



Welsh Government

Consultation – summary of responses

2012 Consultation on Changes to the Building Regulations in Wales Part L (Conservation of fuel and power)

July 2013

2012 Consultation on Changes to the Building Regulations in Wales Part L (Conservation of fuel and power)

Consultation – summary of responses

Part 1

- #01- Institution of Civil Engineers Wales Cymru**
- #08 - Ceredigion County Council**
- #10 - Portakabin Ltd**
- #11 - CA Group Limited**
- #12 - Metal Cladding and Roofing Manufacturers Association (MCRMA)**
- #13 - Building Control City and County of Swansea**
- #19 - i-Prophets Energy Services**
- #20 - NHBC**
- #21 - Redrow Homes Ltd**
- #23 - Aircrete Products Association**
- #24 - Concrete Block Association**
- #25 - Eco-Futures**
- #28 - Design Commission for Wales**
- #29 - Celotex Limited**
- #31 - Eto-energy+architecture**
- #32 - Farmers' Union of Wales**
- #35 - Calor Gas Ltd**
- #36 - GBSPM Ltd**
- #37 - Pilkington UK Ltd**
- #38 - Modern Masonry Alliance**

#01- Institution of Civil Engineers Wales Cymru

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Consultation Response Form

Your name: Keith Jones

Organisation (if applicable): Institution of Civil
Engineers Wales Cymru

- (i) **Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?**

Organisational ☒ Personal Views ☐

- (ii) **Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:**

Yes ☒ No ☐

Name of group:

Institution of Civil Engineers Wales Cymru

- (iii) **Please tick the one box that best describes your organisation:**

<p>Builders/Developers:</p> <p>Builder / Main contractor: <input type="checkbox"/></p> <p>Builder/ Small builder: (extensions/repairs/maintenance, etc) <input type="checkbox"/></p> <p>Installer/ special sub-contractor <input type="checkbox"/></p> <p>Commercial developer <input type="checkbox"/></p> <p>House builder <input type="checkbox"/></p>	<p>Property Management:</p> <p>Housing association (registered social landlord) <input type="checkbox"/></p> <p>Residential landlord, private sector <input type="checkbox"/></p> <p>Commercial <input type="checkbox"/></p> <p>Public sector <input type="checkbox"/></p>
<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>

<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input type="checkbox"/></p> <p>Professional body or institution X</p> <p>Research/ academic organisation <input type="checkbox"/></p>
<p>Manufacturer/ Supply Chain <input type="checkbox"/></p>	<p>Other (<i>please specify</i>)</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

(iv) Please tick the **one** box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☐
- Large – typically 250+ full-time or equivalent employees ☒
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes x No ☐

Name of scheme:

(vii) **Would you be happy for us to contact you again in relation to this consultation?**

Yes x No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010 ☐

40% CO₂ saving ☐

25% CO₂ saving X

Something else (please explain below) ☐

Don't know ☐

Comments

make it achievable

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☒ No ☐ Don't know ☐

Comments

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

it allows for options

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☒

Proportion of gross internal floor area with a practical cap ☐

Don't know ☐

Comments

multi-storey buildings need to be considered, probably best to limit to % of roof

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☒ No ☐ Don't know ☐

Comments

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☒ No ☐ Don't know ☐

Comments

reasonable approach

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

no

10. 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? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

New non-domestic buildings

12. Do you agree with the proposal for 2013 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☒ No ☐ Don't know ☐

Comments

reasonable approach

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☒

10% ☐

Don't know ☐

Comments

make the standards achievable

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☒ Don't know ☐

Comments

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☒

Percentage of roof area of PV ☐

Other ☐

Don't know ☐

Please give reasons for your choice

reasonable approach

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from October 2013. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) x

Target C: 20% aggregate improvement (5% PV) ☐

Don't know ☐

Please give reasons for your choice

17. Do the proposed 2013 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes x No ☐ Don't know ☐

Comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

☐
☐

Yes No Don't know

Comments

--

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☒ Don't know ☐

Comments

--

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

no

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/ renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes x No ☐ Don't know ☐

Comments

--

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

be as innovative as possible and limit bureaucracy, seek all opportunities

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

take care not to hinder development in Wales

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes x

No

☐

Don't know

☐

Comments

probably

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

Welsh Government to regulate

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

higher standards

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

national policy

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

no views

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

national policy preferred but allow innovation

Existing buildings

32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☐ No ☐ Don't know ☐

Comments

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ No ☐ Don't know ☐

Comments

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in

habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☒

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☐

Don't know ☐

Comments

allow innovation

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☒

Reduce demand ☐

No effect ☐

Don't know ☐

Comments

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☒

No ☐

Prefer a different list (please specify) ☐

Don't know ☐

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☒ No ☐ Don't know ☐

Comments

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

no

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

no

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for replacement domestic windows and domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☒ No ☐ Don't know ☐

Comments

48. If such a checklist was developed, what should it cover?

Comments

49. If the checklist was taken forward, who should be involved in its development?

Comments

50. Would any other approach be likely to prove more effective instead (such as a PAS¹ type approach).

Yes ☒ No ☐ Don't know ☐

Comments

be innovative

¹ A PAS approach.

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☐ No ☐ Don't know ☒

Comments

- 51b. What are the arguments for and against this approach?

Comments

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

n/a

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☒

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☒

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

n/a

Keith Jones, Director, ICE Wales Cymru
1 August 2012

Note:

- The Institution of Civil Engineers (ICE) was founded in 1818 to ensure professionalism in civil engineering.
- It represents 80,000 qualified and student civil engineers in the UK and across the globe and has around 4,000 members in Wales.

- ICE has long worked with the government of the day to help it to achieve its objectives, and has worked with industry to ensure that construction and civil engineering remain major contributors to the UK economy and UK exports.
- For further information visit: www.ice.org.uk and www.ice.org.uk/wales

#08 - Ceredigion County Council

2012 Consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Consultation Response Form

Your name: Alan Davies (Building Control)
Llinos Quelch – Planning Section (Sections 24 – 31)
Organisation (if applicable): Ceredigion County Council

- (v) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational

☒

Personal Views

☐

- (vi) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes

☐

No

☒

Name of group:

- (vii) Please tick the one box that best describes your organisation:

<p>Builders/Developers:</p> <p>Builder / Main contractor:</p> <p>Builder/ Small builder: (extensions/repairs/maintenance, etc)</p> <p>Installer/ special sub-contractor</p> <p>Commercial developer</p> <p>House builder</p>	<p>Property Management:</p> <p>Housing association (registered social landlord)</p> <p>Residential landlord, private sector</p> <p>Commercial</p> <p>Public sector</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
<p>Building occupier:</p> <p>Home owner</p> <p>Tenant (residential)</p> <p>Commercial Building</p>	<p>Building Control Bodies:</p> <p>Local authority building control</p> <p>Approved Inspector</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<p>Energy Sector</p>	<p>Fire and Rescue Authority</p>	<input type="checkbox"/>

Designers/Engineers/Surveyors: Architect Civil/Structural engineer Building services engineer Surveyor	Specific Interest: Competent person scheme operator <input type="checkbox"/> National representative or trade body <input type="checkbox"/> Professional body or institution <input type="checkbox"/> Research/ academic organisation <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Manufacturer/ Supply Chain	Other (please specify) <input type="text"/>	<input type="checkbox"/>

(viii) Please tick the **one** box which best describes the size of your or your organisation's business?

Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐

Small – typically 10 to 49 full-time or equivalent employees ☐

Medium – typically 50 to 249 full-time or equivalent employees ☐

Large – typically 250+ full-time or equivalent employees ☒

None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:
New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010	<input type="checkbox"/>
40% CO ₂ saving	<input checked="" type="checkbox"/>
25% CO ₂ saving	<input type="checkbox"/>
	<input type="checkbox"/>

Something else (please explain below)

Don't know

☐

Comments

I consider it to be less of a burden on Industry, it would give stakeholders time to plan ahead and achieve the reduction 'in one hit. This is likely to result in cost savings over the longer term.

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes

☒

No

☐

Don't know

☐

Comments

Aggregate approach reduces the 'disproportionate' cost to reducing CO₂ emissions between different types of buildings. Furthermore, it provides the developer with a simpler route to compliance.

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes

☒

No

☐

Don't know

☐

Comments

This methodology will prove beneficial to all stakeholders involved in the process who are involved with the design/specification and construction phases due to the 'givens' in the recipe approach.

It is felt that the industry requires simplification of the process.

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

☒☐☐

Yes No Don't know

Comments

This approach adds certainty and again simplifies the process.
Furthermore, it doesn't penalise rural geographical areas or specific build types.

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

This methodology will prove beneficial to all stakeholders involved in the process who are involved with the design/specification and construction phases due to the 'givens' in the recipe approach. In short it simplifies the process.

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☒

Proportion of gross internal floor area with a practical cap ☐

Don't know ☐

Comments

The allowance for PV in the recipe provides for a simple and practicable approach that is easily understood by all stakeholders alike.

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

☒ ☐ ☐

Yes No Don't know

Comments

Having them mandatory reduces design flexibility but the fabric first principle is a sound concept.

However, adoption of 'backstop' values will guard against localised poor thermal performance.

8. Do you agree with the changes to the 'backstop' values proposed?
Please explain your decision.

Yes ☒ No ☐ Don't know ☐

Comments

The fabric first principle is a sound concept. It is a large leap in values but is one that is readily achievable and is necessary if reductions are to be made.

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology?
Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

If energy conservation / CO2 reduction targets are to be achieved then it is considered to be the only the way forward.

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

We do not possess the expertise to comment.

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

We do not possess the expertise to comment.

New non-domestic buildings

12. Do you agree with the proposal for 2013 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☒ No ☐ Don't know ☐

Comments

Fabric first approach appears to be the foundation to energy efficiency.

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☒

Don't know ☐

Comments

Again, as with the proposal for dwelling, I consider it to be less of a burden on Industry, and it would give stakeholders time to plan ahead and achieve the reduction 'in one hit'. This is likely to result in cost savings over the longer term.

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☐ Don't know ☒

Comments

Unaware at present but suspect that scenarios will present themselves as my appreciation of the proposed Approved Document develops.

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☒

Percentage of roof area of PV ☐

Other ☐

Don't know ☐

Please give reasons for your choice

Fixed carbon reduction appears less prescriptive.

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from October 2013. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☒

Don't know ☐

Please give reasons for your choice

A 20% aggregate improvement (5% PV) achieves a significant energy saving 'in one hit' and avoids staged improvements over the longer term which inevitably will reduce the overall cost burden to industry.

17. Do the proposed 2013 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☒ No ☐ Don't know ☐

Comments

I presume that the notional buildings are based on evidence of frequency of building type?

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

SME's lack the resources of larger counterparts. Allowing smaller buildings to follow recipes similar to domestic ones would improve the understanding of the requirements of compliance and reduce the administrative burden associated with the non-domestic recipe.

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☒ No ☐ Don't know ☐

Comments

If the Carbon Trust report is acknowledged and renewables are finite then, surely we should incentivise a lower carbon servicing strategy.

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

Not at present.

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/ renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

We do not possess the expertise to comment.

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

We do not possess the expertise to comment.

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

We do not possess the expertise to comment.

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

Planning has a key role in facilitating higher carbon standards. Through national guidance that already exists Planning Policy Wales (PPW), Technical Advice Notes (TANs) etc. Local Planning Authorities (LPAs) are already in a position to encourage a range of energy opportunities.

Chapter 12: Infrastructure and Services of PPW (Edition 3), clearly states that LPAs should facilitate the development of all forms of renewable and low carbon energy. Additionally TAN 8 gives guidance on Strategic Search Areas for large scale wind power. Also the Welsh Government have produced a range of guidance notes on encouraging individuals, large scale builders and business to invest in renewable energy.

It is unclear from the consultation what is meant by 'site wide energy opportunities'. Does this mean it is for the LPA to identify areas where specific renewable energies can be utilised e.g. Hydroelectric via a specific river or a solar field in a certain area? If so is this informed by the Renewable Energy Audit that every LPA will have to carry out?

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

If the proposal is to remove the requirement for development to meet CfSH/BREEAM there will be no implication of any changes to the policy approach as it is no longer relevant.

However if it is intended to 'keep' elements of the CfSH/BREEAM the majority of changes have focused on the energy and water requirements. There have been no changes to the CfSH since 2010. Based upon the changes that have occurred it appears that any implications will be very minor.

In order to ensure that there are no implications to policy there is clearly an argument that the simplest way to deal with the any changes that occurs to CfSH and BREEAM is not to have a system that operates outside it but one that simply links into it.

Additionally the question arises why when a system is already in place i.e. CfSH/BREEAM which is effectively dealing with sustainable construction across all areas (e.g. not just one element such as energy) that we have to have a separate assessment method with different levels.

Why not just have energy requirements and water efficiency set out by the CfSH/BREEAM? If Building Regulations are still required on these why not have them

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☒ Don't know ☐

Comments

No. If Wales are to meet their target of securing zero carbon buildings then there is a need to have a clear assessment system, this has an associated cost.

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

The only way LPAs could set local standards is via a policy within their Local Development Plan (LDP). A number of LPAs are already in the advanced stages of the LDP process with some LDPs being adopted, whilst others are entering or at Inquiry. Whilst a review on the LDP can be carried out at any point this is costly and time consuming.

The only way to ensure that there is level 'playing field' is to have the requirements set out within National guidance.

By having the requirement of CfSH/BREEAM set out in PPW it is clear to all (developers, land owners, planning officers) what needs to be achieved. This is especially helpful to developers as there is no difference between counties. If each Local Planning Authority set their own standards there is the potential to have 24 different standards across Wales.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

The advantage of CfSH/BREEAM is that they assess the sustainability of a development as a whole. Building Regulations focus on specific elements e.g. water, energy etc. Whilst the CfSH/BREEAM does this they also assess the ecology of a development, the health and wellbeing, management etc.

Sustainability is not just about energy and water efficiency it is also about how the land is used and the impacts development can have on the site but also the health and wellbeing of those that will live there. The advantage of having CfSH/BREEAM is that these systems review all aspects of sustainability. This cannot be achieved within Building Regulations as they currently stand.

29. Is there a better, alternative, way to reward and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

Planning policy is the clearest and most efficient way to secure sustainable development as planning has to consider sustainable development as a whole. By having it delivered by another system you run the risk of having the whole 'sustainable' picture assessed only by focusing in on specific elements e.g. energy and water efficiency.

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

The Welsh Government within the 'One Wales' states that:

"Sustainable development will be the central organising principle of the Welsh Assembly Government"

To date this has been demonstrated when the then Welsh Assembly Government set mandatory ratings for buildings to achieve in compliance with CfSH/BREEAM. The removal of CfSH/BREEAM would not reduce duplication as it would be removing the only 'whole' sustainable assessment methods currently available.

This mandatory rating was set at a difficult economical time but it demonstrated the commitment the Welsh Government had in securing more sustainable construction.

Whilst it is acknowledged that the implementation of improved Building Regulations would still secure a level of improved build it will not secure holistically designed buildings that take into account all aspects of sustainable development.

The removal of the national standards could send out a message that the Welsh Government is no longer as strongly committed to sustainable development as they once were.

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

A policy approach would need to be developed within the LDP to justify the requirement of higher levels of sustainable build on strategic sites, to do this you need an evidence base.

During these difficult economic times it is very difficult to get any commercial enterprise to produce a scheme that is above the basic minimum.

The advantage of having a national standard is that it is the same across Wales. As previously mentioned if you have a system where each LPA sets their own standards there will be some LPAs that do not require any level of 'sustainable' development above the standard Building Regulations and therefore it is possible that developers will be more interested in developing in that area.

Existing buildings

32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

Window performance should be in line with the backstop values in L1A and possibly as good as the elemental recipe value.

However, the provision of clear guidance on standards of installation to achieve adequate air tightness and the avoidance of thermal bridging will ensure energy efficiency is maximised.

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

The element should be aligned with the elemental recipe value in L1A.

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

The element should be aligned with the elemental recipe value in L2A.

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ No ☐ Don't know ☐

Comments

I fail to understand how this can be policed, but where there is a fixed heating system, in an ideal scenario, this should be controlled.

Energy performance might be improved by removing the exemption and introducing fabric requirements.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

Whilst we support improvements to the energy efficiency of existing dwellings, the financial burden on householders is a major concern. Without some financial incentive there is a potential for work to be carried out without the submission of applications for approval, thus avoiding the cost of consequential improvements.

Policing such unauthorised work could also be a major resource issue for Local Authorities

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures?

☒

Should this list be different (please explain below)?

☐

Another approach (please explain below)

☐

Don't know

☐

Comments

The limited measures seem appropriate. I would have concerns if the list was expanded too far in that unauthorised work may become more prevalent.

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand

☐

Reduce demand

☐

No effect

☐

Don't know

☒

Comments

I have no evidence to substantiate an answer.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☒ Don't know ☐

Comments

Due to possible implications on the current occupier of the building in terms of down time and loss in productivity as a result of works associated with consequential improvement.

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☒

No ☐

Prefer a different list (please specify) ☐

Don't know ☐

Comments

All three lists appear relevant.

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☒ Don't know ☐

Comments

Additional burden on time and resources to ensure that the consequential improvements are implemented.

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

Not at present other than the proposed layout is an improvement on the previous.

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

Not at present.

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for replacement domestic windows and domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

We do not possess the expertise to comment.

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

We do not possess the expertise to comment.

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

We do not possess the expertise to comment.

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☒ No ☐ Don't know ☐

Comments

A compliance checklist is considered a useful tool and therefore warrants further development.

48. If such a checklist was developed, what should it cover?

Comments

Checklist should cover the principle elements of the thermal construction and services as covered in SAP.

49. If the checklist was taken forward, who should be involved in its development?

Comments

All stakeholders.

50. Would any other approach be likely to prove more effective instead

☐ ☐ ☒

(such as a PAS² type approach).

Yes No Don't know

Comments

The idea of PAS would likely prove beneficial to the industry and may be worth considering.

51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☒ No ☐ Don't know ☐

Comments

This methodology will prove beneficial to all stakeholders involved in the process who are involved with the design/specification and construction phases due to the 'givens' in the recipe approach. In short it simplifies the process

51b. What are the arguments for and against this approach?

Comments

Ease of implementation, reduced burden on industry, cost effective

Maybe prescriptive and impede innovation in design flexibility and technological advances.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

None at present.

² A PAS is a Publically Available Specification, and the PAS would set out a quality assurance approach.

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☒ No ☐ Don't know ☐

Comments

No Comment

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☒ No ☐ Don't know ☐

Comments

Improved definition, for example, what constitutes a conservatory in terms of proportion of glazing?

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

The proposals appear to simplify the process in many areas and make it easier to determine compliance which in effect will reduce carbon emissions. However other aspects such as consequential improvements are likely to add a burden.

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

No comment

#10 - Portakabin Ltd

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Consultation Response Form

Your name: Ralph Bint

Organisation (if applicable): Portakabin Ltd

- (ix) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

- (x) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

- (xi) Please tick the one box that best describes your organisation:

<p>Builders/Developers:</p> <p>Builder / Main contractor: <input type="checkbox"/></p> <p>Builder/ Small builder: <input type="checkbox"/></p> <p>(extensions/repairs/maintenance, etc)</p> <p>Installer/ special sub-contractor <input type="checkbox"/></p> <p>Commercial developer <input type="checkbox"/></p> <p>House builder <input type="checkbox"/></p>	<p>Property Management:</p> <p>Housing association <input type="checkbox"/></p> <p>(registered social landlord)</p> <p>Residential landlord, <input type="checkbox"/></p> <p>private sector</p> <p>Commercial <input type="checkbox"/></p> <p>Public sector <input type="checkbox"/></p>
---	---

<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>
<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input type="checkbox"/></p> <p>Professional body or institution <input type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

Manufacturer/ Supply Chain <input type="checkbox"/>	Other <i>(please specify)</i> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Off site modular construction.</div>
--	---

(xii) Please tick the *one* box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☐
- Large – typically 250+ full-time or equivalent employees ☒
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt

personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☐

40% CO₂ saving

☒

25% CO₂ saving

☐

Something else (please explain below)

☐

Don't know

☐

Comments

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☐ No ☐ Don't know ☒

Comments

We are not significantly involved in the domestic sector.

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☐ No ☐ Don't know ☒

Comments

We are not significantly involved in the domestic sector.

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

They allow SMEs a chance of continuing to be involved in the domestic sector. However, examples of construction detail that would achieve the required U values would be of help to SMEs

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☐

Proportion of gross internal floor area with a practical cap ☒

Don't know ☐

Comments

This would be "less unfair"

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☒ No ☐ Don't know ☐

Comments

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☐ No ☒ Don't know ☐

Comments

G value and Light transmittance do not state if these are min max or finite. North facing windows do not need 40% G, high G and high light would be a benefit. South facing high G, except if external shading is provided to shade at high azimuth angles, then low azimuth angle heat gain could off set heating in winter. Specifying G-values

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

The cost of the improvements AND sprinklers seem very low

New non-domestic buildings

12. Do you agree with the proposal for 2013 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☒ No ☐ Don't know ☐

Comments

Fabric first designing out extra services is good, followed by good services and renewables to off set running energy NOT bad design is a good approach.

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☒

10% ☐

Don't know ☐

For the 7% TPEC, there is a clear distinction between comfort cooled buildings and heated only buildings. We feel that this is the right approach to reducing energy and discouraging unnecessary cooling installations. The strategy for 10% TPEC does not have this benefit and may result in encouraging installation of comfort cooling.

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☒ No ☐ Don't know ☐

Comments

We work extensively in the Office sector where the specific reduction is twice the aggregate.

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☐

Percentage of roof area of PV ☐

Other ☒

Don't know ☐

Please give reasons for your choice

Fixed. percentage of Primary Energy
Or fixed percentage of floor area (but ultimately limited by a % of roof area for practical reasons)

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from October 2013. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☒

Don't know ☐

Please give reasons for your choice

The 20% target sets a progressive and challenging direction for Welsh Building Regulations, and will put Welsh buildings at the pinnacle of low carbon design in the UK.

17. Do the proposed 2013 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☒ No ☐ Don't know ☐

Comments

Parameters are challenging but reasonable. Care should, however, be taken to ensure that lighting calculations do not produce unreasonably low power consumption for small rooms in the notional

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

Inappropriate allocation of day light benefit, and metering and targeting associated with the smaller buildings. Alignment with domestic recipe does not, however, seem sensible as commercial buildings have completely different operation and design

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☒ Y No ☐ Don't know ☐

Comments

Mixed mode ventilation, demand ventilation and mixed mode cooling should all be rewarded within the NCM. As should winter heat recovery mech vent and summer natural vent. This is not the case at present. This may require prevention of control change at a later

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Table 3 addresses correction factors for existing modules used in "new" buildings, but this is based on the aggregate value not the specific reduction. In the case of offices this would be a 100% error on the reduction. How would this address TPEC and PEC?

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☒ Y

Comments

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒ Y

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☒ No ☐ Don't know ☐

Comments

Assessments are not regularly requested, checked or policed. BREEAM is a bit of a joke, it is not employed across the board even in sectors where it is stated as "essential".

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

Site review of as built standards and as being built, is insulation being appropriately installed, secured and cold bridging addressed as design. BCOs must start asking for EPCs (as they do with electrical, fire, emerg. lighting test certs)

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

Enforcement, site standards, policing standards, achieving as built close to as designed. Returns of energy meter readings for 3 years following completion reviewed against "design" may scare a few consultants/contractors into self policing standards.

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

Existing buildings

32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.

Yes ☒ Y No ☐ Don't know ☐

Comments

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☒ Y No ☐ Don't know ☐

Comments

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ Y No ☐ Don't know ☐

Comments

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ Y No ☐ Don't know ☐

Comments

There should be no exceptions, if there are then they will be built and heating fitted later.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☐ Y No ☐ Don't know ☐

Comments

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☐

Should this list be different (please explain below)? ☒ Y

Another approach (please explain below) ☐

Don't know ☐

Comments

Loft, this as a min 300mm may be better.
Hot water cylinder at 150 mm is debatable.
Pipe insulation in lofts/un heated areas needs to be addressed.

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☒ X

No effect ☐

Don't know ☐

Comments

Reduce in the short term, which may allow time to educate contractors

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☐

Comments

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☐

No ☐

Prefer a different list (please specify) ☐

Don't know ☐

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☐ Don't know ☐

Comments

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for replacement domestic windows and domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☐ No ☐ Don't know ☐

Comments

48. If such a checklist was developed, what should it cover?

Comments

49. If the checklist was taken forward, who should be involved in its development?

Comments

50. Would any other approach be likely to prove more effective instead (such as a PAS³ type approach).

Yes ☐ No ☐ Don't know ☐

Comments

³ A PAS is a Publically Available Specification, and the PAS would set out a quality assurance approach.

