

SCHEDULES

SCHEDULE 1

Regulation 3

TRANSITIONAL PROVISIONS

1. The Building Regulations (Northern Ireland) 1973(1) shall continue to apply to—
 - (1) plans deposited in accordance with those regulations before 1st October 1977;
 - (2) work carried out in accordance with such plans with or without any departure or deviation from those plans; and
 - (3) work completed on or after 1st October 1973 but before 1st October 1977, other than work to which building bye-laws continue to apply in accordance with paragraph 2 of Schedule 2 to the Building Regulations (Northern Ireland) Order 1979.
2. The Building Regulations (Northern Ireland) 1977(2) shall continue to apply to—
 - (1) plans deposited in accordance with those regulations before 1st June 1990;
 - (2) work carried out in accordance with such plans with or without any departure or deviation from those plans; and
 - (3) work completed on or after 1st October 1977 but before 1st June 1990, other than work to which building bye-laws continue to apply in accordance with paragraph 2 of Schedule 2 to the Building Regulations (Northern Ireland) Order 1979 and work to which the Building Regulations (Northern Ireland) 1973 continue to apply by virtue of paragraph 1.
3. The Building Regulations (Northern Ireland) 1990(3) shall continue to apply to—
 - (1) plans deposited in accordance with those regulations before 28th November 1994;
 - (2) work carried out in accordance with such plans with or without any departure or deviation from those plans; and
 - (3) work completed on or after 1st June 1990 but before 28th November 1994, other than work to which building bye-laws continue to apply in accordance with paragraph 2 of Schedule 2 to the Building Regulations (Northern Ireland) Order 1979 and work to which the Building Regulations (Northern Ireland) 1973 and 1977 continue to apply by virtue of paragraphs 1 and 2.
4. The Building Regulations (Northern Ireland) 1994(4) shall continue to apply to—
 - (1) plans deposited in accordance with those regulations before 1st April 2001;
 - (2) building work and any material change of use carried out in accordance with such plans with or without any departure or deviation from those plans; and
 - (3) building work and any material change of use completed on or after 28th November 1994 but before 1st April 2001, other than work to which building bye-laws continue to apply in accordance with paragraph 2 of Schedule 2 to the Building Regulations (Northern Ireland) Order 1979 and work to which the Building Regulations (Northern Ireland) 1973, 1977 and 1990 continue to apply by virtue of paragraphs 1, 2 and 3.

(1) S.R. & O. (N.I.) 1973 No. 105 as amended by S.R. & O. (N.I.) 1973 No. 506 and S.R. 1975 No. 112

(2) S.R. 1977 No. 149 as amended by S.R. 1979 No. 79, S.R. 1980 No. 86; S.R. 1980 No. 332; S.R. 1982 No. 81; S.R. 1984 No.295; S.R. 1984 No. 343 and S.R. 1987 No. 268

(3) S.R. 1990 No. 59 (N.I.) as amended by S.R. 1991 No. 169 and S.R. 1993 No. 84

(4) S.R. 1994 No. 243 (N.I.) as amended by S.R. 1995 No. 473, S.R. 1997 No. 481 and S.R. 1998 No. 453

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5. The Building Regulations (Northern Ireland) 2000⁽⁵⁾ shall continue to apply to—
- (1) plans deposited in accordance with those regulations before 31st October 2012
 - (2) building work and any material change of use carried out in accordance with such plans with or without any departure or deviation from those plans; and
 - (3) building work and any material change of use completed on or after 1st April 2000 but before 31st October 2012, other than work to which building bye-laws continue to apply in accordance with paragraph 2 of Schedule 2 to the Building Regulations (Northern Ireland) Order 1979 and work to which the Building Regulations (Northern Ireland) 1973, 1977, 1990 and 1994 continue to apply by virtue of paragraphs 1, 2, 3 and 4.

SCHEDULE 2

Regulation 4

CLASSES OF EXEMPTED BUILDINGS

In Classes 3 and 4 of the Table to this Schedule “height” shall be measured from the lowest level of the ground adjoining the building to the highest point of the building.

<i>Class</i>	<i>Description of exempted building</i>
<i>(1)</i>	<i>(2)</i>
1.	<p>Buildings controlled under other legislation</p> <ol style="list-style-type: none"> (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.
2.	<p>Buildings used for the purpose of national security</p> <ol style="list-style-type: none"> (a) A building used or to be used for the purposes of national security. (b) A building occupied for the purposes of— <ol style="list-style-type: none"> (i) the Secretary of State for Defence; (ii) the Defence Council; (iii) any of the armed forces of the Crown; (iv) any visiting force as defined in the Visiting Forces Act 1952⁽⁴⁾; or (v) any international headquarters or defence organisation designated for the purposes of the International Headquarters and Defence Organisations Act 1964⁽⁵⁾.

