

Consultation Response Form - Building Regulations Part L and F Review - Changes to Part L (Conservation of Fuel and Power) and Part F (Ventilation) of the Building Regulations for existing dwellings and mitigating overheating in new dwellings

This consultation sets out our plans to improve the energy efficiency requirements for existing homes in 2021. The document also provides detail on mitigating overheating in new dwellings and proposals to implement the Energy performance of buildings directive.

This document is the second stage of a three-part consultation about proposed changes to the Building Regulations. The stage 1 consultation ran between December 2019 and March. Stage 2B on proposals for energy in non-domestic buildings will be issued in the new year.

You can email your response to the questions in this consultation to:
enquiries.brconstruction@gov.wales

If you are responding in writing, please make it clear which consultation and which questions you are responding to:

Building Regulations Part L and F Review

Written responses should be sent to:

Building Regulations, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

If you have any queries on this consultation, please email:
enquiries.brconstruction@gov.wales or telephone: 0300 062 8144.

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not

want your name or address published, please tick the box below. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Confidentiality

Responses to consultations may be made public on the internet or in a report.

If you do not want your name and address to be shown on any documents we produce please indicate here

CONSULTATION FORM

Amendments to statutory guidance

Date:

Your Name:	Elinor Weekley
Your Position (<i>if applicable</i>):	Director
Your Organisation (<i>if applicable</i>):	Royal Society of Architects in Wales (RSAW)
Email / Telephone Number:	rsaw@riba.org
Your address:	Studio 111, The Creative Quarter, Morgan Arcade, Cardiff, CF10 1AF

Type of Organisation: Choose one of the following:	Select one
Builder / Developer	
Small/medium builder	
Volume house builder	
Designer / Engineer /Surveyor	
Local Authority	
Building Control Approved Inspector	
Architect	
Manufacturer/supply chain	
Energy Assessor	

Energy sector	
Construction professional	
Property Manager / Housing Association / Landlord	
Building Occupier/ Resident	
Other interested party (please specify)	Professional body

Question 1

Do you agree with the proposed minimum fabric standards for extensions as set out in Table 4.1?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree with any of the proposed standards, please explain your reasoning with any evidence to support this.	
We agree with the values on the proviso that suitable consideration is made for moisture movement and ventilation within properties in association with Part F.	

Question 2

Do you agree with the proposed minimum energy efficiency standards for windows and doors as set out in Table 10.1?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	
Yes, although we would like to add that 1.4 should be easily achievable. We also have broader concerns over how these minimum standards are enforced.	

Question 3

Do you agree with the proposed minimum standards for (i) a non-exempt conservatory or porch (paragraph 10.29) and (ii) thermal separation for a conservatory or porch so as to be exempt from the energy efficiency requirements as provided in Section 10 (paragraph 10.28)?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree please explain your reasoning with any evidence to support this.	

We believe the challenge is ensuring the space is genuinely unheated. We also believe it would be helpful if an external-grade door (with sufficient insulation and air-tightness measures) must be specified between a conservatory/porch and the rest of the dwelling.

Question 4

Do you agree with the proposed minimum standards for retained thermal elements for conversions as set out in Table 11.1 and the additional guidance to help address potential moisture risks?

- | | |
|-----------|---|
| a. Yes | X |
| b. No | |
| c. Unsure | |

If you do not agree please explain your reasoning with any evidence to support this.

Question 5

Do you agree with the suggested knowledge/qualifications proposed for renovations, conversions or material change of use given in Section 11, where the suitability of an element needs to be assessed prior to the application of insulation, or where it is recommended that expert advice be sought?

- | | |
|-----------|---|
| a. Yes | X |
| b. No | |
| c. Unsure | |

If you do not agree please explain your reasoning with any evidence to support this.

We support the need for sufficiently qualified people to carry out the assessments.

Question 6

Do you agree with the removal of Appendix C from the current Approved Document?

- | | |
|-----------|---|
| a. Yes | X |
| b. No | |
| c. Unsure | |

If you do not agree please explain your reasoning with any evidence to support this.

