

**Sustainability
Update**

DLP BRIEFING NOTE 31

Prepared by
DLP Planning Ltd

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DLP Planning Ltd

Bedford
Sheffield
Reading
Bristol
Cardiff

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A REVIEW OF PART L AND THE CODE FOR SUSTIANABLE HOMES

October 2010 saw the revision of Part L Building Regulation. The document sets out minimum standards for energy efficiency of buildings and relates them to carbon dioxide emissions. Schemes with planning permission granted prior to 1 October 2010 but not on site by 1 October 2010 will come under these new regulations.

2006 was the last change to Part L where a major change implemented the improvement of energy efficiency for new build projects. The changes for 2010 have not been as profound but will present significant challenges for the construction industry in terms of design, build cost and compliance. They require that carbon emission targets will be reduced by a further 25% from the 2006 regulations which is equivalent to a 40% reduction in carbon emissions from the 2002 Building Regulations. In addition they will address the 'performance gap' between energy efficiencies of new and existing buildings. Some of the other key changes to Part L are:

- **A requirement to produce SAP calculations 2 days before work start on site – previously these only needed to be provided to your Building Control Body within 5 days of completion.**
- **The inclusion of a “confidence factor for air permeability testing – for untested dwellings the assumed result will be the average for that house type plus an additional 2m³/hr/m² (average test results will therefore need to be 8m³ or less).**
- **Improved limiting fabric “U values” – roofs improved to 0.20 from 0.25, walls to 0.30 from 0.35 and windows to 2.00 from 2.20.**
- **Limitation on the impact of solar gains assessed by measurement of solar overheating in domestic buildings, and by solar gains through glazing compared to an “average” building for non-domestic.**
- **More emphasis on provision of building management, operation and management systems aimed at educating the end user to ensure energy use is as the designer intended.**

In addition to Part L, changes were made to the SAP Calculation process from 1 October through SAP 2009:

- **Heat loss through party walls to be taken into account – party walls will need to be fully filled and edge sealed to avoid adversely affecting energy performance.**
- **Less favorable “psi” values for repeated thermal bridging – this is likely to increase demand for specific calculations or the use of Accredited Details.**
- **Mandatory requirement to install 75% dedicated low energy light fittings – this brings Part L in line with the Code for Sustainable Homes.**

Leading on to the Code for Sustainable Homes: - in 2006 the Labour Government announced that all new homes must be built to zero carbon standards by 2016 or Code 6 under the **Code for Sustainable Homes**. This would be the culmination of a step change starting from Code 3 in 2010 and Code 4 in 2013.

The UK construction industry has focused on preparations to achieve these levels of sustainability in the construction of new homes. However, under the new Coalition Government, these targets have come under review. The potential changes outlined by Grant Shapps, the new Housing Minister, have now started to be progressed; his first action being the suspension of the Home Information Pack (HIP). This, he stated, was to assist in speeding up the home selling process.

The Minister, in ensuring the UK moves towards achieving its aim of providing zero carbon new homes by 2016, now intends to follow a different route. The expected mandatory entry for all private dwellings into the **Code for Sustainable Homes** at level 3 has been revised, except for Wales where it has already come in to force and the public sector where it remains in force.

Planning Authorities may enforce their own policies which could call for level 3, and code levels can still be obtained on a voluntary basis at any level, but overall, councils and developers will now have more flexibility in enabling them to meet eco-standards.

The main aim has been to address some of the financial pressures of sustainable construction that developers would undoubtedly have to bear. One route is to look at ways builders can make payments into a **community energy fund** (which was originally put forward by the UK Green Building Council). This fund would be drawn upon to develop local energy schemes, such as wind farms, or local district heating schemes. As a result, **developers are allowed to offset 30% of a new development's carbon emissions offsite.**

In explaining this

The Minister has advised ***"this is about meeting tough environmental standards, but not dictating how every home should be built. Councils and developers together are in the best position to decide how best to meet these standards, so we're giving them the flexibility and range of options to do this.***

We are committed to all new homes being zero-carbon from 2016, and have the right mix of measures in place – including regulations but also new innovations such as a community energy fund."

