

Notice of a public

Decision Session - Executive Member for Economy and Strategic Planning

Meeting to be held in consultation with the Executive Member for Environment and Climate Change (for agenda item 4, The Future Homes Standard: changes to Part L and Part F of the Building Regulations for new dwellings)

To: Councillor Waller and Widdowson

Date: Monday, 6 January 2020

Time: 3.00 pm

Venue: King Richard III Room, West Offices, York

A G E N D A

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democracy Support Group by:

4:00 pm on Wednesday 8 January 2020 if an item is called in *after* a decision has been taken.

*With the exception of matters that have been subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Customer and Corporate Services Scrutiny Management Committee.

Written representations in respect of item on this agenda should be submitted to Democratic Services by **5.00pm on Thursday 2 January 2020**.

1. **Declarations of Interest**

At this point in the meeting, the Executive Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. **Minutes** (Pages 1 - 4)

To approve and sign the minutes of the meeting held on 18 November 2019.

3. **Public Participation**

At this point in the meeting, members of the public who have registered to speak can do so. The deadline for registering is **5.00pm on 3 January 2020**. Members of the public can speak on agenda items or matters within the Executive Member's remit.

To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

Filming, Recording or Webcasting Meetings

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The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at: https://www.york.gov.uk/downloads/file/11406/protocol_for_webcasting_filming_and_recording_of_council_meetings_20160809

4. The Future Homes Standard: changes to Part L and Part F of the Building Regulations for new dwellings (Pages 5 - 32)

This report provides the Executive Members with a consultation that sets out the Governments plans for the Future Homes Standard, including proposed options to increase the energy efficiency requirements for new homes in 2020.

5. Urgent Business

Any other business which the Executive Member considers urgent under the Local Government Act 1972.

Democracy Officer

Robert Flintoft

Contact details:

- Telephone – (01904) 555704
- Email robert.flintoft@york.gov.uk

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting

- Registering to speak
- Written Representations
- Business of the meeting

- Any special arrangements
- Copies of reports

Contact details are set out above

City of York Council

Committee Minutes

Meeting	Decision Session - Executive Member for Economy and Strategic Planning
Date	18 November 2019
Present	Councillor Waller

21. Declarations of Interest

The Executive Member was asked to declare any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests that he might have in respect of the business on the agenda. None were declared.

22. Minutes

Resolved: That the minutes of the last Decision Session held on 17 October 2019 be approved as a correct record and signed by the Executive Member.

23. Public Participation

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

24. Local Industrial Strategy – York Response to Consultations

The Executive Member considered an update report on the progress towards the development of Local Industrial Strategies (LISs) by the York, North Yorkshire, East Riding, and Leeds City Region LEPs. Officers outlined how the emerging list of priorities for the LISs, align and support local priorities as defined by the City of York Council's emerging Council Plan. These priorities will be used to determine how the Council responds to the draft LIS's. Officers also noted a number of areas that Executive Member may seek for the council to focus further on in response to the draft LISs.

The Executive Member noted that the consultation sessions held for City of York Council Councillors and other partners to feed into the LISs had been very comprehensive and positive. He also highlighted that any changes to the LIS geography, were decided by Her Majesties Treasury, not City of York Council. Therefore as York is within both regions he noted that it is important to feedback to both.

In discussion regarding the City of York Council's response to the LISs, it was confirmed that:

- Both LISs are focused on pushing the inclusive growth message, to make sure all residents across the regions benefit from the stronger economy they want to create;
- The nature of skills and qualifications in construction remain currently based around bricks and mortar, not around modern and sustainable methods of construction. A recommendation for this to be raised at a national level, could be included in the response to the LISs;
- A recommendation to the LISs could include ways of accounting for Carbon usage;
- Access to lifelong learning and further support for people in small and medium size business' to retrain for new roles is requires. This can be something that is feed into the LISs consultations, and be worked on separately by City of York Council officers confirmed;
- Constant growth is not sustainable and that 'good growth' that supports business, people, and the environment has to be targeted.

Resolved:

- i. Noted the content of the two LISs;
- ii. That the Executive Member delegated the sending of a formal response to the Corporate Director of Economy and Place, in consultation with the Executive Member.

Reason: To ensure that City of York Council formally feeds into the LIS development process, and that the LISs align with and support, local priorities.

25. Renewal Ballot for the York Business Improvement District (Bid)

The Executive Member considered a report asking him to support and approve the renewal ballot for the York Business Improvement District (BID). Officers outlined the process for moving forward in the BID process and that it shall be the BID's second term. They highlighted that City of York Council are seeking additional recompense from the BID for work undertaken by City of York Council on behalf of the BID. Including collection of the Levy, enforcement work, and work on keeping databases up to date.

