

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 – Energy Saving Trust response

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

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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

Amendments to statutory guidance

Date:

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Your Position (if applicable):	Policy Officer (Wales)
Your Organisation (if applicable):	Energy Saving Trust
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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	x
Construction professional	
Property Manager / Housing Association / Landlord	

Building Occupier/ Resident	
Other interested party (please specify)	

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 recognise that these minimum fabric standards represent a strengthening against the previous standards that are in place. We welcome the move towards aligning standards for extensions to new standards identified in Stage 1 of this consultation process for new builds. There is a strong argument for tight limits on fabric standards and while we are generally comfortable with the limits that have been set we hope that these will be kept under review and updated as appropriate.

In addition to fabric standards we would welcome a greater recognition of the need for water efficiency measures and standards as a means of reducing energy consumption. Water efficiency has a key role to play in zero carbon homes by reducing the energy demand associated with hot water.

We would welcome a fittings-based approach to water efficiency replacements and installations in existing homes, where every fitting must meet certain criteria. There has been criticism of the alternative calculation approach, and our own research^[1] has shown that the fittings-based approach is preferable. We think that the Welsh Government should consider reassessing water efficiency requirements for fixtures and fittings in existing homes as a means of reducing heat demand and lowering emissions and fuel costs for households.

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	

¹ <https://waterwise.org.uk/knowledge-base/water-labelling-phase-1-project-summary-report-2018/>

b. No	x
c. Unsure	
<p>If you do not agree, please explain your reasoning with any evidence to support this.</p> <p>We have some specific concerns around the proposed standards for windows and doors. Specifying windows as B-rated could be further strengthened given that there is a wide range of A-rated windows available, a selection of A+ rated and some A++ rated. Moving from C-rated to B-rated as the minimum would not represent a step change in improving home efficiency but would incur significant costs for households. The worst performing elements of the envelope are important for minimising internal temperature differentials.</p> <p>Energy rated doors are not widely available, so it will be important to specify an appropriate U-value limit for these. The 1.4 W/m²K ambition could be higher given the long life expectancy of a new external door.</p> <p>We do not agree with the proposed limit for roof lights. Allowing heat loss through roof lights to be 17 times as much per square metre as for the rest of the roof is incompatible with ensuring energy efficient building work.</p>	

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	
b. No	
c. 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?	
a. Yes	
b. No	x
c. Unsure	

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

Our view is that if an unheated area is to be converted into a heated area then it should be fully insulated (as with a new build), meaning that any exemptions around moisture risk should only apply if there is no technical solution. If standard cavity insulation measures are not suitable, Polyurethane Foam (PUR) cavity insulation or internal insulation should be required (as opposed to 'considered'). If existing partial cavity wall insulation does not meet the required standard, internal insulation should be applied, unless an expert confirms that filling the remaining cavity is acceptable. We believe that the exemptions should be framed as additional requirements to control moisture risk, rather than justifications for not insulating (unless supported by an expert).

There is a risk that due to the proposed exemptions, a household could top up cavity wall insulation (after consulting with a professional) but they are disincentivised to do so given additional time and cost constraints, potentially leaving significant sections of homes exposed (particularly as the default position is that the presence of an empty or partially-filled cavity wall will make the wall not suitable for external insulation).

Regarding economic feasibility and the 15 year payback period, we would argue that the priority must be converting or extending properties (when they become heated as opposed to unheated spaces) in line with current standards. If this cannot be achieved then the building work should not be permitted.

We think that an arbitrary 15 year payback period will disincentive more ambitious retrofits and some insulation measures which could significantly reduce emissions but may take longer than the 15 year period to repay. Many of these retrofits must take place for Wales to reach our statutory carbon reduction targets. This highlights the need for public or private sector finance options and advice provision for households. If these more costly retrofit options could be funded with low-interest long term loans attached to the property (such as through the PACE financing model¹) and paid through energy bills the need for a 15 year payback period would not be so relevant.

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.

¹ <https://www.europace2020.eu/> <https://www.europace2020.eu/>

We welcome the support given to the PAS certification system, to achieve high quality, intensive retrofit of Welsh homes and buildings PAS certification must be mainstreamed into the construction industry. We believe that there needs to be Welsh Government support to encourage the uptake of PAS. The costs of certification can prove a barrier for smaller firms who perform the majority of renovation work. Adopting an approach similar to the amended requirements for the Green Homes Grant (our understanding is that this is being proposed in this consultation) could be a useful and necessary bridging step while the skills base in Wales is strengthened. Under the amended rules the person undertaking the renovation work does not need to be Trustmark registered or PAS certified but must be subcontracted and overseen by a main contractor who is (and is ultimately responsible for the work being completed to the correct standard).

