

Argyll and Bute Council

Comhairle Earra-Ghàidheal agus Bhòid

Building Standards Frequently Asked Questions



FREQUENTLY ASKED QUESTIONS

- 1 Is there any Building Work that is exempt from the Requirements of the Building (Scotland) Regulations?
- 2 Is there any Building Work that does not need a Building Warrant?
- 3 Do Replacement Windows require a Building Warrant?
- 4 How do I obtain a Building Warrant?

IS THERE ANY BUILDING WORK THAT IS EXEMPT FROM THE REQUIREMENTS OF THE BUILDING (SCOTLAND) REGULATIONS?

Yes, certain broad categories of buildings are exempt, and the full list is included in Schedule 1 in Section 0 of the [Technical Handbooks](#).

The following is a summarised version covering small scale buildings and building work associated with houses, flats or maisonettes that are exempt from the Building Regulations:

- A detached single-story building, with a floor area not more than eight square metres, ancillary to and within the curtilage of a house, that:-
 - is more than one metre from the house unless it is at least one metre from any boundary;
 - does not contain sleeping accommodation;
 - does not contain a flue, fixed solid fuel, oil or gas appliance installation or a sanitary facility.
- A detached single-storey building, with a floor area not more than eight square metres, ancillary to and within the curtilage of a flat or maisonette that:-
 - is more than three metres from the flat or maisonette or any other part of a building containing a flat or maisonette;
 - does not contain a flue, fixed solid fuel, oil or gas appliance installation or a sanitary facility.
- A single-storey conservatory or porch with a floor area of not more than eight square metres that is attached to an existing house, and:-
 - is more than one metre from a boundary;

- does not contain a fixed solid fuel, oil or gas appliance installation or a sanitary facility;
- meets the regulations on safety glazing.
- A single-storey greenhouse, carport or covered area each with a floor area not more than 30 square metres that is detached or attached to an existing house, and:-
 - does not contain a fixed solid fuel, oil or gas appliance installation or part;
 - does not contain a sanitary facility.
- A paved area or hardstanding not exceeding 50 square metres in area that:-
 - is not part of any access route required by the regulations.

IS THERE ANY BUILDING WORK THAT DOES NOT NEED A BUILDING WARRANT?

Yes, provided that the regulations are complied with. The following work does not require a Building Warrant and the full list is in Schedule 3 in Section 0 of the [Technical Handbooks](#):

- Any building work to or in a house; that does not involve the increase of floor area, demolition or alteration of the roof, external wall, loadbearing structure, adversely affect a separating wall, or change the method of wastewater disposal, or any work to a house having a storey, or creating a storey, at a height of more than 4.5 metres.
- A detached single-storey building having an area exceeding 8 square metres but not exceeding 30 square metres, ancillary to and within the curtilage of a house that does not involve a building within 1 metre of the house unless it is at least 1 metre from any boundary, or a building containing a fixed combustion appliance or sanitary facility, or a swimming pool deeper than 1.2 metres. This could allow for example the construction of a detached shed, detached carport, or detached garage.
- A detached single-storey building having an area exceeding 8 square metres but not exceeding 30 square metres, ancillary to and within the curtilage of a flat or maisonette but not within 1 metre of the flat or maisonette or within 3 metres of any other part of the building containing the flat or maisonette, or a building within 1 metre of a boundary, or a building containing a fixed combustion appliance or sanitary facility, or a swimming pool deeper than 1.2 metres. This could allow for example the construction of a detached carport, or detached garage.

