



Midlothian Council
 Building Standards
 Fairfield House
 8 Lothian Road
 Dalkeith EH22 3ZN
 Tel 0131 270 7500
 Fax 0131 271 3537

For Office Use	
Ref no.....
Fee
Date paid
Receipt no
Certificates of Design
.....
.....

Application for Building Warrant

Building (Scotland) Act 2003

Application under section 9 for a warrant to construct, demolish or convert a building, or to provide services, fittings or equipment in or in connection with a building.

Please refer to the accompanying guidance Notes when completing this form.

You can submit an Application for Building Warrant on-line through the [eBuilding Standards portal](#).

1 Applicant

Name.....

Address.....

.....

.....

Post code.....

Tel no..... Fax no.....

Email.....

2 Duly authorised agent (if any)

Name.....

Address.....

.....

.....

Post code.....

Tel no..... Fax no.....

Email.....

3 Owner (if different from applicant) [See note 1]

Name.....

Address.....

.....

.....

Post code.....

Tel no..... Fax no.....

Email.....

4 Location of building(s) or site (to which the application relates)

Address.....

.....

.....

Post code.....

5 Use(s) of building(s)

(If new building or an extension) Please state proposed use:

.....

(If existing building) Please state:

1. Current use.....

2. Proposed use.....

Is this a conversion in terms of the regulations? [See annex 1]

YES NO

If YES please state which description of conversion applies:

.....

.....

6 State of work

Has the work which is the subject of this application already started?

YES NO [If YES, see note 2]

Has the work which is the subject of this application been completed?

YES NO [If YES, see note 3]

7 Proposed works

Select type(s) of work:

- a) Construct (erect, extend or alter)
- b) Convert
- c) Provide services, fittings or equipment
- d) Demolish

Please give brief description of work:

.....

.....

.....

.....

8 Staged Applications [See note 4]

If the application is to be staged, the stage(s) applied for should be indicated (this should be agreed with the verifier). Please tick the relevant construction stage(s):

- a) Foundations.....
- b) Substructure.....
- c) Underground drainage.
- d) Structural steelwork....
- e) Superstructure.....
- f) Fittings and services....
- g) Other (please specify below).....

.....

9 Application for Demolition

If the application is for, or includes, the demolition of a building, please state the period of time that the demolition works will be completed within weeks*/months*

10 Security matters

Do you consider any part of your proposals should not be open to public inspection on the Building Standards Register? [See note 5]

YES NO

(If YES, the verifier will decide with you the extent of the restrictions.)

11 Limited-life building

If the intended life of the building is to be five years or less from the date of completion please state..... years.

(Less onerous requirements may apply. The warrant will include a condition requiring removal at the end of the stated intended life.)

12 Fire Authority

If the enforcing authority for the building (under Section 61(9) of the Fire (Scotland) Act 2005, as amended) is not the local Fire and Rescue Service, please state the fire authority:

.....

13 Planning – listed buildings

If the application concerns buildings listed as being of special architectural or historic interest or in a conservation area, please state category (if in doubt, the planning authority can advise):

.....

Please state if the building has any other historical importance? (e.g. association with significant historical person or event):

.....

14 Relaxation direction

If the proposed work is the subject of a relaxation direction given by the Scottish Ministers, please state:

Reference number.....

Date.....

15 Notices

Please indicate if this application is as the result of any of the following notices, and if so give the reference number:

Building regulations compliance notice (Section 25)

.....

Building warrant enforcement notice (Section 27)

.....

Defective building notice (Section 28)

.....

Is the building subject to any Dangerous building notice? (Section 29)

YES NO

If YES please state the reference number.....

16 Estimated value of works

£

Please note that the verifier may seek evidence for this figure and make comparisons with established independent indices of building costs.

17 Certificates of design [See note 6]

Are you using an approved certifier of design and intend to provide a certificate or certificates to support this application?

YES NO

[If YES, please indicate when the certificate(s) of design will be submitted in relation to this application and see annex 2]

a) Certificate(s) of design will be submitted **with** this application

b) Certificate(s) of design will be submitted **following** the submission of this application

- Aspects of design that can be certified against building regulations are Building Structures and/or Energy.
- A discount on the fee for the application for building warrant is available provided each certificate of design is submitted **prior to the building warrant being granted**.
- If after giving notice of intent to provide a certificate from an approved certifier of design the certificate is not provided to support this application, the amount of fee discounted requires to be paid to the verifier and may delay the granting of the building warrant.