Question 6

Do you agree with the removal of Appendix C from the current Approved Document?	
a. Yes	<input checked="" type="checkbox"/>
b. No	<input type="checkbox"/>
c. Unsure	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>
b. No	<input type="checkbox"/>
c. Unsure	<input type="checkbox"/>
If you do not agree please explain your reasoning with any evidence to support this.	
<p>In principle we agree with the introduction of requirements similar to the Boiler Plus requirements in England, these have been in place since 2018 and have saved a significant quantity of emissions and improved the heating efficiency of thousands of homes. However, we would recommend that detailed proposals for Wales take into account the findings of research we are currently conducting (with Ipsos MORI) on behalf of BEIS into lessons learned from the first phase of the regulations as some concerns persist around the current Boiler Plus regulations in England.</p> <p>We concur with the Sustainable Energy Association's response to this question. In particular, that hydraulic balancing of all systems should be explicitly mandated in the regulations rather than being listed as an expectation as this can improve the efficiency of heating</p>	

systems. And secondly, that Boiler Plus should be expanded to cover heat only/system boilers. As an illustration of the importance of including these boilers in any Welsh Boiler Plus programme, 350,000 of these systems are installed per year in England alone while not being covered by Boiler Plus in its current form. This can result in inefficient heating of homes, meaning higher costs and more CO₂ emissions².

This consultation's Impact Assessment states that the introduction of Boiler Plus will save 285,617 mtCO₂, but the inclusion of the above measures could further increase the amount of CO₂ abated significantly.

More specific recommendations regarding heating systems are included in the following questions.

Question 8

Do you agree with the minimum standards for building services in Sections 5 and 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 that the proposed efficiency standards for different heating systems should be stronger in places. While the consultation states that if services are replaced they should be more efficient Section 5.4a states that replacements using the same fuel should 'have a seasonal efficiency not worse than 2 percentage points lower than that of the service being replaced'. This requirement should be strengthened to help achieve greater efficiency and lower emissions. Concerning Section 5.4b, we agree with the principle but feel that a 'ratcheting up' of carbon intensity requirements would be beneficial and would send the correct signals that high carbon intensity systems will need to be replaced with low carbon systems relatively soon.

As currently formulated the proposed regulations set strict requirements for lower carbon heating systems and progressively laxer requirements as the carbon intensity of the fuel increases. This creates a disincentive for householders to opt for lower-carbon heating options.

A more ambitious approach could see a hierarchy of heating options created, with low carbon heating systems considered first (eg heat pumps and biomass boilers). If these are shown to be impractical (including a reasonable value for money criterion which takes account of current Government support programmes), then the next best options can be considered (eg a mains or LPG gas boiler). If this is not feasible, then direct electric heating may be considered (this may be, for example, because only one room is being heated and there is no existing central heating system, so the expense of a wet heating system is

² https://www.sustainableenergyassociation.com/wp-content/uploads/2019/01/SEA_Next-Steps-for-Boiler-Plus_final_300119-2.pdf

disproportionate to the benefit). And finally, oil or coal only in extenuating circumstances if all other options have been exhausted.

To future-proof the regulations and provide for some degree of flexibility there could be allowance made to demonstrate the relative merit of a system or some innovative feature not included in the above so that other carbon effective options are not excluded (e.g. smart storage heaters with dynamic tariffs).

If this hierarchy is set as a requirement, then minimum efficiencies and other requirements can be specified for each option. However, we believe it would be counter-productive to set a minimum space heating Seasonal Performance Factor (SPF) (the ratio of the heat delivered to the total electrical energy supplied over the year) for heat pumps, given the considerable carbon savings that can be achieved with relatively low SPFs. Instead, we suggest that the target space heating SPF of 3.0 be used as a criterion for considering whether a heat pump should be mandated. Thus, if it can be shown that it is impossible to meet the target SPF, then this could be used as a basis for considering higher carbon heating options such as gas. This would avoid the risk of mandating a system with a higher running cost, while still allowing the installation of the lowest carbon heating option should the householder choose to prioritise this. These options should be explained to households through the provision of impartial and expert advice.

The specific proposal to mandate an additional measure alongside any new combi gas boiler should be considered in light of the pending report on lessons learned from the first phase of Boiler Plus in England.

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.

We support this as a sensible means of preparing for possible renewable heat sources in the future while saving the majority of homeowners money through efficiency today.

