

SPSO decision report

Case: 201203650, Dumfries and Galloway Council
Sector: local government
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr and Mrs C said that in June 2012 a building control officer inspected on-going works to their home extension and verbally told them that the walls complied with building regulations. As a result of this they continued construction. At a further inspection in August, however, some of the works that Mr and Mrs C believed had already been inspected were found not to comply with the approved plans and building regulations. Mr and Mrs C complained about this, saying that, had they known about the problem after the earlier visit, they would have stopped construction until it was resolved.

Our investigation found that the June inspection was solely for the purpose of reviewing the build to the open drain and sub-structure of the extension and did not involve the walls. We also noted that the building control officer wrote to Mr and Mrs C's agent immediately after the August inspection to notify them that aspects of the build did not comply with approved plans and building regulations.

It is the developer's responsibility to construct their development in accordance with the approved plans. The inspection process is not designed to control work on site but simply to examine whether a particular stage of the build being inspected is constructed in accordance with building regulations. As responsibility for ensuring that the build was in accordance with the approved plans fell to Mr and Mrs C, and as the June inspection was solely for the purpose of examining the open drain and sub structure, we did not uphold the complaint.