BUILDING CONTROL

THE BUILDING REGULATIONS

REGULARISATION OF UNAUTHORISED BUILDING WORKS

Where building works have been carried out for which due notice, as required by
Building Regulation 12 has not been given to the Council (unauthorised works), such
works have been carried out in contravention of the Building Regulations and until
the coming into force of the Building Regulations (Amendment) Regulations 1994 it
was not possible to regularise the situation as there was no means of obtaining
retrospective approval.

By virtue of the Building Regulation 18 any owner of unauthorised work which was
commenced after 11th November 1985 may apply to the local Authority for a
REGULARISATION CERTIFICATE.

The application must state that it is made in accordance with Regulation 18 and
include, as far as is reasonably practicable, plans of the unauthorised works and a plan
showing any additional work required to be carried out to ensure that the unauthorised
works will comply with the regulations relating to the unauthorised works.

When the Local Authority receives an application they may require the applicant to
open up parts of the unauthorised works for inspection by the Authority, take samples
and make tests as they consider necessary so that they can decide what works (if any)
are necessary to make the work comply with the Regulations.

The Council will inform the applicant what works are needed or that they are unable
to determine what work is required, should that be the case.

When the Council are satisfied that the unauthorised works comply or have been
altered so as to comply with the requirements of the Regulations they may issue a
REGULARISATION CERTIFICATE.

A charge for this service, in accordance with the Council’s charges scheme No.7.
dated 1st October 2010 will be made and no refund is payable even if the Council are
unable to issue a REGULARISATION CERTIFICATE.

To apply for a REGULARISATION CERTIFICATE the attached form should be
completed and returned to the address on the form together with the plans described
above and the correct charge as shown on the attached schedules.

Cheques should be made payable to the London Borough of Merton.

IMPORTANT - REGULARISATION CHARGE MUST BE PAID IN FULL AT
TIME OF DEPOSIT
LONDON BOROUGH OF MERTON
Building Control
The Building Act 1984
The Building Regulations 2010
4th January 2011

REGULARISATION APPLICATION

To: The Director
Environment and Regeneration
Merton Civic Centre
London Road
Morden
Surrey SM4 5DX

I hereby apply for a REGULARISATION CERTIFICATE in accordance with Regulation 18(2) for the unauthorised works described below.

1. **Applicants Details**

Name: ......................................................................................................................................................................

Address: ......................................................................................................................................................................

..............................................................................................................................................................................

Postcode: ..................................................................................

Tel: ................................................................. Fax: .................................................................

2. **Agent’s Details** (if applicable)

Name: ......................................................................................................................................................................

Address: ......................................................................................................................................................................

..............................................................................................................................................................................

Postcode: ..................................................................................

Tel: ................................................................. Fax: .................................................................

3. **Location of building to which work relates:**

Address: ......................................................................................................................................................................

..............................................................................................................................................................................
4. **Work carried out** (plan of the unauthorised work to accompany this notice)

Description
..................................................................................................................................................
.......................................................................................................................................................
......................................................................................................................................................................
......................................................................................................................................................................

5. **Date Work Commenced**: .......................................................................................

6. **Use of building**:

1. State present use
..................................................................................................................................................

2. Is the building put to a use or used as a work place of a kind to which Part 11 of the
Regulatory Reform (Fire Safety) Order applies.

**YES/NO**

7. **Conditions**

I agree to take such reasonable steps, including laying open the unauthorised work for
inspection by the Authority, making tests and taking samples, as the Authority thinks
appropriate to ascertain what work, if any, is required to secure that the relevant requirements
are met.

8. **Charges**

This application must be submitted with the Regularisation Charge, calculated in accordance
with the scale of fees relating to Schedule1, Schedule 2 and/or Schedule 3. See separate
Guidance Note on charges for information.

If Schedule 1 work please state number of dwellings ....................... 

If Schedule 2 work please state floor area: m² .............................. 

If Schedule 3 work please state the cost of work: £ ........................

9. **Amount of Fee Enclosed**: £ .................................

10. Signature of owner or agent acting on behalf of the owner.

Name: ..............................................     Signature:  .........................................

Date: .............................

NOTE: **THIS APPLICATION CAN ONLY BE APPLIED TO UNAUTHORISED WORK WHICH WAS COMMENCED ON, OR AFTER 11TH NOVEMBER 1985 AND FOR WHICH NO PREVIOUS SUBMISSION HAS BEEN MADE.**
## Schedule 1

NEW HOUSES AND FLATS

SMALL DOMESTIC BUILDINGS NOT EXCEEDING 300mm² and not more than 3 stories including basements

<table>
<thead>
<tr>
<th>Number of dwellings</th>
<th>Charge nil VAT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>£815.85</td>
</tr>
<tr>
<td>2</td>
<td>£1087.80</td>
</tr>
<tr>
<td>3</td>
<td>£1359.75</td>
</tr>
<tr>
<td>4</td>
<td>£1631.70</td>
</tr>
<tr>
<td>5</td>
<td>£2039.63</td>
</tr>
<tr>
<td>6</td>
<td>£2311.58</td>
</tr>
<tr>
<td>7</td>
<td>£2583.53</td>
</tr>
<tr>
<td>8</td>
<td>£2855.48</td>
</tr>
<tr>
<td>9</td>
<td>£3263.40</td>
</tr>
<tr>
<td>10</td>
<td>£3535.35</td>
</tr>
<tr>
<td>11 to 30</td>
<td>For each house or flat up to 30 add £271.95</td>
</tr>
</tbody>
</table>