The Executive Member confirmed his appreciation for the work the BID has done. He noted that notwithstanding the huge debate about the high street and business rates, that the pressures to maintaining the Public Realm would have been challenging without the BID.

Officers confirmed that the BID process is following a national mechanism as outlined from an act of parliament.

Resolved:

- i. That the Executive Member expresses support for the York BID and its work;
- ii. That the stages and timescales required to implement the decision as outlined in these recommendations be noted;
- iii. That a further report may be taken to Executive in Spring 2020 detailing the BID Prospectus, Service Level Agreements and role of Make It York;
- iv. That the discussions on arrangements to operate the ballot and for the Council to act as the collection agent for the levy be noted;
- v. That the exploration of additional recompense from the BID for work carried out by the Council, is supported by the Executive Member.

Reason: To allow the work of the BID and its partners to boost the City Centre economy, ease difficult trading conditions for retailers and to provide every opportunity to help York thrive.

26. Procurement – Supporting Local Business

The Executive Member considered an update report on the council's procurement policies in relation to small and medium-sized businesses. The Finance and Procurement Manager outlined the work undertaken to increase the support for local and small businesses to secure council contracts. She highlighted from the report, areas where the council continued to seek further improvement and how they communicated directly with local suppliers to facilitate this.

The Executive Member noted the positive reaction to supplier events that he attended. He identified one area the Federation of Small Business' highlighted to him that could assist small and local business. This was that businesses needed further support to complete City of York Council forms and recommended a panel to consider these forms in their current format.

Resolved:

- i. That the content of the report be noted;
- ii. Agreed in principle to a panel with the Federation of Small Businesses and the Chamber of Commerce to review the wording used in procurement documentation in order to support small businesses to complete applications.

Reason: To update the Executive Member on procurement issues and activity in the support of the local economy and to support small businesses.

Cllr. A Waller, Executive Member
[The meeting started at 4.34 pm and finished at 5.21 pm].



Decision Session- Executive Member for the Economy and Strategic Planning, in consultation with the Executive Member for Environment and Climate Change

6 January 2020

Report of the Head of Development Services

The Future Homes Standard consultation: changes to Part L and Part F of the Building Regulations for new dwellings

Summary

1. The Government in October 2019 published an open consultation on the uplift to the standard of Part L of the Building Regulations and changes to Part F. The uplift is the Governments first step in achieving the Future Homes Standards (FHS).
2. The consultation sets out the Governments plans for the Future Homes Standard, including proposed options to increase the energy efficiency requirements for new homes in 2020. The Future Homes Standard will require new build homes to be future-proofed with low carbon heating and world-leading levels of energy efficiency.
3. This consultation is the first stage of a two-part consultation about proposed changes to the Building Regulations. It also covers the wider impacts of Part L for new homes, including changes to Part F (ventilation), its associated Approved Document guidance, airtightness can improving as-built performance of the constructed home.
4. The consultation proposes achieving this via one of two options:
 - Option 1: 20% reduction in carbon emissions compared to the current standard for an average home. This can be delivered by very high fabric standards (typically with triple glazing and

minimal heat loss from walls, ceilings and roofs) in addition to waste-water heat recovery and use of a gas boiler.

- Option 2: 31% reduction in carbon emissions compared to the current standard. This could be delivered based on better fabric standards, though not as high as in option 1 (typically double not triple glazing). In addition this would likely feature waste-water heat recovery and use of a gas boiler and solar PV. This is the government's preferred option.

5. The initial consultation addresses:

- options to uplift standards for Part L of the Building Regulations in 2020; and changes to Part F
- more stringent transitional arrangements for these standards to encourage quicker implementation
- draft outline specification for future consultation about the Future Homes Standard
- Clarifying the role of planning authorities in setting energy efficiency standards.

6. The consultation outlines the Future Homes Standard including what it should look like along with a roadmap to the future homes standard (Annex 1).

7. Annex E of the consultation document outlines 69 consultation questions which along with City of York Councils responses are detailed in Annex B of this report.

8. Option 2 is the Government's preferred option. The Government consider it would deliver more carbon savings and result in lower bills for the householder but has higher build costs.

