



Llywodraeth Cymru
Welsh Government

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Building Regulations Wales

Part L consultation proposals 2012

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Overview of proposals

- Context
- Proposals outline
- Consultation package
- Development process
- Timeline for introduction
- Cumulative impacts
- Changes to planning policy
- Future thinking
- Regulatory Impact Assessment

Context

- Climate Change Act 2008 – 2020/2050 targets
- 9th July 2010, policy statement - 55% improvement on Part L 2006 for domestic new build by 2013,
- practical steps to raise standards for non domestic, and existing stock.
- WG 3% annual emissions reduction commitment
- EPBD recast Nearly Zero Energy by 2018/20

Main proposals

Higher standards new and existing buildings, the options being:

- A phased implementation with a 40% improvement for new housing from January 2015 (**Preferred option**), or
- A staged 25% improvement in 2014 followed by a review in 2016 to increase standards to zero carbon before 2018/20;
- 20% (**Preferred option**), 10% or 11% improvement on Part L 2010 for new non domestic buildings;
- Improved standards where existing buildings are renovated or extended; and
- The withdrawal of TAN 22 Code/BREEAM planning policy, but retaining master planning for strategic sites through the Local Development Plan.

Consultation package

- The proposals:
 - New buildings, cumulative impact of policies
 - National Planning Policy (TAN 22) Review
 - Existing buildings
 - Compliance and performance
 - Future thinking
- Revised Approved Documents
- Impact Assessment
- cSBEM an cSAP
- CRIBE SAP-o-meter
- Errors

Review process

- 1. 15 months development work**
- 2. Assisted by the advisory committee (BRACW) and WLZCH**
- 3. 8 stakeholder sessions**
- 4. Manufacturer discussions**
- 5. Internal discussions over WG programme impacts**
- 6. BETS construction sector advisory panel**
- 7. Review of:**
 - New and existing dwellings**
 - New and existing Non Domestic**
 - Compliance**

Timetable

July 2012	Consultation commences (12 weeks) Ends 23 October
December 2013	Regulations to implement changes to Part L and Publication of Approved Documents
June 2014	New build non domestic standards and performance standards for works to existing buildings come into force (subject to transitional arrangements)
January 2015	New build standards for dwellings come into force (subject to transitional arrangements)

Cumulative policy impacts

- Concern that policy considered in isolation, commitment given to Council for Economic Renewal
- Viability assessments base on real data
- Conclusions:
 - Sprinklers same impact as 25% improvement
 - Realism needed when negotiating developer contributions e.g. affordable housing
 - Low value areas affected most

TAN 22 planning policy

Covers:

- **National Development Control Policy.** Policy which expects new homes and major new non-residential developments to achieve a minimum sustainable building standard under the Code for Sustainable Homes and BREEAM.
- **Strategic Sites.** Policy that expects LPAs to identify opportunities for higher sustainable buildings standards for strategic sites and include relevant policies in their Local Development Plan (LDP).

TAN 22 planning policy

Issues:

Code/BREEAM assessment in addition to Building Regulations

- Separate assessment fees and process
- Code/BREEAM owned by third party
- Both cover environmental issues beyond Building Regulations

TAN 22 planning policy

Proposed:

- Withdraw general code/BREEAM expectation
- Retain setting standards for Strategic Sites

Initial consultation on principles

Future thinking

- Zero carbon homes
- Climate change adaption - Indoor air quality and summer overheating
- Non domestic standards – increasing the scope of the regulations
 - Zero carbon non domestic buildings
 - Metrics
 - Energy efficiency standards
 - CO2 targets

EU Recast Energy Performance in Buildings Directive

2013

Changes to definitions

Primary energy, high efficiency systems – SBEM/SAP revised reporting

Cost optimal methodology

2018/20

Near zero energy new buildings

Regulatory Impact Assessment

1. Carbon and energy benefits v societal costs
2. 4 options:
 - Low (25% and 11%)
 - High (40% and 20%) Preferred
 - Hybrid (25% and 20%)

Regulation 7 and CPR

Approved Document supporting Regulation 7 (Materials and Workmanship)

- The EU CPR mostly applies from 1 July 2013.
- Construction products will have to be tested against harmonised EU standards and CE marked in the UK.
- To date it has been voluntary in UK
- No separate regulations here but ADs will need revisions
- Aimed at simplifying and improving the credibility of the CE marking. Declarations of Performance and CE marking will become the main source of information on the performance characteristics of construction products from July 2013.
- Approved Documents L1A, L1B, L2A and L2B to be amended following consultation on changes to Regulation AD - separate consultation.