

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

### **Consultation – summary of responses**

#### **Part 2**

- #39 - FITP Working party c-o Glass & Glazing Federation**
- #40 - Glass & Glazing Federation**
- #42 - CIOB Wales Cymru**
- #45 – Engineering Panels in Construction**
- #46 - Gwynedd Consultancy Building Control - Gwynedd Council**
- #48 - Construction Products Association**
- #49 - Torfaen County Borough Council**
- #50 - Wales Low Zero Carbon Hub**
- #51 - FGMA (Flat Glass Manufacturers Association)**
- #54 - David Jones**
- #56 - ECA**
- #57 - Kingspan Insulation Limited**
- #60 - Council for Aluminium in Building**
- #61 - British Board of Agreement**
- #62 - Mineral Products Association**
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- #71 - British Glass Manufacturers' Confederation**

**#39 - FITP Working party c-o Glass & Glazing Federation**

# 2012 consultation on changes to the Building Regulations in Wales

## Part L (Conservation of fuel and power)

### Consultation Response Form

Your name: Giles Willson

Organisation (if applicable): FITP working party c/o  
Glass & Glazing Federation

- (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:

Fenestration Industry Thermal Performance (FITP) Working Group. FITP represents the views of the following industry trade associations:

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

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

<p><b>Builders/Developers:</b></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><b>Property Management:</b></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><b>Building occupier:</b></p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p><b>Building Control Bodies:</b></p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p><b>Energy Sector</b> <input type="checkbox"/></p>	<p><b>Fire and Rescue Authority</b> <input type="checkbox"/></p>

<p><b>Designers/Engineers/Surveyors:</b></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><b>Specific Interest:</b></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>
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(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) Members of associations represented by FITP range from micro-enterprises to multi-national companies.

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

Yes  No

Name of scheme:

One of the FITP member organisations is the Competent Persons Scheme Operators, representing FENSA, BSI and CERTASS.

**(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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010 40% CO<sub>2</sub> saving 25% CO<sub>2</sub> saving Something else (please explain below) Don't know 

Comments

40% preferred, so as to avoid a more dramatic change when zero carbon standards are introduced in future revisions.

2. Do you agree with the proposal for an 'aggregate' approach to CO<sub>2</sub> target setting for new homes in 2015? The CO<sub>2</sub> target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO<sub>2</sub> 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 CO<sub>2</sub> saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes  No  Don't know

## Comments

We are firm believers in a “fabric first” approach, because this minimises the demand for energy from any source (renewable or non-renewable). The performance of the building fabric is permanent, consistent and (generally) maintenance-free. A high standard of fabric performance is essential to ensure the building remains energy-efficient and comfortable in the event of renewable energy supply failing, under-performing or being repaired.

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 CO<sub>2</sub> savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes  No  Don't know

Comments

The specifications are available with current technology.

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

Because roof area (where the PVs are most likely to be placed) will be similar to foundation 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

The current system, in which the backstop values are regarded as "reasonable provision", works satisfactorily.

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

Yes  No  Don't know

Comments

It seems reasonable for them to be improved in line with other improving standards for new build. However, some FITP members feel the proposed value of 1.6 for windows and doors was too severe, and prefer an interim

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

We note that in the proposals there is no intention to have a Target Fabric Efficiency Level, as is proposed for the revisions to the England Part L. While this does not directly impact on our industry, we draw your attention to the fact that housebuilders and designers will inevitably have to deal with different ways of demonstrating compliance in these two parts of the UK. This adds to the general regulatory and administrative burden on companies, to no advantage or benefit to anyone.

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 not referenced or costed in isolation in the IA, so we cannot 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

Windows and glazing not referenced or costed in isolation in the IA, so we cannot 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

For the reasons given in our comments on Q9, we think the introduction of the PEC criterion creates burdens on designers and builders, without commensurate benefit.

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 which achieves 11% CO2 reduction without renewables (table 3.3 in the Consultation Document). It is important to maximise the savings through the building fabric, and to minimise the reliance on energy supply (whether renewable or not), so that the building remains energy-efficient, comfortable and habitable in the event of the energy supply system under-performing due to eg failure, disruption or lack of maintenance.

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

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.CO<sub>2</sub>/m<sup>2</sup>/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 CO<sub>2</sub> 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

Please see our answer to Q13. However, we have no objection to target C as long as it does not permit the building envelope performance to be inferior to that in target B.

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 250m<sup>2</sup> 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 non-dwellings are likely to be domestic in character and form of 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

Not qualified 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

The comments we made in answer to Q9 and Q12 apply equally to the unilateral introduction of the BPEC criterion.

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 play no role. Building Regulations alone should determine the appropriate standards for energy efficiency in buildings. Please keep administrative procedures and hurdles to a

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

Again, Building Regulations should be the mechanism, and should be sufficient.

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

As in our answer to Q24, energy efficiency in buildings should be a matter for Building Regulations alone.

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

The question asks if we agree with the proposal to raise standards, but the Consultation Document proposes no change to current standards. FITP members have different views on what the standards should be, and will make these views clear in the submissions of their individual associations. However, all members are united in deploring any divergence in standards (and timings) in the requirements for England and Wales. Such differing requirements would require proliferation of glass and window product specifications, resulting in extra cost to the manufacturers

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

Yes  No  Don't know

Comments

Ideally the standards required for extensions should be the same as for new build (to simplify matters for those in the supply chain).

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

Ideally the standards required for extensions should be the same as for new build (to simplify matters for those in the supply chain).

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

FITP agrees this will achieve energy savings. As an additional comment, we believe the interpretation of Part L would be improved if the technical guidance included a definition of a conservatory. In earlier versions of Part L a perfectly satisfactory definition was included, and should be revisited.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

The recast Energy Performance of Buildings Directive probably requires this anyway. We do however feel that the consequential improvements should not be limited to the single option of loft, cavity and cylinder insulation (see answer to Q37 below).

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

For non-domestic buildings, Part L already offers a range of consequential improvement options; the same principle should apply to dwellings, and replacement windows should be included in the list of

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 the situation has not existed before – however, it will probably increase the consequential activity but marginally reduce the building of extensions. The consultation document makes no reference to replacement windows triggering consequential improvements. This is to be welcomed; if such a requirement were introduced, it would have a devastating effect on the replacement window industry.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

Anyway, it is a requirement of the recast Energy Performance of Buildings Directive.



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

Extra administration.

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

1. We note that the proposed standards for replacement windows in non-domestic buildings are different from those proposed for England. This will mean the window supply chain will have to manufacture, supply and install windows to different specifications either side of the border. This will add to industry and consumer costs.  
2. We note there are no proposals related to curtain walling. We amplify this

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

Windows and glazing are not costed in isolation in the IA, so we cannot 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

Windows and glazing not costed in isolation in the IA, so we cannot

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

Windows and glazing are not costed in isolation in the IA, so we cannot 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

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

Comments

Windows and glazing have a major impact on the energy performance of dwellings, and should therefore be included.

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

Comments

FITP would be happy to be consulted on fenestration aspects.

50. Would any other approach be likely to prove more effective instead (such as a PAS<sup>1</sup> type approach).

Yes  No  Don't know

Comments

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<sup>1</sup> 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

See comment in 51b

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

Comments

Some small domestic-style non dwellings might require air conditioning, so the dwelling fabric standards might not be appropriate.

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

As in the current Part L, there should be a requirement for the overall U value of curtain walling. It should be no greater than the better of 1.8 or  $0.8 + \{(1.2 + (\text{FOL} \times 0.5)) \times \text{GF}\}$  (where FOL is the fraction of opening lights, and GF is the glazed fraction)

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:

As referred to in our responses to several questions, we deplore the different compliance criteria and performance standards between the proposals for Wales and England. Designers, builders, manufacturers and installers generally operate in both these parts of the UK, so the divergent requirements will add to bureaucracy and cost, and not a little confusion.

**#40 - Glass & Glazing Federation**

# 2012 consultation on changes to the Building Regulations in Wales

## Part L (Conservation of fuel and power)

**Consultation Response Form**

Your name: Giles Willson

Organisation (if applicable): Glass & Glazing Federation

**(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:

Glass and Glazing Federation

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

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

Yes  No

Name of scheme:

GGF own FENSA a competent person scheme operator for the window and door industry.

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

Yes  No

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## Questions:

### New homes

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- No change to 2010
- 40% CO<sub>2</sub> saving
- 25% CO<sub>2</sub> saving
- Something else (please explain below)
- Don't know

Comments

40% preferred, so as to avoid a more dramatic change when zero carbon standards are introduced in future revisions.

2. Do you agree with the proposal for an 'aggregate' approach to CO<sub>2</sub> target setting for new homes in 2015? The CO<sub>2</sub> target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO<sub>2</sub> 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 CO<sub>2</sub> saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes  No  Don't know

## Comments

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## Comments

5. For the CO<sub>2</sub> savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

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## Comments

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Yes  No  Don't know

Comments

The current system, in which the backstop values are regarded as "reasonable provision", works satisfactorily.

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Comments

It seems reasonable for them to be improved in line with other improving standards for new build.

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#### Comments

Windows and glazing not referenced or costed in isolation in the IA, so we cannot 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

Windows and glazing not referenced or costed in isolation in the IA, so we cannot 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

For the reasons given in our comments on Q9, we think the introduction of the PEC criterion creates burdens on designers and builders, without commensurate benefit.

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 which achieves 11% CO2 reduction without renewables (table 3.3 in the Consultation Document). It is important to maximise the savings through the building fabric, and to minimise the reliance on energy supply (whether renewable or not), so that the building remains energy-efficient, comfortable and habitable in the event of the energy supply system under-performing due to eg failure, disruption or lack of maintenance.

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

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.CO<sub>2</sub>/m<sup>2</sup>/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 CO<sub>2</sub> 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

Please see our answer to Q13. However, we have no objection to target C as long as it does not permit the building envelope performance to be inferior to that in target B.

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 250m<sup>2</sup> 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 non-dwellings are likely to be domestic in character and form of 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

Not qualified 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

The comments we made in answer to Q9 and Q12 apply equally to the unilateral introduction of the BPEC criterion.