Recommendation

9. The Executive Member is asked to:

- a. Support the Government's recommendation of option 2 and highlight that Local Authorities should be able to set their own efficiency standards including use of Photovoltaics (PV) on all

new and renovated buildings. City of York Council would like to urge the Government to move towards a compulsory requirement for PV to be installed in new buildings and renovated buildings where there are no significantly adverse implications in terms of any heritage assets

- b. Support option 1

Background

10. The Chancellor's 2019 Spring Statement contained an announcement on energy efficiency standards for new homes and a commitment to zero carbon, collectively now known as the Future Homes Standard.
11. The Future Homes Standard (FHS) consultation was published in October. It proposes a tightening of the standards on energy efficiency through Building Regulations Part L and ventilation in new homes as early as 2020, and a roadmap to zero carbon homes in 2025 (appendix 1). The Consultation also proposes new regulations to improve compliance and performance. The deadline for consultation responses is 10 January 2020.
12. Chapter 3 of the consultation provides detailed options for an uplift to the energy efficiency standards in Part L (Conservation of Fuel and Power) and Part 6 of the Building Regulations in 2020. It seeks views on two options to strengthen the energy efficiency standards in 2020. The first option is a 20% improvement on carbon dioxide emissions which is expected to be delivered predominantly through an increased fabric standard. This increased fabric standard would typically be achieved through measures such as triple glazing and a waste water heat recovery system.
13. The second option would result in a 31% improvement on carbon dioxide emissions, which is expected would typically be delivered through a more minor increase to fabric standards, alongside use of low-carbon heating and/or renewables, such as photovoltaic (solar) panels.

14. Both options outlined deliver a greater improvement in carbon dioxide emissions than the 19% improvement on the 2013 Part L requirements which was proposed as the minimum on-site energy efficiency requirement of the former Zero Carbon Homes policy.
15. The government considers that the FHS will have very high fabric standards. It will mean every new home should typically have triple glazing and standards for walls, floors and roofs that significantly limit any heat loss.
16. It is also considered that although reducing the demand for heat through improved fabric standards in new homes has an important role to play it will not, on its own, meet ambitions for the Future Homes Standard or the Government's target of net zero emissions target by 2050. Therefore, in addition to a high level of fabric efficiency it is also proposed that a low carbon heating system is integral to the specification of the Future Homes Standard.
17. Heat pumps, heat networks and direct heating electric are also outlined as measures required going forward but further work is required into how these are integrated in developments.
18. Before the Government introduce the Future Homes Standard in 2025, they will consult on the full technical details and the associated impact assessment with costings. However, they have provided an indication that they expect that an average semi-detached home built to meet the FHS would produce 75-80% less carbon dioxide emissions than one built to the 2013 Part L requirements.
19. The Government also outlined that homes would have low carbon heating, and higher levels of energy efficiency. This would typically mean that a new home built to the Future Homes Standard would have a heat pump, a waste water heat recovery system, triple glazing and minimum standards for walls, floors and roofs that significantly limit any heat loss.
20. An important part of the consultation to highlight is the following section with regard to planning policies:

21. *The Planning and Energy Act 2008 (as amended) allows local planning authorities to set and apply policies in their local plans which require compliance with energy efficiency standards for new homes that exceed the requirements of the Building Regulations.²² This has been very useful in delivering more energy efficient homes and reducing carbon dioxide emissions in local areas but has also led to there being inconsistent minimum energy standards being applied across the country.*

22. *In 2015, the then government set out in a Written Ministerial Statement its expectation that local planning authorities should not set energy efficiency standards for new homes higher than the energy requirements of Level 4 of the Code for Sustainable Homes (equivalent to a 19% improvement on the Part L 2013 standard). Section 43 of the Deregulation Act 2015²³ would introduce an amendment to the Planning and Energy Act that restricts local authorities from setting energy standards above Building Regulations levels for new homes, but this amendment has not yet been commenced.*

23. *We realise that this may have led to confusion and uncertainty for both local planning authorities and home builders. Many local planning authorities are unclear about what powers they have to set their own energy efficiency standards, although a number of local authorities continue to set their own energy performance standards which go beyond the Building Regulations minimum. While most of these adhere to the 19% level set in the 2015 Written Ministerial Statement, some go further.*

24. *This situation is not only confusing but the application of disparate energy efficiency standards across local authority boundary lines often means that homes need to be built to different technical specifications in different parts of England. This inconsistency creates inefficiencies in supply chains, labour and potentially quality of outcomes. It also means that decisions about the technical appropriateness, application and enforcement of energy standards need to be considered by planning officers, committees and Planning Inspectors rather than by a building inspector.*

25. *As we move to the higher energy standards required by Part L 2020 and the Future Homes Standard, there may be no need for local authorities to seek higher standards and the power in the Planning and Energy Act 2008 may become redundant.*

26. *The government is therefore exploring options, including whether to commence the amendment to the Planning and Energy Act 2008 which would restrict local planning authorities from setting higher energy efficiency standards for new homes. We will consider whether it is appropriate to do this with the introduction of the uplift to energy standards in Part L in 2020, depending on decisions on that uplift; or to wait until the Future Homes Standard is introduced*

Consultation

27. This report is for the Executive Member therefore no consultation has taken place regarding the contents of the report.