18 Certificates of construction [See note 6]

Do you intend to use an approved certifier of construction and provide a certificate to accompany the completion certificate submission?

YES NO [If YES, see annex 3]

- Aspects of construction that can be certified against building regulations are Electrical installations and/or Drainage, heating and plumbing.
- If after giving notice of intent to use a certifier of construction a certificate from an approved certifier is not provided with the completion certificate submission, the amount of fee discounted requires to be paid to the verifier and may delay the acceptance of the completion certificate by the verifier.

19 Sustainability

(For warrants related to construction of new buildings only) Have the proposals been designed to achieve any of the optional higher levels as contained in guidance within section 7 of the Technical Handbooks?

YES NO [If YES, see annex 4]

20 Declaration

I/We* apply for a building warrant and declare:

- 1 that the work will be carried out in accordance with building regulations, and in accordance with the details supplied above and any necessary accompanying information (including annexes to this application, drawings, and specifications) [see note 7]
- 2 I am*/we are* the owner(s) of the building* / that the owner of the building is aware of this application*
- 3 (where the warrant involves a specified conversion), that after the conversion the building as converted will comply with building regulations.*

Signed.....

(applicant/duly authorised agent*) [see note 8]

Dated.....

*Delete as appropriate

Address to which you should send this application

Building Standards Manager,
Midlothian Council,
Fairfield House,
8 Lothian Road,
Dalkeith,
Midlothian
EH22 3ZN

Notes

- 1 The name and address of the owner is required, as the Act requires the owner to be informed if a building warrant is granted.
- 2 If work has started, the regulations which apply are those at the date of this application, and the fee to be paid will be higher because the verifier will require to inspect the work. Disruptive surveys may be needed to establish what has been constructed. It should be noted that this is not a mechanism to allow work to start without building warrant approval, but is a way of regularising a situation.
- 3 If the works have been completed, an application for warrant is not appropriate and a completion certificate under the terms of Section 17 (4) of the Building (Scotland) Act 2003 should be submitted with the appropriate fee.
- 4 Where full information is not available, the verifier may decide to grant a warrant on condition that you provide further details before certain stages of work commence on site. The stages must be agreed with the verifier.
- 5 Security matters. Subject to the restrictions below, details of applications are made public in accordance with the procedural regulations, with information on the application available on line, and drawings etc. available for copy or inspection at local authority premises. The local authority may remove documents from the register if they are satisfied there are genuine security concerns. For those documents on the register there are also restrictions on their copying. The first restriction relates to non-residential buildings, prisons, a building where a person may be legally detained or otherwise held in custody, the Scottish Parliament or the Royal Private Estate and applies where the applicant has confirmed the disclosure or copying would raise security concerns. Details agreed between the verifier and the applicant will be withheld unless the owner of the building gives written permission for them to be released. Thus parts of applications for buildings such as banks may only be available with the owners written permission. The second restriction relates to all other residential buildings and copying is restricted to owners, occupiers or tenants, or prospective owners, occupiers or tenants of the relevant building or an adjoining building. There will thus normally be no need to further restrict access to any details in relation to residential buildings.
- 6 Guidance on certificates from approved certifiers, and the drawings and other information that should accompany this application is given in the paragraphs at 3.2 in the Procedural Handbook issued by the Building Standards Division. This is available at www.gov.scot/bsd.
- 7 Note that this includes a commitment to meet the requirements of regulations 13 to 15, which set requirements for how the public will be protected from the activities on site.
- 8 Even where signed by an agent, it is the applicant that is declaring that the work will be done in accordance with the regulations and details of application.
- 9 Any applicant aggrieved by the decision of a verifier to refuse a warrant may, within 21 days of the date of the decision, appeal to the sheriff by way of summary application.
- 10 Supervision of the building operations referred to in a building warrant is not the responsibility of this Authority. Applicants are advised to seek independent professional advice.

WARNING – A building warrant does not exempt you from obtaining other types of permission that may be necessary, such as planning permission or listed building consent. Consult the local authority if in doubt. You may also require f ue superior’s consent or landlord’s consent for your proposals.

**ANNEX 1
CONVERSION**

Any change in the occupation or use of a building which falls into one of the following descriptions is considered a conversion to which the building regulations apply.