Installing a low flow temperature space heating system could be considered as a consequential improvement which could be undertaken during a planned period of disruption (eg during an extension or renovation) minimising total disruption and making this a more appealing prospect for some households.

Question 10

Do you propose any other future-proofing measure(s)?	
a. Yes	<input checked="" type="checkbox"/>
b. No	<input type="checkbox"/>
<p>If Yes, please detail your measure(s) and what building work would trigger the need to install the measure.</p> <p>While we understand the rationale behind the Welsh Government's decision to exclude a requirement for hot water storage tanks to be fitted when a space heating system is installed to allow for heat pump readiness, it is our view that some requirement could be implemented with realistic caveats and that this represents significant future-proofing. In addressing the reasons for Welsh Government deciding against this measure, we would argue that the concerns around water tanks not being adequately sized for a future heat pump are largely misplaced. This is because a water tank is typically chosen to fit the size of a property rather than the heating source so provided that a water tank is appropriately sized for the given property this should not be an issue in the majority of homes. Secondly, on the cost to the household, we recognise that additional costs on households are never welcome but the price of a hot water tank as a proportion of a new space heating system is minimal. The vast majority of homes will need to be heated by heat pumps by 2030 and so the installation of a hot water tank will be required in the relatively near term for most households. Minimising prolonged disruption by undertaking this work alongside installations of new heating systems represents a sensible future proofing measure for most households. Additionally, we feel that installation of a hot water storage tank should be required for extensions which increase the property footprint by a third or more as a form of consequential improvement.</p> <p>However, we recognise that a degree of flexibility is needed. That is why we would suggest that the requirement be for a 'heat store' rather than a hot water storage tank specifically. Additionally, we would suggest that a 'where possible' criterion be applied with a requirement for households to access impartial expert advice at this point to support them in assessing the best option for their home.</p> <p>In terms of other future proofing measures that could be necessitated, we suggest that upgrading pipe and tank insulation whenever heating systems are worked on, or uninsulated pipework is exposed would be a low cost requirement that would improve the efficiency of people's homes. Welsh Government should also consider adopting the recommendation made in the latest Climate Change Committee Sixth Carbon Budget³ report that from 2025 all new boilers will be hydrogen ready.</p>	

Question 11

³ Climate Change Committee, 2020, Sixth Carbon Budget. Available at: <https://www.theccc.org.uk/publication/sixth-carbon-budget/>

Do you agree with the proposed changes to consequential improvements in Section 12?	
a. Yes	
b. No	x
c. Unsure	
<p>If you do not agree, please explain your reasoning with any evidence to support this.</p> <p>It is our view that installing further insulation into partially insulated cavity walls can represent a legitimate and relatively low-cost energy efficiency measure under the consequential improvement regime. We accept that to avoid moisture risk and the potential degradation of a property a qualified assessor should assess whether a cavity is suitable for insulating further. If the assessor determines that it is suitable the cavity should be filled as a priority. A partially-filled cavity wall should not be exempt by default and should be treated in the same manner as the proposal for un-insulated cavity walls. Exemption by default has the potential to leave a significant number of Welsh homes under-insulated given that 65% of dwellings are constructed of cavity masonry in Wales⁴.</p> <p>A value for money assessment is a more relevant criterion for consequential improvements than for the proposed minimum standards for retained thermal elements for conversions detailed as part of Question 4. As the space in question is already heated it is sensible to consider the value to the householder of an upgrade required of them.</p> <p>Regarding the specific requirements for loft insulation, we believe that loft top up should be to 300mm as a minimum – topping up to 250mm from below 200mm is a missed opportunity given the minimal difference in labour and disruption required topping up to 300mm rather than 250mm.</p> <p>We would advocate the introduction of some measures around air tightness to be written into the regulations when sizeable extensions or conversions are undertaken.</p>	

Question 12

Do you agree with the proposed approach for Self-Regulated Devices as in Section 5?	
a. Yes	
b. No	x
c. Unsure	
<p>If you do not agree, please explain your reasoning with any evidence to support this.</p> <p>While we agree that making the installation of TRVs mandatory is a sensible and low regrets option due to them frequently being installed currently we take issue with the short payback</p>	

⁴ Welsh Government, 2019, Welsh Housing Conditions Survey (energy efficiency of dwellings) April 2017-March 2018. Available at <https://gov.wales/welsh-housing-conditions-survey-energy-efficiency-dwellings-april-2017-march-2018>

period as a means of determining economic feasibility. TRVs are relatively cheap, while the apparent savings can be small. With this said we do not believe that it is sensible to have a shorter payback for this measure just because the numbers are smaller. We have described our broader concerns with the payback period economic feasibility model in our response to Question 4.

