

SCHEDULE 1

Regulation 3

EXEMPTED BUILDINGS AND SERVICES, FITTINGS AND EQUIPMENT

Buildings or work controlled by other legislation

1. A detached building the construction of which is subject to the Explosives Acts 1875 and 1923(1).
2. A building erected on a site which is subject to licensing under the Nuclear Installations Act 1965(2). Except-A dwelling, residential building, office, canteen or visitor centre.
3. A building included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979(3). Except-A dwelling or residential building.

Protective Works

4. Protective works subject to control by regulation 13.

Buildings or work not frequented by people

5. A building into which people cannot or do not normally go. Except-A building within 6 metres or the equivalent of its height (whichever is the less) of the boundary. A wall or fence. A tank, cable, sewer, drain or other pipe above or below ground for which there is a requirement in these Regulations.
6. Detached fixed plant or machinery or a detached building housing only fixed plant or machinery, the only normal visits to which are intermittent visits to inspect or maintain the fixed plant or machinery. Except-A building within 1 metre of a boundary.

Agricultural and related buildings

7. An agricultural greenhouse or other building of mainly translucent material used mainly for commercial growing of plants. Except-A building used to any extent for retailing (including storage of goods for retailing) or exhibiting.
8. A single-storey detached building used for any other form of agriculture, fish farming or forestry. Except-A building used to any extent for retailing (including storage for retailing) or exhibiting. A building exceeding 280 square metres in area. A building within 6 metres or the equivalent of its height (whichever is the less) of a boundary. A dwelling, residential building, office, canteen or visitor centre. A dungstead or farm effluent tank.

Works of civil engineering construction

9. A work of civil engineering construction, including a dock, wharf, harbour, pier, quay, sea defence work, lighthouse, embankment, river work, dam, bridge, tunnel, filter station or bed, inland navigation, reservoir, water works, pipe line, sewage treatment works, gas holder or main, electricity supply line and supports, any bridge embankment or other support to railway lines and any signalling or power lines and supports, and a fire practice tower. Except-A bridge or tunnel forming part of an escape route or an access route provided to meet a requirement of these regulations. A private sewage treatment works provided to meet a requirement of these regulations.

(1) 1875 c. 17 and 1923 c. 17.

(2) 1965 c. 57.

(3) 1979 c. 16. Section 1 was amended by the Natural Heritage Act 1983 (c. 47) Schedule 4, paragraph 25.

Buildings of a specialised nature

10. A building essential for the operation of a railway including a locomotive or carriage shed, or for the operation of any other work of civil engineering contained in type 9 and erected within the curtilage of such a railway or work. Except-A signalling and control centre for a railway or dock. A building to which the public is admitted, not being a building exempted by type 11 of this schedule. A dwelling, residential building, office, canteen, or warehouse.

11. A single-storey detached road or rail passenger shelter or a telephone kiosk which in so far as it is glazed complies with the requirements of regulation 9 and paragraph 4.8 of Schedule 5. Except-A building having a floor area exceeding 30 square metres. A building containing a fixed combustion appliance installation.

12. A caravan or mobile home within the meaning of the Caravan Sites and Control of Development Act 1960(4), or a tent, van or shed within the meaning of section 73 of the Public Health (Scotland) Act 1897(5). Except-Any wastewater disposal system serving a building of this type.

Small buildings

13. A detached single-storey building having an area not exceeding 8 square metres. Except-A dwelling or residential building. A building ancillary to and within the curtilage of a dwelling. A building within 1 metre of a boundary. A building containing a fixed combustion appliance installation or sanitary facility. A wall or fence.

Construction and development buildings

14. A building used only by people engaged in the construction, demolition or repair of any building or structure during the course of that work. Except-A building containing sleeping accommodation.

15. A building used in connection with the letting or sale of any building under construction until such time as the letting or sale of all related buildings is completed. Except-A building containing sleeping accommodation.

Temporary buildings

16. A building which, during any period of 12 months, is either erected or used on a site—

- (a) for a period not exceeding 28 consecutive days; or
- (b) for a number of days not exceeding 60,

and any alterations to such buildings.

Buildings ancillary to houses.

17. A detached single-storey building ancillary to and within the curtilage of a house. Except-A building exceeding 8 square metres in area. A building within 1 metre of the house unless it is at least 1 metre from any boundary. A building containing sleeping accommodation. A building containing a flue, a fixed combustion appliance installation or sanitary facility. A wall or fence.

18. A single-storey building attached to an existing house, which is ancillary to the house and consists of a conservatory or porch which insofar as it is glazed complies with the requirements of regulation 9 and paragraph 4.8 of Schedule 5. Except-A building exceeding 8 square metres in

(4) 1960 c. 62.

(5) 1897 c. 38. Section 73 was amended by the National Health Service (Scotland) Act 1972 (c. 58) Schedule 6, paragraph 56.

area. A building containing a flue, a fixed combustion appliance installation or sanitary facility. A building within 1 metre of a boundary.

19. Any single-storey building which is detached, or is attached to an existing house and which is ancillary to the house and consists of a greenhouse, carport or covered area. Except-A building exceeding 30 square metres in area. A building containing a flue, a fixed combustion appliance installation or sanitary facility.

Buildings ancillary to flats or maisonettes

20. A detached single-storey building ancillary to and within the curtilage of a flat or maisonette. Except-A building exceeding 8 square metres in area. A building within 3 metres of the flat or maisonette or within 3 metres of any other part of the building containing the flat or maisonette. A building containing a flue, a fixed combustion appliance installation or sanitary facility. A wall or fence.

Paved areas

21. A paved area or hardstanding. Except-A paved area or hardstanding exceeding 200 square metres in area. A paved area forming part of an access to meet a requirement of these regulations.