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 play no role. Building Regulations alone should determine the appropriate standards for energy efficiency in buildings. Please keep administrative procedures and hurdles to a



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

Again, Building Regulations should be the mechanism, and should be sufficient.

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

As in our answer to Q24, energy efficiency in buildings should be a matter for Building Regulations alone.

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

The GGF welcome the proposal to retain the existing U value 1.6 and WER band C and Centre pane U value of 1.2. However, the GGF do feel the WER requirement could be raised to Band B. The GGF do not understand why there should be different requirements from the 4 different regions of the UK because this would require proliferation of glass and window product specifications, resulting in extra cost to the manufacturers and installers across the UK.

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 GGF are happy with the proposed requirements for windows and doors within extensions.

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

Ideally the standards required for extensions should be the same as for new build (to simplify matters for those in the supply chain).

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 GGF believe a definition for a conservatory is required, a proposed definition is:  
*A ground floor, single storey construction of floor area less than 30m<sup>2</sup> with not less than three quarters of the roof area and not less than one half of the external wall area made of translucent material, (excluding any wall area required to be opaque for other planning considerations such as boundary walls and walls within 1m of the boundary), separated from the main building by external grade doors and windows and, if heated, having a heating system which is separate from that of the main building.*

The heating or cooling proposal could not be policed or enforced, if a conservatory is constructed with no heating or cooling that can be controlled by building regulations however, the owners actions cannot be regulated once the installer has left the site.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

The recast Energy Performance of Buildings Directive probably requires this anyway. We do however feel that the consequential improvements should not be limited to the single option of loft, cavity and cylinder insulation, instead this should allow any measure stated within PAS 2030.

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

For non-domestic buildings, Part L already offers a range of consequential improvement options; the same principle should apply to dwellings, and any measure listed within PAS 2030 should be included as an 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

The GGF are concerned that this question does not clearly explain what the implications mean. An improvement activity to a building could be to replace windows and doors, if this was to lead to consequential improvements this would have a negative impact. CI on replacement windows and doors would put owners off improving the energy efficiency of their building by installing these measures. If you are improving the energy efficiency of a building these measures should not trigger CI's

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m<sup>2</sup>? Please explain your view.

- Yes  No  Don't know

Comments

Anyway, it is a requirement of the recast Energy Performance of Buildings Directive.

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

Extra administration and potential for items not being enforced which undermines the whole regulatory requirements.

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

We note that the proposed standards for replacement windows in non-domestic buildings are different from those within other regions of the UK. The GGF do not understand why there should be difference throughout the UK.  
Different requirement will result in the window supply chain to manufacture, supply and install windows to different specifications across the UK. This can only place burdens on industry and add to costs.

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

Windows and glazing are not costed in isolation in the IA, so we cannot 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

Windows and glazing not costed in isolation in the IA, so we cannot

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

Windows and glazing are not costed in isolation in the IA, so we cannot 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

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

Comments

Windows and glazing have a major impact on the energy performance of dwellings, and should therefore be included.

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

Comments

The GGF working with the FITP would be happy to be consulted on fenestration aspects.

50. Would any other approach be likely to prove more effective instead (such as a PAS<sup>2</sup> 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

Some small domestic-style non dwellings might require air conditioning, so the dwelling fabric standards might not be appropriate.

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

Comments

Some small domestic-style non dwellings might require air conditioning, so the dwelling fabric standards might not be appropriate.

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

Comments

<sup>2</sup> A PAS



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:

As referred to in our responses to several questions, we deplore the different compliance criteria and performance standards between the proposals for Wales and England. Designers, builders, manufacturers and installers generally operate in both these parts of the UK, so the divergent requirements will add to bureaucracy and cost, and not a little confusion.

#42 - CIOB Wales Cymru

# 2012 consultation on changes to the Building Regulations in Wales

## Part L (Conservation of fuel and power)

### Consultation Response Form

Your name: Laura Clarke

Organisation (if applicable): CIOB Wales /Cymru

(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: CIOB Wales/ Cymru– Regional Branch

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

<b>Builders/Developers:</b>	<b>Property Management:</b>
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"/>	

<p><b>Building occupier:</b></p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p><b>Building Control Bodies:</b></p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p><b>Energy Sector</b> <input type="checkbox"/></p>	<p><b>Fire and Rescue Authority</b> <input type="checkbox"/></p>
<p><b>Designers/Engineers/Surveyors:</b></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><b>Specific Interest:</b></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 checked="" type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

<p><b>Manufacturer/ Supply Chain</b> <input type="checkbox"/></p>	<p><b>Other</b> <i>(please specify)</i></p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 10px;"></div>
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**(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) **Professional Institute – 44,500 members**   
**(Represented regionally by 1500 members)**

**(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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010	<input type="checkbox"/>
40% CO <sub>2</sub> saving	<input checked="" type="checkbox"/>
25% CO <sub>2</sub> saving	<input type="checkbox"/>
Something else (please explain below)	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

#### Comments

Yes, in respect of the reduction in carbon dioxide emissions we agree with the maximum saving (40%) on the basis there will be no further changes to fabric. This should assist with contractors/mfts/suppliers who currently deal with changes on a regular basis; it will be far simpler if the insulation requirements for floor, walls and roofs are fixed and will not change in future amendments.

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

Yes  No  Don't know

#### Comments

Yes – Currently larger dwellings which may typically have a bigger cost margins are meeting compliance far easier than smaller more affordable housing. The aggregate approach will support the CO<sub>2</sub> saving to be achieved with similar specifications across a mix of dwellings types.

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 CO<sub>2</sub> saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes  No  Don't know

#### Comments

Yes- recipe is a good and simpler solution for SME'S. This will allow SME's to adhere to a standard specification and guarantee compliance; this will also allow manufactures to produce innovative methods of meeting u-values. Problems may arise with meeting compliance is Air Pressure Testing; further training is required for SME contractors to understand what building an air tight building entails. Clarification is also required around thermal bridging, Accredited Construction Details do not allow for enough flexibility.

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, current regulations unfairly penalise off grid solutions
- An issue particularly in rural areas in respect of fuel availability would seem sensible.
- Some fuels may not be suitable due to safety issues such as high rise apartments.

5. For the CO<sub>2</sub> savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes  No  Don't know

Comments

Yes - simpler for contactors, Part L SAP increasingly complex. Should help to improve a move towards standardisation and familiarity in construction and best practice, however too much bias to PV with no mention of alternative proven options and it may discourage innovation. Could foresee maintenance issues for the end user.

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

Fixed Percentage of Building Footprint – we feel term Foundation is misleading area could be mis-interpreted. A percentage of building foundation area is sensible however this may not necessarily fit with multi-level high rise building types with apartments. Area needs to be practical and linked to space to accommodate.

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 mandatory limits proposed seem to align with and work towards stretching CO2 Targets. This will support future proof of homes and reduce likelihood for future upgrades.

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

Yes  No  Don't know

Comments

Yes – If the new regulations are not going to take into account any Fabric Energy Efficiency Standards (FEES) then these backstop u-values are essential.

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

There is a tendency to steer towards solutions which are easier to model mathematically for example active discouragement of solar gain, heat distribution and AC systems.

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 comment in respect of impact assessment questions– appear reasonable

## 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

- Yes – appears to be a sensible solution considering the varying energy requirements from different buildings.
- PEC will ensure a fabric first 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

10%



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

Yes  No  Don't know

Comments

Yes – Industrial type buildings will struggle to meet TPEC in a cost effective manor, shell and core developments will also be problematic.

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.CO<sub>2</sub>/m<sup>2</sup>/year)

Percentage of roof area of PV

Other

Don't know

Please give reasons for your choice

Fixed carbon reduction – do not want the impression PV is a requirement and stop other potentially innovative solutions. This will incentivise renewables.

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO<sub>2</sub> 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

20% - This will save it from being changed again in a few years' time. There is a higher target for fabric and service recipes and the proposals to use PV (5%) as proxy for renewables compared to 11% improvement.

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 Comment

18. Do you think that a further recipe should be created for buildings under 250m<sup>2</sup> 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 – Too onerous and complex, domestic house builders (SMEs) sometimes undertake small non-domestic schemes; this will assist to simplify requirements.

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 the reality on site.

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

No comment in respect of impact assessment questions

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

No 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

No 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

None – the Planning department have limited understanding of requirements. Planning should be there to consider sustainability as a general topic and only carbon reductions in an indirect manor i.e. transport. Direct carbon reductions should be dealt with by 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

In reality will Planning departments take enforcement action? Regular and future changes will cause difficulties (as they have already – planning conditions in respect of the Code and BREEAM are varied, unsuitable and unenforceable in my opinion).  
If planning policy kept requirements to rating band only (BREEAM Very Good/CSH Level 3) without specific credits in specific sections then future/regular changes will not be an issue.

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

The additional cost for the developer is great particularly for schemes that are still at risk (not only for assessment, for requirement of other consultants notwithstanding the extra on site costs required to achieve minimum standard).  
Costs at early stages are disproportionate however long term benefits are not being considered here. Alan Crane (CIOB President 2011-13) states *“Designing, building and operating to BREEAM standards yields hugely beneficial energy savings for minimal capital cost, reducing both operational expenditure and carbon emissions”*

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, I do not feel setting standards above and beyond building regulations is a planning function. It has long been recognised that the building regulations are the national standard to meet. Utilising Building Control will ensure a level playing field for the standards across Wales.

Planning should stick to wider sustainability issues only, with carbon reduction being met by building regulations. Standard should be set above building regulations because they are different issues.

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 –save at risk costs; avoid duplication; encourage development.

Negative –however leaving Part C in policy could result in a potential lack of consistency (subjective).

Negative – Although building regulations will surpass the energy requirements set out in both CSH and BREEAM there are a number issues that are being ignored here. For example Ene2: Fabric Energy Efficiency will reward properties which maximise energy saving measures brought about by fabric first approach. With regards to BREEAM, schemes are tailored to development types and therefore there are number of credits that ensure all round sustainability, including ecological, social and environmental.

In general both schemes encourage all round better quality developments. Loss of industry surrounding these assessments including; assessors, ecologists, acousticians.

There is also an indirect reduction in carbon emissions as results to these assessments that is not being considered.

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

Duplication will not be an issue if no requirements in regards to CO2 are stated within planning policy.

