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Llywodraeth Cymru
Welsh Government

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Consultation – Summary of Responses

The Consultation on the Draft Building
Regulations &c. (Amendment) (Wales)
Regulations 2013

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001-17477 - Chris Parry

The more regulation and additional insulation requirements only serve to increase the cost of houses.

At present there is a shortage of housing in Wales and anything that raises the cost and therefore the affordability of dwellings is to be deplored.

The requirement to design to the code for sustainable housing has already added approximately 8% to the cost of new houses Please think carefully before adding more legislation to the already heavy burden that designers and house builders already have to bear Chris Parry

002-17477 - Frances Lynch Llewellyn

I would be interested in commenting on the Welsh Government's approach to building regulations relating to standards of fuel and insulation efficiency expected of existing stone buildings in Wales. I understand that this has been set at an unrealistically high level which will mean that many holiday homes cannot be rented out and that eventually traditional stone buildings will be unsalable.

While admiring the Welsh Government's desire to ensure that everyone makes an effort to reduce their carbon footprint, I do feel that rendering 80% of Wales current building stock unusable is unwise.

I have tried to use the link provided in your e-mail. It doesn't work for me automatically but I copied it in and found a plethora of 'building regulations' options. I found one which looked as if it might be the one to which you referred but it said that comments had to be in by October 23rd (no year given), so presumably this is not your one ending on Feb 20th.

I would be grateful for more specific guidance on where to find your consultation document.

Frances Lynch Llewellyn

003-17477 - Network Rail

Network Rail has been consulted by the Welsh Government on the Draft amendments to the Building Regulations – Buildings Regulations &c. (Amendment) (Wales) Regulations document. Thank you for providing us with this opportunity to comment on this Planning Policy document.

Upon the review of this document, Network Rail has no comments to make as we do not need to deal with Building Control for our operational development.

Regards,

Barbara Morgan
Town Planning Technician (Western)

004-17477 - James Player

Amendments to reflect the required changes as a result of the Energy Performance of Buildings Directive (Directive 2010/31/EU (Recast)).

Question 1

Do you agree with our proposed approach, that the additional exemption listed in the paragraph above should not be added to the exemptions in regulation 21 of the building regulations?

Yes
No

Comments:

Question 2

Do you agree with the proposed application of option (b)?

Yes
No

Comments: How does this and Regulation 23 link in to forth coming amendments to Consequential Improvements, if at all, could the Consequential Improvements trigger the requirement for further works under Regulation 23?

Question 3

Do you agree with our proposal to mirror England's Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive?

If you do not agree, please state why not and where you believe that our approach to the transposition of the said articles should differ.

Yes
No

Comments:

Green Deal Requirements

Question 4

Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England's Regulations?

Yes
No

Comments:

Question 5

Do you agree with the costs and benefits outlined in the RIA?

Yes
No

Comments: In general.

Question 6

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:

005-17477 – Respondent did not wish to have response published

006-17477 - Flintshire County Council

Your name: Michael Wayne O'Donnell

Organisation: Flintshire County Council

Amendments to reflect the required changes as a result of the Energy Performance of Buildings Directive (Directive 2010/31/EU (Recast)).

Question 1

Do you agree with our proposed approach, that the additional exemption listed in the paragraph above should not be added to the exemptions in regulation 21 of the building regulations?

Yes
No

Comments:

Question 2

Do you agree with the proposed application of option (b)?

Yes
No

Comments:

Question 3

Do you agree with our proposal to mirror England's Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive?

If you do not agree, please state why not and where you believe that our approach to the transposition of the said articles should differ.

Yes
No

Comments:

Green Deal Requirements

Question 4

Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England's Regulations?

Yes
No

Comments:

Question 5

Do you agree with the costs and benefits outlined in the RIA?

Yes
No

Comments: Do not know – Not involved in costing or financial matters relating to the consultation

Question 6

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:

007-17477 - Cyngor Tref Frenhinol Caernarfon

Par: Ymgynghoriad ar Reoliadau Drafft – Adran yr Amgylchedd a Datblygu Cynaliadwy

Cyfeiriaf at y mater uchod a ddaeth o flaen Cyngor Tref Frenhinol Caernarfon yn eu cyfarfod ar 5 Chwefror diwethaf.

Ar ôl trafod y mater penderfynwyd anfon atoch i'ch hysbysu nad oes gan I Cyngor ddigon o arbenigedd yn eu mysg i ymateb i'r Ymgynghoriad ond Diolch am y cynnig.

