



**EXECUTIVE**  
**18 December 2019**

**Agenda Item No. 7**  
**Addendum**

<b>Title</b>	Warwick District Council's response to the Government's consultation regarding Building Regulation standards	
<b>For further information about this report please contact</b>	Lorna Hale Senior Planner, Policy & Delivery Development Services 01926 456505 lorna.hale@warwickdc.gov.uk	
<b>Wards of the District directly affected</b>	All	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	N/A	
<b>Background Papers</b>	The consultation document "The Future Homes Standard: Changes to Part L and Part F of the Building regulations for new dwellings"	
<b>Contrary to the policy framework:</b>	No	
<b>Contrary to the budgetary framework:</b>	No	
<b>Key Decision?</b>	Yes	
<b>Included within the Forward Plan? (If yes include reference number)</b>	Yes 1078	
<b>Equality Impact Assessment Undertaken</b>		
<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	30/10/19	Bill Hunt
Head of Service	30/10/19	Dave Barber
CMT	30/10/19	Chris Elliott/Bill Hunt/Andy Jones
Section 151 Officer	30/10/19	Mike Snow
Monitoring Officer	30/10/19	Andy Jones
Finance	30/10/19	Mike Snow
Portfolio Holder(s)		Cllr John Cooke
<b>Consultation &amp; Community Engagement</b>		
<b>Final Decision?</b>	Yes	
<b>Suggested next steps (if not final decision please set out below)</b>		

## **1. Summary**

1.1 This report seeks approval to submit the response on behalf of Warwick District Council to the Government consultation "The Future Homes Standard: changes to Part L (energy) and Part F (ventilation) of the Building Regulations for new dwellings".

## **2. Recommendations**

2.1 That the Executive notes the content of the consultation response (Appendix 1) and agrees that Officers submit this to the Government on behalf of the Council.

## **3. Reasons for Recommendations**

3.1 The Council declared a Climate Change Emergency on 27 June 2019 and immediately commenced work on its Climate Change Strategy. Subsequently work has also commenced on a Development Plan Document (DPD) which will contain planning policies dealing with new developments in the district and laying down higher standards of design to meet the local and national targets for reducing carbon emissions.

3.2 As part of the work on the DPD a cross-party Members Reference Group has been formed to provide strategic direction to officers. The response in Appendix 1 has been drafted following a meeting of the MRG and has the support of those members.

3.2 The Government's consultation document "The Future Homes Standard: changes to Part L and Part F of the Building Regulations for new dwellings" was published in October 2019. It has been anticipated for some months in the expectation that it would provide the legislative framework for much higher standards of energy efficiency and ventilation to enable ambitious targets in a shorter time period than initially envisaged; working toward a zero carbon future.

3.3 The published document outlines two options for consultees to comment upon. The first would offer a 20% reduction in CO<sub>2</sub> over current standards, for new dwellings (based on a three-bedroom semi-detached house) utilising very high fabric standards to minimise heat loss from windows, walls, floors and roofs (typically with triple glazing), a gas boiler and a waste water heat recovery system. It is estimated that this would add £2557 to the build-cost of a new home and would save households £59 a year on energy bills.

3.4 Option two would offer a 31% reduction in CO<sub>2</sub> over current standards and is the Government's preferred option. It is based on an increase in fabric standards (but not as high an increase as in Option 1, likely to have double rather than triple glazing), a gas boiler, waste water heat recovery system and photovoltaic panels. It is estimated that this option would add £4847 to the build-cost of a new home and would save households £257 a year on energy bills.

