

# Argyll and Bute Council

Comhairle Earra-Ghàidheal agus Bhòid

## Building Standards

## Do I need a building warrant?



**Argyll and Bute Council**  
Comhairle Earra-Ghàidheal agus Bhòid  
[argyll-bute.gov.uk](http://argyll-bute.gov.uk)





This guidance document is purely for domestic use only and is not relevant to any commercial or other non-domestic applications. If in doubt please ask your local [building standards](#) area team for further advice or call 01546-605518.

## Table of contents:

	Topic	Page
➤	<b>Domestic works that require Building Warrant consent</b>	<b>03</b>
➤	<b>General guidance on exempt works</b>	<b>03</b>
➤	<b>Definitions</b>	<b>03</b>
➤	<b>Definitions continued</b>	<b>04</b>
➤	<b>Detached buildings within the curtilage (in the garden area) of a dwelling</b>	<b>04</b>
➤	<b>Buildings attached to a house</b>	<b>05</b>
➤	<b>Works to or in a flat or maisonette</b>	<b>06</b>
➤	<b>Internal alterations to a dwelling house (up to 2 storey)</b>	<b>06</b>
➤	<b>Installation of solar thermal and or Photovoltaic Panels</b>	<b>07</b>
➤	<b>&amp; Installation of Air Source Heat Pumps</b>	
➤	<b>Other general works not requiring a building warrant</b>	<b>08</b>
➤	<b>Useful links</b>	<b>08</b>
➤	<b>List of Building Standards contacts</b>	<b>09</b>

### Foreword:

With the recent increase in home renovation projects or adaptations made through more people working from home, the importance of ensuring that these are done safely has never been more important. The Council building standards team have received numerous requests for advice (e.g. can I use or build a garden shed/summerhouse to use as an office?). This guidance provides an overview and quick guide to owners or occupiers of domestic residential properties on works requiring building warrant approval prior to works commencing.

It does not relate to commercial properties and separate advice should be obtained from the Councils' planning section on their requirements.

## Works that will require Building Warrant approval.

Please note that this list is purely for illustration purposes and is in no way definitive. If in doubt contact your local area [Building Standards team](#) on 01546-605518.

1. The [conversion](#) of your existing garage into a room.
2. Renewing your existing [conservatory](#) roof and replacing it with a solid roof i.e. not like for like.
3. Installing a door or window into an external wall of the house (Unless it is a replacement window or door within the existing opening).
4. Increasing or reducing the opening size of a door or window opening in an external wall.
5. The [conversion](#) of an attic/loft space into a room or rooms.
6. The [conversion](#) of an attic space into storage room (altering roof timbers, altering loft hatch).
7. Installing a roof light where you will be altering the roof timbers/trusses.
8. Altering/removing loadbearing internal walls (Please note this can be timber construction as well as masonry).
9. Forming a door opening between your house and attached garage.
10. The installation of external wall insulation (EWI) to your property.

## Works that are exempt from requiring a building warrant. General

### Guidance on Exemptions

It is important that you read this guidance carefully. The technical standards and the terminology used can be rather complex. Particular attention is drawn to [definitions](#) which are clarified in detail below:

You can read the full lists of exemptions which are contained in Schedule 1 and Schedule 3 which are within [Section 0 General Technical Handbook](#)

(Please remember the rules relating to planning approval differ from building standards so please don't assume **planning consent** is not required).

### Definitions:

#### **Carport:**

Means a roofed building for vehicle storage which is open on at least two sides except for roof supports.

#### Conservatory:

A building attached to and having an entrance from the house, which is thermally divided\* from the house, which either has at least 75% of its roof and 50% its external walls made of glass or other translucent material or at least 95% of its roof and 35% of its wall area made of glass or other translucent material.

\*Thermal division requires exterior grade windows/doors having the appropriate thermal u-value.

#### **Covered area:**

A roofed building, open on at least 2 sides, except for any roof supports

#### **Greenhouse:**

A building used mainly for growing plants, which is either detached from the house or attached, but **not** entered from the house

## **Definitions continued:**

### **House:**

In this part means either a detached, semi-detached or terraced dwelling, not a flat or a maisonette

### **Porch:**

A building attached to and providing a covered entrance to a house

### **Flat:**

Means a dwelling on one storey forming part of a building from some other part of which it is divided horizontally

### **Maisonette:**

Means a dwelling on more than one storey, forming part of a building from some other part of which it is divided horizontally.

