

GUIDANCE FOR APPLICATION FOR A REGULARISATION CERT

A valid application should normally include all of the following items:

1. A duly completed and signed **Form** as set out in Third Schedule of the Building Control (Amendment) Regulations, 2009.
2. A duly completed and signed **Statutory Declaration** as set out in Second Schedule of the Building Control (Amendment) Regulations, 2009.
3. A valid **application** as set out in Second Schedule of the Building Control (Amendment) Regulations, 2009, to include:
 - (a) A duly completed and signed **Application Form** as set out in Second Schedule of the Building Control (Amendment) Regulations, 2009
 - (b) **Plans** in duplicate, to include
 - Site Location Map,
 - Dimensioned Site Layout Plan,
 - Dimensioned Plans of each floor clearly showing inter alia the extent of the 'relevant floor area' and or 'floor area' as defined in Article 25 of the Building Control Regulations for fee measurement purposes,
 - Elevation Drawings, and
 - Section Drawings.
 Drawings must reflect the relevant works as they have been commenced or constructed.
 - (c) **Calculations and Specifications**, to include:
 - A Report demonstrating compliance with each of the requirements B1, B2, B3, B4 & B5 of the Second Schedule to the Building Regulations, 1997,
 - Report must reflect the relevant works as they have been commenced or constructed.
4. **Particulars of the nature and extent of the proposed use** and where appropriate of the existing use, of the building concerned, and
5. **Fee** in accordance with the Building Control Amendment Regulations, 2009.

General

Article 20C of the Building Control (Amendment) Regulations, 2009, provides as follows:

- (1) Where works have been commenced or completed in respect of the construction of a building or an extension of or a material alteration to a building without a fire safety certificate as required under article 12(1) or the submission of a 7 day notice under article 20A(1), an application shall be submitted to a building control authority for a regularisation certificate.
- (2) (a) in the form specified for that purpose in the Third Schedule.
- (b) An application for a regularisation certificate shall be accompanied by—
 - (i) drawings of the relevant works as they have been commenced or constructed, so as to enable the building control authority to assess whether the said works, as commenced or constructed in accordance with the said drawings, documents and information submitted, will comply or are in compliance, as appropriate, with the requirements of Part B of the Second Schedule to the Building Regulations,
 - (ii) a statutory declaration from the applicant in the form specified for that purpose in the Third Schedule, and
 - (iii) such fee as may from time to time be prescribed for that purpose in Part V.

NOTE 0.1: The extent to which plans, calculations and specifications will be required to establish compliance with the Building Regulations will vary in individual cases depending on the type, size and complexity of the building concerned. However, paragraphs 1 & 2 below provide guidance on the range and format of the documentation which is likely to be generally required.

NOTE 0.2: Separate buildings require separate applications. However, a terrace of maisonettes for instance or separate office blocks rising off a common basement carpark may be considered to be a single building for the purposes of an application.

NOTE 0.3: All drawings calculations and specifications included in the application to be consistent with and complementary to each other and should be cross-referenced accordingly.

NOTE 0.4: All plans and calculations must be expressed in measurements (such as metres, kilograms, amperes, newtons, etc.) in accordance with the European Communities (Unit of Measurements) Regulations, 1992 (S.I. 255 of 1992).

0. Plans (including drawings)

The following plans (including drawings) are likely to be generally required:

1.1 Site Location Map with a north point to a scale of 1:1000 or 1:2500 clearly identifying the location of the site and showing buildings roads boundaries and other features in the vicinity of the proposed works or building,

1.2 Dimensioned Site Layout (Block Plan) to a suitable scale showing:

- boundaries of any land belonging to the building,
- distances from the building to the boundary,
- roadways within the boundaries together with their widths,
- location of gateways or other restrictions to width of vehicular access at or within the boundaries and the narrowest such width,
- location of bridges, arches, cables or other overhead restrictions to height of vehicle access and the lowest such height,
- access points to the building,
- location and diameter of any watermain or hydrant adjacent to or within the boundaries,
- storage compounds and materials being stored,
- location and diameter of internal rising fire water mains (dry or wet) and location of foam inlets,
- location of control devices for active fire control systems, and
- north point,

