



STATUTORY INSTRUMENTS.

**S.I. No. 497 of 1997.**



BUILDING REGULATIONS, 1997.

**(Pn. 4753)**

S.I. No. 497 of 1997.

BUILDING REGULATIONS, 1997.

Article

1. Citation.
2. Commencement.
3. Application.
4. Revocation.
5. Interpretation.
6. Rules for measurement.
7. Technical guidance documents.
8. Exemptions.
9. Design and construction of works and buildings.
10. New buildings.
11. Alterations and extensions.
12. Services, fittings and equipment.
13. Material changes of use.
14. Dispensation or relaxation.

FIRST SCHEDULE

REGULATIONS REVOKED

SECOND SCHEDULE

- Part A — Structure
- Part B — Fire Safety
- Part C — Site preparation and resistance to moisture
- Part D — Materials and workmanship
- Part E — Sound
- Part F — Ventilation
- Part G — Hygiene

- Part H — Drainage and waste water disposal
- Part J — Heat producing appliances
- Part K — Stairways, ladders, ramps and guards
- Part L — Conservation of fuel and energy
- Part M — Access for disabled people

### THIRD SCHEDULE

#### EXEMPTED BUILDINGS

### FOURTH SCHEDULE

#### FORM OF APPLICATION FOR A DISPENSATION FROM OR A RELAXATION OF, A REQUIREMENT OF BUILDING REGULATIONS

S.I. No. 497 of 1997.

## BUILDING REGULATIONS, 1997.

The Minister for the Environment and Local Government, in exercise of the powers conferred on him by sections 3, 4 and 18 of the Building Control Act, 1990 (No. 3 of 1990), hereby makes the following Regulations:—

Citation. 1. These Regulations may be cited as the Building Regulations, 1997.

Commencement. 2. These Regulations shall come into operation on the 1st day of July, 1998.

Application. 3. (1) Subject to sub-article (2), and article 8, these Regulations apply to works, or a building as regards which a material change of use takes place, where the works commence or the material change of use takes place on or after the date referred to in article 2.

(2) These Regulations shall not apply to works, or a building as regards which a material change of use takes place, where—

(a) a Fire Safety Certificate under the Building Control Regulations, 1991 and 1994, in respect of the works or building, has been granted, and

(b) the works commence or the material change of use takes place between the date referred to in article 2 and the 31st day of December, 2002.

Revocation. 4. (1) The regulations specified in the First Schedule are hereby revoked.

(2) Notwithstanding sub-article (1), the regulations referred to in the First Schedule shall, subject to the provisions of those regulations, continue to apply to works, or a building as regards which a material change of use takes place, where—

(a) the works commence or the material change of use takes place before the date referred to in article 2, or

*Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 27th January, 1998.*

(b) the works or building fall within the description contained in article 3(2).

5. (1) In these Regulations, any reference to a Schedule, Part or article which is not otherwise identified is a reference to a Schedule, Part or article of these Regulations. Interpretation.

(2) In these Regulations, any reference to a sub-article or paragraph which is not otherwise identified is a reference to the sub-article or paragraph of the provision in which the reference occurs.

(3) In these Regulations, a reference to any enactment shall be construed as a reference to that enactment as amended or adapted by any subsequent enactment.

(4) In these Regulations, save where the context otherwise requires—

“the Act” means the Building Control Act, 1990;

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, the use of land for turbary, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly;

“basement storey” means a storey which is below the ground storey or, where there is no ground storey, means a storey the top surface of the floor of which is situated at such a level or levels that some point on its perimeter is more than 1.2 metres below the level of the finished surface of the ground adjoining the building in the vicinity of that point;

“Building Control Regulations, 1991 and 1994” means the Building Control Regulations, 1991 (S.I. No. 305 of 1991) as amended by the Building Control (Amendment) Regulations, 1994 (S.I. No. 153 of 1994);

“Construction Products Directive” means Directive 89/106/EEC adopted by the Council of the European Communities on 21 December, 1988 (published in the Official Journal of the European Communities (No. L 40 Volume

32) of 11 February, 1989), as amended by Directive 93/68/EEC of 22 July, 1993 (published in the Official Journal (No. L220 Volume 36) of 30 August, 1993);

“day centre” means a building used for the provision of treatment or care to persons where such persons do not stay overnight and includes a day care centre, a creche, a pre-school and a day nursery;

“domestic garage” means a building ancillary to a dwelling which is used, or suitable for use, for the storage of a motor vehicle or vehicles and is not used for the purposes of any trade or business;

“dwelling” means a house or flat forming a separate unit of residential accommodation;

“flat” means separate and self-contained premises constructed or adapted for residential use and forming part of a building from some other part of which it is divided horizontally;

“ground storey” means a storey the top surface of the floor of which is situated at such a level or levels that no point on its perimeter is more than 1.2 metres below the level of the finished surface of the ground adjoining the building in the vicinity of that point or, if there is more than one such storey, means the lowest of these;

“guest building” means a building (other than a hotel or hostel) providing overnight guest accommodation for reward, and includes a guesthouse;

“industrial building” includes a factory or other premises used for manufacturing, altering, repairing, cleaning, washing, breaking-up, adapting or processing any article, generating power or slaughtering livestock;

“institutional building” includes a hospital, nursing home, home for old people or for children, school or other similar establishment used as living accommodation or for the treatment, care or maintenance of persons suffering from illness or mental or physical disability or handicap, where such persons sleep on the premises;

“material change of use” has the meaning assigned to it in article 13;

“the Minister” means the Minister for the Environment and Local Government;

“office” includes premises used for the purpose of administrative or clerical work (including writing, book keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication, handling money (including banking and building society work) or telephone system operation);

“place of assembly” includes—

- (a) a theatre, public library, hall or other building of public resort used for social or recreational purposes,
- (b) a non-residential school or other educational establishment,
- (c) a place of public worship,
- (d) a public house, restaurant or similar premises used for the sale to members of the public of food or drink for consumption on the premises,

but no building shall be treated as a place of assembly solely because it is a building to which members of the public are occasionally admitted;

“repair or renewal” means works of maintenance or restoration of a routine nature relating to —

- (a) the keeping of a building in good condition or working order, or
- (b) the return of the fabric of a building to its original condition;

“shop” includes a building used for retail or wholesale trade or business (including retail sales by auction, self-selection and over-the-counter wholesale trading, the business of lending books or periodicals for gain and the business of a barber or hairdresser) and premises to which the public is invited to deliver or to collect goods in connection with their hire, repair or other treatment, or where they themselves may carry out such repairs or other treatments;

“shopping centre” includes a building which comprises a number of individually occupied premises to which common access is provided principally for the benefit of shoppers;

“single storey building” means a building consisting of a ground storey or a basement storey only;

“works” includes any act or operation in connection with the construction, extension, alteration, repair or renewal of a building.

Rules for  
measurement.

6. In these Regulations—

“floor area” in relation to a building means the area bounded by the inner finished surfaces of the enclosing walls, or, on any side where there is no enclosing wall, by the outermost edge of the floor on that side and in calculating the area of a building or part of a building there shall be included in such area the space occupied by any walls, shafts, ducts or structure within the area being measured;

“height of a building” (or of part of a building which is completely separated throughout, both below and above ground, by a compartment wall or compartment walls in the same continuous vertical plane) means the height of such building or part measured from the mean level of the ground adjoining the outside of the external wall of the building to the level of half the vertical height of the roof of the building or part, or to the top of the walls or of the parapet (if any), whichever is the higher.

Technical  
guidance  
documents.

7. (1) The Minister may publish, or arrange to have published on his behalf, documents to be known as “technical guidance documents” for the purpose of providing guidance with respect to compliance with the requirements of any of the provisions of the Second Schedule.

