

SCHEDULE 2

Regulation 9

Exempt Buildings and Work

CLASS 1

Buildings controlled under other legislation

1. Any building in which explosives are manufactured or stored under a licence granted under the Manufacture and Storage of Explosives Regulations 2005(1).
2. 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.
3. A building included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979(3).

CLASS 2

Buildings not frequented by people

1. Subject to paragraph 2, a detached building—
 - (a) into which people do not normally go; or
 - (b) into which people go only intermittently and then only for the purpose of inspecting or maintaining fixed plant or machinery.
2. The description of buildings in paragraph 1 does not include a building where any point of the 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; or
 - (b) the nearest point of the boundary of the curtilage of that building,whichever is the nearer.

CLASS 3

Greenhouses and agricultural buildings

1. Subject to paragraph 3, a greenhouse.
2. A building used, subject to paragraph 3, for agriculture, or a building principally for the keeping of animals, provided in each case that—
 - (a) no part of the building is used as a dwelling;
 - (b) no point of the building is less than one and a half times its height from any point of a building which contains sleeping accommodation; and

(1) S.I. 2005/1082.

(2) 1965 c.57.

(3) 1979 c.46; section 1 was amended by Schedule 4 to the National Heritage Act 1983 (c.47).

Status: This is the original version (as it was originally made).

- (c) the building is provided with a fire exit which is not more than 30 metres from any point in the building.
- 3. The descriptions of buildings in paragraphs 1 and 2 do not include a greenhouse or a building used for agriculture if the principal purpose for which they are used is retailing, packing or exhibiting.
- 4. In paragraph 2, “agriculture” includes horticulture, fruit growing, the growing of plants for seed and fish farming.

CLASS 4

Temporary buildings

A building which is not intended to remain where it is erected for more than 28 days.

CLASS 5

Ancillary buildings

- 1. A building on a site, being a building which is intended to be used only in connection with the disposal of buildings or building plots on that site.
- 2. A building on the site of construction or civil engineering works, which is intended to be used only during the course of those works and contains no sleeping accommodation.
- 3. 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.

CLASS 6

Small detached buildings

- 1. A detached single storey building, having a floor area which does not exceed 30m², which contains no sleeping accommodation and is a building—
 - (a) no point of which is less than one metre from the boundary of its curtilage; or
 - (b) which is constructed substantially of non-combustible material.
- 2. 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—
 - (a) its floor area does not exceed 30m²; and
 - (b) 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 one metre.
- 3. A detached building, having a floor area which does not exceed 15m², which contains no sleeping accommodation.

CLASS 7

Extensions

The extension of a building by the addition at ground level of—

- (a) a conservatory, porch, covered yard or covered way; or
- (b) a carport open on at least two sides;

where the floor area of that extension does not exceed 30m², provided that in the case of a conservatory or porch which is wholly or partly glazed, the glazing satisfies the requirements of Part N of Schedule 1.