

Overview of Regulations for an Average Dwelling under SI 365 2015

where Building Owners of new dwellings and extensions may opt out of Statutory Certification for building control purposes (SI9 2014).

This is an RIAI architect's view of what is needed for those who wish to run with SI365 2015 for a typical dwellings construction, as advice for a Client (Building Owner).

The Safety, Health and Welfare at work (Construction) Regulations 2013 came into effect on the 1st of August 2013 (in Magenta).

The Building Control (Amendment 2) Regulations 2015 came into effect from 1st September 2015.

Only single new dwellings and domestic extensions, may opt for BC(A2)R SI365 2015, if not going for SI 9 of 2014.

My advice to be considered in Blue.

Building Owners Responsibility highlighted in GREEN BOX dashed line means OPTIONAL



V1.1 14th Sept. 2015

Sequence of Build

Design stage

Nominate the building designer
Anybody can lodge a planning application. I would advise to get a registered architect.

Building Owner /Builder
Familiarise yourself with the detailed Technical Guidance Documents (TGD) that outline how the Building Regulations requirements can be achieved in practice.

Nominate a Project Supervisor Design Process (PSDP)
A PSDP is a person who coordinates the design safety aspect of your project. This can be the client, the lead designer or another person where competent to do so.

Client to submit Approved Form (AF 1)
Particulars to be notified by the Client to the Health and Safety Authority before the design process begins. (The PSDP can help with this)

Nominate BER professional
to do Preliminary BER calculations and after build the BER Certificate.

Nominate a Quantity surveyor
to prepare preliminary costing. QS to keep an eye on costing. (optional, but advised)

Nominate any other specialists
to do specialist work as required. e.g. soil tester if new waste disposal is needed. Etc...

Permission Stage

Building Designer
collate information for the planning application submit planning application to the local authority.

PSDP
to help collate information for the planning application.

Tender stage

Building Owner
price the build to ensure it is within budget. Building owner can act as a Builder. Or alternatively go to tender.

Building Designer
Tender for build, tender documents to be prepared to allow for a competitive tender to be asked for. With the help of the QS, and structural engineer.

Nominate a Structural Engineer
to do structural calculations of various construction elements an architect can advise who to get. The engineer would certify his work. (optional, but advised)

Pre Commencement Notice stage

After going to tender and negotiation of tender costs
Nominate the Builder a competent person.

Nominate a Project Supervisor Construction Stage (PSCS)
A PSCS is a person who coordinates the construction safety aspect of your project. This can be the client, the main contractor or another contractor where competent to do so. (This is usually the General Contractor)

Building Owner
acting as a Builder should note that there are various types of insurances that are provided in the construction industry. Guidance on insurance matters is beyond the scope of this information note but it is a matter that an owner planning a new dwelling or a domestic extension should consider.

A Commencement Notice must be submitted to the local building control authority at least 14 days and not more than 28 days prior to the proposed commencement of works.

Commencement Notice stage

Comply with Planning clarifications and conditions where possible.
Pay planning contributions.

Building Owner
Lodgment of completed and signed Commencement notice form with compliance documents (plans, calculations, etc) to include (i) general arrangement drawings (ii) schedule of compliance documents as currently designed or to be prepared at later date, (iii) online assessment on the BCMS

Building Owner
must sign the "Declaration of Intention to Opt Out of Statutory Certification" and the "Notice of Assignment of Builder" (owner may nominate them self) also submit both with Commencement Notice.

PSCS to submit Approved Form (AF2)
Particulars to be notified to the Health and Safety Authority before the construction work begins.

Construction stages

Builder
to build in accordance with commencement documents lodged and planning permission granted.

Building Owner
must ensure that the build is in accordance with the current building regulations.

Building Owner re electricity connection
Your E.T.C.I. Certificate will be provided by your electrical contractor on completion of the wiring of your new house. Only electrical contractors who are registered with RECI or another Electrical Safety Supervisory Body (i.e. RECs) have the right to issue a Certificate. You must make a separate application to an electricity supplier in order to make sure electricity is available.

Building Control Authority
It is expected that Building Control Authorities will undertake an appropriate level of assessment and inspection informed by the risk analysis of commencement notices submitted via the Building Control Management System, thereby ensuring that available inspection resources are targeted towards projects carrying the greatest risks. Typically undertake Inspections on at least 12-15% of validly commenced building units, are undertaken in the interests of public safety and law enforcement. Regardless of the building owner opting out of the statutory certification or not. This does not relieve building owners or builders of their statutory obligations to build and construct in compliance with the requirements of the Building Regulations.

Completion stage

Building Owner
A Certificate of Compliance most likely will be need for the lending institution signed by an indemnified professional.

Building Owner
must obtain a BER before a new building is occupied for the first time regardless of whether it is offered for sale or rent.

The PSDP
prepare and handover Safety File to clients.

After Completion stage

Building Owner
it is advised to keep records of all trades that worked on the build. Also keep track of where materials where sourced. Keep user manuals and guarantees if applicable.

Building Control Authority
The documents lodged at Commandment Notice time are referenced on the public register of building activity maintained by local authorities as a matter of public record where they are available to any persons who subsequently acquires an interest in the property concerned.

Building Owner's Role

The Building Owner is ultimately responsible for ensuring that buildings or works are carried out in accordance with the requirements of the Building Regulations. In relation to the Design and Construction of buildings, the Building Owner should ensure that they appoint a competent Builder (they may wish to nominate themselves). Ensure that adequate resources and competent persons are made available to design and construct the build. Homeowners should appraise themselves of any potential cost or other implications that may arise as a result of choosing to opt out of the statutory certification process. Prior to deciding on whether or not to avail of the opt out option, it is recommended that a homeowner should consult with their solicitor.

Based on > Many years of practical experience designing and supervising Home building.
> Information Note for Owners of new dwellings and extensions who opt out of Statutory Certification for building control purposes, from the DOE.
> Statutory Instruments S.I. No. 365 of 2015
> Building Control Regulations 1997 to 2015
> Guide for Homeowners New responsibilities for homeowners under Safety, Health and Welfare at Work (Construction) Regulations 2013

winkens
architecture

Disclaimer

The content of this overview is provided for information purposes only, is provided in good faith, and every reasonable effort is made to ensure that it is accurate and up to date.

While every effort is made to ensure that the information contained within this page is accurate and up to date, Winkens Architecture makes no warranty, representation or undertaking whether expressed or implied, nor does it assume any legal liability, whether direct or indirect, or responsibility for the accuracy, completeness, or usefulness of any information.

Any person relying on any of the information contained on this sheet or making any use of the information contained herein, shall do so at its own risk.

If you spot a mistake please tell us.

Winkens Architecture are delighted to provide the services of the Dwelling designer.

web: www.winkens.ie Wexford