

Gateway Two – Validation of Applications for Building Control Approval

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Introduction

The [Building Regulations 2010](#) set out the required standards for ‘building work’, including erecting new buildings, extending and altering buildings, and changing their use. Approval to carry out certain types of work is required from a Building Control Body, which must be satisfied that proposed building work complies with all relevant requirements of the Building Regulations before work can begin.

The Building Safety Act, which is the foundation of the new [building safety regime](#) for the construction sector, introduces the requirement for Higher-Risk Buildings (HRBs) to obtain Building Control Approval from the Building Safety Regulator (BSR).

The [Building \(Higher-Risk Buildings Procedures\) \(England\) Regulations 2023](#) set out the information that must be included within an application for Building Control Approval to the BSR for both new and existing HRBs.

This Build UK guide provides an overview of the validation stage at Gateway Two and the documents that must be included within an application for an HRB in England.

Further Information

- [The Building Safety Act 2022](#) introduces the requirement for HRBs to obtain Building Control Approval from the BSR (Section 32).
- [The Building \(Higher-Risk Buildings Procedures\) \(England\) Regulations 2023](#) set out the requirements for applying for Building Control Approval for HRBs.
- [Managing Building Control Approval Applications for Higher-Risk Buildings](#) provides guidance for clients on how to submit and manage an application for Building Control Approval to the BSR.
- The [Building Control Authority Micro-Site](#) includes a series of Frequently Asked Questions (FAQs) on the Building Control Approval process for HRBs.

The BSR can be contacted on **0300 790 6787** with queries relating to the submission and management of applications for Building Control Approval for HRBs.

Preparing An Application

The Building Safety Regulator (BSR) expects documents within an application for Building Control Approval to be PDFs, smaller than 1GB, and clearly labelled using only letters, numbers, spaces, hyphens and underscores.

For complex projects that involve buildings with multiple connected parts, an applicant may want to split the building work into different stages and submit a '[staged application](#)'.

The BSR has confirmed it will not tell applicants how to comply with the requirements of the Building Regulations nor will it provide pre-application advice.

Each application for Building Control Approval submitted to the BSR will incur an application fee of £189 plus time spent reviewing it charged at £151 per hour per person working on the application.

Validation Of Application

Applicants will receive a Building Control Approval Application Reference Number on submission of their application for Building Control Approval via the [application portal](#).

On receipt of the application, the Building Safety Regulator (BSR) will carry out an initial assessment to ensure that all the documents required have been submitted. This is known as the **validation stage**.

The BSR expects applications to demonstrate how the design and construction of the building will comply with the Building Regulations by:

- **Identifying** every single element that needs to demonstrate compliance with each part of the Building Regulations
- **Clarifying** which code or standard will be used to demonstrate compliance, with an explanation of why it is the most appropriate
- **Justifying** how the functional requirements have been met, with clear and comprehensible narrative referring to suitably labelled plans and drawings.

Applications are either validated or deemed to be invalid. If an application is **validated**, it will progress to the assessment stage and a nominated contact within the BSR, known as a case officer, will be allocated to the application and become the first point of contact for all further communication.

If the application is deemed **invalid**, the applicant will be notified and the application will not progress any further.

Application Process

Action	Information	BSR Target Timeline
Application submitted	Full details can be found in this guidance: Managing Building Control Approval Applications for Higher-Risk Buildings .	Week 0
Application validated	Assessment by the BSR to determine if the application contains the documents required. If validated, a case officer will be allocated. If the application contains insufficient information, it will be deemed invalid.	Week 1
Multi-Disciplinary Team (MDT) assembled	The MDT will include a Registered Building Inspector (RBI) and a fire inspector or engineer.	Weeks 2 - 9
MDT assessment of application	Assessment by the MDT to determine if the application contains the required information, including demonstrating compliance with all relevant Building Regulations.	Weeks 9 - 15
MDT assessment completed	If the application is accepted, it will be assessed by statutory consultees, which is a legal requirement. If the application contains insufficient information, it will be rejected.	Week 15
Statutory consultees assessment of application	Assessment by statutory consultees, including a fire inspector or engineer, to determine if the application contains the required information.	Weeks 15 - 17
Application outcome	The application will be approved or rejected and a full report provided to the applicant.	Week 18

Whilst the [Building \(Higher-Risk Buildings Procedures\) \(England\) Regulations 2023](#) specify a period of 12 weeks (new HRBs) and 8 weeks (existing HRBs) for the BSR to process an application for Building Control Approval, the BSR currently aims to work to the above timeline of 17 - 18 weeks.

