

SCHEDULE 1

Classes of exempted buildings – Regulation A5(1)

In Classes 2 and 3 of this Part HEIGHT shall be measured from the lowest level of the ground adjoining the building to the highest point of the building.

Buildings controlled under other legislation

- (a) (a) Any building the construction of which is subject to the Explosives Acts (Northern Ireland) 1875 and 1924(1).
- (b) Any building (other than a building containing a dwelling or a building used for office or canteen accommodation) erected on a site in respect of which a licence under the Nuclear Installations Act 1965(2) is for the time being in force.
- (c) A building being any monument for the time being subject to Part II of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995(3) other than any such building or part thereof which is used as residential accommodation or as an institution.

Buildings not frequented by people

2 A detached building into which people do not normally go, or into which people go only intermittently and then only for the purpose of inspecting or maintaining fixed plant or machinery, unless any point of such a building is less than one and a half times its height from—

- (i) any point of a building into which people can or do normally go;
- (ii) the nearest part of a road; or
- (iii) the nearest point of the boundary of the land on which the building is to be erected.

Buildings for agriculture and keeping of animals

3 A building used for agriculture, but not including a building used principally for retailing (including storage for retailing), packaging, exhibiting or as an office, provided that—

- (i) no part of the building is used as a dwelling;
- (ii) no point of the building is less than one and a half times its height from—
 - (A) any point of a building which contains sleeping accommodation;
 - (B) the nearest part of a road; or
 - (C) the nearest point of the boundary of the land on which it is to be erected;and
- (iii) the building is provided with a fire exit which is not more than 30 m from any point in the building.

Temporary buildings

4 A building, including an exhibition stand and a stand for viewing a public display, which is not intended to remain where it is erected for more than 28 days.

(1) 1875 c. 17, 1924 c. 5 (N.I.)

(2) 1965 c. 57, the only relevant amending instrument is S.I. 1974/2056

(3) S.I. 1995/1625 (N.I. 9)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Ancillary buildings

- (a) (a) A building on a construction site, being a building which is intended to be used only in connection with the disposal of buildings, or building plots on that site and which contains no sleeping accommodation.
- (b) A building on or close to the site of construction or civil engineering work, which is intended to be used only by people engaged on those works during the course of those works and which contains no sleeping accommodation.
- (c) A building, other than a building containing a dwelling or used as an office or showroom, erected for use on the site of and in connection with a mine or quarry.

Small detached buildings

- (a) (a) A detached single storey building, having a floor area which does not exceed 30 m², which contains no sleeping accommodation and is a building which is either—
 - (i) constructed substantially of non-combustible material; or
 - (ii) at no point less than 1 m from—
 - (A) the nearest point of a dwelling;
 - (B) the nearest part of a road; or
 - (C) the nearest point of the boundary of the land on which it is to be erected.
- (b) A detached building designed and intended to shelter people from the effects of nuclear, chemical or conventional weapons, and not used for any other purpose, if—
 - (i) its floor area does not exceed 30 m²; and
 - (ii) the excavation for the building is no closer to any exposed part of another building or structure than a distance equal to the depth of the excavation plus 1 m.
- (c) A detached single storey building, having a floor area which does not exceed 15 m², which contains no sleeping accommodation and is not less than 1 m from a dwelling.

Extensions

- 7 The extension of a building by the addition at ground level of—
- (a) a conservatory, porch, covered area or covered way; or
 - (b) a carport open on at least 2 sides,

where the floor area of the extension does not exceed 30 m², provided that in the case of a conservatory or porch which is wholly or partially glazed, the glazing satisfies the requirements of Part V.

Other buildings

- (a) (a) An air-supported structure which—
 - (i) does not exceed 15 m in length or diameter;
 - (ii) has alternative means of escape;
 - (iii) is not less than 2 m from any building to which these regulations apply; and
 - (iv) is used solely in connection with a dwelling.
- (b) An air-supported structure which—

- (i) after deflation is re-erected in accordance with plans previously approved and with any conditions imposed in connection with the approval of those plans; and
 - (ii) is used for the same purpose as that for which it was previously erected.
- (c) A tent or marquee.
- (d) A movable dwelling including a tent, caravan, shed or similar structure used for human habitation.
- (e) Mobile accommodation used in a static condition, including a houseboat, caravan or railway carriage.
- (f) Any part of a dock, wharf, pier, lighthouse, dam, reservoir, railway line, airfield, pavement, canal (including locks and other structures associated therewith), oil rig, tunnel, bridge, road, path, ramp, stairway, walkway or work of public utility which does not form part of, give support to or gain support from, a building to which these regulations apply and which is not required for the purposes of Part R of these regulations; sewage disposal works other than buildings designed to house plant or provide covered accommodation for persons.
- (g) A structure (other than a chimney) not incorporating any covered space with headroom exceeding 1.5 m, except where the structure is attached to or within a building to which these regulations apply; a tower mast not attached to a building to which these regulations apply.
- (h) Unclad plant or machinery, including a vending or weighing machine.
- (i) Amusement, playground or fairground equipment, including a swing, roundabout and scenic railway.
- (j) Scaffolding, falsework, lifts and hoists used in association with engineering or construction work.
- (k) Storage racking not incorporating a floor.
- (l) Road barriers, street furniture or similar structures, including a traffic light or sign.
- (m) A fence, wall or gate not forming part of a building to which these regulations apply.
- (n) An external storage tank, not being a septic tank, settlement tank, cesspool, liquefied petroleum gas storage tank or tower silo.
- (o) Gantries or galleries used solely for access to or the operation of plant or machinery.
- (p) Greenhouses, including greenhouses attached to other buildings, but not including greenhouses used principally for retailing, packaging or exhibiting.