

# Annex B

## Response form 1

### Section two:

#### Part L (Conservation of fuel and power)

#### Form 1: Consequential improvements for existing buildings

We are seeking your views on the following questions on the Government's proposed changes to Part L of the Building Regulations. This form is to be used to respond to the proposals in Chapter 4 and the changes to Approved Documents L1B and L2B relating to the proposed requirements for consequential improvements in existing buildings. The closing date for the submission of this form is **27 March 2012**.

If possible, please could you respond by email to:

[building.regulations@communities.gsi.gov.uk](mailto:building.regulations@communities.gsi.gov.uk)

Alternatively, responses can be sent by post to:

Building Regulations Consultation  
Building Regulations and Standards Division  
Department for Communities and Local Government  
Zone 5/G9  
Eland House  
Bressenden Place  
London SW1E 5DU

## About you:

(i) **Your details**

Name:	Dave Mitchell
Position:	Technical Director
Name of organisation (if applicable):	Home Builders Federation
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(ii) **Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?**

Organisational response ☒ Personal views ☐

(iii) **Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:**

Yes ☐ No ☒

Name of group:

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(iv) Please tick the *one* box which best describes you or your organisation:

Builders/Developers:	Property management:
<div>Builder – Main contractor <input type="checkbox"/></div> <div>Builder – Small builder (extensions/repairs/maintenance, etc) <input type="checkbox"/></div> <div>Installer/specialist sub-contractor <input type="checkbox"/></div> <div>Commercial developer <input type="checkbox"/></div> <div>House builder <input type="checkbox"/></div>	<div>Housing association (registered social landlord) <input type="checkbox"/></div> <div>Residential landlord, private sector <input type="checkbox"/></div> <div>Commercial <input type="checkbox"/></div> <div>Public sector <input type="checkbox"/></div>
<b>Building Occupier:</b>  <div>Homeowner <input type="checkbox"/></div> <div>Tenant (residential) <input type="checkbox"/></div> <div>Commercial Building <input type="checkbox"/></div>	<b>Building Control Bodies:</b>  <div>Local authority building control <input type="checkbox"/></div> <div>Approved Inspector <input type="checkbox"/></div>
<b>Designers/Engineers/Surveyors:</b>  <div>Architect <input type="checkbox"/></div> <div>Civil/Structural engineer <input type="checkbox"/></div> <div>Building services engineer <input type="checkbox"/></div> <div>Surveyor <input type="checkbox"/></div>	<b>Specific Interest:</b>  <div>Competent person scheme operator <input type="checkbox"/></div> <div>National representative or trade body <input checked="" type="checkbox"/></div> <div>Professional body or institution <input type="checkbox"/></div> <div>Research/academic organisation <input type="checkbox"/></div> <div><b>Energy Sector</b></div> <div><b>Fire and Rescue Authority</b> <input type="checkbox"/></div>

<b>Builders/Developers:</b>	<b>Property management:</b>
<b>Manufacturer/Supply Chain</b> <input type="checkbox"/>	<b>Other</b> (please specify) <input type="checkbox"/> <div style="border: 1px solid black; height: 40px; width: 100%; margin-top: 5px;"></div>

(v) **Please tick the *one* box which best describes the size of your or your organisation's business?**

Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders) ☐

Small – typically 10 to 49 full-time or equivalent employees ☒

Medium – typically 50 to 249 full-time or equivalent employees ☐

Large – typically 250+ full-time or equivalent employees ☐

None of the above (please specify) ☐

(vi) **Are you or your organisation a member of a competent person scheme?**

Yes ☐ No ☒

Name of scheme:

(vii) **Would you be happy for us to contact you again in relation to this consultation?**

Yes ☒ No ☐

DCLG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Department is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data – name and e-mail address – you supply in

responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the relevant comments box.

## Questions:

### Consequential improvements in existing homes

1. Do you agree with the proposal to require consequential improvements upon extensions or increases in habitable space in existing homes below 1000m<sup>2</sup>? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

2. The consultation explains that the regulatory requirement for consequential improvements upon domestic extensions or increases in habitable space would be limited to measures which were 'technically, functionally and economically feasible', with guidance setting out a value for the consequential works. Should this be set as:

A minimum 10% of the value of the principal works ☐

A maximum 10% of the value of the principal works ☒

Another % value (please explain below) ☐

Another approach (please explain below) ☐

Don't know ☐

Comments

3. The consultation proposes that the measures eligible for use as consequential improvements should be the list in SAP which is used to generate Green Deal assessments and Energy Performance Certificate recommendations and to determine eligibility for the Green Deal. Do you agree?

Yes ☒ No ☐ Prefer a different list (please specify) ☐

Don't know ☐

Comments

4. Do you agree with the proposal to introduce consequential improvements upon replacement of a domestic boiler in existing homes?

Yes ☐ No ☒ Don't know ☐

Comments

5. Do you agree with the proposal to introduce consequential improvements upon replacement of multiple windows in existing homes?

Yes ☐ No ☒ Don't know ☐

Comments

6. What threshold number of replacement windows do you think is most appropriate to trigger consequential improvements:

50% of the windows in the home ☐

50% of the windows in one elevation ☐

Another approach (please explain below) ☒

Don't know ☐

Comments

Should not introduce consequential improvements. Replacement windows will inevitably be to a better standard and therefore should not attract further improvement.