Yn gywir

Katherine Owen SILCM
Clerc y Dref

[English Translation]

Re: Consultation on the Draft Regulations – Department of the Environment and Sustainable Development

I refer to the matter above which came before Caernarfon Royal Town Council in their meeting on 5 February last.

After discussing the matter it was decided to send to you a notice that the Council does not have enough specialist knowledge to respond to the Consultation, but thank you for the offer.

Yours

Katherine Owen SILCM
Town Clerk

008-17477 - Conwy County Borough Council

Your name: Dafydd Owen

Organisation: Conwy County Borough Council

Amendments to reflect the required changes as a result of the Energy Performance of Buildings Directive (Directive 2010/31/EU (Recast)).

Question 1

Do you agree with our proposed approach, that the additional exemption listed in the paragraph above should not be added to the exemptions in regulation 21 of the building regulations?

Yes
No

Comments: Unlike planning consent, there is currently no differentiation between a holiday home and a permanent home within the Building Regulations. If such a differentiation were to be introduced, it would be almost impossible to police.

Question 2

Do you agree with the proposed application of option (b)?

Yes
No

Comments: Remains as it is with ADL1B recommending minimum levels of energy efficiency improvements where there is a significant renovation of a thermal element, either 50% surface of element (or 25% of building envelope) e.g. cladding/rendering external surface or dry-lining internal surface.

Question 3

Do you agree with our proposal to mirror England's Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive?

If you do not agree, please state why not and where you believe that our approach to the transposition of the said articles should differ.

Yes
No

Comments:

I cannot see any benefit to Wales by adopting a differing stance to England on any of the articles listed below.

Green Deal Requirements

Question 4

Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England's Regulations?

Yes
No

Comments: Cannot see any direct benefit to having different wording.

Question 5

Do you agree with the costs and benefits outlined in the RIA?

Yes
No

Comments: The estimated cost to each authorities Building Control sections is estimated at £10,000 for the first year reducing to £2,500 per annum thereafter. The introduction of all the additional competent person schemes proposed, with Building Control being required to record each individual application, will have an administrative implication. As far as the costing to the construction industry generally are concerned, I am not in a position to respond, as were many of the respondents to the earlier consultation with the construction industry, see extract from draft consultation below.

Less than a half of all respondents supported the Department's position on this, with many respondents saying they were not in a position to offer a view. 7 out of the 11 scheme operators to respond said that they did not consider that the Impact Assessment offered a fair overview of costs and benefits. There were concerns in particular that moving to a risk-based approach to inspections would not in practice deliver the savings anticipated, and that the costs associated with UKAS accreditation would work out considerably higher.

For secondary disclosure, a marker will be added to notifications by Competent Person Schemes, in England and Wales, when measures installed are paid for through the Green Deal. These notifications are sent electronically to the local authority and added to a property's building control file. This will be available on the sale of a property through the normal local authority search – and point out the existence of a Green Deal.

Question 6

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:

009-17477 - Asda

Asda response to the Department for Communities and Local Government Review of Planning Guidance consultation

Overview

Asda is the UK's lowest priced supermarket; we operate over 550 stores across the UK and employ over 180,000 colleagues. We are proud to provide communities with high quality goods and services at low prices.

The majority of Asda's stores are located in town centres, district centres and at the edge of town centres. The acquisition of the Netto chain of supermarkets and their conversion to Asda stores and our ongoing development programme is helping to revitalise cities and towns throughout the UK.

Asda actively works within the Government's Town Centre First Policy objectives and regeneration is at the heart of our retail development programme. Our stores play an integral part in the local community – creating new jobs, supporting local suppliers, stimulating economic growth and improving the environment.

Responses to the consultation questions

Question 1. Do you agree with our proposed approach, that the additional exemption listed in the paragraph above should not be added to the exemptions in regulation 21 of the building regulations?

Yes. Although this proposal is unlikely to impact upon our business, we that agree the current list of exempt buildings should be retained.

Question 2. Do you agree with the proposed application of option (b)?

Yes. We suggest that the current approach is retained as it provides greater consistency and predictability when bringing forward new developments.

Question 3. Do you agree with our proposal to mirror England's Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive? If you do not agree, please state why not and where you believe that our approach to the transposition of the said articles should differ.

