to seek advice from a qualified professional such as SRVO (surveyors) or another reputable RICS accredited company (see the RICS register on their website for details of companies in your local area).

Leaseholder will need to pay the Regulator for their time in reviewing the application and they will also need to ensure that they provide the information they need to make the decision. The Regulator has 8-12 weeks to review the application, however, they are entitled to ask for an extension to this. Currently, we are seeing significant delays of 6 months or more for the BSR to provide a decision.

For further details on what is required by the BSR and building control, please see the links in further information.

To avoid works taking place without BSR approval, we will be unable to provide a Licence to Alter until we see evidence that the BSR has approved the works.

BUILDINGS IN SCOPE

The buildings currently in scope are HRB buildings, essentially buildings over 7storeys / 18m.