Options

28. The Executive Member is asked to:

- a. Support the Government's recommendation of option 2 and highlight that Local Authorities should be able to set their own efficiency standards including use of Photovoltaics (PV) on all new and renovated buildings. City of York Council would like to urge the Government to move towards a compulsory requirement for PV to be installed in new buildings and renovated buildings where there are no significantly adverse implications in terms of any heritage assets
- b. Support option 1

Council Plan

29. The following Council priorities for are relevant:

- good health and wellbeing
- a greener and cleaner city
- creating homes and world-class infrastructure
- an open and effective council

Implications

- **Financial** There are no financial implications

- **Human Resources (HR)** There are no HR implications
- **Equalities** There are no equalities implications
- **Legal** There are no legal implications
- **Crime and Disorder** There are no crime and disorder implications
- **Information Technology (IT)** There are no IT implications
- **Property** There are no property implications
- **Other** There are no other implications

Risk Management

There are no known risks

Contact Details

Author:

Becky Eades
Head of Development Services
Tel: 01904 5541627

Andrew Maple
Building Control and Property
Information Manager
Tel: 01904 551437

Chief Officer Responsible for the report:

Neil Ferris
Corporate Director of Economy and Place

Report Date

Approved

Wards Affected:

All

For further information please contact the author of the report

Background Papers

Annexes

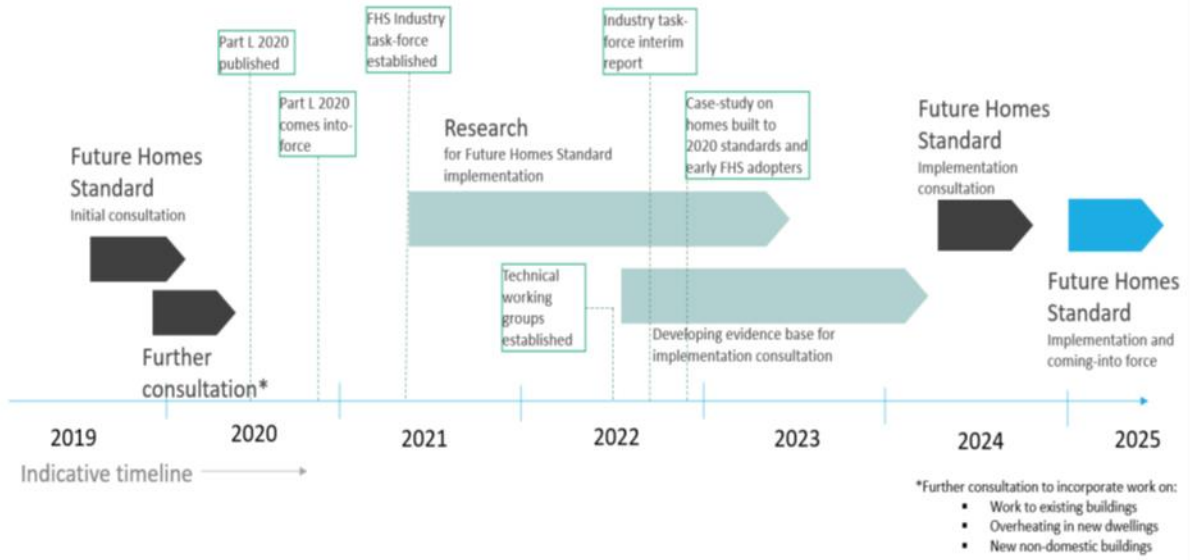
Annex 1 – Road Map to the Future Homes Standard
Annex 2 – Consultation Questions

List of Abbreviations Used in this Report

LPA – Local Planning Authority
FHS – Future Homes Standard

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Roadmap to the Future Homes Standard



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Consultation Questions

Q1 Do you agree with our expectation that a home built to the Future Homes Standard should produce 75-80% less CO2 emissions than one built to current requirements?

- a. Yes
- b. No—75-80% is too high a reduction in CO2
- c. No – 75-80% is too low a reduction in CO2

If no, please explain your reasoning and provide evidence to support this.

(c). The consultation document does not explain where the figures of 75 - 80% have come from. There appears to be an expectation of what might be achieved by the proposals. Since publication of this consultation, the profile of climate change has risen further up the public agenda. There is seemingly a strong appetite for significant change and that this change needs to take place sooner than 2025 to slow down the rate of carbon emissions from new dwellings. The proposed reduction of 75 - 80% is considered to be too low.

