Schemes for the Erection of Houses for Owner Occupation

REGULATIONS, DATED 10TH JANUARY, 1952, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE HOUSING (No. 2) ACT (NORTHERN IRELAND), 1946.

1952. No. 3

The Ministry of Health and Local Government for Northern Ireland (in these Regulations referred to as " the Ministry "), in exercise of the powers conferred upon it by the Housing (No. 2) Act (Northern Ireland), 1946 (in these Regulations referred to as " the Act "), hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Housing (Owner Occupation) Regulations (Northern Ireland), 1952.

(2) In these Regulations the expression " appropriate local authority " means the local authority for the area in which the housing accommodation is to be provided.

(3) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

2. The following Regulations are hereby revoked :—

The Housing (Owner Occupation) Regulations (Northern Ireland), 1946 ; (**a**)

The Housing (Owner Occupation) (Amendment) Regulations (Northern Ireland), 1946, (**b**) and

The Housing (Owner Occupation) (Amendment) Regulations (Northern Ireland), 1950 (**c**).

3. A person desirous of providing himself with housing accommodation, or a person who wishes to erect houses for sale to persons desirous of providing themselves with such accommodation, under the provisions of the Act, shall submit proposals to the appropriate local authority in accordance with the provisions of Schedule I to these Regulations.

4. It shall be a condition of approval to any proposals submitted to a local authority under section six of the Act that the standards as to siting, accommodation and construction which are specified in Schedules II, III and IV of these Regulations (in these Regulations referred to as " the prescribed standards ") and the method of measuring the superficial area which is specified in Schedule V of these Regulations, are observed. The payment of grants under the Act towards the cost of the provision of any accommodation provided thereunder shall be subject to compliance with the prescribed standards.

(a) S. R. & O. (N.I.) 1946, No. 155 ; (b) S. R. & O. (N.I.) 1946, No. 179 ;
(c) S. R. & O. (N.I.) 1950, No. 82.

5. The Ministry may assent to the modification of or departure from the provisions of these Regulations.

6. Any questions which may arise as to the interpretation of these Regulations shall be referred to, and determined by, the Ministry, whose decision shall be final.

7. Any house in respect of which a grant is payable or has been paid under Part III of the Act shall during erection and for a period of five years next after the date of payment of the grant be open to inspection by any duly authorised officer of the local authority or of the Ministry.

8. The local authority in whose area houses are proposed to be built may, if they so desire, require the applicant to give an undertaking, in writing, to pay to them, in respect of any expenses incurred by them in the examination of plans and any other work involved in connection with the application, a fee not exceeding £1 1*s.* 0*d.* (one guinea) in respect of each house : provided, however, that where less than three houses are to be erected in accordance with any one house type plan, the minimum fee chargeable in respect of those houses shall be £3 3*s.* 0*d.* (three guineas).

The fees shall be payable to the local authority prior to the issue of Certificates " O/O A ", or " O/O D ", as the case may be.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this tenth day of January, One thousand nine hundred and fifty-two, in the presence of

(L.S.) *Ronald Green,*
Assistant Secretary.

SCHEDULE I

ERECTION OF HOUSES FOR OWNER OCCUPATION : GENERAL PROCEDURE.

PART I : Procedure in the case where a person wishes to erect a house for his own occupation.

1. A person who desires to erect a house for his own occupation under the provisions of the Act shall as a first step give notice, in writing, to the appropriate local authority ; this notice shall be accompanied by location plan, in duplicate, to a scale of 1/2500, suitably coloured to show the proposed site in a clear relation to existing development in the area : the plan must be such that the site can easily be identified therefrom.

2. On receipt of written intimation from the local authority that the latter is prepared to consider proposals, when submitted in the manner hereinafter prescribed, there shall be forwarded to the authority the under-mentioned documents *in duplicate* :—

(*a*) *House Plans.*

Complete house plans (with sections and elevations) of the house proposed to be erected, to a scale of one inch to four feet. These plans are to be fully dimensioned, and must show the areas of the rooms (to indicate compliance with the prescribed standards) : they must be coloured, or section lined, and full details of construction, plumbing and drainage, and generally the nature of the different materials, must be described thereon.

(*b*) *Specification.*

A complete and detailed specification of all the works proposed.

