



Ministry of Housing, Communities and Local
Government

FutureBuildingsStandardConsultation@com
munities.gov.uk

The IHBC National Office
Jubilee House High
Street
Tisbury
Wiltshire SP3
6HA

Consultations@ihbc.org.uk
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Dear Sir

Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for non-domestic buildings and dwellings; and overheating in new residential buildings

The Institute of Historic Building Conservation is the professional body of the United Kingdom representing conservation specialists and historic environment practitioners in the public and private sectors. The Institute exists to establish the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all.

We are very pleased to have the chance to comment on the consultation document. The Institute's comments are as follows:

General comments

We are very pleased to see that Part L for both domestic and non-domestic buildings maintains the exemptions for listed buildings, buildings in conservation areas and scheduled monuments where compliance with the energy efficiency requirements would unacceptably alter their character or appearance. Likewise the requirements of Part F provide for less strict compliance with the ventilation standards for listed buildings, buildings in conservation areas and historic buildings that have a vapour permeable construction that both absorb and readily allows moisture to evaporate. We are also pleased to see an emphasis on taking professional conservation advice on the introduction of measures into historic buildings by requiring the advice of the local authority's conservation officer to be taken.

Although such special considerations for historic and traditional buildings are included in Parts L & F we are concerned that moving forward the Future Buildings Standard appears not to include this important consideration. This is disappointing and concerning for the future of historic and traditional buildings and should be retained and strengthened in any future standards and documents. The Future Buildings Standard needs to consider the need to use a different approach to buildings of traditional construction (which are up to 35% of the building stock). It also needs to take note of the embodied carbon already present in existing buildings, the need for life cycle analysis, and the poor durability of some energy efficiency measures.

Part L

L1 0.8/L2 0.10 As well as maintaining the exemptions for Listed buildings, Conservation Areas and ancient monuments, the existing exemptions for locally listed buildings (described in the current Part L as "Buildings which are of architectural and historical interest and which are referred to as a material consideration in a local authority's development plan or local development framework") should also be maintained. This category includes historic buildings identified in a 'local list' or 'supplementary list' that has been included in a local authority's unitary or local plan (known as the development plan). Inclusion within the plan means that any list of this kind has been subject to public consultation and is a material planning consideration in the determination of applications under the Town and Country Planning Acts.

L 0.11 Replace "dwellings" with "buildings", as this section deals with buildings, not dwellings in particular - a building that is not a dwelling is implicitly excluded from the exemption, otherwise. Delete "external" or add "and/or internal" as the need to match internal character in some historic buildings may also have an impact.

L1 0.12/ L2 0.12 The list of vapour permeable construction types should also include vapour permeable soft brick, stone or other solid masonry

L1 0.11/ L2 0.13 New extensions to historic or traditional buildings are required to comply fully with the standards of energy efficiency in the approved document unless there is a need to match the external appearance or character of the extension to that of the host building. This should also include instances where a fully compliant building may be technically not appropriate as well as visually. Many problems may occur including differential settlement between new and traditional construction.

L1 0.12/L2 0.12

Whilst we remain convinced that implementation of the Building Regulations for historic and traditional buildings requires professional conservation advice from the local authority's conservation officer we do wish to express concerns about the current capacity and provision for conservation officers. These documents assume that all local authorities have conservation officers and that those officers are suitably skilled and experienced.

The Institute of Historic Building Conservation (IHBC) has analysed and compared Local Authority capacity in 2020 in England with that from 2006, 2009 and 2018.

- 6% of Local Authorities do not have access to conservation advice in any form.
- 25.50% of all Local Authorities have a service of any type which is below 0.5 Full Time Equivalent and may not be providing a credible service.
- Since 2006 the conservation specialist advice available to Local Authorities in England has decreased by 35.22%
- Since 2009 the conservation specialist advice available to Local Authorities in England has decreased by 48.7%

With 6% of Local Authorities now having no access to conservation advice and many others having just part time access to advice this lack of advice exposes the nation's heritage to the real risk of harm and makes the aims of obtaining the advice needed for these documents to work successfully very difficult. The loss of 48.7% of conservation provision across England since 2009 has had a devastating effect on local authorities and some may be no longer even able to carry out even their statutory conservation duties.

It may be appropriate to specify additionally, where there is no conservation officer in post, that a conservation professional accredited through IHBC or other conservation accreditation scheme should be consulted.

It is vital that appropriate advice should be readily available for all those involved in building projects affecting historic and traditional buildings. British Standard BS 7913:2013 guide to the conservation of historic buildings and PAS 2035/2030:2019 Retrofitting dwellings for improved energy efficiency are both referenced briefly in Appendix C, but should be much more prominent. These documents together cost over £400, so it would be helpful to have free advice and guidance available to cover key points.

Chapter 3 (Technical Advice for Landlords on making Energy Efficiency Improvements) of the Domestic Private Rented Sector Minimum Standard could helpfully be referenced as an outline of key principles [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/882957/Domestic Private Rented Property Minimum Standard - Landlord Guidance 2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/882957/Domestic_Private_Rented_Property_Minimum_Standard_-_Landlord_Guidance_2020.pdf)
Further free advice is available from the Sustainable Traditional Buildings Alliance <https://stbauk.org/knowledge-centre/> and IHBC https://ihbconline.co.uk/toolbox/guidance_notes/retrofit.html

Part F

F1 0.5/F2 0.5 As well as maintaining the exemptions for Listed buildings, Conservation Areas and ancient monuments this might usefully also apply to Buildings of Local Interest. , the existing exemptions for locally listed buildings (described in the current Part L as "Buildings which are of architectural and historical interest and which are referred to as a material consideration in a local authority's development plan or local development

framework") should also be maintained. This category includes historic buildings identified in a 'local list' or 'supplementary list' that has been included in a local authority's unitary or local plan (known as the development plan). Inclusion within the plan means that any list of this kind has been subject to public consultation and is a material planning consideration in the determination of applications under the Town and Country Planning Acts. This would allow for joined up policy making with the Government's current Local Heritage List Campaign spending £1.5 million on developing lists of locally important non designated heritage assets. A list in itself offers no detailed protection but a consideration under the building regulations would help prevent ill-considered and damaging changes.

F1 0.5/F2 0.5 The list of vapour permeable construction types should also include vapour permeable soft brick, stone or other solid masonry.

F1 0.7/ F2 0.7 New extensions to historic or traditional buildings are required to comply fully with the standards of ventilation in the approved document unless there is a need to match the external appearance or character of the extension to that of the host building. This should also include instances where a fully compliant building may be technically not appropriate and incompatible as well as visually so.

It is vital that appropriate advice should be readily available for all those involved in building projects affecting historic and traditional buildings. British Standard BS 7913:2013 guide to the conservation of historic buildings and PAS 2035/2030:2019 Retrofitting dwellings for improved energy efficiency are both referenced briefly in Appendix C, but should be much more prominent. These documents together cost over £400, so it would be helpful to have free advice and guidance available to cover key points.

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Further free advice is available from the Sustainable Traditional Buildings Alliance <https://stbauk.org/knowledge-centre/> and IHBC https://ihbconline.co.uk/toolbox/guidance_notes/retrofit.html

Yours sincerely

Fiona Newton
IHBC Operations Director