

2012 consultation on changes to the Building Regulations in Wales

Part L (Conservation of fuel and power)

Consultation Response Form

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Organisation (if applicable): SSE

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- (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:

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

<p>Builders/Developers:</p> <p>Builder / Main contractor: <input type="checkbox"/></p> <p>Builder/ Small builder: (extensions/repairs/maintenance, etc) <input type="checkbox"/></p> <p>Installer/ special sub-contractor <input type="checkbox"/></p> <p>Commercial developer <input type="checkbox"/></p> <p>House builder <input type="checkbox"/></p>	<p>Property Management:</p> <p>Housing association (registered social landlord) <input type="checkbox"/></p> <p>Residential landlord, private sector <input type="checkbox"/></p> <p>Commercial <input type="checkbox"/></p> <p>Public sector <input type="checkbox"/></p>
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<p>Building occupier:</p> <p>Home owner <input type="checkbox"/></p> <p>Tenant (residential) <input type="checkbox"/></p> <p>Commercial Building <input type="checkbox"/></p>	<p>Building Control Bodies:</p> <p>Local authority building control <input type="checkbox"/></p> <p>Approved Inspector <input type="checkbox"/></p>
<p>Energy Sector <input checked="" type="checkbox"/></p>	<p>Fire and Rescue Authority <input type="checkbox"/></p>
<p>Designers/Engineers/Surveyors:</p> <p>Architect <input type="checkbox"/></p> <p>Civil/Structural engineer <input type="checkbox"/></p> <p>Building services engineer <input type="checkbox"/></p> <p>Surveyor <input type="checkbox"/></p>	<p>Specific Interest:</p> <p>Competent person scheme operator <input type="checkbox"/></p> <p>National representative or trade body <input type="checkbox"/></p> <p>Professional body or institution <input type="checkbox"/></p> <p>Research/ academic organisation <input type="checkbox"/></p>

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

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

Yes No

Name of scheme:

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

Yes No

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

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

Questions:

New homes

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

No change to 2010

40% CO₂ saving

25% CO₂ saving

Something else (please explain below)

Don't know

Comments

SSE believes that the requirement should be as high as reasonably practicable providing a sensible to the future zero carbon home. Experience under current policies such as CERT/CESP highlights the challenges in increasing the energy efficiency standards in existing homes therefore it is important that new homes are built to high standards due to the long life expectancy of today's new build.

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

Yes No Don't know

Comments

SSE agrees with the principle of an aggregated approach to CO₂ target to ensure that specific types of properties don't have disproportionate cost associated with meeting the standard, however recognises that the absolute saving is what is most important. There are a lot of uncertainties in the modelling for example the future predicted home distribution therefore appropriate sensitivity models must be produced to ensure that there is a low risk that the absolute saving target is not met.

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

Yes No Don't know

Comments

SSE agrees with the proposal as it provides reasonable certainty that any new home could meet the standard at a reasonable cost whilst leaving flexibility in how that CO₂ saving is made.

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

The impact assessment for the English building regulations earlier this year showed that reducing the fuel factor increases the cost to industry in order to comply. In particular it showed that the impact of removing the fuel factor for electric heating would be £4,992. SSE is concerned that this proposal could disadvantage electric heating which plays an important role in decarbonising heat.

The carbon intensity of grid electricity will decrease over the coming years making electric heating a low carbon heating technology. Installing a heating system is a long term decision therefore electric heating should not be disadvantaged now as we can't switch it off in the short term and then expect to quickly bring it back on as the grid decarbonises. Storage heating in particular helps to complement renewable generation by using electricity at off peak times. It is less carbon intensive as it uses electricity at off peak times when the average carbon intensity is lower as the peaking plants such as coal and gas will not be generating.

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

Yes No Don't know

Comments

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

- Fixed percentage of building foundation area
- Proportion of gross internal floor area with a practical cap
- Don't know

Comments

SSE believes that unintended consequences could arise if building foundation area is used. It could mean that a 3 storey home could require the same amount of carbon saving measures to be installed to that of a much smaller home which was a bungalow. SSE believes that the methodology should take into account the expected energy use of the building. Gross internal floor area would help to make this carbon target proportional however as noted, there should be a practicable cap.

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

SSE recognises the importance of 'backstop' values. Measures such as microgeneration will not last for the lifetime of the property therefore there needs to be some minimum requirement for insulation measures to be installed. Standards need to be continually increased to encourage innovation.

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

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

7%

10%

Don't know

Comments

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

Yes No Don't know

Comments

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

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

Percentage of roof area of PV

Other

Don't know

Please give reasons for your choice

SSE believes that this should be consistent with the approach for domestic properties.

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

No change

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

Target B: 11% aggregate improvement (No PV)

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

Don't know

Please give reasons for your choice

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

Yes No Don't know

Comments

No comment.

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

Yes No Don't know

Comments

It must ensure that the unintended consequence doesn't arise where more small buildings are built instead of one large one and consequently more carbon emissions are produced.

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

Yes No Don't know

Comments

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

Comments

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

Yes No Don't know

Comments

22. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for new non-domestic buildings?

Please justify your view and provide alternative evidence if necessary.

Yes No Don't know

Comments

Cumulative impact of policies

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

Yes No Don't know

Comments

National Planning Policy Review

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

Views

SSE believes that planning plays a key role in facilitating higher carbon standards. It is particularly important for technologies such as district heating where they are not commercially viable unless planned.