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

- As Technology evolves this is a natural progression.  
  
Remove the emphasis on the need for replacement windows. It should be noted that research indicates that an existing window can be repaired, draught proofed and have secondary glazing installed could produce a U-Value than a replace, emit window.
- This should be an easy target to achieve through a consistent technical approach. Unsure as to how this will be implemented.

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

Yes  No  Don't know

Comments

Yes – the main query on site is why the standard keeps changing; no one has an issue with the standard itself. If we have a standard; albeit higher than existing; that is constant most contractors/mfts/suppliers will be content.

Caution is needed in many circumstances as there could be extreme cases of "thermal bridging".

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

Why not improve? If standards are to be raised then all elements should be addressed to embed a consist approach to our building solutions

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 – would seem sensible, but what stops someone from post installing a room heat or AC unit later.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

Yes – although some reservations in how homeowners would consider this requirement?

Yes - This may deter most home owners from considering extensions. Some improvements may have already been undertaken, further improvements may not be suitable for the type of house/dwelling. This should be benchmarked.

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?  Yes

Should this list be different (please explain below)?

Another approach (please explain below)  Yes

Don't know

Comments

Some of these could be problematic (cavity wall insulation in extreme weather exposure areas) and there are additional elements that could be considered (e.g. windows). Caveat in Building Regulations ensures that cavity wall insulation does not have to be installed where it is not "technically, functionally and economically feasible"

An interactive tool is being developed by the Sustainable Traditional Buildings Alliance (STBA) and this should be used to develop the most effective measures - this is particularly important for traditional (per 1919) buildings, which equate to 34% of the building stock in Wales. The approach should also focus on ensuring that buildings are kept in good repair to ensure energy efficiency. Research highlights that a damp wall can release up to 38% more heat than a dry wall, thus emphasising the need to keep walls in good repair.

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 comments on the need for repair as an energy efficiency measure.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m<sup>2</sup>? Please explain your view.

Yes

No

Don't know

Comments

The type of consequential improvement should be affordable and suitable, but this may be a deterrent to potential improvements

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

No Further 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

If the consequential improvements are as noted above they will be simple and should not in themselves attract additional fee.

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

Flowchart is effective

Reference to paragraph 3.1 referring to pay back. The reference to SAP calculations will provide potentially in accurate paybacks. Please see the STBA report.

Paragraph 3.8 c - the "special consideration" should be required to undertake work such as solid wall insulation due to known and unknown risks (see STBA report).

Paragraph 5.13. Table 3: Data on the U Value of existing walls is inaccurate so we don't know what current U Values are unless institution tests are undertaken which can take 2 - 3 weeks. It is therefore impossible to understand what new U Value is being created. In some circumstances the proposed U Values for walls will be impossible to achieve.

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 Comment

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 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

No 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

No 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

BCB already note much of the information required in any case through the inspection regime

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

Comments

No Comment

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

Comments

BCB

50. Would any other approach be likely to prove more effective instead (such as a PAS<sup>3</sup> type approach).

Yes  No  Don't know

Comments

No 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 – This would simplify the process for SME's used to domestic developments

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

Comments

No Comment

<sup>3</sup> 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

No Comment

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

Yes  No  Don't know

Comments

No further 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 further Comment

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

Comments

This will give more responsibility and may require additional resource to manage.

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:

Not sure that the consultation has taken into account recent and on-going studies, particularly with existing domestic. In Wales there are 1.3million existing homes with a 5,000-10,000 per anum new build rate. Whilst new build needs to be targeted, consequential improvements could have the greatest impact for this exercise. Consequential improvements may not be suitable for many house types.

## #45 – Engineering Panels in Construction

# 2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

### Consultation Response Form

Your name: **Peter Trew**

Organisation (if applicable): **EPIC [Engineered Panels  
in Construction]**

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

Organisational **YES**      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:

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

<p><b>Builders/Developers:</b></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><b>Property Management:</b></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><b>Building occupier:</b></p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p><b>Building Control Bodies:</b></p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p><b>Energy Sector</b> <input type="checkbox"/></p>	<p><b>Fire and Rescue Authority</b> <input type="checkbox"/></p>

<p><b>Designers/Engineers/Surveyors:</b></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><b>Specific Interest:</b></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>
<p><b>Manufacturer/ Supply Chain</b> <b>YES – Association of UK manufacturers of Insulated Panels for the building envelope – Non-domestic buildings</b></p>	<p><b>Other</b> <i>(please specify)</i></p> <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)

**Manufacturing members of the Association are both ‘Large’ and ‘Medium’ organisations**

**(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 **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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010 40% CO<sub>2</sub> saving 25% CO<sub>2</sub> saving Something else (please explain below) Don't know 

Comments

2. Do you agree with the proposal for an 'aggregate' approach to CO<sub>2</sub> target setting for new homes in 2015? The CO<sub>2</sub> target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO<sub>2</sub> 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 CO<sub>2</sub> 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 CO<sub>2</sub> 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 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

Concerns re consistency with England and doubts regarding enforcement

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

NOTE: There is a limit to the airtightness improvements that are realistic and economically feasible for industrial type non-domestic buildings up to 2500 m<sup>2</sup>

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

Yes  No  Don't know

## Comments

See Q13 and Q16. There are concerns about the difficulties of compliance of smaller industrial buildings

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.CO<sub>2</sub>/m<sup>2</sup>/year)

Percentage of roof area of PV

Other

Don't know

Please give reasons for your choice

There are a greater number of renewable generation technologies for non-dom buildings of which PV is one. PV should not be the only reference listed as determining an equivalent performance from an alternative technology is complex and not well defined

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO<sub>2</sub> 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

EPIC's preference is for the 20% aggregate improvement. However it is important that the amendments agreed between the Industrial Buildings Group and DCLG for smaller buildings and currently being incorporated in SBEM [Aug 2012] are made if the target 20% is to be achievable.

Many of the smaller footprint buildings, below 1500m<sup>2</sup>, already have difficulty in complying. A further 20% improvement is likely to require a substantial use of renewables.

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

There is no transparency regarding the new aggregate proportions expected from each of the building types outlined in the 2010 documents. Serious concern was expressed at that time whether industrial buildings could realize the proposed level of savings. Stakeholders should be informed of the new proportionate breakdowns for 2013 because typical industrial buildings cannot provide the same compound increase this time.

18. Do you think that a further recipe should be created for buildings under 250m<sup>2</sup> 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

There is also a strong case for a further recipe for non-dom industrial buildings under 2500 m<sup>2</sup> incorporating revised airtightness levels (see Para 16 above) to enable them reasonably and economically to achieve compliance without a higher than average use of renewables.  
NOTE. Part 2 Pages 156-8 Tables 5 and 6 state values of 3m<sup>3</sup> and 5m<sup>3</sup> that are not reasonably achievable for smaller industrial

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

The assumptions are neither clear nor readily available and therefore it is not possible to comment objectively

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

EPIC has serious concerns about some of the assumptions made by AECOM. For example the claim that improved airtightness can be achieved at no cost. The majority of current non-dom below 2500m<sup>2</sup> footprint struggle to achieve better than 7m<sup>3</sup> with the current level of supervision. Achieving the proposed enhanced levels will require significantly increased costs in terms of improved details and particularly the extent and quality of supervision and planning.

### 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

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 doubt the ability of planning to take a role as they do not understand the technical issues

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

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

This would further complicate the process, create uncertainty and misunderstanding and most likely create additional costs.

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 1000m<sup>2</sup>? 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 1000m<sup>2</sup>? 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

The Green Deal is clearly not working for non-domestic work and without any incentive from Government the only option to achieve some contribution to Carbon /energy savings is to raise the performance levels.

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 PAS<sup>4</sup> 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

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

Yes  No  Don't know

Comments

<sup>4</sup> A PAS

h.

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:

**#46 - Gwynedd Consultancy Building Control - Gwynedd Council**

# 2012 consultation on changes to the Building Regulations in Wales

## Part L (Conservation of fuel and power)

**Consultation Response Form**

Your name: Gwynedd Consultancy Building Control

Organisation: Gwynedd Council

**(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:

Gwynedd Building Control

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

<p><b>Builders/Developers:</b></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><b>Property Management:</b></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 checked="" type="checkbox"/></p>
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<p><b>Building occupier:</b></p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p><b>Building Control Bodies:</b></p> <p>Local authority building control <input checked="" type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p><b>Energy Sector</b> <input type="checkbox"/></p>	<p><b>Fire and Rescue Authority</b> <input type="checkbox"/></p>
<p><b>Designers/Engineers/Surveyors:</b></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><b>Specific Interest:</b></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 checked="" type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>



<b>Manufacturer/ Supply Chain</b> <input type="checkbox"/>	<b>Other</b> ( <i>please specify</i> ) <input style="width: 100%; height: 20px;" type="text"/>
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**(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 – Local Authority

**(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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

- No change to 2010
- 40% CO<sub>2</sub> saving
- 25% CO<sub>2</sub> saving
- Something else (please explain below)
- Don't know

#### Comments

We tend to disagree in principal with the 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.

We also believe that the 40% saving would have a greater impact with regard to cost burdens on developers/contractors on what is already a fragile industry.

2. Do you agree with the proposal for an 'aggregate' approach to CO<sub>2</sub> target setting for new homes in 2015? The CO<sub>2</sub> target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO<sub>2</sub> 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 CO<sub>2</sub> saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes  No  Don't know

## Comments

The recipe seems to be a very practical solution but its success is dependant on factors such as; simplified and straightforward solutions, appropriate technical guidance sheets (or similar) produced.

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 to simplify the process, thus said, the industry needs to catch up to satisfy the new requirements/changes. Provides a fairer approach to remote areas in Wales.

5. For the CO<sub>2</sub> savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes  No  Don't know

## Comments

It should simplify and make compliance much straightforward, considering several sectors within the industry are still struggling with the 2006 and 2010 changes, the proposed recipe specification will be a welcome simplified method of achieving compliance. As above, its success will depend on the industry's ability to catch up.

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

Seems to be the fairest method. That said, if the proportion of internal floor was to be the preferred option, clear definitions and simple calculation methodologies would need to be included.

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

Targets would become easier to achieve on site.