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☐ No ☐ Don't know ☐

Comments

- 51b. What are the arguments for and against this approach?

Comments

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☐

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☐

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

--

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

Between the implementation of Part L (England) in Oct 2013 and Jun 2014 for Part L (Wales) will Part L (England and Wales) 2010 or Part L (England) 2013 be applicable within Wales?
--

#11 - CA Group Limited

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Minor amendments indicated in red

Consultation

Response Form

Your name: Lee Davies

Organisation (if applicable): CA Group Limited

- (xiii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

- (xiv) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☒ No ☐

Name of group:

MCRMA: Metal Cladding and Roofing Manufacturers Association

- (xv) Please tick the one box that best describes your organisation:

Builders/Developers: Builder / Main contractor: <input type="checkbox"/> Builder/ Small builder: <input type="checkbox"/> (extensions/repairs/maintenance, etc) Installer/ special sub-contractor <input checked="" type="checkbox"/> Commercial developer <input type="checkbox"/> House builder <input type="checkbox"/>	Property Management: Housing association <input type="checkbox"/> (registered social landlord) Residential landlord, <input type="checkbox"/> private sector Commercial <input type="checkbox"/> Public sector <input type="checkbox"/>
---	--

<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>
<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input type="checkbox"/></p> <p>Professional body or institution <input type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

Manufacturer/ Supply Chain <input checked="" type="checkbox"/>	Other (<i>please specify</i>) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
---	---

(xvi) Please tick the *one* box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☒
- Large – typically 250+ full-time or equivalent employees ☐
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt

personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☐

40% CO₂ saving

☐

25% CO₂ saving

☐

Something else (please explain below)

☐

Don't know

☐

Comments

No view.

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☐ No ☐ Don't know ☐

Comments

No view.

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☐ No ☐ Don't know ☐

Comments

No view.

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☐ No ☐ Don't know ☐

Comments

No view.

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☐ No ☐ Don't know ☐

Comments

No view.

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☐

Proportion of gross internal floor area with a practical cap ☐

Don't know ☐

Comments

No view.

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☐ No ☐ Don't know ☐

Comments

No view.

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☐ No ☐ Don't know ☐

Comments

No view.

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No view.

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☐

Comments

No view.

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

No view on new homes.

New non-domestic buildings

12. Do you agree with the proposal for ~~2013~~ 2014 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☐ No ☒ Don't know ☐

Comments

In principle, we agree, however we do see practical difficulties i.e

- It should be consistent between England and Wales as there is no greater reason in one country than another and many developers are working in both countries
- Where it is more cost effective to generate renewable energy than to reduce energy consumption it is not logical to legislate against this particularly in times of recession.
- Existing backstop values already control PEC to some extent
- Additional complexity could increase confusion and lead to reduced compliance
- The legal instrument is a limit on CO2 emissions only and we are already aware that Building Control do not always enforce Backstop Values so may not be able to enforce PEC

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☒

10% ☐

Don't know ☐

Comments

This provides more flexibility in design.

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☒ No ☐ Don't know ☐

Comments

We would not support the specification or adoption of a single universal air tightness figure across all non-domestic industrial or commercial buildings i.e. retail, factory and warehouses.

Previously, the MCRMA demonstrated throughout the period of the Working Groups (WG2) for England and subsequently through discussion with DCLG/AECOM/BRE that small buildings cannot achieve figures as low as those proposed. The following table details air permeability figures which have been established by the industry from a wide series of on-site tests. The

Notes:

- Industrial buildings includes factories, warehouses and oil, steel & coal
- Non industrial sheds includes all non-industrial single storey buildings constructed in an 'industrial style', i.e. with a steel portal frame + profiled metal roof and wall claddings. An obvious example of this type of buildings would be a DIY retail outlet
- All residential, farm and infrastructure buildings are excluded

To support the statistics provided by Construction Markets the MCRMA also conducted a survey across member companies to establish the size of projects based on sales figures for specific contracts. The following table shows the percentage share of Non industrial buildings and Non industrial sheds constructed in each of the categories of floor area:-

Floor area	Percentage share
0 - 2,500m ²	61%
2,501 - 5,000m ²	20%
5,001 - 10,000m ²	13%
10,001m ² +	6%
Total	100%

The two sets of results (CM and MCRMA) show that small non-domestic buildings dominate the market sector.

The adoption of a universal air permeability figures proposed within the Consultation document would have a major affect on the small industrial and commercial top lit sector. This proposal is not practical or acceptable.

The MCRMA suggest that a more practical and achievable air permeability figures should be adopted within the Notional Building and it should be based on a sliding scale as shown in the table below

Floor area	m³/hr/m²
0 - 1,000m ²	10.0
1,001 - 2,500m ²	8.0
2,501 - 5,000m ²	7.0
5,001 - 10,000m ²	5.0
10,001m ² +	3.0

Subsequent discussions with DCLG/AECOM/BRE has concluded that the following figures would be a practical solution for buildings in each of the categories

Floor area	m³/hr/m²
0 - 3,500m ²	7.0
3,501 - 10,000m ²	5.0
10,001m ² +	3.0

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☐

Percentage of roof area of PV ☐

Percentage of floor area of PV ☐

Other ☒

Don't know ☐

Please give reasons for your choice

We believe carbon reduction from renewable technologies must be defined as a further percentage reduction of the TER, prior to the allowance of renewables.

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from ~~October 2013~~ June 2014. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☒

Don't know ☐

Please give reasons for your choice

Whilst we agree in principle to the 20% reduction provided this does not include a TPEC or a prescribed renewable technology (See response to Q12 and Q15).

This should be based on the lower rather than higher specification for fabric and services but we note that these are the same for top lit buildings.

17. Do the proposed ~~2013~~ 2014 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☒ Don't know ☐

Comments

The NCM should be the same as England; with air permeability requirements reflecting building size (See response to Q14).

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☐ No ☒ Don't know ☐

Comments

We believe all small buildings which are effectively domestic in nature should come under L1A. Other small buildings which are non-domestic in nature can be accommodated under the proposed notional building but with an adjustment for air permeability requirements for any buildings under 3,500m² (See response to Q14).

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☐ Don't know ☒

Comments

The approved documents should promote the design of buildings to incorporate natural lighting and ventilation, reducing the demand on energy consumption.

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

Development of a separate Welsh methodology / notional building is unnecessary and will cause additional cost and confusion leading to a lower compliance level.

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☒ Don't know ☐

Comments

We along with the MCRMA do not agree that the fabric cost data for impact assessment are realistic. We would propose that the numbers contained in the following table are represent the costs currently available within the market place and they should be used as the basis for future discussion and use.

Summary table: Installed cost data for insulated Metal Cladding roof and wall systems (inclusive of allowance for construction details).

	U = 0.25	U = 0.20	U = 0.15	U = 0.10
Roof	£37-45/m ²	£41-51/m ²	£46-55/m ²	Enhanced
	U = 0.30	U = 0.25	U = 0.20	U = 0.15
Walls	£35-42/m ²	£39-44/m ²	£42-46/m ²	£47-51/m ²

Assumptions made.

- Contractors budget supply and fix rates, which DO allow for construction details.
- Deeper and heavier cladding systems may require the introduction of stronger primary and secondary structures
- The costs are average budget costs across the industry for a 60 x 40m (2,400m²) industrial unit. Costs do not include the material cost for the rooflights.
- Project specific costs will vary from these costs because so many other factors need to be considered
- It must be noted that the budget costs are significantly different from those shown in the AECOM report

The MCRMA would also challenge the assumption within the AECOM cost model that there is "No Cost" associated with the adoption of different air permeability figures. Tighter air permeability values will involve additional design, higher specification material and workmanship, more detailed on-site installation processes and above all site supervision and documented QA procedures.

A "No Cost" statement is flawed with incorrect assumptions and needs to be addressed through a closer practical working relationship with industry. The MCRMA continue to challenge the text book approach adopted by AECOM.

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

See response to Q21.

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

No view.

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

No view.

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

No view.

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☐ Don't know ☒

Comments

No view.

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

The setting of standards should be national not local. Planning authorities should be focused on implementing not setting standards.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

No view.

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

No view.

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

Our belief is that there should be one 'British' regulation, which will save confusion and ensure buildings are designed and built correctly.

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

No view.

Existing buildings

- ~~32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.~~

~~Yes ☐ No ☐ Don't know ☐~~

Comments

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☐ No ☐ Don't know ☒

Comments

No view.

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

We agree with the technical requirements but buildings which are domestic in nature should come under the scope of L1B to avoid the need to amend L2B (see response to Q18).

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☐ No ☐ Don't know ☒

Comments

No view.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☒

Comments

No view.

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☐

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☐

Don't know ☒

Comments

No view.

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand

☐

Reduce demand

☐

No effect

☐

Don't know

☒

Comments

No effect for non-domestic buildings.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☒ Don't know ☐

Comments

The principle of consequential improvement is too open to interpretation and financial manipulation.

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes

☐

No

☒

Prefer a different list (please specify)

☐

Don't know

☐

Comments

The lists should not be exclusive and other measures may also be appropriate.

The list in SBEM is not exhaustive and all measures must be technically and financially viable and able to clearly demonstrate the benefits.

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☒ Don't know ☐

Comments

See response to Q39.

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No view.

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No comments.

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for ~~replacement domestic windows and~~ domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

See response to Q21.

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

No view.

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

[See response to Q39.](#)

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☐ No ☐ Don't know ☒

Comments

[No view.](#)

48. If such a checklist was developed, what should it cover?

Comments

[No view.](#)

49. If the checklist was taken forward, who should be involved in its development?

Comments

[No view.](#)

50. Would any other approach be likely to prove more effective instead (such as a PAS⁴ type approach).

Yes ☐ No ☐ Don't know ☒

Comments

No view.

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☒ No ☐ Don't know ☐

Comments

See response to Q43.

- 51b. What are the arguments for and against this approach?

Comments

See response to Q43.

⁴ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

We would agree with the MCMRA comments;

The MCRMA propose that there is a need for more detailed training within Building Control. The staff within Building Control need to have a more detailed understanding of products and systems which they are dealing with and have a closer working relationship with industry and the experts who work in those industries.

Air tightness needs to be administered and controlled following completion of the building. A detailed QA process and sign off should be mandatory on ALL buildings to ensure the on-site build quality meets with design assumptions.

The creation of separate regulations for Wales increases complexity and makes it much more difficult for manufacturing/construction industry to support Building Control/specifiers and contractors which will lead to reduced compliance.

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☒

Comments

No view.

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☒

Comments

No view.

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

No view.

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

None.

#12 - Metal Cladding and Roofing Manufacturers Association (MCRMA)

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Consultation Response Form

Your name: Carlton J Jones

Organisation (if applicable): Metal Cladding and
Roofing Manufacturers Association (MCRMA)

(xvii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(xviii) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☒ No ☐

Name of group:

Metal Cladding and Roofing Manufacturers Association (MCRMA)

(xix) Please tick the one box that best describes your organisation:

<p>Builders/Developers:</p> <p>Builder / Main contractor: <input type="checkbox"/></p> <p>Builder/ Small builder: <input type="checkbox"/> (extensions/repairs/maintenance, etc)</p> <p>Installer/ special sub-contractor <input type="checkbox"/></p> <p>Commercial developer <input type="checkbox"/></p> <p>House builder <input type="checkbox"/></p>	<p>Property Management:</p> <p>Housing association <input type="checkbox"/> (registered social landlord)</p> <p>Residential landlord, <input type="checkbox"/> private sector</p> <p>Commercial <input type="checkbox"/></p> <p>Public sector <input type="checkbox"/></p>
--	---

<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>
<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input checked="" type="checkbox"/></p> <p>Professional body or institution <input type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

Manufacturer/ Supply Chain <input type="checkbox"/>	Other (<i>please specify</i>) <input style="width: 100%;" type="text"/>
--	---

(xx) Please tick the *one* box which best describes the size of your or your organisation's business?

Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐

Small – typically 10 to 49 full-time or equivalent employees ☐

Medium – typically 50 to 249 full-time or equivalent employees ☐

Large – typically 250+ full-time or equivalent employees ☐

None of the above (please specify) ☒

Members of the MCRMA fall into all categories

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that

you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☐

40% CO₂ saving

☐

25% CO₂ saving

☐

Something else (please explain below)

☐

Don't know

☐

Comments

No view

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☐

No ☐

Don't know ☐

Comments

No view

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☐

No ☐

Don't know ☐

Comments

No view

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☐ No ☐ Don't know ☐

Comments

No view

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☐ No ☐ Don't know ☐

Comments

No view

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☐

Proportion of gross internal floor area with a practical cap ☐

Don't know ☐

Comments

No view

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☐ No ☐ Don't know ☐

Comments

No view

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☐ No ☐ Don't know ☐

Comments

No view

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No view

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☐

Comments

No view

- 11.** 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

The comments contained in this document are based on the knowledge and expertise from across the MCRMA membership profile. We cannot comment on the viability of the proposals in sectors outside of our experience.

New non-domestic buildings

- 12.** Do you agree with the proposal for 2013 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☐ No ☒ Don't know ☐

Comments

We agree with the system in principle; however we do see practical difficulties i.e.

- It should be consistent between England and Wales as there is no greater reason in one country than another and many developers are working in both countries
- Where it is more cost effective to generate renewable energy than to reduce energy consumption it is not logical to legislate against this particularly in times of recession.
- Existing backstop values already control PEC to some extent
- Additional complexity could increase confusion and lead to reduced compliance
- The legal instrument is a limit on CO2 emissions only and we are already aware that Building Control do not always enforce Backstop Values therefore they may

- 13.** Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☒

10% ☐

Don't know ☐

Comments

The package of fabric/service specifications should only be used for setting the Notional Building TER. Using the lower figure provides more flexibility

- 14.** Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☒ No ☐ Don't know ☐

Comments

With regard to air permeability the MCRMA would not support the specification or adoption of a single universal air tightness figure across all non domestic industrial or commercial buildings i.e. retail, factory and warehouses. The MCRMA clearly demonstrated throughout the period of the Working Groups (WG2) for England and subsequently through discussion with DCLG/AECOM/BRE that small buildings cannot achieve figures as low as those proposed. The following table details air permeability figures which have been established by the industry from a wide series of on-site tests. The figures are practical and achievable and demonstrate industries concern about the adoption of a blanket air permeability.

Building Floor Area Ranges MCRMA study based on site testing

	m ³ /hr/m ²
0 - 1,000 m ²	10
1,001 - 2,500 m ²	7.7
2,501 - 5,000 m ²	6.5
5,001 - 10,000m ²	4.7
10,001 m ² and Over	3.2

During the Working Group meetings (WG2) for England the MCRMA was asked to supply DCLG/AECOM/BRE with statistics on the numbers of metal-clad buildings, which were being built together with their floor areas and corresponding air tightness test results.

To service the request MCRMA briefed Construction Markets Ltd (CM) to research the non-domestic buildings by project size for 2011. [CM is regarded as the leading market research company within the construction sector. The company have been analysing this market in depth from 1972 and are the only research company to have actual figures]

The following table shows the percentage share of buildings constructed in the UK in each of the five categories of floor area:-

Based on Number of Buildings

Area m ²	Conventional.....	Ind + non-Ind.....	Total
0-1000.....	58.7%.....	31.8%.....	54.2%
1001-2500.....	14.1%.....	14.3%.....	14.0%
2501-5000.....	12.1%.....	18.2%.....	12.7%
5001-10000.....	6.5%.....	12.3%.....	7.8%
10001 plus.....	8.6%.....	23.4%.....	11.3%
Total.....	100.0%.....	100.0%.....	100.0%

Notes:

- Industrial buildings includes factories, warehouses and oil, steel & coal
- Non industrial sheds includes all non-industrial single storey buildings constructed in an 'industrial style', i.e. with a steel portal frame + profiled metal roof and wall claddings. An obvious example of this type of buildings would be a DIY retail outlet
- All residential, farm and infrastructure buildings are excluded

To support the statistics provided by Construction Markets the MCRMA also conducted a survey across member companies to establish the size of projects based on sales figures for specific contracts. The following table shows the percentage share of Non industrial buildings and Non industrial sheds constructed in each of the categories of floor area:-

Floor area	Percentage share
0 - 2,500 m ²	61%
2,501 - 5,000 m ²	20%
5,001 - 10,000m ²	13%
10,001 m ² and Over.....	6%
Total.....	100%

The two sets of results (CM and MCRMA) show that small non-domestic buildings dominate the market sector.

The adoption of a universal air permeability figures proposed within the Consultation document would have a major affect on the small industrial and commercial top lit sector. This proposal is not practical or acceptable.

The MCRMA suggest that a more practical and acheivable air permeability figures should be adopted within the Notional Building and it should be based on a sliding scale as shown in the table below

Floor area	m ³ /hr/m ²
0 - 1,000 m ²	10
1,001 - 2,500 m ²	8
2,501 - 5,000 m ²	7
5,001 - 10,000m ²5
10,001 m ² and Over.....	3

Subesquent discussions with DCLG/AECOM/BRE has concluded that the following figures would be a practical solution for buildings in each of the categories

Floor area	m ³ /hr/m ²
0 – 3,500 m ²	7
3,501 – 10,000 m ²	5
10,001 plus m ²	3

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☐

Percentage of roof area of PV ☐

Other ☒

Don't know ☐

Please give reasons for your choice

Carbon reduction from renewables should be defined as a further percentage reduction of the TER calculated using the service/fabric Notional Building values

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from October 2013. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☒

Don't know ☐

Please give reasons for your choice

Agree in principle to the 20% reduction provided this does not include a TPEC or a prescribed renewable technology. See Q12 and Q15
This should be based on the lower rather than higher specification for fabric and services but we note that these are the same for top lit buildings

17. Do the proposed 2014 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☒ Don't know ☐

Comments

It should be the same as England. The air tightness requirements should reflect building size. See Q14

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☐ No ☒ Don't know ☐

Comments

Small building which are domestic in nature should come under L1A. Other small buildings which are non-domestic in nature can be accommodated under the proposed notional building but with an adjustment for air tightness requirements for any buildings under 3500 sq mtrs. See Q14

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☐ Don't know ☒

Comments

Part L should promote the design of buildings to incorporate natural lighting and ventilation.

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

The development of a separate Welsh methodology is unnecessary and will cause additional cost and confusion which will lead to a lower compliance levels

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☒ Don't know ☐

Comments

The MCRMA do not agree that the fabric cost data for impact assessment are realistic. The MCRMA would propose that the numbers contained in the following table are represent the costs currently available within the market place and they should be used as the basis for future discussion and use.

Summary table

Installed cost data for insulated Metal Cladding roof and wall systems (With allowance for construction details).

Metal clad	U = 0.25	U = 0.20	U = 0.15	U = 0.10
Roof	37-45 £/m2	41-51 £/m2	46-55 £/m2	Enhanced
Metal Clad	U = 0.3	U = 0.25	U = 0.20	U = 0.15
Walls	35-42 £/m2	39-44 £/m2	42-46 £/m2	47-51 £/m2

Assumptions made.

- Contractors budget supply and fix rates, which DO allow for construction details.
- Deeper and heavier cladding systems may require the introduction of stronger primary and secondary structures
- The costs are average budget costs across the industry for a 60 x 40 mtr (2400 sq mtr) industrial unit. Costs do not include the material cost for the roof lights.
- Project specific costs will vary from these costs because so many other factors need to be considered
- It must be noted that the budget costs are significantly different from those shown in the AECOM report

The MCRMA would also challenge the assumption within the AECOM cost model that there is "No Cost" associated with the adoption of different air permeability figures. Tighter air permeability values will involve additional design, higher specification material and workmanship, more detailed on-site installation processes and above all site supervision and documented QA procedures.

A "No Cost" statement is flawed with incorrect assumptions and needs to be addressed through a closer practical working relationship with industry. The MCRMA continue to challenge the text book approach adopted by AECOM.

- 22.** 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

See Q21

Cumulative impact of policies

- 23.** Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

No View

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

No view

- 26.** Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☐ Don't know ☒

Comments

- 27.** What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

Standards should be National not local and planning authorities should be focused on implementing not setting these targets. The benefits from uniform implementation will far outweigh those from local enhancements lower overall compliance as well as removing

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

No View

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

No View

- 30.** To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

Single British Regulations should apply

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

No View

Existing buildings

32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.

Yes ☐ No ☐ Don't know ☐

Comments

No view

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☐ No ☐ Don't know ☐

Comments

No view

- 34.** Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

Agree with the technical requirements but buildings which are domestic in nature should come under the scope of L1B to avoid the need to amend L2B. See Q18

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☐ No ☐ Don't know ☐

Comments

No view

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☐

Comments

No view

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☐

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☐

Don't know ☐

Comments

No view

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☐

No effect ☒

Don't know ☐

Comments

For Non domestic buildings

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☒ Don't know ☐

Comments

The principle of consequential improvement is too open to interpretation and financial manipulation

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☐

No ☒

Prefer a different list (please specify) ☐

Don't know ☐

Comments

These lists should not be exclusive and other measures may also be applicable.
The list in SBEM is not exhaustive and provided a technology is financially viable and able to clearly demonstrate the benefits it should be eligible

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☒ Don't know ☐

Comments

See Q39

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No view

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for replacement domestic windows and domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

See Q21

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

No view

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

See Q39

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☐ No ☐ Don't know ☐

Comments

No view

48. If such a checklist was developed, what should it cover?

Comments

No view

49. If the checklist was taken forward, who should be involved in its development?

Comments

No view

50. Would any other approach be likely to prove more effective instead (such as a PAS⁵ type approach).

Yes ☐ No ☐ Don't know ☐

Comments

No view

⁵ A PAS

- 51a.** Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☒ No ☐ Don't know ☐

Comments

- 51b.** What are the arguments for and against this approach?

Comments

See earlier comments

- 52.** Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

The MCRMA propose that there is a need for more detailed training within Building Control. The staff within Building Control need to have a more detailed understanding of products and systems which they are dealing with and have a closer working relationship with industry and the experts who work in those industries.

Building control staff need to understand the wide variety of compliance options as well as the Notional Building specification. Continued reference to this as the "compliance recipe" re-enforces this specification, particularly with less technically aware architects/specifiers and should not be used. It is a target setting tool.

Air tightness needs to be administered and controlled following completion of the building. A detailed QA process and sign off should be mandatory on ALL buildings to ensure the on-site build quality meets with design assumptions.

The creation of separate regulations for Wales increases complexity and makes it much more difficult for manufacturing/construction industry to support Building Control/specifiers and contractors which will lead to reduced compliance.

- 53.** Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☐

Comments

No view

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☐

Comments

No view

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

No view

- 56.** We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

A "No view" comment to questions generally indicates that the MCRMA is not actively involved in that part of the construction sector and therefore it would be inappropriate for us to make comment. Where a comment has been made it is because we regard ourselves as experts within that sector of the industry. Some answers are based on involvement with Working Group 2 (WG2) committee for England and details discussions with DCLG/AECOM/BRE to resolve known issues.

#13 - Building Control City and County of Swansea

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Consultation Response Form

Your name: Building Control

Organisation (if applicable): City and County of
Swansea

(xxi) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(xxii) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☐

Name of group:

(xxiii) Please tick the one box that best describes your organisation:

Builders/Developers: Builder / Main contractor: <input type="checkbox"/> Builder/ Small builder: <input type="checkbox"/> (extensions/repairs/maintenance, etc) Installer/ special sub-contractor <input type="checkbox"/> Commercial developer <input type="checkbox"/> House builder <input type="checkbox"/>	Property Management: Housing association <input type="checkbox"/> (registered social landlord) Residential landlord, <input type="checkbox"/> private sector Commercial <input type="checkbox"/> Public sector <input checked="" type="checkbox"/>
--	---

<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input checked="" type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>
<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input checked="" type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input type="checkbox"/></p> <p>Professional body or institution <input type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

Manufacturer/ Supply Chain <input type="checkbox"/>	Other (<i>please specify</i>) <input style="width: 100%;" type="text"/>
--	---

(xxiv) Please tick the *one* box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☐
- Large – typically 250+ full-time or equivalent employees ☒
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt

personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☐

40% CO₂ saving

☒

25% CO₂ saving

☐

Something else (please explain below)

☐

Don't know

☐

Comments

Government support needed

Must have low installation costs and low maintenance costs

On the basis this will be the final target and no further increase will be required in the future

25% reduction appears more appropriate in the current economic climate which is still a significant improvement - Accept 40% argument with future requirements but cannot hit targets for affordable homes currently.

40% improvement is ok but very dependant on market forces

I tend to disagree with their preferred option and would prefer the later. This would be a more phased approach and would not have as much impact initially than the 40% improvement would. This would give the industry a few years to adapt before making further changes in 2016.