- 3.5 These options would be considered again and potentially increased in 2025. The consultation document has a total of 69 questions split into sections, however as most of this is technical in nature and more relevant to building control officers, members of the working party involved in steering the DPD would like to submit a much broader response on behalf of Warwick District Council. The views of all Building Control officers will be presented by the national body, Local Authority Building Control (LABC). There will therefore not be a separate response from Building Control, although officers from both Planning Policy and Building Control are comparing responses to ensure no anomalies occur. The consultation ends on 10 January 2020.
- 3.6 The consultation response sets out the Council’s disappointment that neither of the options offered are far reaching enough and do not allow this Council to meet its own targets as set out in the Climate Change Emergency declaration. Furthermore, the government intends to revoke the powers of local authorities to exceed any standards within the Building Regulations in the future which puts this Council at a severe disadvantage when tackling its local issues and contributing to the national targets of becoming net-zero carbon by 2050.
- 3.7 The implementation of the new standards will initially set up some confusion among developers as to which standards will apply on sites already in development. To ensure that dwellings are built to current rather than new standards, developers are likely to make ‘starts’ on plots which will not then progress for many months or even years. This is not acceptable when local targets are in place to exceed current standards and make serious progress toward a net-zero future. There are already too many arguments around viability and any delay or under achievement will allow this to continue, devaluing the work that this council is putting in to achieve its own targets and contribute more than is required to improve upon the situation nationally.

#### 4. Policy Framework

- 4.1 Fit for the Future (FFF)  
The Council’s FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council’s FFF Strategy.

<b>FFF Strands</b>		
<b>People</b>	<b>Services</b>	<b>Money</b>
<b>External</b>		
<b>Health, Homes, Communities</b>	<b>Green, Clean, Safe</b>	<b>Infrastructure, Enterprise, Employment</b>

<u>Intended outcomes:</u> Improved health for all Cohesive and active communities	<u>Intended outcomes:</u> Area has improved environment and contributes to the national targets Improved air quality	<u>Intended outcomes:</u> Improved health for local residents and the workforce
<b>Impacts of Proposal</b>		
Will help co-ordinate the delivery of the strategic aims of the Local Plan through the provision of a DPD in due course	Will help co-ordinate the delivery of the strategic aims of the Local Plan through the provision of a DPD in due course	Will help co-ordinate the delivery of the strategic aims of the Local Plan through the provision of a DPD in due course
<b>Internal</b>		
<b>Effective Staff</b>	<b>Maintain or Improve Services</b>	<b>Firm Financial Footing over the Longer Term</b>
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes	<u>Intended outcomes:</u> Better return/use of our assets Seek best value for money
<b>Impacts of Proposal</b>		
Improve the local environment and contribute to the global improvements needed to overcome the effects of climate change	Improve the local environment for all those within the district and further afield	Improved health and wellbeing across the district resulting in a skilled and healthy workforce

#### 4.2 Supporting Strategies

Each strand of the FFF Strategy has several supporting strategies. The Local Plan is one of the key strategies, cutting across many of the FFF strands. Building Regulations have a key role in delivering sustainable buildings and especially new housing in the district and as such should be of the highest possible standard. This will contribute to the objectives of the Local Plan.

## **5. Budgetary Framework**

- 5.1 There are no costs directly incurred as a result of the approval to submit a response on behalf of Warwick District Council to this consultation

## **6. Risks**

- 6.1 There are no specific risks associated with approving the consultation response.

## **7. Alternative Option(s) Considered**

- 7.1 The Council could decide not to respond to the consultation. There is a risk in not responding that the request for even higher standards wanted by this Council would not be recorded. Additionally, the warning that the proposed standards would impede progress to meet local and national targets on climate change would not be explicit.
- 7.2 The Council's objection to the revocation of the powers for local planning authorities to exceed the new standards is of particular importance for government to note, given that the levels proposed are lower than those required to meet local targets.
- 7.3 The Council could request an alternative response be drafted. However, Appendix 1 is the conclusion of the appropriate Members Reference Group and is therefore the most appropriate position of the Council

## **8. Background**

- 8.1 The latest Building Regulations (Part L, conservation of fuel and power) have been in force since 2013 (with subsequent amendments). These are now out of date due to the Government's recent adoption of a national target for zero carbon emissions by 2050. Furthermore, technological advancements have been made with regard to the provision of low and zero carbon emission heating and power systems which could meet higher standards.
- 8.2 Part F of the Building Regulations dealing with ventilation has been in force since 2010 with amendments in 2013 and reprinted in 2015. Clearly, this too is now out of date given the technological advances in systems to improve and control humidity, mechanical ventilation and air pollution within buildings.