## **Detached buildings within the curtilage (garden ground) of a house.**

If you propose to build any of the following **single storey** buildings, within the curtilage of your house, you will **not, subject to the specified conditions**, require a building warrant. Separate rules apply if you stay in a flat, (see heading below)

1. Garage
2. Garden hut or store
3. Building used for keeping animals, birds or other livestock for domestic purposes
4. Carport or a covered area – as 1 above
5. Greenhouse
6. Summerhouse

## **Specified Conditions**

**The following conditions apply to both the detached buildings listed above.**

1. In the case of detached buildings 1,2,3 and 6 above, the proposed building must be at least one metre from the boundary unless it is located more than one metre from the house.
2. The area of the proposed building must not exceed 30m<sup>2</sup>
3. The proposed building must not contain a flue or a combustion appliance i.e. a stove, boiler, etc.
4. The proposed building must not contain sanitary accommodation i.e. bathroom, shower-room, wc, etc.
5. If the building is over 8m<sup>2</sup>, it must be constructed to comply with the building regulations
6. It is advisable to check with building standards in relation to the installation of a summerhouse/garage or other building as there are various technical standards that determine whether the building complies or not with the regulations i.e. boundary distance, fire resistance, drainage, u-values etc. [If in doubt ask.](#)

## **Buildings attached to a house (not a flat or maisonette):**

If you propose to build any of the following **single storey** buildings attached to your house, you will **not, subject to the specified conditions**, require a building warrant.

1. Small conservatory (Not exceeding 8m<sup>2</sup>)
2. Small porch (Not exceeding 8m<sup>2</sup>)
3. Greenhouse (not exceeding 30m<sup>2</sup>)
4. Carport or a covered area (Not exceeding 30m<sup>2</sup>)

## **Specified Conditions:**

**The following conditions apply to both the detached and attached buildings listed above.**

1. A greenhouse must only be accessed externally (No door between dwelling and greenhouse)
2. The proposed building must not contain a flue or a combustion appliance i.e. a stove, boiler, etc.
3. The proposed building must not contain sanitary accommodation i.e. bathroom, shower-room, wc, etc.
4. In the case of a porch or a conservatory, it must be at least one metre from the boundary
5. If the building is over 8m<sup>2</sup>, it must be constructed to comply with the building regulations

## Detached buildings within the curtilage (garden ground) of a flat or maisonette.

If you propose to build any single storey building next to a flat or maisonette, you will not, subject to the following specified conditions, require a building warrant.

1. The building must not have an area of more than 30m<sup>2</sup>
2. The building must be at least 1m from the flat or maisonette or 3m from any other part of the building containing the flat or maisonette
3. The proposed building must not contain a flue or a combustion appliance i.e. a stove, boiler, etc.
4. The proposed building must not contain sanitary accommodation i.e. bathroom, shower-room, wc, etc.
5. If the building is in excess of 8m<sup>2</sup>, it must be constructed to comply with the building regulations

## Internal alterations to houses:

A building warrant is not required for alterations within a house (not a flat or maisonette) subject to the following conditions:

1. The floor area of the house is not increased (extension)
2. There must be no alteration to an external wall, a separating wall, a loadbearing wall, the roof or any other element of structure
3. The house being altered must have no more than 2 storeys.
4. Erection, demolition or alteration of non-loadbearing partitions
5. [Electrical work](#) to a single or two storey dwelling including [fire detection](#).\*
6. [An en-suite bathroom or shower room](#) (including associated drainage)\*
7. [A central heating system](#)

\*Please click on the highlighted text for further guidance.

\*Building Warrant is required for a mains operated fire alarm system in a flat, maisonette or a 3 storey or greater house.

**Note**, many timber framed walls are in fact loadbearing. If unsure, please seek advice from a suitably qualified construction professional such as a chartered building surveyor or structural engineer etc.

## Internal alterations to flats and maisonettes:

No exemptions apply to flats and maisonettes. A [building warrant](#) is required in **all** instances.

## Installation of solar thermal or Photovoltaic Panels:

A building warrant is not required for the installation of solar or PV panels on the roof of a single or two storey house, provided that the existing roof structure is capable of taking the additional loading. If, however the roof structure does require strengthening then a building warrant is required.