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

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

The documents in general needs to become much easier to read and follow. Although BCO's might find the technical jargon and methods behind some aspects of the document interesting, developers don't care and simply want a simple document and clear cut ways of achieve 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

No 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

As above

## 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

Previous 'loop-holes' as such in previous calculation software packages to achieve compliance with masses of alternative technologies. A fabric first approach would be a much sensible and effective form of 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

Set's a more achievable target, and would have less of an impact on the already fragile industry. See also our opinion in Q1

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

Yes  No  Don't know

### Comments

No comment

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.CO<sub>2</sub>/m<sup>2</sup>/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, a fixed carbon reduction may become problematic and unachievable.

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO<sub>2</sub> 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

To much reliance on PV's in the consultation documents. Alternative methods of compliance should have been explored.

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 comment

18. Do you think that a further recipe should be created for buildings under 250m<sup>2</sup> 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

Domestic house builders tend to also venture into non-domestic developments. Their understanding of non-domestic developments can be very vague at times therefore a simplified method similar to the recipe for dwellings would be a major advantage.

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

No 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

The documents in general needs to become much easier to read and follow. Although BCO's might find the technical jargon and methods behind some aspects of the document interesting, developers don't care and simply want a simple document and clear cut ways of achieve compliance.

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

Following local consultation with Builders Merchants etc, Costs are not accurate. These need to be revised as costs are way off.

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 above

## 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 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

Minimal input. Planning officers usually have a limited understanding of the requirements, Building Control would have the know how and expertise to deal with the changes. If planning were to remain a controlling body, a statutory consultation with Building Control would need to be set up.

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

It would increase complexity of the whole process as it would result in the overlapping of Planning & Building Control legislation. The changes should concentrate on simplifying things and duplication should be avoided

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 energy is one thing but it appears that costs and recovering benefits are at a cost to the developer and end users don't seem to benefit from future financial gain.

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

Unpractical. Powers of this nature should be dealt with by Building Control only and this should be consistent across Wales. Currently different Counties with different local Planning policies complicate things.

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

In theory this should speed up the planning process. The positives would be the reduction in initial cost, reduction in duplication and would further encourage the growth in new developments. The negative implications would possibly be a lack in consistency

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

Should be enforced by Building Control in accordance with 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

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

## Views

It would be sensible to stick with national policy – How can Building Control ask for standards above minimum requirements?

## 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

A balance is required between cost and practicability. Developments of new more effective products required.

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

Yes  No  Don't know

### Comments

See above

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

No further comment – see Q32

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

Definition on conservatory required.  
This 'loop-hole' has been exploited for too long, a reduction in the 30m<sup>2</sup> would be advisable.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

An introduction of a points system could be the answer whereas property owners who have recently spent on upgrading the existing structure could be awarded with a points system, and if all elements have recently been upgraded there would be no requirements to make any further improvements.

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

What happens if these measures have already been done in the past couple of years? How about including New windows, New boiler? 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

People will carry out repairs and maintenance when funds are available, long term it should reduce the demand.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m<sup>2</sup>? Please explain your view.

- Yes  No  Don't know

Comments

The proposals need to be technically, functional and economically feasible to succeed. General thought are that 1000m<sup>2</sup> is 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

No comment

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

People interpret the regulations differently, needs to be monitored for a level playing field to exist.  
 Consider reducing VAT rates  
 Proposals will result in more visits, resulting in arising issues on site and in turn a possible rise in fees.

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

The documents in general needs to become much easier to read and follow. Although BCO's might find the technical jargon and methods behind some aspects of the document interesting, developers don't care and simply want a simple document and clear cut ways of achieve compliance.

Also greater Publicity needed we are still experiencing difficulties with Renovation of Thermal Elements that came in during 2006. WG should drive a publicity campaign for any 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

See above

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

Not our field of expertise

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

Not our field of expertise

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

Not our field of expertise

## 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

Would be a very hand tool to have when carrying out inspections. Possibly the new SAP/SBEM software could generate such a list as the checklist would need to have the values set out in calculation in it.

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

Comments

All elements that have been accounted for in as design SAP calculation.

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

Comments

Building Control, LABC, BRE

50. Would any other approach be likely to prove more effective instead (such as a PAS<sup>5</sup> type approach).

Yes  No  Don't know

Comments

No 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

Would simplify things for the smaller developer

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

Comments

**For** - Simpler compliance **Against** – Open to abuse

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

Comments

Simplify the guidance

<sup>5</sup> 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

Yes in parts, but still a bit complex in some areas. Flowcharts on alternative ways of compliance etc seem to be an effective tool.

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

Extra work load and dependence will fall on BCB's. WG need to take appropriate action to educate all professions within the industry, from your small builder and builders merchant to larger developers.

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:

Reduce the rate of VAT for all related work to cushion the blow of increased costs and kick start the construction sector on related work.  
Need to get Planning Conservation Officers on board. Notably with regard to conservation, Listed buildings, developments within the National Park



**#48 - Construction Products Association**

# 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: Duncan King

Organisation (if applicable): Construction Products Association

**(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:

Construction Products Association

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

<p><b>Builders/Developers:</b></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><b>Property Management:</b></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>
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<p><b>Building occupier:</b></p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p><b>Building Control Bodies:</b></p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p><b>Energy Sector</b> <input type="checkbox"/></p>	<p><b>Fire and Rescue Authority</b> <input type="checkbox"/></p>
<p><b>Designers/Engineers/Surveyors:</b></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><b>Specific Interest:</b></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>

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

We represent over -

45 major Trade Associations,  
 24 Company Members,  
 5 Affiliate Members  
 30 Associate Members

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

Yes  No

Name of scheme:

Some member organisations are

**(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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

- No change to 2010
- 40% CO<sub>2</sub> saving
- 25% CO<sub>2</sub> saving
- Something else (please explain below)
- Don't know

Comments

There is a wide range of views across industry ranging from no change to the full 40%.

2. Do you agree with the proposal for an 'aggregate' approach to CO<sub>2</sub> target setting for new homes in 2015? The CO<sub>2</sub> target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO<sub>2</sub> 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 CO<sub>2</sub> saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes  No  Don't know

Comments

This would appear to most to be simpler than the English Fuel Factor system.

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 most to be simpler than the English Fuel Factor system.

5. For the CO<sub>2</sub> savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes  No  Don't know

Comments

Those who agree with the 40% change see the recipe as sensible, but those who disagree with the 40% option do not see the recipe specifications as practicable.

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

There are a range of views.

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

There is a range of views.

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

Yes  No  Don't know

Comments

There is a range of views. If the values are to be mandatory then they must be significantly different from those in the recipe specification, otherwise there is no flexibility.

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~~ 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 majority do not agree although they differ in their reasons why. These include consistency between Welsh and English approaches maintaining maximum flexibility to reduce costs and practical issues

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

There are supporters for both the 7% and 10% options.

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

Yes       No       Don't know

Comments

See the detailed response from the industrial shed sector via MCRMA and EPIC.

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.CO<sub>2</sub>/m<sup>2</sup>/year)

Percentage of roof area of PV

Percentage of floor area of PV

Other

Don't know

Please give reasons for your choice

There is support for each option.

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO<sub>2</sub> 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

From those that gave a view, Target C was the majority view.

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

See answer to Q.14 and there are concerns over domestic style non-domestic buildings e.g. small doctors surgeries.



18. Do you think that a further recipe should be created for buildings under 250m<sup>2</sup> 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

Essentially members feel that domestic style buildings should be in L1A and small non-domestic treated as noted in Q.14.

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

We are unconvinced that a separate Welsh National Calculation Methodology is necessary and it is likely to increase costs.

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

If anyone is to ask for higher standards then it should be through Building Regulations methodology. The concern is that planners do not understand the technical issues.

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

Given the uncertain future of the Code for Sustainable Homes we cannot answer this question.

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

Local planners should not set local standards. We need a nationally consistent framework.

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 and BREEAM, whilst not universally supported, did at the very least set a consistent framework and this would be lost.

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

If local planners are allowed to call for higher standards, then a framework such as the Code for Sustainable Homes or BREEAM is needed.

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

A single framework minimises duplication.

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 some who do not support any standards higher than 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

It is felt by the majority that the step is too far.

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 industrial shed sector is in agreement but other members disagree.

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 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

Our major companies support the principal of consequential works for extensions or increased habitable space where the work increases the carbon footprint of the building. Within trade association membership there is majority support. The concerns are that consequential improvement requirements could reduce the amount of building work at a time when there is a growth agenda.

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

We believe that the principle should be that only those extra works that would be fundamental under a Green Deal Plan should be required. There needs to be a 'deminus' rule so that home owners do not end up having to take out a Green Deal Plan for very small amounts. Our calculations suggest that Green Deal funding can stretch to a maximum of £12 capital spend for each £1 of annual fuel saving so a rule of thumb guide could be developed on this

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

Views vary but we believe that if a voluntary scheme were introduced then demand would increase.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m<sup>2</sup>? 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

There should always be the opportunity to offer a different technical solution such as a before and after SBEM to show no net increase in CO<sub>2</sub>

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

It should be based on the principles that Robust Details uses to derive its checklists basically looking at all the key areas.

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

Comments

Building Control, builders, supply chain



50. Would any other approach be likely to prove more effective instead (such as a PAS<sup>6</sup> type approach).

Yes  No  Don't know

Comments

The key issue is for all parties to take responsibility and for builders to be more careful to adhere to the specification.

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

We would refer you to the detailed comments of the MCRMA.

<sup>6</sup> 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

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:

## #49 - Torfaen County Borough Council

**PLANNING & PUBLIC PROTECTION SERVICE**  
**GWASANAETH CYNLLUNIO A GWARCHOD Y CYHOEDD**  
**Chief Officer/Prif Swyddog**  
**Duncan Smith**



Your ref/Eich

cyf:

Our ref/Ein

cyf:

Date/Dyddiad 22<sup>nd</sup> October 2012

:

Please

contact/Cysyllter â

Adrian Wilcock

Building Regulations Consultation  
Construction Unit  
Environment & Sustainable Development Directorate  
Welsh Government, Rhyd y Car Offices  
Merthyr Tydfil  
CF48 1UZ

Dear Sir / Madam

### **RE: 2012 CONSULTATION ON CHANGES TO PART L OF THE BUILDING REGULATIONS**

In response to the above consultation I would make the above comments on behalf of the Council's Planning service; noting that the Council's Building Control service have commented separately via the LABC.