For each house or flat above 30 negotiable on cost of providing the building control service
## REGULARISATION CHARGES

**SCHEDULE 2 CHARGES** *(Regulation 7(b)(c)*

Charge for certain small Buildings, Extensions and Alterations

### IMPORTANT - REGULARISATION CHARGE MUST BE PAID IN FULL AT TIME OF DEPOSIT

<table>
<thead>
<tr>
<th>TYPE OF WORK</th>
<th>CHARGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Erection of a detached building which consists of a <strong>GARAGE OR CAR PORT OR BOTH</strong> having a floor area not exceeding 40m² total and intended to be used in common with an existing building, and which is not an exempt building. (See below)</td>
<td>£271.95</td>
</tr>
<tr>
<td>2. Any <strong>EXTENSION</strong> of a dwelling (excluding a conversion of the existing roof space into habitable rooms) the total floor area of which does not exceed 10m² including means of access and work in connection with that extension.</td>
<td>£475.91</td>
</tr>
<tr>
<td>3. Any <strong>EXTENSION</strong> of a dwelling (excluding a conversion of the existing roof space into habitable rooms) the total floor area of which exceeds 10m² but does not exceed 40m², including means of access and work in connection with that extension.</td>
<td>£611.89</td>
</tr>
<tr>
<td>4. Any <strong>EXTENSION</strong> of a dwelling (excluding a conversion of the existing roof space into habitable rooms) the total floor area of which exceeds 40m² but does not exceed 60m² including means of access and work in connection with that extension.</td>
<td>£815.85</td>
</tr>
<tr>
<td>5. Conversion of the existing roof space into habitable rooms. The total floor area of which does not exceed 40m².</td>
<td>£543.90</td>
</tr>
<tr>
<td>6. Conversion of the existing roof space into habitable rooms. The total floor area of which exceeds 40m² but does not exceed 60m²</td>
<td>£815.85</td>
</tr>
</tbody>
</table>

### NOTES:
Detached garages and carports less than 30m² internal floor area are exempt subject to being not less than 1m from all boundaries or are constructed substantially of non-combustible materials.
REGULARISATION CHARGES

SCHEDULE 3 CHARGES (Regulation 6)
Work other than work to which Schedules 1 and 2 apply

IMPORTANT - REGULARISATION CHARGE MUST BE PAID IN FULL AT TIME OF DEPOSIT

CALCULATION OF CHARGES

<table>
<thead>
<tr>
<th>Estimate cost of building work</th>
<th>Charge Nil Vat</th>
</tr>
</thead>
<tbody>
<tr>
<td>£0.00 – 2,000</td>
<td>£271.95</td>
</tr>
<tr>
<td>£2,000 – 5,000</td>
<td>£407.93</td>
</tr>
<tr>
<td>£5,000 – 10,000</td>
<td>£475.91</td>
</tr>
<tr>
<td>£10,001 – 15,000</td>
<td>£543.90</td>
</tr>
<tr>
<td>£15,001 – 20,000</td>
<td>£611.89</td>
</tr>
<tr>
<td>£20,001 – 25,000</td>
<td>£679.88</td>
</tr>
<tr>
<td>£25,001 – 30,000</td>
<td>£747.86</td>
</tr>
<tr>
<td>£30,001 – 35,000</td>
<td>£815.85</td>
</tr>
<tr>
<td>£35,001 – 40,000</td>
<td>£883.84</td>
</tr>
<tr>
<td>£40,001 – 45,000</td>
<td>£951.83</td>
</tr>
<tr>
<td>£45,001 – 50,000</td>
<td>£1,019.81</td>
</tr>
<tr>
<td>£50,001 – 60,000</td>
<td>£1,087.80</td>
</tr>
<tr>
<td>£60,001 – 70,000</td>
<td>£1,223.78</td>
</tr>
<tr>
<td>£70,001 – 80,000</td>
<td>£1,359.75</td>
</tr>
<tr>
<td>£80,001 – 90,000</td>
<td>£1,495.73</td>
</tr>
<tr>
<td>£90,001 – 100,000</td>
<td>£1,631.70</td>
</tr>
<tr>
<td>£100,001 – 120,000</td>
<td>£1,767.68</td>
</tr>
<tr>
<td>£120,001 – 140,000</td>
<td>£1,903.65</td>
</tr>
<tr>
<td>£140,001 – 160,000</td>
<td>£2,039.63</td>
</tr>
<tr>
<td>£160,001 – 180,000</td>
<td>£2,175.60</td>
</tr>
<tr>
<td>£180,001 – 200,000</td>
<td>£2,311.58</td>
</tr>
<tr>
<td>£200,001 +</td>
<td>Fees to be agreed with Building Control based on the cost, the type of work and the estimate of the cost of the building control function</td>
</tr>
</tbody>
</table>

NOTE: Estimated cost of work means an estimate accepted by the Local Authority, of such reasonable amount as would be charged for the carrying out of that work by a person in business to carry out such work at the time of the application.