Reservations relating to the knock on cost to the construction industry and developers in the currently fragile economic climate.

Do not agree with the governments preference for a CO₂ saving of 40% reduction in CO₂ emissions compared to part L 2010

Whilst I appreciate Welsh Government commitment to reducing greenhouse gas emissions, I think in the current economic climate it would be suicidal to pursue a 40% improvement on current Building Regulations. Currently very few houses are being built. '2015 new homes sweetener' I feel will make little difference. If no new houses are built then greenhouse gas emissions will not be reduced anyway.

40% improvement is ok but very dependant on market forces

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☒ No ☐ Don't know ☐

Comments

Agreement from technical group

Only of use for large developments and equations must be simple

Photovoltaic is not a carbon neutral resource as the manufacture out weighs the design life, thus Further clarification required. Standards need to be met through the building fabric only and such "add – on feature not used within the base calculations on compliance.

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

Appropriate technical details to be provided

Although PV option sways the design, SAP using any renewable would do the same job.

Good solution to enable small contractors to pick up and use a compliant recipe. As built SAP still required, what happens if this fails?

Much simpler for self builds and smaller developers to achieve compliance

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

Benefits area's where there is no gas

Mains gas is only available in very small percentage of our authority

Assures that developers in remote locations are not penalised.

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

It's a simplified approach, but investment in industry required

Simpler for builders to understand, Part L, SAP etc. Becoming increasingly complex

Compliance with the Elemental Recipe Specification will not identify compliance with Criterion 3 – Are we not fragmenting the process further? It is generally considered a good idea as long as its accuracy is revised as and when necessary.

Industry needs to catch up to achieve new U values.

Common recipe of elemental specifications accepted as good practice as stated for smaller contractors.

Recipe approach to dwellings is a good idea to achieve compliance with the regulations in a straightforward manner. Will be handy for smaller builders/developers.

Domestic Recipe is a good idea but would appear a bit rigid? - investigate whether or not a bit of 'trade offing' could be introduced between items listed, which would maybe make more 'user friendly'.

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area

☒

Proportion of gross internal floor area with a practical cap

☐

Don't know

☐

Comments

Fairest method

More practical and simpler way of being able to achieve desired area.

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☒ No ☐ Don't know ☐

Comments

Easier to control on site and also a minimum standard

Will cease the abuse of the current system.

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☒ No ☐ Don't know ☐

Comments

Brings it in line with proposed standards

Will bring more in line with proposed standards.

Allows for future fuel changes

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

U values for new dwellings & extensions to dwellings will lead to increased costs & unfamiliar construction types. Building fabric standards are already high & benefits to increased cost will be minimal.

Compliance with the Building Regulations should ensure CSH compliance.

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

Costs must be based on realistic market values

It is based on an average. Self build projects would be different.

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

How accurate are national housing statistics

It is based on an average. Self build projects would be different.

New non-domestic buildings

12. Do you agree with the proposal for 2013 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☒ No ☐ Don't know ☐

Comments

Efficiency and carbon reduction can be looked at separately

Appears to be sensible considering use of energy in a building, can vary greatly even though buildings are similar

Low carbon technology should not excuse or compensate for poor construction.

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☒

10% ☐

Don't know ☐

Comments

Less impact on costs

A reasonable increase which can be achievable

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☒ No ☐ Don't know ☐

Comments

Where will the base values be created for compliance

Hot Processes – requirement for insulation conflicts with requirement for cooling

The documents mention several ways that the new Part L will assist compliance. Flowcharts adopting and either or strategy etc and mentions a programme to ensure industry and stakeholder awareness.

Only initially, possibly reviewed at a later date when construction has caught up.

Industrial & Storage.

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☒

Percentage of roof area of PV ☐

Other ☐

Don't know ☐

Please give reasons for your choice

High rise buildings will prove difficult if they have small roof areas for the use of PV's

Probably most will still choose PV however choosing fixed carbon reduction does take away the impression PV is the favoured choice (and hopefully encourage innovation)

Multi story developments should save as much energy as single story developments.

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from October 2013. Which option do you prefer and why?

No change	<input type="checkbox"/>
Target A: 10% aggregate improvement (1% PV)	<input type="checkbox"/>
Target B: 11% aggregate improvement (No PV)	<input checked="" type="checkbox"/>
Target C: 20% aggregate improvement (5% PV)	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

Please give reasons for your choice

You need a good increase for the reduction across the build types to be meaningful

Overall contribution to target, but relies on adequate maintenance and replacement programme to be sustainable.

17. Do the proposed 2013 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☒ No ☐ Don't know ☐

Comments

No comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☐ No ☒ Don't know ☐

Comments

Recipe approach preferred

Fabric standards should be the same for all buildings

Ease of compliance for smaller developers thereby reducing up front costs.

Too onerous and complex, domestic house builders also carry out non-domestic, this will simplify understanding (many are able to relate to domestic requirements easier)

Agree with the suggestion that non domestic buildings under 250m² should be aligned with proposed domestic recipe.

Get the best fabric U values for all construction

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☐ Don't know ☒

Comments

Agree, in line with reality

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

Should be tied into National Planning Policy to avoid need for different standards.

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☒ Don't know ☐

Comments

Too many variables

Building costs are not equal across the country

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Costs must be realistic of what market forces are.

Building costs are not equal across the country

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

All must be a true honest reflection of the forecast costs

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

Planning must have some involvement for the larger projects, ie sitting, location etc of renewable equipment/plant, but we feel building regulations is the appropriate method of delivering and enforcing the changes.

The role can only be in allocating strategic sites whose energy aspirations are higher, however the reality of viability needs to be taken into account as the current economic climate doesn't make higher level achievable in this LA. Experience suggests that the majority of developers only aim for minimum standards (unless it's a condition imposed by funding). Developers are only looking short term rather than long term.

None, planning have limited understanding of requirements, this should be under the control of Building Regulations

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

We do not need two mechanisms doing the same thing, one or the other, but not both

This could be picked up in development briefs for individual sites or SPG for strategic sites in general.

Avoid duplication

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☒ No ☐ Don't know ☐

Comments

Saving the carbon is one thing but it appears that costs and recovering benefits are at cost to the developer and ends users do not seem to benefit from future financial gain.

Additional at risk costs just to achieve planning, additional costs for site investigation, additional build costs, duplication – could be administered through building regulations

It depends on whether you factor in the long term savings in terms of energy efficiency / generation.

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

Planning should not control local standards above building control lets keep a national policy.

Planning should not be involved in setting standards beyond building regulations – customers do not understand why this is the case
Building Regulations should be the ultimate standard, and this will be consistent across Wales

Viability is the main consideration,

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

Positive- cheaper build costs
Negative- less sustainable standards
Speeds up the Planning process

Positive - Save upfront costs, reduce duplication, simpler on site, encourage development. Negative –potential lack of consistency

The need to submit certification post consent to demonstrate the development has achieved the necessary level will reduce the individual involvement of planners post consent, speeding up the process and increasing the capacity of planning departments.

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

Building regulations can be the mechanism for sustainability

Control to be passed to Building Regulations not planning, sits more appropriately in BRegs as these are the national standards

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

Yes

Yes, it would.

Definitely, for the reasons stated previously.

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

Stick to national policy, let developers decide any betterment

Planning gain, as system operates at present for other issues

See 24 above

Existing buildings

32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

Saving energy will provide for cheaper energy bills for the end user

Overall contribution to target

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

Fabric standards should be the same on all new build for ease of the end user and material suppliers.

Only has to be done once and won't need to change, contractors will understand, suppliers will know standard required

Industry needs to develop new products to avoid very thick walls.

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

Fabric standards should be the same on all new build for ease of the end user and material suppliers.

Only has to be done once and won't need to change, contractors will understand, suppliers will know standard required

Industry needs to develop new products to avoid very thick walls.

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ No ☐ Don't know ☐

Comments

Provide definition of a conservatory

All buildings should be controlled Exemption should be remove completely or brought in line with planning for a porch (max 3m²). Not sure how effective it will be, heat source could be installed by competent person after completion, should this be flagged, what is the definition of a conservatory/substantially glazed extension?

The conservatory loophole has been exploited for far too long. The majority of conservatories are conditioned living spaces.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

Too much disruption and cost

Exempt extensions and the conversions if under 10 M²

Some reservations in respect of advising clients of this and enforcement

Agree with proposed consequential improvements where extensions are over 10m² but disagree that loft space of existing dwelling should be upgraded where dwelling is being extended less than 10m².

Overall contribution to targets.

Surveyors do not agree with proposals to force persons to upgrade other elements of there property if example a loft or integral garage has been converted to habitable space, it is considered the increase in heating etc is very minimal, in most cases such a conversion will already impact positively on the existing dwelling in terms of energy usage

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures?

☒

Should this list be different (please explain below)?

☐

Another approach (please explain below)

☐

Don't know

☐

Comments

Easy to carry out at low costs

Windows, TRVs, think cavity wall insulation could be problematic – some may want to install where it is not appropriate or come back to BRegs if they do install and have subsequent problems

Look at heating system controls and energy usage monitoring systems.

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand

☐

Reduce demand

☒

No effect

☐

Don't know

☐

Comments

People budget for building, if consequential improvements are enforced budgets will be reduced and repair work might be cancelled

Increases the costs of repair

People will carry out repair, maintenance etc when they have the

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

Larger older buildings need to be brought up to a reasonable standard of energy efficiency

Building over 250 m² only

Existing 1000m² threshold too high

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☒

No ☐

Prefer a different list (please specify) ☐

Don't know ☐

Comments

Government should set aside grant aid for all consequential improvements across the industry

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☒ Don't know ☐

Comments

Provide run in media coverage

Extra workload and costs for inspections

Different interpretation of regulations. Needs to a POLICED level playing field.

Additional visits, issues on site, rise in fees – could be problematic ; possibly alienate clients, they will see us as planning forcing people to do additional measures outside of their proposals, more work and more onus on BCB, how do we sell this to clients – through agents

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

Publicity needed

Still experiencing difficulties with Renovation of Thermal Elements that came in during 2006. WG should have publicity campaign for proposed changes.

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

Publicity needed

Still experiencing difficulties with Renovation of Thermal Elements that came in during 2006. WG should have publicity campaign for proposed changes.

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for replacement domestic windows and domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Assume national statistics are correct in reflection to market forces

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☒ No ☐ Don't know ☐

Comments

48. If such a checklist was developed, what should it cover?

Comments

All energy related matters

Already some way towards this, insulation usually checked on site, heating checked, information on as built SAP is checked against works on site

The re introduction of the Part L checklist is proposed. A very useful tool in the past and I think the checklist should be adopted as more of a mandatory tool at completion stage of works.

Fabric, thermal bridging, heating controls, low carbons, end user guide.

49. If the checklist was taken forward, who should be involved in its development?

Comments

LABC Cymru
Building Control

50. Would any other approach be likely to prove more effective instead (such as a PAS⁶ type approach).

Yes ☐ No ☒ Don't know ☐

Comments

Second tier parallel documents would be confusing
Not necessarily more effective
Doubts if PAS would be a stand alone solution

51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☒ No ☐ Don't know ☐

Comments

Simpler for smaller developments.

51b. What are the arguments for and against this approach?

Comments

Simplified guidance
FOR – Simplicity
AGAINST – Open to abuse

⁶ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

None

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☒ Don't know ☐

Comments

Flow chart is effective

Good in some areas but too wordy in others

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☒ Don't know ☐

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

Extra work load and more cost

BCB will have to allocate more time to projects and resources will be taken up dealing with public backlash.

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

Conflict of built heritage and achieving Part L, Listed Building consent does not over ride building regulations, Built Heritage are there to advise, also issues with buildings in cartilage of site

#19 - i-Prophets Energy Services

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Minor amendments indicated in red

Consultation

Response Form

Your name: Adrian Sweetman

Organisation (if applicable): i-Prophets Energy Services

(xxv) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(xxvi) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☒ No ☐

Name of group:

Modular & Portable Buildings Association - a list of members consulted has been included as a separate document

(xxvii) Please tick the one box that best describes your organisation:

Builders/Developers:	Property Management:
Builder / Main contractor: <input type="checkbox"/>	Housing association (registered social landlord) <input type="checkbox"/>
Builder/ Small builder: (extensions/repairs/maintenance, etc) <input type="checkbox"/>	Residential landlord, private sector <input type="checkbox"/>
Installer/ special sub-contractor <input type="checkbox"/>	Commercial <input type="checkbox"/>
Commercial developer <input type="checkbox"/>	Public sector <input type="checkbox"/>
House builder <input type="checkbox"/>	

Building occupier: Home owner <input type="checkbox"/> Tenant (residential) <input type="checkbox"/> Commercial Building <input type="checkbox"/>	Building Control Bodies: Local authority building control <input type="checkbox"/> Approved Inspector <input type="checkbox"/>
Energy Sector <input checked="" type="checkbox"/>	Fire and Rescue Authority <input type="checkbox"/>
Designers/Engineers/Surveyors: Architect <input type="checkbox"/> Civil/Structural engineer <input type="checkbox"/> Building services engineer <input type="checkbox"/> Surveyor <input type="checkbox"/>	Specific Interest: Competent person scheme operator <input type="checkbox"/> National representative or trade body <input checked="" type="checkbox"/> Professional body or institution <input type="checkbox"/> Research/ academic organisation <input type="checkbox"/>

Manufacturer/ Supply Chain <input type="checkbox"/>	Other (<i>please specify</i>) <input style="width: 100%;" type="text"/>
--	---

(xxviii) Please tick the *one* box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐
- Small – typically 10 to 49 full-time or equivalent employees ☒
- Medium – typically 50 to 249 full-time or equivalent employees ☐
- Large – typically 250+ full-time or equivalent employees ☐
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☒ No ☐

Name of scheme:

I am an accredited level 4 energy assessor under the European Energy Performance in Buildings Directive

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt

personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes – The MPBA does not operate in the dwellings sector so no response has been made to these questions

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010 ☐

40% CO₂ saving ☐

25% CO₂ saving ☐

Something else (please explain below) ☐

Don't know ☐

Comments

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☐ No ☐ Don't know ☐

Comments

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☐ No ☐ Don't know ☐

Comments

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☐ No ☐ Don't know ☐

Comments

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☐ No ☐ Don't know ☐

Comments

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☐

Proportion of gross internal floor area with a practical cap ☐

Don't know ☐

Comments

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☐ No ☐ Don't know ☐

Comments

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☐ No ☐ Don't know ☐

Comments

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☐

Comments

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

New non-domestic buildings

12. Do you agree with the proposal for ~~2013~~ 2014 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☒ No ☐ Don't know ☐

Comments

The PEC seems a reasonable way of achieving a good quality of build before the application of any renewable technologies thus ensuring that where these technologies are employed they have

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☒

10% ☐

Don't know ☐

Comments

As a first step we believe that a 7% fabric and services improvement should be introduced as this is a new factor to consider the first step should not be too onerous.

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☒ No ☐ Don't know ☐

Comments

Currently for the re-location of pre-existing modular and portable buildings a TER adjustment factor is applied to allow for the re-use of existing modules. A similar concept should be applied to TPEC to ensure that the industry sector is not faced with a significant cost penalty to upgrade the fabric of the pre-existing modules. It should be noted that the primary users of modular and portable buildings are central and local government.

The adjustment factors applied via the new regulations should be such that they allow pre-existing modules to comply with the new CO2 emission and primary energy consumption targets without the need for upgrade to the modules fabric or services

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☐

Percentage of roof area of PV ☐

Percentage of floor area of PV ☒

Other ☐

Don't know ☐

Please give reasons for your choice

Floor area is a consistent way of calculating the amount of PV to be applied to the notional building. If roof area were selected it could not take into account the differences between areas of pitched and flat roofs for the same building GIA

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from ~~October 2013~~ June 2014. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☒

Target C: 20% aggregate improvement (5% PV) ☐

Don't know ☐

Please give reasons for your choice

The majority of members who responded to the consultation considered 11% appropriate in the current economic climate, however a number of members observed that if a lesser target improvement is agreed for 2013 then there will have to be a larger step change in 2014 to compensate

17. Do the proposed ~~2013~~ 2014 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☒ Don't know ☐

Comments

There are specific circumstances where the proposed notional buildings penalise modular construction, further details may be found in the attached supporting information document

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

Whilst the proposed notional buildings seems generally reasonable there are a number of factors which adversely impact on the modular and portable buildings industry particularly with respect to electric heating, domestic hot water and natural daylight vs artificial lighting in smaller buildings. These issues have been separately documented in an attached document. On way to address the industry specific issues would be to create a modular notional

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☒ Don't know ☐

Comments

From an industry perspective the MPBA would like to see consistent approaches between England & Wales to ensure that the flexibility offered by modular and portable buildings remains. If there is major divergence between the two sets of regulations cross border use of modules may be compromised.

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

A number of issues specific to the modular and portable buildings industry have been documented in the attachment to this submission.

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

The impact of the changes to efficiency of non-domestic buildings needs to be considered in the wider context of the UK's CO₂ emissions targets and on that basis are considered to be

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

There should be no duplication in the approach between planning policy and building regulations as this could increase the costs associated with demonstrating compliance

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☒ No ☐ Don't know ☐

Comments

Provided that the concept of the generic certification scheme for modular and portable buildings that are in location for less than 2 years is retained for 2014 then the assessment and certification costs are not dis-proportionate

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

In the first instance we believe that there should be better enforcement of current and future planned efficiency standards rather than introducing another level of complexity by having local standards for different local authorities.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

Existing buildings - The MPBA does not operate in the dwellings sector so no response has been made to these questions relating to existing dwellings

- ~~32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.~~

~~Yes ☐ No ☐ Don't know ☐~~

~~Comments~~

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☐ No ☐ Don't know ☐

Comments

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

☒ ☐ ☐

Yes No Don't know

Comments

When refurbished all buildings should undertake cost effective energy efficiency improvements

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☐ No ☐ Don't know ☒

Comments

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☐

Comments

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☐

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☐

Don't know ☐

Comments

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☐

No effect ☐

Don't know ☐

Comments

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

Provided the consequential improvements are also subject to a cost effectiveness test to ensure only improvements that will return on the investment in a reasonable time are mandated. This is particularly relevant to modular buildings where the module itself has a finite design life so any efficiency improvement should pay back within the remaining life of the module.

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☐

No ☐

Prefer a different list (please specify) ☒

Don't know ☐

Comments

For modular and portable buildings which may be refurbished at module level then a specific list should be developed as the module itself is not subject to the provision of an EPC or Green Deal Assessment.

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☒ No ☐ Don't know ☐

Comments

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for ~~replacement domestic windows and~~ domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☐ No ☐ Don't know ☐

Comments

48. If such a checklist was developed, what should it cover?

Comments

49. If the checklist was taken forward, who should be involved in its development?

Comments

50. Would any other approach be likely to prove more effective instead (such as a PAS⁷ type approach).

Yes ☐ No ☐ Don't know ☐

Comments

51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☐ No ☐ Don't know ☐

Comments

51b. What are the arguments for and against this approach?

Comments

⁷ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

The MPBA believes that there is a considerable need for better compliance enforcement in respect of Part L. Experience from many members indicates compliance varies widely across the country and that better enforcement is required.

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☐

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☐

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

The MPBA believes that there is a considerable need for training and education in respect of Part L. Experience from many members indicates that understanding and compliance (even within Building Control and Approved Inspectors) varies widely across the country and that better enforcement is required. It is expected that with better understanding and compliance that over time improved performance of non-domestic buildings can be achieved both in the traditional and modular sectors. The MPBA would be willing to play a part in the dissemination of information

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

A separate document detailing responses to items not covered in this document is attached to this submission. In addition we would like to raise the following:

Transitional period between Part L (England) 2013 and Part L (Wales) 2013

The MPBA would like to understand what regulatory standards would apply in the period October 2013 to June 2014 as in that time frame the English regulations will have been updated and the Welsh regulations would not yet be in force. This is particularly significant to the industry as the time from planning consent to an operational building can be as little as 12 weeks.

Generic calculation

The current 2010 Part L for England & Wales has dispensation for modular and portable buildings that are sited for less than 2 years to be covered by a generic scheme. We would seek confirmation that this dispensation will remain and in the same format as for the English Part L as a duplication of the scheme would burden the industry with additional significant costs.

#20 - NHBC

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Consultation Response Form

Your name: Neil Smith

Organisation (if applicable): NHBC

(xxix) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(xxx) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

(xxxi) Please tick the one box that best describes your organisation:

<p>Builders/Developers:</p> <p>Builder / Main contractor: <input type="checkbox"/></p> <p>Builder/ Small builder: <input type="checkbox"/> (extensions/repairs/maintenance, etc)</p> <p>Installer/ special sub-contractor <input type="checkbox"/></p> <p>Commercial developer <input type="checkbox"/></p> <p>House builder <input type="checkbox"/></p>	<p>Property Management:</p> <p>Housing association <input type="checkbox"/> (registered social landlord)</p> <p>Residential landlord, private sector <input type="checkbox"/></p> <p>Commercial <input type="checkbox"/></p> <p>Public sector <input type="checkbox"/></p>
--	---

<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>
<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input type="checkbox"/></p> <p>Professional body or institution <input type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

Manufacturer/ Supply Chain <input type="checkbox"/>	Other (<i>please specify</i>) <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Home warrantv provider and</div>
--	---

(xxxii) Please tick the *one* box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☐
- Large – typically 250+ full-time or equivalent employees ☒
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt

personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☐

40% CO₂ saving

☐

25% CO₂ saving

☐

Something else (please explain below)

☒

Don't know

☐

Comments

Given the low number of homes currently being built and the gloomy outlook, the level of change proposed is not realistic. NHBC considers that a much lower level of reduction - less demanding than 25% - would be appropriate to take account of the prevailing economic conditions.

The RIA does not support change at 25/40% and this should not be disregarded.

We consider that the present proposals will slow housing output down further and this cannot be justified as the benefit to global CO₂

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☒ No ☐ Don't know ☐

Comments

Yes it is appropriate as this approach should maximise the CO₂ saving per pound invested.

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

The principle of a consistent recipe is welcome and it should assist the industry (and SMEs in particular) in understanding of what is required.

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

Yes, this appears logical and is easily understood.

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☐ No ☒ Don't know ☐

Comments

Achieving a wall U-value of 0.15 would require a masonry wall of 395-470mm overall thickness. This appears somewhat excessive and represents a step change from current practice.

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☒

Proportion of gross internal floor area with a practical cap ☐

Don't know ☐

Comments

We agree with the logic of this proposal outlined and welcome its simplicity.

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☒ No ☐ Don't know ☐

Comments

We agree that this supports and encourages builders to adopt the 'fabric first' approach and should avoid the construction of homes that may need improving in a few years' time.

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☒ No ☐ Don't know ☐

Comments

They appear to offer a useful degree of flexibility for circumstances where the design struggles to comply with the recipe specification, without unduly compromising the objective of ensuring good fabric insulation levels.

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

4.10 We question whether the issue of overheating, which is of increasing concern to NHBC and others, has been addressed sufficiently robustly. It is essential that this important consumer (and energy conservation) issue is not overlooked.

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

New non-domestic buildings

12. Do you agree with the proposal for 2013 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☐ No ☐ Don't know ☒

Comments

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☐

Don't know ☒

Comments

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☐ Don't know ☒

Comments

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☐

Percentage of roof area of PV ☐

Other ☐

Don't know ☒

Please give reasons for your choice

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from October 2013. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☐

Don't know ☒

Please give reasons for your choice

17. Do the proposed 2013 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☐ Don't know ☒

Comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

For the reason that buildings of this size are more likely to be built by SMEs, a simple recipe approach that would be more easily understood is an attractive option.

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☐ Don't know ☒

Comments

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No comment.

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

Yes, it is appropriate for planning to encourage site-wide opportunities on strategic sites but for other sites planning should not duplicate/overlay energy/carbon targets.

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

As Building Regulation requirements in Wales begin to depart from those in England, it may be that there is a growing mismatch between Welsh Building Regulations and Code/BREEAM. If the future development of Code/BREEAM does not take adequate account of Welsh regulations then there may be a need for Wales-specific versions of them.

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☒ No ☐ Don't know ☐

Comments

Many of the benefits of the Code and BREEAM could be achieved without their associated costs and bureaucracy.

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

A restriction on the ability of LPAs to set local standards above and beyond Building Regulations would appear to offer the best prospect for the creation of a level playing field.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

Positive: the costs of development should reduce somewhat, which should be to the benefit of viability of some marginal sites. This should tend to encourage site starts and increase housing output.