Question 7

Do you agree with the introduction of 'Boiler Plus' in Section 6?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree please explain your reasoning with any evidence to support this.	

Question 8

Do you agree with the minimum standards for building services in Sections 5 and 6?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree please explain your reasoning with any evidence to support this.	

Question 9

Do you agree with the proposal that when a space heating system is installed or replaced in an existing home, the system should be sized to allow the space heating system to operate at a flow temperature of 55°C or lower where feasible in Section 5?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree please explain your reasoning with any evidence to support this.	

Question 10

Do you propose any other future-proofing measure(s)?	
a. Yes	X
b. No	
If Yes, please detail your measure(s) and what building work would trigger the need to install the measure.	
We believe that if zero carbon systems are not being installed now, then consideration should be made as to how such systems could be installed in the future.	

Question 11

Do you agree with the proposed changes to consequential improvements in Section 12?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	
We would advocate the introduction of some measures around air tightness written into the regulations at any scale of extension/conversion.	

Question 12

Do you agree with the proposed approach for Self-Regulated Devices as in Section 5?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	
We believe regulations could more helpfully establish the need for self-regulated devices to be designed in such a way that they don't conflict with each other.	

Question 13

Do you agree with the proposed new standards for Building Automation and Control Systems (BACS) and On-Site Electricity Generation as in Section 6?	
a. Yes	
b. No	X
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	
We believe it is not advisable to have hardware in properties that ties the residents to specific service providers. Residents should be able to choose their provider, regardless of the manufacturers of the hardware.	
We also believe installing photovoltaic systems without a battery should not be permitted.	

Question 14

Do you agree with the proposed approach to mandate for the assessment and

provision of information for Technical Building Systems as in Section 9?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	
We support the approach, but we feel that dwellings should be commissioned on a whole-home basis (i.e. ensure the services in the dwelling are working as designed both in terms of individual components and the system as a whole).	
We would also like to see the inclusion of measures required to make a property net zero in the future. This would allow the resident to understand which measures will be needed over the next decade or two. Consequentially, this could encourage developers to introduce some measures immediately as purchasers become more knowledgeable about the future requirements of their homes.	

Question 15

Do you agree with the proposed approach to change from the “equivalent carbon target approach” to the “equivalent primary energy target approach” in Section 13 to provide design flexibility?	
a. Yes	
b. No	X
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	
We believe the metric that should be reported here is carbon output and not energy consumption.	

Question 16

Do you agree with the proposed approach for ventilation provisions when installing energy efficiency measures as in Section 3?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	
At 3.6 (Simplified Method), we would like to see the inclusion of ‘evidenced’, so it would read: <i>“The simplified method set out in paragraphs 3.7 to 3.12 is designed to apply to an existing dwelling, assumed to have evidenced adequate means of ventilation...”</i>	

Question 17

Do you agree with the proposal in Section 3 to include additional ventilation when replacing existing windows which either have no background ventilators, or where the size of the background ventilators in the existing window is not known?

a. Yes

b. No

X

c. Unsure

If you do not agree, please explain your reasoning with any evidence to support this.

We believe it should be more nuanced. We believe that if there is evidence the property is not currently sufficiently ventilated, extra measures need to be taken.

Question 18

Do you agree with the changes proposed in Section 3 for ventilation provisions when adding a new habitable room (not including a conservatory) to an existing dwelling?

a. Yes

b. No

X

c. Unsure

If you do not agree, please explain your reasoning with any evidence to support this.

It should be demonstrated that an alternative ventilation strategy is not possible before resorting to measures suggested here.

Question 19

Do you agree with the changes proposed in Section 3 for ventilation provisions when Refurbishing a kitchen or a bathroom?

a. Yes

b. No

X

c. Unsure

If you do not agree, please explain your reasoning with any evidence to support this.

At 3.30, we believe an assessment should be made whether a ventilation system is required (rather than stating it is not required).