Documents That Must Be Included In Application

Document	Building (Higher-Risk Buildings Procedures) (England) Regulations	Details
Project Information	New Building: Regulation 4. cl. 1(a)&(b) Existing Building - Category A & Category B: Regulation 12. cl. 1(a)&(b)	Details to include: <ul style="list-style-type: none"> • Project name • Application email address • Site address • Name, address telephone and email address of the: <ul style="list-style-type: none"> ○ Client ○ Principal Designer ○ Principal Contractor
Description of Existing Building	New Building: N/A Existing Building - Category A & Category B: Regulation 12. cl. 1(d)	Details to include: <ul style="list-style-type: none"> • Current use • Current use of each storey • Height • Number of: <ul style="list-style-type: none"> ○ Storeys ○ Flats ○ Residential rooms ○ Commercial units
Client Authorisation Statement	New Building: Regulation 4. cl. 2(c) Existing Building - Category A & Category B: Regulation 12. cl. 2(d)	Where an application is made on behalf of the Client, a statement signed by the Client confirming that they agree to the application being made and that the information provided is correct.
Commencement Statement	New Building: Regulation 4. cl. 1(e)(viii) Existing Building - Category A & Category B: Regulation 12. cl. 1(e)(viii)	A statement as to when it is proposed the work is to be regarded as commenced in accordance with regulation 46A of the Building Regulations (when the foundations supporting the building and the structure of the lowest floor level of that building are completed or 15% of the building work has been carried out).
Statement of Application	New Building: Regulation 4. cl. 1(c) Existing Building - Category A & Category B: Regulation 12. cl. 1(c)	A statement that the application is being made under the Building (Higher-Risk Buildings Procedures) (England) Regulations .

Description of Proposed Work	<p>New Building: Regulation 4. cl. 1(e)</p> <p>Existing Building - Category A & Category B: Regulation 12. cl. 1(e)</p>	<p>Details of the work, including:</p> <ul style="list-style-type: none"> • A summary of the scope of work • Planning reference number • The key elements of complexity • Any aspects it is particularly useful for the BSR to know about • Build time for the first and subsequent stages • Intended use of the building • Intended use of each storey • Height • Number of: <ul style="list-style-type: none"> ○ Storeys ○ Flats ○ Residential rooms ○ Commercial units • Provision for drainage • Compliance with local enactments
Location Plan	<p>New Building: Regulation 4. cl. 2(a)</p> <p>Existing Building - Category A & Category B: Regulation 12. cl. 2(a)</p>	<p>A site plan, minimum scale of 1:1250, showing:</p> <ul style="list-style-type: none"> • The size and position of the building • Relationship to adjoining boundaries • Curtilage of the building • Size, position and function of existing or new buildings and streets within, on or adjoining the curtilage
Drawings and Plans	<p>New Building: Regulation 4. cl. 2(b)(i)</p> <p>Existing Building - Category A & Category B: Regulation 12. cl. 2(b)</p>	<p>Clearly legible drawings showing existing and planned layouts relevant to the work being undertaken with sufficient detail, clearly labelled and their status i.e. preliminary, tender etc.</p>
Fire Safety Compliance Information	<p>New Building: N/A</p> <p>Existing Building - Category A & Category B: Regulation 12. cl. 3(d)</p>	<p>Required if the work affects the existing building's fire safety strategy to include assumptions made and details of any impact on:</p> <ul style="list-style-type: none"> • Fire warning systems • Means of escape • Fire spread within a building • Fire spread to adjoining buildings • Access and arrangements for fire fighting

Drains, Sewer and Disposal Mains	<p>New Building: Regulation 4. cl. 1(e)(v)&(vi)</p> <p>Existing Building - Category A only: Regulation 12. cl. 1(e)(v)&(vi)</p>	<p>A site plan, minimum scale of 1:1250, showing:</p> <ul style="list-style-type: none"> • The location of any proposed sewer connection • Any sewer discharge proposals • Septic tank and associated secondary treatment system • Wastewater treatment system • Cesspool • Location of proposed surface water discharge <p>Any permissions received from sewerage undertaker for work within 3 metres of an existing drain or sewer.</p> <p>Details of the precautions to be taken to protect the sewer from the building and the building from the sewer.</p>
Competence Declaration	<p>New Building: Regulation 4. cl. 2(b)(ii)</p> <p>Existing Building - Category A only: Regulation 12. cl. 2(c)(i)</p> <p><i>Further information can be found in Schedule 1, Paragraph 1</i></p>	<p>A series of declarations, titled 'Competence Declaration' and signed by the Client, stating that the Client has complied with Regulation 11 of the Building Regulations and has taken all reasonable steps to satisfy themselves that the Principal Designer and Principal Contractor are competent to carry out their roles.</p> <p>The declarations should include confirmation that information on serious sanctions and past misconduct has been requested, considered and appropriate measures put in place where required.</p>
Construction Control Plan	<p>New Building: Regulation 4. cl. 2(b)(iii)</p> <p>Existing Building - Category A only: Regulation 12. cl. 2(c)(ii)</p> <p><i>Further information can be found in Schedule 1, Paragraph 2</i></p>	<p>Details of the strategies, policies and procedures the Client has adopted for planning, managing and monitoring the work, including:</p> <ul style="list-style-type: none"> • Evidence of compliance with the Building Regulations • Any work to be carried out under a Competent Person Scheme • Compilation of the Golden Thread • Assessment and review of competence • How dutyholders will co-operate and share information • How the plan will be kept under review <p>Further information on the Golden Thread can be found in Build UK's guide to the Golden Thread.</p>