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

Views

No comment

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

Yes No Don't know

Comments

No comment

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

SSE believes that there should not be a mis-match of standards as this poses problems for developers and the supply chain. However there is a role for local authorities to work with national Government to aid enforcement and to trial new standards before they become a national standard. This ensures a coordinated and robust approach.

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

Views

No comment

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?

SSE believes that having standards above the minimum required enables developers to show that they have reached higher 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

No comment

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

Views

No comment

Existing buildings

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

Yes No Don't know

Comments

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

Yes No Don't know

Comments

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

SSE believes that the exemption should be removed for all porches and conservatories as this is hard to enforce as there is nothing to prevent portable heaters being used.

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

Yes No Don't know

Comments

SSE supports the proposal to require consequential improvements in existing buildings, increasing the habitable space within the home is likely to increase energy usage; therefore it is correct that measures should be taken to increase the efficiency throughout the entire property. This joined up policy approach to buildings and fabric efficiency is important to encourage homeowners to install energy saving and more efficient measures, with the option of taking out Green Deal finance, where appropriate, at key trigger points such as when doing other building work.

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

Do you agree with this list of measures?

Should this list be different (please explain below)?

Another approach (please explain below)

Don't know

Comments

SSE would like to highlight that any obligation placed on building owners which requires them to do work to their property is a sensitive issue, particularly in the domestic sector - therefore a lot of thought needs to go into setting a suitable and fair requirement. However SSE believes that if implemented correctly this could be an extremely successful policy and could encourage property owners to go further than just installing the required improvements.

SSE suggests that homeowners should be required to do all the Green Deal measures achievable through the Green Deal finance mechanism with no upfront cost; this should include measures which can get subsidy through the ECO. To avoid small extensions having to spend a disproportionate amount SSE proposes that a maximum threshold should be introduced as proposed in the English Building Regulations but at a value of 50% of the works. In this arrangement the Green Deal Assessment would decide what is eligible which would be an impartial assessment. SSE recommends a 50% threshold in order to capture measures other than just the easy and well known ones, such as loft insulation, provided there is no upfront cost to householder. SSE thinks that DECC's prediction of Green Deal take-up is optimistic therefore increasing the requirement for consequential improvements will significant help to increase efficiency in homes.

SSE does not think that homeowners should have to finance their measures through the Green Deal mechanism if they do not wish however it seems sensible to use the accredited Green Deal framework rather than a separate mechanism.

SSE does think that it could be considered unfair for homes which are already very energy efficient to have to take out a Green Deal Assessment, which is estimated to cost in the region of £100-£200 to prove that they are not eligible. It is likely that such a home will have a recent EPC certificate which will prove the efficiency of their home or can get one for a much lower cost. SSE proposes that if their EPC certificate proves they have all the basic insulation measures such as cavity and loft insulation, draught proofing and hot water cylinder insulation, where appropriate, then they are not required to do consequential improvements.

There is also the possibility that a % threshold approach will lead to an increasing number of cash in hand jobs and fraudulent activity to cover up the true cost of the work, therefore avoiding the requirement for consequential works. This should be assessed to not disadvantage law abiding citizens but is likely that a tight link with the Green Deal framework could reduce 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

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

Yes No Don't know

Comments

SSE believes that the domestic and non-domestic proposals should be aligned.

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

SSE believes that the domestic and non-domestic requirements should be consistent.

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

SSE believes that there could be issues in enforcing the policy.

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 PAS¹ type approach).

Yes No Don't know

Comments

¹ A PAS is a Publicly Available Specification, and the PAS would set out a quality assurance approach.

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

Yes No Don't know

Comments

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

Comments

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

Comments

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

Yes No Don't know

Comments

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

Yes No Don't know

Comments

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

Comments

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:

There are three further points that SSE would like to highlight:

1. How properties are valued is a significant drawback. Energy efficiency measures such as insulation and any on site microgeneration are not included in the assessment to value the property. This means builders struggle to pass through the additional costs and buyers see little value in these improved measures.
2. Standards need to be high and continually increased to support innovation. For example SWALEC's new Smart Energy Centre in Treforest uses Transpired Solar Collector technology on its south-facing wall which is one of the first installations of its type in Wales. A TSC heats fresh ambient air using solar energy, reducing the need for carbon intensive heating. A perforated steel plate absorbs energy from sunlight and transfers it to the ambient air as it is drawn through the perforations. The solar heated air is then supplied directly to the building, significantly reducing its heating requirement and thus reducing the operational CO2 emissions, whilst at the same time providing a higher level of building ventilation. The technology is being monitored by the Low Carbon Research Institute's (LCRI) Sustainable Building Envelope Centre (SBEC), who provides a showcase for testing and monitoring the latest technology.
3. Electric heating has an important part to play in the UK's future heating mix therefore should not be disadvantaged at this point as heating is long term choice. You cannot expect people to choose one technology now and then switch back to electric heating when the grid is decarbonised. Storage heating in particular has a huge role to play due to its ability to complement renewable generation by using electricity at off-peak times when there is a higher availability of renewables such as wind and as the carbon intensive peaking plants such as gas and coal are offline therefore uses less carbon intensive electricity.

Responses to consultations may be made public – on the internet or in a report. If you would prefer your response to be kept confidential, please tick here: