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](mailto: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](mailto:enquiries.brconstruction@gov.wales) or telephone: 0300 062 8144.

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| **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. |

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| **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**

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| --- | --- |
| **Amendments to statutory guidance** | |
| **Date:** | |
| Your Name: |  |
| Your Position *(if applicable):* |  |
| Your Organisation *(if applicable):* |  |
| Email / Telephone Number: |  |
| Your address: |  |

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| --- | --- |
| Type of Organisation: **Choose one of the following**: | Select one |

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| 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) |  |

**Question 1**

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| --- | --- |
| Do you agree with the proposed minimum fabric standards for extensions as set out in Table 4.1? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree with any of the proposed standards, please explain your reasoning with any evidence to support this. | |

**Question 2**

|  |  |
| --- | --- |
| Do you agree with the proposed minimum energy efficiency standards for windows and doors as set out in Table 10.1? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**Question 3**

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| --- | --- |
| 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)? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree please explain your reasoning with any evidence to support this. | |

**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? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree please explain your reasoning with any evidence to support this. | |

**Question 6**

|  |  |
| --- | --- |
| Do you agree with the removal of Appendix C from the current Approved Document? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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)? | |
| 1. Yes |  |
| 1. No |  |
| If Yes, please detail your measure(s) and what building work would trigger the need to install the measure. | |

**Question 11**

|  |  |
| --- | --- |
| Do you agree with the proposed changes to consequential improvements in Section 12? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**Question 12**

|  |  |
| --- | --- |
| Do you agree with the proposed approach for Self-Regulated Devices as in Section 5? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**Question 16**

|  |  |
| --- | --- |
| Do you agree with the proposed approach for ventilation provisions when installing energy efficiency measures as in Section 3? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**Question 19**

|  |  |
| --- | --- |
| Do you agree with the changes proposed in Section 3 for ventilation provisions when Refurbishing a kitchen or a bathroom? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**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? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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)? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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)? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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)? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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)? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**Question 25**

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| 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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If no, please explain your reasoning with any evidence to support this. | |

**Question 26**

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| --- | --- |
| 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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**Question 27**

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| --- | --- |
| 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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**Question 28**

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| --- | --- |
| Do you agree with the guidance provided for the dynamic thermal analysis? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**Question 29**

|  |  |
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| Do you agree with the proposed knowledge required for undertaking the dynamic thermal modelling? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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**

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| 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. | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**Question 31**

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| 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? | |
| 1. Yes |  |
| 1. No |  |
| 1. 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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If you do not agree, please explain your reasoning with any evidence to support this. | |

**Question 33**

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| 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? | |
| 1. 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 |  |
| 1. 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**

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| 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? | |
| 1. Yes |  |
| 1. No |  |
| 1. Unsure |  |
| If no agree, please provide evidence of reasonable costs and benefits. | |

**Question 35**

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| 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? |
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**Question 36**

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| 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. |
|  |