

Gateway Two: Applying 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 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 at Gateway Two for both new and existing HRBs in England.

This Build UK guide provides an overview of Gateway Two and the information and documents that must be included within an application for Building Control Approval for an HRB.

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.
- [Building Control Approval for Higher-Risk Buildings](#) provides guidance on how to submit and manage an application for Building Control Approval to the BSR.
- [Preparing Information for a Building Control Approval Application](#) sets out the information that must be included in an application for Building Control Approval.
- The [Building Control Authority Micro-Site](#) includes a series of Frequently Asked Questions (FAQs) on the Building Control Approval process for HRBs.
- The [CLC guidance suite](#) provides practical recommendations on approaching and submitting applications for Building Control Approval for new 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 applications for Building Control Approval to demonstrate how the design and construction of a Higher-Risk Building (HRB) will comply with the Building Regulations by:

- **Identifying** every 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.

This information should be provided for every single element; however, where it is not reasonably practicable to provide all the design details at Gateway Two, the BSR may give '[approval with requirements](#)' and agree with the applicant a schedule of when further details must be submitted and approved.

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](#)'. It is recommended that applicants [contact the BSR](#) at least six months before submitting a staged application and give up to six months' notice for all other applications.

Whilst the BSR has confirmed that it will **not** provide advice to applicants on how to comply with the requirements of the Building Regulations at any stage of the application process, Build UK has published [feedback](#) received from the BSR on the reasons why applications have been rejected for not complying with the Building Regulations.

Building Control Approval is [not required](#) for building work which consists only of exempt work, work carried out under a Competent Person Scheme, or an emergency repair to an existing HRB. However, for an emergency repair, the BSR must be notified about the work by the end of the first working day after it starts.

Submitting an Application

The [application portal](#) is divided into three sections – Building, Dutyholders, and Pay and Submit – and information must be submitted in the required format, which includes multiple choice questions, free text boxes, and document uploads.

All documents should be PDFs, smaller than 1GB, and named appropriately using only letters, numbers, spaces, hyphens and underscores. Documents must be submitted in the requested order to progress through the application, and applicants are able to [create folders](#) for their documents to help the Building Safety Regulator (BSR) when assessing them.

The information provided on the Proposed Work is used by the BSR as a 'project brief' to determine the skills, knowledge and experience required by the Multi-Disciplinary Team (MDT) that will assess the application.

On submission of an application via the application portal, applicants will receive a Building Control Approval Application Reference Number.

This reference number will be required when applying for a Completion Certificate at [Gateway Three](#).

In the event an application for Building Control Approval is rejected, the BSR has advised that any new application should reference the previous application to enable the BSR, where possible, to appoint the same MDT which will be familiar with the project.

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 an Application

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

If an application is deemed **valid**, 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. A validated application does **not** mean it has been approved.

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

Application Process


Action	Information	BSR Target Timeline
Application prepared	It is recommended that an applicant notifies the BSR to expect their application and requests a meeting if it is a complex project: <ul style="list-style-type: none"> Staged application – at least six months before submission All other applications – up to six months before submission 	Week -24
Application submitted	Full details can be found in this guidance: Building Control Approval for Higher-Risk Buildings .	Week 0
Application validated	Assessment by the BSR to determine if the application contains the information required. If deemed valid, a case officer will be allocated. If the application contains insufficient information, it will be deemed not valid and the reasons why given.	Week 1
Multi-Disciplinary Team (MDT) assembled	The MDT will include a Registered Building Inspector (RBI), a fire inspector or engineer, and any other specialist support deemed necessary.	Weeks 2 to 9
MDT assessment of application	Assessment by the MDT to determine if the application meets all requirements, including demonstrating compliance with all relevant Building Regulations and suitable management arrangements.	Weeks 9 to 15
MDT assessment completed	If the application is accepted, it will be assessed by statutory consultees, which is a legal requirement. If the application is not accepted, it will be rejected and the reasons why given.	Week 15
Statutory consultees assessment of application	Assessment by statutory consultees (fire and rescue authority and sewerage undertaker where appropriate) to determine if the application contains the required information.	Weeks 15 to 17
Application outcome	A decision is made on the application and it will be either approved, approved with requirements, or rejected with the reasons why given. If the application is rejected, the applicant can request a review by the BSR within 21 days of the date of rejection and then submit an appeal to the First Tier Tribunal.	Week 18
Inspection regime agreed with MDT	Notice of intention to start work must be given to the BSR at least five days before work starts. Notice of commencement must be given to the BSR within five days of work starting.	Week 19 onwards

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.


