

## **Building advice & approval**

Would you like to realise your building project? Then you will find further information here.

Otherwise, [we](#) will be happy to help you by telephone or in person.

# Building authorisation procedure

## — General information on the planning permission procedure

A building permit is an official authorisation that must be obtained before the start of a building project (construction, modification, change of use and removal of facilities) and which ensures that the planned building project complies with public law regulations.

### Procedure:

- *Application:* Submit the building application with the complete documents to us. As a rule, this must be signed by you as the client and by a designer.
- *Examination:* We check your application for completeness and whether your building project conflicts with any public law regulations. It may be necessary to obtain statements from certain authorities, e.g. the fire brigade, the monument protection office or the environmental office.
- *Decision:* Once the examination has been completed, we will issue you with a building permit, possibly with certain requirements and/or conditions, or a refusal.

It is important to note that you may only start work on the building project once you have been granted planning permission and you have fulfilled your obligations to provide evidence and notification (notification of start of construction).

The building permit expires if you have not started construction 3 years after it was issued or if construction work has been suspended for more than 1 year.

## — Required documents

The scope of the application documents is determined by the type of application and the type of construction project and is regulated in the [Ordinance on Structural Inspections](#) [↗](#).

The following documents are required in all cases:

- Building application forms
- Site plan Building
- drawings

### Determination of

- the shell construction costs, the enclosed space and the living space or usable space
- Proof
- of stability, thermal insulation and sound insulation

All official forms can be found [here](#).

## Legal basis

- [Building Code \(BauGB\)](#)
- Ordinance on the structural use of land ([Building Utilisation Ordinance - BauNVO](#))
- [Development plans adopted as statutes](#), if applicable
- [State building regulations](#) for the state of North Rhine-Westphalia (BauO NRW 2018)
- Other special laws, regulations and guidelines

## Query the status of your building permit procedure (building file online)

The online service "[BauakteOnline](#)" provides clients with up-to-date information on the status of their individual building project.

The [online information](#) on submitted building applications is a service provided by the City of Bocholt for clients, designers and all those involved in the construction process. The service is available for all building applications. This means that the progress of a building application can be checked at any time.

## Costs

The fees are based on the [Fees Act \(Gebührengesetz - GebG\)](#) in conjunction with the respective [administrative fee schedule](#).



## What else should I consider during and after the construction work?

- **Gravelled gardens** are bad for biodiversity and our climate. For this reason, the law now stipulates that the areas of a property that are not built over must be left as green spaces capable of absorbing water. Gravel used to create green spaces and artificial turf do not fulfil these requirements and are therefore not permitted! If you nevertheless create a gravel garden, lay artificial turf or seal property areas in an unauthorised manner (e.g. by paving), you must expect to be asked to remove it by the authorities. Information on flowering diversity in the front garden and alternatives to gravel and crushed stone can be found [here](#). ↗
- **Building survey**: Once the construction work has been completed, the landowner or authorised leaseholder must have the building or alteration surveyed. Information on the building survey and an application for a building survey can be found on the Borken district [website](#). ↗
- **Obligation to notify BG BAU**: Your building project must be notified to BG BAU within one week of the start of construction work. [Click here](#) ↗ for online registration and further information. ↗
- All information about **house connections** for electricity, natural gas and drinking water can be obtained from [BEW](#). ↗
- **Wastewater disposal** is another topic that you will have to deal with. Information is available [here](#). ↗
- **Burglary protection** is a central topic of police prevention work. The police will be happy to help you with this topic. You [can find](#) ↗ useful tips and contact information [here](#). ↗

## Further procedures

### – Preliminary building permit / preliminary building enquiry

A **preliminary building permit (preliminary building enquiry)** provides legally binding information on individual questions of building law. It serves to clarify in advance whether a property can be built on according to your own ideas. This can be useful, for example, if:

- The building project differs greatly from the neighbouring buildings.
- Only individual problematic points need to be clarified.

A **positive preliminary building permit** means that the building project cannot be rejected for reasons that have already been examined.

#### Period of validity & extension

- A preliminary building permit is binding **for three years**.
- It can be extended by one year at a time upon informal written application.