(2) Subject to the provisions of sub-article (3), where works or a building to which these Regulations apply is or are designed and constructed in accordance with any guidance contained in a technical guidance document, this shall, prima facie, indicate compliance with the relevant requirements of these Regulations.

(3) The provisions of any guidance contained in a technical guidance document published under sub-article (1) concerning the use of a particular material, method of construction or specification, shall not be construed as prohibiting

compliance with a requirement of these Regulations by the use of any other suitable material, method of construction or specification.

8. For the purposes of these Regulations, the following works or buildings are exempted from these Regulations— Exemptions.

- (a) works in connection with a building referred to in the Third Schedule, provided that, after the works are carried out, such building is or continues to be a building referred to in that Schedule, or
- (b) a building referred to in the Third Schedule.

9. (1) Every works or building to which these Regulations apply shall be designed and constructed— Design and construction of works and buildings.

- (a) in accordance with the appropriate requirements set out in the Second Schedule, and
- (b) in such a manner as to avoid the breaching of any other requirement of that Schedule.

(2) No works shall be carried out to a building which would cause a new or greater contravention in the building of any provision of these Regulations.

10. Subject to articles 3 and 8, these Regulations apply to all works in connection with the design and construction of every new building. New buildings.

11. (1) Subject to articles 3 and 8, these Regulations apply— Alterations and extensions.

- (a) to all works in connection with the material alteration or extension of a building, and
- (b) to every part of a building affected by works referred to in paragraph (a) but only to the extent of prohibiting any works which would cause a new or greater contravention, in such building, of any provision of these Regulations.

(2) For the purposes of this article, “material alteration” means an alteration (other than a repair or renewal) where the work, or any part of the work, carried out by itself would

be subject to a requirement of Part A or B of the Second Schedule.

Services, fittings and equipment.

12. Subject to articles 3 and 8, these Regulations apply to all works in connection with the provision (by way of new work or by way of replacement) in relation to a building of services, fittings and equipment in respect of which Parts G, H or J of the Second Schedule impose a requirement.

Material changes of use.

13. (1) Subject to articles 3 and 8, where a material change of use as regards a building takes place—

(a) the requirements of the following Parts of the Second Schedule:

Part A1 and A2

Part B

Part C4

Part F

Part G

Part H

Part J

Part L

shall apply to the building.

(b) such works, if any, as are necessary to ensure that the building complies with the said requirements, shall be carried out in accordance with article 11.

(2) A material change of use as regards a building shall be deemed to take place if—

(a) a change of use, deemed by Section 3(3) of the Act to be a material change of use, takes place, or

(b) a building which was not being used as—

(i) a day centre, becomes so used, or

(ii) a hotel, hostel or guest building, becomes so used, or

- (iii) an industrial building, becomes so used, or
- (iv) an institutional building, becomes so used, or
- (v) an office (which is not ancillary to the primary use of the building), becomes so used, or
- (vi) a place of assembly, becomes so used, or
- (vii) a shop (which is not ancillary to the primary use of the building), becomes so used, or
- (viii) a shopping centre, becomes so used.

14. Every application for a dispensation from, or a relaxation of, any requirement of these Regulations shall be in the form set out in the Fourth Schedule. Dispensation or relaxation.

## FIRST SCHEDULE

*Article 4*

### REGULATIONS REVOKED

Number and Year	Title
S.I. No. 306 of 1991 S.I. No. 154 of 1994	Building Regulations, 1991 Building Regulations (Amendment) Regulations, 1994

## SECOND SCHEDULE

*Article 7*

### PART A

#### STRUCTURE

A1 (1) A building shall be designed and constructed, with due regard to the theory and practice of structural engineering, so as to ensure that the combined dead, imposed and wind loads are sustained and transmitted to the ground— Loading.

- (a) safely, and
- (b) without causing such deflection or deformation of any part of the building, or such movement of

the ground, as will impair the stability of any part of another building.

