

Submit documentation for permit exemption for the construction of a facility

For the construction of a plant without a building permit, you need a permit exemption. For this purpose, you submit the required documents to the responsible municipality.

Competent Department

- Die Senatorin für Bau, Mobilität und Stadtentwicklung | Abteilung 6 Stadtplanung/ Bauordnung (Bremen Stadt)
- <u>Die Senatorin für Bau, Mobilität und Stadtentwicklung I Stadtplanung, Bauordnung</u> <u>Nord (Bauamt Bremen-Nord)</u>
- Stadtplanungsamt

Basic information

In accordance with Section 62 (1) of the Bremen Building Code, the exemption from approval applies to the construction, alteration and change of use of the following

- a) residential buildings, including those with rooms for the exercise of liberal professions in accordance with Section 13 of the Building Use Ordinance,
- b) other structures that are not buildings,
- c) garages, parking spaces, outbuildings and ancillary facilities for construction projects in accordance with letters a and b.

with the exception of special buildings and advertising facilities.

The exemption from approval does not apply to the construction, alteration or change of use of one or more buildings if this creates units of use serving residential purposes with a total gross floor area of more than 5,000 m² that are located within a distance published in accordance with Section 13 (2) (2) (b) of the Bremen State Building Code. In these cases, the simplified approval procedure in accordance with Section 63 of the Bremen State Building Code must be carried out.

The exemption from approval is subject to a fee.

Requirements

In accordance with Section 62 (2) of the Bremen Building Code, a building project is exempt from approval if

- 1. it is within the scope of a development plan within the meaning of Section 30 (1), Section 12 or Section 30 (2) of the Building Code with stipulations in accordance with the Building Use Ordinance,
- 2. it does not contradict the stipulations of the development plan or required exceptions or exemptions under planning law have already been granted in accordance with Section 31 of the Building Code as well as discretionary urban planning decisions in accordance with the Building Use Ordinance,
- 3. the development is secured within the meaning of the Building Code and the requirements of §§ 4 and 5 of the Bremen State Building Code are met,
- 4. the municipality does not declare within the period specified in Section 62 (3) sentence 2 of the Bremen Building Code that the simplified building permit procedure is to be carried out or applies for a temporary prohibition in accordance with Section 15 (1) sentence 2 of the Building Code.

If the requirements of numbers 1 to 4 are not met, the simplified approval procedure in accordance with Section 63 of the Bremen Building Code must be carried out.

What documents do I need?

• Explanation of the required documents

The documents must be submitted using the official building application form of the supreme building supervisory authority published under Applications & Forms - The Senator for Building, Mobility and Urban Development (bremen.de). You will find the link under "further information".

The following documents must be submitted in accordance with § 3 of the Bremen Construction Documents Ordinance:

- the site plan (§ 7),
- an excerpt from the development plan including legend,
- the construction drawings (§ 8),
- the building description with calculations (§ 9),
- the proof of stability (§ 10)
- as far as it is not checked by the building authorities, with the declaration of the structural engineer in accordance with the list of criteria in Annex 2
- Note: the submission of the structural engineer's declaration is not required for residential buildings in building classes 1 and 2,
- $_{\circ}$ the proof of fire protection (§ 11), insofar as it is not already included in the other building documents,
- the required information on the secured development with regard to the supply of water and energy as well as the disposal of waste water and the development in terms of traffic, insofar as the building project cannot be connected to a public water or energy supply or a public waste water disposal system or is not located in sufficient width on a public traffic area,

- applications for the approval of deviations, exceptions and exemptions (Section 67 (2) of the Bremen Building Code) with the information required for assessment,
- information on the application for approval decisions required for the project under other provisions of public law,
- a tree inventory declaration with all the information required under the tree protection ordinance, which must also be submitted directly to the lower nature conservation authority by the building owner when submitting the building application (the required information must be entered directly in the application screen).

Note: Depending on the purpose of the building project, further building documents may be requested by the municipality or a waiver may be declared.

Procedure

You can submit the permit exemption online or in writing.

Online application

- You can submit applications in digital form via the online service. You will find the link to the online service under "Further information" Online service".
- Once you have successfully logged in via a user account, you will be guided through the form step by step.
- Please have the required attachments to your application ready for upload.
- After submitting your application, you will receive a confirmation of receipt.
- Communication regarding your application with the authority should take place entirely via the online service.
 - You have the option of sending and receiving messages in the online service. The authority's decision will also be communicated electronically via the online service.
- Further information is available directly in the online service.

In writing

- Submit the exemption from approval for the construction of an installation in text form using the published form.
- Attach the required building documents.
- Submit the documents to the responsible municipality. If documents are missing or there are other ambiguities, you will be asked to rectify these processing obstacles. In this case, submit the missing or amended documents and/or the clarification.

The responsible municipality will check your documents. If you do not receive any feedback from the responsible municipality within one month or if it declares in writing beforehand that no approval procedure is to be carried out and that it will not apply for a prohibition in accordance with Section 15 (1) sentence 2 of the Building Code, you may begin construction. If the municipality decides that a simplified building permit procedure should be carried out, you will receive your documents back. When submitting the

documents, you can specify that in this case your building documents are to be forwarded to the responsible building supervisory authority and treated as a building application.

The exemption from approval is subject to a fee.

Legal bases

- Bremische Bauvorlagenverordnung (BremBauVorlV)
- § 1 Kostenverordnung Bau (BauKostV)
- Baugesetzbuch (BauGB)
- Verordnung über die bauliche Nutzung der Grundstücke (Baunutzungsverordnung -BauNVO)
- Bremische Landesbauordnung (BremLBO)
- Bremisches Gebühren- und Beitragsgesetz (BremGebBeitrG)

More information

Building Activity Statistics Online

 The survey form for building permits or departures/disposals survey can be filled out online or printed out on the Building Activity Statistics Online (statistik-bw.de). The link to this can be found under "Further information" - "Where can I find out more?" -"Construction Activity Statistics Online."

Overview of legal bases

 You can also find a link to the overview of state and municipal legal bases under "Further information" - "Where can I find out more?" - "Overview of state and municipal legal bases".

What deadlines must be paid attention to?

If you have a permit exemption, you must submit a notice of commencement of construction to the lower building supervisory authority at least one week before the start of construction work.

If the construction work is to be started more than three years after the construction work has become permissible in accordance with Section 62 (3) sentences 2 and 3 of the Bremen Building Code, the documents must be submitted to the municipality again.

What are the costs?

The amount of the fee is based on Section 1 of the Cost Ordinance for Construction, Tariff No. 101.08 Notification of the Municipality pursuant to Section 62 (3) Sentence 3 of the Bremen State Building Code and amounts to 1 per cent of the construction costs.