Yes. We welcome the fact this will keep the Welsh and England regulations broadly similar, creating a more consistent environment for development. The current Part L regulation has a requirement to build near zero-carbon buildings by 2016/19 and we are concerned that it is suggested further changes to Part L regulations will be introduced in 2020. We would welcome clarification on this point.

Requirement (25A) has been proposed, requiring consideration to be given to high efficiency alternative systems prior to the construction of new buildings.

At present no guidance has been published clarifying if this will be mandatory or how this should work in practice. This Requirement may also be unnecessary; our approach is to assess prior to start on site whether alternative, sustainable solutions and technologies would be appropriate for our developments.

Question 4. Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England's Regulations?

Yes.

Question 5. Do you agree with the costs and benefits outlined in the RIA?

No comment.

Question 6. 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:

No comment.

010-17477 - CITB

CITB-ConstructionSkills Wales response to the Consultation on Draft Building Regulations &c. (Amendment) (Wales) Regulations 2013

CITB-ConstructionSkills Wales welcomes the opportunity to respond to the consultation on Draft Building Regulations &c. (Amendment) (Wales) Regulations 2013. CITB-ConstructionSkills Wales is the Welsh arm of the Sector Skills Council and Industry Training Board for the construction industry. We are working to ensure that construction employers have the right skills, in the right place, at the right time by investing funds and providing a wide range of industry-led skills and training solutions.

Both the Draft Building Regulations outlined in the document in response to EU Directive 2010/31/EU and the draft regulations to facilitate the Green Deal in Wales are significant in their impact upon the construction industry, and must be implemented coherently if their benefits are to be fully realised.

To this end, it is vital that the Welsh Government consults fully with the construction industry throughout the course of the draft regulations being finalised and implemented to ensure that they are intelligible to the many SMEs which form the backbone of Wales' construction sector. As the largest representative body for construction employers in Wales, representing around 10,000 companies, CITB-ConstructionSkills Wales can assist the Welsh Government in consulting a broad base of employers in the construction sector in Wales on the proposed regulation on an on-going basis.

CITB-ConstructionSkills Wales would particularly endorse the implementation of regulations identical to, or to the same extent as, regulations in England, in an effort to avoid disproportionately higher costs for construction companies operating in Wales. The construction industry in Wales suffered a 13% fall in output in 2012, meaning that it remains in recession. Therefore, ensuring that Wales remains at the competitive edge of the construction economy is particularly crucial in the current economic downturn.

The introduction of enhanced regulations, whether specific to the Green Deal or the wider construction industry, will be most effective if they are subject to an appropriate enforcement regime. CITB-ConstructionSkills Wales therefore welcomes moves to strengthen inspection regulations in this area. Moreover, regulations can only be met if Wales' construction workforce has the appropriate skill set and qualifications for the job. The development of green skills, encompassing those required in the Green Deal and beyond, is paramount if Wales is to plan for a built environment fit for the 21st Century.

CITB-Construction-Skills Wales would welcome the opportunity to work with the Welsh Government to identify and overcome any challenges which the implementation of the Draft Building Regulations &c. (Amendment) (Wales) Regulations 2013 present to the construction industry, and to develop a system where the standards which these regulations set out can be achieved easily throughout Wales. Please do not hesitate to contact Matt Francis on ... if you would like any further information.

011-17477 – FITP

Your name: Giles Willson

Organisation: Fenestration Industry Thermal Performance Working Group (FITP). FITP represents the following trade associations in the window, glazing and door industries:-

Glass and Glazing Federation, Flat Glass Manufacturers Association, British Plastics Federation, British Woodworking Federation, Steel Window Association, National Federation of Glaziers, Composite Door Manufacturers Association, WER Scheme operators Group, Competent persons scheme operators, British Glass Manufacturing Confederation

Amendments to reflect the required changes as a result of the Energy Performance of Buildings Directive (Directive 2010/31/EU (Recast)).

Question 1

Do you agree with our proposed approach, that the additional exemption listed in the paragraph above should not be added to the exemptions in regulation 21 of the building regulations?

Yes
No

Comments: In order for climate change objectives to be achieved, it is important that the maximum number of buildings be embraced by the requirements of the Directive.

Question 2

Do you agree with the proposed application of option (b)?

Yes
No

Comments: We agree with option (b) because it is much easier to assess and quantify than is the criterion in option (a).

Question 3

Do you agree with our proposal to mirror England’s Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive?

