

**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

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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