We also believe it would be helpful for the regulations to clearly define “primary” heating zone regulation devices (such as thermostatic boiler controls), and “secondary” regulation devices (such as thermostatic radiator valves), to highlight that these must not be installed in conflict with each other. Sero, the low carbon construction and energy software developer, inform us that they regularly see these devices installed in conflict with one another in homes they have commissioned.

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 do not believe there is an environmental, economic or safety argument for requiring on-site electricity generation systems to be sized according to on-site energy demand. There is no reason to limit the export of surplus generation, provided the Distribution Network Operator has approved the scale of generation at that connection point. If this section of the regulations is intended to only apply to off-grid self-consumers of electricity who are unable to export surpluses to the grid then this distinction should be made more clear.

We would also direct Welsh Government to the response submitted by Sero regarding this question and their concerns around BACS potentially tying building owners and occupants into long term agreements with service providers, removing their ability to choose between appropriate service providers in the marketplace.

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	
b. No	
c. 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?

a. Yes

b. No

c. Unsure

x

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

We are concerned about the move away from carbon intensity as a measure, as this effectively de-incentivises low carbon heating systems. Primary energy is a useful metric to help ensure fabric upgrades to minimise heating requirements but, on its own, is likely to have unintended consequences. For example, oil performs similarly to gas in terms of primary energy but would perform far worse against a carbon intensity metric. Conversely, electricity has a similar carbon intensity to gas (at present, though this is improving at pace as electricity generation decarbonises) but performs less well in terms of primary energy. This illustrates how a primary energy metric in isolation does not necessarily result in low carbon heating systems being installed.

Initiating the hierarchy system suggested in our response to Question 8, and ensuring it is enacted fully on the ground without the acceptance of off-the-shelf justifications for higher carbon options, would go some way to mitigate this concern, but would not deal with all situations – for example, where an existing fossil fuel heating system is not replaced as part of a renovation because there was no carbon measure to drive the replacement.

We, therefore, propose that the carbon intensity measure be kept in addition to the primary energy measure. Now is not a good time to be de-prioritising carbon emission reduction.

Space heating requirements of individual homes and the relative value for money must also be criteria taken into account when deciding upon the correct insulation and heating system for a given property.

Question 16

Do you agree with the proposed approach for ventilation provisions when installing energy efficiency measures as in Section 3?

a. Yes

b. No

x

c. 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?	
a. Yes	
b. No	
c. 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?	
a. Yes	
b. No	
c. 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?	
a. Yes	
b. No	
c. 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?

a. Yes

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

x

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

x

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

Our concerns relate to regulations around on-site generation and in particular around sizing that is 'appropriate' for on-site energy demand (see our response to Question 13).

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

x

b. No

c. Unsure

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

We agree with proposals in the Approved Documents. However, paragraph 15.5.1 of approved document L2B states that the replacement of generation capacity with a smaller system better suited to the building's energy demand is allowable. We would welcome additional guidance for energy managers, manufacturers and installers on when this approach would be allowable to help remove any ambiguity.

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.

Allowing a dynamic modelling approach is an acceptable alternative to the simplified guidance. Non-domestic Level 5 assessors are currently the closest thing to an appropriately qualified professional, though it may be sensible to approve software packages, and/or publish an accepted methodological approach to assuage any concerns around methodology or delivery.

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 | x |
| 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.

Our view is that the CIBSE's TM 59 methodology represents an improvement on the SAP monthly calculation approach for assessing overheating risk.

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.

See our response to Question 26.

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.

Prioritising passive measures minimises energy consumption and consumer cost. However, we feel it would be worthwhile clearly defining what constitutes an “active measure”, with priority given to low energy measures such as automated windows or louvres able to increase passive ventilation and the circulating of non-heated water from ground source heat pumps to cool properties. These are ‘active’ measures but are considerably less energy intensive than active refrigeration and should be prioritised.

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

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	
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	x
c. Unsure	
<p>If no, please explain your reasoning and provide evidence to support this.</p> <p>As well as selecting option B above, our view is that transitional arrangements should be as short as possible so that as many homes as possible are built or improved to the highest possible standard.</p>	

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	
b. No	
c. Unsure	
If no agree, please provide evidence of reasonable costs and benefits.	

Question 35

<p>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.</p> <p>What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?</p>

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.

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