Information and Documents Required



Building Section

Information	Details	Format
Project Information New Building: Regulation 4. cl. 1(a)&(b) Existing Building - Category A & Category B: Regulation 12. cl. 1(a)&(b)	Project name	Free Text
	Type of application: <ul style="list-style-type: none"> New HRB Existing building into an HRB Work on existing HRB 	Multiple Choice
	Applicant name	Free Text
	Telephone number	Free Text
	Organisation type: <ul style="list-style-type: none"> Company Charity Local Authority Housing Association Other <i>(give details)</i> 	Multiple Choice
	Organisation name & address	Free Text
	Project email address <i>(required for all future logins to application and will be verified every time)</i>	Free Text
	Number of buildings	Free Text
	For each building: <ul style="list-style-type: none"> Name Postcode & address <i>(if not known, Easting and Northing)</i> 	Free Text
Details of New or Existing Building New Building: Regulation 4. cl. d Existing Building - Category A & Category B: Regulation 4 cl. 1(d)	Number of storeys	Free Text
	Height <i>(in metres to 2 decimal places)</i>	Free Text
	Number of residential units	Free Text
	Number of non-residential units	Free Text
	Use of building: <ul style="list-style-type: none"> Care, residential or nursing home Hospital Student accommodation Other residential (e.g. prison, boarding school) Residential dwellings Other residential (e.g. hotel, hostel) Office Industrial Shop and commercial Other non-residential 	Multiple Choice
	Use of each storey <i>(e.g. Ground and Storey 1: shop and commercial, Storeys 2-10: residential dwellings)</i>	Free Text (2000-character limit)

Information	Details	Format
Proposed Work New Building: Regulation 4. cl. 1(e) Existing Building - Category A & Category B: Regulation 12. cl. 1(e)	Existing Buildings	
	Whether Category A or B work: <ul style="list-style-type: none"> Category A Category B 	Multiple Choice
	If the use of any part of the building will change	Free Text
	What that change will be (<i>by storey</i>)	Free Text
	For All Buildings	
	A summary of the proposed work, including: <ul style="list-style-type: none"> The scope of work The key elements of complexity Any aspects it is particularly useful for the BSR to know about <p>  An example 'project brief' has been produced by the CLC, which can be included in the folder of documents that can be submitted under 'Drawings and Plans'. </p>	Free Text (2000-character limit)
Timescale & Planning	When foundations and groundworks will be completed or commencement date	Free Text
	Estimated build time (<i>in months</i>)	Free Text
	Planning reference number (<i>if known</i>)	Free Text
Partial Completion Strategy New Building: Regulation 4. cl. 2(b)(viii) Existing Building - Category A only: Regulation 12. cl. 2(c)(vii) <i>Further information can be found in Schedule 1, Paragraph 6</i>	Whether submitting a Partial Completion Strategy: <ul style="list-style-type: none"> Yes No 	Multiple Choice
	If submitting a Partial Completion Strategy	
	Details including: <ul style="list-style-type: none"> The proposals adopted in designing for partial occupation Proposed measures and strategies to safely manage and maintain the partial occupation Assumptions regarding the behaviours of intended occupants 	PDF Upload
Drains and Sewers	Whether constructing a new drain or private sewer: <ul style="list-style-type: none"> Yes No 	Multiple Choice
	If constructing a new drain or private sewer	
	Upload a site plan, minimum scale of 1:1250, showing: <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 	PDF upload

Information	Details	Format
Drainage New Building: Regulation 4. cl. 1(e)(v)&(vi) Existing Building - Category A only: Regulation 12. cl. 1(e)(v)&(vi)	Whether the building is within 3 metres of an existing drain, sewer or disposal main: <ul style="list-style-type: none"> • Yes • No 	Multiple Choice
	If building is within 3 metres of an existing drain, sewer or disposal main	
	<ul style="list-style-type: none"> • Details of the precautions to be taken to protect the sewer from the building and the building from the sewer • Any permissions received from sewerage undertaker for work within 3 metres of an existing drain or sewer 	Free Text (2000-character limit) and/or PDF Upload
Local Enactments New Building: Regulation 4. cl. 1(e)(vii) Existing Building - Category A only: Regulation 12. cl. 1(e)(vii)	Details of any local byelaws or requirements that apply	Free Text (2000-character limit)
Staged Applications New Building: Regulation 4. cl. 3	Whether submitting a staged application: <ul style="list-style-type: none"> • Yes • No 	Multiple Choice
	If a staged application	
	The number of stages	Free Text
	For each stage: <ul style="list-style-type: none"> • A name • The estimated start & finish date 	Free Text
	<ul style="list-style-type: none"> • A detailed description of the first stage of work • A brief outline of the subsequent stages of work 	Free Text (2000-character limit) and PDF Upload
Drawings and Plans New Building: Regulation 4. cl. 2(b)(i) Existing Building - Category A & Category B: Regulation 12. cl. 2(b)	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.	PDF Upload or Folder Upload containing PDFs
	The CLC has suggested additional information that can be submitted at this stage where multiple documents can be uploaded.	
Site Location Plan New Building: Regulation 4. cl. 2(a) Existing Building - Category A & Category B: Regulation 12. cl. 2(a)	A site plan, minimum scale of 1:1250, showing: <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 	PDF Upload