(2) In assessing whether a building complies with sub-paragraph (1), regard shall be had to the imposed loads and wind loads to which it is likely to be subjected in the ordinary course of its use for the purpose for which it is intended.

Ground movement.

A2 A building shall be designed and constructed, with due regard to the theory and practice of structural engineering, so as to ensure that movements of the subsoil caused by subsidence, swelling, shrinkage or freezing will not impair the stability of any part of the building.

Disproportionate collapse.

A3 (1) A multi-storey building shall be designed and constructed, with due regard to the theory and practice of structural engineering, so as to ensure that in the event of an accident the structure will not be damaged to an extent disproportionate to the cause of the damage.

(2) For the purposes of sub-paragraph (1), where a building is rendered structurally discontinuous by a vertical joint, the building on each side of the joint may be treated as a separate building whether or not such joint passes through the substructure.

Definitions for this Part.

A4 In this Part—

“dead load” means the force due to the static mass of all walls, permanent partitions, floors, roofs and finishes including all other permanent construction and services equipment affixed to the building;

“imposed load” means the load assumed to be produced by the intended occupancy or use of the building including distributed, concentrated, impact, inertia and snow loads and the force due to the static mass of moveable partitions, but excluding wind loads;

“multi-storey building” means a building comprising or including five or more storeys, a basement storey being regarded as a storey;

“storey” means any of the parts into which a building is divided horizontally above or below ground level but excluding any part of a building situated above the level of the roof or in the roofspace, or below the level of the lowest floor, which

is intended for the protection of a water tank, or lift motor, or similar use and is not intended for, or adapted to be used for habitable purposes, or as a work room, or as a store room;

“wind load” means all loads due to the effect of wind pressure or suction.

## PART B

### FIRE SAFETY

B1 A building shall be so designed and constructed that there are adequate means of escape in case of fire from the building to a place of safety outside the building, capable of being safely and effectively used.

Means of escape  
in case of fire.

B2 For the purpose of inhibiting the spread of fire within a building, the internal linings—

Internal fire  
spread (linings).

(a) shall offer adequate resistance to the spread of flame over their surfaces; and

(b) shall have, if ignited, a rate of heat release which is reasonable in the circumstances.

B3 (1) A building shall be so designed and constructed that, in the event of fire, its stability will be maintained for a reasonable period.

Internal fire  
spread  
(structure).

(2) (a) A wall common to two or more buildings shall be so designed and constructed that it offers adequate resistance to the spread of fire between those buildings.

(b) A building shall be sub-divided with fire resisting construction where this is necessary to inhibit the spread of fire within the building.

(3) A building shall be so designed and constructed that the unseen spread of fire and smoke within concealed spaces in its structure or fabric is inhibited where necessary.

(4) For the purposes of sub-paragraph 2(a), a house in a terrace and a semi-detached house are each to be treated as being a separate building.

External fire spread. B4 The external walls and roof of a building shall be so designed and constructed that they afford adequate resistance to the spread of fire to and from neighbouring buildings.

Access and facilities for the fire service. B5 A building shall be so designed and constructed that there is adequate provision for access for fire appliances and for such other facilities as may be reasonably required to assist the fire service in the protection of life and property.

## PART C

### SITE PREPARATION AND RESISTANCE TO MOISTURE

Preparation of site. C1 The ground to be covered by a building shall be reasonably free from vegetable matter.

Subsoil drainage. C2 Subsoil drainage shall be provided if necessary so as to prevent the passage of ground moisture to the interior of the building or damage to the fabric of the building.

Dangerous substances. C3 Reasonable precautions shall be taken to avoid danger to health and safety caused by substances (including contaminants) found on or in the ground to be covered by a building.

Resistance to weather and ground moisture. C4 The floors, walls and roof of a building shall be so designed and constructed as to prevent the passage of moisture to the inside of the building or damage to the fabric of the building.

