

## Introduction

This leaflet provides guidance on when to seek Building Regulations Approval and what types of building work are exempt from the Regulations.

You may also need to seek Planning permission. This is completely different legislation and is not covered in this leaflet. Please contact our Development Control Section.

## Work that requires Building Regulations approval

The following building work requires a Building Regulations application and inspection of work as it progresses. There are a few exceptions, which are explained under the heading of 'exempt building work'.

- Erecting a building.
- Extending a building.
- Structurally altering a building, such as;
  - removal of a load bearing wall or;
  - removal of any part of a chimney or;
  - enlargement of an opening in a load bearing wall or;
  - underpinning of a wall.
- Materially altering a building, such as;
  - conversion of a garage into a habitable area or;
  - conversion of a loft into a habitable area or;
  - alterations that will affect means of escape or;
  - alterations that will worsen disabled access or;
  - re-covering of a pitched roof with different materials or;

re-roofing, re-plastering, re-flooring >50% of an element or >25% of the building envelope.

- Insertion of insulating material into a cavity wall.
- Carrying out a "Change of Use" of certain buildings, including;
  - when a building is used as a dwelling when previously it was not;
  - when a building contains a flat where it previously did not;
  - when a building which contains at least one dwelling, contains a greater or lesser number of dwellings than it did previously;
  - when a building is used as a hotel or institution when previously it was not.
  - when a building is used as a public building e.g. school, theatre, hall, church etc. when previously it was not.
- Altering or extending a controlled service, such as;
  - installation of a new toilet, bathroom or shower room involving new drainage or plumbing;
  - replacement or new windows and rooflights unless fitted by a FENSA Registered installer;
  - replacement or new domestic oil fired boilers, unless fitted by an OFTEC Registered installer;
  - replacement or new gas boilers, unless fitted by a CORGI Registered installer;
  - replacement or new domestic solid fuel boilers, unless fitted by a HETAS Registered installer;
  - replacement of a chimney flue;
  - installation of unvented hot water systems unless fitted by a registered installer.

electrical Installations carried out to domestic properties, unless installed by a Part P Registered Installer;

Failure to obtain a Building Regulation Completion Certificate for relevant building work is likely to affect the sale of your property.

## Exempt building work

It is not necessary to submit an application to Building Control for the following types of building work as they are exempt from the Building Regulations:

- A porch at ground level, provided that;
  - it does not contain a WC, the existing front door is retained in its existing position and the total floor area does not exceed 30m<sup>2</sup>.
  - A conservatory at ground level, provided that;
    - the total floor area does not exceed 30m<sup>2</sup> and the external walls and roof are substantially transparent (i.e. glazed). The glazing in critical locations to be safety glazing complying with Approved Document N.
- Porches and conservatories must be thermally separated from the main house with external quality doors and the main heating system must not be extended to serve the porch or conservatory.
- A carport at ground level, provided that;
  - it is open on at least two sides and the total floor area does not exceed 30m<sup>2</sup>
- A veranda, loggia or covered way at ground level, with a total floor area not exceeding 30m<sup>2</sup>

- A single storey detached building with a floor area not exceeding 15m<sup>2</sup>, regardless of the material used for construction; provided that it does not contain any sleeping accommodation
- A single storey detached building with a floor area between 15m<sup>2</sup> and 30m<sup>2</sup>, provided that; it does not contain any sleeping accommodation;

If constructed within 1m of any boundary built of substantially non combustible material such as bricks or blocks

- A greenhouse, provided that it is not used for retailing or exhibiting
- Agricultural buildings, (including those used for horticultural, fruit growing, the growing of plants for seed and fish farming, but not those used for retailing, packing or exhibiting) provided that;

no part of the building is used as a dwelling;  
no part of the building is less than one and a half times its height from any part of a building that contains sleeping accommodation;

The building is provided with a fire exit not more than 30m from any point within the building.

- Temporary building provided it does not remain erected for more than 28 days.

### **What can happen if I do not submit an application?**

There are two ways to apply for Building Regulations, either by FULL PLANS or a BUILDING NOTICE application. For further information please refer to our Building Regulations leaflet.

If you proceed with the work without applying you are contravening the Building Regulations. If work continues without an application, you are liable on summary conviction to a fine. Where work carried out does not comply with the Regulations, demolition or alteration works may be necessary.

### **Contact Details**

**East Devon District Council  
Knowle  
Sidmouth  
Devon  
EX10 8HL**

**DX 48705 Sidmouth**

### **Telephone:**

**West Team – 01395 517578  
East Team – 01395 517482**

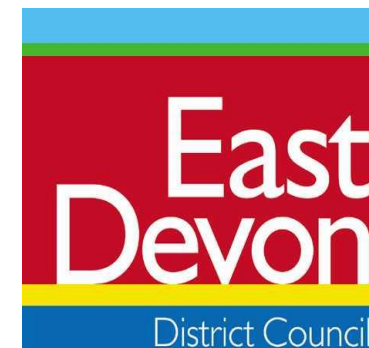
### **Email:**

[buildingcontrol@eastdevon.gov.uk](mailto:buildingcontrol@eastdevon.gov.uk)

**NB: This leaflet can be supplied in other formats**



## **Building Control**



**Householders Guidance  
Leaflet No 2**

**Exempt Buildings  
and Work**

**Updated October 2010**