Change in the occupation or use of:

- 1 A building to create a dwelling or dwellings or a part thereof.
- 2 A building ancillary to a dwelling to increase the area of human occupation.
- 3 A building which alters the number of dwellings in a building.
- 4 A domestic building to any other type of building.
- 5 A residential building to any other type of building.
- 6 A residential building which involves a significant alteration of the characteristics of the persons who occupy, or will occupy, the building, or which significantly increase the number of people occupying, or expected to occupy, the building.
- 7 A building so that it becomes a residential building.
- 8 An exempt building (in terms of Schedule 1) to a building which is not so exempt.
- 9 A building to allow access by the public where previously there was none.
- 10 A building to accommodate parts in different occupation where previously it was not so occupied.

**ANNEX 2
CERTIFICATES FROM APPROVED CERTIFIERS OF DESIGN**

- 1) **Submitting certificate(s) of design WITH this application**
If you are submitting any certificates from approved certifiers of design **with** this application, please list reference numbers of any certificates from approved certifiers of design, and attach the signed certificates to this application:

Reference number.....

Reference number.....
- 2) **Submitting certificate(s) of design AFTER this application**
If you intend to provide any certificates from approved certifiers of design **after** you have made this application, please list details of the certification scheme(s) and approved certifier(s) of design:

Scheme 1.....
Name of certifier.....
Certifier registration number.....
Name of approved body.....
Approved body registration number.....

Scheme 2.....
Name of certifier.....
Certifier registration number.....
Name of approved body.....
Approved body registration number.....

Annex 2 Important Note: The certificates must be signed by certifiers fully approved to issue certificates for the matters certified on the date the certificate was signed.

**ANNEX 3
CERTIFICATES FROM APPROVED CERTIFIERS OF
CONSTRUCTION**

Please list the certification scheme(s) for which you intend to use an approved certifier of construction and provide a certificate to accompany the completion certificate submission:

Scheme 1.....

If known, please provide certifier of construction details:

Name of certifier.....

Certifier registration number.....

Name of approved body.....

Approved body registration number.....

Include work types - if applicable to Scheme.....

.....

Scheme 2.....

If known, please provide certifier of construction details:

Name of certifier.....

Certifier registration number.....

Name of approved body.....

Approved body registration number.....

Include work types - if applicable to Scheme.....

.....

Annex 3 Important Notes

- 1 If the intention to provide a certificate from an approved certifier of construction is not declared on this form, this does not preclude a certificate subsequently being provided with the completion certificate submission.
- 2 Any person intending to use an approved certifier of construction should check the current status of known firms by using the Certification Register available at www.gov.scot/bsd.
- 3 Work types apply to the 'Drainage, heating and plumbing' scheme and include:
 - Above ground drainage
 - Below ground drainage
 - Biomass boiler installations
 - Gas installations up to 70kW input
 - Gas installations over 70kW output
 - Oil installations up to 45kW output
 - Solid fuel installations up to 50kW output
 - Unvented hot water cylinder
 - Solar thermal panels
 - Air source heat pumps
 - Ground source heat pumps
 - Electrical work to BS 7671 relating to drainage, heating and plumbing

**ANNEX 4
SUSTAINABILITY**

In the table below, please indicate with an "X" which aspects of the building have been designed to achieve a higher level of sustainability as defined in Section 7 of the Technical Handbooks.

Sustainability labelling for domestic buildings

	Bronze Active	Silver	Silver Active	Gold	Platinum
Carbon dioxide emissions					
Energy for space heating (domestic only)	Not applicable		Not applicable		Not applicable
Energy for water heating (domestic only)					
Water use efficiency (domestic only)					
Optimising performance (domestic only)					
Adaptability and flexibility (domestic only)					
Well-being and security (domestic only)					
Material use and waste (domestic only)					

Sustainability labelling for non domestic buildings

	Bronze Active	Silver	Silver Active	Gold	Platinum
Carbon dioxide emissions					
Energy for thermal comfort and artificial lighting (Schools only)	Not applicable		Not applicable		Not applicable
Water efficiency (Schools only)					
Biodiversity (Schools only)					
Flexibility and adaptability (Schools only)					
Well-being (Schools only)					
Material use and waste (Schools only)					
Optimising performance (Schools only)					

Where this application related to multiple buildings, please state which buildings the higher aspects relate to.....

.....

Address of building(s).....

.....

.....

Annex 4 Important Note

Where this application is for multiple buildings which have been designed to achieve different levels of sustainability in Section 7, then a separate table will be needed for each building or group of buildings to which each level relates.

Data Protection Act 2018

For information on how your personal data is used by Building Standards visit our data protection page [here](#).