Definitions for this Part. C5 In this Part—

“contaminant” includes any substance which is or could become flammable, explosive, corrosive, toxic or radioactive and any deposits of faecal or animal matter;

“floor” includes any base or structure between the surface of the ground or the surface of any hardcore laid upon the ground and the upper surface of the floor and includes finishes which are laid as part of the permanent construction;

“moisture” includes water vapour and liquid water.

## PART D

## MATERIALS AND WORKMANSHIP

D1 All works to which these Regulations apply shall be carried out with proper materials and in a workmanlike manner.

Materials and workmanship.

D2 In this Part—

Definition for this Part.

“proper materials” means materials which are fit for the use for which they are intended and for the conditions in which they are to be used, and includes materials which—

- (a) bear a CE Marking in accordance with the provisions of the Construction Products Directive; or
- (b) comply with an appropriate harmonized standard, European technical approval or national technical specification as defined in article 4(2) of the Construction Products Directive; or
- (c) comply with an appropriate Irish Standard or Irish Agrément Board Certificate or with an alternative national technical specification of any State which is a contracting party to the Agreement on the European Economic Area, which provides in use an equivalent level of safety and suitability.

“Agreement on the European Economic Area” means the Agreement on the European Economic Area between the European Communities, their Member States and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation, as published in the Official Journal of the European Communities (OJ L1/9 of 3rd January, 1994).

## PART E

## SOUND

E1 (1) A wall which—

Airborne sound (walls).

- (a) separates a dwelling from another dwelling or from another building, or

- (b) separates a habitable room within a dwelling from another part of the same building which is not used exclusively with the dwelling,

shall have reasonable resistance to airborne sound.

(2) The requirement of sub-paragraph (1) shall not apply to a wall falling within the description in sub-paragraph (1)(b) which separates a habitable room within a dwelling from another part of the same building if such part is used only occasionally for the inspection, maintenance or repair of the building, or of its services, fixed plant or machinery.

Airborne sound  
(floors).

E2 (1) A floor which separates a dwelling from another dwelling, or from another part of the same building which is not used exclusively with the dwelling, shall have reasonable resistance to airborne sound.

(2) The requirement of sub-paragraph (1) shall not apply to a floor which separates a dwelling from another part of the same building if such part is used only occasionally for the inspection, maintenance or repair of the building, or of its services, fixed plant or machinery.

Impact sound  
(floors).

E3 (1) A floor above a dwelling which separates it from another dwelling or from another part of the same building which is not used exclusively with the dwelling, shall have reasonable resistance to impact sound.

(2) The requirement of sub-paragraph (1) shall not apply to a floor which separates a dwelling from another part of the same building if such part is used only occasionally for the inspection, maintenance or repair of the building, or of its services, fixed plant or machinery.

Definitions for  
this Part.

E4 In this Part—

“habitable room” means a room used for living or sleeping purposes but does not include a kitchen having a floor area of less than 6.5 m<sup>2</sup>;

“kitchen” means any room used primarily for the preparation or cooking of food or drink or the cleansing of utensils or appliances used in such preparation or cooking.

## PART F

## VENTILATION

F1 Adequate means of ventilation shall be provided for people in buildings. Means of ventilation.

F2 Adequate provision shall be made to prevent excessive condensation in a roof or in a roof void above an insulated ceiling. Condensation in roofs.

## PART G

## HYGIENE

G1 A dwelling shall be provided with— Bathrooms and kitchens.

- (a) a bathroom containing either a fixed bath or a shower bath, and a washbasin, and
- (b) a kitchen containing a sink of adequate size and a draining board, and
- (c) a suitable installation for the provision of hot and cold water to the bath or shower bath, washbasin and sink.

G2 (1) Adequate sanitary conveniences shall be provided in a building in rooms provided for that purpose, or in bathrooms, and every room or bathroom which contains a sanitary convenience shall be adequately separated from any place where food is prepared or cooked. Sanitary conveniences and washing facilities.