The Council supports the Welsh Government's commitment to tackling climate change, sustainable development and the aspiration that all new buildings in Wales should be zero carbon.

The Council also supports the withdrawal of the sustainable buildings planning policy national minimum standard as this is a matter best dealt with by the Building Control rather than the Planning service. It is also agreed that planning should still have a role; both in the master planning of strategic sites and design guidance via Supplementary Planning Guidance through the Local Development Plan. However, there is a concern that meeting any new Part L Standards needs to be addressed early in the design process which may not be the case if the matter is dealt with at the end of the process by building control.

However, the Council's main concern is the timescales for achieving zero carbon in the current economic climate and the likely detrimental effect this will have on securing affordable housing on development sites and the development of employment sites, especially in marginal areas.

We also have concerns that this detrimental effect will be compounded if the proposed new rules on fire sprinklers are also introduced adding to the development costs of a new dwelling.

If the Welsh Government still wishes to deliver on zero carbon by the end of the decade, we suggest that a phased approach to improving energy efficiency is used as hopefully the housing market (and more importantly house prices) improves over time. In viability terms, this would mean that the additional construction costs of improving energy efficiency could be paid for by the increased housing value otherwise the Council would have to reduce the affordable housing or another S106 obligation cost, such as much needed children play and recreation facilities.

Whilst Torfaen has not assessed the impact of introducing code level 4 on affordable housing levels, Newport City Council (and several other local planning authorities) have in their recent Affordable Housing Viability Study; the result of which, evidence the above concerns. These studies also show that introducing code level 4 dwellings would have a greater effect in areas of lower new house values, possibly even making new house building uneconomic in some areas of the Heads of the Valleys.

Finally, please do not hesitate to contact me if you require any further information.

Yours faithfully



**Adrian Wilcock**  
**PRINCIPAL PLANNER**  
**FORWARD PLANNING**

**#50 - Wales Low Zero Carbon Hub**

# 2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

**Consultation  
Response Form**

Your name: **Emma Thomas**

Organisation (if applicable): **Wales Low Zero Carbon  
Hub**

**(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:

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

<p><b>Builders/Developers:</b></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><b>Property Management:</b></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><b>Building occupier:</b></p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p><b>Building Control Bodies:</b></p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p><b>Energy Sector</b> <input type="checkbox"/></p>	<p><b>Fire and Rescue Authority</b> <input type="checkbox"/></p>

<p><b>Designers/Engineers/Surveyors:</b></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><b>Specific Interest:</b></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>
<p><b>Manufacturer/ Supply Chain</b> <input type="checkbox"/></p>	<p><b>Other</b> (<i>please specify</i>)</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

**(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:

**(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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010	<input type="checkbox"/>
40% CO <sub>2</sub> saving	<input checked="" type="checkbox"/>
25% CO <sub>2</sub> saving	<input type="checkbox"/>
Something else (please explain below)	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

### Comments

Although the target for new homes is challenging, it is the feeling of this body that the Government must put steps into place to tackle climate change. There are concerns however, that the use of micro generation of renewable energy is neither the most efficient or cost effective method. The use of the energy hierarchy is welcomed and supported to deliver improved carbon reduction targets. Steps should be taken as soon as practicable by the WG to inform industry where the remaining carbon reduction savings will be realised to achieve the 2018 recast EPBD, a clear vision on the mechanism of Allowable Solutions or whatever mechanism the WG choose to deliver these additional savings.



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

Yes  No  Don't know

#### Comments

The implementation of an aggregated approach is welcomed and long overdue, the recognition of good build form and construction is to be supported. The approach to standardise the construction performance and acknowledge the limitations of mid terrace and apartments to improve above a cost effective limit is appropriate.

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 CO<sub>2</sub> saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes  No  Don't know

#### Comments

In principle we agree with the recipe approach, but the use of renewable energy at the micro level is neither efficient nor cost effective. A simpler approach to compliance is welcomed for smaller contractors and the WLZCH acknowledges the difficulties that will be experienced by Welsh Construction companies. The National House builders will always benefit from design teams, and expertise to deliver any improvements, but the SME sector in Wales will need significant support and guidance on the most cost effective route to delivering low carbon housing.

We do have concerns that the recipe approach will be neither the cheapest or in many cases the most appropriate route to low carbon housing, which strengthens our view that the WG should ensure that appropriate guidance and support is in place long before any new standards are introduced.

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

Although we welcome the recipe approach for each individual fuel type, we must express concerns that the removal of the fuel factor and the setting of challenging standards concurrently will be both challenging and costly to the industry. Historically, the use of fuel factors has delivered solutions to low carbon housing which are neither "low carbon" or user friendly. The need to

5. For the CO<sub>2</sub> savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes  No  Don't know

#### Comments

To deliver the CO<sub>2</sub> savings expressed in the consultation there is no other way to achieve them other than the use of renewable energy. We would reiterate our earlier comments that the use of micro generation is neither the most efficient or effective way of reducing CO<sub>2</sub>. The use of many smaller networks will in many cases only deliver electricity when the home owner is not there and the ineffective exportation of energy to the grid be the resulting outcome. Additional costs may be incurred by this route with the need to strengthen the local grid to ensure it has the capacity to safely deal with the generated energy. Renewable energy generation should be left to the macro level and used at source, or stored to be used later when the residents return.

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

If the standard is set by a fixed proportion of the foundation area, it will restrict the design and configuration of larger properties, resulting in bland and featureless developments. It is important that the Planning system is engaged at the earliest date to ensure that they recognise and allow good orientation and build form, the current focus is set on "Place and Build Line" all of which do not always allow the most appropriate solution to low carbon buildings to be used.

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 fully that the backstop values should be mandatory, if the WG is to deliver a truly fabric first approach then the setting off of one element against another must be curtailed.

Other steps must be put in place to ensure that the U-values submitted and the initial stage are actually delivered on site, with rigorous checks and validation of the "as built" standards. The current system is both lax and open to abuse. It should become necessary that the Building Control Bodies and the SAP Assessors should have as part of their remit a requirement to check the construction details submitted against those that are used on site, there is little evidence that this is the current state of play.

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

Yes  No  Don't know

#### Comments

With current technologies and materials, the values proposed represent a sensible and cost effective level. Steps should be made however to encourage manufacturers to provide more energy efficient materials at a more realistic price. Current manufacturers will in the future have a monopoly of the market should the backstops be reduced further, we feel that this would be neither healthy for the industry or the economy.

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 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 use of PEC is required by the EPBD and the non domestic market is the most logical starting point for industry to accept its use.

The changes to Part L 2010 resulted in there being little room for improvement in the fabric of non domestic buildings, it is therefore more appropriate that the use of energy efficient services and generation are the method of subsequent improvement. The fact that the buildings are in use when energy generation is likely makes its use more appropriate.

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 setting of the standard at 10% above Part L 2010 will help to ensure that this change to the Building Regulations is the last and will allow industry and manufacturers to spend more time designing energy efficient buildings.

Although we support the use of renewable energy on non- domestic buildings, we will feel it should introduced with the need to demonstrate that it will be both used or/and stored at the point of generation through either energy stores or batteries to obviate the need to export to an inefficient grid system.

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

Yes  No  Don't know

### Comments

The setting of TPEC is required as part of the EPBD, but coupled with any removal of the fuel factors this could pose significant problems with the introduction of the proposed standards.

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.CO<sub>2</sub>/m<sup>2</sup>/year)

Percentage of roof area of PV

Other

Don't know

Please give reasons for your choice

The use of the kg.CO<sub>2</sub>/m<sup>2</sup>/year metric keeps the target in line with the approach of using FEES. To set a primary energy use based on floor area sets the standard for the future and allows incremental improvements should they be required in the future.

The complexity of FEES and the energy metric usage is more in line with the non-domestic market as these buildings are historically delivered by professional consultants and design teams.

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO<sub>2</sub> 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

To set the 20% aggregate improvement should hopefully deliver this change being the last change to Part L. With current technologies, understanding and materials, this should be welcomed.

With the revised introduction of the proposed measures by the Welsh Ministers, to set a standard other than the 20% is not logical. If a lower standard was set as the requirement the WG and industry would have to consider another change almost as soon as the requirement is bought in during 2015 to meet the long stop date set out in the re cast EPBD. The monies that would have to be spent by the WG to undertake this process again would be better used providing guidance and help to industry to deliver low carbon buildings in a more efficient way.

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 250m<sup>2</sup> 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

To set a recipe for a building given a notional size is not in our opinion the most sensible approach; a more reasonable approach would be set the recipe based on activity and function of that building. Just because a building is small does not mean in reality that it is simple, but the complexity of any building is set by its function and activities undertaken within it.

The recipe approach does however, have difficulties with the use of FEES, the balance of U values, size, bridging, air tightness and build forms is not easily proscribed, and would potentially result in bland featureless structures, in the desire to be simpler.

We would also express concern that the recipe approach is not potentially the most cost effective or efficient approach to delivering low carbon buildings.

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 use of mixed mode in the Notional Building would help to ensure that the design teams and consultants do not as a first stop use mechanical cooling and ventilation. This approach will encourage designers and engineers to evaluate the potential for appropriate night time cooling, and natural ventilation before opting for a purely mechanical approach. The use of mixed mode will also help to reduce the potential for green washing buildings from the outset.

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

N/A

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 development on the environment needs to be addressed, the impact on built environment will be a positive effect. The amendment to Part L for those able to change and innovate will be an opportunity, a long term economic opportunity for the Welsh construction industry take a lead on low carbon construction.

### 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 role of Planning should be set on ensuring any opportunities for site wide solutions are not lost. It should focus, with the help of Building Control, on the most cost effective and efficient options being put forward, and submitted for approval.

Planning Departments need to be educated in the process of delivering low carbon buildings and site wide energy solutions, the current interpretation of Planning and the requirement for low carbon buildings are not compatible

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 use of the Code and BREEAM should be recognised for what they are designed to deliver, namely a route map to future changes and above regulation requirements. Many aspects of the mechanisms have delivered quantifiable improvements to the built environment, and the removal of any such standards needs careful consideration.

