

Example responses to the new Building Safety Levy question

This document shows two examples of Building Safety Levy responses based on separate scenarios.

It contains extracts from PDF forms generated from our test system which represent what will be sent to BCBs when full plans applications are submitted.

We hope this will help BCBs in preparation for the introduction of Building Safety Levy on 1 October 2026.

Example 1: Initial application in scope

The following pages show an application where Building Safety Levy information is required, and has been provided by the applicant.

Building Safety Levy

The [building safety levy](#), introduced on 1st October 2026, is a mandatory tax on new residential buildings in England to support national safety improvements for residents.

Information from a relevant project's planning and building control submissions will allow local authorities to identify liable projects, determine exemptions, and collect payments prior to completion/occupation.

The questions below will determine the information needed, and ensure relevant details are provided.

Your application may be rejected if information is not provided. Additional information may be requested after submission if deemed necessary.

Does the work relate to a residential building and the provision of:

- one or more dwellings; and/or
- one or more bedspaces in purpose-built student accommodation

☒ Yes

☐ No

A residential building is classed as a building which is wholly situated in England and consists of one or more dwellings, or one or more bedspaces in purpose-built student accommodation, as defined by [Regulation 7 of The Building Safety Levy \(England\) Regulations 2025](#).

Is this a 'variation application' (i.e. being made to update or vary a previous application for building control approval)?

☐ Yes

☒ No

A 'variation application' is a subsequent application for building control approval with full plans that:

- relates to one or more of the same buildings, and
- does not relate solely to a building in respect of which the building work is completed.

Building Safety Levy Information

This information will be used to ensure that the local authority are aware of the key details in relation to the levy. Further details may need to be provided once the application has been submitted.

Which of the follow applies to:

- The work to which this application relates (including in the case of an 'updated application' the original and variation applications); or
- If this application relates to part of a wider development, any of the work in that development

☒ Planning permission is required

☐ Development consent removed the requirement for planning permission

☐ Planning permission is not required for any other reason

'Planning permission' in this instance, includes where either:

- an application for planning permission has been made/determined, or needs to be made/determined; or
- a prior approval application under permitted development rights has been made/determined, or needs to be made/determined.

'Development consent' refers development that is or forms part of a nationally significant infrastructure project, removing the need to obtain planning permission under [Section 33 of the Planning Act 2008 \(as amended\)](#).

What is the current status of the planning permission?

Planning application: Permission granted

Where the development is in phases, please reference the status of the application for the phase of work to which this building control application relates.

In the case of a conversion/change of use of a building from a non-residential use, information provided should relate to the planning permission for the change of use.

Please provide the local authority reference number for the application

FULL/2026/012345

Is the building work to which this application relates considered major residential development

☒ Yes it is, or is anticipated to be.

☐ No, but the building work is part of a wider development which is, or is anticipated to be.

☐ No, it is not anticipated to be.

'Major residential development' is defined in [Regulation 6 of The Building Safety Levy \(England\) Regulations 2025](#).

How many dwellings would be provided as a result of this application?

50

Will purpose-built student accommodation be provided?

☐ Yes

☒ No

Example 2: Variation application with charging conditions still met

The following pages show a variation application where conditions are still met (requiring additional information) and that the previously provided information needs to be checked to ensure it is still relevant.

Building Safety Levy

The [building safety levy](#), introduced on 1st October 2026, is a mandatory tax on new residential buildings in England to support national safety improvements for residents.

Information from a relevant project's planning and building control submissions will allow local authorities to identify liable projects, determine exemptions, and collect payments prior to completion/occupation.

The questions below will determine the information needed, and ensure relevant details are provided.

Your application may be rejected if information is not provided. Additional information may be requested after submission if deemed necessary.

Does the work relate to a residential building and the provision of:

- one or more dwellings; and/or
- one or more bedspaces in purpose-built student accommodation

☒ Yes

☐ No

A residential building is classed as a building which is wholly situated in England and consists of one or more dwellings, or one or more bedspaces in purpose-built student accommodation, as defined by [Regulation 7 of The Building Safety Levy \(England\) Regulations 2025](#).

Is this a 'variation application' (i.e. being made to update or vary a previous application for building control approval)?

☒ Yes

☐ No

A 'variation application' is a subsequent application for building control approval with full plans that:

- relates to one or more of the same buildings, and
- does not relate solely to a building in respect of which the building work is completed.

Variation application details

For the purposes of the building safety levy, the original and variation applications will be treated as a singular 'updated application'. Therefore, it will be necessary to consider what new or updated information needs to be provided here.

Have any levy determination notices already been given in respect of the original or updated application?

☐ Yes

☒ No

Is this variation application being made on or after the day on which the first commencement notice was given?

☒ Yes

☐ No

This is the notice that the person carrying out the work is required to give under [Regulation 16 \(3C\) of The Building Regulations 2010 \(as amended\)](#).

Has 'applicable planning information' already been provided in any commencement notice?