3. Subject to the proposals complying with the requirements of these Regulations, the local authority shall issue, to the person who has submitted the proposals, a Certificate (Certificate " O/O A ") in the form appended to this Schedule returning one set of the plans and specification with the approval of the local authority duly endorsed thereon. This Certificate should be forwarded to the Ministry of Finance when application is made for a building licence.

4. The erection of a house under the Act shall not be commenced until (*a*) a Certificate " O/O A " has been received from the local authority (accompanied by the approved plans and specification), and (*b*) the appropriate licence to build has been issued by the Ministry of Finance.

5. Before the foundations of a house are laid notification shall be sent to the local authority intimating that it is proposed to lay the foundations, and specifying the date on which it is intended to lay them.

6. When the erection of a house has been completed, the person who submitted the proposals shall forthwith notify, in writing, the local authority and at the same time shall state whether any alterations have taken place in the original siting, in which event, an amended location plan to a scale of 1/2500 must accompany the notification. The local authority shall thereupon cause the house to be inspected by a duly authorised officer and, if the authority is satisfied that the erection of the house has been completed in a proper and workmanlike manner, and in accordance with the prescribed standards and conditions, it shall issue a Certificate " O/O B ", which shall be in the form appended to this Schedule.

7. The grant for which a person who has erected a house under approved proposals is eligible shall be payable by the local authority as soon as practicable following the receipt of the form of claim forming part of the Certificate " O/O B " in respect of that house.

8. The local authority shall forward to the Ministry after the payment of a grant in respect of a house a Certificate (Certificate " O/O C ") and claim (which shall be in the form appended to this Schedule) for the recoupment to the authority of the appropriate sum, payable by the Ministry under the provisions of the Act, which sum shall (subject to the provisions of paragraph nine of this Schedule) be paid to the local authority as soon as reasonably practicable after receipt of Certificate " O/O C ", provided that the Ministry is satisfied that the statutory and prescribed conditions have been complied with in respect of that house.

9. Certificate " O/O C " shall be subject to certification by the Local Government Auditor after payment has been made by the Ministry.

PART II : *Procedure in the case where a person erects houses for sale to persons requiring the accommodation for their own occupation.*

10. A person who desires to erect a house, or houses, for sale under the provisions of the Act (hereinafter referred to as " the owner ") shall, as a first step, give notice, in writing, to the appropriate local authority stating the number of houses proposed to be built ; this notice shall be accompanied by location plans in duplicate, to a scale of 1/2500, suitably coloured to show the proposed site, or sites, in a clear relation to existing development in the area : the plan must be such that the site, or sites, can easily be identified therefrom.

11. On receipt of written intimation from the local authority that the latter is prepared to consider a scheme, when submitted in the manner hereinafter prescribed, the owner shall forward to the authority the under-mentioned documents *in duplicate* :—

(*a*) *Layout Plan and Sections for Roads and Services.*

A plan, to a scale of 1/500 (together with the necessary cross and longitudinal sections to a convenient scale) clearly showing the proposed roads and

public footpaths, sewers and drains, water and gas mains, electrical transmission lines and cables, all related to contours and other ground levels, and also to existing roads and services.

This layout plan may not be required if all the information concerning roads and services is included in the general layout plan referred to next.

(*b*) *General Layout Plan.*

A plan, to a scale of 1/500, clearly showing —

(*a*) the proposed houses (suitably identified by number and type) and other buildings, roads and footpaths.
(*b*) the boundaries of the site ;
(*c*) by colour, or otherwise, the different features of the layout, *e.g.*, house blocks, roads and footpaths, open spaces, etc.
(*d*) existing buildings which adjoin the site, or are to remain on the site ;
(*e*) existing natural features, such as trees, hedges and streams ;
(*f*) contours and necessary spot levels ;
(*g*) all dimensions necessary to indicate compliance with the prescribed standards, *e.g.*, distances between house blocks, etc.
(*h*) widths of carriageways and footpaths.

In circumstances where it would not be practicable to show the full general layout to 1/500 scale on one drawing, the layout may be broken into sections, to a scale of 1/500, with, if necessary, a key plan to a convenient scale.

