

Development Control and Building Control

Potential Survey Questions for Submission under the Sustainable Communities Act

Introduction: Development Control and Building Control

A gap exists between these two functions. On the one hand, there is the planning process operated by local authorities, i.e. development control, and, on the other and quite separately, the oversight of building regulations, i.e. building control, which some years ago was largely privatised.

In considering planning applications local authorities have no remit to take account of building control issues such as fire risk. Conversely, building control bodies have no duty to ensure that development takes place in accordance with the approved plans or with the conditions attached to planning permission. This lack of liaison or cross-referencing is clearly detrimental.

Moreover, building control bodies appear to operate without accessibility or accountability to the general public, so that neither transparency nor impartiality are ensured. There is no means by which members of the public or bodies such as parish councils can alert building control to worrying features of the construction process.

Barrowden Parish Council believes that there is a strong case for ending the complete division of responsibility between planning bodies and building control. It should be a requirement that building control bodies ensure that development proceeds in general accordance with the approved plans and conditions.

Suggested Questions for Survey

1. We propose a formal relationship between Development Control and Building Control, where Building Control would be required to monitor compliance with key elements of the approved planning drawings, e.g. key dimensions, length, width, height, location on plot, etc. Do you agree with this approach?

YES/NO

Any comments?

2. Should safety matters, e.g. fire risk and access by emergency services, etc., form part of the design and access statement in planning applications and thus constitute a material consideration within the Development Control process?

YES/NO

Any comments?

3. In a recent case the finished roof height of a new development did not conform with the approved drawings and significantly exceeded the dimension. Do you have examples of other failures to conform with approved plans?

YES/NO

If so, can you supply details and how/if remedied? Do you believe that this could have been averted if Building Control had monitored key dimensions during construction?

4. The current process leaves it to local residents to identify any breaches of the planning permission before enforcement officers will commence investigations. Is this is your experience?

YES/NO

Any Comments

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5. In your experience of Building Control, have you encountered problems caused by it being operated through a private company?

YES/NO

Any Comments?

6. Should Building Control bodies be accountable and accessible to parish and town councils and to the wider public?

YES/NO

Any Comments?

7. Have you ever attempted to contact a Building Control organisation in relation to a development site within your area?

YES/NO

If so, why did you do so and what was your experience?

8. Is there an alternative to the more formal relationship between Development Control and Building Control as proposed in Question 1 above?

If so, what?

9. Given the current consultation on the revision of the National Planning Policy Framework, is the revision an opportunity to make a change in the relationship between Development Control and Building Control?

YES/NO

If NOT through the NPPF, how do you believe such a change should take place? Via the Building Regulations?

10. Is there is an argument for Building Control organisations to be operated only under local authority control, i.e. not privatised?

YES/NO

Any comments?

11. Do you have any other examples of problems caused by the absence of liaison between Development Control and Building Control?

If so, please give outline details