

# GUIDANCE NOTES

Produced by

Tendring District Council  
Building Control Service



## EXEMPT BUILDING WORK GUIDE

The Building Regulations recognise that there are some types of building and items of work that present little or no risk to the health and safety of people that use or live in nearby buildings. As a result, the Building Control Service **exercises no control** over them and a **Building Regulation application does not need to be made**.

Set out below are the more common buildings and work that fall into the exempt category.

### **DETACHED GARAGES**

- ✓ must be less than 30m<sup>2</sup> in floor area, **and**
- ✓ must be single storey, **and**
- ✓ contain no sleeping accommodation, **and**
- ✓ must be either 1m from the boundary, **or**
- ✓ if closer than 1m then must be constructed of predominantly non-combustible materials, e.g. brick, block or concrete panel walls

### **DETACHED OR ATTACHED CARPORTS**

- ✓ must be less than 30m<sup>2</sup> in floor area, **and**
- ✓ must be open on two or more sides, **and**
- ✓ must be single storey

### **PORCHES/COVERED YARDS/COVERED WAYS/CONSERVATORIES**

- ✓ must be single storey, **and**
- ✓ must be less than 30m<sup>2</sup> in floor area, **and**
- ✓ must be strictly used only for the above uses. Porches are not exempt if they contain a WC
- ✓ must retain a door into the house
- ✓ must be separated from the rest of the dwelling by walls, doors and windows. If these are replaced the new construction must achieve the required U-values of 0.28W/m<sup>2</sup>K for walls, 1.8 W/m<sup>2</sup>K for doors and 1.6 W/m<sup>2</sup>K for windows.
- ✓ The heating system of the existing dwelling is not extended into the conservatory or porch.
- ✓ glazing in windows less than 800mm above floor level and doors plus sidelights, should be safety glass.

### **DETACHED SHEDS**

- ✓ must meet the requirements for detached garages, **or**
- ✓ must be less than 15m<sup>2</sup> in floor area and single storey

### **DOMESTIC GREENHOUSES**

- ✓ detached domestic greenhouses are exempt (no limitations on size/position)

### **CYCLE STORES**

- ✓ see requirements for detached garages

### **TEMPORARY BUILDINGS**

- ✓ only those erected for less than **28 days**, e.g. portable type buildings

### **REPLACEMENT PLUMBING AND FITTINGS**

- ✓ where there is a like for like change

### **HEATING INSTALLATIONS**

- ✓ electric storage heaters are exempt
- ✓ where the **only** work involved is the installation of a gas boiler and the work is being carried out by a person (or the employee of a person) who has been approved to do so under the Gas Safety (Installation and Use) Regulations 1984, e.g. CORGI registered
- ✓ where the **only** work involved is:
  - a. the installation of an oil-fired combustion appliance which has a rated heat output of 45 kilowatts or less and which is installed in a building with no more than 3 storeys, or
  - b. the installation of oil storage tanks and pipes connecting them to combustion appliances, and is carried out by a person registered by the Oil Firing Technical Association for the Petroleum Industry Ltd, e.g. OFTEC

### **GREENHOUSES AND AGRICULTURAL BUILDINGS**

The following are exempt

- ✓ Subject to the clause below, a greenhouse.
- ✓ A building used, subject to paragraph 3, for agriculture, or a building principally for the keeping of animals, providing in each case that:-
  - (a) no point of the building is less than one and a half times its height from any point of a building which contains sleeping accommodation; and the building is provided with a fire exit which is not more than 30 metres from any point in the building.
- ✓ The descriptions of buildings above, do not include a greenhouse or a building used for agriculture if the principal purpose for which they are used is retailing, packing or exhibiting.

“agriculture” includes horticulture, fruit growing, the growing of Plants for seed and fish farming.

- (b) no part of the building is used as a dwelling.

**NO BUILDING REGULATION IS REQUIRED** for all the above examples. You are strongly advised however, before proceeding with any work, to consult the **PLANNING DEPARTMENT**, since planning permission may be required for the works.

### **THE PARTY WALL ACT 1996**

If you are intending to carry out work on, or within, close proximity to your neighbour's boundary or party walls, you will most likely have duties and obligations under the Party Wall Act. This is designed to resolve any disputes which may arise between neighbours when building work is carried out. The minimum requirements of the Act are that you notify your neighbour of the intended work.

The Party Wall Act **is not** administered by Building Control, but a Government explanatory leaflet can be obtained by contacting Building Control at the address/telephone number below or on the Government website at [www.gov.uk/party-wall-etc-act-1996-guidance](http://www.gov.uk/party-wall-etc-act-1996-guidance)

**For More Information please call  
Tendring Building Control  
01255 686131**

**or alternatively call into our offices in Thorpe Road  
Weeley.**

**Other guidance leaflets can be downloaded using the following link:**

**[Building Control Guidance](#)**