



LINCS BUILDING  
CONSULTANCY

## Guidance Note No. 55

### DOMESTIC HEAT PRODUCING APPLIANCES

## INTRODUCTION

- 1.1 This guidance notes primary aim is to provide awareness and information to property owners wishing to have installed a heat-producing appliance, vented by way of both new and existing flues in **existing dwellings**. It may also be of interest to contractors engaged in the installation of such appliances under the competent person scheme, as it will differentiate their responsibilities from the requirements imposed on the installer of a **new flue**.

## COMPETENT PERSON SCHEMES, (CPS)

- 1.2 Work to a flue and its associated elements' serving a heating appliance is deemed to be building work under the Building Regulations 2000. As such, a Building Regulations application need be made to Building Control prior to the commencement of any work that would affect a heat-producing appliance its flue, hearths, fire backs/ log, etc. Unless: -
1. **The gas appliance**, hearth, fire-back/ log are to be installed by a person or the employee of a person approved in accordance with Regulation 3 of the Gas Safety (Installation & Use) Regulations 1998, i.e. (Gas Safe);
  2. **An oil fired appliance** which has a rated heat output of no more than 100 kilowatts, installed in a building of no more than 3 stories, if it is to be installed by an individual registered under the NICEIC, Association of Plumbing and Heating Contractors Ltd, Oil Firing Technical Association limited, OFTEC, NAPIT registration Ltd or Building Engineering Services Competence Accreditation Ltd;
  3. **A solid fuel burning combustion appliance**, which again has a rated heat output of no more than 100 kilowatts and is installed in a building of no more than 3 stories. That is, if it is to be installed by an individual registered under the Registration Scheme for Companies and Engineers involved in the Installation and Maintenance of Domestic Solid Fuel Fired Equipment, i.e. HETAS, NAPIT, someone registered under the NICEIC association of plumbing and heating contractors etc;

## RESPONSIBILITIES OF A CPS AND THOSE COMPANIES OPERATING UNDER IT WHEN A NEW APPLIANCE IS FITTED TO AN EXISTING FLUE/ CHIMNEY

- 1.3 Generally speaking if all you intend to do is to install a new heat-producing appliance, be it a log burner, gas fire or oil stove to an existing flue, Lincs Building Consultancy would advise you to use a company who can complete the works under one of the competent persons schemes listed in paragraph 1.2. These CPS will provide you with a completion certificate, when the appliance has been commissioned whilst notifying the Local Authority, as is legally required, of its installation. The company that operates under the umbrella of one of the CPS, along with notifying their governing body of the installation will endeavour to: -
1. Ensure that the appliance is provided with an adequate supply of fresh air, to prevent the appliance from overheating and carbon monoxide poisoning the building's occupants due to inadequate combustion.
  2. Make sure that the chimney and flue is adequate to safely discharge smoke, and other products of combustion to the outside air.
  3. Guarantee that the fireback, hearth, flue and most importantly the heat producing appliance itself is designed and positioned, in accordance with the relevant codes of practice and manufactureres instructions, to ensure the safety of the buildings occupants and prevent the buildings structure from igniting.
  4. Affix a durable notice plate in a suitable position with capacity information for new or extended hearth, fireplace, flue or chimney.
  5. Certain new liquid fuel storage facilities, which serve fixed combustion appliances in a building which are located outside the building, need to be constructed in a way that separates them from buildings and premises boundary. This measure reduces the risk of the fuel igniting adjacent buildings or premises to a reasonable level.
  6. Certain new oil storage tanks and pipes, which serve fixed combustion appliances in a building and are located above ground and outside the building, need to be constructed and protected in such a way that reduces the risk of oil escaping and causing pollution. In addition they will fix a durable notice plate in a prominent position providing information on how to respond to a leak of oil.

## **RESPONSIBILITIES OF BUILDING CONTROL WHEN A CPS MEMBER IS BEING EMPLOYED TO INSTALL AN APPLIANCE TO A NEW CHIMNEY/ FLUE**

- 1.4 Whilst employing a company with members of a CPS is perhaps the easiest way of having a heat-producing appliance, as listed in paragraph 1.2 fitted, they do have their limitations. Should you wish to construct a new chimney, with or without a flue, or alternatively re-line an existing chimney with a view to having a heat-producing appliance installed by someone operating under a CPS, you will need to make an application for Building Regulations approval to Building Control for the erection/ alterations of or to the chimney/ flue only. In a scenario such as this LBC will endeavour to ascertain information to ensure that: -
- 1 The new chimneybreast is constructed in such a way that it is structurally sound, i.e. it is built from a suitably sized foundation, is adequately tied into the existing structure, that the height of the stack is suitably sized in relation to its width, etc.
  - 2 The flue itself is adequately sized, constructed and separated from combustible materials such as floor joists and roof timbers etc.
  - 3 The chimney is proportioned in such a way as to safely discharge smoke to the outside air.
  - 4 A durable notice plate will be fixed in a suitable position with adequate information for the new flue/ chimney.

## **ADDITIONAL RESPONSIBILITIES OF BUILDING CONTROL WHEN A CPS NEED NOT BE USED**

- 1.5 If you intend to construct a new chimney to serve an open fireplace, a solid fuel burning appliance such as a log burner or an oil-fired appliance, you need only make a single application to Building Control. In a scenario such as this LBC will endeavour to make sure that: -
- 1 An adequate supply of fresh air is provided. This will prevent the open fire/ appliance from overheating and or carbon monoxide poisoning the building's occupants due to inadequate combustion.
  - 2 The fireback and hearth also meet the provisions laid down in either Approved Document J of the Building Regulations or the manufacturers recommendations.
  - 3 A durable notice plate is fixed in a suitable position with capacity information for new or extended hearth, fireplace, flue or chimney.
  - 4 Any liquid fuel storage facilities located outside of the building, which serve fixed combustion appliances, are constructed or located in such a way to reduce the risk of the fuel igniting adjacent buildings.
  - 5 Oil storage tanks and pipes, which serve fixed combustion appliances located above the ground and outside the building, are constructed and protected in such a way to reduce the risk of oil escaping and causing pollution. In addition, a durable noticeplate will be fixed in a prominent position, giving informing on how to respond to a leak of oil.

## **CONCLUSION**

- 1.6.1 A clear distinction has to be made between the responsibilities of the property owner, person/ company operating under a Competent Persons Scheme and the responsibilities of Building Control. The installation of a heat-producing appliance constitutes building work and therefore the property owner has a responsibility to ensure that the work is undertaken in accordance with the requirements of the Building Regulations. This may dictate that you employ a company operating under the umbrella of a CPS, or your Local Authority BC to ensure compliance. Alternatively it may be necessary to combine the 2 services, if for example a gas appliance is being installed in a newly constructed chimney. Whichever route to compliance is chosen, or alternatively is necessary, the property owner can be assured that when complete, the heat-producing appliance will function safely and neither the occupants of the building or the building itself will be put at risk.



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Please note that these guidance notes are for advice only and may not cover all situations. It is your responsibility to ensure that they are appropriate for use in your particular circumstances.