If you do not agree, please state why not and where you believe that our approach to the transposition of the said articles should differ.

Yes
No

Comments: Wherever possible, the Building Regulations of all countries in the UK should mirror each other, in order to avoid – amongst other things – the need for manufacturers to supply products of different performance specifications, with the higher cost base this implies.

Green Deal Requirements

Question 4

Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England’s Regulations?

Yes
No

Comments: Consistent with our comments on Q3, our industry believes that, as a matter of policy and principle, Building Regulations in all parts of the UK should be the same wherever possible.

Question 5

Do you agree with the costs and benefits outlined in the RIA?

Yes
No

Comments: We are disappointed to see that “double glazing” rarely features in the RIA (eg it is absent from the list of domestic measures given in Table 30). Also, we are baffled by the apparent low capital costs given for non-domestic double glazing in Table 40; we wonder what the units of capital cost are? We note that figures given throughout the RIA generally apply to England & Wales; if you required glazing data for Wales alone, we would be happy to enter into a dialogue with you, as we have access to Wales-specific data on replacement windows.

Question 6

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:

012-17477 – LABC Cymru

Your name: Stephen Blackmore

Organisation (if applicable): On behalf of LABC Cymru

Amendments to reflect the required changes as a result of the Energy Performance of Buildings Directive (Directive 2010/31/EU (Recast)).

Question 1

Do you agree with our proposed approach, that the additional exemption listed in the paragraph above should not be added to the exemptions in regulation 21 of the building regulations?

Yes

No

Comments:

Question 2

Do you agree with the proposed application of option (b)?

Yes

No

Comments:

Question 3

Do you agree with our proposal to mirror England's Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive?

If you do not agree, please state why not and where you believe that our approach to the transposition of the said articles should differ.

Yes

No

Comments:

Green Deal Requirements

Question 4

Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England's Regulations?

Yes

No

Comments:

Question 5

Do you agree with the costs and benefits outlined in the RIA?

Yes

No

Comments:

Question 6

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:

013-17477 - The Institute for Archaeologists

Consultation on Draft Building Regulations &c. (Amendment) (Wales) Regulations 2013

Thank you for the opportunity to comment on the draft Building Regulations &c. (Amendment) (Wales) Regulations 2013.

The Institute for Archaeologists

The Institute for Archaeologists (IfA) is a professional body for the study and care of the historic environment. It promotes best practice in archaeology and provides a self-regulatory quality assurance framework for the sector and those it serves.

IfA has over 3,000 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors. IfA's Wales / Cymru Group has over 100 members practising in the public, private and voluntary sector in Wales.

Draft Building Regulations &c. (Amendment) (Wales) Regulations 2013

General

IfA generally supports the Green Deal and the measures proposed in this consultation to further this initiative and to implement Directive 2010/31/EU. However, the Institute remains concerned about the application of the Green Deal to the historic environment and, in particular, to historic buildings (whose embodied energy and cultural significance should be fully recognised). The consultation refers to regulation 21(3)(a) of the 2010 Building Regulations (which exempts listed buildings, scheduled monuments and buildings in conservation areas from energy efficiency requirements where this would affect their character or appearance), but this would not, for instance, necessarily protect locally listed buildings.

Notwithstanding the above concerns (and given the terms of the Directive which these regulations seek to implement), IfA recognises the practical considerations in favour of consistency with Building Regulations in England.

Furthermore, the Institute supports the use of accreditation for energy assessors and approved inspectors. There may be scope (with suitable checks and balances such as a requirement for membership of a recognised professional body to ensure professional accountability) for wider use of such schemes in relation to the historic environment.

Specific Questions

Question 1: Do you agree with our proposed approach, that the additional exemption listed in paragraph 31 above should not be added to the exemptions in regulation 21 of the building regulations?

1.1 Yes, but see above as to IfA's concerns in respect of the historic environment.

Question 2: Do you agree with the proposed application of option (b)?

2.1 No comment.

Question 3: Do you agree with our proposal to mirror England's Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive?

3.1 Yes. See above.

Question 4: Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England's Regulations?

4.1 Yes.

Question 5: Do you agree with the costs and benefits outlined in the RIA?

