

Consultation on the Future Homes Standard: changes to Part L and Part F of the Building Regulations for new dwellings

<https://www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-dwellings>

ALEO London Response

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The Association of Local Energy Officers London (ALEO London) represents local authority energy and fuel poverty officers in Greater London. We have over 60 local authority members from across the 33 London boroughs and over 40 associate members from partner organisations involved in promoting home energy efficiency within the capital.

27 London boroughs have made a declaration of a climate emergency with the majority of these setting targets to be carbon neutral by 2030. Our members are delivering on ambitious carbon reduction targets and working to support vulnerable residents at risk of fuel poverty. Some of the proposals in this consultation are potentially counterproductive in relation to both these priorities, and we urge Government to be open minded in considering the points below.

Q1

Do you agree with our expectation that a home built to the Future Homes Standard should produce 75-80% less CO2 emissions than one built to current requirements?

A 75-80% reduction from 2025 is a backwards step from the Zero Carbon requirement that has been in place in London for major developments since 2016. The Zero Carbon standard in London is driving innovation, which over time reduces costs of carbon reduction, and there is clear evidence that it is working.

The Committee on Climate Change advocates strongly that energy performance should be based on actual performance, rather than estimated or forecast. Relying simply on a percentage estimate provides too many opportunities for developers to avoid the highest fabric standards.

We face huge challenges in meeting our climate change ambitions in relation to existing housing stock. New buildings should add to that burden. The focus should be zero carbon and compliance needs to be based on actual performance.

Q2

We think heat pumps and heat networks should typically be used to deliver the low carbon heating requirement of the Future Homes Standard. What are your views on this and in what circumstances should other low carbon technologies, such as direct electric heating, be used?

Government needs to address reliance on fossil fuels for space and water heating, and as part of this heat pumps and heat networks will need to be supported.

It is important to ensure the best system is used for each location rather than adopt a dogmatic approach. Alongside heat pumps and heat networks other technologies such as solar thermal water heating and solar pv can be viable options, particularly in London. Fundamentally, it is vital that these low carbon heating systems are installed alongside energy efficient fabric to all buildings.

Heat networks have significant potential in urban areas, particularly where there are opportunities to use waste heat and the standards should be clear that not all heat networks are equal in terms of carbon reduction.

Heat networks have had a history of problems, particularly when it comes to actual as opposed to predicted performance, and Government needs to continue to raise standards working with industry to ensure that built performance is acceptable. It is also important that heat pumps are designed, specified, installed and operated correctly to avoid high bills for the consumer. As well as raising standards for future homes there is a need to find ways to improve poorly designed and installed systems that are a legacy of lower standards.

More generally, the impact of policy on low income households needs to be properly understood and addressed. The proposal elsewhere in the consultation to set a minimum target to ensure homes are affordable to run is welcome, but this is another area where actual performance as opposed to predicted is vital. The use of electric heating needs to be properly considered in terms of affordability. As well as the impact on the individual fuel poverty represents a significant burden on health and adult social care budgets.

Q4

When, if at all, should the government commence the amendment to the Planning and Energy Act 2008 to restrict local planning authorities from setting higher energy efficiency standards for dwellings?

The government should not commence this amendment to the Planning and Energy Act and Local authorities should not be stripped of their ability to set stretching and locally applicable targets. This is particularly critical in respect of local authorities responding to the climate crisis as carbon offset funding is one of the very few opportunities that exist to deliver against these ambitions. 27 London Boroughs have declared a climate emergency and Government should be providing support for this work not removing one of the ways London Boroughs can take additional action. Local authorities are best placed to assess local need and viability of their area.

London's approach to carbon offsetting enables flexibility for different types of development whilst ensuring the responsibility for emissions stays with the developer. The offset also allows investment and innovation in retrofit projects. Limiting the targets to 75-80% would mean the full responsibility for the carbon emissions from the development are not with the developer who is ultimately responsible for the design of the development.

Having higher standards can help with the development of new technologies and their markets. Higher standards in London have helped with the emerging market for heat pumps, amongst other things, and carbon offset funds are helping to fund retrofitting.

