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STATUTORY RULES OF NORTHERN IRELAND

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**2012 No. 192**

**The Building Regulations (Northern Ireland) 2012**

**PART F**

Conservation of fuel and power

**Application and interpretation**

**38.**—(1) Subject to paragraphs (2) and (3) this Part shall apply to any building and where a building contains one or more dwellings to each dwelling separately.

(2) Regulation 40 shall apply to—

- (a) the erection of a building; and
- (b) the extension of a building other than a dwelling, where the extension has a total useful floor area that is both—
  - (i) greater than 100 m<sup>2</sup>; and
  - (ii) greater than 25% of the total useful floor area of the existing building,

but shall not apply to a building with low energy demand such as an industrial building, workshop or non-residential building.

(3) Regulation 45 shall not apply to the provision or extension of any fixed building service where commissioning is not possible.

(4) In this Part—

“Change of energy status” means any change which results in a building becoming a building to which this Part applies where previously it did not;

“National calculation methodology” means—

- (a) in relation to a dwelling, the Government’s Standard Assessment Procedure (SAP) for Energy Rating of Dwellings; and
- (b) in relation to a building other than a dwelling—
  - (i) the Simplified Building Energy Model (SBEM); or
  - (ii) a Dynamic Simulation Model (DSM),

that is implemented with Government approved software;

“Pipes, ducts and vessels” means any pipe, any duct and any vessel in a space heating or space cooling system that is intended to carry a heated or chilled liquid or gas and includes any associated fittings;

“Renovation of a thermal element” means the provision of a new layer to a thermal element or the replacement of an existing layer (other than where a partial replacement layer is provided solely as a means of patch repair to a flat roof) but does not include thin decorative surface finishes;

“Space cooling system” does not include a system or that part of a system which cools or stores water solely for a commercial or industrial process;

“Space heating system” does not include a system or that part of a system which heats or stores water solely for a commercial or industrial process;

“Target carbon dioxide emission rate” means the rate of carbon dioxide emission measured in kilograms of carbon dioxide per square metre of total useful floor area per year;

“Thermal element” means a wall, floor or roof (but does not include windows, doors, roof windows or rooflights) which separates a thermally conditioned space from—

- (a) the external environment including the ground; or
- (b) in the case of floors and walls, another part of the building which is—
  - (i) thermally unconditioned;
  - (ii) an extension falling within Class 8 of Schedule 2; or
  - (iii) in the case of a building other than a dwelling, conditioned to a different temperature,

and includes all parts of the element between the surface bounding the conditioned space and the external environment or other part of the building as the case may be; and

“Total useful floor area” means the total area of all enclosed spaces measured to the inside face of the external walls, that is, the gross floor area, and in the case of sloping surfaces such as staircases, galleries, raked auditoria and tiered terraces shall be taken as their area on plan but shall exclude areas that are not enclosed such as open floors, covered ways and balconies.

### **Conservation measures**

**39.** Reasonable provision shall be made for the conservation of fuel and power in any building by—

- (a) limiting heat gains and losses—
  - (i) through thermal elements and other parts of the building fabric; and
  - (ii) from pipes, ducts and vessels;
- (b) providing energy efficient fixed building services with effective controls; and
- (c) commissioning the fixed building services.

### **Target carbon dioxide emission rate**

**40.**—(1) Without prejudice to the requirements of regulation 39, where a building is to be erected, or a building other than a dwelling is extended as described in regulation 38(2)(b), a target carbon dioxide emission rate for that building shall be calculated using a national calculation methodology.

(2) The building, or extension as described in regulation 38(2)(b), shall be so designed and constructed as not to exceed its calculated target carbon dioxide emission rate.

### **Consequential improvements**

**41.** Where it is proposed to execute building work in relation to any existing building with a total useful floor area greater than 1000 m<sup>2</sup> and that work consists of or includes—

- (a) an extension;
- (b) the initial provision of any fixed building service; or
- (c) an increase in the capacity of any fixed building service,

consequential improvements to the existing building shall be carried out to ensure that the building complies with the requirements of regulation 39 so far as this is technically, functionally and economically feasible.

#### **Change of energy status**

42. Where there is a change of energy status such work shall be carried out as is necessary to ensure that the building complies with the requirements of regulation 39.

#### **Renovation of thermal elements**

43. Where a thermal element is renovated such work shall be carried out as is necessary to ensure that the whole thermal element complies with the requirement of regulation 39(a)(i).

#### **Notice of air pressure test**

44. Where an air pressure test is undertaken for the purposes of demonstrating compliance with regulation 40(2), the person carrying out the work shall give, not more than 5 days after completion of the testing, a notice in writing to the district council stating the result of the air pressure test.

#### **Notice of commissioning**

45. Where this regulation applies, the person carrying out the work, for the purpose of ensuring compliance with regulation 39(b) and (c), shall give, not more than 5 days after completion of the commissioning, a notice in writing to—

- (a) the building owner stating that the fixed building services have been commissioned; and
- (b) the district council stating that the requirements of sub-paragraph (a) have been met.

#### **Notice of emission rate**

46. Where a calculation is carried out for the purpose of demonstrating compliance with regulation 40(2), a notice in writing that states—

- (a) the target carbon dioxide emission rate for the building;
- (b) the calculated carbon dioxide emission rate for the building as constructed; and
- (c) the list of specifications to which the building is constructed where these differ significantly from the design specifications used for the calculation of the design-stage carbon dioxide emission rate,

shall be given to the district council not more than 5 days after completion of the building work, by the person carrying out the work.

#### **Provision of information**

47. Where regulation 39 applies, the person carrying out the work shall give, not more than 5 days after completion of the work, a notice in writing to—

- (a) the building owner giving sufficient information about the building, its fixed building services, and their ongoing maintenance requirements, so that the building can be operated and maintained to conserve fuel and power; and
- (b) the district council stating that the requirements of sub-paragraph (a) have been met.