

Building Standards – Frequently Asked Questions

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1. What is a Building Warrant?

A building warrant is the legal permission to start building work, or to convert or demolish a building. If you carry out work that requires a building warrant without first obtaining a warrant, you are committing an offence. Verifiers are responsible for issuing building warrants. In assessing your application for a Building Warrant, we will apply the standards set by the Building (Scotland) Act 2003. The Building Regulations set down the minimum requirements that must be observed when altering, erecting, extending or converting a building.

2. Where can I find information regarding the Building Warrant process?

You can find out more information about the Building Warrant process for building works or home improvements by using the Scottish Governments guide [Building Standards Customer Journey](#).

Additionally our [two part methodology document](#) provides guidance for agents on how to prepare drawings and supporting information, prior to presenting them as part of an application for Building Warrant.

3. Is there any building work that is exempt from the requirements of the Building (Scotland) Regulations 2004?

Yes. Certain broad categories of buildings are exempt, and the full list is included in Schedule 1 in Section 0 of the Technical Handbooks. Some examples for small buildings attached or ancillary to houses, flats or maisonettes that are exempt from the building

regulations are listed below. If you are not sure, you should seek advice from a professional or the verifier.

a) A detached single-storey building, with a floor area not more than 8 square metres, within the garden of a house, that:

- is at least 1 metre from the house or is closer than 1 metre to the house but is at least 1 metre from any boundary,
- does not contain sleeping accommodation,
- does not contain a flue; a fixed solid fuel, oil or gas appliance;
- does not contain a sanitary fitting;

b) A detached single-storey building, with a floor area not more than 8 square metres, within the garden of a flat or maisonette that:

- is at least 1 metre from the flat or maisonette or 3 metres from any other part of the building containing a flat or maisonette,
- is at least 1 metre from any boundary,
- does not contain a flue, fixed solid fuel, oil or gas appliance,
- does not contain a sanitary fitting,
- is not a swimming pool deeper than 1.2m;

c) A single-storey conservatory or porch with a floor area of not more than 8 square metres that is attached to an existing house, and:

- is at least 1 metre from a boundary,
- does not contain a fixed solid fuel, oil or gas appliance,
- does not contain a sanitary fitting,
- meets the regulations on safety glazing;

d) A single-storey greenhouse, carport or covered area, each with a floor area not more than 30 square metres, that is detached or attached to an existing house and:

- does not contain a flue, fixed solid fuel, oil or gas appliance,
- does not contain a sanitary fitting;

e) A paved area or hardstanding not more than 50 square metres in area that:

- is not part of any access route required by the regulations.

4. Is there any type of building work that does not require a warrant?

Yes. The following building work does not require a warrant, provided the work complies with the building regulations (the full list is in Schedule 3 in Section 0 of the Technical Handbook):

a) Any building work to or in a house, that does not involve:

- increasing the floor area
- the demolition or alteration of a roof, an external wall or an element of structure, for example, forming a doorway in a loadbearing wall.
- underpinning
- any work adversely affecting a separating wall
- changing the method of wastewater discharge
- any work to a house having a storey, or creating a storey, at a height of more than 4.5 metres (normally a three or more storey house).

For example, the alteration and refit of a kitchen or bathroom or forming an en-suite bathroom or shower room.

b) A detached single-storey building having an area exceeding 8 square metres but not exceeding 30 square metres, ancillary to and within the garden of a house, provided that the building:

- is at least 1 metre from the house or is closer than 1 metre to the house but is at least 1 metre from any boundary.
- does not contain a fixed solid fuel, oil or gas appliance
- does not contain a sanitary fitting
- is not a swimming pool deeper than 1.2m

For example, the construction of a detached shed, detached carport, or detached garage.

c) A detached single-storey building having an area exceeding 8 square metres but not exceeding 30 square metres, ancillary to and within the garden of a flat or maisonette, provided that the building:

- is at least 1 metre from the flat or maisonette or within 3 metres of any other part of the building containing the flat or maisonette,
- is at least 1 metre from any boundary,
- does not contain a fixed solid fuel, oil or gas appliance,
- does not contain a sanitary facility
- is not a swimming pool deeper than 1.2m

For example, the construction or installation of a detached shed, detached carport, or detached garage.

d) Any building work associated with a domestic scale fixed solid fuel, oil or gas appliance or other part of a heating installation that does not include work associated with a chimney, flue pipe or constructional hearth.

e) Any building work associated with a balanced flue serving a room-sealed appliance.

f) Any building work associated with the installation of a flue liner.

