

O'Brien Roofing & Leadwork Ltd



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- Planning
- Listed Building Consent
- Conservation Areas
- Building Regulations
- Health & Safety
- Party Wall Act
- Bats
- Birds

Legislation

- You do not normally need to apply for planning permission to re-roof your house or to insert roof lights or skylights as the permitted development rules allow for roof alterations subject to the following limits and conditions:
- Any alteration to project no more than 150 millimetres from the existing roof plane.
- No alteration to be higher than the highest part of the roof.
- Side facing windows to be obscure-glazed; any opening to be 1.7m above the floor.
- The permitted development regime for solar panels has different limits on projections and in relation to protected areas.

Roof

- Fitting, altering or replacing an external flue, chimney, or soil and vent pipe is normally considered to be permitted development, not requiring planning consent, if the conditions outlined below are met:
- Flues on the rear or side elevation of the building are allowed to a maximum of one metre above the highest part of the roof.
- If the building is listed or in a designated area even if you enjoy permitted development rights it is advisable to check with your local planning authority before a flue is fitted.
- In a designated area the flue should not be fitted on the principal or side elevation that fronts a highway.

Flue, Chimney or Soil and Vent Pipe

- In many cases installing solar panels on domestic land is likely to be considered 'permitted development' with no need to apply to the council for planning permission. There are, however, important limits and conditions which must be met to benefit from the permitted development rights.
- You may wish to discuss with the local planning authority for your area whether all of the limits and conditions will be met.

Solar Panels

Please note: the permitted development allowances described in the sections above apply to houses not flats, maisonettes or other buildings.

- The planning regime for flats and maisonettes differs in many important ways to that which covers houses.
- Bear in mind that the permitted development rights which apply to many common projects for houses do not apply to flats.

Advice should always be sought from the local planning office.

Flats & Maisonettes

- There are two sets of building regulations for roofs:
- Work to an existing roof Including re-roofing)
- Constructing a new roof (e.g. for an extension)

Roofs

- If you want to carry out repairs on or re-cover less than 25 per cent of the area of a pitch or flat roof, you will not normally need to submit a building regulations application. You will need approval, however, if:
 - You carry out structural alterations
 - The performance of the new covering will be significantly different to that of the existing covering in the event of a fire
 - You are replacing/ repairing more than 25 per cent of the roof area, in which case, the roof thermal insulation would normally have to be improved.
 - The removal or alteration to any roof elements could affect how the roof works and cause movement to occur. Movement could cause cracks to occur in the walls and, possibly, the eventual collapse of the roof. When performing work on any roof, care should be taken to ensure the roof will continue to perform effectively and without any movement.

Work to an existing roof

- The approved documents that need to be consulted prior to any works in relation to the above are:
- A. Structural Safety
- B. Fire Safety
- C. Resistance to Contaminants & Moisture
- F. Ventilation
- H. Drainage and Waste Disposal
- L. Conservation of Fuel and Power
- 7. Workmanship and Materials

Approved Documents

- If the existing roof covering is to be replaced with a different material to its original for example, slate to tiles, then approval under the Building Regulations is likely to be needed to ensure the roof will be adequate in terms of structural stability (applicable where the replacement tile will be significantly heavier or lighter than the existing)
- If the new roof covering is significantly heavier or lighter than the existing one, the roof structure may need modifying and/or strengthening, and you are advised to check with a structural engineer or surveyor before commencing with works.
- **Weight (Loading)**
- The loads (weights) to be supported are from various sources:
- Materials: This would include tiles, battens, felt, insulation etc.
- Weather: e.g. wind, snow and rain
- Maintenance: A person needing to access the roof in order to repair items

A. Structural Safety

- If the existing roof covering is to be replaced with a different material to its original it has to meet the requirements in respect of fire safety.
- If the roof is close to a boundary, which is often the case, the roof should also have properties to limit the risk from fire spreading across the boundary.

B. Fire Safety

- The materials used to cover the roof should be durable and capable of resisting the elements of the weather. With a pitched roof the type of tile or slate you wish to use will be partly governed by how steep or shallow the slope is.

C. Resistance to Contaminants & Moisture

- When ventilating a roof the air should be able to enter at one end and travel through to the other end where it can exit. This is known as a 'cold roof system'.
- Not all roofs need to be ventilated. Ventilation is not required to a warm roof system, which is where the insulation is placed above the joists or rafters.