(2) Adequate washbasins shall be provided in—

- (a) rooms containing sanitary conveniences; or
- (b) rooms or spaces adjacent to rooms containing sanitary conveniences.

(3) There shall be a suitable installation for the provision of hot and cold water to washbasins provided in accordance with sub-paragraph (2).

(4) Sanitary conveniences and washbasins shall be of such design and be so installed as to allow for effective cleaning.

Definition for this Part. G3 In this Part, “sanitary convenience” means a water closet or a urinal.

## PART H

### DRAINAGE AND WASTE WATER DISPOSAL

Drainage systems. H1 (1) A building shall be provided with such a drainage system as may be necessary for the hygienic and adequate disposal of foul water from the building.

(2) A building shall be provided with such a drainage system as may be necessary for the adequate disposal of surface water from the building.

(3) No part of a drainage system conveying foul water shall be connected to a sewer reserved for surface water and no part of a drainage system conveying surface water shall be connected to a sewer reserved for foul water.

Septic tanks. H2 A septic tank shall be—

- (a) of adequate capacity and so constructed that it is impermeable to liquids;
- (b) adequately ventilated; and
- (c) so sited and constructed that—
  - (i) it is not prejudicial to the health of any person,
  - (ii) it does not pollute, so as to endanger public health, any water (including ground water) which is used as a source of supply for human consumption, and
  - (iii) there are adequate means of access for emptying.

Definitions for this Part. H3 In this Part—  
 “combined drain” has the same meaning as in Section 10 of the Local Government (Sanitary Services) Act, 1948 (No. 3 of 1948);

“drain” in relation to a building means any pipe, forming part of the drainage system of the building, which is either—

(a) wholly underground, or

(b) a continuation, in the direction of flow, of part of a drainage system that has been underground,

and includes a “combined drain”;

“drainage system”, in relation to a building, means the system of pipes and drains used for the drainage of the building, including all other fittings, appliances and equipment so used but excluding subsoil water drains;

“foul water” means any water contaminated by soil water, waste water or trade effluent;

“sewer” has the same meaning as in the Local Government (Sanitary Services) Acts, 1878 to 1964;

“soil water” means water containing excreted matter, whether human or animal;

“surface water” means the run-off of rainwater from roofs and any paved ground surface around the building;

“trade effluent” means effluent from any works, apparatus, plant or drainage pipe used for the disposal to waters or to a sewer of any liquid (whether treated or untreated), either with or without particles of matter in suspension therein, which is discharged from premises used for carrying on any trade or industry (including mining), but does not include domestic sewage or surface water;

“waste water” means used water not being soil water or trade effluent.

## PART J

### HEAT PRODUCING APPLIANCES

J1 A heat producing appliance shall be so installed that there is an adequate supply of air to it for combustion and for the efficient working of any flue pipe or chimney. Air supply.

Discharge of products of combustion.	J2 A heat producing appliance shall have adequate provision for the discharge of the products of combustion to the outside air.
Protection of building.	J3 A heat producing appliance and any flue pipe shall be so designed and installed, and any fire place and any chimney shall be so designed and constructed, as to reduce to a reasonable level the risk of the building catching fire in consequence of its use.
Oil storage tanks.	J4 A fixed oil storage tank which serves a heat producing appliance shall be so located as to reduce to a reasonable level the risk of fire spreading from a building to the tank.
Definition for this Part.	J5 In this Part, “heat producing appliance” means an appliance (including a cooker and an open fire) which is designed to burn solid fuel, oil or gas and includes an incinerator.

