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# Building Regulations Wales

# Circular

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## **THE BUILDING ACT 1984**

## **THE BUILDING REGULATIONS 2010**

## **THE BUILDING (APPROVED INSPECTORS ETC.) REGULATIONS 2010**

- **AMENDMENTS TO THE ENERGY EFFICIENCY REQUIREMENTS OF THE BUILDING REGULATIONS 2010**
- **NEW DRAFT APPROVED DOCUMENTS L1A, L1B, L2A and L2B**
- **NEW DOMESTIC BUILDING SERVICES COMPLIANCE GUIDE**
- **NEW NON-DOMESTIC BUILDING SERVICES COMPLIANCE GUIDE**

1. I am directed by Welsh Ministers to draw your attention to the Building (Amendment) (Wales) Regulations 2014 S.I. 2014/110 (W. 10) (“the amendment Regulations”), which were made on 22 January 2014. The amendment Regulations will come into force on 31 July 2014 and will apply to **Wales**.
2. I am also directed by Welsh Ministers to draw your attention to the publication of the new draft Approved Documents L1A, L1B, L2A, L2B and the new draft Domestic and Non-Domestic Building Services Compliance Guides. The draft Approved Documents have been notified to the European Commission in accordance with the Technical Standards and Regulations Directive 98/34/EC. A further Circular will be issued in relation to the draft Approved Documents in May 2014.
3. In accordance with section 14(7) of the Building Act 1984, the amendment Regulations were made after consultation with the Building Regulations Advisory Committee for Wales and with other bodies representative of the interests concerned.
4. The purpose of this Circular is to:
  - draw attention to the amendments to the Building Regulations 2010 (“the building Regulations”) and the Building (Approved Inspectors etc.) Regulations 2010 (“the AI Regulations”).
  - draw attention to the draft Approved Documents.

## **APPLICATION OF THE AMENDMENT REGULATIONS**

5. The changes made by the amendment Regulations do not apply in England or to excepted energy buildings in Wales.

## **AMENDMENTS TO THE ENERGY EFFICIENCY REQUIREMENTS OF THE BUILDING REGULATIONS 2010**

6. Annexes A and B to this circular set out in tabular form all the changes to the building Regulations and the AI Regulations.

## **BUILDING REGULATIONS 2010**

7. Regulation 4 of the amendment Regulations supplements regulation 21(4) of the building Regulations to extend the energy efficiency requirements in the building Regulations to a conservatory or porch in which a fixed heating appliance has been provided to heat the conservatory or porch.
8. Regulation 5 of the amendment Regulations inserts the new regulation 25C into the building Regulations to enable the Welsh Ministers to approve target primary energy consumption rates for new buildings (other than new dwellings) and target fabric performance values for new dwellings.
9. Regulation 6 of the amendment Regulations inserts the new regulations 26A and 26B into the building Regulations to require that new buildings (other than new dwellings) must not exceed the target primary energy consumption rates and new dwellings must not exceed the target fabric performance values.
10. Regulation 7 of the amendment Regulations inserts the new regulations 27A and 27B into the building Regulations which set out the procedure to be followed to submit evidence regarding the target primary energy consumption rate and the target fabric performance values to the local authority.
11. Regulation 8 of the amendment Regulations substitutes regulation 28 (Consequential improvements to energy performance) of the building Regulations to supplement and to extend certain requirements to buildings with a total useful floor area under 1000m<sup>2</sup>.
12. Regulation 9 of the amendment Regulations amends regulation 47 (Contravention of certain regulations not to be an offence) of the building Regulations to include the new regulations 27A and 27B.

## **BUILDING (APPROVED INSPECTOR ETC.) REGULATIONS 2010**

13. Part 3 of the amendment Regulations amends the AI Regulations. The amendments made are required as a consequence of the amendments to the building Regulations.

## **NEW APPROVED DOCUMENTS L1A (2014), L1B (2014), L2A (2014) and L2B (2014)**

14. Approved Documents provide statutory guidance regarding the requirements of the building Regulations. The intention is that 2014 versions of the Approved Documents in respect of "Conservation of Fuel and Power" will come into force on the 31 July 2014 and that the previous editions of Approved Documents will be withdrawn on this date.