Q2 We think heat pumps and heat networks should typically be used to deliver the low carbon heating requirement of the Future Homes Standard. What are your views on this and in what circumstances should other low carbon technologies, such as direct electric heating, be used?

Provided the technology is proven to deliver the low carbon heating requirement, heat pumps should be acceptable to meet reduced heating needs. Other low or zero carbon (LZC) technologies such as PV are also available. The guidance should not be restrictive in this respect. No issues with direct electric heating on basis that it continues to reduce carbon emissions for its production at source.

Q3 Do you agree that the fabric package for Option 1 (Future Homes Fabric) set out in Chapter 3 and Table 4 of the impact assessment provides a reasonable basis for the fabric performance of the Future Homes Standard?

1. Yes
2. No—the fabric standard is too demanding

3. No – the fabric standard is not demanding enough
If no, please explain your reasoning.

(3) The option 1 package is not considered to be demanding enough for Future Homes fabric standard. The only evidence available is the dramatic effects of climate change which need to be ameliorated as soon as possible. It is considered there is a need to be pushing for closer to carbon neutral / passivhaus standard.

Q4 When, if at all, should the government commence the amendment to the Planning and Energy Act 2008 to restrict local planning authorities from setting higher energy efficiency standard for dwellings?

1. In 2020 alongside the introduction of any option to uplift the energy efficiency standards of Part L
 2. In 2020 but only in the event of the introduction of a 31% uplift(option2) to the energy efficiency standards of Part L
 3. In 2025 alongside the introduction of the Future Homes Standard
 4. The government should not commence the amendment to the Planning and Energy Act
- Please explain your reasoning.

(4) Local Authorities should be able to set their own efficiency standards including use of Photovoltaics (PV) on all new and renovated buildings. City of York Council would like to urge the Government to move towards a compulsory requirement for PV to be installed in new buildings and renovated buildings where there are no significantly adverse implications in terms of any heritage assets.

Q5 Do you agree with the proposed timings presented in Figure 2.1 (displayed in Chapter 2) showing the Roadmap to the Future Homes Standard?

1. Yes
 2. No–the timings are too ambitious
 3. No – the timings are not ambitious enough
- If no, please explain your reasoning.

(3) The timings are not ambitious enough. Again, because of climate emergency, introduction of FHS needs to be sooner rather than later. The Spring Statement suggested that by 2025, FHS will be introduced. This does not mean it cannot be introduced earlier.

Chapter 3 Part L Standards for New Homes in 2020

Q6 What level of uplift to the energy efficiency standards in the Building Regulations should be introduced in 2020?

1. No change
2. Option 1 – 20% CO₂ reduction
3. Option 2 – 31% CO₂ reduction (the government's preferred option)
4. Other

Please explain your reasoning.

(3).Option 2. It is considered that this is economically and technologically achievable in the short term.

Q7 Do you agree with using primary energy as the principal performance metric?

1. Yes—primary energy should be the principal performance metric
2. No – CO₂ should remain the principal performance metric
3. No – another measure should be the principal performance metric

Please explain your reasoning and provide evidence to support this.

(1)The primary energy metric is considered acceptable provided the calculation method is sound and it is meaningful and does not hide Co₂ emissions in the primary energy chain.

Q8 Do you agree with using CO₂ as the secondary performance metric?

a. Yes b. No

Please explain your reasoning.

(a) Yes. There is still need to reduce carbon emissions.

It is considered that carbon emissions metric is understandable and more readily than the primary energy metric.

Q9 Do you agree with the proposal to set a minimum target to ensure that homes are affordable to run?

a. Yes b. No

Please explain your reasoning.

(b) No. This should be covered by meeting the energy /Co₂ requirements in the design and providing householders with the necessary information on how to operate systems properly and therefore economically.

Q10 Should the minimum target used to ensure that homes are affordable to run be a minimum Energy Efficiency Rating?

a. Yes b. No

If yes, please suggest a minimum Energy Efficiency Rating that should be achieved and provide evidence to support this.

If not, please suggest an alternative metric, explain your reasoning and provide evidence to support this.

(a) Yes. Should be an A rating

Q11 Do you agree with the minimum fabric standards proposed in table 3.1?

Table 3.1 - Minimum standards for fabric performance				
		Yes	No – should be more insulating	No – should be less insulating
External walls	0.26 W/m ² .K	Y		
Party walls	0.20 W/m ² .K	Y		
Floor	0.18 W/m ² .K	Y		
Roof	0.16 W/m ² .K	Y		
Windows, roof windows, glazed roof lights, curtain walling, and pedestrian doors	1.6 W/m ² .K	Y		
Roof-lights	2.2 W/m ² .K	Y		
Air permeability	8m ³ /m ² .K at 50Pa		N	

If you do not agree with any one or more of the proposed standards, please explain your reasoning and provide evidence to support this.