29. Is there a better, alternative, way to reward and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

Where practicable Building Regulations should be used in preference to planning policy. It appears that the following assessment categories could readily be covered in Building Regulations (in addition to energy & water): materials; waste; pollution; health & well being; and possibly some other issues of the remaining Code assessment categories. The 'Local Housing Delivery' work being taken forward by DCLG should offer some useful pointers.

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

The report of the Local Housing Delivery Group (Standards working group) documents the issues of duplication and the need for them to be addressed as a matter of priority. Please see http://www.local.gov.uk/c/document_library/get_file?uuid=af9c09aa-4dfa-4811-9f35-20329d028907&groupId=10171

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

These will principally be opportunities for district heating and CHP networks although for certain specific developments there may be possibilities for renewable energy generation.

Existing buildings

32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.

Yes ☐ No ☐ Don't know ☒

Comments

We are not familiar with the products commonly available from SME companies which serve this market.

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

It is appropriate that standards for domestic extensions should be close to the standards for new build in order to avoid the need for future upgrade.

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

It is appropriate that standards for non-domestic extensions should be close to the standards for new build in order to avoid the need for future upgrade.

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ No ☐ Don't know ☐

Comments

Although this is logical and hard to argue against, it is (as noted in para 117) unlikely to affect people's use of the conservatory.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

Because the energy consumption of the home is otherwise likely to be increased as a result of the works. Also the upgrade may be carried out more economically while the builder is on site.

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☒

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☐

Don't know ☐

Comments

This seems reasonable, although the use of cavity wall insulation should be restricted according to the exposure of wind-driven rain in accordance with diagram 12 and table 4 of ADC. Otherwise rain penetration issues may arise.

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☒

No effect ☐

Don't know ☐

Comments

It would seem highly likely that the additional cost to homeowners will deter some from having RMI work undertaken, although we do not have our own evidence to support this assertion.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☒

Comments

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☐

No ☐

Prefer a different list (please specify) ☐

Don't know ☒

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☐ Don't know ☒

Comments

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No other comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for replacement domestic windows and domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

The £30 quoted for the addition of cylinder insulation appears to be rather low.

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☐ No ☒ Don't know ☐

Comments

Due to the number of details to be checked for each home, it would appear likely that there would be a need for several checklists, additional to the ones already required for compliance with Part E Robust Details, for every home on each development. We consider that this would lead to practical difficulties, particularly on larger developments, and that the initiative may not deliver the full benefit

48. If such a checklist was developed, what should it cover?

Comments

Items of specification with the potential to have significant impact on energy consumption should be ranked in order of their potential contribution. The checklist should be limited to a practical length (say a single sheet of A4) and include the most highly ranked items.

49. If the checklist was taken forward, who should be involved in its development?

Comments

A broad range of industry interests with a particular emphasis on those with practical experience of onsite construction.

50. Would any other approach be likely to prove more effective instead (such as a PAS⁸ type approach).

Yes ☒ No ☐ Don't know ☐

Comments

We understand that DCLG are in discussion with the (UK) Zero Carbon Hub about undertaking work on this topic and we would hope that its recommendations can be adopted in Wales as well as in England. We consider that the problem has to be better understood than it is at present and that the range of issues needs to be ranked and prioritised for attention. Each item will then need to be reviewed in detail.

Please see the NHBC Foundation report 'Low and zero carbon homes: understanding the performance challenge' available at:

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☒ No ☐ Don't know ☐

Comments

- 51b. What are the arguments for and against this approach?

Comments

The principal argument is for simplicity, particularly since much of this work is likely to be carried out by SME builders guided by SME designers and consultants.

⁸ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☒ No ☐ Don't know ☐

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☒ Don't know ☐

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

The proposals will impact on the work of Building Control Bodies on several fronts.

- The transitional provisions bringing these changes into effect will need to be clearly communicated to customers to avoid the challenges encountered by industry as a result of the provisions around Part L 2010. It would be beneficial to agree on interpretation through the Building Control Alliance to ensure consistency of approach across the whole construction industry.
- NHBC BCS commented on the need to simplify compliance for the small to medium size builder as part of its response to the “Questionnaire for Building Control Bodies” in November 2011 and it is good to see that these comments have been included in the proposals with the building recipe specification approach.
- The building recipe specification is intended to be of benefit to small and medium enterprises (SMEs), as they may simply follow the specified fabric, PV array and services provisions. However, if the orientation of the dwelling does not allow for the installation of PV then a full calculation under SAP 2012 would still be required. This would also be the case with any other variation not compliant with the building recipe specification, such as window area or fabric performance. Even those designs with a compliant building recipe specification would still need specialist assistance to justify solar gains using SAP 2012. Where the building recipe specification is followed, there may be confusion as to who will be checking compliance, the energy rating organisation when designs are assessed for solar gain or the BCB when designs are checked for compliance with building regulations.
- NHBC BCS also commented on the use of checklists and our concerns still exist as to who will be developing these. Additionally the use of checklists to prove compliance will place additional burden on building control bodies who will be required to carry out more inspections to verify the accuracy of the checklists on site.
- Differing requirements between England and Wales could have major implications for customers, designers etc who operate across the two countries. Many customers rely on house types which are repeated across their regions and differing requirements will mean additional expense in achieving compliance which would be passed onto the end user and may impact on build volumes. Additionally, customers who operate across the borders will utilise the same design teams and supply chains across their regions and so additional training and support will be required to ensure that the knowledge of the differing requirements is understood placing an additional burden on industry and requiring dual skilling for those involved.
- The proposal for a new format for the Approved Document in Wales, will make direct comparison of the provisions in England and Wales more difficult for those developers, Building Control Bodies and other organisations such as Warranty Bodies that operate across regional boundaries. This will be a direct burden to industry.

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

In relation to the energy efficiency agenda, NHBC's principal concern is indoor air quality and in conjunction with the Zero Carbon Hub we have led research work in this area. Our findings to date are summarised in the 'Mechanical ventilation with heat recover in new homes: Interim report of the Ventilation and indoor air quality task group' (available at: http://www.zerocarbonhub.org/resourcefiles/ViaqReport_web.pdf).

A second key concern is overheating, and through the NHBC Foundation we also have ongoing activity in this topic area. We note that the RIA makes brief mention of these issues but it does seem that any proposals to tighten energy efficiency standards for new homes must have the potential to exacerbate these two issues. We question whether these issues have been taken sufficient account of in the development of the proposals and whether there is a need for

#21 - Redrow Homes Ltd

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Minor amendments indicated in red

Consultation

Response Form

Your name: Nigel Smith

Organisation (if applicable): Redrow Homes Ltd

(xxxiii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(xxxiv) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

(xxxv) Please tick the one box that best describes your organisation:

Builders/Developers: Builder / Main contractor: <input type="checkbox"/> Builder/ Small builder: <input type="checkbox"/> (extensions/repairs/maintenance, etc) Installer/ special sub-contractor <input type="checkbox"/> Commercial developer <input type="checkbox"/> House builder <input checked="" type="checkbox"/>	Property Management: Housing association <input type="checkbox"/> (registered social landlord) Residential landlord, <input type="checkbox"/> private sector Commercial <input type="checkbox"/> Public sector <input type="checkbox"/>
---	--

<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>
<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input type="checkbox"/></p> <p>Professional body or institution <input type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

Manufacturer/ Supply Chain <input type="checkbox"/>	Other (<i>please specify</i>) <input style="width: 100%;" type="text"/>
--	---

(xxxvi) Please tick the *one* box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☐
- Large – typically 250+ full-time or equivalent employees ☒
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt

personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☒

40% CO₂ saving

☐

25% CO₂ saving

☐

Something else (please explain below)

☐

Don't know

☐

Comments

We consider it inappropriate to further increase performance standards at the present time for a number of reasons as listed below :-

- The commentary within the consultation makes reference to the challenging circumstances of the housebuilding industry. This is supported by the Impact Assessment (IA)(paras133 and 134) which highlights the land viability issues already faced around Wales and this appreciation clearly informs the proposal to defer introduction of the new regulations. However, this does not recognise the mechanisms of the house building industry in respect of the need to purchase land with sufficient lead-in time to allow for the pre-construction planning and technical processes as noted in the Callcut Review. Thus a proportion of the land which will be affected by a deferred regulatory commencement will have already been secured under terms which may not reflect the projected increase in costs within the land appraisal and in purchases of land going forward, the increased costs will need to be a consideration against land value. Either way the increase in build costs will have already impacted as soon as the decision is taken to introduce the regulation. This additional cost pressure can only worsen the already weakened industry and is likely to adversely impact construction of much needed new homes in Wales which in turn affects the wider Welsh economic growth.

The Impact Assessment (para 127) assumes that in the longer term cost can be passed on to the customers or back to landowners. We have no evidence that customers will pay more for homes with sustainable features and current valuations do not reflect this. It should also be taken into consideration that land is seen as a long term investment and landowners are under no obligation to sell, so if land values fall below expectations, the likelihood is that landowners will hold, in the knowledge that a supply shortage and increasing demand will inevitably drive up prices at some stage.

- In particular, it seems unwise to propose targets which may well be significantly ahead of the English Part L 2013 proposals which have yet to be finalised and are understood to be under careful consideration by Government in the wake of the English consultation response. There is already a disparity in standards across the border and should this gap widen significantly as a result of over ambitious and/or cumulative enhancement of standards, investment in Wales will be further disincentivised.
- We consider there to be some flaws in the assumptions made in the Impact Assessment (IA) which we believe may result in worsened outcomes in terms of carbon saving and NPV. We have detailed these concerns in our responses to questions 10 and 11.

- For Wales and the UK as a whole, there is insufficient post construction performance data available to compare the “as-designed” performance against the actual as-constructed performance of new homes built since the introduction of the TER/DER methodology based on SAP.

Recent work undertaken by the HBF SAP Forum for the 2016 Task Force and the Zero Carbon Hub has questioned the basis of assumptions made within the design checking tool SAP, the accuracy of critical input data from manufacturers and has highlighted inconsistent results derived both from different licensed software houses and different SAP versions. It is not sound scientific practice to set progressively challenging standards which are essentially based on theory alone without the supportive evidence provided by practical testing and would not be countenanced in any other industry. We would therefore suggest that further changes to energy performance specification should be deferred until the performance of homes built to current standards is fully understood, that any issues which emerge are resolved and a standard and practical means of in-line or end-of-line testing is established. For the same reasons we would oppose the introduction of further “confidence factors” or any PAS scheme until issues are proven and quantified.

As part of the HBF Major Homebuilders Group we have already stated our support for this extremely important work.

We have a responsibility to our customers to deliver products which meet their basic expectations and we do not believe that sufficient weight has been given to this aspect of design in recent regulatory changes, including that which is proposed here. We are aware of the work being undertaken by the NHBC Foundation, the AIMC4 project and others to investigate the mounting concerns emerging regarding overheating and health impacts of highly insulated, airtight homes as referred to in the IA (para144). These concerns must be fully investigated to ensure that proposed changes are not detrimental to our customers’ well-being.

We suggest that thorough investigation of these issues might be a more effective use of scant resources at this time to gain improvements in the performance of new homes rather than setting further ambitious standards without evidential support.

- Leaving aside that in Wales the energy element of building design is already ahead of its English equivalent, where party walls form part of the construction, carbon reductions are presently **under** accounted for. In the amended 2010 Part L for new housing, the 25% improvement in carbon emission reductions was applied after making all party walls zero

heat loss. According to the 2010 Approved Document L for new dwellings, unfilled party walls have an 'equivalent U value' of 0.5W/m²K. In Wales terraced/semi detached homes and apartments make up 66% of the assumed domestic build mix (Impact Assessment Table 8). Taking the party walls as contributing zero heat loss (which is not accounted for as part of the improvement) in the base case of the design and then applying a 25% additional carbon emission improvement, the combined improvement achieved will be in the region of 30%-32%. This would suggest new build stock is probably already contributing 12-13% more than Part L 2010 demands.

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☒ No ☐ Don't know ☐

Comments

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☐ No ☒ Don't know ☐

Comments

We agree in principle, however, we are not comfortable that the practicality of using pv as proxy has been adequately explored.

We recognise the need for a simplified route to design compliance for SMEs lacking the specialised internal resource, or access to external consultants to enable detailed specification design in an area that is rapidly developing into a complex science. We also realise that attempting to adopt a simple solution poses significant challenges which inevitably require compromises to be made

Whilst pv provides a convenient **proxy**, we are concerned that this convenience may result in reduced consideration of alternative technology and may deter investment in important research.

We are also of the opinion that the fitting of small scale renewables on individual properties is a short term strategy since it is highly unlikely that property owners will maintain the apparatus in optimum working order over the 60 year life of the property as assumed in the IA calculations and in para 37 of the IA. In the long term this represents at least two complete replacements of the pv array and in the short term it ignores that the output which determines feed-in tariff is "deemed". As a consequence the energy and carbon benefits are likely to rapidly decrease over time. In our experience, homeowners pay little attention

to maintenance of standard gas boilers, leave alone renewables which may pose difficulties for access.

We believe renewable technologies need to be properly managed over their life to ensure long term efficiency and carbon saving benefits and we welcome the intention to consider community energy solutions in the final impact assessment.

We also feel that there should be greater consideration of development scenarios where pv is not applicable, ie: where cost of renewables is not the driver of choice, such as instances where overshadowing is inevitable, where orientation within pv operational limits is not possible or where aesthetic considerations are important. We believe these instances may occur more frequently than anticipated in the consultation. There are few practical renewables alternatives currently available and those that are significantly more expensive than pv, thus the proxy use of pv may not highlight the true costs for the average development in Wales. We also consider that to ensure a consistent approach from individual local planning authorities to proposed wide scale pv installations it will be necessary to introduce unambiguous instruction to Local Planning Authorities.

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

In principle we are in agreement that recipe specifications provide a simple and logical route of compliance for SME's without the resources to undertake more detailed SAP based approach, but this is subject to the comments made elsewhere in our response regarding the practicality of use of pv as a proxy and the likely reduction in the calculated benefits which will result when revised assumptions are employed in the Impact Assessment calculations.

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area

☐

Proportion of gross internal floor area with a practical cap

☐

Don't know

☒

Comments

Based on the text of the consultation we assume that “fixed percentage of building area” would best suit our build profile, however, we are unsure what constitutes “building foundation area” which can vary considerably dependent on ground conditions encountered, ie: piled foundations, rafts, etc. We suggest this term needs greater definition to enable a decision.

7. Do you agree that the limits on design flexibility ‘backstop’ values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☒ No ☐ Don't know ☐

Comments

We agree there must be a mechanism to encourage a “fabric first” approach to design which provides long term, “tamper proof” carbon savings. The back-stop u value/ elemental method adopted is an easier to understand approach than FEES and concur that making back stop values mandatory is reasonable.

8. Do you agree with the changes to the ‘backstop’ values proposed? Please explain your decision.

Yes ☒ No ☐ Don't know ☐

Comments

The air tightness value of 10 m³/hr/m² seems conservative given that the recipe requires 6 m³/hr/m² and we understand that the industry average is significantly better, however, we understand the concerns over air quality which lie behind selection of this value.

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

General : We note that there is an intention to represent the compliance process in the Approved Document graphically and we feel this is essential if SMEs are to navigate the document successfully ie: there's little point simplifying the design process if the instructions are impenetrable. The Consultation Approved Document is made more difficult to read with the deleted text remaining.

National Calculation Methodology: We reiterate our response to Q1 pointing out uncertainties over the adequacy and accuracy of SAP, the lack of consistent outputs between versions and software houses; confidence in manufacturers' data used for input and assumptions made in the algorithms.

Data available on the actual performance of new homes since the introduction of the changes to Part L in 2006, leave alone the 2010 changes are woefully inadequate to reflect the full range of new build development undertaken since 2006 and the Consultation Document (para 147) concedes that this information is poor but nevertheless infers there is a performance gap.

For example, the Elm Tree Mews development, often referred to as evidence was designed in 2005/2006 and was constructed in 2006/7. It comprised only 6 dwellings - 4 terraced and 2 apartments. A detailed analysis of the project shows that there was a catalogue of design and management issues throughout the project which contributed to the as-built performance shortfall and which are by no means representative of the industry norm. The majority of technical issues identified have already been addressed in the 2010 Part L changes, but to date we have no way of knowing whether the changes were effective. We suggest studies of Code 4 and 5 developments as suggested, will have limited use as they are exemplar by nature and therefore not be representative of the majority of homes being constructed.

We would strongly recommend a Government/industry collaboration to properly evaluate all aspects of regulatory compliance including software accuracy and the inputs (ie SAP, u values , calculatory assumptions, manufacturers' claims for renewables performance, etc., as well as potential build issues) before prematurely introducing new standards. A fundamental element of this work will be the development of a standard, effective and practical energy performance test for homes. Currently, there is no standard laid down and the co-heating test in use by Malcolm Bell et al is impractical, expensive and fails to disaggregate any variations in performance which are measured..

Redrow has already made clear its support for this urgently required project work through the HBF and we are aware of draft proposals prepared by the Zero Carbon Hub and put before Government which develop upon work already undertaken by the HBF Sustainability Group to robustly address this issue.

10. 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? Please justify your views.

Yes ☐ No ☒ Don't know ☐

Comments

We understand the difficulties presented by the current economic climate when forecasting basic data used in the calculation of the benefits to be derived from the proposals, nevertheless we have concerns about the robustness of some of the projections referred to in the Impact Assessment.

As presented, the case for introduction of the proposals in new domestic buildings is **not** supported by the NPV within the IA. NPV is calculated as negative for new domestic property and the commentary goes on to state that the majority of energy and carbon savings are derived from tightening standards in non-domestic buildings. The potential for additional damage to be caused to the industry as a result of introduction of the measures is also recognised within the text. We consider the effects generated by less optimistic base data are likely to further weaken the case for introduction.

For example:-

- Table 2 forecasts an increase in completions to around 6500 units from 2014-2015, whereas Statistics for Wales (12 September 2012) shows that new starts have remained below 6000 since 2008 and have reduced in 2011-2012 by 14% from 2010-2011 levels. This reduction will obviously impact completion levels going forward to next year at least and weak market conditions do not suggest that this trend is likely to change in the foreseeable future.
- The forecast completions do not take account of the potential for further volume reductions which directly result from introduction of the proposed measures and cumulative impact of other regulatory impacts which have still to be resolved. (eg: introduction of fire suppressant systems), neither do they recognise delays, hopefully short term, which may result from the implementation of S42 of the Flood and Water Management Act 2010, associated introduction of the MBS and revised adoption (**and works commencement**) arrangements or the increased costs which may result. (we already know that bond requirements have been increased by Welsh Water although this is offset by a suggestion that final adoption may occur faster).
- Para 36 states that the asset life of a typical dwelling is assumed as 60 years for the purposes of the analysis. PV systems will generally require replacement after 20 years or so as the crystalline medium deteriorates with age. Please note our response to Q 3. (We are also of the opinion that the fitting of small scale renewables on individual properties is a short term strategy since it is highly unlikely that property owners will maintain the apparatus in optimum working order over the 60 year life of the property as assumed in the IA calculations and in para 37 of the IA. In the long term this represents at least two complete replacements of the pv array.and in the short term it ignores that the output which determines feed-in tariff is "deemed". As a consequence the energy and carbon benefits are likely to rapidly decrease over time. In our experience, homeowners pay little attention to maintenance of standard gas boilers, leave alone renewables which may pose difficulties for access.
- Publication of the GDP figures in recent months has already proven the projections for UK GDP growth in para 39 to be optimistic.

- The Table 3 phase-in assumptions are not consistent with the text of the consultation which refers to a 2015 implementation .
- The IA states that NPV is less negative for the 40% option because cost effectiveness of pv improves as more panels are added. However, PV is meant to be a proxy solution only and may not be practical or acceptable in every instance. Alternative technologies offering the same benefits in the calculations are limited and more expensive and consequently this may not be a true representation of the overall cost.
- The Impact Assessment (para 127) assumes that in the longer term, cost can be passed on to the customers or back to landowners. We have no evidence that customers will pay more for homes with sustainable features and current valuations undertaken for the lending institutions do not reflect this. As referred to in our response to Q 1, it should also be taken into consideration **that landowners are under no obligation to sell**, so if land values fall below expectations, the likelihood is that landowners will hold, in the knowledge that a supply shortage and increasing demand will inevitably drive up prices at some stage. Land is viewed as a long term investment and it is totally unrealistic to expect the majority of Welsh land owners to react to what are effectively short term
- We have undertaken limited specification design and cost checks which are in broad agreement with the capital costs for domestic property indicated in table 33 of the IA.
- Para 136 does not recognise the potential competitive impact caused by the focus on pv (albeit as a proxy mechanism) and reduced interest in other technologies thus affecting contractors not specialising in pv. As referred to elsewhere in our response, contrary to our experience it is assumed that reduced land values will be achievable and increased selling prices will be secured. There is no evidence to support either assumption.
- Para 144. As referred to elsewhere, for the benefit of our customers it is imperative that health concerns are resolved ahead of the introduction of more stringent regulatory demands. Failure to determine this issue could lead to litigation by customers.
- The property mix assumed in Table 4 does not match our profile with worst fit appearing in

Description	Number	Number	Redrow	Welsh Gov.
Detached	296	296	51.57%	30.00%
End Terrace/Semi	93	186	32.40%	38.50%
Flat	35	35	6.10%	21.00%
Mid Terrace	57	57	9.93%	10.50%
Total		574	100.00%	100.00%

portions of apartments and detached homes which is likely to increase our overall compliance costs . We appreciate that this is a consequence of our business strategy and is likely to change in future, but we would be interested to see other responses to this point.

- The effect of cumulative cost increase on development viability resulting from the introduction of this and other proposed regulation in Wales and developers' ability to meet additional demands such as S106 provisions and in particular the delivery of social housing is conceded on page 5 of Section One – The Consultation Proposals.

Reference is also made to the need to refresh planning policy (Chapter 4.1 para 98) to recognise financial viability of development and clearly, there are a number of important issues within this strand of policy which remain to be resolved, not least of which will be to agree a definition of “scheme viability”.

Set against this, the White Paper “Homes for Wales - A White Paper for Better Lives and Communities” published in May 2012 has as one of its commitments, an increase of 7,500 new affordable homes over the term of the Government, yet Section 1 - Tables 3.5-3.7 “ % land value reduction against current policy” show predominantly zero % affordable housing contributions incorporated into the viability calculations..

There appears to be significant disconnect between the objective set out in the White Paper and the land value calculation. This suggests land viabilities will in actuality be considerably worsened, further undermining the justification of the introduction of the proposed standards. How does the Welsh Government envisage delivery of these affordable homes?

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

We do not consider that the base line assumptions are sufficiently accurate, as discussed in our responses to question 10.

There may be upward pressure on fees charged by Local Authorities or Approved Inspectors for approval of designs with increasing complexity and increased stage inspections. The potential for these increases, which would worsen land viability and value calculations has not been considered in the IA.

New non-domestic buildings

12. Do you agree with the proposal for ~~2013~~ 2014 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☐ No ☐ Don't know ☐

Comments

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☐

Don't know ☐

Comments

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☐ Don't know ☐

Comments

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☐

Percentage of roof area of PV ☐

Percentage of floor area of PV ☐

Other ☐

Don't know ☐

Please give reasons for your choice

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from ~~October 2013~~ June 2014. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☐

Don't know ☐

Please give reasons for your choice

17. Do the proposed ~~2013~~ 2014 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☐ Don't know ☐

Comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

☐ ☐ ☐

Yes No Don't know

Comments

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☐ Don't know ☐

Comments

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☐

Comments

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

There are two primary areas of cumulative or consequential impact which we consider to be insufficiently considered or flawed.

Firstly, there is no acknowledgement of the consequences should the Welsh proposals be implemented but England opts to leave standards unchanged for 2013 and instead concentrates on a 2-3 year programme to thoroughly investigate the design and as-built performance of new homes. The resultant build cost inequity would have serious consequences for investment decisions in Wales and hence for the broader economy within Wales.

There are other considerations affecting future investment decisions through cumulative cost, resulting from pending or recently introduced regulatory change, which have not been factored in. ie: The introduction S42 of the Flood and Water Management Act 2010.

Secondly, as identified in our responses to earlier questions, we consider many of the basic assumptions and projections to be overly optimistic. In particular the apparent conflict between Affordable Housing Policy and assumptions made in Tables 3.5-3.7 and especially the zero affordable provision assumed for the higher land value areas, referenced in our response to question 10.

The illustrative impacts in Table 3.4 under represent the costs to our business as a result of the house type mix we employ. We have provide details of our house mix profile at question 10 and we will be interested to see whether responses to the consultation support the 2010 NHBC mix which has been assumed.

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

Planning policy should confine itself to enabling the wider aspects of sustainable community development.