☐ Yes

☒ No, details of the planning permission requirements and status have already been provided, but nothing else

☐ No, nothing regarding the planning permission requirements and status has ever been provided

The 'Applicable planning information' refers to details of the requirement for planning permission, and the status of any application or development consent, as defined in [Regulation 16 Paragraph 10 of The Building Regulations 2010 \(as amended\)](#).

The specifics are based on what has already been provided in previous building control applications and/or commencement notices, and if this information has changed since originally provided. This also includes cases where the requirements of the Building Safety Levy were not in place when those applications or notices were submitted, and therefore now need to be met.

In regard to this variation application, are all the building safety levy charging conditions met?

☒ Yes

☐ No

Levy charging conditions are set out in legislation. In the case of a variation application, they are:

1. That the variation application is received on or after the day on which the first commencement notice, in relation to the original application, was given
2. That the building work to which the updated application (i.e. the original and variation application as a whole) relates, would result in:
 - a new building which includes residential floorspace;
 - an existing building which includes residential floorspace where previously it had none (whether by extension or change of use); or
 - an existing building with an increased total area of residential floorspace (whether by extension or change of use)
3. That the building work to which the application relates:
 - is, or is anticipated to be, major residential development; or
 - is part of a wider development which is, or is anticipated to be, major residential development
4. That the named client or, if there is more than one named client, each of them, in relation to the application is not an exempt person.

[View government guidance on the levy charging conditions.](#)

Building Safety Levy charging conditions met

Based on the conditions being met, please answer the following questions in regard to the updated application (i.e. the original and variation applications as a whole).

Please refer to any evidence or supporting information as required, and attach this information to the application before submission. [View government guidance on evidence.](#)

How many dwellings will be provided as a result of the building work which are either social housing, supported housing or exempt accommodation?

Social housing

2

Supported housing

0

Exempt accommodation

0

Specific definitions of these categories are provided in [Schedule 2 of The Building Safety Levy Regulations \(England\) 2025](#).

Is the 'previous development condition' met in respect of this updated application?

☒ Yes

☐ No

The 'previous development condition' is met if the building work to which the application relates is to be carried out:

- under planning permission granted by national permitted development rights (including any required confirmations or approvals from the local authority via the prior approval process); or
- on a 'previously developed site'.

A site qualifies as a 'previously developed site' if immediately before the date planning permission was granted (or any development authorised by the planning permission was begun, if this date is earlier) at least 75% of the land to which the relevant planning permission relates is previously developed. Note that the date of permission is from the 'main' permission, not any subsequent consents to vary or remove conditions (also known as 'Section 73' permission).

[View the full legislative definition of 'previously developed site'.](#)

Is any of the proposed work to be carried out on an existing 'relevant residential building'?

- ☐ Yes
- ☒ No

A 'relevant residential building', as defined in [Regulation 7 of The Building Safety Levy \(England\) Regulations 2025](#) consists of or contains

- at least one ordinary residential dwelling,
- at least one bedspace in purpose-built student accommodation, or
- communal space for residents.

Proposed total floorspace

Please provide the floorspace information at completion for every relevant residential building in the application

Type: Ordinary residential dwelling (per proposed unit) Gross internal area: 75 Square metres
Type: Communal space (per proposed unit) Gross internal area: 35 Square metres Is this unit of communal space wholly or mainly for:: The benefit of the occupants of relevant residential units
Type: Ordinary residential dwelling (per proposed unit) Gross internal area: 100 Square metres

Details should be entered for each separate dwelling, each unit of communal space, and/or the total amount of purpose-built student accommodation

A dwelling is an 'ordinary residential dwelling' unless it is:

- social housing,
- supported housing, or
- exempt accommodation (if and so far as the accommodation would otherwise be a dwelling).

Communal spaces which are used exclusively by units that are not levy chargeable or any communal spaces in buildings that contain no dwellings does not need to be provided.

Building Safety Levy Information

This information will be used to ensure that the local authority are aware of the key details in relation to the levy. Further details may need to be provided once the application has been submitted.

How many dwellings would be provided as a result of this application?

2

Will purpose-built student accommodation be provided?

- ☐ Yes
- ☒ No

Applicable planning information updates

Based on the planning information that was provided originally...

Which of these reflect the status and/or information originally provided

- ☐ Planning permission was not required
- ☐ Development consent removed the requirement for planning permission
- ☒ Information identifying the relevant planning permission or prior approval was provided
- ☐ Information identifying the relevant planning permission or prior approval was not provided (e.g. it had not been made or determined at that point)

'Planning permission' in this instance, includes where either:

- an application for planning permission has been made/determined, or needs to be made/determined; or
- a prior approval application under permitted development rights has been made/determined, or needs to be made/determined.

'Development consent' refers development that is or forms part of a nationally significant infrastructure project, removing the need to obtain planning permission under [Section 33 of the Planning Act 2008 \(as amended\)](#).

Please provide the local authority reference number of the relevant planning permission or prior approval

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Has anything changed in regard to that information since it was provided?

- ☐ Yes
- ☒ No