Yes – agreed. With exception of air test. Air test of 6 or better is readily achievable currently.

Q12 Do you think that the minimum fabric standards should be set in the Building Regulations or in the Approved Document (as is the current case)?

a. In the Building Regulations b. In the Approved Document

Please explain your reasoning.

(a) In Building Regulations. It is considered through the use of Building Regulations that the minimum standards could be met along with successful enforcement.

Q13 In the context of the proposed move to a primary energy metric and improved minimum fabric standards, do you agree with the proposal to remove the fabric energy efficiency target?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q14 Do you agree that the limiting U-value for roof-lights should be based on a roof-light in a horizontal position?

c. Yes d. No

If no, please explain your reasoning and provide evidence to support this.

(a) Yes.

Q15 Do you agree that we should adopt the latest version of BR 443?

a. Yes b. No

If no, please explain your reasoning and provide evidence to support this.

(a) Yes.

Q16 Do you agree with the proposal of removing the fuel factors to aid the transition from high-carbon fossil fuels?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes

Q17 Do you agree with the proposed changes to minimum building services efficiencies and controls set out in table 3.2?

Table 3.2: Proposed revisions to minimum building services efficiencies and controls for new dwellings				
Application	Proposed Part L 2020 standard	Yes	No – proposed standard goes too far	No – proposed standard does not go far enough
Gas boiler efficiency	92% ErP	Y		
Heat pump efficiency	SCOP 2.80	Y		
Comfort cooling efficiency	SEER 3.87	Y		
Lighting	60 lamp lumens per circuit-watt	Y		

If you do not agree with any one or more of the proposed changes, please explain your reasoning and provide evidence to support this.

Q18 Do you agree with the proposal that heating systems in new dwellings should be designed to operate with a flow temperature of 55°C?

- a. Yes
- b. No—the temperature should be below 55°C
- c. No – dwellings should not be designed to operate with a low flow temperature
- d. No—I disagree for another reason

If no, please explain your reasoning and provide evidence.

(a) Yes.

Q19 How should we encourage new dwellings to be designed to operate with a flow temperature of 55°C?

1. By setting a minimum standard
2. Through the target primary energy and target emission rate (i.e. through the notional building)
3. Other

Please explain your reasoning.

(1) Through setting a minimum standard, it is considered that this should be encouraged and fully accessible.

Q20 Do you agree with the proposals to simplify the requirements in the Building Regulations for the consideration of high-efficiency alternative systems?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q21 Do you agree with the proposal to adopt the latest Standard Assessment Procedure, SAP 10?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q22 Do you agree with the proposal to update the source of fuel prices to BEIS Domestic energy price indices for SAP 10.2?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q23 Do you agree with the method in *Briefing Note – Derivation and use of Primary Energy factors* in SAP for calculating primary energy and CO₂ emissions factors?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q24 Do you agree with the removal of government Approved Construction Details from Approved Document L?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q25 Do you agree with the proposal to introduce the technology factors for heat networks, as presented in the draft Approved Document?

1. Yes
2. No, they give too much of an advantage to heat networks
3. No, they do not give enough of advantage to heat networks
4. No, I disagree for another reason

Please explain your reasoning.

(1) Yes. Provided the network is an intended part of the design scheme and not a future proposal.

Q26 Do you agree with the removal of the supplementary guidance from Approved Document L, as outlined in paragraph 3.59 of the consultation document?

- a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q27 Do you agree with the external references used in the draft Approved Document L, Appendix C and Appendix D?

- a. Yes b. No

If no, please explain your reasoning and suggest any alternative sources.

(a) Yes.

Q28 Do you agree with incorporating the Compliance Guides into the Approved Documents?

- a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q29 Do you agree that we have adequately covered matters which are currently in the Domestic Building Services Compliance Guide in the new draft Approved Document L for new dwellings?

- a. Yes b. No

If no, please explain which matters are not adequately covered.

(a) Yes.

Q30 Do you agree that we have adequately covered matters which are currently in the Domestic Ventilation Compliance Guide in the new draft Approved Document F for new dwellings?

a. Yes b. No

If no, please explain which matters are not adequately covered.

(a) Yes.

Q31 Do you agree with the proposals for restructuring the Approved Document guidance?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes. However, it is noted that the Approved Document content is becoming increasingly complicated. The concern is that the complexity of the documents will result in further work for building control staff to provide advice to persons carrying out building work who need to take on the services of professional advisors. LABC in particular are inadequately resourced to take on more advisory work.