#### Required documents

According to the regulations on building inspections (BauPrüfVO), **the following documents** must be submitted:

- Application for preliminary decision
- Site plan
- Extracts from the land register
- If applicable, building design sketches (floor plans, views, sections) if they are required for the assessment

If the preliminary building permit concerns issues relating to the construction or alteration of a building, the building documents must be prepared by a **person authorised to prepare building documents**. This does not apply if the preliminary building application only concerns the planning regulations on the type of building use, construction method or superstructure area.

#### Costs

The decision on a preliminary building enquiry and its extension is **subject to a fee**. The fees are based on the NRW administrative fee schedule.

#### Further links

- [NRW building regulations](#) ↗
- [Regulation on building inspections \(BauPrüfVO\)](#) ↗

- [NRW administrative fee regulations](#) ↗
- <https://bauportal.nrw/antraege> ↗

## – Exemption procedure

Within the scope of a development plan, certain building projects do not require planning permission. In this case, an exemption procedure is required.

You can find the relevant forms [here](#) ↗.

## – Division of land

The division of a property that has been developed or whose development has been approved or which may be developed on the basis of an exemption from approval generally requires the approval of the building supervisory authority in order to be effective. The authorisation must be applied for at the building supervisory authority of the city of Bocholt.

## – Building projects not requiring a procedure

Some building projects are subject to Section 62 of the North Rhine-Westphalia Building Regulations. These may include, for example, small storage rooms or certain solar installations. The exemption from authorisation does not release you from the obligation to comply with the substantive legal requirements (e.g. compliance with the clearance areas or the provisions of the development plan).

## – Certificates of completion

A certificate of completion is required

- to be able to subdivide a property and residential property.

- for the sale of individual flats in a block of flats.

## Mobile phone systems

In accordance with Section 62 of the Building Regulations for the State of North Rhine-Westphalia (BauO NRW 2018), various masts, antennas and similar installations are exempt from building regulations. However, this does not mean that the client is not bound by material building regulations. Building planning, building regulations and ancillary building regulations must still be observed. This also includes obtaining any permits and authorisations.

Depending on the location, the following authorities and institutions may be involved:

- Federal Network Agency: Site certificate in accordance with the Ordinance on the Verification Procedure for the Limitation of Electromagnetic Fields
- Lower immission control authority in the Borken district
- Lower nature conservation authority in the Borken district
- Department of Public Order at the City of Bocholt: Explosive ordnance clearance service
- Department of Mobility and Environment at the City of Bocholt: Contaminated sites, development
- Department of Urban Planning and Building Regulations: building encumbrances, monument protection, fire protection
- Roads NRW

Please note: This is not an exhaustive list, but merely an initial starting point and must be checked by the developer for each individual case.

If the project is located in an outdoor area, a dismantling obligation is required, which must be secured by a guarantee.

## Notification requirement for the removal of structures (demolition)

Generally not subject to authorisation, but subject to notification for

- non-detached buildings (building classes 2-5)
- free-standing buildings from 7 m high (building classes 4 & 5)

- Other installations from 10 metres in height

### Notification to the building supervisory authority

- in writing at least one month in advance
- Demolition only after confirmation by the building supervisory authority

### Additional requirements

- Extract from the cadastral map (Section 2 (2) of the Ordinance on Structural Inspections)
- Proof of stability of attached buildings: In the case of non-detached buildings, an authorised person in accordance with Section 54 (4) BauO NRW 2018 must assess and provide evidence to the required extent that the building or buildings to which the building to be removed is attached are stable during and after removal.
- Survey form for the demolition statistics in accordance with the Building Statistics Act
- Information on species protection in accordance with Section 44 of the Federal Nature Conservation Act
- Regulations of other legal areas to be observed: The procedural freedom does not release you from the obligation to comply with the requirements placed on installations by public law regulations and does not affect the powers of the building authorities to intervene. This means that you must check independently whether other regulations are affected. You must obtain any necessary authorisations independently (e.g. monument protection, conservation statutes, change restrictions, species protection, contaminated sites, environmental regulations)

### More information

- *Building regulations for the state of North Rhine-Westphalia (Landesbauordnung 2018 - BauO NRW 2018)* [↗](#)
- *Demolition notification form:* <https://bauportal.nrw/system/files/media/document/file/anlage-i-6-anzeige-der-vollstandigen-beseitigung-von-anlagen.pdf>
- *Other forms that may be required:* <https://bauportal.nrw/antraege/anzeige-der-vollstaendigen-beseitigung-von-anlagen> [↗](#)

