

STATUTORY INSTRUMENTS.

S.I. No. XXX of 2020

BUILDING REGULATIONS (PART L AMENDMENT)
REGULATIONS 2020

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**Building Regulations (Part L Amendment)
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I, Eoghan Murphy, Minister for Housing, Planning and Local Government, in exercise of the powers conferred on me by section 3 and section 18 of the Building Control Act 1990 (No. 3 of 1990) as amended (as adapted by the Housing, Planning, Community and Local Government (Alteration of Name of Department and Title of Minister) Order (S.I. No. 358 of 2017)) hereby make the following regulations:

Citation

1. These Regulations may be cited as the Building Regulations (Part L Amendment) Regulations 2020.

Commencement

2. Subject to Regulation 5, these Regulations shall come into operation on 10 March 2020

Purpose of the Regulations

3. The purpose for which these Regulations are made include, in particular, the giving of further effect to Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010¹.

Interpretation generally

4. In these Regulations:
“Building Regulations 1997 – 2020” means the Building Regulations 1997 (S.I. No. 497 of 1997) as amended by the Building Regulations (Amendment) Regulations 2017 (S.I. No. 4 of 2017);

¹ O.J. No. L 153, 18.6.2010, page 13.

“DEAP” means the relevant version of the Dwelling Energy Assessment Procedure published by the Sustainable Energy Authority of Ireland;

“Directive” means Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast);

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

“Major renovation” means the renovation of a building where more than 25% of the surface of the building envelope undergoes renovation;

“NEAP” means the relevant version of the Non-domestic energy assessment procedure published by the Sustainable Energy Authority of Ireland

“Substantial work has been completed” means that the structure of the external walls of the building has been erected;

Application

5. These Regulations shall apply to works, to a building in which a material change of use takes place or to a building which undergoes a major renovation, where the relevant works, change of use or major renovation commence or take place, as the case may be, on or after 10 March 2020 except where:
 - (a) A planning application is made on or before 9 March 2020 for planning permission or approval pursuant to the Planning and Development Act 2000 (No. 30 of 2000) and where substantial work has been completed by 10 March 2021; or
 - (b) A notice pursuant to the provisions of Part 8 of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001) has been published on

or before 9 March 2020 and where substantial work has been completed by
10 March 2021

Amendments to the Building Regulations 1997 – 2019

6. The Building Regulations 1997 - 2019 are amended by: -

(a) substituting for Part L of the Second Schedule, the following:

“Part L Conservation of Fuel and Energy

L1 A building shall be designed and constructed so as to ensure that the energy performance of the building is such as to limit the amount of energy required for the operation of the building and the amount of carbon dioxide (CO₂) emissions associated with this energy use insofar as is reasonably practicable.

L2 For existing dwellings, the requirements of L1 shall be met by:

- (a) limiting heat loss and, where appropriate, availing of heat gain through the fabric of the building;
- (b) controlling the output of the space heating and hot water systems and installing self-regulating devices, as appropriate;
- (c) limiting the heat loss from pipes, ducts and vessels used for the transport or storage of heated water or air;
- (d) providing that all oil and gas fired boilers installed as replacements in existing dwellings shall meet a minimum seasonal efficiency of 90 % where practicable;
- (e) when a dwelling undergoes major renovation, the minimum energy performance requirement of the dwelling or the renovated part thereof is upgraded in order to meet the cost optimal level of energy performance in so far as this is technically, functionally and economically feasible;

(f) ensuring that for an existing multi-unit building undergoing major renovation, the installation of ducting infrastructure, namely conduits for electric cables, for every parking space to enable the installation of recharging points for electric vehicles where:

- i. the car park is located inside the building, and renovation measures include the car park or the electrical infrastructure of the building; or
- ii. the car park is physically adjacent to the building, and renovation measures include the car park or the electrical infrastructure of the car park.

L3 For new dwellings, the requirements of L1 shall be met by:

- (a) providing that the energy performance of the building is such as to limit the calculated primary energy consumption and related carbon dioxide (CO₂) to that of a nearly zero energy building within the meaning of the Directive, insofar as is reasonably practicable, when both energy consumption and carbon dioxide emissions are calculated using the Dwelling Energy Assessment Procedure (DEAP) published by the Sustainable Energy Authority of Ireland;
- (b) providing that the nearly zero or very low amount of energy required is covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby;
- (c) limiting the heat loss and, where appropriate, availing of heat gain through the fabric of the building;
- (d) providing and commissioning energy efficient space and water heating systems with efficient heat sources, effective controls and self-regulating devices;
- (e) providing that all oil and gas fired boilers shall meet a minimum seasonal efficiency of 90%;
- (f) providing to the dwelling owner sufficient information about the building, the fixed building services, their controls and their maintenance

requirements so that the building can be operated in such a manner as to use no more fuel and energy than is reasonable;

(g) ensuring that for a new multi-unit building the installation of ducting infrastructure, namely conduits for electric cables, for every parking space to enable the installation of recharging points for electric vehicles where:

- i. The car park is located inside the building; or
- ii. The car park is physically adjacent to the building.

