

South East England Councils - Response to “Future Homes Standard Consultation: changes to Part L and Part F of the Building Regulations for new dwellings”

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Introduction and Summary

South East England Councils welcomes the opportunity to comment on MHCLG’s consultation on plans for achieving the Future Homes Standard. Our members support the national aim of reducing greenhouse gas emissions to net zero and tackling the climate crisis. The UK is now legally committed to the net-zero target by 2050, and effective implementation of actions such as introduction of the Future Homes Standard will play an important part in helping achieve this – ensuring new homes are future-proofed with low carbon heating and high energy efficiency.

South East England Councils is the cross-tier voice of local authorities in the South East, representing 9.2 million residents. We are a voluntary membership body, bringing together county, unitary and district councils to promote the views and interests of all tiers of local government across the South East, an area comprising 74 local authorities.

Delivering the changes proposed will require effective partnership working between the public and private sectors. Government data indicate that homes (new and existing) account for 20% of emissions, and councils are keen to see further progress on reducing emissions from homes. The South East sees the highest levels of housing growth in England (over 39,000 in 2017-18), and we therefore see particular significance in ensuring new build homes meet energy efficiency standards that will contribute towards achieving the 2050 net-zero target.

We note you expect to launch a further consultation addressing energy efficiency in *existing* domestic buildings, and new and existing non-domestic buildings. Addressing energy efficiency in these will also be very important alongside the current consultation proposals for new build.

This consultation response focuses on high-level strategic aspects of significance to the South East. We respond to seven key questions, which we have grouped under three issues:

- A. Enabling locally-appropriate and ambitious standards which help achieve national climate change targets as swiftly as possible.**
- B. Ensuring effective transition and delivery.**
- C. Ensuring effective information and affordable running-costs for homeowners.**

Individual councils will also submit responses, including detail where appropriate on more technical aspects of the consultation.

A. Enabling locally-appropriate and ambitious standards which help achieve national climate change targets as swiftly as possible

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?

We welcome the consultation’s plans to significantly reduce carbon emissions from new homes through very high fabric standards and low carbon heating systems. **The Future Home Standard is a step in the right direction. However, reflecting views from across the local government sector, we would like to see the Standard go further by setting out how ‘zero-emission’ new homes will be achieved before 2030.**

As we set out in response to Q4 below, we also recommend that the government should continue to allow councils the flexibility to set higher-standards (ie. to achieve greater improvements in energy efficiency) where locally appropriate, to help drive forward swift progress to zero-net carbon.

Looking beyond the Future Homes Standard itself, the government should progress associated work to address the wider environmental/ other ‘embodied’ carbon impacts of new developments and to ensure a place-based approach is taken - with action to address the wider energy, services and low carbon travel needs of developments’ residents, and environmental improvements (for example tree planting).

- 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?*
- In 2020 alongside the introduction of any option to uplift to the energy efficiency standards of Part L*
 - In 2020 but only in the event of the introduction of a 31% uplift (option 2) to the energy efficiency standards of Part L*
 - In 2025 alongside the introduction of the Future Homes Standard*
 - The government should not commence the amendment to the Planning and Energy Act*

Reflecting views of a range of national partners including the Local Government Association, some of our members are concerned about the consultation's proposal to restrict local planning authorities from setting higher-than-national energy efficiency standards for dwellings.

We do of course appreciate, as the consultation and some members have also raised, the current situation of varying policies can be confusing for the public and developers. However we do not think this should be used as a reason to put up barriers preventing swifter or more ambitious progress where it is locally appropriate.

Therefore on balance we support option 'd' - the government should not commence the amendment to the Planning and Energy Act. We think it is important that the government should enable councils to take informed views about whether to progress appropriate higher standards, rather than artificially restricting them.

Restricting higher standards would hold back councils from setting the ambitious targets needed to help deliver national targets. Continuing to allow local authorities to have flexibility to go above a baseline will not only help ensure they meet their own ambitions to achieve net-zero carbon, but can also support cost-effective running costs for homeowners, and develop a skills base and economic growth in the newly emerging green economy.

However *if* the government decides to implement the amendment to restrict local planning authorities from setting higher energy efficiency standards for dwellings, it must not only ensure Part-L is tightened as proposed, but also ensure there is no further erosion/revocation of the Planning and Energy Act 2008 that would result in backsliding on carbon. This would have a wider negative impact on local ambitious climate change targets.

B. Ensuring effective transition and delivery

- Q6. *What level of uplift to the energy efficiency standards in the Building Regulations should be introduced in 2020?*
- No change*
 - Option 1 – 20% CO2 reduction*
 - Option 2 – 31% CO2 reduction (the government's preferred option)*
 - Other*

It is important to make the biggest possible step towards the Future Homes Standard as early as possible. We support the overall national aim of introducing a meaningful but achievable uplift to energy efficiency standards in 2020, as a stepping stone to the full Future Homes Standard in 2025. This will be important to help make new homes more energy efficient and to future-proof them in readiness for low carbon heating systems. **Of the options given, we support at least a 31% CO2 reduction ('c', Option 2), but also reiterate the importance (as set out in response to Q4) for councils to be allowed to move to higher standards more swiftly where appropriate.**

- 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?*
- 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*

South East England Councils agrees with option ‘a’, that 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. It is right that, as long as they are aware up-front, if builders start work later on some homes in a development, they will need to build to the latest standard rather than continuing to build to the older standard over a long period.

This would be an improvement on the current rules, under which the building regulations that apply to the whole development are those in place when the scheme it is given planning permission rather than when it is built. The new approach would help ensure the system is robust, and not open to abuse, and will help encourage timely implementation of the new energy efficiency requirements during the transition period.

Q66. Do you foresee any issues that may arise from the proposed 2020 transitional arrangements outlined in this consultation?

- a. Yes
b. No

Yes (‘a’). It will be important to ensure - nationally and locally - the building industry is able to deliver the Future Homes Standard. The consultation acknowledges some home-builders are already building to fabric standards above the current Building Regulations and some are already installing low carbon heating systems, but not all home-builders are ready to build to higher fabric specifications yet, in part due to lack of suitable skilled workers.

South East England Councils therefore calls for government to ensure the skills funding system is responsive to national and local needs to implement the Future Homes Standard. Giving councils a new clear role in directing skills funding, working alongside key partners such as LEPs and providers, would help achieve this.

This change would complement actions proposed nationally including the Construction Skills Fund - supporting the development of construction on-site training hubs - and reforms of the Construction Industry Training Board (CITB) to better respond to emerging skills needs.

C. Ensuring effective information and affordable running-costs for homeowners

Q9. Do you agree with the proposal to set a minimum target to ensure that homes are affordable to run?

- a. Yes
b. No

South East England Councils agrees with ‘a’, to introduce a minimum target (in addition to primary energy and CO2) based on the theoretical energy running-cost of the dwelling, to ensure that homes are affordable to run. Affordability is an important consideration to focus developers towards options that are both efficient and cheaper over the long run than simply at the installation phase.

Q64. Do you agree Approved Document L should provide a set format for a home user guide in order to inform homeowners how to efficiently operate their dwelling?

- a. Yes
b. No

South East England Councils agrees with ‘a’ – there should be a set format for a home user guide in order to inform homeowners how to efficiently operate their dwelling. This will be vital if homeowners are to make efficient and effective energy use in new homes.