Building Control
Guidance Note
No. 1

Do I Need Building Regulations Approval?
**INTRODUCTION**

The aim of this guidance note is to highlight work that either constitutes "Building Work", or is specifically deemed to be exempt from the requirements of the Building Regulations, as defined under the Building act 1984. Work deemed to be "Building Work" is required to be controlled and therefore a Building Regulations application needs to be submitted prior to the commencement of work.

**FRONT ELEVATION**

The construction of an attached garage will always require a Building Regulations application. The construction of an attached carport with a floor area of less than 30m², which is open on at least 2 sides, is exempt from the Building Regulations, other than for any associated electrical work which is not.

The erection of a detached garage/shed within 1m of the boundary; with a floor area under 15m² is also exempt. Likewise is a combustible garage/shed sited more than 1m from the boundary and a non-combustible garage/shed, sited within 1m, provided that the floor areas do not exceed 30m².

Converting any attached garage into a habitable space and altering a detached garage so that it contains sleeping accommodation will also require Building Regulations approval.

If you replace a window/s in your home the Building Regulations do apply, if you are replacing the whole of the fixed frame or are creating a new opening. However, they will not apply if you are simply replacing broken glass, renewing double-glazed units or making repairs to sections of the mainframe members. Additionally, the replacement of external doors with a surface area of more than 50% glazing will require an application.

If you wish to carry out repairs to your roof or re-cover less than 25% of the surface area you will not normally need to submit a Building Regulations application, unless:

- The new covering will increase the weight of the roof covering by 15% or more;
- Structural alterations are being made;
- The new covering will have a significantly different performance to that of the existing in the event of a fire;

If you are replacing more than 25% an application will be required and it is likely that the thermal insulation within the roof will have to be improved.

You will not need to make an application to NELC Building Control to erect a ground floor porches with a floor area of no more than 30m², provided that:

- The glazing conforms to the applicable requirements of Part N.
- The electrical installation, if applicable, conforms to Part P, i.e. the installation is undertaken by a Part P registered electrician.
- That the entrance door to the original house remains in place.
- The erection of the new porch in no way affects the ramped or level access into the building. Should you wish for the porch to be erected over a door that has been designated as the disabled access an application will be necessary.

If you want to re-render or replace timber cladding to the external walls Building Regulations may apply depending on the extent of the works. Should you wish to replace in excess of 25% an application will be required and it is likely that the thermal insulation within the roof will have to be improved.

Likewise if you want to insert insulation into the cavity wall this is Building Regulations applicable.

The construction of an attached garage will always require a Building Regulations application. The construction of an attached carport with a floor area of less than 30m², which is open on at least 2 sides, is exempt from the Building Regulations, other than for any associated electrical work which is not.
A conservatory with a floor area no more than 30m² is exempt from the Building Regulations provided that:

• It is thermally separated from the building by external grade doors, windows and walls.
• The glazing complies with Part K and any electrical work with Part P.
• The erection of the conservatory in no way affects the ramped or level access into the building. Should the conservatory be erected over a door that has been designated as the disabled access an application will be necessary.

Any new structural opening, or increasing the width of an existing opening associated with the erection of the conservatory will require Building Regulations approval.

If you would like to install a roof light or roof window then an application for this work should be made to NELC Building Control for the following reasons:

• To insert the roof light it is likely that structural alterations will have to be made to the roof structure.
• The roof will have to carry the additional weight of the window and may therefore have to be strengthened.
• Any window installed must meet current thermal values, i.e. U-values.
• It must be proven that the external envelope of the house remains to be watertight.

If you wish to lay new underground drainage, other than that associated with an exempt structure, Building Regulations do apply and an application should be made to NELC Building Control. This includes rainwater and foul alike, all non-mains sewerage arrangements, i.e. septic tanks, treatment plant and drainage fields.

Repair work, as ever such as replacing a damaged section of drainage, like for like does not constitute "building work" and does therefore not warrant a Building Regulations application.