## PART K

### STAIRWAYS, LADDERS, RAMPS AND GUARDS

Stairways, ladders and ramps.	K1 Stairways, ladders and ramps shall be such as to afford safe passage for the users of a building.
Protection from falling.	K2 In a building, the sides of every floor and balcony and every part of a roof to which people normally have access shall be guarded to protect users from the risk of falling therefrom.
Vehicle ramps, floors and roofs.	K3 In a building, the sides of every vehicle ramp and every floor and roof to which vehicles have access shall be guarded against the risk of vehicles falling therefrom.
Application of this Part.	K4 The requirements of this Part apply to stairways, ladders and ramps which form part of the structure of a building.

## PART L

### CONSERVATION OF FUEL AND ENERGY

Conservation of fuel and energy.	L1 A building shall be so designed and constructed as to secure, insofar as is reasonably practicable, the conservation of fuel and energy.
----------------------------------	---

PART M

ACCESS FOR DISABLED PEOPLE

M1 Reasonable provision shall be made to enable disabled people to have safe and independent access to a building and to those parts of the building to which it is appropriate to have access.

Access and use.

M2 If sanitary conveniences are provided in a building, reasonable provision shall be made for disabled people.

Sanitary conveniences.

M3 If a building contains fixed seating for audience or spectators, reasonable provision shall be made for disabled people.

Audience or spectator facilities.

M4 In this Part, “disabled people” means people who have an impairment of hearing or sight or an impairment which limits their ability to walk or which restricts them to using a wheelchair.

Definition for this Part.

M5 This Part does not apply to dwellings.

Application of this Part.

## THIRD SCHEDULE

## EXEMPTED BUILDINGS

Column 1 Description of Development	Column 2 Conditions and Limitations
<i>Buildings related to dwellings</i>	
<p>CLASS 1 A single storey building used as a domestic garage.</p>	<ol style="list-style-type: none"> <li>1. The building shall be detached from any other building.</li> <li>2. The building shall have a floor area not exceeding 25 square metres.</li> <li>3. The building shall have a height not exceeding 3 metres, or, in the case of a building with a pitched roof, not exceeding 4 metres.</li> </ol>
<p>CLASS 2 A single storey building (not being a building described in Class 1) ancillary to a dwelling (such as a summer house, poultry-house, aviary, conservatory, coal shed, garden tool shed or bicycle shed).</p>	<ol style="list-style-type: none"> <li>1. The building shall be detached from any other building.</li> <li>2. The building shall have a floor area not exceeding 25 square metres.</li> <li>3. The building shall have a height not exceeding 3 metres, or in the case of a building with a pitched roof, not exceeding 4 metres.</li> <li>4. The building shall be used exclusively for recreational or storage purposes or the keeping of plants, birds or animals for domestic purposes and shall not be used for the purposes of any trade or business or for human habitation.</li> </ol>
<p>CLASS 3 A single storey extension to an existing dwelling which is ancillary to the dwelling and consists of a conservatory, porch, carport or covered area.</p>	<ol style="list-style-type: none"> <li>1. The building shall have a floor area not exceeding 25 square metres (or in the case of a porch, 2 square metres).</li> <li>2. The building shall have a height not exceeding 3 metres, or in the case of a building with a pitched roof, not exceeding 4 metres.</li> </ol>

Column 1 Description of Development	Column 2 Conditions and Limitations
<p><i>Buildings related to agriculture</i></p> <p>CLASS 4 A single storey glasshouse (not being a building described in Class 2).</p> <p>CLASS 5 A single storey building which is used exclusively for the storage of materials or products, for the accommodation of plant or machinery or in connection with the housing, care or management of livestock.</p> <p><i>Miscellaneous</i></p> <p>CLASS 6 A building erected in connection with any mine or quarry other than a house or a building used as offices, laboratories or showrooms.</p> <p>CLASS 7 A building the construction of which is subject to the Explosives Act, 1875.</p> <p>CLASS 8 A building subject to the National Monuments Acts, 1930 to 1994.</p>	<ol style="list-style-type: none"> <li>1. The building shall be detached from any other building.</li> <li>2. Not less than three quarters of the total external area of the building shall be comprised of glass (including glazing bars).</li> <li>3. The building shall be used solely for agriculture.</li> </ol> <ol style="list-style-type: none"> <li>1. The building shall be detached from any other building.</li> <li>2. The building shall have a floor area not exceeding 300 square metres.</li> <li>3. The building is used solely for agriculture.</li> <li>4. The only persons habitually employed in the building shall be engaged solely in the care, supervision, regulation, maintenance, storage or removal of the materials, products, plant, machinery or livestock in the building.</li> </ol>