- Any building work associated with a domestic scale combustion appliance or other part of a heating installation that does not include work associated with a chimney, flue pipe or hearth. For example the replacement of an oil or gas fuelled combustion appliance.
- Any building work associated with a balanced flue serving a room-sealed appliance.
- Any work associated with the installation of a flue liner.
- Any building work associated with refillable liquefied petroleum gas storage cylinders used primarily for providing space heating, water heating, or cooking facilities.
- Minor works such as the provision of a single sanitary facility; except work associated with a water closet, waterless closet or urinal, the provision of an extractor fan or installation of a chair lift in a dwelling.
- The construction of walls not exceeding 1.2 metres in height, fences not exceeding 2.0 metres in height, raised external decking at a height of no more than 1.2 metres, except decking that forms part of any access to the principle entrance, and paved areas exceeding 50 square metres but not exceeding 200 square metres which is not forming part of an access route required by the regulations.
- Replacement windows, doors and roof lights.
- Additional insulation (other than insulation applied to the outer face of an external wall).
- Work associated with the replacement of a fixture, material or equipment by another of the same general type, including a sanitary appliance, rainwater gutter or downpipe, solid fuel combustion appliance, electrical fixture, ventilation fan, chimney or flue outlet fitting or terminal, solid waste chute or container, kitchen fitments or other fitted furniture, ironmongery, flooring, lining, cladding and covering or rendering either internally or externally. Door, window or rooflight repairs including glazing.

DO REPLACEMENT WINDOWS NEED A BUILDING WARRANT?

The installation of replacement windows does not require a Building Warrant but any window fitted must comply with the standards laid down in the Regulations.

Briefly, the requirements are:

- The glazed area of the window (for day lighting) in an apartment should be no less than 1/15 of the floor area of the room.
- The opening area (for ventilation) should be not less than 1/30 of the floor area of the room with a trickle ventilator of not less than 12,000 mm² in apartments and 10,000 mm² in all other rooms.
- A safe method of cleaning external glazing surfaces positioned more than 4m above adjacent ground must form part of the window design.
- Ground level windows should not cause a dangerous obstruction to passers-by when opened.
- Emergency escape windows, of at least 0.33m², and at least 450mm high or 450mm wide and with a sill height not greater than 1100mm from the floor, must be provided in all first floor apartments or inner rooms of dwellings.

HOW DO I OBTAIN A BUILDING WARRANT?

- Having confirmed that a Building Warrant is necessary for a proposed project an applicant, or agent, must follow a set procedure to obtain one.
- As a service we are continually looking at ways to make our processes and procedures more streamline, and due to the launch of the [Scottish Government eBuilding Standards Portal](#), on the 24th August 2016, you are now able to complete and submit your application electronically via the portal. The portal provides step by step instructions at each stage on what is required to make an application and how to do it, i.e. how documents should be scanned in the correct orientation, how documents should be titled etc.

- If submitting in paper format you can download an [application form](#) which must be completed and forwarded to the nearest Building Standards [area office](#) to the location of the property, together with the appropriate fee and a location plan clearly identifying the site
- Two copies of drawings and specifications of the proposals must accompany the application. The drawings should be to a metric scale of not less than 1:100 and should be appropriately coloured or works readily identified.
- Although the plans need not be drawn by a professional they must be of a sufficiently high standard to convey to all parties concerned the detail required by the Regulations. Often it will be necessary to present complicated and technical construction detail to a much larger scale. For this reason it may be advisable to consult a professional whose fee may save much time and worry over the course of the project and the life of the building.

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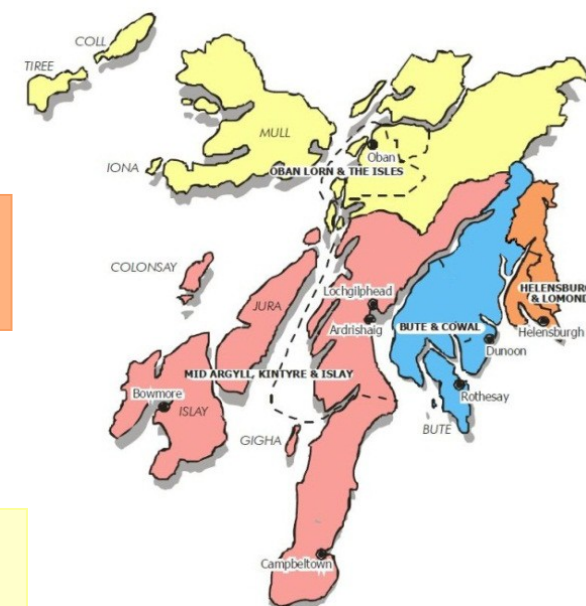
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