



FORM 1

APPLICATION FOR RELAXATION OF BUILDING STANDARDS REGULATIONS

Building (Scotland) Act 1959, Section 4

Before completing this form please read the attached notes

PART A

This application should be sent to the Secretary of State / Aberdeenshire Council *
(see Note 1)

1. APPLICANT

Name _____

Address _____

Post Code _____

Tel No _____

2. AGENT (if any)

Name _____

Address _____

Post Code _____

Tel No _____

3. ADDRESS OF BUILDING (in relation to which application is made)

4. NAME AND ADDRESS OF OWNER OF BUILDING (if different from applicant)

PART B

5. DETAILS OF APPLICATION

Regulation number and provision of the Technical Standards from which dispensation or relaxation is being sought	Proposed dispensation or relaxation	Grounds for application

PART C (EXISTING BUILDINGS ONLY)

6. State present use of building _____

7. State proposed use of building _____

PART D (NEW BUILDINGS ONLY)

8. State proposed use of building _____

PART E

9. FIRE AUTHORITY

Is the work being carried out at the request of the Fire Authority? YES / NO *

10. SECTION 10 NOTICE

Has a notice under Section 10 of the Building (Scotland) Act 1959 been served on you? (see note 5) YES / NO *

11. If so, give date of notice. _____

12. SECTION 11 NOTICE

Has a notice under Section 11 of the Building (Scotland) Act 1959 been served on you? (see note 5)

YES / NO *

13. If so, give date of notice.

14. BUILDING WARRANT

Has an application for a building warrant been made?

YES / NO *

If so, give date of application and reference number.

15. LISTED BUILDING

Is the building listed as being of special architectural or historic interest, or in a conservation area? (if in doubt, the planning authority can advise)

YES / NO *

16. If so, state category.

PART F

17. I / We * apply for a direction dispensing with or relaxing those provisions of the Building Standards Regulations set out above [in accordance with any necessary plans (including drawings, specifications and other particulars) submitted with the application] (see note 6).

Signature of applicant / agent *

Date

* Delete as appropriate

NOTES

1. Where on application it appears to the Secretary of State or the Local Authority that it is unreasonable that any provision of the building standards regulations should apply to any particular building, the Secretary of State or the Local Authority may give a direction relaxing that provision in relation to that building. If you are in doubt as to whom your application should be addressed, you should seek advice from your Local Authority. If your application is to be addressed to the Secretary of State, a copy must also be sent to the Local Authority.
2. Applications to the Local Authority should be sent to the relevant office. The Local Authority can advise you were applications to the Secretary of State should be sent.
3. If the Local Authority refuse to dispense with or relax the regulations or apply conditions to a relaxation which you find unacceptable you may appeal to the Secretary of State against their decision. You must appeal within 28 days from the Local Authority's decision by completing Form 3 and sending it to the Secretary of State (see note 2).
4. If the Local Authority do not give a decision within 2 months of you making the application you may appeal to the Secretary of State following the procedures in Note 3.
5. Section 10 of the Building (Scotland) Act 1959 gives powers to the Local Authority to remove or make a building conform to the building standards regulations where the building was constructed without a warrant, in contravention of the conditions of the warrant, or where the life of a limited life building has expired. Section 11 gives power to the Local Authority to require buildings to conform to the building standards regulations.
6. The Local Authority can advise you on what plans, drawings, specifications and other particulars should accompany your application.