g) Any building work associated with refillable liquefied petroleum gas storage cylinders supplying, via a fixed pipework installation, combustion appliances used principally for providing space heating, water heating, or cooking facilities.

h) Other minor work such as the provision of a single sanitary facility (other than a WC), installation of an extractor fan or, in a dwelling, the installation of a stairlift.

i) Additional insulation to a wall, ceiling, roof or floor (other than insulation applied to the outer surface of an external wall).

j) The construction of a wall not exceeding 1.2 metres in height or a fence not exceeding 2.0 metres in height.

k) Raised external decking at a height of no more than 1.2 metres (other than where forming part of any access or escape route required by the regulations).

l) Replacement doors, windows, and rooflights when the frame is also being replaced.

m) Paved areas or hardstanding's exceeding 50 square metres but not exceeding 200 square metres in area (other than where forming part of any access required by the regulations)

5. Do I require a building warrant for replacement or repair work?

A warrant is not required for repair or maintenance work where the fitting or equipment is being replaced, either totally or in part, by the same general type and the installation is to a standard no worse than at present. In other words, the replacement or repair work does not make the service, fitting or equipment worse than it was before. However, the existing may be improved upon, for example, by installing double glazed units within existing window frames. Examples of such work may include the repair or maintenance of:

- a sanitary appliance or sink and branch soil or waste pipe
- rainwater gutter or downpipe
- solid fuel combustion appliance
- electrical fixture, ventilation fan
- chimney or flue outlet fitting or terminal
- solid waste chute or container
- kitchen fittings or other fitted furniture
- ironmongery
- flooring
- wall and ceiling linings
- cladding (when the replacement is to make a minor repair only)
- covering or rendering either internally or externally.

The repair of a door, window or rooflight, including glazing would also be included in this grouping but not where the entire unit, including the frame, is being replaced.

6. How do I apply for a Building Warrant?

- Please visit [apply for a Building Warrant](#) for information on how to submit your application form, building plans and payment options, via the eBS Portal. This provides step by step instructions at each stage on what is required to make an application and how to do it, i.e. how documents should be scanned in the correct orientation, how documents should be titled etc.

- If submitting in paper format you can download an application form which must be completed and forwarded to this office, together with the appropriate fee and plans.

- Although the plans need not be drawn by a professional, they must be of a sufficiently high standard to convey to all parties concerned the detail required by the Regulations. Often it will be necessary to present complicated technical construction details to a much larger scale. For this reason, it would be advisable to consult a suitably qualified construction professional, such as an architect or chartered surveyor to act on your behalf.

7. Is a charge made for the Building Warrant service?

Yes. The level of fee is based on the estimated value of the work. The [table of fees](#), are determined by the Scottish Building Standards Division. Certain discounts may apply if you use an Approved Certifier of Design or Construction.

The proposed value of works will be checked by our surveyor against the RICS Building Cost Information Surveys of Tender Prices (this records the cost/m² to build different types of buildings in different areas of the country). You will be notified if we feel the value of works have been underestimated and if subsequently an additional fee is required.

There is no fee for works to alter or extend the dwelling of a person with a disability provided the works are solely for the benefit of that person.

8. Can I start work on my building before obtaining a Building Warrant?

No. You are committing an offence if you start work, without a Building Warrant, on work that requires a Warrant. It is also an offence to contravene the requirements of Building (Scotland) Act 2003.

Additionally, you are committing an offence if you occupy or use a new building, or extension to an existing building, without first having submitted a Completion Certificate and it being accepted by the Verifier. The exception is if you receive permission from the Verifier for the temporary occupation or use of the building for a specified time.

The Local Authority can take enforcement action in each instance. Contravention of the Regulations can incur a maximum fine of £5,000.

9. Do I need to inform my neighbours when I make an application for Building Warrant and do, they have the right to object to the works shown in my application?

No. However, a Building Warrant only needs to demonstrate compliance with the Building (Scotland) Regulations 2004. Where the proposed building work is likely to affect or involve a mutual part of a building or any part of another building, you may have other legal obligations. It is advisable to inform any affected party.

Note also that if you need [Planning Permission](#) for the work (which is separate from the Building Warrant) neighbour notification may be required.

10. How long does it take for a building warrant to be issued and how long is it valid for?

We aim to respond to applications within 20 working days of submission; the time taken to assess an application is dependent upon the complexity of the project and the quality of submitted information. If further information is required, you will be advised in writing of the matters requiring clarification.