Question 20

Do you agree with the proposal that mechanical ventilation (including both continuous and intermittent ventilation) should be tested when installed in existing homes?

a. Yes

X

b. No

c. Unsure

If you do not agree, please explain your reasoning with any evidence to support this.

--

Question 21

Do you agree with the proposed approach for Self-Regulated Devices as in Section 11 (Approved Document L2A) and Section 15 (Approved Document L2B)?	
a. Yes	
b. No	
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	

Question 22

Do you agree with the proposed specifications for Building Automation and Control Systems (BACS) as in Section 11 (Approved Document L2A) and Section 15 (Approved Document L2B)?	
a. Yes	
b. No	
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	

Question 23

Do you agree with the proposed new standards for Building Automation and Control Systems (BACS) and On-Site Electricity Generation as in Section 11 (Approved Document L2A) and Section 15 (Approved Document L2B)?	
a. Yes	
b. No	
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	

Question 24

Do you agree with the proposed approach to mandate for the assessment and provision of information for Technical Building Systems as in Section 7 (Approved Document L2A) and Section 14 (Approved Document L2B)?	
a. Yes	
b. No	
c. Unsure	

If you do not agree, please explain your reasoning with any evidence to support this.

Question 25

Do you agree with the proposal to focus both on flats and on houses which do not have two or more parallel aspects to facilitate cross-ventilation?

a. Yes

b. No

c. Unsure

If no, please explain your reasoning with any evidence to support this.

Question 26

Do you agree with the proposal to have both a simplified approach which provides prescriptive guidance and an approach based on dynamic thermal analysis to provide greater flexibility?

a. Yes

X

b. No

c. Unsure

If you do not agree, please explain your reasoning with any evidence to support this.

Question 27

Do you agree with the prescriptive guidance for the simplified approach which aims to both control solar gains and provide ventilation to remove heat from the home?

a. Yes

b. No

c. Unsure

If you do not agree, please explain your reasoning with any evidence to support this.

Question 28

Do you agree with the guidance provided for the dynamic thermal analysis?

a. Yes

X

b. No

c. Unsure

If you do not agree, please explain your reasoning with any evidence to support this.

--

Question 29

Do you agree with the proposed knowledge required for undertaking the dynamic thermal modelling?	
a. Yes	X
b. No	
c. Unsure	
If not, please explain your reasoning and suggest alternative guidance to help ensure that the modelling is undertaken by a person competent to do so.	

Question 30

Do you agree with the proposal for demonstrating that all reasonable passive measures have been applied before including active measures? If not, explain your reasoning and suggest alternative guidance.	
a. Yes	
b. No	
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	

Question 31

Do you agree that issues of external noise and air pollution, which may affect the use of mitigation measures (e.g. opening windows) are sufficiently addressed through the Planning system?	
a. Yes	X
b. No	
c. Unsure	
If you do not agree, please explain your reasoning with any evidence to support this.	

Question 32

Do you agree that existing Parts of the Building Regulation are sufficient to address safety and security concerns due to the use of openable windows to control for overheating?	
a. Yes	
b. No	
c. Unsure	

If you do not agree, please explain your reasoning with any evidence to support this.

Question 33

Do you agree that the transitional arrangements for the energy efficiency changes in 2021 should not apply to individual buildings where work has not started within 2 years of the coming into force date of the 2021 Part L and Part S amendments – resulting in those buildings having to be built to the new energy efficiency standard?

a. Yes - where building work has commenced on an individual building within 2 years, the transitional arrangements should apply to that building, but not to the buildings on which building work has not commenced

X – but we believe it should be 1 year.

b. No– the transitional arrangements should continue to apply to all building work on a development, irrespective of whether or not building work has commenced on individual buildings

c. Unsure

If no, please explain your reasoning and provide evidence to support this.

Question 34

The Impact Assessment makes an estimate of the impact of the individual proposals. Do you think these provide a fair assessment of the costs and benefits?

a. Yes

X

b. No

c. Unsure

If no agree, please provide evidence of reasonable costs and benefits.

Question 35

We would like your views on the effects that the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Question 36

Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

--