Q32 Do you agree with our proposed approach to mandating self-regulating devices in new dwellings?

a. Yes

b. No

If no, please explain your reasoning.

(a) Yes.

Q33 Are there circumstances in which installing self-regulating devices in new dwellings would not be technically or economically feasible?

a. Yes b. No

If yes, please explain your reasoning and provide evidence.

(b) No.

Q34 Do you agree with proposed guidance on providing information about building automation and control systems for new dwellings?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Chapter 4 Part F Changes

Q35 Do you agree that the guidance in Appendix B to draft Approved Document F provides an appropriate basis for setting minimum ventilation standards?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q36 Do you agree that using individual volatile organic compounds, informed by Public Health England guidelines, is an appropriate alternative to using a total volatile organic compound limit?

a. Yes

b. No—the Public Health England guide lines are not sufficient

c. No – individual volatile organic compounds should not be used to determine ventilation rates

d. No—I disagree for another reason

If no, please explain your reasoning, and provide alternative evidence sources if appropriate.

(c) No. Ventilation systems for new buildings are normally designed for an unknown or unquantified internal environment. With only limited evidence available, it is not clear how individual VOC's will be measured and / or assessed for a proposed project.

Q37 Do you agree with the proposed guidance on minimising the ingress of external pollutants in the draft Approved Document F?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q38 Do you agree with the proposed guidance on noise in the draft Approved Document F?

- a. Yes
 - b. No—this should not form part of the statutory guidance for ventilation, or the guidance goes too far
 - c. No – the guidance does not sufficiently address the problem
 - d. No—I disagree for another reason
- If no, please explain your reasoning.

(d) No. it is considered that problems may arise from the guidance. If there is going to be a statement, it needs to be quantifiable and controllable by reference to a standard.

Q39 Do you agree with the proposal to remove guidance for passive stack ventilation systems from the Approved Document?

- a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q40 Do you agree with the proposal to remove guidance for more airtight naturally ventilated homes?

- a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q41 Do you agree with the proposal to remove guidance for less airtight homes with mechanical extract ventilation?

- a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q42 Do you agree with the proposed guidance for background ventilators in naturally ventilated dwellings in the draft Approved Document F?

- a. Yes
- b. No—the ventilator areas are too large
- c. No – the ventilator areas are too small

d. No-I disagree for another reason

If no, please explain your reasoning.

(a) Yes.

Q43 Do you agree with the proposed approach in the draft Approved Document for determining minimum whole building ventilation rates in the draft Approved Document F?

a. Yes

b. No—the ventilation rate is too high

c. No – the ventilation rate is too low

d. No-I disagree for another reason

If no, please explain your reasoning.

(a) Yes.

Q44 Do you agree that background ventilators should be installed for a continuous mechanical extract system, at 5000mm² per habitable room?

1. Yes

2. No—the minimum background ventilator area is too low

3. No – the minimum background ventilator area is too high

4. No—other

If no, please explain your reasoning.

(1) Yes.

Q45 Do you agree with the external references used in the draft Approved Document F, in Appendices B, D and E?

a. Yes b. No

If no, please explain your reasoning and suggest any alternative sources.

(a) Yes.

Q46 Do you agree with the proposed commissioning sheet proforma given in Appendix C of the draft Approved Document F, volume 1?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q47 Do you agree with the proposal to provide a completed checklist and commissioning sheet to the building owner?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Chapter 5 Airtightness

Q48 Do you agree that there should be a limit to the credit given in SAP for energy savings from airtightness for naturally ventilated dwellings?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes.

Q49 Do you agree that the limit should be set at 3m³/m².h?

a. Yes

b. No—it is too low

c. No—it is too high

If no, please explain your reasoning and provide evidence.

(a) Yes.

Q50 Is having a standard level of uncertainty of 0.5 m³/m².h appropriate for all dwellings undergoing an airtightness test?

1. Yes

2. No—a percentage uncertainty would be more appropriate

3. No – I agree with having a standard level of uncertainty, but 0.5 m³/m².h is not an appropriate figure.

4. No—I disagree for another reason

If no, please explain your reasoning.

(4) Yes.

Q51 Currently only a proportion of new dwellings are required to be airtightness tested. Do you agree with the proposal that all new dwellings should be airtightness tested?

a. Yes b. No

If no, please explain your reasoning and provide evidence to support this.

(a) Yes.

Q52 Currently, small developments are excluded from the requirement to undergo any airtightness tests. Do you agree with including small developments in this requirement?

a. Yes b. No

If no, please explain your reasoning and provide evidence to support this.

(a) Yes.