5.1 These issues are better addressed by our members individually.

Tim Howard LLB, Dip Prof Arch
Policy Advisor

014-17477 - Respondent did not wish to have response published

015-17477 - Ffederasiwn Meistri Adeiladu Cymru (Federation of Master Builders Cymru)

Enw: Richard Jenkins (Cyfarwyddwr) ac Ifan Glyn (Gweithredwr Materion Cyhoeddus a Gwasanaethau)

Sefydliad (os wy'n berthnasol): Ffederasiwn Meistri Adeiladu Cymru (Federation of Master Builders Cymru)

Diwygiadau i adlewyrchu'r newidiadau sy'n ofynnol o ganlyniad i'r Gyfarwyddeb Perfformiad Ynni Adeiladu (Cyfarwyddeb 2010/31/EU) (Ailuno).

Cwestiwn 1

A ydych yn cytuno â'r ffordd yr ydym yn bwriadu bwrw ati, sef na ddylai'r esemptiad a restrir yn y paragraff uchod gael ei ychwanegu at yr eseptiadau sydd yn rheoliad 21 o'r Rheoliadau Adeiladu?

Ydw
Nac Ydw

Sylwadau: Credwn ei bod hi'n bwysig fod pob tŷ'n cael ei drîn yr un fath gan y buasai hi'n ddigon hawdd i'r defnydd o dŷ newid heb yn wybod i'r cyngor lleol, ac na fuasai'r newid yma'n digwydd yn unol ag ysbryd y prosiect cynaliadwyedd.

[English Transaltion] We believe it is important that every house is treated the same as it would be easy enough to change the use of a house without the knowledge of the local council and without that change necessarily being made in accordance with the spirit of the sustainability project.

Cwestiwn 2

A ydych yn cytuno â'r ffordd y bwriedir cymhwyso opsiwn (b)?

Ydw
Nac Ydw
Sylwadau:

Cwestiwn 3

A ydych yn cytuno â'n cynnig i adlewyrchu Rheoliadau Lloegr sy'n trosi erthyglau 2, 3, 6, 7, 9 ac 11 o'r Gyfarwyddeb?

Os nad ydych yn cytuno, nodwch pam a nodwch sut y dylai'n ffordd ni o drosi'r erthyglau hynny fod yn wahanol yn eich barn chi.

Ydw
Nac Ydw
Sylwadau:

Gofynion y Fargen Werdd

Cwestiwn 4

A ydych yn cytuno â'n cynnig sef y dylai'r Rheoliadau drafft sy'n hwyluso'r Fargen Werdd yng Nghymru ac sy'n diwygio'r darpariaethau sy'n darparu ar gyfer tystysgrifau cwblhau yng Nghymru adlewyrchu Rheoliadau Lloegr?

Ydw
Nac Ydw
Sylwadau:

Cwestiwn 5

A ydych yn cytuno â'r costau a'r buddion a geir yn yr Aseiad Effaith Rheoleiddiol?

Ydw
Nac Ydw
Sylwadau:

Cwestiwn 6

Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych unrhyw faterion cysylltiedig nad ydynt wedi'u trafod yn benodol, nodwch y rhain isod:

016-17477 - Glass and Glazing Federation

Glass and Glazing Federation Response to Consultation on Draft Building Regulations &c. (Amendment) (Wales) Regulations 2013

Your name: Nigel Rees, Group Chief Executive

Organisation (if applicable): Glass and Glazing Federation (GGF)

The GGF is the main representative organisation for companies involved in all aspects of the manufacture of flat glass and products and services for all types of glazing, in commercial and domestic sectors. The GGF has approximately 500 members of all sizes who can be found in over 1,500 business locations throughout the UK.

The GGF represents over 50% of the home improvement industry by turnover and focuses on consumer protection by ensuring that all its members have been trading for at least 3 years and are vetted to ensure quality of service. All GGF members work to a GGF Code of Good Practice and to the Technical Standards laid out in the GGF Glazing Manual. The GGF also offers customers a Deposit Indemnity Scheme as well as a customer charter and free conciliation service to further ensure consumer protection.

The GGF helped to set up FENSA, their subsidiary company and the leading trade competent person scheme certifying Building Regulations compliance for homeowners replacing windows and doors. FENSA has been granted UKAS (United Kingdom Accreditation Service) accreditation for Green Deal Certification of Installers.

Question 1

Do you agree with our proposed approach, that the additional exemption listed in paragraph 31 above should not be added to the exemptions in regulation 21 of the building regulations?