The WG and Westminster have historically aligned. The need for additional and differing sustainability standards should be approached cautiously. Sustainability considerations may be best suited to the Planning system and not the Building Regulations. To deliver sustainability as part of the Building Regulations has been demonstrated by the Scottish Parliament as ineffective. It resulted in a standard so weak as to prove pointless. The only other way to deliver sustainability via the Building Regulations would prove too prescriptive and negate innovation.

The WG currently holds a position as the most sustainable. The removal of independent certification of sustainability may not be the best approach to improve or maintain this position.

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

The costs of certification and assessment are minimal compared to the benefits delivered. We should be addressing the cost of poor design, ineffective solutions put forward by design teams and poor construction. There are many examples across Wales where both BREEAM and the Code for Sustainable Homes, when considered at the outset cost no more than Building Regulation compliant solutions. Often, high costs on investigation are as a result of poor design, poor construction or the late consideration of both standards resulting in a green washing of buildings, or the nonsensical chase for inappropriate credits.

Should the WG desire to set sustainability standards there is no practical reason why they should not set an independent mechanism for doing so themselves, which they would be in control of any future changes or amendments, rather than just aligning to an English standard.

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 role of Planning is to set requirements at a Master Plan and macro level to ensure that developments are linked to existing infrastructure and facilities. The setting of practical standards and requirements at National Level has removed the confusion experienced in England where LA's have historically resorted to one upmanship in setting standards.

Clear parameters and guidance set out at national level will deliver a more cohesive and logical approach to sustainability, without removing the facility for LA's to set higher standards if it sees fit through the existing framework of LDP and SPG's.

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 effects of removing the standards will result in confusion and local interpretation of standards; the National Parks in Wales are a good example of the likely outcomes. The setting of the standards, albeit with a need to align with more Welsh issues rather than adopting an English standard will help to ensure that the sustainability is considered at the outset rather than as an afterthought, to remove the requirement could be a backward step for industry and the environment.

The cost of delivering both standards in the most effective way is minimal. Often cost predictions of achieving the Code/BREEAM often factor in the additional cost of the Assessors or other sustainability consultant's advice and guidance on delivering the standard. This is no different to any other learning rate that will be experienced in the Building Regulations, and has been factored into the WG RIA. Once this lesson is learnt the cost of learning reduces, the cost of not delivering sustainability cannot be reduced by the environment at a later date.

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 Building Regulations should focus on the role it is designed to deliver. Sustainability can be delivered in a number of ways taking a more holistic approach than any prescription in the Building Regulations. The Scottish example is a clear indication of the ineffectiveness of trying to use a mechanism that was designed for one function subsequently trying to deliver another function. It clearly results in an ineffective prescriptive standard which does little deliver sustainability or guidance.

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

Any duplication should be factored out by the creation of a sustainability standard that considers all the systems. The situation has been created by the adoption of an existing standard. The duplication could be removed through the creation of a standard that was tailored to the Welsh environment.

There is more confusion over delivering low carbon buildings and endeavouring to obtain Planning permission than the use of the PfSB policy.

To remove the standards does not sit comfortably with the issues over Climate Change and the wider sustainability agenda that until now the WG has been a strong advocate for.

This may be construed that the first time that the WG has control over the Built Environment it is seen to back track on its standards.

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

#### Views

This mechanism has always been in place, and is not seen to be anything new. The delivery of higher standards at the strategic level is welcomed, but it has only been delayed by the lack of progress at local level to deliver robust UDP's and LDP policies.

The LA's should concentrate on ensuring opportunities for site wide solutions in the energy reduction delivery sector are not lost, and that guidance is produced for Planning Officers on the principles of low carbon buildings and how these principles affect the build form and orientation of any new buildings.

### 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 existing stock is the main opportunity in Wales to tackle climate change and deliver carbon reduction targets; data suggests that the delivery of replacement windows is undertaken at a significant level in Wales. The added advantage of this increased standard is that the demand for replacement windows is customer driven rather than regulatory enforced, and will ensure over a relatively short period that reductions in carbon will be delivered across Wales.

It should also be noted that currently within the replacement window market there is no requirement or standard to improve the thermal bridging at the connection of the window frame to the existing building, this lack of a standard or requirement results in a significant drop in the performance of a window. It is a clear recommendation from this body that the WG takes urgent steps to start the process for introducing this requirement, discussions with FENSA and other glazing organisations should commence as soon as practicable.

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 improvement to the standards for extension in Wales is essential if Wales is to deliver its carbon reduction targets.

There are as many extensions constructed in Wales as new build properties. With the current economic situation residents are more likely to stay in their properties and extend rather than move on.

Any requirement for improved standards to extensions should reflect the capabilities of the industry that will deliver them and the ability or typical construction in Wales to achieve them. This is demonstrated in the consultation document, should the standards be set any higher then we feel that this would significantly increase costs and reduce the number of extensions constructed, in turn impacting on the level of construction activity affecting an already under pressure industry.

- 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

Extension in the non domestic sector are more widespread than new build non domestic buildings in Wales and offer a one off chance to improve standards.

Data analysis indicates that in many cases extensions to non domestic buildings are often larger than the original buildings and therefore this significant increase in energy demand must be tackled and improved if the WG is too meet its carbon reduction targets.

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

This is an area of the industry that is historically difficult to legislate for, the current system of exempting a conservatory as it will not be heated results in the BCB issuing an exemption certificate without ever visiting the property. This is reliant on the accuracy of the information provided at submission and the successful delivery of the original intention not to heat or cool the space.

In the eventuality of there being no fixed heating or cooling in the extension at the point of construction, there is no mechanism for ensuring that any future heating system expansion is not considered for the extension or the use of portable heating or cooling units.

This body feels that a mechanism for checking this anomaly should be considered, that is along the lines of an occupation certificate being required for all extensions regardless of heating or cooling and that there is a mechanism for a 1 year on inspection of extensions to ascertain actual performance. Although we recognise that this may be problematic, this area of construction is one of the most difficult areas to regulate, but must however be tackled.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

The threshold for CI has always been set too high and has resulted in significant opportunities for improvement being lost in the past. As referred to previously many extensions are larger than the initial building and this increase in energy demand offers a one off opportunity to be addressed,

The mechanism proposed in the consultation is both reasonable and practical and should deliver significant reductions in energy demand over a period of time.

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 list of measures proposed offers a pragmatic and reasonable solution, we do however feel that given the issues in Wales regarding high exposure and the risks of inappropriate cavity filling well documented, clearer guidance should be set out in the requirements for when and how a cavity should be declared suitable for filling.

The current situation is open for abuse and incorrect assessment, as the surveyors undertaking the decisions are linked to the installers and suppliers of the measures, and the correct level of independence is not always evident.

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

With the introduction of any new requirement there are two likely scenarios, there will either be a rush before legislation to get in before the new rules or there will be an initial down turn in activity. It is important that the WG produce guidance and support on the reasoning for the need for CI and the mechanisms that exist to support the cost of the additional requirements, (ECO, Green Deal or other).

As the setting of the CI will fall on the BCB this is the mechanism best suited to deliver the advice and guidance, therefore before any new standard is introduced the WG should take steps to ensure that the right support mechanism is in place to deliver the requirement.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m<sup>2</sup>? Please explain your view.

- Yes  No  Don't know

Comments

For reasons previously discussed due to the historic size of extensions in Wales, this mechanism offers a one off opportunity to deliver carbon reduction to the existing stock.

The use of the Building Regulations to trigger improvements to the existing stock is limited and any carbon reduction that is delivered in this sector is down to incentives and grants, therefore this one off opportunity must be taken full advantage of, as only a subsequent change of use or further extension will offer the same opportunity again.



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

An independent assessment of the eligible improvements is essential to meet the requirements of the re cast EPBD (cost optimal approach), without this mechanism there are two likely outcomes, either buildings that could be improved will not, or buildings that shouldn't be improved due to inappropriate and non cost effective solutions being proposed. Either of these outcomes is fundamentally flawed, and it is the responsibility of the WG to ensure that the measures proposed by any of the assessment methods meets the requirements of the cost optimal approach.

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

The main issue in this area is one of notification rather than difficulty in implementing the process, there is a risk that should the standard be set too high then the works will either not happen or be subsequently driven underground and be subject to non notification.

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

There is no evidence that checklists on developments actually work and would no doubt result in additional administrative burden without the delivery of any improvements or benefits.

The National House builders will benefit from a design team and the SME sector will not in our opinion use one.

If BCB see the benefit of a checklist there is no reason why they could not produce one themselves.

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 PAS<sup>7</sup> type approach).

Yes  No  Don't know

#### Comments

The production of a PAS may prove useful but it would be necessary to ensure that it was SME friendly, in the past standards such as these have been produced that are difficult to implement or follow.

As England are in the process of delivering such a standard and the CPA are currently working on a similar approach it would be beneficial for the WG to be part of these discussions and adopt a process that is suited to the SME and self build market in Wales.

- 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

We feel that there is no real benefit to the "domestic in character" non domestic buildings taking this approach, as we do not feel it is the most cost effective or appropriate mechanism for delivering a low carbon building where there is the presence of a design team.

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

#### Comments

As stated previously the recipe is neither cost effective or the most efficient process for deliver low carbon buildings, but in its defence it is simpler and easier to understand.

It does not however remove the requirement to assess over heating risk so the benefits are limited to the small house builder. We feel that the WG should be very clear in its guidance that the recipe approach is neither the cheapest or the most cost effective way of meeting the requirements.

<sup>7</sup> A PAS is a Publically 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 use of SBEM as a design tool is inappropriate and it is not the most effective way of demonstrating compliance. It should be a requirements that only simple form buildings, and non complex buildings should be assessed using SBEM. Any building that is either complex in form or function should be designed with the use of a Dynamic Simulation Model, there should be a clear rule of thumb, simple building SBEM, complex building DSM.

53.

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 whole issue of BCB in Wales needs reviewing and the level of service provided by both considered. At the moment there is one set of Building Regulations but the bodies responsible for delivering compliance have inequitable requirements set upon them, the rules covering both bodies should be aligned and levelled.