## Installation of an [Air Source Heat Pump](#):

All air source heat pump installations serving a building must comply with the requirements of the Building (Scotland) Regulations 2004, as amended, including the functional standards listed in Regulation 9, Schedule 5. However, it is not always necessary to apply for a building warrant to install an air source heat pump:

- For a new building, the air source heat pump should be covered by the building warrant.
- Building warrant is always required when a heat pump system is installed in or on an existing flat or a building containing flats, or for freestanding installations around flats.
- For existing houses, installations onto or within a building must comply with the building regulations and would normally require a building warrant. But if the installation is at least 1m from any boundary, some free-standing external installations of air source heat pump systems may not require a building warrant (see Regulation 5, Schedule 3). You should contact your local authority building standards office to check whether or not you need to apply for a building warrant, prior to works commencing on site.

## Other general works not requiring a building warrant:

### You do not require a building warrant to carry out the following:

- A wall - provided it is not more than 1.2 metres in height.
- A fence - provided it is not greater than 2 metres in height.
- Replacement of part of an external wall cladding system when the replacement is to make a minor repair. All other cladding repairs/replacement will require a building warrant. Refer to [0.5.2 – Schedule 3 – Type 25A - If in doubt ask](#)
- Work external to, but immediately adjoining the house\* (e.g. patio, decking, steps or ramp up to 5m in length).
- Small penetrations through the external walls or roof (e.g. [balanced flue](#) from a boiler, sanitary pipework, mechanical extract ducts or pipe vents)\*
- Small attachments to the external walls (e.g., canopies, micro-renewables)

\*Please click on the highlighted text for further guidance.



## Other Useful links:

[Making a quality building warrant application: what you need to know](#)

[Building Standards pages on Argyll Bute Council website](#)

[Contact Building Standards](#)

[Planning pages on Argyll and Bute Council website](#)

[Electronic Building Standards website/application forms](#)

[Domestic Technical Handbook – Section 0](#)

[Definitions](#)

[Guidance on Combustion appliances and associated work not requiring a warrant](#)

[Guidance on Electrical work not requiring a warrant](#)

[Scottish Government – Fire and smoke alarms: changes to the law](#)

[Guidance on Plumbing installation work not requiring a warrant](#)

[Building Standards technical handbook 2023: Domestic](#)

[For Homeowners | LABSS](#)

[Air Source Heat Pump](#)

## CONTACT DETAILS:

### BUTE AND COWAL

Email: [buildingstandards.bandc@argyll-bute.gov.uk](mailto:buildingstandards.bandc@argyll-bute.gov.uk)

### HELENSBURGH AND LOMOND

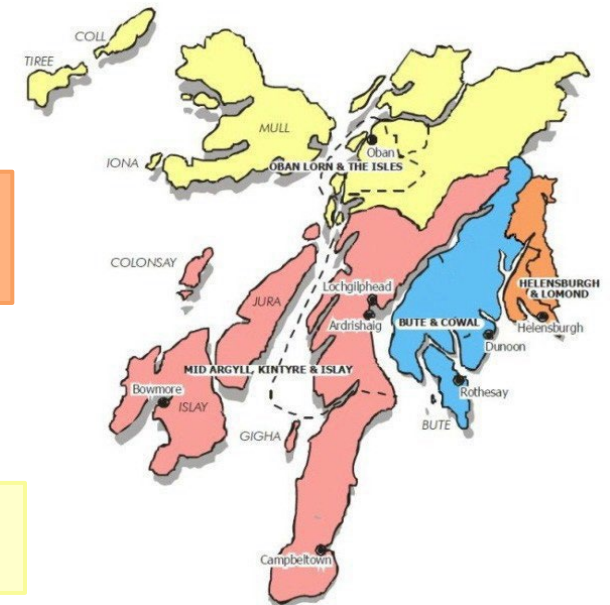
Email: [buildingstandards.handl@argyll-bute.gov.uk](mailto:buildingstandards.handl@argyll-bute.gov.uk)

### MID ARGYLL, KINTYRE AND ISLAY

Email: [buildingstandards.maki@argyll-bute.gov.uk](mailto:buildingstandards.maki@argyll-bute.gov.uk)

### OBAN, LORN AND THE ISLES

Email: [buildingstandards.olandi@argyll-bute.gov.uk](mailto:buildingstandards.olandi@argyll-bute.gov.uk)



To contact Building Standards by telephone:  
call the Customer Service Centre on 01546  
605518



**Argyll and Bute Council**  
Comhairle Earra-Ghàidheal agus Bhòid