Yes

No

Comments:

The GGF is supportive of proposals which seek to ensure that the maximum number of buildings be covered by the requirements of the Directive, in order to ensure that the Scottish Government's "nearly zero carbon" aspirations are met.

Question 2

Do you agree with the proposed application of option (b)?

Yes

No

Comments:

The GGF is supportive of the proposal to amend the building regulations to apply option (b) as this this would be much easier to assess and determine than option (a).

Question 3

Do you agree with our proposal to mirror England's Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive?

If you do not agree, please state why not and where you believe that our approach to the transposition of the said articles should differ.

Yes

No

Comments: The GGF believes that wherever possible, the building regulations of all devolved assemblies should mirror each other, in order to provide clarity for consumers and industry. This would also be beneficial for manufacturers who would not have to supply products of different performance specifications, which results in a higher cost base.

Question 4

Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England's Regulations?

Yes

No

Comments: The GGF supports the proposals to make completion certificates in Wales mirror England's regulations in order to ensure a consistent approach is taken which provides clarity for both consumers and industry. The GGF also believe that this would help to encourage consumer understanding, awareness, confidence and consequently uptake of the Green Deal scheme.

Question 5

Do you agree with the costs and benefits outlined in the RIA?

Yes

No

Comments: The GGF is disappointed to see that double glazing is rarely featured in the RIA and would also question the apparent low capital costs given for non-domestic glazing as set out in Table 40.

Double glazing has a very important role to play in increasing the energy performance of buildings and consequently reducing carbon emissions. A number of Green Deal trials have proved that windows are popular with consumers, and consumers should therefore be encouraged to adopt a “whole house” approach when installing energy efficient measures. For example, there is much interaction between solid wall insulation (SWI) and windows, as to undertake SWI work correctly the windows should be replaced or the existing windows removed and reinstalled on wider projection sills and possibly external linings. To not undertake this work correctly thermal bridging could occur, and potentially water ingress into the structure, thus creating major problems in the building fabric. It would therefore be a sensible and efficient approach to upgrade new windows and doors at the same time that SWI is installed.

017-17477 - RICS Wales

Draft Building Regulations &c. (Amendment) (Wales) Regulations 2013

Thank you for the opportunity to respond to the consultation dated 23 January 2013.

RICS Wales is the principal body representing professionals employed in the land, property and construction sector and represents some 4000 members divided into 17 professional groups. As part of our Royal Charter we have a commitment to provide advice to the Government of the day and in doing so we have an obligation to bear in mind the public interest as well as the interest of our members

Our detailed response to the Consultation is as follows:

Question 1

Do you agree with our proposed approach, that the additional exemption listed in the paragraph above should not be added to the exemptions in regulation 21 of the building regulations?

Yes
No

Comments: As stated in the consultation document this would not be in keeping with the “nearly zero carbon aspirations”. If they occupy the building for 4 months and use 25% of the energy (on the limit allowed) for the year then this maybe open to manipulation possibly.

Question 2

Do you agree with the proposed application of option (b)?

Yes
No

Comments: Option B would be the better choice, not only for the simplicity for people to understand, but 25% is more than reasonable to ask improvements in energy efficiency. This will all contribute to reach the near to zero carbon target overall as many buildings will be constantly improving as refurbishment goes on as they wall go over the 25% margin. Costs may be small in relation to overall value of the project but still of significance.

Question 3

Do you agree with our proposal to mirror England’s Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive?

If you do not agree, please state why not and where you believe that our approach to the transposition of the said articles should differ.

Yes
No

Comments: Better to avoid variations where possible.

Green Deal Requirements

Question 4

Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England’s Regulations?

Yes
No

Comments: I agree that it should mirror that of England so that it is “*equally accessible in England and Wales*” and Green Deal providers will be able to work between the borders without any complications. A decision not to mirror may cause a barrier for SME Green Deal provider/installers/assessors that operate between the two countries.

Question 5

Do you agree with the costs and benefits outlined in the RIA?

Yes
No

Comments: We recommend a cross checking of the figures with more professionals and manufacturers to provide maximum certainty.

Question 6

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:

No comment.

If you have any queries in respect of this response please do not hesitate to contact me.

Yours sincerely,

David Morgan
Policy Manager

018-17477 - Defence Infrastructure Organisation

Your name: Tracy Price

Organisation: Defence Infrastructure Organisation.

Amendments to reflect the required changes as a result of the Energy Performance of Buildings Directive (Directive 2010/31/EU (Recast)).