## **TRANSITIONAL PROVISIONS**

15. Regulation 10 of the amendment Regulations contains transitional provisions.

## **ENQUIRIES**

16. Any enquiries on this Circular Letter should be addressed to:

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Yours faithfully

A handwritten signature in black ink, appearing to read 'Francois Samuel'. The signature is written in a cursive style with a large, stylized 'F' and 'S'.

**Francois Samuel**  
**Head of Building Regulations**

## Annex A

### The Building (Amendment) (Wales) Regulations 2014 S.I. 2014/110 (W. 10)

The following table lists all the changes made by S.I. 2014110 to the Building Regulations 2010:

S.I. 2010/2214 Regulation Number	S.I 2014/110 (W. 10) Regulation Number	Action
2(1)	3	<u>Interpretation.</u> Amends the definition of “energy efficiency requirements” to include the new regulations 26A and 26B.
21(4)(a)	4(a)	<u>Application of energy efficiency requirements.</u> Omission of word “or” at the end of the paragraph 4(a).
21(4)(b)	4(b)	<u>Application of energy efficiency requirements.</u> Inserts “to heat the conservatory or porch” after “extended” in paragraph (4)(b).
21(4)(c)	4 (b)	<u>Application of energy efficiency requirements.</u> Inserts the new regulation 21(4)(c) into the building Regulations to extend the energy efficiency requirements in the building Regulations to a conservatory or porch in which a fixed heating appliance has been provided to heat the conservatory or porch.
25(C)	5.	<u>New buildings: minimum energy performance requirements.</u> Inserts the new Regulation 25C into the building Regulations to enable Welsh Ministers to approve target primary energy consumption rates for new buildings (other than new dwellings) and target fabric performance values for new dwellings.
26A and 26B	6	<u>Primary energy consumption rates and fabric performance values.</u> Inserts the new Regulations 26A and 26B into the building Regulations to require that new buildings (other than new dwellings) must not exceed the target primary energy consumption rates and new dwellings must not exceed the target fabric performance values.

27A and 27B	7	<u>Primary energy consumption rate and fabric performance values calculations.</u> Inserts the new Regulations 27A and 27B into the building Regulations which set out the procedure to be followed to submit evidence regarding the target primary energy consumption rate and the target fabric performance values to the local authority.
28	8	<u>Consequential improvements to energy performance.</u> Substitutes regulation 28 of the building Regulations to supplement and to extend certain requirements to buildings with a total useful floor area under 1000m <sup>2</sup> .
47	9	<u>Contraventions of certain regulations not to be an offence.</u> Amends regulation 47 of the building Regulations to include reference to the new regulations 27A and 27B
-	10	<u>Transitional Provisions.</u> Sets out the transitional provisions for the amendment regulations.

## Annex B

### The Building (Amendment) (Wales) Regulations 2014

#### S.I. 2014/110 (W. 10)

The following table lists all the changes made by S.I. 2014/110 to the Building (Approved Inspectors etc.) Regulations 2010

<b>S.I. 2010/2215 Regulation Number</b>	<b>S.I 2014/110 (W. 10) Regulation Number</b>	<b>Action</b>
8(1)	12	<u>Functions of approved inspectors</u> Amends regulation 8(1)(a) to include reference to the new Regulations 26A and 26B. Amends Regulation 8(1)(b) to include reference to the new Regulations 27A and 27B.
20	13	Amends Regulation 20(1) to include reference to the new Regulations 27A and 27B. Inserts new paragraphs (2A) and (2B) to provide for the effect on new Regulations 27A and 27B of the event of an initial notice ceasing to be in force.

## **Publications**

Draft Approved Documents L1A (2014), L1B (2014), L2A (2014) and L2B (2014) **for Wales** are available at:**Error! Hyperlink reference not valid.**  
<http://wales.gov.uk/topics/planning/buildingregs/publications/?lang=en>

The Building Regulations (Amendment) (Wales) Regulations 2014 S.I. 2014/110 (W. 10) are available at:  
<http://www.legislation.gov.uk/wsi/2014/110/contents/made>

The Draft Domestic and non-Domestic adopted Building Services Compliance guides for, use in Wales are at:  
[www.planningportal.gov.uk/buildingregulations/approveddocuments/part/changes](http://www.planningportal.gov.uk/buildingregulations/approveddocuments/part/changes)