Change Control Plan	<p>New Building: Regulation 4. cl. 2(b)(iv)</p> <p>Existing Building - Category A only: Regulation 12. cl. 2(c)(iii)</p> <p><i>Further information can be found in Regulations 18 - 30 and Schedule 1, Paragraph 3</i></p>	<p>How controlled changes will be recorded, notified and managed, including:</p> <ul style="list-style-type: none"> • How changes will be identified and reported • How the impacts will be considered • How they will be recorded • How they will be reported where appropriate • How the plan will be kept under review
Mandatory Occurrence Reporting System	<p>New Building: Regulation 4. cl. 2(b)(v)</p> <p>Existing Building - Category A only: Regulation 12. cl. 2(c)(iv)</p> <p><i>Further information can be found in Regulations 32 - 37</i></p>	<p>The system that will be implemented in relation to Mandatory Occurrence Reporting, which should be established, maintained and operated by the Principal Designer and Principal Contractor.</p> <p>A template Mandatory Occurrence Reporting system can be found in Build UK's guide to Mandatory Occurrence Reporting.</p>
Building Regulations Compliance Statement	<p>New Building: Regulation 4. cl. 2(b)(vi)</p> <p>Existing Building - Category A only: Regulation 12. cl. 2(c)(v)</p> <p><i>Further information can be found in Schedule 1, Paragraph 4</i></p>	<p>Details of how the planned work will meet the requirements of the Building Regulations, which should:</p> <ul style="list-style-type: none"> • Identify every single element that needs to demonstrate compliance with each part of the Building Regulations • Clarify which code or standard will be used to demonstrate compliance with an explanation of why it is the most appropriate • Justify how the functional requirements have been met with clear and comprehensible narrative referring to suitably labelled plans and drawings. <p>A Relevant Requirements Tracker has been produced by RIBA for Principal Designers.</p>

Fire and Emergency File	<p>New Building: Regulation 4. cl. 2(b)(vii)</p> <p>Existing Building - Category A only: Regulation 12. cl. 2(c)(vi)</p> <p><i>Further information can be found in Schedule 1, Paragraph 5</i></p>	<p>The assumptions of how the building will perform, including:</p> <ul style="list-style-type: none"> • Managing fire and structural failure • Managing and maintaining the building to keep it safe for occupants • Arrangements for safe evacuation to reflect the design assumptions • Access and arrangements for firefighting e.g. water supply, hydrant locations etc.
Partial Completion Strategy	<p>New Building: Regulation 4. cl. 2(b)(viii)</p> <p>Existing Building - Category A only: Regulation 12. cl. 2(c)(vii)</p> <p><i>Further information can be found in Schedule 1, Paragraph 6</i></p>	<p>If proposing occupation of part of the building before completion of the work, an explanation including:</p> <ul style="list-style-type: none"> • The proposals adopted in designing for part occupation • Proposed measures and strategies to safely manage and maintain the partial occupation.

Document Checklist

Document	Submitted
1. Project Information	<input type="checkbox"/> Yes
2. Description of Existing Building	<input type="checkbox"/> Yes
3. Client Authorisation Statement	<input type="checkbox"/> Yes
4. Commencement Statement	<input type="checkbox"/> Yes
5. Statement of Application	<input type="checkbox"/> Yes
6. Description of Proposed Work	<input type="checkbox"/> Yes
7. Location Plan	<input type="checkbox"/> Yes
8. Drawings and Plans	<input type="checkbox"/> Yes
9. Fire Safety Compliance Information	<input type="checkbox"/> Yes
10. Drains, Sewer and Disposal Mains	<input type="checkbox"/> Yes
11. Competence Declaration	<input type="checkbox"/> Yes
12. Construction Control Plan	<input type="checkbox"/> Yes
13. Change Control Plan	<input type="checkbox"/> Yes
14. Mandatory Occurrence Reporting System	<input type="checkbox"/> Yes
15. Building Regulations Compliance Statement	<input type="checkbox"/> Yes
16. Fire and Emergency File	<input type="checkbox"/> Yes
17. Partial Completion Strategy	<input type="checkbox"/> Yes

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