(*c*) *House Plans.*

Complete house plans, to a scale of one inch to four feet, with sections and elevations of each of the types of houses proposed to be erected. These plans are to be fully dimensioned, and must show the areas of the rooms (to indicate compliance with the prescribed standards) : they must be coloured, or section lined, and full details of construction, plumbing and drainage and, generally, the nature of the different materials, must be described thereon. In cases where it is proposed to arrange houses of different types in blocks, it will, generally, be necessary to submit additional drawings to a convenient scale showing plans and elevations of the proposed arrangement.

(*d*) *Specification.*

A complete and detailed specification for —

(*a*) roads and services ; and
(*b*) houses and other immediate site works.

12. Subject to the scheme complying with the requirements of these Regulations, the local authority shall issue to the owner a Certificate (Certificate " O/O D "), in the form appended to this Schedule, and return one set of the plans and specification with the approval of the local authority duly endorsed thereon. This Certificate should be forwarded to the Ministry of Finance when application is made for a building licence.

13. The erection of houses under the Act shall not be commenced until (*a*) a Certificate " O/O D " has been received from the local authority, (accompanied by the approved plans and specifications) and (*b*) the appropriate licence to build has been issued by the Ministry of Finance.

14. Before the foundations of a house are laid the owner shall send a notification to the local authority intimating that it is proposed to lay the foundations, and specifying the date on which it is intended to lay them.

15. When the erection of a house has been completed, the owner shall forthwith notify, in writing, the local authority and at the same time shall state whether any alterations have taken place in the original siting, in which event, an amended location plan to a scale of 1/2500 must accompany the notification. The local authority shall thereupon cause the house to be inspected by a duly authorised officer and, if the authority is satisfied that the erection of the house has been completed in a proper and workmanlike manner and in accordance with the prescribed standards and conditions, it shall issue a Certificate " O/O E " to the owner, which shall be in the form appended to this Schedule.

16. The grant, for which an owner who has erected a house under an approved scheme is eligible, shall be payable by the local authority as soon as practicable following the receipt of the form of claim forming part of the Certificate " O/O E " in respect of that house.

17. The local authority shall forward to the Ministry after the payment of a grant in respect of a house a Certificate (Certificate " O/O F ") and claim, (which shall be in the form appended to this Schedule), for the recoupment to the authority of the appropriate sum, payable by the Ministry under the provisions of the Act, which sum shall (subject to the provisions of paragraph eighteen of this Schedule) be paid to the local authority as soon as reasonably practicable after receipt of Certificate " O/O F ", provided that the Ministry is satisfied that the statutory and prescribed conditions have been complied with in respect of that house.

18. Certificate " O/O F " shall be subject to certification by the Local Government Auditor after payment has been made by the Ministry.

Certificate O/O A.

MINISTRY OF HEALTH AND LOCAL GOVERNMENT FOR NORTHERN IRELAND.

HOUSING (No. 2) ACT (NORTHERN IRELAND), 1946.

ERECTION OF HOUSES FOR OWNER OCCUPATION.

CERTIFICATE OF APPROVAL OF PROPOSALS TO CONSTRUCT A HOUSE.

Certificate No:.....

To.....

of .....

This is to Certify :—

(1) that the..... Council have approved the house plans and specifications (hereinafter referred to as " the proposals ") submitted to them on the day of 19 , in respect of the house described below ;

(2) that the proposals comply with the prescribed standards.

(3) that if the house is ultimately certified to have been satisfactorily completed, in accordance with the proposals now approved, and the Council are satisfied that :—

(*a*) the house falls within one of the categories specified in the Order for the time being in force under Section 15 of the Act ;

(*b*) the cost to the owner (that is to say the person named in this Certificate at whose expense the house has been provided) has not exceeded the permitted cost of erection specified in the building licence authorising the construction of the house, and,

(*c*) the house is not so constructed as to be capable of being easily amalgamated with any other house, or houses, so that such houses together form a single house ;

the Council will undertake to pay to the owner the grant provided for under the Act.

Given under my hand this day of 19 .

(Signed).....

for and on behalf of the Council.

NOTE : Approval for the purposes of planning and building bye-laws must be obtained from the appropriate authorities.
An application must also be made to the Ministry of Finance for Northern Ireland for a building licence ; this Certificate should be attached.