A building warrant is valid for three years from the date of issue. If the work has not been completed in that time, you can [apply for an extension](#) while the warrant is still valid via the eBS Portal. Please register and login using the appropriate link in the Which Forms Wizard.

11. What do I do after the Building Warrant has been granted?

Once the Building Warrant has been granted, you will receive a Building Warrant document, stamped approved drawings and a Construction Compliance and Notification Plan (CCNP) outlining the relevant stages where you should notify us to allow us an opportunity to inspect the building works. You may start works immediately you receive your approved building warrant and you should notify us when the works commence on site.

When the works are complete you should [submit a Completion Certificate](#). We will carry out an inspection to ensure the works have been completed correctly.

12. If work has been carried out on my property, and I do not have a building warrant, or a Completion Certificate, what can I do?

- If you have started, but not yet completed, building works and you do not have a valid Building Warrant in place, you should cease works and [contact us](#) immediately.
- Where work for which a Building Warrant is required has started without a Warrant, a late application for warrant may be submitted at any time before the works on site are complete. This allows Building Standards to undertake an assessment retrospectively but also allows an immediate site inspection if necessary. Importantly, the standards that apply to late applications are those that are in force at the time of application, not when the building started, so changes may be required if it does not meet the relevant standards.
Full drawings are required, as for a normal Building Warrant application. If construction is well advanced, the Verifier may request parts to be exposed so that adequate checks can be made, and a higher fee is charged to cover additional site inspections for this purpose. This process is not intended to be a penalty (which would arise from any action in relation to the offence) but is necessary to allow thorough consideration of the work.
- If a Building Warrant has not been issued and the works are complete you may apply for a Completion Certificate where no Building Warrant obtained (CCNBWO). The Completion Certificate may only be accepted by the Verifier if it confirms that the work complies with the standards as they apply at the time of the submission of the Certificate. Such submissions must provide plans and specification details equivalent to those for a Building Warrant application so that the Verifier can adequately assess whether to accept the Completion Certificate. The Verifier may request parts of the works to be exposed to allow checks to be made on the adequacy of the construction. An additional fee will also be required for this application.
- If the works were carried out between June 1964 and 30 April 2005 and you have a Building Warrant but not a certificate of completion, you can [apply for our Confirmation of Completion service](#).
- If you have carried out minor building work to a house or flat without a Building Warrant between June 1964 and 30 April 2005 - you may still want to have us check that the work is completed to an acceptable standard by [applying for our Property Inspection service](#). This may be important when you sell your property.
A Building Standards Surveyor will contact you to arrange an inspection within 14 days. Once the work has been inspected you will receive a letter advising whether works will require further action.

Further information on the above can be found on our [website](#).

13. I have completed all works and now require a Completion Certificate – how long does this take?

Upon receipt of an application for Completion Certificate, Building Standards will formally respond to the submission and issue a decision within 14 days. You will be contacted by a member of our team to schedule an appointment for a Building Standards Surveyor to visit your property and undertake an inspection. After the surveyor has concluded their visit, they will issue an Acceptance or Rejection of Completion based on their observations made on site and further to their appraisal of any additional information.

Once an Acceptance of Completion is issued, we will update our online public register and send you a copy of the documentation.

When an application for Completion has been rejected, we will write to you to inform you of the Council's reasons for rejection. If all outstanding items are addressed within 60 days, we will issue an Acceptance of Completion.

Please note that there is no fee for a Completion Certificate application – this is included in the initial Building Warrant fee.

14. When applying for a Completion Certificate, what additional information do I need to provide?

When applying for a Completion Certificate, some additional information may be required to support the application. This may include certification from others, such as an electrician or gas engineer. For a Completion Certificate submission, we may typically require the following information;

- An application form, signed and dated by the relevant person
- Where electrical works have been undertaken, an electrical installation certificate
- Where a new fire alarm has been installed or subject to alteration, a fire alarm commissioning certificate
- Where gas works have been undertaken, certification provided by a Gas Safe engineer.
- Where specialist structural works have been undertaken, a Form Q may be required by your structural engineer.

Please visit [apply for a Completion Certificate](#) for further information.

15. I previously obtained a Completion Certificate, but I can't find the original copy. Where can I obtain a new copy of this?

Building Standards hold records of documents for up to 25 years for standard Building Warrant applications and 50 years for large/complex buildings. A copy of a Completion Certificate can be obtained from the Council's Plan Store who are responsible for managing the archives of historic applications.

Please visit our website for details of [how to obtain a copy of a Completion Certificate and the associated fees for this service](#).