Local authorities have an important role to play in co-ordinating the needs of all stakeholders and developing practical strategies which bring together the cumulative sustainable benefits made possible through due consideration of ecology; good urban design; design densities; provision of local amenities supporting social interaction, development of a cohesive community, promotion of a healthier lifestyle; stimulation of the local economy by providing employment opportunities and integrated transport/communication networks.

This requires the development of well-considered local plans based upon a robust evidence base for housing needs, supported by strategic planning which recognizes the need for cross-border co-operation to streamline the planning process and which understands the constraints and opportunities for energy efficiency presented by specific site characteristics and densities.

Cross border energy mapping should be encouraged to maximize district heating and integrated renewable technologies opportunities to establish properly managed, off grid renewable energy schemes which will deliver long term carbon saving benefits and take benefit from the base heat load provided by mixed use schemes.

There should be continuity in policy application across Wales and wide variation between individual authorities should be avoided, as should prescriptive energy solutions. There must also be recognition of the cumulative demands made on development when establishing S106 and energy contributions associated with the development which is informed by realistic appreciation of scheme viability.

Planning policy should not involve itself in the technical detail associated with meeting energy/carbon performance targets. This should be left to building regulations.

We are concerned however that local authority planning departments almost certainly lack the necessary resources and skills in-house to effectively manage a task of this magnitude.

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

Our experience is for the most part limited to the Code, so our comments are confined to that topic.

Introduction of rating using the supposedly “voluntary” CfSH has served to focus the attention of the house building industry on sustainable development and has increased impetus in the design and integration of sustainable features, however we feel its usefulness has always been subjective and limiting, many of its parameters having been developed for urban living in the south east of England and therefore not necessarily geographically or culturally transferable.

It has also failed in that it has never been fully understood or recognized by customers, valuers, lending institutions, or in many instances, local planning authorities and with

successive, rapid advancement of regulatory standards, content has increasingly duplicated, conflicted with, or has been superseded by other specifically targeted regulatory requirements. The resulting confusion, contradiction and additional cost burden is now evident and is highlighted in the recent Harman Report on the review of standards for delivery of new homes.

Just as importantly, since introduction of the Code understanding of the practical limitations of sustainable design has considerably advanced exposing some of the original theory supporting the Code to be flawed.

Each advance in associated regulatory fields (energy, water consumption, surface water management, etc.) necessitates review and amendment which in itself creates additional administrative burden to re-align the tool and successive iterations become less relative to previous versions which is confusing and clearly impractical. The certification process itself is also administratively cumbersome and often very slow.

We would therefore support withdrawal of the Code following introduction of appropriate Building Regulations and revised planning policies, perhaps following the lines being adopted by Scotland.

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☒ No ☐ Don't know ☐

Comments

As referred to in our response to Q 25, certification brings no value to us other than proof of compliance with planning or technical conditions set for the site. There is no recognition by valuers or customers of the benefits of Code compliant homes.

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

If building regulation levels are set at an appropriate level, why should local standards be set beyond those building regulation standards? The IA clearly shows the impact on viability of the proposed regulations, so how can higher standards set locally be justified?

An effective, long term increase in standards could be achieved by unlocking the potential for district energy schemes through strategic planning and crossborder co-operation as referred to in our response to Q 24, but planning authorities need to understand what can be achieved before setting standards.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

Please see the response to Q 25. Positives will be reduced duplication and conflict with other statutory demands; removal of questionable requirements ie: cycle sheds; reduced administrative burden.

Negatives will be employment issues for specialized Code/BREEAM assessors; BRE revenues; lack of an off the shelf, standardized guidance for local authorities to benchmark sustainable criteria.

29. Is there a better, alternative, way to reward and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

There are some underlying key issues here which complicate the position:-

Firstly, as referred to in responses to Q1, there is considerable uncertainty within the UK industry as a whole as to the adequacy of the design check tools available, the inputs into the software and the in-situ performance of compliant specifications employed. Until sufficient work has been done to accurately establish the performance levels of homes constructed to current regulations and identify and quantify any shortfalls in performance, it is premature to discuss extending standards beyond the prevailing building regulation standard as this may result in abortive work, strategic cul-de-sacs and unwarranted cost to the industry as a whole.

Secondly, we come back to cost. The IA (para13) states that the NPV for 25 and 40% improvements is negative - additional capital cost and maintenance costs exceed energy and carbon savings because existing building regulations already impose relatively high energy efficiency standards and "further improvements cannot be achieved without incurring significant costs". ie: we are close to the point of diminishing returns from fabric performance improvements and increased performance can only be achieved by adding renewable technologies (onsite, offsite or in combination). In our view, we consider proper maintenance of renewables essential to achieve long term efficiency benefits which will not be achieved by policies which promote piecemeal installation for compliance and uncertain future maintenance and replacement regimes. It is acknowledged by DECC and the ZCH that schemes which combine efficiently insulated buildings with district energy/heating schemes are the most promising avenue to secure practical on-site renewable energy delivery, but it is also acknowledged delivery of this kind of scheme is capital intensive and thus the scale of development must be sufficient to support the investment of an ESCO.

Local authority planners therefore have a key role to play in developing strategic plans to enable such schemes which integrate mixed use development. Opportunities to directly further enhance energy performance through building regulations is limited. However there may be scope to develop an alternative approach to benchmarking through building regulations by adopting a "labeling" scheme which rewards higher sustainability

performance along the lines of the Scottish “ Section 7”. It is imperative however, that consistent standards are applied across Wales.

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

Please see the responses to Qs 24-29.

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

Please see our response to Qs 24 and 29.

Existing buildings

- ~~32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.~~

~~Yes ☐ No ☐ Don't know ☐~~

Comments

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

It's clear that new homes are significantly better insulated than the existing stock which contributes a significant proportion of overall carbon emissions. It therefore follows that any opportunity to improve the performance of existing homes should be pursued.

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

Comments as for Q33.

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ No ☐ Don't know ☐

Comments

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

An annual average of 10,000 extensions/ year presents a significant opportunity to reduce carbon emissions in the existing stock and the improvements proposed represent relatively low cost solutions which should not deter the majority of work.

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☒

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☐

Don't know ☐

Comments

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand

☐

Reduce demand

☐

No effect

☒

Don't know

☐

Comments

Likely to have little effect on repair and maintenance activity, but should increase improvement works.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

This presents a significant opportunity to reduce carbon emissions in the existing stock .

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes

☒

No

☐

Prefer a different list (please specify)

☐

Don't know

☐

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☒ No ☐ Don't know ☐

Comments

We envisage that in time companies will seize the opportunity to develop multi skilled, "one stop shop" services.

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for ~~replacement domestic windows and~~ domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

We have insufficient detailed knowledge of work in this sector to enable comparison with the assumptions in the IA

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☒ No ☐ Don't know ☐

Comments

In the first instance we should like to reiterate our responses in Q's 1 and 9 pointing out that data concerning actual performance of new homes is insufficient to establish whether any variation between design and actual performance exists, or to accurately quantify any impacts of individual factors within the cumulative result and that data that is available generally concerns exemplar or experimental schemes and is therefore unrepresentative of the new build market as a whole. We believe it is now understood within government circles that if such a performance gap exists it cannot simply be attributed to the builder alone. Meaningful improvements must be informed from the outcomes of solid research into this issue.

Following on from this, introduction of a compliance checklist would be of assistance but we do not feel it would be sufficient to improve performance alone.

A practical example is provided by the highly successful RDL Part E scheme, introduced to provide an alternative path to acoustic performance compliance. As part of the overall scheme an extensive checklist suite is provided for each construction detail.

A scheme based on the RDL Part E principles may provide an acceptable vehicle to manage details, monitor as constructed performance of details and promote learning/training across the industry.

48. If such a checklist was developed, what should it cover?

Comments

TER/DER

Fabric u values

Thermal bridge details

Design for solar gain

Design and commissioning of heating, hot water and ventilation systems

Design, installation and operation of renewable technologies

Operating and maintenance instructions

49. If the checklist was taken forward, who should be involved in its development?

Comments

Robust Details Ltd

Building control organisations - LABC/NHBC, etc

Manufacturers

HBF

Developers

Academia

50. Would any other approach be likely to prove more effective instead (such as a PAS⁹ type approach).

Yes ☒ No ☐ Don't know ☐

Comments

Please see responses to Qs 47-50

⁹ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☒ No ☐ Don't know ☐

Comments

- 51b. What are the arguments for and against this approach?

Comments

For

Construction and building format likely to be more compatible with domestic standards

Against

Usage may dictate significantly different different heating/hot water/lighting/ventilation characteristics well outside domestic usage parameters.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☒ No ☐ Don't know ☐

Comments

The graphical "routemap" presentation of the compliant design process and revised general layout is welcome and should be adopted in Part L1A. It greatly assists navigation through the document .

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☒

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

- Inspectors will need improved understanding of energy efficient design and potential impacts of relatively minor construction defects or specification changes.
- The variety of approaches open for compliant design present problems for inspectors in achieving a consistent approach.
- Additional inspection stages are likely to be necessary which will impact resource requirements.
- The combined effect of additional and more detailed inspections will be an upward pressure on fees, which will exacerbate the cost of implementation and land viability issues raised in the responses to earlier questions in the consultation.

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

#23 - Aircrete Products Association

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Consultation Response Form

Your name: Clifford Fudge

Organisation (if applicable): Aircrete Products
Association

(xxxvii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(xxxviii) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

(xxxix) Please tick the one box that best describes your organisation:

Builders/Developers: Builder / Main contractor: <input type="checkbox"/> Builder/ Small builder: (extensions/repairs/maintenance, etc) <input type="checkbox"/> Installer/ special sub-contractor <input type="checkbox"/> Commercial developer <input type="checkbox"/> House builder <input type="checkbox"/>	Property Management: Housing association (registered social landlord) <input type="checkbox"/> Residential landlord, private sector <input type="checkbox"/> Commercial <input type="checkbox"/> Public sector <input type="checkbox"/>
--	--

Building occupier: Home owner <input type="checkbox"/> Tenant (residential) <input type="checkbox"/> Commercial Building <input type="checkbox"/>	Building Control Bodies: Local authority building control <input type="checkbox"/> Approved Inspector <input type="checkbox"/>
Energy Sector <input type="checkbox"/>	Fire and Rescue Authority <input type="checkbox"/>
Designers/Engineers/Surveyors: Architect <input type="checkbox"/> Civil/Structural engineer <input type="checkbox"/> Building services engineer <input type="checkbox"/> Surveyor <input type="checkbox"/>	Specific Interest: Competent person scheme operator <input type="checkbox"/> National representative or trade body <input type="checkbox"/> Professional body or institution <input type="checkbox"/> Research/ academic organisation <input type="checkbox"/>
Manufacturer/ Supply Chain <input checked="" type="checkbox"/>	Other (<i>please specify</i>) <input type="text"/>

(xi) Please tick the *one* box which best describes the size of your or your organisation's business?Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐Small – typically 10 to 49 full-time or equivalent employees ☐Medium – typically 50 to 249 full-time or equivalent employees ☒Large – typically 250+ full-time or equivalent employees ☐None of the above (please specify) ☐**(vi) Are you or your organisation a member of a competent person scheme?**Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:**New homes**

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010 ☒40% CO₂ saving ☐25% CO₂ saving ☐

Something else (please explain below)

☐

Don't know

☐

Comments

2.

The housing industry is struggling in the current economic climate. To add cost at this stage would see the market stall even further. It would be far more sensible to follow the regulatory route finally agreed for Part L England so that housebuilders and manufacturers can standardise on products. Insufficient numbers of homes have been constructed to the 2010 Part L to fully understand the implications of the changes. There is a real concern about air quality in homes with low energy efficiency requirements and the fact that MVHR may now become the norm. It is better to achieve tested and healthy solutions after experience has been gained rather than a hasty and possible poor level of insulation. The industry needs have a reliable SAP process and program before

Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☒ No ☐ Don't know ☐

Comments

Notwithstanding our comment to question 1, an aggregate approach would be a better solution allowing greater standardisation of build.

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

This approach is akin to the elemental approach and it is clearer to understand from a designer's and builder's point of view, giving guidance on how compliance can be achieved.

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

This would appear to be a more transparent approach to the issue.

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☐ No ☐ Don't know ☒

Comments

It is difficult to tell unless the specifications are run through SAP

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☒

Proportion of gross internal floor area with a practical cap ☐

Don't know ☐

Comments

This is an easier method to understand and to calculate.

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☐ No ☒ Don't know ☐

Comments

The values suggested allow little to no flexibility in design. If values are to be changed, it would be better to have slightly improved values and make these mandatory rather than the harsh values

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☐ No ☒ Don't know ☐

Comments

As per Q7, the values are too low and do not allow any real flexibility in design. If values are to be changed, it might be more appropriate to strengthen the airtightness and linear bridge numbers, rather than main fabric U.

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

Clause 5.10a: We would question how the $y=0.09$ if ACDs used has been derived. With party walls now included in the calculations this is likely to be higher.
Clause 5.10b: Calculated psi values can be used without penalty; we support this approach
Clause 5.11: Requires re-wording as does not seem to permit use of psi values from "Approved" column if a particular junction **does** meet Accredited Detail.

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

New non-domestic buildings

12. Do you agree with the proposal for 2013 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☐ No ☒ Don't know ☐

Comments

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☐

Don't know ☐

Comments

No change is proposed as construction in the commercial sector is also very "fragile" and projects are being shelved now due to cost. To add to this cost burden could significantly weaken the prospects of new projects being commenced.

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☒ No ☐ Don't know ☐

Comments

There may be some building types which are difficult to make comply. We understand that small warehouses, for example, may find the airtightness requirements very challenging.

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☒

Percentage of roof area of PV ☐

Other ☐

Don't know ☐

Please give reasons for your choice

This would allow the greatest flexibility and therefore lowest cost in design and construction.

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from October 2013. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☐

Don't know **NONE OF THE ABOVE** ☐

Please give reasons for your choice

No change is proposed as construction in the commercial sector is also very "fragile" and projects are being shelved now due to cost. To add to this cost burden could significantly weaken the prospects

17. Do the proposed 2013 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☐ Don't know ☒

Comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

This would make sense and allow some standardisation

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☒ Don't know ☐

Comments

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

This should be left to Building Regulations rather than planning.

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

We believe that the Code should be withdrawn since most aspects of the Code are covered in other regulatory requirements. However, it should not be replaced by other ad-hoc planning requirements.

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☐ Don't know ☒

Comments

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

We believe that local planning authorities should not set local standards.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

Existing buildings

32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.

Yes ☐ No ☒ Don't know ☐

Comments

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☐ No ☒ Don't know ☐

Comments

The values proposed are a large step from existing regulation. It would be far more advantageous to seek better compliance with existing regulations rather than to increase the requirements and still have low rates of compliance. With such a step change in the requirements it would be difficult to match domestic extensions to meet the same construction sizes as the existing dwelling

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☐ No ☒ Don't know ☐

Comments

Having said no, there may be some scope for improvement.

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ No ☐ Don't know ☐

Comments

36. upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☐ No ☒ Don't know ☐

Whilst the objective of improving the efficiency of the existing housing stock is sound in order to meet our 2050 targets, this approach places unnecessary regulatory burden on home owners and an additional tax on extension work. This could lead to a decline in the activity levels of extension work and limit our economic recovery. If the requirement was accompanied by a reduction of VAT on extensions to offset this new tax, the objectives of improving the housing stock without driving a decline in RMI work could be achieved. A reduction of VAT on energy saving improvements would also encourage more energy saving investment by bringing the VAT rate closer to the VAT rate on domestic energy. At the moment it is perverse that the different VAT rates encourage energy usage over energy saving. There are better approaches to improve the energy performance of our housing stock than placing a penalty only on those people who wish to extend their homes. However, if penalties are the preferred approach then council tax or stamp duty related to EPC level rather than just property value could be considered as these would be fair on all homeowners and not just those wanting to extend their properties. Alternatively incentives could be used such as the VAT relief mentioned above or encouragement to sign up to the Green deal when it is launched. Real encouragement for homeowners to improve the energy efficiency of their homes will increase as energy prices rise either due to supply/demand dynamics although this could be accelerated by increasing energy consumption taxes.

measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures?

☐

Should this list be different (please explain below)?

☐

Another approach (please explain below)

☐

Don't know

☐

Comments

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand

☐

Reduce demand

☒

No effect

☐

Don't know

☐

Comments

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☒

Comments

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☐

No ☐

Prefer a different list (please specify) ☐

Don't know ☒

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☒ No ☐ Don't know ☐

Comments

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for replacement domestic windows and domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

☐ ☐ ☒

Yes No Don't know

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☒ No ☐ Don't know ☐

Comments

48. If such a checklist was developed, what should it cover?

Comments

The key aspects of construction relating to thermal performance. E.g the specified type and dimensions of all materials especially insulation are used, checking of seals for airtightness (around service pipes etc), continuity of insulation and overlaps to prevent thermal bridging.

49. If the checklist was taken forward, who should be involved in its development?

Comments

Designers, builders, building control and supplier input.

50. Would any other approach be likely to prove more effective instead (such as a PAS¹⁰ type approach).

Yes ☐ No ☒ Don't know ☐

Comments

Until such time as the perceived problem of design v as built gap is proven, it is difficult to assess what is needed.

51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☒ No ☐ Don't know ☐

Comments

51b. What are the arguments for and against this approach?

Comments

It would simply design and allow some further standardisation.

¹⁰ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

This is an not required until sufficient evidence is obtained to prove that as built performance is not being achieved. The database on as built performance is extremely small and it much of this could be explained by the design tool (SAP) that we have. It would be far more beneficial to get the SAP tool correct and for the industry to measure the performance of a largescale developments of dwellings built to 2010 Part L standards. We suggest going no further than post construction air tightness testing, perhaps with intermittant thermal imaging. However, let the industry come up with a solution

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☐

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☐

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

--

#24 - Concrete Block Association

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Consultation Response Form

Your name: Gerry Pettit

Organisation (if applicable): Concrete Block Association

(xli) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(xlii) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

(xliii) Please tick the one box that best describes your organisation:

Builders/Developers: Builder / Main contractor: <input type="checkbox"/> Builder/ Small builder: (extensions/repairs/maintenance, etc) <input type="checkbox"/> Installer/ special sub-contractor <input type="checkbox"/> Commercial developer <input type="checkbox"/> House builder <input type="checkbox"/>	Property Management: Housing association (registered social landlord) <input type="checkbox"/> Residential landlord, private sector <input type="checkbox"/> Commercial <input type="checkbox"/> Public sector <input type="checkbox"/>
--	--

Building occupier: Home owner <input type="checkbox"/> Tenant (residential) <input type="checkbox"/> Commercial Building <input type="checkbox"/>	Building Control Bodies: Local authority building control <input type="checkbox"/> Approved Inspector <input type="checkbox"/>
Energy Sector <input type="checkbox"/>	Fire and Rescue Authority <input type="checkbox"/>
Designers/Engineers/Surveyors: Architect <input type="checkbox"/> Civil/Structural engineer <input type="checkbox"/> Building services engineer <input type="checkbox"/> Surveyor <input type="checkbox"/>	Specific Interest: Competent person scheme operator <input type="checkbox"/> National representative or trade body <input checked="" type="checkbox"/> Professional body or institution <input type="checkbox"/> Research/ academic organisation <input type="checkbox"/>

Manufacturer/ Supply Chain <input type="checkbox"/>	Other (<i>please specify</i>) <input style="width: 100%;" type="text"/>
--	---

(xlv) Please tick the *one* box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☒
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☐
- Large – typically 250+ full-time or equivalent employees ☐
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt

personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☐

40% CO₂ saving

☒

25% CO₂ saving

☐

Something else (please explain below)

☐

Don't know

☐

Comments

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☒ No ☐ Don't know ☐

Comments

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

We like the idea of an elemental option, first introduced by the Building Standards in Scotland, as it gives small builders a relatively simple route to compliance.

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

We support pragmatic measures which provide design flexibility.

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☒

Proportion of gross internal floor area with a practical cap ☐

Don't know ☐

Comments

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☒ No ☐ Don't know ☐

Comments

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☒ No ☐ Don't know ☐

Comments

These seem to be reasonable and achievable targets

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

New non-domestic buildings

12. Do you agree with the proposal for 2013 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☒ No ☐ Don't know ☐

Comments

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☒

Don't know ☐

Comments

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☒ Don't know ☐

Comments

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☐

Percentage of roof area of PV ☒

Other ☐

Don't know ☐

Please give reasons for your choice

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from October 2013. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☒

Don't know ☐

Please give reasons for your choice

We accept the Government's proposal

17. Do the proposed 2013 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☒ Don't know ☐

Comments

We believe that buildings which are domestic in size and nature could be treated as dwellings although accepting that this might lead to difficulties in how a borderline case should be treated.

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☐ Don't know ☒

Comments

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/ renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

Planning should have no role in this. Planners are seldom specialists in this area and to allow them to make their own rules is dangerous.

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

We are not expecting frequent changes to the Code for Sustainable Homes and BREEAM. There will need to be changes to both as result of the implementation of sustainability standards as would be

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☒ Don't know ☐

Comments

Sustainability needs to be addressed.

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

Local Planning authorities should not be allowed to vary standards in this way. They are not sufficiently expert to take on this task.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

The Code for Sustainable Homes/BREEAM enable some sustainability indicators to be addressed by the Building Regulations. These will be now be lost until there is separate

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

The Code for Sustainable Homes/BREEAM should continue to be called up by Part L There is no alternative at the moment.

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

It is not good to expect the 25 LPAs to handle areas outside their competence. It will lead to 25 different interpretations.

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

There should be no opportunities given for standards higher than required by the Building Regulations.

Existing buildings

32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.

Yes ☐ No ☐ Don't know ☒

Comments

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☐ No ☒ Don't know ☐

Comments

Any extension has to align with the existing structure so it may not always be practicable to establish a design which would meet the new standards. There needs to be flexibility for Building Control to take practicalities into

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☐ No ☒ Don't know ☐

Comments

See answer to Q 33

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☐ No ☐ Don't know ☒

Comments

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

If the consequential improvements are limited to loft insulation, hot water cylinder insulation and cavity wall insulation this seems reasonable but mandatory filling of cavities on exposed sites may

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☒

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☐

Don't know ☐

Comments

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☒

No effect ☐

Don't know ☐

Comments

We have no specific evidence but increasing costs is always likely to dissuade a building owner.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

It is logical to do this where it is practical.

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☐

No ☐

Prefer a different list (please specify) ☐

Don't know ☒

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☒ No ☐ Don't know ☐

Comments

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for replacement domestic windows and domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☒ No ☐ Don't know ☐

Comments

48. If such a checklist was developed, what should it cover?

Comments

To ensure that the building is constructed as per the design using the materials specified.

49. If the checklist was taken forward, who should be involved in its development?

Comments

Building Control

50. Would any other approach be likely to prove more effective instead (such as a PAS¹¹ type approach).

Yes ☐ No ☒ Don't know ☐

Comments

It would probably be no more effective.

¹¹ A PAS is a Publically Available Specification, and the PAS would set out a quality assurance approach.

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☒ No ☐ Don't know ☐

Comments

See our answer to question 17

- 51b. What are the arguments for and against this approach?