The Minister has also advised that minimum standards for energy efficiency, through basic measures such as wall and loft insulation and high specification windows, will be rolled out via future revisions of the Building Regulations. These are intended to follow the step change improvements originally set out in the **Code for Sustainable Homes**.

Further, the Minister has stated that ***"First and foremost a zero carbon home must use as little energy as possible, which is why I will shortly announce a minimum standard for key energy efficiency measures like loft and cavity wall insulation."***

"And to ensure the benchmark for carbon emission reductions is both ambitious and achievable, I look forward to seeing the results of tests the Zero Carbon Hub will conduct over the next few months."

The **Code for Sustainable Homes** has recently undergone a review by consultation. This investigated changes to the Code for this year so it would align with revisions to Part L of the Building Regulations.

The definition of zero carbon was reassessed with a view to adopt this by 2016: significant changes are expected to take place within the energy section of the Code.

This consultation also looked at changes to credit issues, including lifetime homes, home security, surface water run-off and waste, as well as indicating other issues that will be considered for further investigation in the future.

Views on the energy efficiency definition were also considered, with an intention of incorporating into the definition of zero carbon homes from 2016, and on whether an intermediate level should be introduced into Building Regulations from 2013.

It is reported that the industry has a number of concerns that the software required to evaluate and enforce the regulation changes has not been available in time for the October 2010 deadline. If this is the case, the next available date for regulation changes is 6 April 2011. The Communities and Local Government Department has recently advised that: ***“Our intention is to introduce the changes in October. However, this is subject to approval by the Reducing Regulation Committee which has yet to decide about new regulations still to come into force.”*** In any event, the changes are on their way and will start to change the way we build

This outcome must be seen as a welcome relief by the construction industry. The original Code for Sustainable Homes was commendable, but was received by the industry with some trepidation. Some embraced it at a cost, and others saw it as too much too soon. The current financial climate made an untimely appearance and the change in government gave an opportunity to make some adjustment to what is, essentially, a necessary way forward.

The DLP Consulting Group, in particular DLP Design Ltd, has considerable experience in all aspects of sustainable building and construction. Please contact the Offices at the addresses given to learn more.

Bedford (Design)

3rd Floor
8 Goldington Road
Bedford
MK40 3LG
T 01234 261 266
F 01234 353 715

Bedford (Planning)

4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH
T 01234 832 740
F 01234 831 266

Bristol

2A High Street
Thornbury
Bristol
BS35 2AQ
T 01454 410 380
F 01454 410 389

Cardiff

Sophia House
28 Cathedral Road
Cardiff
CF11 9LJ
T 029 2064 6810

Reading

2 Richfield Place
12 Richfield Avenue
Reading
RG1 8EQ
T 0118 939 1004
F 0118 939 1005

Sheffield

11 Paradise Square
Sheffield
S1 2DE
T 0114 228 9190
F 0114 272 1947

briefings

BEDFORD

DLP Planning Ltd
4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH

t 01234 832 740
f 01234 831 266

bedford@dlpconsultants.co.uk

DLP Design Ltd
8 Goldington Road
Bedford
MK40 3LG

t 01234 261 266
f 01234 347 413

bedford@dlp-design.co.uk

BRISTOL

DLP Planning Ltd
DLP Transportation Ltd
2A High Street
Thornbury
Bristol
BS35 2AQ

t 01454 410 380
f 01454 410 389

bristol@dlpconsultants.co.uk

CARDIFF

DLP Planning Ltd
28 Cathedral Road
Cardiff
CF11 9LJ

t 029 2064 6810

cardiff@dlpconsultants.co.uk

READING

2 Richfield Place
12 Richfield Avenue
Reading
RG1 8EQ

t 0118 939 1004
f 0118 939 1005

reading@dlpconsultants.co.uk

SHEFFIELD

11 Paradise Square
Sheffield
S1 2DE

t 0114 228 9190
f 0114 272 1947

sheffield@dlpconsultants.co.uk