The service provision from both bodies should be equitable with the level of fees allowed published by both or neither. There needs to be a root and branch review of how the Building Regulations are implemented in Wales as currently the level of service and expertise is not equitable.

The role of BCB's has been inherited, and there now is the opportunity to create a level playing field in Wales.

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:

**#51 - FGMA (Flat Glass Manufacturers Association)**

# 2012 consultation on changes to the Building Regulations in Wales

## Part L (Conservation of fuel and power)

### Consultation Response Form

Your name: Alain Skelding

Organisation (if applicable): FGMA (Flat Glass  
Manufacturers Association)

**(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><b>Builders/Developers:</b></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><b>Property Management:</b></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><b>Building occupier:</b></p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p><b>Building Control Bodies:</b></p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p><b>Energy Sector</b> <input type="checkbox"/></p>	<p><b>Fire and Rescue Authority</b> <input type="checkbox"/></p>



<p><b>Designers/Engineers/Surveyors:</b></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><b>Specific Interest:</b></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>
<p><b>Manufacturer/ Supply Chain</b> <input type="checkbox"/></p>	<p><b>Other</b> (<i>please specify</i>)</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></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) Members of associations represented by FITP range from micro-enterprises to multi-national companies.

**(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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010 40% CO<sub>2</sub> saving 25% CO<sub>2</sub> saving Something else (please explain below) Don't know 

Comments

40% preferred, so as to avoid a more dramatic change when zero carbon standards are introduced in future revisions.

2. Do you agree with the proposal for an 'aggregate' approach to CO<sub>2</sub> target setting for new homes in 2015? The CO<sub>2</sub> target for any individual dwelling varies depending on the ease with which the building can achieve the target, with the overall required CO<sub>2</sub> 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 CO<sub>2</sub> saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes  No  Don't know

Comments

We are firm believers in a “fabric first” approach, because this minimises the demand for energy from any source (renewable or non-renewable). The performance of the building fabric is permanent, consistent and (generally) maintenance-free. A high standard of fabric performance is essential to ensure the building remains energy-efficient and comfortable in the event of renewable energy supply failing, under-performing or being repaired.

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 CO<sub>2</sub> savings proposed, are the recipe specifications a sensible way of achieving

them? Please justify your choice.

Yes  No  Don't know

Comments

The specifications are available with current technology.

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

Because roof area (where the PVs are most likely to be placed) will be similar to foundation 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

The current system, in which the backstop values are regarded as "reasonable provision", works satisfactorily.

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

Windows and glazing not referenced or costed in isolation in the IA, so we cannot 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

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

For the reasons given in our comments on Q9, we think the introduction of the PEC creates burdens on designers and builders, without commensurate benefit.

13. Please give reasons for your choice.

7%

10%

Don't know

Comments

We prefer the 10% option which achieves 11% CO2 reduction without renewables (table 3.3 in the Consultation Document). It is important to maximise the savings through the building fabric, and to minimise the reliance on energy supply (whether renewable or not), so that the building remains energy-efficient, comfortable and habitable in the event of the energy supply system under-performing due to eg failure, disruption or lack of maintenance.

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

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.CO<sub>2</sub>/m<sup>2</sup>/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 CO<sub>2</sub> 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

Please refer to the answer to Q13.

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 250m<sup>2</sup> 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 non-dwellings are likely to be domestic in character and form of 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

No 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

The comments we made in answer to Q9 and Q12 apply equally to the unilateral introduction of the BPEC criterion.

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 play no role. Building Regulations alone should determine the appropriate standards for energy efficiency in buildings. Please keep administrative procedures and hurdles to a

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

Again, Building Regulations should be the mechanism, and should be sufficient.

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

As in our answer to Q24, energy efficiency in buildings should be a matter for Building Regulations alone.

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

The question asks if we agree with the proposal to raise standards, but the Consultation Document proposes no change in standards! It is therefore inconsistent with the content of the Consultation Document. WER B and 1.4 should be introduced but there should be a target of A & 1.2. Windows are available that achieve B or 1.4 and many installations achieve WERs of B & A. No new technology is required, as the products offering this performance (and better) are readily available. No change to window performance values goes against the stated ambition of the Welsh Government to have the tightest approach to building standards, Section 2.3 Para 26 of the document: [Current analysis indicates some potential to further raise performance standards for extensions and replacement windows and potential improvements in controlled services like non-domestic lighting](#)' we do not wish to see any divergence in standards and implementation dates in the requirements for England and Wales. Such differing requirements would increase glass and window product specifications, resulting in

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 standards required for extensions should be the same as for new build to simplify the supply chain.

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 standards required for extensions should be the same as for new build to simplify the supply chain.

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

This is likely to achieve energy savings. Part L would be improved if the technical guidance included a definition of a conservatory. In earlier versions of Part L a perfectly satisfactory definition was included, and should be included.

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

The Energy Performance of Buildings Directive requires this. We do however feel that the consequential improvements should not be limited to the single option of loft, cavity and cylinder insulation (see answer to Q37 below).

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

For non-domestic buildings, Part L already offers a range of consequential improvement options; the same principle should apply to dwellings, and replacement windows & glazing and secondary glazing should be included in the list of options.

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

This situation has not existed before – however, it will probably increase the consequential activity but reduce the building of extensions.

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

The recast Energy Performance of Buildings Directive requires CI. Conservatories should not be classed as extensions and be given a specific specification.

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

Increased Red Tape and bureaucracy and ultimately cost to the consumer.

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

The Welsh regulations should be consistent with those for England to overcome duplication of product range.

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

Windows and glazing are not in the IA, so we cannot 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

Windows and glazing not in the IA, so we cannot 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

Windows and glazing are not in the IA, so we cannot 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

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

Comments

Windows and glazing have a major impact on the energy performance of dwellings, and should therefore be included.

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

Comments

FGMA would welcome the chance to be consulted on this.

50. Would any other approach be likely to prove more effective instead (such as a PAS<sup>8</sup> type approach).

<sup>8</sup> A PAS is a Publically Available Specification, and the PAS would set out a quality assurance 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

See comment in 51b

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

Comments

Some small domestic-style non dwellings might require air conditioning, so the dwelling fabric standards might not be appropriate.

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:

We want to see a Fabric First approach – improve the building then add on all the other enhancements.

#54 - David Jones

# 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: David Jones C Eng M.I.C.E.

(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:**

<p><b>Builders/Developers:</b></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><b>Property Management:</b></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>
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<p><b>Building occupier:</b></p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p><b>Building Control Bodies:</b></p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p><b>Energy Sector</b> <input type="checkbox"/></p>	<p><b>Fire and Rescue Authority</b> <input type="checkbox"/></p>
<p><b>Designers/Engineers/Surveyors:</b></p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input checked="" type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p><b>Specific Interest:</b></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>

<p><b>Manufacturer/ Supply Chain</b> <input type="checkbox"/></p>	<p><b>Other</b> <i>(please specify)</i></p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
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**(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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

40% CO<sub>2</sub> saving

25% CO<sub>2</sub> saving

Something else (please explain below)

Don't know

Comments

Incorporate fabric requirements only without requirement for PV or equivalent

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

Yes  No  Don't know

Comments

None

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 CO<sub>2</sub> saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes  No  Don't know

Comments

As noted above just fabric with no additional PV or equivalent. PV is at present still a very expensive way to reduce carbon and only sustained by FIT although in fact decreasing. The FIT in turn is supported by a levy on all utility customers. The poor are in effect subsidizing the rich who can afford the cost of initial installation. PV technology and other renewable technologies are changing but it will take some years for the MCS system to catch up when new technologies are introduced in UK.

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

None

5. For the CO<sub>2</sub> savings proposed, are the recipe specifications a sensible way of achieving them? Please justify your choice.

Yes  No  Don't know

Comments

None

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 PV nor renewables at present to comply with B Regs. Eg As a more efficient and alternative way to reduce carbon the use of CO2 refrigerant based DHW heat pumps are being encouraged particularly in Japan and France. This technology is at present not recognised by the MCS scheme in the UK. These heat pumps are more relevant as DHW becomes a greater proportion of the energy use and are non GW such as the present MSC approved HFC pumps.

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

None

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

Yes  No  Don't know

Comments

None

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

None

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

None

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

None

### 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

None

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

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

Yes  No  Don't know

Comments

None

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.CO<sub>2</sub>/m<sup>2</sup>/year)

Percentage of roof area of PV

Percentage of floor area of PV

Other

Don't know

Please give reasons for your choice

None

16. The proposals explain the Government's preference for a 20% aggregate improvement in CO<sub>2</sub> 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

No PV for reasons indicated previously. PV technology changing, MCS system needs time to assimilate changes eg BIPV

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

None

18. Do you think that a further recipe should be created for buildings under 250m<sup>2</sup> 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

None

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

None

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

None

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

None

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

None

### 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

None

## 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

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

None

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

This is clearly illustrated in the impact assessment. Only the mechanism of carbon pricing makes further fabric improvement viable and hence the costs of assessment and certification becomes

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

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

None

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

At present improvements to Building Regs for Part L should be limited to the max fabric improvements that can be sensibly achieved. At this stage the use of renewables (PV or other) should be voluntary not mandatory. Regarding future changes, with 1/3 of housing in Wales either off gas or with solid walls there is a growing number of households who are reinstalling wood stoves. The wood stove sales are purported to have increased 4 fold in the last 3 years as the consumer attempts to lessen the effects of utility price increases. The majority of these stoves are inefficient and increase particulates. Part J and F need urgently updating to allow for more efficient pellet stoves, high temperature gasification stoves and installations to bring into line with other EU countries such as France Germany and Italy. Part L in the future should make allowances for these efficient renewables particularly with regard to room sealed units. However the consumer needs educating alongside these changes and this can only be by government led promotion in order to more efficiently use available biomass. The manufacture and use of Welsh grown timber for construction eg windows etc needs to be better supported by government

At present the MCS approved heat pump technologies are all based on using HFC refrigerant, in order to obtain acceptable operating efficiencies (only GSHP are comparable with gas with reference to operating costs). HFC based refrigerants have a GWP of 1500 to 2500 times CO2!! Other countries in the EU are actively pursuing policies to phase out HFC with natural gases such as CO2.