Q53 Do you agree that the Pulse test should be introduced into statutory guidance as an alternative airtightness testing method alongside the blower door test?

a. Yes b. No

If no, please explain your reasoning.

(a) Yes. There are concerns however that the research and testing appears incomplete.

Q54 Do you think that the proposed design airtightness range of between 1.5 m³/m².h and the maximum allowable airtightness value in Approved Document L Volume 1 is appropriate for the introduction of the Pulse test?

a. Yes b. No

If no, please explain your reasoning and provide evidence to support this

(a) Yes.

Q55 Do you agree that we should adopt an independent approved airtightness testing methodology?

a. Yes b. No

Please explain your reasoning.

(a) Yes.

Q56 Do you agree with the content of the CIBSE draft methodology which will be available via the link in the consultation document? Please make any comments here.

Yes. No comments.

Chapter 6 Compliance, Performance and Providing Information

Q57 Do you agree with the introduction of guidance for Build Quality in the Approved Document becoming part of the reasonable provision for compliance with the minimum standards of Part L?

a. Yes b. No

Please explain your reasoning and provide evidence to support this.

(b) No. It is not considered to be clear who would benefit from this information but concerns are raised as to the appropriateness of this in an Approved Document.

Q58 Do you have any comments on the Build Quality guidance in Annex C?

No.

Q59 Do you agree with the introduction of the standardised compliance report, the Building Regulations England Part L (BREL) report, as presented in Annex D?

1. Yes

2. No there is no need for a standardised compliance report

3. No – I agree there should be a standardised compliance report but do not agree with

the draft in Annex D

If no, please explain your reasoning

(a) Yes.

Q60 Do you agree with the introduction of photographic evidence as a requirement for producing the as-built energy assessment for new dwellings?

a. Yes b. No

If no, please explain your reasoning

(a) Yes.

Q61 Do you agree with the proposal to require the signed standardised compliance report (BREL) and the supporting photographic evidence to be provided to Building Control?

a. Yes b. No

If no, please explain your reasoning

(a) Yes.

Q62 Do you agree with the proposal to provide homeowner with the signed standardised compliance report (BREL) and photographic evidence?

a. Yes b. No

Please explain your reasoning.

(a) Yes.

Q63 Do you agree with the proposal to specify the version of Part L that the home is built to on the EPC?

a. Yes b. No

Please explain your reasoning.

(a) Yes.

Q64 Do you agree Approved Document L should provide a set format for a home user guide in order to inform homeowners how to efficiently operate their dwelling?

a. Yes b. No

If yes, please provide your views on what should be included in the guide. If no, please explain your reasoning

(a) Yes. Building Regulations already include provision for ensuring householders are provided with information to help operate systems efficiently. The proposal seems to be an extension of this provision. Further research should be able to produce a reasonable template from reviewing relevant warranty provider and / or CIBSE guidance.

Chapter 7 Transitional Arrangements

Q65 Do you agree that the transitional arrangements for the energy efficiency changes in 2020 should not apply to individual buildings where work has not started within a reasonable period – resulting in those buildings having to be built to the new energy efficiency standard?

1. Yes – where building work has commenced on an individual building within a reasonable period, the transitional arrangements should apply to that building, but not to the buildings on which building work has not commenced

2. No—the transitional arrangements should continue to apply to all building work on a development, irrespective of whether or not building work has commenced on individual buildings

If yes, please suggest a suitable length of time for the reasonable period in which building work should have started

If no, please explain your reasoning and provide evidence to support this.

(a) Yes. 3 months

Q66 Do you foresee any issues that may arise from the proposed 2020 transitional arrangements outlined in this consultation?

a. Yes b. No

Please explain your reasoning and provide evidence to support this.

(a) Yes. It is still expected that contractors will commence lots of buildings but not progress at the expected rate. It is suggested that for Part L purposes progression should be to at least ground floor level.

Q67 What is your view on the possible transitional arrangements regarding changes to be made in 2025?

(1). Agree with the three suggestions made in the consultation report.

(2). Could consider amending Building Regulation charges to include a 'carbon tax' onto of the inspection charge for units not commenced by the transition date OR rescind all applications / approvals for units not commenced on a particular development.

Chapter 8 Feedback on the Impact Assessment

Q68 The Impact Assessment makes a number of assumptions on fabric/services/ renewables costs, new build rates, phase-in rates, learning rates, etc for new homes. Do you think these assumptions are fair and reasonable?

a. Yes b. No

Please explain your reasoning and provide evidence to support this.

(a) Yes. Assumptions seem fair and reasonable.

Q69 Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for new homes?

a. Yes b. No

If no, please explain your reasoning and provide evidence to support this.

(a) Yes. Assumptions seem fair and reasonable.