A conservatory with a floor area no more than 30m² is exempt from the Building Regulations provided that:

• It is thermally separated from the building by external grade doors, windows and walls.
• The glazing complies with Part K and any electrical work with Part P.
• The erection of the conservatory in no way affects the ramped or level access into the building. Should the conservatory be erected over a door that has been designated as the disabled access an application will be necessary.

Any new structural opening, or increasing the width of an existing opening associated with the erection of the conservatory will require Building Regulations approval.

If you would like to install a roof light or roof window then an application for this work should be made to NELC Building Control for the following reasons:

• To insert the roof light it is likely that structural alterations will have to be made to the roof structure.
• The roof will have to carry the additional weight of the window and may therefore have to be strengthened.
• Any window installed must meet current thermal values, i.e. U-values.
• It must be proven that the external envelope of the house remains to be watertight.

If you wish to lay new underground drainage, other than that associated with an exempt structure, Building Regulations do apply and an application should be made to NELC Building Control. This includes rainwater and foul alike, all non-mains sewerage arrangements, i.e. septic tanks, treatment plant and drainage fields.

Repair work, as ever such as replacing a damaged section of drainage, like for like does not constitute "building work" and does therefore not warrant a Building Regulations application.

Guidance from the Government suggests that Building Regulations should be assumed to apply to every deck requiring Planning Permission. Therefore, where a deck is erected more than 600mm from the adjacent finished ground level, an application will be necessary.
In most homes, the timber joists that suspend the ceiling of the floor below the loft space will not have been designed to support a significant weight. Therefore, if you wish to board out your loft space you will need to contact NELC Building Control for further advice.

Building Regulations apply if you wish to convert the loft of your home. Therefore, if you wish to use your loft-space for anything other than access for maintenance an application should be made to NELC Building Control prior to the commencement of work. Additionally, the work may be subject to a party wall agreement under the Party Wall Act 1996 under which you must give the adjoining owners notice.

If you wish to install new/additional fittings such as a bath, WC, shower or washbasin within your home Building Regulations will apply. This generally only occurs when say a bedroom is converted into a bathroom.

If you want to replace the above fittings the Building Regulations do not apply. However, should you wish to replace a standard bath for a whirlpool or spa bath an application will be necessary.

If you intend to carry out electrical work in your home or garden you will have to follow the rules laid down in the Building Regulations. NELC Building Control therefore recommends that you use an installer who is registered on a competent persons scheme. Should you not, an application for work such as rewiring, installing a new consumer unit, the installation of new ring or radial circuits or any work undertaken in a bathroom or outside etc will require an application to be made.
If you wish to remove an internal wall to form an opening a Building Regulations application will be necessary.

The installation of new fittings such as a kitchen sink is Building Regulations applicable; this generally only occurs when say a living room is converted to be a kitchen. However, the replacement of existing fittings does not require an application.

If you need to underpin all, or just part of the foundations to your home, the Building Regulations do apply. NELC Building Control has a responsibility to take steps to ensure that the underpinning will stabilise the movement of the building, not adversely affect adjoining properties and any nearby sewers or drains.

Generally, the replacement of internal doors is not Building Regulations applicable and therefore an application is not necessary. However, in certain scenarios such as 3 story dwelling houses, fire doors are fitted to protect the hall stairs and landings and ensure the safe the means of escape of the occupants in the event of a fire. In scenarios such as this an application is required.

Building regulations will apply if you want to install or replace a hot water cylinder. Install or alter the position of, or replace any type of gas, solid fuel, (including micro combined heat and power/ biomass fuelled appliances) or oil appliances and install fixed or flue-less gas appliances. However, if you employ a registered installer they will be able to self certify the work without having to directly involve NELC Building Control.

If a heating or hot water system is to be altered or extended in any way then Building Regulations do apply. This includes work such as adding or moving radiators. However, if you employ a registered installer they will be able to self certify the work without having to directly involve NELC Building Control. Should you not an application for approval should be made prior to the commencement of work.

If you are replacing or fitting a new floor Building Regulations do apply. Factors that NELC Building Control must consider include the load bearing capacity and thermal insulation.
Please note that these guidance notes are for advice only and may not cover all situations. It is your responsibility to ensure that they are appropriate for use in your particular circumstances.