(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)

(4) 1952 c.67

(5) 1964 c.5

(5) S.R. 2000 No. 389 as amended by S.R. 2005 No. 295, S.R. 2006 No. 355, S.R. 2006 No. 440, S.R. 2008 No. 170 as amended by S.R. 2008 No. 241 and S.R. 2009 No. 369, S.R. 2010 No. 1 and S.R. 2010 No. 382

<i>Class</i>	<i>Description of exempted building</i>
<i>(1)</i>	<i>(2)</i>
	Class 2 shall not apply to a building used as a dwelling or a building used for office or canteen accommodation.

3. Buildings not frequented by people

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—

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

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- (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)
 - (4) 1952 c.67
 - (5) 1964 c.5
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<i>Class</i>	<i>Description of exempted building</i>
<i>(1)</i>	<i>(2)</i>

4. Buildings for agriculture and for keeping animals

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

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

5. Temporary buildings

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.

6. Ancillary buildings

- (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.

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<i>Class</i>	<i>Description of exempted building</i>
<i>(1)</i>	<i>(2)</i>
	(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.

7. Small detached buildings

- (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—
 - (aa) the nearest point of a dwelling;
 - (bb) the nearest part of a road; or
 - (cc) 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.

<i>Class</i>	<i>Description of exempted building</i>
<i>(1)</i>	<i>(2)</i>

8. Extensions

An extension to a building by the addition at ground level of—

- (a) a conservatory;
- (b) a porch, covered area or covered way; or
- (c) a carport open on at least 2 sides,

where the floor area of the extension does not exceed 30 m² (or in the case of a porch extension to a dwelling, does not exceed 5 m²) provided that in the case of a conservatory or porch which is wholly or partially glazed—

- (d) the extension, if it is to a dwelling, satisfies the requirement or regulation 26(2) in Part C;
- (e) the thermal performance of the building is retained;
- (f) the building’s heating or cooling system is not extended into it;
- (g) a fixed combustion appliance or fixed cooling appliance is not installed; and
- (h) the glazing satisfies the requirements of Part V.

9. Other Buildings

- (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

<i>Class</i>	<i>Description of exempted building</i>
(1)	(2)
	(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, but not a structure that would require disassembly to facilitate being moved on or off site.
	(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>Class</i>	<i>Description of exempted building</i>
(1)	(2)
9.	(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, fixed oil storage tank, 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.

SCHEDULE 3

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PART A

GIVING OF NOTICES AND DEPOSIT OF PLANS

Rule A: General

The following provisions shall be observed in relation to the giving of any notices and the deposit of any plans, sections, specifications and particulars referred to in the other rules of this Schedule:

(1) Notices and other particulars shall be in writing.

(2) Drawings shall be executed or reproduced in a clear and intelligible manner with suitable and durable materials. Plans and sections shall be to a scale of not less than 1:100 or, if the building is so extensive as to render a smaller scale necessary, not less than 1:200; block plans shall be to a scale of not less than 1:1250; and key plans shall be to a scale of not less than 1:2500. The scale shall be indicated on all plans, sections and other drawings and the north point shall be indicated on all block plans and key plans.

(3) Every notice, drawing or other document shall be signed by the person required to furnish it to the district council or by his duly authorised agent, and in all cases shall state the full name and address of the person on whose behalf it has been furnished.

(4) Every such document, together with a duplicate thereof, shall be sent or delivered to the offices of the district council and the district council may retain one copy.

(5) Where the building, or part thereof, is or will become a relevant premises for the purposes of the Fire and Rescue Services (Northern Ireland) Order 2006⁽⁶⁾, a statement to that effect, accompanied by a further 2 copies of such plans as demonstrate compliance with the requirements of Part E (Fire safety) of these regulations, shall be deposited with the district council which may retain both such copies.

Rule B: Erection of buildings

The following are the notices to be given and the plans, sections, specifications and particulars to be deposited by a person intending to erect a building which is not exempted from the operation of these regulations under regulation 4 in Part A:

(1) Notice of intention to erect a building not exempted from the operation of these regulations.

(2) Particulars, so far as necessary to show whether the building complies with all such requirements of these regulations as apply to it, of—

- (a) the intended use of the building;
- (b) the materials of which the building will be constructed;
- (c) the mode of drainage; and
- (d) the means of water supply.

(3) A block plan showing—

- (a) the size and position of the building and its relationship to adjoining buildings;
- (b) the width and position of every street adjoining the premises; and
- (c) the boundaries of the premises and the size and position of every other building and of every road, path, garden, yard and other open space within such boundaries.

