



Department for Communities and Local Government

To:

The Chief Executive

Unitary, Metropolitan, District and London Borough Councils in England
County and County Borough Councils in Wales

The Town Clerk, City of London

The Clerk, Council of the Isles of Scilly

The Sub-Treasurer, Inner Temple

The Under Treasurer, Middle Temple

The Head of Building Control

Unitary Metropolitan, District and London Borough Councils in England
County and County Borough Councils in Wales

City of London

Council of the Isles of Scilly

Approved Inspectors

cc: The Chief Executive:

County Councils in England

National Park Authorities in England & Wales

The Chief Fire Officer: Fire and Rescue Authorities in England & Wales

30 July 2013

Dear Sir/Madam

CONSERVATORIES AND PORCHES

I am writing to you to remind you of the conditions a conservatory or porch must comply with to benefit from the exemptions in regulations 9(1) and 21(4) of and Schedule 2, Class 7 to the Building Regulations 2010 (as amended) and the potential effect of further work on an exempt conservatory or porch.

Scope of this Circular Letter

The guidance in this Circular letter applies only to buildings and building work in England and also to excepted energy buildings in Wales.

Availability of the exemption

A conservatory or porch is typically an extension to an existing building of which a significant proportion of the walls and roof are glazed. It is the Department's opinion that to benefit from the exemption from compliance with the Building Regulations a conservatory or porch must satisfy **all** of the following conditions:

- It must be at ground level;
- It must not exceed 30 m² in floor area;
- The glazing must comply with Parts K4, K 5.1, K 5.2, K 5.3 and K 5.4 of Schedule 1;
- The thermal separation between the building and the conservatory or porch must be maintained; and
- The building's heating system must not be extended into the conservatory or porch.

Building control bodies are also reminded that if a dwelling's electrical system is extended into an exempt conservatory or porch, the electrical installation will need to comply with Part P of Schedule 1 (Regulation 9(3)). If a building's hot or cold water supply is extended into an exempt conservatory or porch, such an extension must also comply with the relevant requirements of Part G of Schedule 1 (Regulation 9(2)).

The decision on whether a conservatory or porch extension is exempt is a matter for building control bodies on a case by case basis taking account of the conditions above and the amount of glazing that makes up the new walls and roof.

Further work on an exempt conservatory or porch

It is recognised that the owners or occupiers of buildings with an exempt conservatory or porch may, following its installation, carry out further work on or in connection with it. In general, such further work is also exempt from the requirements of the Building Regulations. Regulation 9(1)(b) of the Building Regulations 2010 maintains the exemption thus:

The Building Regulations do not apply to ...“the carrying out of any work to or in connection with such a building or extension [i.e. a conservatory or porch] if after carrying out that work it is still a building or extension of a kind described in that Schedule [i.e. Schedule 2].”

However, in some cases such additional work may mean that the extension can no longer be regarded as an exempt conservatory or porch. For example, if the heating system of the building were extended into the conservatory or porch, the thermal separation removed, or the amount of glazing to the walls or roof significantly reduced; the exemption may no longer apply in relation to this work, or to the conservatory or porch.

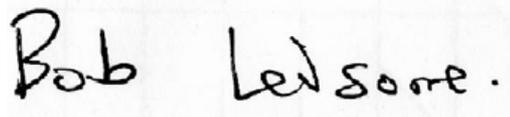
Where the relevant building control body decides that the extension is no longer an exempt conservatory or porch, regulations 4(1) and 4(3) of the Building Regulations would apply. This would mean that the work itself would need to comply with the applicable requirements of Schedule 1 (regulation 4(1)). It would also mean that the conservatory or

porch must be no more unsatisfactory in relation to the requirements in Schedule 1 than before the work was carried out (regulation 4(3)).

Enquiries

All enquiries on this Circular Letter should be addressed to enquiries.br@communities.gsi.gov.uk.

Yours faithfully

A handwritten signature in black ink on a light-colored background. The signature reads "Bob Ledsome." with a period at the end. The handwriting is cursive and somewhat informal.

R J Ledsome

Deputy Director

Building Regulations and Standards Division