

# Advice Note 2



## When do you require a building regulation application?

### New buildings

Generally all new buildings require a Building Regulation application, however there are exemptions including certain small detached buildings as detailed below.

**Detached garages** require a Building Regulation application unless they meet **all** of the following requirements:

- the internal floor area is 30m<sup>2</sup> or less
- the garage is at least 1m from the boundary or it is constructed of substantially non-combustible material
- it is sited at ground level and is single storey

**Agricultural buildings and greenhouses** are exempt if they meet **all** of the following requirements:

- the building is used for agriculture or for keeping animals
- no part of the building is used as a dwelling
- the building is a distance not less than one and a half times the height from another building that contains sleeping accommodation
- there must be a fire exit no more than 30m from any point in the building
- the principal use of the building must not be for retailing packing or exhibiting

Please note electrical installations associated with exempt buildings may still require an application.

### Extensions to buildings

Generally extensions require a Building Regulations application, however there are some exceptions as detailed below.

**Conservatories** will be exempt if they meet **all** of the following requirements:

- they have an internal floor area that is 30m<sup>2</sup> or less
- they are thermally separated from the existing house, i.e. there are external-quality doors or windows
- they have safety glazing within critical locations to satisfy BS6206
- the dwelling heating system should not be extended into the conservatory
- any heating provided within the conservatory should be controlled with on/off and temperature controls
  
- the area of glazing to the external walls is not less than 50%
- the area of glazing to the roof is not less than 75%

NMD BuildingControl Woodlands Enterprise Centre Pathfields Industrial Estate South Molton EX36 3BY  
Tel: 01884 234345 or 01271 388282 E-mail: [mail@nmdbuildingcontrol.co.uk](mailto:mail@nmdbuildingcontrol.co.uk)  
Website: [www.nmdbuildingcontrol.co.uk](http://www.nmdbuildingcontrol.co.uk)

- they are built at ground floor level

**Porches** will be exempt if they meet **all** of the following requirements:

- they have an internal floor area that is 30m<sup>2</sup> or less
- they are thermally separated from the existing house, i.e. there are external-quality doors or windows
- they have safety glazing within critical locations to satisfy BS6206
- they are built at ground floor level

**Carports** require a Building Regulation application unless they meet **all** of the following requirements:

- the internal floor area is 30m<sup>2</sup> or less
- it is open on two or more sides
- they are sited at ground level

Please note electrical installations associated with exempt extensions may still require an application.

### **Changing the use of a building**

Any building that is subject to a material change of use under the Building Regulations requires an application, examples being:

- the building is used as a dwelling, where previously it was not
- the building contains a flat, where previously it did not
- the building is used as an hotel or a boarding house, where previously it was not
- the building is used as an institution, where previously it was not
- the building is used as a public building, where previously it was not
- the building is no longer classified as exempt because of the proposed changes
- the building, which contains at least one dwelling, contains a greater or lesser number of dwellings than it did previously
- the building contains a room for residential purposes, where previously it did not
- the building, which contains at least one room for residential purposes, contains a greater or lesser number of such rooms than it did previously
- the building is used as a shop, where previously it was not

### **Alterations**

Alterations require a Building Regulation application where they fall within the definition of building work which includes the following,

**A material alteration** occurs when at any stage during the building works it results in any requirement of the regulations in relation to the structure, fire safety or disabled access being less compliant than they were previously. Examples of material alterations include the following,

- **Structural alterations** such as the removal of an internal load bearing wall, chimney breast removal or removal of any structural element. .
- **Underpinning** the foundations of any building is controlled works.

- **Alterations to fire precautions** such as changing the number of rooms or altering the enclosure of a stair.
- **Alteration to disabled access** could include removing a ground WC, removing a ramped access or laying a gravel driveway.
- **Conversions of a garage loft/roof space or outbuildings** will require a Building Regulation application.

**An alteration of a controlled service or fitting** including extension of foul or surface drainage, fitting of heat producing appliances and electrical installations and includes the following examples

- **Drainage (controlled services and fittings)** provision of foul or surface drainage or any changes to drainage require a Building Regulation application.
- **Bathrooms, sinks, toilets showers baths (Controlled services and fittings)** will require a Building Regulation application when installed or alternatively a person registered with an appropriate competent person's scheme can be used.
- **Electrical installations/alterations (Controlled services and fittings)** require a Building Regulation application unless the person carrying out the work is registered with a competent persons scheme if the work includes,
  - The installation of a new circuit, or
  - Replacement of a consumer unit, or
  - Any addition or alteration of a circuit in a special location
 The requirement for an application applies even if the electrical installation is serving an exempt building or extension.
- **Heat producing appliances/oil and LPG storage tanks (Controlled services and fittings)** are controlled. Types of work include the provision of solid fuel, gas, and oil heat producing appliances (fire places, log burning stoves etc) along with chimneys, new flues and relining of flues. The installation of oil and LPG storage tanks is also controlled. A Building Regulation application is not required if the person carrying out the work is a member of a competent persons scheme that is applicable to your proposed project. Further details are available from [www.communities.gov.uk](http://www.communities.gov.uk)

**Alterations effecting thermal performance** can require an application including the following examples.

- **Renovation of thermal elements** where you are replacing or renovating more than 50% of the surface area of a wall, floor or roof of a building a Building Regulation application may be required if there is an insufficient level of insulation within your existing house.
- **Replacement of a roof covering** is a renovation of a thermal element and may require an application if the roof is not already insulated to current standards. An application is also required if a roof covering is replaced with a heavier or significantly lighter material.

NMD BuildingControl Woodlands Enterprise Centre Pathfields Industrial Estate South Molton EX36 3BY  
 Tel: 01884 234345 or 01271 388282 E-mail: [mail@nmdbuildingcontrol.co.uk](mailto:mail@nmdbuildingcontrol.co.uk)  
 Website: [www.nmdbuildingcontrol.co.uk](http://www.nmdbuildingcontrol.co.uk)

For example, if slates are replaced with concrete tiles and the loadings are increased by more than 15% a Building Regulation application will be required.

- **Replacement windows, doors and rooflights (controlled services and fittings)** require a Building Regulation application, unless the work is carried out by an installer who is registered with a relevant competent person scheme. Doors containing less than 50% of glazing; measured on their internal face are exempt from the Building Regulations.
- **New windows, doors and rooflights (controlled services and fittings)** always require a Building Regulation application. Competent person schemes are only valid for replacement work and cannot agree to relax requirements for listed buildings.
- **Change of energy status** where for instance a building is provided with a fixed heating system where previously it was not.

**Please note:** This is not intended to be a comprehensive list of all building work that is controlled under the Building Regulations. If there is any doubt about the work you are proposing then please contact us to discuss your proposals. You can considerably lower the value of your home if you carry out building work that does not comply with the Building Regulations. It is a legal requirement to submit a Building Regulation application.

**If you are having difficulty reading this form and would like the information in another format please call 01884 234345 / 234974 or email [mail@nmdbuildingcontrol.co.uk](mailto:mail@nmdbuildingcontrol.co.uk)**