(4) A key plan showing the position of the site when it is not sufficiently identifiable from the block plan.

(6) 2006 No. 1254 (N.I. 9)

(5) A plan of every floor and roof of the building and a section of every storey of the building, upon which shall be shown (where not already shown on the particulars and plans required by items 2 to 4), so far as necessary to enable the district council to determine whether the building complies with these regulations—

- (a) the levels of the site of the building, of the lowest floor of the building and of any street adjoining the premises, in relation to one another and above some known datum;
- (b) the position of the damp-proof courses and any other barriers to moisture;
- (c) the position, form and dimensions of the foundations, walls, windows, floors, roofs, chimneys and several parts of the building;
- (d) the intended use of every room in the building;
- (e) the provision made in the structure for protection against fire;
- (f) the provision made in the building or part of the building for means of escape in case of fire and for securing that such means can be safely and effectively used at all material times;
- (g) the provision made in the structure for insulation against the transmission of heat and sound; and
- (h) provisions made for adequate means of ventilation.

(6) The target carbon dioxide emission rate for the building.

(7) The dwelling carbon dioxide emission rate used for design purposes for the dwelling, or the building carbon dioxide emission rate used for design purposes for a building other than a dwelling.

(8) A list of specifications (used for the calculation of the design-stage carbon dioxide emission rate) to which the building is to be constructed.

(9) The site investigation report where one has been produced.

(10) Any valid type approval certificate relevant to the application.

Rule C: Alterations and extensions

The following are the notices to be given and the plans, sections, specifications and particulars to be deposited by a person intending to make any alteration of or extension to a building other than an alteration or extension which is exempted from these regulations:

(1) Notice of intention to alter or extend a building.

(2) In the case of alterations not involving any extension of a building—

- (a) the plans and sections required by item 5 of Rule B of the alterations and of the building so far as affected by the alterations, so far as necessary to establish whether the proposals comply with these regulations; and
- (b) a key plan showing the position of the site when it is not sufficiently identifiable from such plans.

(3) In the case of an extension of a building—

- (a) the plans, sections, specifications and particulars referred to in items 2, 3, 4 and 5 of Rule B in relation to the extension as if the extension was the building therein referred to;
- (b) the plans and sections as required by item 5 of Rule B of the building so far as affected by the extension; and
- (c) the site investigation report where one has been produced,

so far as necessary to enable the district council to determine whether the proposals comply with the requirements of these regulations.

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Rule D: Services and fittings

The following are the notices to be given and the plans, sections, specifications and written particulars to be deposited by a person intending to provide any services or fittings to which regulation 6 in Part A relates:

- (1) Notice of intention to provide any services or fittings in connection with a building.
 - (a) (2) (a) Particulars of the services or fittings so far as is necessary to establish whether they comply with all such requirements of these regulations as apply to them; and
 - (b) where it is proposed to provide an unvented hot water storage system to which Part P of these regulations applies, the particulars required by sub-paragraph (a) shall include—
 - (i) the name, make, model and type of hot water storage system to be installed;
 - (ii) the name of the body, if any, which has approved or certified that the system is capable of performing in a way which satisfies the requirements of Part P; and
 - (iii) the name of the body, if any, which has issued any current registered operative identity card to the installer or proposed installer of the system.
- (3) Where it is proposed to execute works of drainage or to construct or install a water closet fitting, urinal fitting, cesspool, septic tank or similar structure (for the reception or disposal of foul water from buildings), a block plan. Such plan shall, if the work is in connection with an operation to which Rules B or C relate, be the block plan required by such rule and the block plan shall in any case show, so far as necessary to establish whether the proposals comply with all such requirements of these regulations as apply to them—
 - (a) the position of services or fittings;
 - (b) the lines of drainage; the size, depth and inclination of every drain and the means of access to be provided for the inspection and clearance of blockages;
 - (c) the position and level of the outfall of the drains; and
 - (d) where the drainage is intended to be connected to a sewer, the position of the sewer.
- (4) Where it is proposed to construct or install a water closet fitting, urinal fitting, cesspool, septic tank or similar structure (for the reception or disposal of foul water from buildings), plans and sections of the works or fittings, so far as necessary to show that they comply with all such requirements of these regulations as apply to them.
- (5) A key plan showing the position of the site when it is not sufficiently identifiable from the block plan.