7. If a requirement for consequential improvements is triggered upon replacement of a domestic boiler, do you think that requirement should be for the homeowner to:

Install the whole package of low-cost measures as outlined in the consultation proposals ☐

Install one or some of these measures (please specify) ☐

Install different measures (please specify) ☐

Take a different approach completely (please specify) ☒

Don't know ☐

Comments

Don't introduce consequential improvements for boiler replacement. There are instances where a boiler replacement is a stress purchase e.g. in winter. The new boiler would be to a better standard etc. and therefore should not attract further improvements. If consequential improvements were introduced this work could be driven underground and performed by non-competent people. This could have health and safety issues.



8. If a requirement for consequential improvements is triggered upon replacement of domestic windows, do you think that requirement should be for the homeowner to:

Install the whole package of low-cost

measures as outlined in the consultation proposals ☐

Install one or some of these measures (please specify) ☐

Install different measures (please specify) ☐

Take a different approach completely (please specify) ☒

Don't know ☐

Comments

New windows would be to a better standard etc. and should not trigger further improvements. If consequential improvements were introduced this work could be driven underground and be done by non-competent persons etc.

9. The proposals assume that doing the principal and consequential works at the same time, rather than separately, will reduce hassle and cost. Do you agree with this assumption? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

But not always possible.

10. What effect do you think the requirements for consequential improvements may have on the demand for repair, maintenance and improvement activity? Please use evidence to explain your answer.

Increase demand ☐

Reduce demand ☐

No effect ☐

Don't know ☒

Comments

These types of requirements (consequential improvements) could drive work below the radar of Building Control.

11. The Impact Assessment makes a number of assumptions in relation to the introduction of consequential improvements in existing homes, including figures on costs, numbers of extensions and replacements and other issues. Do you think these assumptions are fair and reasonable? Please justify your views.

Yes ☐ No ☐ Don't know ☒

Comments

12. Overall, do you think the impact assessment is a fair and reasonable assessment of the potential costs and benefits of the proposed options for consequential improvements in existing homes? Please justify your view and provide alternative evidence if necessary.

Yes ☐ No ☐ Don't know ☒

Comments

13. Please provide your views on any other costs, benefits or impacts associated with the proposals for consequential improvements which you think have not been discussed or monetised in the impact assessment.

Comments

### **Consequential improvements in existing non-domestic buildings**

14. Do you agree with the proposal to introduce consequential improvements upon extensions or increases in habitable space in non-domestic buildings under 1000m<sup>2</sup>? Please explain your view.

Yes ☐ No ☐ Don't know ☒

Comments

15. The consultation explains that the regulatory requirement for consequential improvements upon non-domestic extensions and increases in habitable space would be limited to measures which were 'technically, functionally and economically feasible', with guidance setting out a value for the consequential works. Should this be set as:

A maximum of 10% of the value of the principal works ☒

A minimum of 10% of the value of the principal works ☐

Another % value (please explain below) ☐

Another approach (please explain below) ☐

Don't know ☐

Comments

16. The consultation proposes that for non-domestic buildings, any measure from list which is used to generate Green Deal assessments, the list in SBEM used to generate Energy Performance Certificate recommendations and the existing list of typical consequential improvement measures from Approved Document L2B should be eligible to be a consequential improvement. Do you agree?

Yes ☒

No ☐

Prefer a different list (please specify) ☐

Don't know ☐

Comments

17. Subject to further work on specific triggers, do you agree with the concept of introducing consequential improvements on replacement of certain fixtures or fittings in non-domestic buildings under 1000m<sup>2</sup>?

Yes ☒ No ☐ Don't know ☐

Comments

18. Do you agree that the current requirements for consequential improvements on initial provision of a fixed building service or increase in capacity of a fixed building service in buildings larger than 1000m<sup>2</sup> should be retained unchanged?

Yes ☒ No ☐ Don't know ☐

Comments

19. We would welcome comments on whether there are specific replacement works which could be used to trigger consequential improvements for non-domestic buildings, and any views on the illustrative case studies in the impact assessment.

Comments

### Process and compliance issues

20. In the case of domestic and non-domestic extensions and increases in habitable space in buildings under 1000m<sup>2</sup>, do you think that the proposed process for building occupiers to assess what consequential improvements are/are not required, and to demonstrate this to building control, is adequate? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

21. In the case of replacement of a domestic boiler, do you think that the proposed process for building occupiers to assess what consequential improvements are/are not required, and to demonstrate this to building control, is adequate? Please explain your view.

Yes ☐ No ☒ Don't know ☐

Comments

22. In the case of replacement domestic windows, do you think that the proposed process for building occupiers to assess what consequential improvements are/are not required, and to demonstrate this to building control, is adequate? Please explain your view.

Yes ☐ No ☒ Don't know ☐

Comments

23. Do you think that the proposed role for building control bodies in the delivery of consequential improvements and compliance checking is appropriate and workable? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

24. Do you think the proposed role for Competent Persons schemes, Gas Safe engineers, builders and other installers in the delivery of consequential improvements is appropriate and workable? Please explain your view.

Yes ☒ No ☐ Don't know ☐

Comments

25. Would you prefer requirements for consequential improvements for existing homes and non-domestic buildings to be introduced:

On a phased basis between 2012 and 2014 (the Government's preferred option) ☒

All at once in October 2012 ☐

At a different date or dates (please explain below) ☐

Don't know ☐

Comments

26. If you have any other comments or suggestions on the proposals for consequential improvements, please make them here:

Comments