Information	Details	Format
Competence Declaration New Building: Regulation 4. cl. 2(b)(ii) Existing Building - Category A only: Regulation 12. cl. 2(c)(i) <i>Further information can be found in Schedule 1, Paragraph 1</i>	Competence Declaration signed by the Client stating that they have: <ul style="list-style-type: none"> Complied with Part 2A of the Building Regulations Taken all reasonable steps to satisfy themselves that the Principal Designer and Principal Contractor are competent to carry out their roles Requested and considered information on serious sanctions and past misconduct Put in place appropriate measures to manage any concerns 	PDF Upload
Construction Control Plan New Building: Regulation 4. cl. 2(b)(iii) Existing Building - Category A only: Regulation 12. cl. 2(c)(ii) <i>Further information can be found in Schedule 1, Paragraph 2</i>	Details of the arrangements the Client has adopted for planning, managing and monitoring the work, including: <ul style="list-style-type: none"> Obtaining any further approvals required from the BSR during construction Ensuring all parties on site communicate, coordinate and cooperate, including sharing information Ensuring the work is carried out by competent individuals and complies with Building Regulations and how that will be demonstrated, including any work to be carried out under a Competent Person Scheme Collating, verifying and storing information for the Golden Thread Keeping the Construction Control Plan under review 	PDF Upload
Change Control Plan New Building: Regulation 4. cl. 2(b)(iv) Existing Building - Category A only: Regulation 12. cl. 2(c)(iii) <i>Further information can be found in Regulations 18 – 30 and Schedule 1, Paragraph 3</i>	How Controlled Changes will be managed, including: <ul style="list-style-type: none"> How changes will be identified and reported How the impacts will be considered How changes will be recorded How they will be reported where appropriate How the Change Control Plan will be kept under review 	PDF Upload
Mandatory Occurrence Reporting System New Building: Regulation 4. cl. 2(b)(v) Existing Building - Category A only: Regulation 12. cl. 2(c)(iv) <i>Further information can be found in Regulations 32 - 37</i>	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  A template Mandatory Occurrence Reporting system can be found in Build UK's guide to Mandatory Occurrence Reporting	PDF Upload

Information	Details	Format
Building Regulations Compliance Statement New Building: Regulation 4. cl. 2(b)(vi) Existing Building - Category A only: Regulation 12. cl. 2(c)(v) <i>Further information can be found in Schedule 1, Paragraph 4</i>	Details of how the planned work will meet the requirements of the Building Regulations, which should: <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> <p>  A guide to approval with requirements has been produced by the CLC </p>	PDF Upload
Fire and Emergency File New Building: Regulation 4. cl. 2(b)(vii) Existing Building - Category A only: Regulation 12. cl. 2(c)(vi) <i>Further information can be found in Schedule 1, Paragraph 5</i>	The assumptions of how the building will perform, including: <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. 	PDF Upload

Dutyholders Section

Information	Details	Format
Details of Client, Principal Designer and Principal Contractor	Type of organisation: <ul style="list-style-type: none"> • Company • Charity • Local Authority • Housing Association • Other (<i>give details</i>) 	Multiple Choice
	Name of organisation	Free Text
	Address	Free Text
	Named contact	Free Text
	Phone number	Free Text
	Email	Free Text
	Confirmation that the address and the correspondence address are the same: <ul style="list-style-type: none"> • Yes • No 	Multiple Choice
	If correspondence address is different	
	Address	Free Text

Pay and Submit Section

Information	Details	Format
Statement of Application New Building: Regulation 4. cl. 1(c) Regulation 4. cl. 2(c) Existing Building - Category A & Category B: Regulation 12. cl. 1(c) Regulation 12. cl. 2(d)	Whether you are the Client: <ul style="list-style-type: none"> • Yes • No 	Multiple Choice
	If you are the Client	
	Agree to the pre-populated statement that the application is being made under the Building (Higher-Risk Buildings Procedures) (England) Regulations	Tick Box
	If you are not the Client	
	Agree to the pre-populated statement that you are authorised to act on behalf of the Client in making the application under the Building (Higher-Risk Buildings Procedures) (England) Regulations	Tick Box

Application Checklist

Information Required	Submitted
1. Project Information	<input type="checkbox"/> Yes
2. Details of Existing or New Building	<input type="checkbox"/> Yes
3. Proposed Work	<input type="checkbox"/> Yes
4. Timescale & Planning	<input type="checkbox"/> Yes
5. Partial Completion Strategy	<input type="checkbox"/> Yes
6. Drains and Sewers	<input type="checkbox"/> Yes
7. Drainage	<input type="checkbox"/> Yes
8. Local Enactments	<input type="checkbox"/> Yes
9. Staged Applications	<input type="checkbox"/> Yes
10. Drawings and Plans	<input type="checkbox"/> Yes
11. Site Location Plan	<input type="checkbox"/> Yes
12. Competence Declaration	<input type="checkbox"/> Yes
13. Construction Control Plan	<input type="checkbox"/> Yes
14. Change Control Plan	<input type="checkbox"/> Yes
15. Mandatory Occurrence Reporting System	<input type="checkbox"/> Yes
16. Building Regulations Compliance Statement	<input type="checkbox"/> Yes
17. Fire and Emergency File	<input type="checkbox"/> Yes
18. Dutyholder Information	<input type="checkbox"/> Yes
19. Statement of Application	<input type="checkbox"/> Yes

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