



Subject:	Review of Energy Efficiency Requirements and Related Areas of Building Regulations – Council Response
Date:	15th December, 2023
Reporting Officer:	Kate Bentley, Director of Planning and Building Control
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Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.	
Insert number <input type="checkbox"/>	
<ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime 	
If Yes, when will the report become unrestricted?	
After Committee Decision After Council Decision Sometime in the future Never	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report/Summary of Main Issues
1.1	To present a response to a pre-consultation document, prepared by the Building Standards Branch of the Department of Finance (DoF), on potential proposals regarding energy efficiency measures and related areas of the Building Regulations.
1.2	The document is a call for evidence in a pre-consultation format covering a wide range of subject areas. It has 273 pages (with additional links to other documents) and contains 128 questions. The aim of this pre-consultation is to gather evidence that will help inform future improvements relating to energy efficiency of buildings and related areas.
1.3	At this stage, the nature of the evidence gathering is very wide and is not specific in a regulatory function. It is anticipated that further, directed consultation will follow (proposed under the next phase) which will require more specific input from Council as a Regulatory body.
2.0	Decision(s) required and recommendations
2.1	The Committee is asked to: <ul style="list-style-type: none"> i. consider the draft response to the Department of Finance (DoF) pre-consultation and agree, subject to any amendments, a response on behalf of the Council; and ii. note that the closing date for responses to this consultation is 15th December 2023. If agreed, the response will be submitted, subject to ratification by the Council on 8th January.
3.0	Main Report
	<u>Background</u>
3.1	The document is a pre-consultation 'discussion document' that outlines potential future improvements in energy efficiency standards and related areas and explores the associated benefits and challenges in respect to future up-lifts.
3.2	This is essentially a scoping exercise to determine proposals that will be included in the next phase (phase 3) of the Department of Finance's 5 phase programme.
3.3	The overall objective will be to achieve much lower operational emissions and significantly improved energy performance of new buildings. The proposals also seek to uplift the standards when building work occurs to existing buildings, so that extensions are better aligned with new building practices. The consultation also explores the provision of improved building ventilation, electric vehicle charging infrastructure points around buildings, as well as new measures to help prevent overheating in dwellings.

3.4 Uplifts to local Building Regulations in Northern Ireland normally take place following revisions made in England and the general technical guidance tends to be based on similar standards of technical performance with England, although some local adjustments may be made. This approach has been longstanding and follows the recommendations from the McConnell report 1970. Many of the proposals in the document follow England's Future Homes Standards.

Proposals and Purpose

3.5 The Executive's *Energy Strategy - Path to Net Zero Energy (December 2021)* and associated Action Plans included a commitment to an interim uplift through revised technical guidance, which took effect in June 2022. That strategy also seeks to ensure new buildings are designed and constructed to net zero ready standards from no later than 2026/27. This discussion document represents the next step in that journey and seeks information and evidence on a range of technical issues to help inform subsequent uplifts.

3.6 The pre-consultation document is considering developments around energy efficiency aspects of the Building Regulations and related parts, including:

- Part F (Conservation of fuel and power)
- Part K (Ventilation)
- Overheating (potentially a new part to the Building Regulations)
- Provision of Electric Vehicle charge-point infrastructure. (Potentially a new part to the Building Regulations)

Headline Proposals

3.7 **Timeframes** – Provisional timeframes being 2024 for the implementation of the next phase (phase 3) with a further uplift proposed in 2026/27 (phase 4)

3.8 **New Notional Dwelling Recipe** – A new dwelling will be assessed against a similar size property which has much improved fabric measures and an expectation of 40% of the a building's roof to be covered with photovoltaic arrays (unless heated by a low carbon source). In addition to this, the DoF are keen to assess the appetite for a move to an alternative 'Option 2' heat-pump led approach.

3.9	Fuel Factors - Removal of all existing 'fuel factors', which currently ease emissions targets, when higher carbon fuels are proposed. This will make use of conventional oil fuelled heating solutions very challenging in new dwellings.
3.10	Introduction of New Measurement Metrics – Introduction of a new secondary metric of 'primary energy' to act in addition to the carbon performance requirement. This is important, particularly in the context of decarbonisation of the electricity grid.
3.11	New Fabric Requirements – Improved insulation and airtightness levels within buildings. This would be supported by a new performance metric Fabric Energy Efficiency Standard (FEES). This will help with preventing the offsetting of emissions or primary energy impacts with excessive on-site renewables.
3.12	Provision of Information – Provision of information including, home user guides, compliance reports, geo-located and dated photographs of construction details.
3.13	Extensions - Improved elemental standards for extensions and minimum services efficiencies for existing dwellings to be more aligned with new-build standards.
3.14	Consequential Improvements - New consequential improvements requiring some low-cost interventions in existing dwellings where an extension is proposed.
3.15	Heating installations - New heating installations required to operate at lower flow temperatures. Improved efficiencies and controls on new heating installations.
3.16	Amalgamation of Technical Documents – It is proposed to introduce the updated guidance on minimum standards for building services and integrate this within Technical Booklet F (Conservation of Fuel and Power), rather than being published as a secondary reference document.
3.17	Ventilation – A review is proposed on the guidance for ventilation to ensure good indoor air quality is achieved. Proposals include limitations on the use of natural ventilation, revised ventilation sizes, ventilation provisions when work occurs on existing buildings and dedicated drying facilities for drying clothes.
3.18	Overheating – The DoF are considering the introduction of overheating mitigation standards to the Building Regulations. The proposal will require designers to carry out a 'simplified method' assessment of the extent of openings and glazing on the dwelling. Alternatively, or

where the requirements of the simplified approach are not able to be met, dynamic thermal modelling of the dwelling can be used.

- 3.19 **Infrastructure for Electric Vehicle Charge Points** – The DoF is considering the introduction of EV infrastructure charge points / ducting to parking spaces in and adjacent to new buildings and buildings undergoing major renovation work.

Belfast City Council Response

- 3.20 The Building Control Service co-ordinated this response in consultation with colleagues in the Climate Team, Planning Service, Environment Health and Physical Programmes and the proposed response on behalf of the Council can be accessed [here](#). Members are advised that, given the wide range of issues discussed and evidence requested, officers have provided responses only where appropriate.

- 3.21 The direction of travel being proposed in respect to an up-lift to the Building Regulations relating to improving the energy performance of buildings is broadly welcomed. The proposals reflect many of the priorities of the Net Zero Carbon Road Map for Belfast. The suggested ideas are expected to deliver benefits for the citizens of Belfast and improve use of our energy resources. Through the delivery of more energy efficient buildings, they will provide more comfortable indoor environments and potentially lower running costs.

The full package of consultation documents can be found on the Department's website: -

<https://www.finance-ni.gov.uk/consultations/review-energy-efficiency-building-regulations>

Financial and Resource Implications

- 3.22 As this is a pre-consultation document the DoF has not carried out a Regulatory Impact Assessment to establish the financial impact of these changes to Industry, this will take place once proposals have been finalised under the next phase (phase 3).

Equality or Good Relations Implications/Rural Needs Assessment

- 3.23 The proposed amendments have been screened out by DoF in relation to the need to carry out an Equality Impact Assessment. A Rural Needs Impact Assessment has also been carried out by the Department which identified there may be impacts on the rural community in areas where access to mains gas and/or where the electricity network may not readily support the

	<p>new requirements. It is expected that further work may be needed to assess the impacts depending on the route of travel in this regard. Both documents are published separately on the Departmental Website.</p>
4.0	Document Attached
	<p>Draft BCC Consultation Response – see paragraph 3.20 for link</p>