Comments

As previous answer

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☐

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☒

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

--

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

--

#25 - Eco-Futures

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Minor amendments indicated in red

Consultation

Response Form

Your name: Simon Wharton

Organisation (if applicable): Eco-Futures

(xlv) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(xlvi) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

(xlvii) Please tick the one box that best describes your organisation:

Builders/Developers: Builder / Main contractor: <input type="checkbox"/> Builder/ Small builder: <input type="checkbox"/> (extensions/repairs/maintenance, etc) Installer/ special sub-contractor <input type="checkbox"/> Commercial developer <input type="checkbox"/> House builder <input type="checkbox"/>	Property Management: Housing association <input type="checkbox"/> (registered social landlord) Residential landlord, <input type="checkbox"/> private sector Commercial <input type="checkbox"/> Public sector <input type="checkbox"/>
--	--

Building occupier: Home owner <input type="checkbox"/> Tenant (residential) <input type="checkbox"/> Commercial Building <input type="checkbox"/>	Building Control Bodies: Local authority building control <input type="checkbox"/> Approved Inspector <input type="checkbox"/>
Energy Sector <input type="checkbox"/>	Fire and Rescue Authority <input type="checkbox"/>
Designers/Engineers/Surveyors: Architect <input type="checkbox"/> Civil/Structural engineer <input type="checkbox"/> Building services engineer <input type="checkbox"/> Surveyor <input type="checkbox"/>	Specific Interest: Competent person scheme operator <input type="checkbox"/> National representative or trade body <input type="checkbox"/> Professional body or institution <input type="checkbox"/> Research/ academic organisation <input type="checkbox"/>
Manufacturer/ Supply Chain <input type="checkbox"/>	Other (please specify) <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Sustainability Consultants</div>

(xlviii) Please tick the **one** box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☒
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☐
- Large – typically 250+ full-time or equivalent employees ☐
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:**New homes**

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010 ☐40% CO₂ saving ☐25% CO₂ saving ☐Something else (please explain below) ☐Don't know ☒

Comments

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☐ No ☐ Don't know ☒

Comments

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☐ No ☐ Don't know ☒

Comments

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☐ No ☐ Don't know ☒

Comments

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☐ No ☐ Don't know ☒

Comments

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☐

Proportion of gross internal floor area with a practical cap ☐

Don't know ☒

Comments

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☐ No ☐ Don't know ☒

Comments

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☐ No ☐ Don't know ☒

Comments

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

New non-domestic buildings

12. Do you agree with the proposal for ~~2013~~ 2014 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☐ No ☐ Don't know ☒

Comments

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☐

Don't know ☒

Comments

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☐ Don't know ☒

Comments

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☐

Percentage of roof area of PV ☐

Percentage of floor area of PV ☐

Other ☐

Don't know ☒

Please give reasons for your choice

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from ~~October 2013~~ June 2014. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☐

Don't know ☒

Please give reasons for your choice

17. Do the proposed ~~2013~~ 2014 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☐ Don't know ☒

Comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☐ Don't know ☒

Comments

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

The Planning Policy in Wales was published in February 2011 – just 19 months ago. That policy recognised the need to have a consistent and common framework for sustainability, and the CSH was selected as the perfect tool for delivering this. We do not understand why, following the clear successes of the CSH, this approach is looking to be changed so quickly, or at all.

Planning should continue their work in looking at key strategic sites and yes, in particular they should be helping to facilitate site-wide energy opportunities with the CSH continuing to drive sustainable development at the site level.

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

The CSH and BREEAM will evolve as they reflect best practice beyond regulatory minimum. The number of changes has slowed since the first 2 years when a new edition was published every 6 months. The last edition was published in November 2010, nearly 2 years ago.

If Welsh Housing is to continue to follow best practice for sustainable development, the PfSB should remain with a simple and cost effective amendment changing the Planner's wording of the associated conditions. However, if WG are concerned about ownership of the CSH then they should consider developing a Welsh version.

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☒ Don't know ☐

There is always a cost to compliance, but of course those costs have to remain proportionate to the benefits achieved.

We have carried out a study of the assessment and certification fees of 713 dwellings that we have certified in Wales, and the average cost per dwelling equates to £325 - broadly speaking the cost of the front door. The benefits are enormous and are detailed in our answers to questions 28, 29 & 30. Those benefits represent an environmental value over the lifetime of the home far greater than £325.

The £325 CSH fee includes i) Preliminary Advice and a report ii) Design Stage report and certification and iii) Post Construction site visit, report and certification. That really is good value for money.

To put the assessment and certification fees into perspective, the costs of a 40% carbon improvement for a private semi-detached house are estimated at £3,854 or 2.08-2.74% of the selling cost. Taking an average of 2.41% means the average sales price is £160,000. The CSH assessment and certification therefore equates to 0.2% of the selling price. Negligible costs, high benefits.

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

Local planning authorities should have the ability to be able to set local standards above and beyond building regulations which are relevant to the particular needs of that area. They need a framework to which they can apply those higher standards and that framework would also allow there to be a general consistency across Wales.

That framework already exists in the CSH. Local planning authorities can stipulate what level of code beyond level 3 that they wish to achieve, and if necessary, what specific sections they want to target or those they don't (mandatory requirements would still however apply). Across England and Wales the CSH would then continue to provide the benefits set out in the PfSB that a nationally recognised standard brings.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

The following list constitutes design parameters that would be lost from an average development if the CSH requirement were to be removed and you were to limit your approach to sustainable development to reducing carbon emissions only.

1. **Behavioural energy issues** that are generally included within a development:
 - Cycle storage (beyond what is usually required by planners)
 - Natural drying space (installed from day 1)
 - Education and awareness in the Home User Guide – this being specific to the dwelling not just generic hints and tips
 - Home office spaces
2. **Decreased potable water consumption**
3. **Lower environmental impact materials** usually supplied via a greener supply chain. We have delivered approximately 20% of all CSH certificates produced in Wales and on the vast majority of these schemes we have achieved an average of 6 of the 9 credits for this issue. The demand for more sustainable products driven by the CSH has resulted in Welsh suppliers gearing themselves up for this, with many timber suppliers having implemented chain of custody management systems. Our research shows that many LPAs in England are now seeking CSH certification as part of their policies and it would be a shame that the Welsh businesses that have resourced themselves for this will undoubtedly lose a large chunk of local demand for certified timber.
4. **Domestic Waste management facilities** both internally and externally for residents. It is evident that all LPAs have put in a lot of resources in driving up recycling rates and reducing waste to landfill. The CSH aids this process enormously, as without our involvement there would be a lot of schemes out there without adequate space for waste bins (particularly on developments containing flats). This mandatory issue within Code has prevented numerous inadequate designs from being built. Furthermore over 92% of our developments include composting bins and recycling bins that help drive behavioural change and obviously these are installed at the point of sale or occupancy.
5. **Commercial waste management.** Over 90% of our developments have Site Waste Management Plans. There is currently no legal requirement for these in Wales and it is very likely this piece of best practice would be lost. Not only do these help reduce waste to landfill, a key objective of Welsh Government Strategy but they also force contractors to become "resource aware", thus driving general business efficiencies.

6. **General Health & Wellbeing.** The CSH is driving some really positive changes in these areas:-
 - a. Increased levels of daylight are increasingly sought by developers and the positive impact this has on the wellbeing of residents is widely recognised.
 - b. Over 90% of our developments are seeking sound insulation values that exceed current Building regulations by some margin. These results are achieved by improved construction quality.
7. **Accessibility for disabled people.** The Welsh Assembly Government recognises that if disabled people are to fully participate in society and live full and independent lives they require equal access to goods, services and premises, and accordingly guidelines were published in August 2006 setting out best practice²

For dwellings Part M of the current building regulations covers access, circulation within the dwelling, switches and WC access. The CSH goes well beyond this by including suitably designed access to bins, composting facilities & private space, including space to turn a wheelchair, level thresholds through gates plus lighting and signage for communal areas.
8. **Lifetime Homes.** Demographic trends mean that the UK population as a whole is ageing. Research also suggests that many older people affected by health conditions or disability, find it difficult to move around their home and use the facilities in comfort and with dignity. Housing and the places we live need to be designed so that they reflect the changes that occur over the lifetime, and so that people are not excluded by design as they grow older and more frail. Lifetime Homes Standards are key to this since they provide necessary flexibility, for example, as people find it more difficult to open windows, move around the house, or reach plug sockets. The vast majority of the developments we have partnered have ensured Lifetime Homes Compliance through application of CSH.
9. **Considerate Constructors.** The CSH has been instrumental in driving this initiative forward. Over 85% of the contractors we work with target these credits which in turn has resulted in reducing pollution, energy and water use associated with construction activities.
10. **Improved Security** through the application of Secure by Design Standards. Again these credits are sought on the vast majority of the developments we work on. Private developers are increasingly seeking these credits and the residents are being rewarded with “secure aware” designs.
11. **Improved local ecology and biodiversity.** Whilst the planning process includes these issues there is little doubt that the implementation of the Code has improved the sites we have been involved with. There is little doubt in our minds that these credits have created better environments in which to live.

These examples illustrate the difference between a compliance standard, i.e. Building Regulations and a Best Practice Standard, i.e. the CSH. One leads to innovation and quality whilst the other generally leads to a “do just enough” to comply mentality.

All of these issues have a direct or indirect impact on wider areas of sustainability, and losing them would represent a significant threat to both the WAG’s commitment and legal duty to sustainable development.

² WAG Accessible Venues Guidance 2006

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

1. The first point to address, and which cuts to the very core of your proposal, is that sustainable development is about much more than reducing carbon emissions. This is something that has been clearly recognised up until now and has been a key and fundamental part of your own strategic approach¹. To highlight an example, Planning Policy Wales confirmed that the PfSB was being introduced to do 2 things:

- Move towards Zero Carbon, AND
- Provide a mechanism for more sustainable buildings in general.

We are therefore at a loss to understand why, in such a short space of time, there is such a shift in approach and what the argument is for removing the second objective.

2. The second point is why, when we have a reasonably priced, future proof, nationally recognised quality assured set of standards that are working well, should we seek to implement an alternative approach?

It is of course inevitable when implementing new policies that there is a substantial “bedding in” period. Having issued approximately 20% of the CSH certificates in Wales we have witnessed the scheme evolve to a point where developers have put in place robust processes and gained a reasonable level of CSH understanding as they continue their broad sustainability journey. Changing to a new policy or process will result in this journey starting again and the momentum we have gathered will slow or stop.

3. The demand on building inspectors is high. If you continue to follow a truly sustainable approach to development (again, not just carbon) all of the areas listed in question 28 would need to be assessed by them. Sustainability in the construction sector is an extremely broad issue and there would be a very long lag time for Building Inspectors to come up to speed so that they can operate to the same knowledge levels as CSH assessors.
4. In addition to point 3, there is a fundamentally different approach to mind set. Building Regulations are essentially a list of compliance issues and this can lead to a checklist mentality. Whilst important to maintain certain standards of performance, safety and quality, this way of working is not really conducive to innovation.

Part of the role of a CSH Assessor is to provide Design Teams with advice at an early stage of the development life cycle, usually way before compliance is checked. As identified in your Code for Sustainable Homes Pilot Project Interim Report (Feb 2011) “the collaboration between the client, developer, and design team was paramount for a successful outcome, in as much as the whole design team understood the requirements, and the client and developer were aware of the issues as early as possible”. CSH Assessors are more partners in terms of design across a wide range of Sustainability issues and this is a very different role to that of the Building Inspector.

Changing this approach will reduce the stimulation of innovation across the construction industry.

¹ Section 79 of the Government of Wales Act 2006; One Wales: One Planet – The Sustainable Development Scheme of the Welsh Assembly Government”; Planning Policy Wales – Chapter 4, Planning for Sustainability; Technical Advice Note 22: PLANNING FOR SUSTAINABLE BUILDINGS.

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

Implementation of the PfSB delivers a much wider range of sustainability benefits than building regulations and so perception of duplication is wrong. CSH only uses the outputs from the SAP process to award credits beyond that of minimum Building Regulations compliance. CSH assessors do NOT approve dwellings' carbon emissions this remains the role of the building inspector.

In accordance with your own strategic approach to Sustainable Development, we firmly believe that the full range of Sustainability Benefits covered by the CSH adds significant environmental value to society. As such, we would expect the RIA accompanying this consultation to quantify the benefits or costs to society of removing Part B of the PfSB, which it has not.

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

There are of course opportunities for LPAs to set whatever they feel meets the general objectives of Welsh Planning Policy. However one thing we would like to see is that further help is given to developers of larger sites to implement community heating systems.

Existing buildings

- ~~32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.~~

~~Yes ☐ No ☐ Don't know ☐~~

Comments

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☐ No ☐ Don't know ☒

Comments

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☐ No ☐ Don't know ☒

Comments

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☐ No ☐ Don't know ☒

Comments

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☒

Comments

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☐

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☐

Don't know ☒

Comments

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☐

No effect ☐

Don't know ☒

Comments

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☒

Comments

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☐

No ☐

Prefer a different list (please specify) ☐

Don't know ☒

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☐ Don't know ☒

Comments

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for ~~replacement domestic windows and~~ domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☐ No ☐ Don't know ☒

Comments

48. If such a checklist was developed, what should it cover?

Comments

49. If the checklist was taken forward, who should be involved in its development?

Comments

50. Would any other approach be likely to prove more effective instead (such as a PAS¹² type approach).

Yes ☐ No ☐ Don't know ☒

Comments

51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☐ No ☐ Don't know ☒

Comments

51b. What are the arguments for and against this approach?

Comments

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

¹² A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☒

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☒

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

See response to question 29 points 3 and 4.

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

As you will see from our response, we have very significant concerns over these proposals. In addition to the areas addressed above, we have the following observations/representations to make:-

- Removing the requirement for CSH “as soon as practically possible” and before the new Building Regulation requirements for new dwellings in 2015 (i.e. the preferred approach) would leave a huge gap in sustainable development targets. If part B of the PfSB is to be removed (which we think it shouldn’t), surely this should at the earliest be done once the new Building Regulations have gone live.
- Best practice is not a local issue, nor is it a national issue. Best practice is just that wherever you find it, try to quantify it or explain it. Like all evolving products, the CSH has development areas but it is the best tool on the market for delivering Sustainable Buildings. It is designed to do a totally different job to that of Building Regulations and nothing in the consultation documents have stated the business case for its removal. It is obviously evident that removal of part B of the PfSB was added at a later stage and without proper RIA investigation.
- The Code is delivering *now* across a wide range of Welsh Policies and strategies. See answers to question 24 and 28. There are adequate assessors trained and in place *now* to deliver it and an ever improving supply chain.
- An increased target for Part L carbon emissions does not deliver on all the added benefits contained in CSH and BREEAM. Based on our experience, just 14% of the CSH credits awarded relate to carbon.
- We do not understand the comments made in clause 109 on page 35. How does bringing the positive features from CSH and BREEAM into Building regulations act as a reward? CSH and BREEAM already do this through higher scores and marketing opportunities. Building Regulations is clearly not a reward mechanism.

We feel that your objectives could be met by:-

- Leaving the PfSB in place until the onset of the new building regulations in 2015, at the earliest. This would ensure that wider sustainability targets are still in force whilst at the same time providing a period of consolidation for businesses to prepare for the step change in 2015.
- Properly investigating the costs and benefits of removing Part B of the PfSB
- Removing the condition that is usually stipulated by LPA’s that there can be no occupation prior to CSH post construction certification taking place. This condition can lead to additional time, costs and pressure for little or no value.

#28 - Design Commission for Wales

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Minor amendments indicated in red

Consultation

Response Form

Your name: Carole-Anne Davies

Organisation (if applicable):
Design Commission for Wales

(xlix) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(l) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

(li) Please tick the one box that best describes your organisation:

Builders/Developers: Builder / Main contractor: <input type="checkbox"/> Builder/ Small builder: <input type="checkbox"/> (extensions/repairs/maintenance, etc) Installer/ special sub-contractor <input type="checkbox"/> Commercial developer <input type="checkbox"/> House builder <input type="checkbox"/>	Property Management: Housing association <input type="checkbox"/> (registered social landlord) Residential landlord, <input type="checkbox"/> private sector Commercial <input type="checkbox"/> Public sector <input type="checkbox"/>
--	--

<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>
<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input type="checkbox"/></p> <p>Professional body or institution <input type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

Manufacturer/ Supply Chain <input type="checkbox"/>	Other <i>(please specify)</i> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> Welsh Government body. National advisor and champion for good design and sustainable development. </div>
--	---

(lii) Please tick the *one* box which best describes the size of your or your organisation's business?

Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐

Small – typically 10 to 49 full-time or equivalent employees ☒

Medium – typically 50 to 249 full-time or equivalent employees ☐

Large – typically 250+ full-time or equivalent employees ☐

None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt

personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☐

40% CO₂ saving

☒

25% CO₂ saving

☐

Something else (please explain below)

☐

Don't know

☐

Comments

The 40% reduction in CO₂ compared with 2010 levels equates to the 55% reduction compared to 2006, which Jane Davidson, the then Minister for Environment, Sustainability and Housing, committed to in 2010. Overall CO₂ reduction targets are therefore maintained.

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☒ No ☐ Don't know ☐

Comments

Provided that it does not lead to a complicated system of administration, or a preference for a particular form of development (eg detached houses) over other forms, based solely on ease of

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

This approach has the advantage of ensuring minimum standards of thermal performance, based on backstop U-values and air tightness, which is compatible with the 'fabric first' approach advocated in

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

In a country such as Wales it is important not to discriminate against houses which are off the gas grid. This approach also has the advantage of discouraging the use of electric space heating (without

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

See answer to Q3

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☐

Proportion of gross internal floor area with a practical cap ☒

Don't know ☐

Comments

The preferred approach maximises the amount of installed PV up to a reasonable limit. The 'building foundation area' formula could deliver a derisory amount of renewable energy per residential unit, especially in tall buildings.

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☒ No ☐ Don't know ☐

Comments

Reinforces the need for a 'fabric first' approach.

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☒ No ☐ Don't know ☐

Comments

These are ambitious targets for the UK construction industry, but are nevertheless achievable with current products and technology, and good design.

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

10. 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? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

The assumed mix of domestic property types should be kept under regular review, to ensure that CO₂ targets are met, eg if more detached houses are built than were predicted.

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

New non-domestic buildings

12. Do you agree with the proposal for ~~2013~~ 2014 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☒ No ☐ Don't know ☐

Comments

PEC is a more accurate reflection of the true cost, in terms of energy and resources, of different fuels when delivered to the consumer. The high environmental cost of electricity should encourage low carbon energy supply

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☒

Don't know ☐

Comments

The higher target should stimulate a more focussed and rigorous effort to design new non-domestic buildings without the need for air conditioning, wherever possible.

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☒ Don't know ☐

Comments

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☒

Percentage of roof area of PV ☐

Percentage of floor area of PV

☐

Other

☐

Don't know

☐

Please give reasons for your choice

Provided that there is a widely accepted set of data made available that sets out kgCO₂/m²/year, for different renewable technologies. We agree that the 'PV only' approach could lead to some

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from ~~October 2013~~ June 2014. Which option do you prefer and why?

No change

☐

Target A: 10% aggregate improvement (1% PV)

☐

Target B: 11% aggregate improvement (No PV)

☐

Target C: 20% aggregate improvement (5% PV)

☒

Don't know

☐

Please give reasons for your choice

We agree with Welsh Government's preferred option to target the highest possible standards.

17. Do the proposed ~~2013~~ 2014 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☒ No ☐ Don't know ☐

Comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☐ No ☒ Don't know ☐

Comments

It is more appropriate to define buildings by their use, rather than by their size.

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☒ No ☐ Don't know ☐

Comments

We agree with the recommendations from the Carbon Trust. In order to reduce energy demand in non-domestic buildings, it is vital to reduce the need for full air conditioning systems.

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

We have no evidence to contradict these assumptions, based on research and consultation. Baseline data and greater transparency on cost calculations is needed overall.

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

These proposals strike a reasonable balance between commercial viability, and the need to maintain the trajectory of cumulative CO₂ reductions. They also incentivise the construction industry to 'up its game', and play a leading role in the emerging green economy.

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

Prioritising good design in location and site allocation/selection and in LDPs is crucial, encouraging the use of natural capital and an appropriate use of topography. The planning system can ensure that sustainability considerations are embedded in design development from an early stage, through pre-application discussions and the Design and Access Statement. We agree that planning policy should encourage site-wide **and inter-site** opportunities for low carbon energy. Promotion of early consultation with DCfW

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

We are not sure that there are any implications, provided that the different standards are broadly in step and that they reflect national policy and targets. Inevitably, any change will draw critique from some industry areas, and reference to progress elsewhere is useful in addressing this change resistance.

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☒ Don't know ☐

Comments

Although they should be kept under review and avoid unnecessary complication.

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

The best way to ensure a level playing field is to embed minimum standards of environmental performance within national planning policy, as is currently the case.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

There is a danger of serious negative impact on environmental building standards, which have improved in recent years, - in our view purely in response to the National Development Control Policy

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

We believe that the planning system has a crucial role to play in promoting an integrated (and therefore more cost-effective) approach to sustainable design. Building Regulation requirements tend to be considered later on in the process, usually after an application has been approved, and as noted in section 2.2 of the consultation document, there are problems of non-compliance. Promoting good design and sustainability from the outset is vital.

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

No. We believe that it is essential to retain Part B for the reasons outlined above. The revision of the Building Regulations, while important, is not an adequate substitute for the PfSB policy.

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

The opportunities remain, as outlined in Part C, but remain largely unexplored by local planning authorities. We are not aware of any examples where the designation of strategic sites has been used to expect or deliver higher standards.

Existing buildings

- ~~32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.~~

~~Yes ☐ No ☐ Don't know ☐~~

~~Comments~~

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ No ☐ Don't know ☐

Comments

Ideally conservatories should be unheated and outside the thermal envelope of the building. If separate heating or cooling is installed into a highly glazed and poorly insulated space, the inherent inefficiency and high energy demand should be addressed.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

Although likely to be unpopular, this measure has to be part of the drive to tackle emissions from existing homes.

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☐

Should this list be different (please explain below)? ☒

Another approach (please explain below) ☐

Don't know ☐

Comments

Minimum standards are not specified so it is difficult to comment. Consequential improvements should be required in ALL of the above areas, even if they are already met in one or more.

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☐

No effect ☒

Don't know ☐

Comments

It will be important to explain to householders the advantages of this measure, backed up by evidence of real life cases where fuel bills have been reduced.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

Answer to Q36 applies

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☒

No ☐

Prefer a different list (please specify) ☐

Don't know ☐

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☒ No ☐ Don't know ☐

Comments

Especially as these requirements already exist for buildings over 1000m².

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for ~~replacement domestic windows and~~ domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☒ No ☐ Don't know ☐

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☒ No ☐ Don't know ☐

Comments

Provided it is shown to ease compliance, especially for SMEs, rather than just another regulation. Any checklist would need qualitative balance.

48. If such a checklist was developed, what should it cover?

Comments

Elemental U-values and air tightness, with particular emphasis on on-site training and detailed care necessary to achieve specified air tightness targets.

49. If the checklist was taken forward, who should be involved in its development?

Comments

WG – Welsh Government
LABC – Local Authority Building Control inspectors
Representatives of major developers and SMEs

50. Would any other approach be likely to prove more effective instead (such as a PAS¹³ type approach).

Yes ☒ No ☐ Don't know ☐

Comments

¹³ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

Possibly – see also information provided by Greenspec.

www.greenspec.co.uk

Given the difficulties identified by consultees set out in sec 6.2 of the consultation document, it would be useful if some training could be offered, perhaps sponsored by WG and HBF, and particularly directed towards SMEs and local contractors

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☐ No ☒ Don't know ☐

Comments

See answer to Q18

- 51b. What are the arguments for and against this approach?

Comments

Buildings should be designed according to their use, not their size.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

Given the difficulties identified by consultees set out in sec 6.2 of the consultation document, it would be useful if some training could be offered, perhaps sponsored by WG, and particularly directed towards SMEs and local contractors

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☒

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☒

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

It would be very helpful if post-occupancy evaluation and analysis of different building types could be made available to approved inspectors. Pending further research on Welsh case studies, reference should be made to work done in the UK. See www.usablebuildings.co.uk and their 'Soft Landings' framework

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

All matters should be considered in the context of a holistic approach to good design.

With regard to the timing of these proposed changes, we believe it would be a mistake to withdraw Part B of the Planning for Sustainable Buildings policy, and the associated TAN 22, as proposed in section 4.3 of the consultation document which states that this should take place 'at the earliest opportunity'. To do this BEFORE the revisions to the Building Regulations take effect would be to invite an immediate relaxation of efforts to improve standards and would make it even more difficult to achieve the higher performance standards at a later date.

Even if these changes were to be better timed and coordinated, we think that the planning system should be involved in ensuring that sustainability measures are integrated with early stage design development, when most crucial decisions affecting building performance are made.

The function of Building Control is to enforce standards and offer advice, usually post-application and/or during construction. While this is essential, it cannot replace informed guidance at an early stage (pre-application), based on a planning requirement for minimum standards.

Ideally, Development Control and Building Control departments within local authorities would cooperate more effectively so that their respective expertise could be shared.

Cross reference with IAG findings would be fruitful on these matters, and in ensuring the full integration of SD principles, in addition to carbon reduction and performance.

#29 - Celotex Limited

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Minor amendments indicated in red

Consultation

Response Form

Your name: Rob Warren

Organisation (if applicable): Celotex Limited

(lii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(liv) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

(lv) Please tick the one box that best describes your organisation:

Builders/Developers: Builder / Main contractor: <input type="checkbox"/> Builder/ Small builder: (extensions/repairs/maintenance, etc) <input type="checkbox"/> Installer/ special sub-contractor <input type="checkbox"/> Commercial developer <input type="checkbox"/> House builder <input type="checkbox"/>	Property Management: Housing association (registered social landlord) <input type="checkbox"/> Residential landlord, private sector <input type="checkbox"/> Commercial <input type="checkbox"/> Public sector <input type="checkbox"/>
--	--

<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>
<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input type="checkbox"/></p> <p>Professional body or institution <input type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

Manufacturer/ Supply Chain <input checked="" type="checkbox"/>	Other <i>(please specify)</i> <input type="text"/>
---	--

(Ivi) Please tick the **one** box which best describes the size of your or your organisation's business?

Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐

Small – typically 10 to 49 full-time or equivalent employees ☐

Medium – typically 50 to 249 full-time or equivalent employees ☒

Large – typically 250+ full-time or equivalent employees ☐

None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ **No** ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt

personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☐

40% CO₂ saving

☒

25% CO₂ saving

☐

Something else (please explain below)

☐

Don't know

☐

Comments

Given the delays in implementation of Part L standards for new build, it seems sensible to move to a 40% reduction as soon as possible to maximise learning curve prior to the requirement for Zero

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☒ No ☐ Don't know ☐

Comments

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

The recipes put the appropriate focus on the importance of addressing the fabric of the building first and also allow for use of renewables should this be required by the designer.

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☐

Proportion of gross internal floor area with a practical cap ☐

Don't know ☒

Comments

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☒ No ☐ Don't know ☐

Comments

Making them mandatory is a good way of emphasising to the designer the importance of a good fabric performance.

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☒ No ☐ Don't know ☐

Comments

They are set at levels which are close to those currently being specified to pass Part L 2010. This seems sensible as a further improvement in CO2 will have to have start from a robust set of

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No further comments.

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

New non-domestic buildings

12. Do you agree with the proposal for ~~2013~~ 2014 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☒ No ☐ Don't know ☐

Comments

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☒

Don't know ☐

Comments

The opportunity to decrease carbon emissions from buildings should be maximised wherever possible and the extra measures required for a 10% reduction do not seem excessive for the extra 3%

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☐ Don't know ☒

Comments

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☒

Percentage of roof area of PV ☐

Percentage of floor area of PV

☐

Other

☐

Don't know

☐

Please give reasons for your choice

If it is the desire of the Welsh Government not give the impression that it favours PV, then the requirement should be expressed as a fixed carbon reduction to allow other renewable technologies to be

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from ~~October 2013~~ June 2014. Which option do you prefer and why?

No change

☐

Target A: 10% aggregate improvement (1% PV)

☐

Target B: 11% aggregate improvement (No PV)

☒

Target C: 20% aggregate improvement (5% PV)

☐

Don't know

☐

Please give reasons for your choice

Given some of the uncertainties expressed in section 81 of the consultation a focus on the fabric of the building to reduce CO₂ would be a more robust approach.

17. Do the proposed ~~2013~~ 2014 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☐ Don't know ☒

Comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☒ No ☐ Don't know ☐

Comments

Whilst this may present difficulties in Part L for some buildings this should not be a barrier to the introduction of changes that promote lower carbon strategies in new buildings.

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No further comments

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒ X

Comments

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

Planning should not add to the complexity of Building Regulations on a house by house basis. It should only be used to ensure larger developments reduce the carbon burden by taking opportunities that

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

Changes in the Code & BREEAM add confusion to the requirements of Building Regulations. They will restrict the ability of housebuilders to plan ahead as specifications may have to change to accommodate such new requirements.

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☐ Don't know ☐

Comments

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

The moment you move away from a set of National standards to local ones, it puts an extra burden on developers and the house building market. Local authorities need to make both the requirements and the reasons clear and consistent across Wales.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

Removing Part B will simplify the process and raise confidence that the building requirements are clearly laid out in Building Regulations. This allows better specification planning and building

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

No comment

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

No comment

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

No comment

Existing buildings

~~32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.~~

~~Yes ☐ No ☐ Don't know ☐~~

~~Comments~~

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

When adding to an existing building the opportunity to build to a robust set of fabric standards should be taken to reduce the carbon burden of the extension.

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

The Non domestic extension proposals address the need to reduce carbon where possible and where extensions are similar to that of domestic then the same standards should apply.

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ No ☐ Don't know ☐

Comments

Yes the exemption should be removed, however, it would be better to assume that all conservatories have the potential to be heated and treat them all the same.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

It is vital that all opportunities are taken to upgrade the energy performance of existing buildings and this is a sensible way to decrease the carbon at a time when building improvements are

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☒

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☒

Don't know ☐

Comments

It would be better if the increase in habitable space was as near to net zero carbon as technically and feasibly possible. This would encourage a better fabric specification in the new elements as well as consequential improvements in the existing fabric. If this is too complex then I would add draft proofing to the list.

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☐

No effect ☐

Don't know ☒

Comments

If the measures list is not too onerous then the extra cost will be limited and effect on number of extensions built will be small, whereas the opportunity for installation of other measures will increase increasing RMI activity.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

As with domestic properties, every chance should be taken to reduce the carbon of existing buildings.

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes

☒

No

☐

Prefer a different list (please specify)

☐

Don't know

☐

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☐ Don't know ☐

Comments

As long as consequential improvement work is carried out within a reasonable timeframe and can be proved and traced, then Building Control should be able to handle the process.

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No further comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No further comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for ~~replacement domestic windows and~~ domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☒ No ☐ Don't know ☐

Comments

It would need to be made a requirement before the building could be considered to comply. Perhaps required by SAP assessor along with air-pressure testing before final SAP issued?

48. If such a checklist was developed, what should it cover?

Comments

Key aspects of the fabric performance such as specification of actual products used (against those specified) for energy efficiency (insulation, windows, doors) or generation (boilers, renewables) and lighting. Thermal bridging details used and checks done at various stages by Building Control

49. If the checklist was taken forward, who should be involved in its development?

Comments

Building Control, Housebuilders, Building designers, contractors, product manufacturers, Building insurance bodies.

50. Would any other approach be likely to prove more effective instead (such as a PAS¹⁴ type approach).

Yes ☐ No ☐ Don't know ☒

Comments

A checklist or PAS type approach could both work however the key to success will be the method of checking and penalty imposed for non-compliance.

¹⁴ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☐ No ☐ Don't know ☐

Comments

- 51b. What are the arguments for and against this approach?

Comments

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☒ No ☐ Don't know ☐

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☒

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

No comment

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

#31 - Eto-energy+architecture

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Minor amendments indicated in red

Consultation

Response Form

Your name: Patrick Myall

Organisation (if applicable): eto – energy + architecture

(lvii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☐ Personal Views ☒

(lviii) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

An architectural practice, specifically concerned with energy in the housing sector

(lix) Please tick the one box that best describes your organisation:

Builders/Developers: Builder / Main contractor: <input type="checkbox"/> Builder/ Small builder: <input type="checkbox"/> (extensions/repairs/maintenance, etc) Installer/ special sub-contractor <input type="checkbox"/> Commercial developer <input type="checkbox"/> House builder <input type="checkbox"/>	Property Management: Housing association <input type="checkbox"/> (registered social landlord) Residential landlord, <input type="checkbox"/> private sector Commercial <input type="checkbox"/> Public sector <input type="checkbox"/>
--	--

Building occupier: Home owner <input type="checkbox"/> Tenant (residential) <input type="checkbox"/> Commercial Building <input type="checkbox"/>	Building Control Bodies: Local authority building control <input type="checkbox"/> Approved Inspector <input type="checkbox"/>
Energy Sector <input type="checkbox"/>	Fire and Rescue Authority <input type="checkbox"/>
Designers/Engineers/Surveyors: Architect <input checked="" type="checkbox"/> Civil/Structural engineer <input type="checkbox"/> Building services engineer <input type="checkbox"/> Surveyor <input type="checkbox"/>	Specific Interest: Competent person scheme operator <input type="checkbox"/> National representative or trade body <input type="checkbox"/> Professional body or institution <input type="checkbox"/> Research/ academic organisation <input type="checkbox"/>

Manufacturer/ Supply Chain <input type="checkbox"/>	Other (<i>please specify</i>) <input style="width: 100%;" type="text"/>
--	---

(ix) Please tick the *one* box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☒
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☐
- Large – typically 250+ full-time or equivalent employees ☐
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☐

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt

personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☐

40% CO₂ saving

☒

25% CO₂ saving

☐

Something else (please explain below)

☐

Don't know

☐

Comments

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☒ No ☐ Don't know ☐

Comments

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

I think this is an excellent proposal. It provides both for flexibility and for an approved document compliant route, creating a clear compliance route for SME's

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

Table 3.1 struck me as particularly interesting and pointed out the way in which previous legislation did not take full account of apartment blocks.

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area

☐

Proportion of gross internal floor area with a practical cap

☒

Don't know

☐

Comments

I feel 'building foundation area' is too limiting, although wary of adding complexity I think that GIA plus a cap is more effective.

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☒ No ☐ Don't know ☐

Comments

Yes. It is vital that minimum U values are mandatory. Whilst I accept that a performance based solution is necessary to allow contractors / developers flexibility this does create a rather complex tool. Minimum U values act as an insurance against abuse / misunderstanding of a performance based solution.

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☒ No ☐ Don't know ☐

Comments

If these are the values that represent 40% , and this is how WG considers 'carbon zero' then these values are so important.

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

no comment

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

New non-domestic buildings

12. Do you agree with the proposal for ~~2013~~ 2014 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☐ No ☐ Don't know ☐

Comments

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☐

Don't know ☐

Comments

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☐ Don't know ☐

Comments

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☐

Percentage of roof area of PV ☐

Percentage of floor area of PV ☐

Other ☐

Don't know ☐

Please give reasons for your choice

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from ~~October 2013~~ June 2014. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☐

Don't know ☐

Please give reasons for your choice

17. Do the proposed ~~2013~~ 2014 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☐ Don't know ☐

Comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

☐ ☐ ☐

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Whilst it is important that Building Energy Use is regulated by the Building Regulations, there are many important aspects of CSH / BREEAM that are not included yet, or have a natural place in Building Regulations. I think that planning can have a vital role in demanding a response to important social issues whenever people or organisations build new or refurbish facilities.

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

CSH / BREEAM are a much more flexible model as they seek to attain an aggregate target, rather than impose a minimum for various aspects. Therefore they are likely to be more frequently and less-onerously amended. This is another reason why including them in planning is a more flexible solution to improving buildings.

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☐ Don't know ☒

Comments

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

I believe if Local Authorities wish to set local standards above Building Regulations, they should be enabled to do so.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

Code / BREEAM are useful tools in improving buildings across a wide range of environmental standards, some of which are not necessarily directly linked to Building Regulations.

Removing 'Part B' would have an overall negative effect in the quality of new buildings.

29. Is there a better, alternative, way to reward and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

There are essentially two national well recognised systems in place; Planning and Building Regulations.

As noted before, Planning targets can have an opportunity to be aspirational, and flexible over an aggregate number of issues, whereas Building Regulations always have to reflect a regulatory minimum.

Some elements of Code could well be integrated into Building Regulations, and this will ensure all buildings have to comply with environmental standards. The disadvantage is that some elements will be assessed twice in some developments. I cannot see a method to avoid some duplication, although Regulation writers

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

I think duplication is inevitable, unless Code is fully adopted into Building Regulations.

For example changes to the way in which CO2 emissions in Building Regulations will mean that two sets of calculations will be required if Code is also considered.

Removal of PfSB will reduce duplication.

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

No comment

Existing buildings

- ~~32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.~~

~~Yes ☐ No ☐ Don't know ☐~~

Comments

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

Many of the homes lived in today will still largely be lived in 2050.

Raising performance standards to extensions is clearly vital.

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

☐ ☐ ☐

Yes No Don't know

Comments

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ No ☐ Don't know ☐

Comments

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

Many of the homes lived in today will still largely be lived in 2050.

Raising performance standards of existing homes is vital.

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures?

☒

Should this list be different (please explain below)?

☒

Another approach (please explain below)

☐

Don't know

☐

Comments

Would like to see an option for solid walls, ground floors and draught proofing.

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand

☒

Reduce demand

☐

No effect

☐

Don't know

☐

Comments

Most clients use the opportunity of an extension to improve the comfort (warmth / efficiency) of their existing property.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☐

Comments

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes

☐

No

☐

Prefer a different list (please specify)

☐

Don't know

☐

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☐ Don't know ☐

Comments

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for ~~replacement domestic windows and~~ domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☐ No ☐ Don't know ☐

Comments

48. If such a checklist was developed, what should it cover?

Comments

49. If the checklist was taken forward, who should be involved in its development?

Comments

50. Would any other approach be likely to prove more effective instead (such as a PAS¹⁵ type approach).

Yes ☐ No ☐ Don't know ☐

Comments

51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☐ No ☐ Don't know ☐

Comments

51b. What are the arguments for and against this approach?

Comments

¹⁵ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☐

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☐

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:



#32 - Farmers' Union of Wales

UNDEB AMAETHWYR CYMRU
FARMERS' UNION OF WALES

PRIF SWYDDFA

*

HEAD OFFICE

Llys Amaeth, Plas Gogerddan, Aberystwyth, Ceredigion, SY23
<http://www.fuw.org.uk>

Rhyngwrwyd/Internet:

Ein Cyf/Our ref: RNP/L/31

Eich Cyf/Your ref:

Dyddiad/Date: 18th October 2012

Building Regulations Consultation
Construction Unit
Environment and Sustainable Development Directorate
Welsh Government
Rhyd Y Car Offices
Merthyr Tydfil
CF48 1UZ

Dear Sir/Madam

2012 Consultation on Changes to the Building Regulations in Wales Part L (Conservation of Fuel and Power)

Thank you for inviting the Union's comments on the Welsh Government's review of planning for sustainable buildings and Technical Advice Note 22, in order to meet its commitment to tackling climate change and its duty to promote sustainable development.

Following an internal consultation with its membership, the Union submits the following comments, for your information.

Whilst the Union does not have the technical expertise to comment on the specific questions outlined within the consultation document, it is concerned that the Welsh Government's focus on the zero carbon approach, does not allow for longevity or the carbon impacts of building materials to be considered as part of the process.

The FUW believes that Part L should be focussed more on whole - life carbon impact so that the focus on energy efficiency can be seen holistically alongside a range of other factors, not solely insulation and the reduction of energy consumption which inevitably leads to the construction of buildings using materials which have a significant higher up front carbon impact and a relatively short economic life which seems to be the opposite of what Welsh Government seek to achieve.

The FUW is also concerned that retro fitting insulation, for example on older houses, can significantly reduce the lifespan of roofs, due to the build up of condensation in the eaves and increases potential fire risks due to electric cables heating up under insulation.

Concern has also been expressed that solar panels retro fitted to roofs can shorten the life of the roof itself as water inevitably gets into the areas where the panels are fitted.

The Union is concerned that the building specs for new houses are planned around an expected economic life of 30-40 years, which inevitably means that the carbon impact of renewing materials after such a short lifecycle is higher than houses built from more traditional materials which were designed to last for many decades.

The FUW also notes that there has been little attempt to 'rural proof' these proposals which needs to be considered given that many people are 'off grid' in terms of many services.

The Union believes that the economic impact of these proposals needs to be fully assessed particularly in light of the need to provide more affordable housing.

I trust due accord will be given to the preceding comments

Yours faithfully

RHIAN NOWELL-PHILLIPS (Ms)
Deputy Director of Agricultural Policy

#35 - Calor Gas Ltd

Welsh Government:

Response by Calor Gas Ltd

Calor Gas wish to respond only partially to the Consultation, and prefers to present its response to Qs2-5 in aggregate:

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.
3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.
4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?
5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

We strongly agree with the overall approach adopted by the Welsh Government in all aspects covered by Qs 2-5. The Welsh Government's proposals contain a far higher degree of flexibility than the proposals for Part L being consulted on in England, allowing developers in Wales to comply with more stringent carbon emission standards while devising their own bespoke solutions. In England, by contrast, the effect of the Regulations as proposed is in practice to exclude certain technologies and fuel types. Besides being both unnecessarily regulatory and significantly increasing build costs, the English approach reduces competition by blocking technologies and confines the scope for ingenuity. Paragraph 73 of the Consultation points out

that the Welsh Government does not wish to be seen to insist upon a “preferred renewable technology in building projects”, and we congratulate the Government (and its Officials) for avoiding the “cherry-picking” which has blighted the English approach.

The other highly significant advantage of the Welsh approach is that it does not disadvantage construction in off-gas grid areas (where broadly the lack of housing construction is a more severe problem than in urban areas). As paragraph 48/49 of the Consultation confirm: “A further feature of the recipe approach is that the elemental specification is similar for all fuel types. This is to avoid homes off the gas grid (off-gas) being at a disadvantage, where if they use a more carbon intensive fuel (e.g. LPG or oil) the amount of PV, required to meet the carbon reduction target, could be impractical to install...As a result, the recipes for each fuel type include the same level of fabric and service efficiencies and the same amount of PV. The main difference is the required system efficiency for each fuel, which is appropriate for the heating system type. Hence the specification for dwellings constructed off-gas with oil or LPG would not be more demanding than dwellings heated with gas.”

Calor Gas has 75 years experience in the UK of supplying LPG as a fuel in rural areas where the alternative of natural gas is unavailable. Our success in what is acknowledged as a highly competitive market has been built upon ingenuity, innovation and entrepreneurship without any element of Government subsidy. We have been working on developing solutions to heating and powering homes in a lower carbon future, but the proposals in England effectively rule us out of the new build market as from 2016. The Welsh approach with its inherent flexibility and even-handedness avoids this infelicitous result, and allows us to remain a player in the new build market. This must be right – now is not the time to be reducing competitive forces within the energy market.

#36 - GBSPM Ltd

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Minor amendments indicated in red

Consultation

Response Form

Your name: Gordon Brown

Organisation (if applicable):GBSPM Ltd;

(Ixi) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(Ixi) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☐

Name of group:

CIOB Cardiff; CIOB Carbon Action plan 2015
Wales Low Zero Carbon Hub

(Ixi) Please tick the one box that best describes your organisation:

Builders/Developers: Builder / Main contractor: <input type="checkbox"/> Builder/ Small builder: (extensions/repairs/maintenance, etc) <input type="checkbox"/> Installer/ special sub-contractor <input type="checkbox"/> Commercial developer <input type="checkbox"/> House builder <input type="checkbox"/>	Property Management: Housing association (registered social landlord) <input type="checkbox"/> Residential landlord, private sector <input type="checkbox"/> Commercial <input type="checkbox"/> Public sector <input type="checkbox"/>
Building occupier: Home owner <input type="checkbox"/> Tenant (residential) <input type="checkbox"/> Commercial Building <input type="checkbox"/>	Building Control Bodies: Local authority building control <input type="checkbox"/> Approved Inspector <input type="checkbox"/>
Energy Sector <input type="checkbox"/>	Fire and Rescue Authority <input type="checkbox"/>
Designers/Engineers/Surveyors: Architect <input type="checkbox"/> Civil/Structural engineer <input type="checkbox"/> Building services engineer <input type="checkbox"/> Surveyor <input type="checkbox"/>	Specific Interest: Competent person scheme operator <input type="checkbox"/> National representative or trade body <input type="checkbox"/> Professional body or institution <input checked="" type="checkbox"/> Research/ academic organisation <input type="checkbox"/>
Manufacturer/ Supply Chain <input type="checkbox"/>	Other (please specify) <div style="border: 1px solid black; padding: 5px; min-height: 50px;"> Project Manager; Sustainability Consultant & BREEAM Assessor </div>

(Ixiv) Please tick the *one* box which best describes the size of your or your organisation's business?Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☒**But working on over £1½ Billion of Construction projects currently**Small – typically 10 to 49 full-time or equivalent employees ☐Medium – typically 50 to 249 full-time or equivalent employees ☐Large – typically 250+ full-time or equivalent employees ☐None of the above (please specify) ☐**(vi) Are you or your organisation a member of a competent person scheme?**Yes ☒ No ☐

Name of scheme:

BREEAM Accredited Professional; Workstream leader for WLZCHub;
Construction Ambassador for the CIOB**(vii) consultation?**Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:**New homes**

1. WE have very little knowledge and interface with the Domestic sector and feel unqualified to respond to these.

New non-domestic buildings

12. Do you agree with the proposal for ~~2013~~ 2014 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☐ No ☐ Don't know ☐

Comments

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☐

Don't know ☐

Comments

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☐ Don't know ☐

Comments

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☐

Percentage of roof area of PV ☐

Percentage of floor area of PV

☐

Other

☐

Don't know

☐

Please give reasons for your choice

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from ~~October 2013~~ June 2014. Which option do you prefer and why?

No change

☐

Target A: 10% aggregate improvement (1% PV)

☐

Target B: 11% aggregate improvement (No PV)

☐

Target C: 20% aggregate improvement (5% PV)

☐

Don't know

☐

Please give reasons for your choice

17. Do the proposed ~~2013~~ 2014 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☐ Don't know ☐

Comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

☐
☐
☐

Yes No Don't know

Comments

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☐ Don't know ☐

Comments

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☐

Comments

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

Views

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☒ Don't know ☐

Comments

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

Existing buildings

- ~~32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.~~

~~Yes ☐ No ☐ Don't know ☐~~

~~Comments~~

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☐ No ☐ Don't know ☐

Comments

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☐ No ☐ Don't know ☐

Comments

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☐ No ☐ Don't know ☐

Comments

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☐

Comments

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☐

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☐

Don't know ☐

Comments

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☐

No effect ☐

Don't know

☐

Comments

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☐ Don't know ☐

Comments

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☐No ☐Prefer a different list (please specify) ☐Don't know ☐

Comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☐ Don't know ☐

Comments

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for ~~replacement domestic windows and~~ domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☐

Comments

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☐ No ☐ Don't know ☐

Comments

48. If such a checklist was developed, what should it cover?

Comments

49. If the checklist was taken forward, who should be involved in its development?

Comments

50. Would any other approach be likely to prove more effective instead (such as a PAS¹⁶ type approach).

Yes ☐ No ☐ Don't know ☐

Comments

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☐ No ☐ Don't know ☐

Comments

- 51b. What are the arguments for and against this approach?

Comments

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

¹⁶ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☐ Don't know ☐

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☐

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

#37 - Pilkington UK Ltd

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Consultation Response Form

Your name: Tony Smith

Organisation (if applicable): Pilkington UK Ltd

(lxv) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(lxvi) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

(lxvii) Please tick the one box that best describes your organisation:

<p>Builders/Developers:</p> <p>Builder / Main contractor: <input type="checkbox"/></p> <p>Builder/ Small builder: (extensions/repairs/maintenance, etc) <input type="checkbox"/></p> <p>Installer/ special sub-contractor <input type="checkbox"/></p> <p>Commercial developer <input type="checkbox"/></p> <p>House builder <input type="checkbox"/></p>	<p>Property Management:</p> <p>Housing association (registered social landlord) <input type="checkbox"/></p> <p>Residential landlord, private sector <input type="checkbox"/></p> <p>Commercial <input type="checkbox"/></p> <p>Public sector <input type="checkbox"/></p>
<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>

Designers/Engineers/Surveyors: Architect <input type="checkbox"/> Civil/Structural engineer <input type="checkbox"/> Building services engineer <input type="checkbox"/> Surveyor <input type="checkbox"/>	Specific Interest: Competent person scheme operator <input type="checkbox"/> National representative or trade body <input type="checkbox"/> Professional body or institution <input type="checkbox"/> Research/ academic organisation <input type="checkbox"/>
Manufacturer/ Supply Chain <input checked="" type="checkbox"/>	Other (<i>please specify</i>) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

(lxviii) Please tick the **one** box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☐
- Large – typically 250+ full-time or equivalent employees ☒
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this

consultation?Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:**New homes**

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010	<input type="checkbox"/>
40% CO ₂ saving	<input checked="" type="checkbox"/>
25% CO ₂ saving	<input type="checkbox"/>
Something else (please explain below)	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

Comments

40% implemented in 2014 as we see no need to delay the introduction. If delayed to 2015 Wales would be 'lagging' behind England in terms of Carbon and energy use reductions.

2. Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO₂ saving achieved when aggregated over the build mix.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------

Yes No Don't know

Comments

We support the approach.

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

Whilst we support the recipe approach and the use of PV we would like to see a 'fabric first' policy, we believe that the building fabric must be brought up to high insulation standards where practical and feasible before the use of generation measures such as Photovoltaic panels. There is a huge opportunity to build highly energy efficient homes without the use of additional and costly generation measures. For example, the Passiv Haus approach using highly insulating components such as windows with U_w values of 0.8 or less as the main measures to reduce energy use. We are happy to discuss the options for glazing such as products that can reduce U_w values significantly and we can also provide information on specific products for solar control for example. We agree with the 'recipe' approach but suggest that small builders may be better served if provided with additional recipe options that focus on building fabric and enabled them to comply without the need for costly additional alternative generation measures such as PV. It should also be recognised that if PV contributes to the overall performance of the structure and its compliance with Building Regulations then when the PV is not working (night or when failed) the

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

We agree with the proposal however we would like to see the adoption of a fabric first approach using recipes that combine fabric measures without the reliance on PV.

