

Exemptions

Building Regulation Guidance Note

Building Regulations are drafted to protect health and safety. In an attempt to reduce the legislative burden for small buildings where there was considered to be no risk to health and safety the Building Regulations exempt from the requirements the buildings listed below.

EXEMPT BUILDINGS

Extensions to Buildings

The extension of a building at ground floor level having a floor area which does not exceed 30m² by the addition of:

- Conservatory – 75% of the roof and 50% of the external walls are glazed with transparent materials. Where the existing walls, doors and windows in the part of the dwelling which separates the conservatory are retained or, if removed, replaced by walls, windows and doors which meet the energy efficiency requirements; and where the heating system of the dwelling is not extended into the conservatory.
- Porch – Providing a covered approach to the entrance to a dwelling and any doors between the existing dwelling and porch being maintained and where the heating system of the dwelling is not extended into the porch.
- Covered yard or covered way.
- Car port open on at least two sides.

* Conservatories or porches are exempt only if the glazing they contain complies with Part N of the Building Regulations (see advisory leaflet on safety glazing).

Small Detached Buildings – garages and garden sheds

- Single storey building, having a floor area which does not exceed 15m², which contains no sleeping accommodation, constructed of any material.
- Single storey building having a floor area which does not exceed 30m², containing no sleeping accommodation, and constructed substantially of non combustible material, or sited at least 1m from the boundary of its curtilage.
- Nuclear shelters under 30m² floor area. Excavation for shelter not to be nearer to other buildings than the depth of the excavation plus 1m.

Ancillary Buildings

- Builders huts containing no sleeping accommodation.
- Estate sales buildings.
- Buildings other than dwellings or offices used in connection with a mine or quarry.

Greenhouses and Agricultural Buildings

- Greenhouses are only exempt providing they are not used for retailing, packing or exhibiting. Greenhouses used as a garden centre shop are not exempt.
- Agricultural buildings and buildings principally for keeping animals are exempt if they are not used as a dwelling, are at least one and a half times their height from any building where there is sleeping accommodation and have a fire exit not more than 30m from any point in a building.

Temporary Buildings

- Those which remain for less than 28 days.

Building Not Frequented by People

- These are detached buildings into which persons do not normally go or only intermittently to inspect plant and machinery.
- The exemption only applies if the building is sited at least one and a half times its height, either from the boundary or from the point on a building into which people normally go.

Building Controlled Under Other Legislation

- Buildings subject to the Explosives Acts.
- Buildings other than houses or offices erected on a site licensed under the Nuclear Installations Act.
- Buildings included in the Schedule to Section 1 of the Ancient Monuments and Archaeological Areas Act.
- Certain buildings of statutory undertakers and other specified bodies.
- Crown property.

Please Note:

If you have any doubts as to whether your proposals fall into any of the categories previously described, please contact the Building Control Section on 01325 406214 or buildingcontrol@darlington.gov.uk

