

---

STATUTORY RULES OF NORTHERN IRELAND

---

**2012 No. 192**

**The Building Regulations (Northern Ireland) 2012**

**PART A**

Interpretation and general

**Giving of notices and deposit of plans**

**9.—(1)** Subject to the provisions of paragraphs (4), (5) and (7) any person who intends to carry out any building work or make any material change of use of a building shall, if the provisions of these regulations apply to such work or such change of use—

- (a) give notices, deposit full plans, sections, specifications and written particulars in accordance with the relevant rules of Part A of Schedule 3; or
- (b) in the case of an existing single dwelling give such other documents (in this regulation known as a “building notice”) as may be necessary in accordance with Part B of Schedule 3.

(2) Subject to paragraph (3), a building notice may not be given for—

- (a) the erection of a dwelling;
- (b) a material change of use from an existing dwelling; or
- (c) building work to an existing dwelling that—
  - (i) creates a new storey—
    - (aa) with a floor area of more than 3 m<sup>2</sup>; and
    - (bb) to which the requirement of regulation 55 in Part H applies; or
  - (ii) increases the floor area of the dwelling by more than 10 m<sup>2</sup>.

(3) A building notice shall only be considered to have been validly given under paragraph (1) (b) if the building work to which it relates commenced within three years of the date on which the notice was given.

(4) The provisions of paragraph (1) shall not apply to—

- (a) the provision of a combustion appliance to which Part L relates, by way of replacement of an existing combustion appliance, if compliance with the relevant regulations in that Part does not require the carrying out of any structural alteration;
- (b) the provision of a fitting to which Part N or P (except regulation 88 in Part P) relates, by way of replacement of an existing fitting, if compliance with the relevant regulations in those Parts does not require the carrying out of any structural alteration;
- (c) the replacement of windows or external doors of a dwelling;
- (d) the provision in a dwelling of devices to detect and give warning of the presence of carbon monoxide gas;
- (e) in relation to an existing fixed building service—

- (i) the replacement of any parts (except a flue pipe or flue);
  - (ii) the provision of any output device such as an energy meter; or
  - (iii) the provision of a control device;
- (f) the provision of a self-contained fixed building service, where—
- (i) testing and adjustment is not possible or would not affect its energy efficiency; and
  - (ii) in the case of a mechanical ventilation appliance, the appliance is not installed in a room containing an open-flued combustion appliance whose combustion by-products are discharged through a natural draught flue; and
- (g) in an existing building, the provision of fixed internal lighting where not more than 100 m<sup>2</sup> of the floor area of the building is served by the lighting.

(5) The provisions of paragraph (1) where they relate to the requirements of regulation 39(a)(ii) in Part F shall not apply where the work involves only the extension of an existing system and does not involve the carrying out of any structural alteration.

(6) In paragraph (4)(a) “combustion appliance” has the meaning assigned to it by regulation 69 in Part L.

(7) Notwithstanding that the work identified in paragraph (4) does not require the giving of notices or deposit of plans and other particulars, the work of replacement or provision shall in all respects meet any relevant requirements of these regulations.

**Changes to legislation:**

There are currently no known outstanding effects for the The Building Regulations (Northern Ireland) 2012, Section 9.