*For further information and to report the demolition, please contact the responsible administrative department.*



## Online services



[ACCESS TO THE BUILDING FILE ARCHIVE](#)



[INFORMATION ON BUILDING ENCUMBRANCES](#)



[BUILDING PORTAL NRW](#)

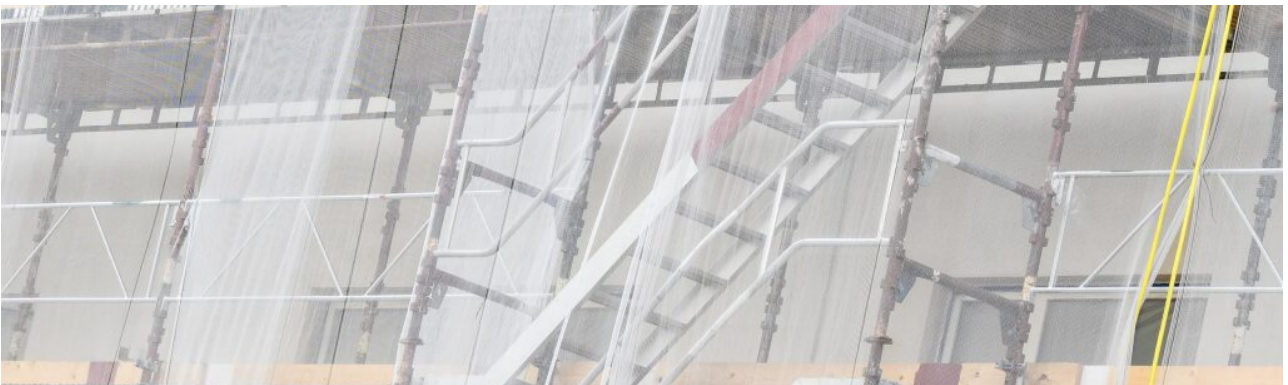
## This might also interest you:



**Property access** ▶



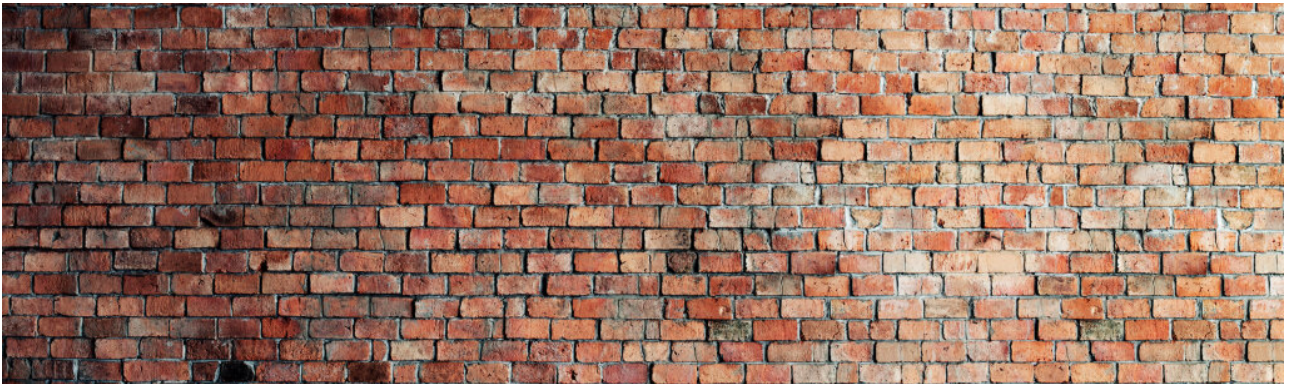
**Private supply lines** ▶



**Facade renovation** ▶



**Shaft structures** ▶



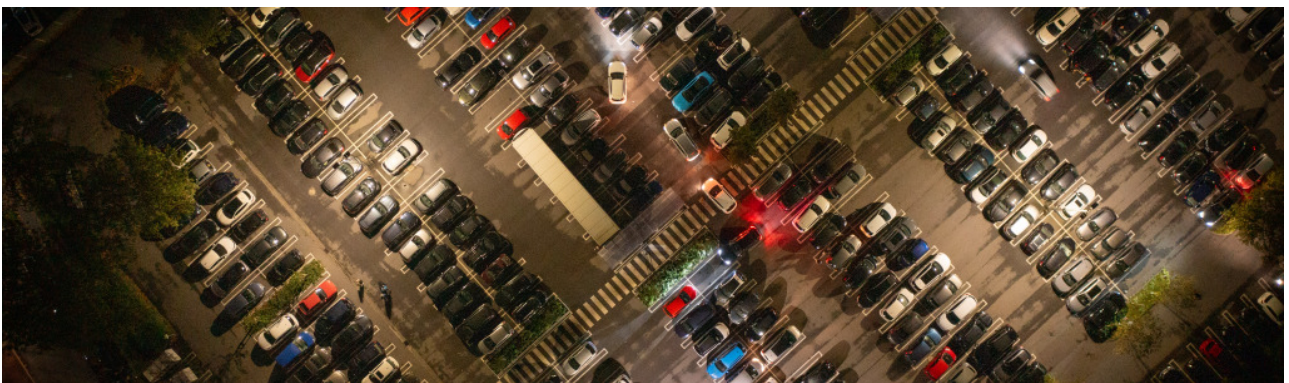
## Useful tips for renovating old buildings ►



## Photovoltaics and solar ►



## Monument protection and preservation ►



## Parking space regulations ►



**Solar panels or trees? Specifications for large car parks** ►

## **Contact persons**

### **Contact us**

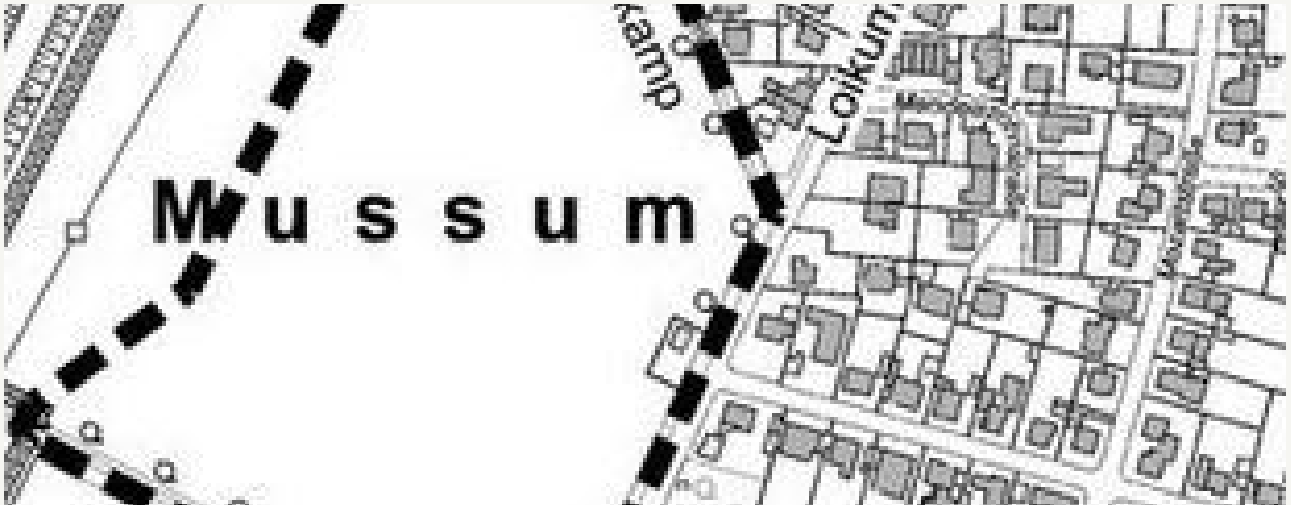
The Bocholt city area has been divided into different areas of responsibility. You can find your responsible clerk [here](#).

You will find us at Kaiser-Wilhelm-Straße 52-58, 46395 Bocholt. Please make an appointment before your visit.

### **Further information**



## Residential plots in the city of Bocholt ▶



## Urban land use planning ▶



## Current funding programmes ▶