Energy consumption should be measured and verified. In 2020 the energy consumption of all new homes should be disclosed as a driver to promote improvements in energy targets. In 2025 compliance should be based on operational performance based on metered kWh/m²/yr targets.

Q5

Do you agree with the proposed timings presented in figure 2.1 of the consultation showing the Roadmap to the Future Homes Standard?

The timings lack ambition. Delays mean houses will continue to be built at lower standards and are likely to require expensive retrofitting at a later date. This exacerbates the problems created by the withdrawal of zero carbon housing regulations in 2016.

The skills gap that exists in terms of the supply chain and workforce is a key challenge and is insufficiently addressed in the consultation. It is vital to address this if any timetable can be delivered.

Q6

What level of uplift to the energy efficiency standards in the Building Regulations should be introduced in 2020?

The London Plan already requires a 35% reduction in CO₂ with a 10% reduction in CO₂ through fabric alone. The above is a significant step backwards from this. Therefore, even with the introduction of a 31% uplift this would still be below London's current target.

The Greater London Authority 2018 monitoring report <https://www.london.gov.uk/WHAT-WE-DO/environment/environment-publications/2018-energy-monitoring-report> showed that residential developments scrutinised by the Mayor are estimated to result in a carbon emissions reduction of 39% more than required by the 2013 Building Regulations, surpassing the London Plan target of a 35% reduction. This is a higher target than both of the options set out in the Part L consultation.

The uplift should be a minimum that allows local authorities to deliver locally evidenced-based policies that will drive up standards and minimise the need for future additional retrofit work to deliver national, regional and local carbon reduction targets. We need to work towards this radical reduction as quickly as possible, and a minimum of at least 50% reduction in new buildings in 2020 is needed so that further reductions can be made incrementally to reach 100% by 2050.

It is also unclear that the basis for the proposed uplift properly reflects housing in London. This is a further reason why a one-size fits all approach is not appropriate.

Q7

Do you agree with using primary energy as the principal performance metric?

The principal performance metric should be the actual energy used in the home.

Q9

Do you agree with the proposal to set a minimum target to ensure that homes are affordable to run?

Yes. It is essential. This will discourage builders from using systems that are cheaper for them but increase the costs to the homeowners. Low carbon solutions could be unfamiliar and controversial for some time. It is important that the more tangible advantages, such as lower energy bills and long-term savings, are made clear and apparent to householders. It is not clear however from the proposals how this will be achieved.

Q10

Should the minimum target used to ensure that homes are affordable to run be a minimum Energy Efficiency Rating?

Any minimum target system needs to address the problem of accurately assessing actual performance. Current Energy Efficiency ratings do not deliver this level of accuracy.

Q65

Do you agree that the transitional arrangements for the energy efficiency changes in 2020 should not apply to individual buildings where work has not started within a reasonable period – 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 a reasonable period, the transitional arrangements should apply to that building, but not to the buildings on which building work has not commenced
- 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

If yes, please suggest a suitable length of time for the reasonable period in which building work should have started.

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

Yes. We support the proposed transitional arrangements, where developments take many years to be completed, later buildings on the site can be built to the latest standards.

The term “reasonable” has the potential to create a loophole that will allow many builders to deliver below standard homes. The transitional period should be short, no longer than two years. Subsequently all new buildings should be subject to higher standards. It should be noted that this clause is only useful where Building Regulations are updated regularly.

Q69

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?

While these proposals seek to address housing needs for the current decade they do not consider the needs for 2030 and beyond. The Environment Agency (Climate Impacts Tool 2019) forecasts an increase in UK summer mean daily maximum temperature of +7.4°C (to 27.5°C) in the 2050s and +11.7°C (to 31.8°C) by the 2080s. Homes need to be future proofed for these extremes.

We support moves to improve compliance with Part L, but this does not offer any support for local authority building control teams who are extremely under-resourced. More needs to be done on this.

There is no mention of embodied carbon in the consultation. This is a missed opportunity, as we need to be moving rapidly to assessment of embodied carbon and setting targets for Whole Life Carbon assessment and embodied carbon reductions.