(h) ensuring that for a new dwelling house with a car parking space located within the curtilage of the dwelling house, the provision of appropriate electric vehicle recharging infrastructure, to enable the installation of a recharging point for electric vehicles.

L4 For existing buildings other than dwellings, the requirements of L1 shall be met by:

- (a) Limiting the heat loss and, where appropriate, availing of the heat gains through the fabric of the building;
- (b) providing energy efficient space heating and cooling systems, heating and cooling equipment, water heating systems, and ventilation systems, with effective controls including self-regulating devices;
- (c) ensuring that the building is appropriately designed to limit need for cooling and, where air-conditioning or mechanical ventilation is installed, that installed systems are energy efficient, appropriately sized and adequately controlled;
- (d) Limiting the heat loss from pipes, ducts and vessels used for the transport or storage of heated water or air;
- (e) Limiting the heat gains by chilled water and refrigerant vessels, and by pipes and ducts that serve air conditioning systems;
- (f) Providing energy efficient artificial lighting systems (other than emergency lighting, display lighting or specialist process lighting) and adequate control of these systems;
- (g) providing to the building owner sufficient information about the building fabric, the fixed building services, controls and their maintenance requirements when

replaced so that the building can be operated in such a manner as to use no more fuel and energy than is reasonable;

- (h) When a building undergoes major renovation, the minimum energy performance requirement of the building or the renovated part thereof is upgraded in order to meet the cost optimal level of energy performance in so far as this is technically, functionally and economically feasible; and
- (i) Ensuring, for buildings undergoing major renovation, where there are more than ten parking spaces, the installation of at least one recharging point and ducting infrastructure, namely conduits for electric cables, for at least one in every five parking spaces to enable the installation of recharging points for electric vehicles where:
 - (i) The car park is located inside the building, and renovation measures include the car park or the electrical infrastructure of the building;
or
 - (ii) The car park is physically adjacent to the building, and renovation measures include the car park or the electrical infrastructure of the car park.

L5 For new buildings other than dwellings, the requirements of L1 shall be met by:

- (a) providing that the energy performance of the building is such as to limit the calculated primary energy consumption and related carbon dioxide (CO₂) emissions to that of a nearly zero energy building within the meaning of the Directive, insofar as is reasonably practicable, when both energy consumption and carbon dioxide emissions are calculated using the Non-domestic Energy Assessment Procedure (NEAP) published by the Sustainable Energy Authority of Ireland;
- (b) Providing that, the nearly zero or very low amount of energy required is covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby;
- (c) Limiting the heat loss and, where appropriate, availing of the heat gains through the fabric of the building;

- (d) Providing and commissioning energy efficient space heating and cooling systems, heating and cooling equipment, water heating systems, and ventilation systems, with effective controls including self-regulating devices;
- (e) ensuring that the building is appropriately designed to limit need for cooling and, where air-conditioning or mechanical ventilation is installed, that installed systems are energy efficient, appropriately sized and adequately controlled;
- (f) Limiting the heat loss from pipes, ducts and vessels used for the transport or storage of heated water or air;
- (g) Limiting the heat gains by chilled water and refrigerant vessels, and by pipes and ducts that serve air conditioning systems;
- (h) Providing energy efficient artificial lighting systems (other than emergency lighting, display lighting or specialist process lighting) and adequate control of these systems;
- (i) providing to the building owner sufficient information about the building, the fixed building services, controls and their maintenance requirements so that the building can be operated in such a manner as to use no more fuel and energy than is reasonable; and
- (j) ensuring, where there are more than ten parking spaces the installation of at least one recharging point and ducting infrastructure, namely conduits for electric cables, for a least one in every five parking spaces to enable the installation of recharging points for electric vehicles where:
 - i. The car park is located inside the building; or
 - ii. The car park is physically adjacent to the building.”

and (b) substituting for 11(6) the following:

“Part L of the Second Schedule, with the exception of L2(f) and L4(i), to these Regulations shall not apply to works (including extensions) to an existing building which is a ‘protected structure’ or a ‘proposed protected structure’ within the meaning of the Planning and Development Act 2000 (No. 30 of 2000).”

GIVEN under my Official Seal,

date

Eoghan Murphy

Minister of the Department of Housing, Planning
and Local Government

EXPLANATORY NOTE

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

These Regulations amend Part L (Conservation of Fuel and Energy) of the Second Schedule to the Building Regulations 1997 – 2019 to:

Require new buildings and buildings undergoing major renovation to provide infrastructure to facilitate electric vehicle recharging.

The regulations apply in respect of buildings which are commenced on or after 10 March 2020.

Transitional arrangements apply in relation to buildings for which planning permission or approval is applied for on or before 9 March 2020, and where substantial work has been completed by 10 March 2021.