1.3 Dimensioned plans of each floor to a suitable scale showing the information listed at ➤overleaf,

1.4 Elevation drawings as appropriate, to a suitable scale showing the information listed at ➤overleaf,

1.5 Section drawings as appropriate, to a suitable scale showing the information listed at ➤overleaf,

- principal dimensions, including travel distances where relevant,
- forms and materials of construction,
- periods of fire resistance of elements of structure, compartmentation, fire stopping and fire resisting doors,
- intended use of each room or space,
- maximum number of persons likely to occupy each floor or space,
- fire escape routes within and from the building to a place of safety, including their minimum widths (corridors, stairs, doors, external routes, etc.),
- barriers to the passage of fire and smoke in cavities,
- service ducts,
- areas of high fire risk,
- location of fire fighting hose reels,
- fire fighting shafts,
- smoke ventilation provisions,
- internal fire main outlets, and
- any other significant detail pertinent to the consideration of fire safety or on which the applicant relies to demonstrate compliance.

NOTE 1.1: All plans elevations sections or other drawings referred to above should:

- where they relate to works involving extensions or material alterations, be so marked as to distinguish between the existing building structure and the proposed works,
- where they are based on an Ordnance Survey map, indicate the OS sheet number,
- have a unique identification number, (including date and any revisions),
- indicate the name and address of the person or firm which prepared them,
- all drawings should bear a clear note to indicate that they must be read only in conjunction with the (any) specific reports and separate specifications included in the application, and
- see NOTE 2.1 below.

NOTE 1.2: Where the application relates to different alternative designs:

- each alternative should be shown on separate drawings,
 - each alternative design should be uniquely labelled (e.g.: Option A, Option B), and
 - the area to which the application relates should be clearly shown for each alternative so that the aggregate fee can be calculated.
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1. Calculations and Specifications

Sometimes it is possible with very small applications to show all the information required on the drawings alone. However, this is generally not possible and in most cases it is necessary for the application documentation to include a report demonstrating compliance with the Requirements of Part B1, B2, B3, B4, & B5 (of the Second Schedule to the Building Control Regulations, 1997).

The Compliance Report should include:

a detailed argument to demonstrate how the building or works as shown on the submitted drawings complies with each of the requirements of Part B of the second schedule to the Building Regulations, 1997, as follows:

- B1 – Means of Escape in Case of Fire,**
- B2 – Internal Fire Spread (Linings),**
- B3 – Internal Fire Spread (Structure),**
- B4 – External Fire Spread,**
- B5 – Access and Facilities for the Fire Service.**

Under each of the above headings the compliance report should indicate the basis for the fire safety design i.e. whether it is based upon

- (a) the guidance contained in Technical Guidance Document B to the Building Regulations, 1997,
- (b) a recognised and appropriate alternative guidance document, or
- (c) a fire safety engineering design.

Where the design is based on TGD B or other appropriate alternative guidance the report should specify the details of the particular provision under consideration and demonstrate compliance. It is generally not adequate to merely state that the building or works will comply with such provision but rather it is necessary to specify how it will comply. Where appropriate reference should be made to relevant dimensions and calculations to show compliance with the detailed guidance and these should be presented in a way that facilitates assessment by the Building Control Authority.

Where a fire safety engineering design is employed a qualitative review of the design, defining the fire safety design in terms suitable for detailed analysis and quantification should be provided. The quantified analysis should demonstrate the adequacy of the design by reference to appropriate life safety criteria. The sources of any equations or fire models employed together with their limits of application should be clearly established. All design parameters and any assumptions should be clearly stated.

The performance of passive and active systems (for example fire detection and alarm or emergency lighting or sprinkler systems) should be specified by reference to appropriate technical standards or other reference documents and while it is necessary to specify in the report the level of provision and performance for such fire safety systems it is not necessary to provide a detailed design.

NOTE 2.1: It is desirable that the drawings should include some proof of the various fire safety provisions included in the design; as drawings which are devoid of the relevant fire safety information; and which rely only on the statements and specifications in the report; are not helpful in the assessment of an application. Furthermore, applications presented in a fashion where only the exercise of enormous diligence would unravel the information necessary for the determination of the application may be rejected as invalid or refused.