There still doesn't exist in Wales a comprehensive body that is looking (independent of government) into latest and emerging practices in sustainable construction with particular emphasis on use of efficient use of energy and capturing carbon in construction rather than producing it. Construction Excellence and the Zero Low Carbon are commendable but are too related to existing practices. The new body needs to be of the "Think Tank" kind.

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

None

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

#### Views

There obviously can exist opportunities. CHPs sited alongside Employment zoning or adjacent housing as just one example. But, before this, fundamental problems in the planning process must be addressed particularly to environmental issues. At present there is no requirement for statutory consultees to stipulate any pre monitoring or special requirements related to allocation of a site within the Local Development Plan, even though they have given approval or voiced no objection to the allocation of the site. This is particularly important where sites within the LDP are partially or wholly within a SSSI. A developer or manufacturer for example looking to construct on an employment zone site can initially meet with objections from CCW, at the planning stage, solely based on a presumption against any development. Even after planning approval it is possible for CCW to then introduce a requirement at the condition stage to establish a "regime" for the site. This is to compare any changes to the environment pre, during and post construction. This type of delaying tactic can mean that a project may not proceed for at least 1 year while a regime is established for all seasons. This is simply an absurd situation and should be sorted at the allocation stage within the LDP and regime monitoring implemented if required. This would particularly apply if there was a potentially contentious allocation of a CHP biomass plant for a site.

### 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

Only fabric and services

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

None

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

In most cases a conservatory is used when the sun is shining and there is mostly a heat gain. (In some installations I have witnessed any excess heat has been ducted to the adjacent living room area). A high standard of E Glazing should be required so that on a cold sunny day heat can be retained. Natural ventilation with openable windows can be specified. There should be a facility for a patio door or similar to be used to isolate the conservatory or porch.

The above would reduce the need for room heating or cooling and only be required in extreme conditions. If an air to air A/C is used these have high COPs. I am not aware of any data that shows that the energy used either to heat or cool is of any consequence to warrant imposing changes

36. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

None

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

Yes as long as internal or external wall insulation is not required for solid wall properties.

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

None

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

None



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

None

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

None

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

None

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

None

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

None

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

Cavity wall and loft insulation are amongst the most effective ways of improving the thermal performance of the fabric of houses and provide real energy savings. However, when they are installed, the actual energy savings derived from measurements of before and after consumptions are commonly found to be less than expected from the predictions of models such as BREDEM. This discrepancy, termed a 'reduction factor' is caused in part by changed internal temperatures, a 'comfort factor', with the remainder due to other causes such as insulation performance, occupancy and ventilation. This is part of a report located at the DECC.[http://www.decc.gov.uk/assets/decc/what we do/supporting consumers/saving\\_energy/analysis/insulationmeasures-review.pdf](http://www.decc.gov.uk/assets/decc/what_we_do/supporting_consumers/saving_energy/analysis/insulationmeasures-review.pdf). A reduction factor of 50% should be applied to the projected theoretical savings and not 15% as used in the Impact Assessment. Prelim results from the Arbed programme also show that the savings in energy are a lot less than forecast and in some cases no savings were achieved at all. This fundamentally changes the anticipated carbon savings projected for existing housing although obviously there is an improvement in the quality of the housing stock due to becoming more energy efficient.

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

None

## 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

None

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

Comments

None

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

Comments

None

50. Would any other approach be likely to prove more effective instead (such as a PAS<sup>9</sup> type approach).

Yes  No  Don't know

Comments

None

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

None

<sup>9</sup> A PAS is a Publically Available Specification, and the PAS would set out a quality assurance approach.

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

Comments

None

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

None

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

None

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

Comments

None

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:

Reference is made to the use of the Green Deal as a means of financing upfront costs for compliance or assistance with the proposed regulations. To rely on a mechanism, yet untried, to help deliver the proposed increase in standards is wrong. I provide an example which I believe is not untypical.

A house owner in a uninsulated solid wall detached property would have a high energy use if heating the whole house. Like most house owners he therefore chooses to save on heating costs and just heats most of the time one living room. If he upgraded the wall insulation then the cost would be in the order of possibly £8000 to £12000. Like most house owners on completion he would take benefit of the comfort factor and start using more or all of the house. His energy bill would most probably be equal or very similar to his bill prior to improvement. In these circumstances he would not satisfy the Golden Rule and therefore would not satisfy conditions for the Green Deal.

#56 - ECA

## 2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

### Consultation

#### Response Form

Your names: Giuliano Digilio / Paul Reeve

Organisation (if applicable): ECA

**(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:

This response represents the views of the Electrical Contractors' Association (ECA)

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

<p><b>Builders/Developers:</b></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><b>Property Management:</b></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><b>Building occupier:</b></p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p><b>Building Control Bodies:</b></p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p><b>Energy Sector</b> <input type="checkbox"/></p>	<p><b>Fire and Rescue Authority</b> <input type="checkbox"/></p>

<p><b>Designers/Engineers/Surveyors:</b></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><b>Specific Interest:</b></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>
<p><b>Manufacturer/ Supply Chain</b> <input type="checkbox"/></p>	<p><b>Other</b> (<i>please specify</i>)</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

**(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:

No, however the ECA Group owns and runs the Competent Person Scheme, ELECSA.

**(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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

40% CO<sub>2</sub> saving

25% CO<sub>2</sub> saving

Something else (please explain below)

Don't know

Comments

We have already seen tough carbon targets set by Government, but what is needed is an achievable target.

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

Yes  No  Don't know

Comments

All buildings should apply reasonably practicable measures, in order to maximise carbon savings.

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 CO<sub>2</sub> saving equivalent to an amount of photovoltaic (PV). Please justify your choice.

Yes  No  Don't know

Comments

The 'proxy PV' metric is readily understandable and good for benchmarking.

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 CO<sub>2</sub> 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

Internal floor area gives better indication of energy demand.

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

All reasonably practicable measures should be used to reduce carbon and energy demand.

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

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

We cannot offer further information or analysis to this assessment.







Yes                      No                      Don't know

Comments

It is better than the current NCM but until the software for the Green Deal is issued then it is difficult to assess the full effect.

18. Do you think that a further recipe should be created for buildings under 250m<sup>2</sup> 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

Economies of scale (e.g. for control systems) are not there in small buildings.

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

Wherever possible, the document should separate mandatory requirements from background and other narrative, so it is easy for all to see what is required.











Don't know

Comments

The list should include all Green Deal (GD) listed (which are 'cost effective' in terms of meeting the GD Golden Rule) active and passive energy saving measures.

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

The proposal for requiring full consideration of consequential improvements in certain situations has the potential to increase activity

39. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m<sup>2</sup>? Please explain your view.

Yes  No  Don't know

Comments

The ECA supports this proposal. Non-domestic occupiers are more likely to take a long-term view about the benefits of energy efficiency and renewable measures.

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

We are not sure SBEM covers enough energy saving measures, but we believe that the Green Deal list is a good basis to work on, since it includes 'cost effective measures' which are not a financial burden..

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

The actual requirements should be very clear, and kept separate from supporting information and narrative.

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

The actual requirements should be very clear, and kept separate from supporting information and narrative.

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 domestic/non-domestic extensions? Please justify your view and provide alternative evidence if necessary.

Yes  No  Don't know

























































































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

Don't know

Please give reasons for your choice

Please see our answer to Q13.

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 250m<sup>2</sup> 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 are not aware of any similarity between non domestic buildings and dwellings

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

Not qualified to comment

















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

Comments

It should cover all aspects of compliance

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

Comments

Those interested enough to respond to the consultation process

50. Would any other approach be likely to prove more effective instead (such as a PAS<sup>12</sup> 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

It is important that domestic and non domestic building are kept separate as they, in the main, have different requirements

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

Comments

See our response to Q51a

<sup>12</sup> A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.













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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

40% CO<sub>2</sub> saving

25% CO<sub>2</sub> saving

Something else (please explain below)

Don't know

Comments

No comment

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

Yes  No  Don't know



Fixed percentage of building foundation area

Proportion of gross internal floor area with a practical cap

Don't know

Comments

No comment

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

No comment

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

See reply to Q56.

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









































































































































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

A compliance check list to ensure that details are built correctly will require the building control body to attend site regularly. It has been suggested that some building control bodies based remotely from an application site do not make regular inspections and in some instances rely on photographs taken by the builder. How will this be

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









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 CO<sub>2</sub> saving of 40% reduction in carbon dioxide emissions compared to Part L 2010.

No change to 2010

40% CO<sub>2</sub> saving

25% CO<sub>2</sub> saving

Something else (please explain below)

Don't know

Comments

This would be an appropriate intermediate step to allow the construction industry to kick start with the regulatory burden of cost. The saving should be mostly covered by fabric improvements.

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

Yes  No  Don't know























































them? Please justify your choice.

Yes  No  Don't know

Comments

The specifications are available with current technology.

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

Because roof area (where the PVs are most likely to be placed) will be similar to foundation 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

The current system, in which the backstop values are regarded as "reasonable provision", works satisfactorily.





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

For the reasons given in our comments on Q9, we think the introduction of the PEC creates burdens on designers and builders, without commensurate benefit.

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 which achieves 11% CO2 reduction without renewables (table 3.3 in the Consultation Document). It is important to maximise the savings through the use of appropriate building fabric, and to minimise the reliance on energy supply (whether renewable or not), so that the building remains energy-efficient, comfortable and habitable in the event of the energy supply system under-performing due to e.g. failure, disruption or lack of maintenance.

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



compliance with the non-domestic recipes difficult? Please justify your views.

Yes            No            Don't know

Comments

Small non-dwellings are likely to be domestic in character and form of 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

No 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

The comments we made in answer to Q9 and Q12 apply equally to the unilateral introduction of the BPEC criterion.

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

No comment

















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

Comments

Windows and glazing have a major impact on the energy performance of dwellings and should therefore be included.

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

Comments

The Flat Glass Manufacturers' Group of British Glass would welcome the chance to be consulted on this.

50. Would any other approach be likely to prove more effective instead (such as a PAS<sup>20</sup> type approach).

Yes  No  Don't know

Comments

No 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

See comment in 51b

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

Comments

<sup>20</sup> A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.