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☒

Proportion of gross internal floor area with a practical cap ☐

Don't know ☐

Comments

We believe that the fixed % of Foundation area is the simple choice – simple to calculate and simple to administer.

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☒ No ☐ Don't know ☐

Comments

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☐ No ☒ Don't know ☐

Comments

We would like to see the backstop values improved, government needs to encourage the building industry to make the fabric performance of new dwellings much more efficient. We see no reason why a Uw value of 1.4 could not be adopted as glazing products exist in a wide range of materials that could easily meet this requirement. We are happy to discuss the available options.

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No additional comment.

10. 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? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

Windows and glazing are not referenced in isolation in the IA but only as part of a package and so it is not possible to offer any specific comment however we would be happy to discuss potential impact on the glazing sector and provide relevant data where available

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Answer as above Q10

New non-domestic buildings

12. Do you agree with the proposal for 2013 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

☐ ☒ ☐

Yes No Don't know

Comments

We are unsure as to how this will work. If PV is installed will the energy generated count towards the primary energy consumption or will the regulations require separate metering. We believe that the PEC will add an additional burden and complexity. The PEC is something which is not presented in the proposed Part L for England and we regret the divergence in methodology which adds further administrative complexity for companies engaged in 'cross border' operations or in national UK activity.

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☒

Don't know ☐

Comments

We prefer the 10% option without the need for PV. We wish to see proposals for a fabric first option in this round of regulation change. By adopting this approach the building would be optimised to require little additional energy. Small builders would not have the need to install complex and expensive PV systems in order to comply, the building occupier would then have the option to 'retrofit at a later date and improve the buildings efficiency further. Installing PV coupled with no change in window requirements as part of the recipe may encourage builders to cut back on the fabric insulation measures making buildings more expensive to heat in the future.

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☐ No ☐ Don't know ☒

Comments

Not qualified to comment and it is not possible to evaluate without the availability of the corresponding SBEM.

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☒

Percentage of roof area of PV ☐

Other ☐

Don't know ☐

Please give reasons for your choice

We repeat our view that all improvements should be driven by a fabric first approach. The structure should be built to the best possible standard before applying 'add on' technology.

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from October 2013. Which option do you prefer and why?

No change ☐

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☒

Target C: 20% aggregate improvement (5% PV) ☐

Don't know ☐

Please give reasons for your choice

If the 20% encourages more fabric improvements then we support this option in the hope that it encourages the best fabric improvement. We have issues with Table 3.3 in that we do not see why the Higher rating – Option C and the Lower rating Option A should have PV requirements specified as automatic inclusions. We also cannot get the maths to stack up – adding PV into the other treatments, specifically we cannot reconcile the percentages quoted.

17. Do the proposed 2013 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☒ No ☐ Don't know ☐

Comments

Entry level light and solar values good place to start to reduce AC load, we believe that Uw should be set at 1.4 to encourage envelope improvement. There are products currently available to achieve this value and better and therefore a value of Uw 1.4 would not present

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

Encourage better glazing options as small developments are much more likely to be domestic in character. We can provide some background if required.

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☐ Don't know ☒

Comments

Unable to comment

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

Again we believe that a fabric first approach should be encouraged, we also have issues with the PEC proposal in that it is not clear how this will work – if PV is introduced to a building will that then add to the PEC or be classed differently? We believe this should be clarified.

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

Cannot comment

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

Cannot comment

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

We do not understand the potential impact on glazing as the issues are 'clouded' by the inclusion of PV. We are happy to talk to the Welsh Government about these proposals.

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

None - building regulations should be sufficient (if made demanding enough). We believe that this would again add more bureaucracy and complexity resulting in added costs to the consumer.

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

Depending upon how building regulations evolve, we can foresee a time when the Code for Sustainable Homes will no longer be needed. In the meantime, the Code and voluntary schemes such as BREEAM should not contradict the building regulations. Again additional pseudo regulation will add unnecessary burden on industry and increase cost for consumers. Building Regs correctly drafted should suffice. Building Regulations should get tighter to encourage significant improvements to fabric

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☒ Don't know ☐

Comments

For glazing & window installation BFRC & FENSA & CERTASS etc. all have low cost models and are efficient. These are particularly targeted at helping SMEs get their products and installations certified or registered

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

None as answer to Q 24 above.

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

Good this would have a positive impact due to reduction in red tape etc.

29. Buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

Tighten component values, use of Building Regulations is sufficient – leave out planning encourage market to decide.

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

We do not want to see duplication

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

No view

Existing buildings

32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.

Yes ☐ No ☐ Don't know ☒

Comments

This question is inconsistent with the content of the Consultation Document. The proposal conflicts with this question as standards for windows are not being raised – WER B and 1.4 should be introduced but the aspiration should be for A & 1.2. Many windows are currently available that achieve B or 1.4 and many installation achieve B & A. No new technology is required, as the products offering this performance (and better) are readily available. No change to window performance values does not help with the stated ambition of the Welsh Government to have the tightest approach (to building standards), we are surprised and very disappointed that there has apparently been a 'U' turn on previous WER B and Uw1.4 ambitions. Section 2.3 Para 26 of the document states: ***'Current analysis indicates some potential to further raise performance standards for extensions and replacement windows and potential improvements in controlled services like non-***

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☐ No ☒ Don't know ☐

Comments

As answer to Q 32 above as an extension is like a new building so why not insist on new build values?

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☒ No ☐ Don't know ☐

Comments

We agree that standards should be improved we are able to support our view for improving window Uw performance and are happy to

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☒ No ☐ Don't know ☐

Comments

We agree with the proposals but also suggest that a refined approach could be taken in future revisions by examining elevation, solar control and thermal (U & g) implications, glass products exist to maximise structure performance in terms of both heating and cooling. For example good use of solar control glazing coupled with the correct amount of manual ventilation or 'night-cooling' will in many cases obviate the need for Air Conditioning. We are unsure how existing conservatories would be monitored if they become non-exempt – this would be difficult and costly to 'police'. How is it controlled? Also there would be red tape issues but if simple to administer it could be useful in reducing carbon / energy use in existing conservatories and also result in additional benefits for the glazing industry and wider employment. We have previously commissioned independent research and analysis on heating /

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☒ No ☒ Don't know ☐

Comments

Yes for traditional 'extensions', and No for conservatories. We feel that it is highly likely that there may be detrimental implications specifically for conservatories if they are classed as extensions etc. with significant impacts on sales which would be most damaging for the glazing industry and wider employment, bearing in mind that this is probably the only area of reasonable sales levels for many companies facing decline in other glazing sectors. It would be helpful if an appropriate definition of a conservatory is added to the document, they are very different in construction to extensions. By adding a specific definition for a conservatory then it could be made explicit that conservatories would not be classified as extensions

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☐

Should this list be different (please explain below)? ☒

Another approach (please explain below) ☐

Don't know ☐

Comments

Where CI is justified – i.e. when traditionally constructed extensions are added to a property. We feel that Windows should be included in the list of improvement measures as they save energy, provide security. etc.....and are one of the most popular improvement

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☒

No effect ☐

Don't know ☐

Comments

Difficult to comment on this as situation has not existed before however we believe it is highly likely that this requirement could result in a reduced demand for many energy efficiency improvement measures, including windows. If the Welsh Government can produce evidence it would be easier to comment with confidence but we believe that CI may reduce demand for windows which is not helpful at all as replacement volumes are down almost 50% on 2004 – 2007 numbers. The industry needs encouragement not barriers.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☒ Don't know ☐

Comments

As per our answer to Q36

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☐

No ☒

Prefer a different list (please specify) ☐

Don't know ☐

Comments

As per previous answers – Q37

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☒ Don't know ☐

Comments

As per previous answers we see significant issues with Red tape burdens, policing resources etc.

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

As per previous answers we want to see improvements to Window u values and WERs to match the Welsh Governments belief that there is room for improvement in window performance standards.

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

As Q 42

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for replacement domestic windows and domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

No window references have been included so we cannot comment. Windows and glazing are not referenced in isolation in the IA but only as part of a package and so it is not possible to offer any specific comment however we would be happy to discuss potential impact on the glazing sector and provide relevant data where

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

No window references have been included so we cannot comment. Windows and glazing are not referenced in isolation in the IA but only as part of a package and so it is not possible to offer any specific comment however we would be happy to discuss potential impact on the glazing sector and provide relevant data where available

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing non-domestic buildings? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

No window references have been included so we cannot comment. Windows and glazing are not referenced in isolation in the IA but only as part of a package and so it is not possible to offer any specific comment however we would be happy to discuss potential impact on the glazing sector and provide relevant data where available

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☐ No ☐ Don't know ☒

Comments

Cannot comment other than that we do not want to see added Red

48. If such a checklist was developed, what should it cover?

Comments

As answer to Q 47

49. If the checklist was taken forward, who should be involved in its development?

Comments

As answer to Q 47

50. Would any other approach be likely to prove more effective instead (such as a PAS¹⁷ type

¹⁷ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

☐
☐
☒

approach).

Yes No Don't know

Comments

Unable to comment.

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☒ No ☐ Don't know ☐

Comments

Yes but only for developments such as small hotels etc. It might be useful for a mixed development – e.g. residential and hotel.

- 51b. What are the arguments for and against this approach?

Comments

No comment.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

No comment

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☒ No ☐ Don't know ☐

Comments

No comment

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☒

Comments

No comment

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

No comment re Local Authority but we believe that Competent Persons Schemes offer great value for money and are efficient and should be encouraged. We strongly believe that the Competent Persons Schemes would be able to cope with the proposed changes in a low cost manner and without placing undue burden on

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

No further comment.

#38 - Modern Masonry Alliance

2012 consultation on changes to the Building Regulations in Wales Part L (Conservation of fuel and power)

Consultation Response Form

Your name: Mike Leonard

Organisation (if applicable): Modern Masonry Alliance

(lxix) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational ☒ Personal Views ☐

(lxx) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes ☐ No ☒

Name of group:

(lxxi) Please tick the one box that best describes your organisation:

Builders/Developers:	Property Management:
Builder / Main contractor: <input type="checkbox"/>	Housing association (registered social landlord) <input type="checkbox"/>
Builder/ Small builder: <input type="checkbox"/> (extensions/repairs/maintenance, etc)	Residential landlord, private sector <input type="checkbox"/>
Installer/ special sub-contractor <input type="checkbox"/>	Commercial <input type="checkbox"/>
Commercial developer <input type="checkbox"/>	Public sector <input type="checkbox"/>
House builder <input type="checkbox"/>	

<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>
<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input checked="" type="checkbox"/></p> <p>Professional body or institution <input type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

Manufacturer/ Supply Chain <input type="checkbox"/>	Other (<i>please specify</i>) <input style="width: 100%;" type="text"/>
--	---

(Ixxii) Please tick the *one* box which best describes the size of your or your organisation's business?

- Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐
- Small – typically 10 to 49 full-time or equivalent employees ☐
- Medium – typically 50 to 249 full-time or equivalent employees ☒
- Large – typically 250+ full-time or equivalent employees ☐
- None of the above (please specify) ☐

(vi) Are you or your organisation a member of a competent person scheme?

Yes ☐ No ☒

Name of scheme:

(vii) Would you be happy for us to contact you again in relation to this consultation?

Yes ☒ No ☐

WG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Welsh Government is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail

address – you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

Questions:

New homes

1. Do you agree with the Government's preference for a CO₂ saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

☒

40% CO₂ saving

☐

25% CO₂ saving

☐

Something else (please explain below)

☐

Don't know

☐

Comments

Wales needs the Jobs and Growth that increased Housebuilding will bring. The viability of building new homes in Wales is already borderline. Any additional costs will reduce the delivery of much needed housing and cause a further loss of Jobs, skills and manufacturing capacity

As our knowledge increases we are already rethinking the need to ensure customer comfort is maintained by ensuring good air quality and preventing overheating. There is a need to pause to understand cause and effect as we build more homes to 2010.

The size of the Welsh housing market does not warrant the development of specific product solutions. By requiring different standards and a different timeline to England the viability of building and improving homes will be eroded

2.

Do you agree with the proposal for an 'aggregate' approach to CO₂ target setting for new homes in 2015? The CO₂ target for any individual dwelling varies depending on the ease with which the building can achieve the target,

with the overall required CO₂ saving achieved when aggregated over the build mix.

Yes ☒ No ☐ Don't know ☐

Comments

If changes to take place in Wales then an 'aggregate' approach would be the best way

3. Do you agree with the proposal for a compliant option based on a consistent recipe of elemental specifications for fabric, services plus an additional CO₂ saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes ☒ No ☐ Don't know ☐

Comments

A move back to such an elemental approach would be better or small builders who do not have the technical resources of larger companies

4. The main difference between the recipes is the required system efficiency for each fuel, which is appropriate for the heating system type. By adopting this approach to different fuel types, there is no need for a separate fuel factor. Do you agree with the proposed approach?

Yes ☒ No ☐ Don't know ☐

Comments

This seems fair.

5. For the CO₂ savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes ☐ No ☐ Don't know ☒

Comments

More information needed to give a proper answer on this

6. In approaching the selection of the amount of PV to be installed on dwellings, do you prefer?

Fixed percentage of building foundation area ☒

Proportion of gross internal floor area with a practical cap ☐

Don't know ☐

Comments

This is an easier method to understand and to calculate.

7. Do you agree that the limits on design flexibility 'backstop' values for fabric elements in new homes should be changed from the current reasonable provision in the technical guidance to become mandatory?

Yes ☐ No ☒ Don't know ☐

Comments

These values are too low and offer no flexibility in design

8. Do you agree with the changes to the 'backstop' values proposed? Please explain your decision.

Yes ☐ No ☒ Don't know ☐

Comments

As in question 7, the values are too low and do not allow any real flexibility in design.

9. Do you have any other comments on the proposed changes to Approved Document L1A or the domestic National Calculation

Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

No

10. 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? Please justify your views.

Yes ☐ No ☒ Don't know ☐

Comments

Much more work is needed

11. 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? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

The RIA needs to factor in the real costs of less homes being built. This includes lost jobs in construction and manufacturing, housing and unemployment benefit. These changes will damage a very

New non-domestic buildings

12. Do you agree with the proposal for 2013 for non-domestic buildings to explicitly regulate energy efficiency separately from low carbon technologies through the assessment of primary energy consumption (PEC)? Does PEC seem like a reasonable basis for standard setting?

Yes ☐ No ☒ Don't know ☐

Comments

Any change will also damage the very "fragile" non domestic market wahre projects are already on hold due to cost. To add more cost would significantly weaken the prospects of new projects being

13. Which package of fabric and services should be selected: 7% or 10%? Please give reasons for your choice.

7% ☐

10% ☐

Don't know ☐

Comments

None – See Above

14. Do you foresee any particular issues for certain categories of building to meet the TPEC or TER?

Yes ☒ No ☐ Don't know ☐

Comments

Again we need to learn more before proceeding and ensure any changes are achievable and sensible

15. Which approach should be utilized to incorporate the contribution of low carbon technologies into the setting of the Target Emission Rate (TER), for non domestic buildings?

Fixed carbon reduction (in kg.CO₂/m²/year) ☒

Percentage of roof area of PV ☐

Other ☐

Don't know ☐

Please give reasons for your choice

This should offer the lowest cost in design and construction.

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO₂ performance standards for new non-domestic buildings from October 2013. Which option do you prefer and why?

No change ☒

Target A: 10% aggregate improvement (1% PV) ☐

Target B: 11% aggregate improvement (No PV) ☐

Target C: 20% aggregate improvement (5% PV) ☐

Don't know **NONE OF THE ABOVE** ☐

Please give reasons for your choice

Any change will also damage the very "fragile" non domestic market where projects are already on hold due to cost. To add more cost would significantly weaken the prospects of new projects being started

17. Do the proposed 2013 notional buildings as set out in the changes to the National Calculation Methodology seem like a reasonable basis for standards setting? Please provide comments on the method used to develop the notional buildings and particular elements of one or more of the notional buildings, if relevant.

Yes ☐ No ☐ Don't know ☒

Comments

18. Do you think that a further recipe should be created for buildings under 250m² and aligned with the proposed domestic recipe? Are there particular reasons why smaller buildings find compliance with the non-domestic recipes difficult? Please justify your views.

Yes ☒ No ☐ Don't know ☐

Comments

Yes for consistency

19. Although we recognise that some buildings may need to be serviced in a particular way for legitimate functional or environmental reasons, should Part L incentivise a lower carbon servicing strategy (as with the current Energy Performance Certificate methodology), by basing the notional building on mixed-mode ventilation?

Yes ☐ No ☒ Don't know ☐

Comments

To complex

20. Do you have any other comments on the proposed changes to Approved Document L2A or the non-domestic National Calculation Methodology? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

21. The Impact Assessment makes a number of assumptions on the costs of fabric/services/ renewables, new build rates, etc for new non-domestic buildings. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☒ Don't know ☒

Comments

The RIA needs to factor in the loss of desire to invest in extensions. This includes lost jobs in construction and manufacturing, housing and unemployment benefit. These changes will damage a very

22. 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 non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

The RIA needs to factor in the real costs of less non domestic buildings being built. This includes lost jobs in construction and manufacturing, housing and unemployment benefit. These changes will damage a very fragile market

Cumulative impact of policies

23. Overall, do you think the assessment of the impact on development is broadly fair and reasonable? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

As with other Government data we need to look very carefully at this to ensure accuracy and the inclusion of the true cost of change when all factors are considered. There has been a tendency to only consider the direct costs and our economy may be damaged as a result

National Planning Policy Review

24. What role should planning play in facilitating higher carbon standards? Should it focus on facilitating site wide energy opportunities that will be needed as we move towards zero or near zero carbon buildings?

Views

We believe the planning rules have been abused, particularly in England, where planners have miss-used their powers to demand increased energy performance before granting approvals. This is and never should have been the role of planners and should be stopped forthwith.

25. What are the implications from future (and regular) changes to the Code for Sustainable Homes and BREEAM on the implementation of the policy?

Views

The continuing presence of the Code is causing confusion, increased costs and duplication and we recommend its immediate removal

26. Are the costs of assessment and certification now disproportionate to the costs and benefits of achieving a minimum sustainable buildings standard level?

Yes ☐ No ☐ Don't know ☒

Comments

27. What should be the role of local planning authorities in setting local standards above and beyond Building Regulations? How can we ensure there is a level playing field of standards across Wales?

Views

It is not and never has been the role of local planning authorities set local standards and these practices should be eliminated

28. What do you see as the positive/negative impacts of removing Part B of the policy expecting buildings to be certified against Code/BREEAM?

Views

Part B should be amended to deal with the growing issue of fires in high rise timber frame buildings and care homes. This matter is being ignored and will cost lives.

29. Is there a better, alternative, way to rewards and secure sustainable buildings (above the regulatory minimum) other than using national planning policy? What opportunities are there for future changes to Building Regulations?

Views

We need to define what Sustainable means of course this should include how long a building should last and whether the materials were sourced in the UK or imported. Building Regulations should be the only standard and not planning

30. To what extent are duplication of standard and approval systems an issue? Would the removal of the PfSB policy assist in reducing duplication?

Views

The Code for Sustainable Homes is duplication and should be removed – See “Building Better homes for the Customer” for more details which can be downloaded at www.masonryfirst.com

31. What opportunities are there for higher standards to be delivered on strategic sites identified as part of the Local Development Plan?

Views

Non – See above

Existing buildings

32. Do you agree with the proposal to raise performance standards for domestic replacement windows? Please explain your answer.

Yes ☐

No ☒

Don't know ☐

Comments

The market in Wales is not big enough to sustain a different standard to England

33. Do you agree with the proposal to raise performance standards for domestic extensions? Please explain your answer.

Yes ☐

No ☒

Don't know ☐

Comments

These changes go way to far and will kill the extension market in Wales leading to the closure of SME's, lost jobs and the demise of local manufacturing capacity in bricks and blocks

34. Do you agree with the proposal to raise performance standards for non-domestic extensions? Please explain your answer.

Yes ☐ No ☒ Don't know ☐

Comments

As above.

35. Do you agree that the exemption for conservatories or porches should be removed where an individual room heat or air conditioning unit is installed? How effective would this change be in limiting energy use/emissions, or are there other ways by which energy performance might be improved where conservatories or porches are installed?

Yes ☐ No ☒ Don't know ☐

Comments

The conservatory market is already nearly 50% down. This proposed will have little effect as homeowners can easily install secondary heating and or air conditioning after installation.

It will however further damage consumer confidence to invest in this home improvement and will probably kill off the market for good

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m²? Please explain your view.

Yes ☐ No ☒ Don't know ☐

This proposal will cause significant damage to an already depressed market and thousands of job losses will result

For any Government to contemplate introducing such a penalty on those who seek to invest in their own homes at this time of double dip recession is beyond me

37. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to a list of measures comprising a minimum standard of loft insulation, hot water cylinder insulation and the installation of cavity wall insulation.

Do you agree with this list of measures? ☐

Should this list be different (please explain below)? ☐

Another approach (please explain below) ☐

Don't know ☐

Comments

NO – See above

38. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☒

No effect ☐

Don't know ☐

Comments

Welsh SME builders and brick and block manufacturers will go out of business if this is introduced. This needs to be factored into the RIA

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m²? Please explain your view.

Yes ☐ No ☒ Don't know ☐

Comments

We need incentives not penalties

40. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☐

No ☒

Prefer a different list (please specify) ☐

Don't know ☐

Comments

Not Applicable due to above comments

41. Do you agree that there should not be major problems in extending the requirement for consequential improvements for the building control process? If you do foresee issues, what are they and how might these be addressed?

Yes ☐ No ☒ Don't know ☐

Comments

Building Control Departments have no capacity to take on this complex and commercially difficult task and local authorities are cutting back rather than expanding

42. Do you have any other comments on the proposed changes to Approved Document L1B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

43. Do you have any other comments on the proposed changes to Approved Document L2B? Please make it clear which issue each comment relates to by identifying the relevant paragraph number.

Comments

44. Do you think that the Impact Assessment is a fair and reasonable assessment of the potential costs and benefits of raising the performance standards for replacement domestic windows and domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☐

Comments

The RIA needs to factor in the real costs of less building work being undertaken. This includes lost jobs in construction and manufacturing, housing and unemployment benefit. These changes will damage a very fragile market

45. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

46. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options

for consequential improvements in existing non-domestic buildings?
Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☒ Don't know ☒

Comments

As with other Government data we need to look very carefully at this to ensure accuracy and the inclusion of the true cost of change when all factors are considered. There has been a tendency to only consider the direct costs and our economy may be damaged as a result

Compliance and Performance

47. For new dwellings, Welsh Government is proposing to develop a compliance checklist. Do you think such a checklist would be used sufficiently to warrant its development?

Yes ☒ No ☐ Don't know ☐

Comments

48. If such a checklist was developed, what should it cover?

Comments

The key aspects of construction relating to thermal performance. E.g the specified type and dimensions of all materials especially insulation are used, checking of seals for airtightness (around service pipes etc), continuity of insulation and overlaps to prevent thermal bridging

49. If the checklist was taken forward, who should be involved in its development?

Comments

All stakeholders including suppliers

50. Would any other approach be likely to prove more effective instead (such as a PAS¹⁸ type approach).

Yes ☐ No ☒ Don't know ☐

Comments

Until such time as the perceived problem of design v as built gap is proven, it is difficult to assess what is needed.

- 51a. Would it be preferable for buildings of a domestic nature to be able to achieve compliance through applying the recipe in AD L1A, in acknowledgement of the domestic nature of such buildings, rather than demonstrating compliance with AD L2A?

Yes ☒ No ☐ Don't know ☐

Comments

- 51b. What are the arguments for and against this approach?

¹⁸

A PAS is a Publically Available Specification, and the PAS would set out a quality assurance approach.

Comments

It would make design easier and allow some further standardisation.

52. Additional views and suggestions for addressing compliance and performance issues in new non domestic buildings would be welcome.

Comments

This is an not required until sufficient evidence is obtained to prove that as built performance is not being achieved. The database on as built performance is extremely small and it much of this could be explained by the design tool (SAP) that we have. It would be far more beneficial to get the SAP tool correct and for the industry to measure the performance of a largescale developments of dwellings built to 2010 Part L standards. We suggest going no further than post construction air tightness testing, perhaps with intermittant thermal imaging. However, let the industry come up with a solution

53. Is the newly formatted ADL1B easier to understand and use?

Yes ☐ No ☒ Don't know ☐

Comments

54. Are there any further amendments to the newly formatted ADL1B that you would recommend? If so, please provide details.

Yes ☐ No ☐ Don't know ☒

Comments

55. How do the consultation proposals impact on the work of Local Authorities and Approved Inspectors? Please give positive and negative impacts.

Comments

--

56. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

--