Column 1 Description of Development	Column 2 Conditions and Limitations
<p>CLASS 9 A building constructed for and used by the Electricity Supply Board as a generating, transmission or distribution station.</p>	
<p>CLASS 10 A temporary dwelling as defined in the Local Government (Sanitary Services) Act, 1948 (No. 3 of 1948).</p>	
<p>CLASS 11 A temporary building used only in connection with the sale or letting of buildings or building plots in course of development.</p>	<ol style="list-style-type: none"> <li>1. The building shall be detached from any other building.</li> <li>2. The building shall be erected on or in close proximity to the development.</li> </ol>
<p>CLASS 12 A temporary building which is used only in connection with and during the construction, alteration, extension or repair of any building or other work.</p>	
<p>CLASS 13 A building of a temporary nature erected on a site for a period not exceeding 28 consecutive days or 60 days in any period of 12 months.</p>	
<p>CLASS 14 A lighthouse or similar structure which is an aid to navigation on water.</p>	

## FOURTH SCHEDULE

Article 14

FORM OF APPLICATION FOR A DISPENSATION FROM, OR A  
RELAXATION OF, A REQUIREMENT OF BUILDING REGULATIONS

BUILDING CONTROL ACT, 1990 APPLICATION FOR A DISPENSATION FROM, OR RELAXATION OF, A REQUIREMENT OF BUILDING REGULATIONS	
To _____ (Insert name of building control authority)	<b>OFFICIAL USE</b> Received on _____ Ref. No: _____ Entered in register on: _____
Application is hereby made under Section 4 of the Building Control Act, 1990, for the grant of a dispensation from, or a relaxation of a requirement of the Building Regulations, 1997, as specified below, in connection with the works or building shown on the accompanying plans.	
1. Address (or other necessary identification) of proposed works or building to which the application relates.  _____ _____	
2. Nature of proposed works or building (a) Classification (please tick as appropriate)— <ul style="list-style-type: none"> <li>• Construction of new building <input type="checkbox"/></li> <li>• Material alterations <input type="checkbox"/></li> <li>• Material change of use <input type="checkbox"/></li> <li>• Extension to a building <input type="checkbox"/></li> </ul> (b) Brief description _____ _____	
3. In the case of a material change of use, the— (a) Existing use of the building _____ (b) Proposed use of the building _____	
4. Has the work already been carried out? _____	
5. Decision sought (please tick as appropriate) <ul style="list-style-type: none"> <li>• dispensation <input type="checkbox"/></li> <li>• relaxation <input type="checkbox"/></li> </ul>	

6. Requirement(s) of Building Regulations concerned _____ _____
7. Grounds for the application _____ _____ _____
8. Name and address of person/s or firm/s responsible for preparation of plans, calculations and specifications. _____ _____ _____
APPLICANT: FULL NAME _____ ADDRESS _____ SIGNATURE _____ TELEPHONE NO _____ DATE _____



GIVEN under the Official Seal of the Minister for the Environment and Local Government this 12th day of December, 1997.

NOEL DEMPSEY,  
Minister for the Environment and  
Local Government.

EXPLANATORY NOTE.

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

The Regulations set out the requirements to be observed in the design and construction of new buildings and the extension, refurbishment and change of use of certain buildings.

The Regulations consolidate, with amendments, provisions of the Building Regulations, 1991, and the Building Regulations (Amendment) Regulations 1994.

The Regulations will come into operation on the *1st of July, 1998*.