Rule E: Material changes of use

The following are the notices to be given and the plans, sections, specifications and particulars to be deposited by a person intending to make any material change of use to which these regulations are applied by regulation 8 in Part A, in addition to anything required by Rule C in a case to which that rule relates:

- (1) Notice of intention to make, and description of, any change in the purposes for which the building or part of the building is used.
- (2) A block plan showing the size and position of the building and its relationship to adjoining buildings.
- (3) A key plan showing the position of the site when it is not sufficiently identifiable from the block plan.
- (4) The provision made in the structure for protection against fire; and the provisions made in the building or part of a building for means of escape in case of fire and for securing that such means can be safely and effectively used at all material times.

(5) In the case of a material change of use involving an increase in imposed loadings, the plans and sections required by items 5(c) and (d) of Rule B.

(6) The site investigation report where one has been produced.

Rule F: Additional requirements

Where it is considered necessary for the purpose of examining any proposals submitted in accordance with Rule B, C or E, an authorised officer of the district council may require the deposit of any of the following drawings and particulars in addition to plans, sections, specifications and particulars required by such rule:

- (1) A specification of any particular material or materials proposed to be used.
- (2) Drawings showing details of particular construction.
- (3) Soil investigation report.
- (4) Site investigation report.
- (5) Measures for the purposes of regulation 26 in Part C.
- (6) The proportions of the materials in any concrete or mortar or the specified minimum strength of the concrete or mortar.
- (7) Calculations of loading and strength.
- (8) Calculations for the purposes of regulation 33 in Part E.
- (9) Calculations relating to the space separation of buildings for the purposes of regulation 36 in Part E.
- (10) Calculations for the purposes of regulations 39 to 43 in Part F.
- (11) Calculations for the purpose of regulation 51 in Part G.
- (12) Calculations for the purposes of regulation 65 in Part K.

Regulation 9

PART B

PARTICULARS TO BE GIVEN IN A BUILDING NOTICE

1. The following are the particulars to be given in a building notice by a person intending to carry out any building work to an existing single dwelling—

- (a) the full name and address of the person on whose behalf it has been furnished;
- (b) a notice of intention signed by, or on behalf of, the person intending to carry out the building work;
- (c) a description of the proposed building work;
- (d) particulars, so far as necessary, to show—
 - (i) the materials to be used during building work;
 - (ii) the mode of drainage;
 - (iii) the precautions to be taken in building over a drain or sewer;
 - (iv) the means of water supply; and
 - (v) the number of storeys (each basement level being counted as one storey) in the dwelling to which the proposal relates;
- (e) particulars giving the size and position of the dwelling and its relationship to adjoining buildings and indicating its distance from the boundary of the premises; and

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(f) particulars giving the location of the site.

2. Where it is considered necessary for the purposes of examining any proposals submitted in accordance with this Schedule an applicant shall give to a district council, on request in writing by an authorised officer, such particulars as are necessary for the discharge of its function in relation to building regulations.

3. Paragraphs (1) to (4) of Rule A of Part A of this Schedule shall apply in relation to any notices or other documents given or served under this Part as they apply in relation to such notices or other documents given or deposited under Part A.

Regulation 11

PART C

PARTICULARS TO BE GIVEN WITH AN APPLICATION FOR A TYPE APPROVAL CERTIFICATE

1. The provisions of paragraphs (1) to (4) of Rule A of Part A of this Schedule shall apply in relation to any notices or other documents given or served under this Part as they apply in relation to such notices or other documents given or deposited under Part A.

2. The following are the notices to be given and the plans, sections, specifications and particulars to be deposited for a type approval certificate by a person intending to erect a building—

- (a) a notice of intention, signed by, or on behalf of, the person intending to erect a building;
- (b) the full name and address of the person on whose behalf it has been furnished;
- (c) particulars of the district council areas within which the applicant proposes to use any type approval certificate issued against the application; and
- (d) a plan of every floor and roof of the building and a section of every storey of the building upon which shall be shown so far as necessary to enable the district council to determine whether the building complies with these regulations—
 - (i) the number of storeys (each basement level being counted as one storey) in each dwelling type to which the proposal relates;
 - (ii) the position of the damp-proof courses and any other barriers to moisture;
 - (iii) the position, form and dimensions of the walls, windows, floors, roofs, chimneys and several parts of the building;
 - (iv) the intended use of every room in the building;
 - (v) the materials of which the building will be constructed;
 - (vi) the provisions made in the structure for protection against fire and for means of escape;
 - (vii) the provisions made for the conservation of fuel and power and sound;
 - (viii) the target carbon dioxide emission rate for each building type; and
 - (ix) the dwelling carbon dioxide emission rate used for design purposes for each building type.

3. Where it is considered necessary for the purposes of examining any proposals submitted in accordance with this Schedule an applicant shall give to the processing council, on request in writing by an authorised officer, such additional particulars as are necessary for the discharge of its function in relation to building regulations.

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