F. Ventilation

- Adequate provision shall be made for rainwater to be carried from the roof of the building and shall discharge into either a soakaway, watercourse, sewer or harvested for reuse.

H. Drainage and Waste Disposal

- Making significant changes to *thermal elements* (*walls, roofs or floors*) would normally require Building Regulations approval and require the thermal insulation of the element to be upgraded to a reasonable standard. Roofs are defined by Regulation 2(3) of the Building Regulations 2010 as being thermal elements.
- The extent to which the work on the element is controlled and the amount of upgrading needed depends on the particular circumstances of the thermal element. Generally, when it is renovated then it should be upgraded, where it is cost effective to do so, to the standard set out in the Approved Document.

L. Conservation of Fuel and Power

- Regulation 7 states
- Building work shall be carried out-
- A) with adequate & proper materials which-
- i are appropriate for the circumstances in which they are used,
- ii are adequately mixed or prepared and
- iii are applied, used or fixed so as adequately perform the function for which they are designed; and
- B) in a workmanlike manner

7. Workmanship and Materials

- The suitability of materials can be covered by the use of British Standard (BS) European Standards (CE) or BBA certificates.
- Workmanship can be found in codes of practice as defined by British Standards and other professional bodies such as the NHBC or NFRC.



- Health & Safety at Work Act 1974
- The Management of Health & Safety at Work Regulations 1999
- Employers' Liability (Compulsory Insurance) Regulations 1998
- Workplace (health, Safety and Welfare) Regulations 1992
- Control of Substances Hazardous to Health (COSHH) Regulations
- Work at Height Regulations 2005
- Provision and Use of Work Equipment Regulations 1998
- Lifting Operations and Lifting Equipment Regulations 1998
- Manual Handling Operations Regulations 1992
- Electricity at Work Regulations 1989
- Regulatory Reform (Fire Safety) Order 2005
- Control of Asbestos Regulations 2006
- Control of Noise at Work Regulations 2005
- Control of Vibration at Work Regulations 2005

Acts and Regulations.

- The Party Wall Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.
- A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.
- The Act is separate from obtaining planning permission or building regulations approval.

Party Wall Act

- As population numbers have fallen, all bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010. Bats use roosts on a seasonal basis and therefore bat roosts are protected whether the bats are in occupation or not. Under this legislation it is an offence to:
- Deliberately capture (or take), injure or kill a bat;
- Intentionally, recklessly or deliberately disturb a bat (in relation to the Wildlife and Countryside Act 1981 (as amended) the offence applies whilst the species is occupying a structure or place which it uses for shelter or protection; in relation to the Conservation of Habitats and Species Regulations 2010 it applies anywhere);
- Damage or destroy the breeding or resting place (roost) of a bat;
- Possess a bat (alive or dead), or any part of a bat;
- Intentionally or recklessly obstruct access to a bat roost;
- Sell (or offer for sale) or exchange bats (alive or dead), or parts of bats.

Bat Legislation

- *Bat-friendly roofing materials*
- When roofing felt is to be installed, polyester-based roofing felt should be used in order to maintain a suitable environment for bats within the roof void and structure. Polyester-based roofing felt is rough and dark-coloured, with a bitumen layer on one side that bats can grip onto. If it is not possible to use this type of roofing felt, and a breathable membrane must be used, then care should be taken in selecting one with a rough texture and dark colour. Avoid smooth, shiny membranes as bats cannot grip onto them. Light-coloured membranes should also be avoided, as these may make the roosting space too light for bats. Cut edges should be covered to prevent fraying which can entangle bats. When installing such breathable membranes, it is essential that bat access points are maintained and rough sawn timbers (150 x 25mm) abutting either side of the ridge board are installed, to provide extra roosting opportunities.

Bat roofs

- The legislative provisions in Great Britain for the protection of wild birds are contained primarily in the Wildlife and Countryside Act, 1981, Sections 1-7
- Certain species of birds are provided with special protection, some at all times of the year and others only during the close season, and the offence of killing, taking and injuring a wild bird or damaging or destroying that bird's nest or eggs, is subject to special provisions. For these bird species, it is an offence to disturb any bird or their young during the breeding season of that species.

Birds

- Product Specification & Design
- Roof Coverings
- Condensation
- Chimneys
- Guttering
- Poor Workmanship
- Cables
- TV Aerials & Satellite Dishes
- Access

Common Problems with roofs