

## Guidance notes for applying to Amend a Building Warrant

### Introduction

This form tells the Local Authority that you are applying to Amend a Building Warrant that has been granted. You can also use the form to submit applications for staged Building Warrants, which are mainly only used in larger projects where it is not possible to provide details of the final design at any one time.

### When to use this form

Use this form to tell the Local Authority when you need an Amendment to a Building Warrant. An Amendment is necessary if there are proposed changes to parts of the design or specification from those approved in the original Building Warrant.

Note: You should get an Amendment to the Building Warrant before you start the building work.

When you have a staged Building Warrant you must use an 'Application for Amendment to the Building Warrant form' when asking for approval for later stages of the work.

### Information you should provide with your application

Your application to Amend the Building Warrant should include enough information to allow the Local Authority to check that the proposed changes to the original Building Warrant meet the Building Regulations.

Note: The Local Authority can decide how much information it requires. If a certificate of design is being provided for the amended proposals, you should upload this as a supporting document.

A block or location plan may be necessary if the amendment is to alter the position of the building. If required, the block or location plan should be to a scale of not less than 1:1250. However, a scale of 1:500 is preferred. It should show:

- the size and position of the building, and any adjoining building where it affects the proposal
- a north point
- the position, width and ground level of any road, court or footway adjoining the building or from which there is access to the building



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- the boundaries with land that is occupied by someone other than you, and
- any notional boundaries needed to meet the standards. (A notional boundary is used to determine the safe distance between buildings under the same ownership, or compartments within a building, where there may be a risk of fire spreading between them.)

Note: If the position of your building (or property or site) cannot be identified from the block plan, you may also need to submit an additional location plan, drawn to a scale of not less than 1:2500.

The Local Authority may also need the following drawings.

- Plans of the foundations, each floor and any roof
- Sections through the building
- An elevation of each face of the building

The drawings should include the following.

- The level of the site of the building, lowest floor and adjacent ground (including any road), all in relation to one another and known ground levels.
- The position, materials and dimensions of foundations, walls, windows (including opening area and direction of opening), doors (including direction of opening), floors, roofs, chimneys and flues, ventilators and ventilation ducts, stairs, landings and balconies, protective barriers and any other parts of the building, as the Local Authority requests.
- Details of construction, including any frame and size and position of reinforcing material.
- Details of how loading and strength have been calculated for structural work.
- An indication of any fire-resisting compartment and separating walls and floors, including details of fire-protection measures.
- The position, materials and dimensions, including gauge or weight, of any damp-proof course or other moisture barrier.
- The position of any sanitary ware, including toilet pans, sinks, showers and so on, or any other built-in equipment.



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- The position, materials, dimensions and form of any drainage or ventilation pipe (including the line, depth and inclination and means of ventilation of every drain and the relationship to any sewer, sewage treatment work or other outlet drains will run into).
- The position, materials, dimensions and form of any traps, manholes and access openings.
- Relevant information necessary to show that the work involved will be done in line with Building Regulations 13, 14, 15 and 17.
- The position and dimensions of any lift well, lift car, machine room and platform lift.
- Fire escape routes, including dimensions.
- The position of any ground hydrants, fire mains and fire appliance access.
- Any extra information requested by the Local Authority that allows them to properly consider your application, such as ground condition or fire engineering reports.

For buildings with sleeping accommodation, the drawings should also include:

- the position and number of socket outlets, carbon-monoxide and smoke alarms in homes
- the position of automatic fire alarms and carbon-monoxide alarms in residential buildings, and
- the position of automatic life-safety fire-suppression systems in residential-care buildings.

When you are providing further information you can include it in a written specification sent with the plans. However, if an approved certifier of design is covering specific aspects of the design, further information may not be necessary. For complex buildings, strategy diagrams for structure and fire may be required, even if an approved certifier of design is used.

Each drawing submitted as part of your application must have a unique reference number. When uploading the plans to the eBuildingStandards portal, you must include a unique reference number on the 'Additional Supporting Documentation' page, when asked. If you are uploading revised versions of plans you have previously submitted, you need to include the amended revision reference number.



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The Local Authority may ask you to highlight or shade the new building work or alterations to allow them to easily see the proposed changes from the original Building Warrant.

### Approved certifiers of design or construction

The Building (Scotland) Act 2003 allows the design or construction of building work to be certified by people who are qualified, competent and experienced in meeting the Building Regulations, without the need for local authorities to carry out inspections or examine designs in detail.

If you use an approved certifier you will get a discount on your Amendment to Building Warrant application fee, if the total estimated value of work is more than £5,000. You can submit a certificate of design with the amendment to the Building Warrant application or before the amendment to the warrant is issued.

Certification is optional in Scotland and is only relevant to work that needs a Building Warrant.

There are certification of design schemes for structure and energy and certification of construction schemes for electrical installations, plumbing, drainage and heating installations.

You can find more information on approved certifiers at:

<https://www.gov.scot/policies/building-standards/building-approval-process/>

### Fees

Fees for Building Warrants, and amendments to Building Warrant applications, are set by the Building (Fees) (Scotland) Regulations 2004. Fees relate to the 'value of the work' and are charged by the Local Authority.

If the new total estimated value of the work is less than the original value of the work, or is an increase of no more than £5,000, the fee is £100.

If the new total estimated value of the work increases by more than £5,000, the fee is the same as you would pay for making a Building Warrant application of the same value as the increase. For example, if the total value of work increases by £20,000, the fee will be £530.



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When calculating the value of the work, you should use the normal market costs and not any discounted costs which you might achieve. For example, in the case of a self-build project where labour may be unpaid, you should include a fair assessment of the value of labour costs where a commercial contractor could have been used.

In the estimated value of the work you do not need to include work that does not need Building Warrant approval, for example, decoration, floor coverings and so on. However, you should include temporary and preliminary work relating to the permanent work that is necessary to meet the Building Regulations.

If the Local Authority assess that the estimated value you have provided is incorrect, they will check the amount using an industry-recognised index of building costs, for example the RICS Building Cost Information Surveys of Tender Prices. This gives the average, lowest and highest prices in £ per m<sup>2</sup> for work. It also provides a modifier that can be applied to reflect geographical variations throughout Scotland.

If the Local Authority think the value of the work should be higher than stated, they can refuse to consider an amendment to a Building Warrant application unless the value is increased and the appropriate fee paid.

There is no fee for work to alter or extend a home to make it suitable for use by a disabled person. This relates specifically to work to provide facilities for disabled people. A disabled person is defined in the building standards as 'a person with a physical, hearing or sight impairment which affects their mobility or their use of buildings'.

You can get a discount on the fee for an application for an amendment to a Building Warrant if you either submit one or more certificates from an approved certifier of design with your application or submit them before the amendment to warrant is issued.

You can find full details of the fees and discounts in chapters 3.13 and 3.14 of the [Building Standards Procedural Handbook](#).

### **What happens if the Local Authority refuse my application?**

You can appeal to the sheriff court if a Local Authority refuse to grant or amend the terms of a Building Warrant (known as a 'deemed refusal').



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A Local Authority may refuse to grant or amend the terms of a Building Warrant if you have not given them enough information to allow an amendment to the warrant within nine months of the first report issued by the Local Authority. This first report highlights matters that need attention before the amendment can be issued, if the authority have not agreed to extend the nine-month time limit. If the Local Authority have not issued a first report within three months of receiving your application, you can assume they have refused to grant the warrant.

### **Electronic communication**

All correspondence will be by email. If you do not want to use email, please tell the Local Authority.