Question 1

Do you agree with our proposed approach, that the additional exemption listed in the paragraph above should not be added to the exemptions in regulation 21 of the building regulations?

Yes

No

Comments: The risk is that infrequently used buildings will be heated permanently or for considerably longer periods than necessary to achieve thermal comfort or to prevent damp/condensation. The emphasis should be on appropriately positioning insulation, type of heating and controls and the management of such systems. This can be governed under the Building Regulations. However, the requirement to meet the BER/TER may be considered too onerous and some flexibility is required. Minimum 'U' values for elements should be provided for new build. Further reductions should be provided for U values when building is as a result of a material change of use and/or material alteration where the energy efficiency requirements apply.

Question 2

Do you agree with the proposed application of option (b)?

Yes

No

Comments: This approach is appropriate as there is uncertainty around property value and renovation costs. Home owners and investors would need to be informed that this type of work is controlled.

Question 3

Do you agree with our proposal to mirror England's Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive?

If you do not agree, please state why not and where you believe that our approach to the transposition of the said articles should differ.

Yes

No

Comments: No comment

Green Deal Requirements

Question 4

Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England's Regulations?

Yes
No

Comments: This is likely to be a significant task to update / create data bases to store the information.

Question 5

Do you agree with the costs and benefits outlined in the RIA?

Yes
No

Comments: No comment, document has not been reviewed.

Question 6

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:

019-17477 – Flintshire County Council

Your name: Leanna Jones

Organisation: Flintshire County Council

Amendments to reflect the required changes as a result of the Energy Performance of Buildings Directive (Directive 2010/31/EU (Recast)).

Question 1

Do you agree with our proposed approach, that the additional exemption listed in the paragraph above should not be added to the exemptions in regulation 21 of the building regulations?

Yes
No

Comments: We support this approach, as building usage may change, (eg, from holiday letting to affordable rental housing), so we agree that there should not be an exemption from improvement if a building is only used 25% of the year at the time of application.

Question 2

Do you agree with the proposed application of option (b)?

Yes
No

Comments: Option (b) is the preferred option, as it will increase the amount of solid walled properties having insulation installed as they are refinished/re-rendered. Option (a) would principally apply to major extension work to properties only, whereas (b) will include most extension work (as the surface of the building envelope is being fundamentally changed in that case as well), and also include the more common improvement practise of re-rendering.

Question 3

Do you agree with our proposal to mirror England's Regulations which transpose articles 2, 3, 6, 7, 9 and 11 of the Directive?

If you do not agree, please state why not and where you believe that our approach to the transposition of the said articles should differ.

Yes
No

Comments:

Green Deal Requirements

Question 4

Do you agree with our proposal that our draft Regulations which facilitate the Green Deal in Wales and which amend the provisions that provide for completion certificates in Wales should mirror England's Regulations?

Yes

No

Comments:

Question 5

Do you agree with the costs and benefits outlined in the RIA?

Yes

No

Comments:

Impact assessments should, in addition to showing the cost of implementing changes, attempt to quantify the benefit of making these changes contrasted with the continued burden, damage and cost of doing nothing.

The document does make reference to cost benefit lifecycle analysis, and where possible this should be the standard used before any final decisions are made on the design.

Question 6

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:

We support the requirement for developers to consider low and zero carbon technologies. However, there should be a requirement to implement these plans at least in certain circumstances. Particularly in off-gas areas, the feasibility of providing either a link to the gas mains, a district heating scheme, or renewable/low carbon heating systems should be required to avoid an increase in carbon emissions and fuel poverty.

For housing developments over a certain size, the extra cost to the developer would be minimal, if not a net reduction in cost, and the long term benefits to the future residents and wider sustainability will be much greater.

We support the sharing of information and public access of information on existing district heating, CHP, biomass resource, and other information that would make this process easier for prospective developers.

This must include a meeting with representatives from both town/community and county councils, including housing strategy, renewal, energy, sustainability, planning and building control, together with relevant third sector organisations. A panel should be established from the earliest stage of any major development. This will also help lever in funding that may help support the project and reduce costs to the developer and prospective home buyers. Aspects of passive solar design should be a required inclusion based on the geography/orientation of the site.

020-17477 – Competent Persons Forum

I'm just emailing to confirm that I had no feedback from CPF members regarding the proposed amendments and you can therefore take it that CPF are content with the changes.

Best Regards
David Cowburn