



Building Regulations
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15 June 2023

Dear Sir

**Consultation on Regulation of the Building Control Profession
and Building Control Bodies**

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:

The institute of Historic Building Conservation (IHBC) welcomes the proposed changes referred to in this consultation as they should lead to tighter regulation of Building Inspectors as a professional body. We appreciate that the background to these changes as set out in the consultation do not focus on risk to historic buildings, rather resulting from safety in high rise, but it is considered that changes to buildings of traditional construction can have dramatic impact on building fabric and occupier's health if undertaken inappropriately, leading to damp, decreased energy efficiency and so on. That is notwithstanding the potential impact on the building's character, though of course outside the considerations of the BC system.

We wish to draw attention to some potential problems which might arise with buildings of traditional construction if appropriate care is not taken when retrofitting measures are being carried out. We advocate that the changes could go further, in relation to what is deemed 'higher-risk work'. For the reasons set out in this response, we consider it would be prudent for works to any buildings of 'traditional construction', or at the very least those which are listed/ in conservation areas, to be classified as 'higher-risk work'. It is appreciated that bringing all buildings of traditional construction under the remit of Local Authority Building Control might be considered rather draconian, but at the very least Listed Buildings and those in Conservation Areas should be offered more protection and oversight than is currently the case from inappropriate and damaging retrofit and other changes.

Classification of work to buildings of traditional construction (or at the very least those which are listed buildings / in conservation areas) as 'higher-risk work', would mean all such work would be assessed by the local authority building control team, and importantly would be (or much more likely to be) subject of discussion with the LPA's CO, or equivalent, leading to better outcomes for such buildings, including energy efficiency measures etc. We believe this need for dialogue should in fact be a requirement for relevant higher risk work, or if considered a matter for local authorities, a strong recommendation that such dialogue takes place.

Proper regulation and oversight of such work is vitally important, especially in the context of the wave of retrofit, in that getting it wrong can have dramatic impacts on building fabric and performance, as well as impacting the historic environment more generally. Such work should as a matter of course be subject of discussion with the LPA's Conservation Officer or equivalent. Our experience is that private building control inspectors will rarely, if ever, make contact with the LPA's CO, including in respect of consideration of dispensation, which makes us believe there is much work ongoing which is inappropriate for buildings of traditional construction. This may be entirely unseen externally, including inappropriate internal insulation, reducing ventilation by way of blocking up fireplaces, tanking, use of non-lime based 'breathable' plasters, and suchlike.

IHBC wish to flag the importance of thermal improvement to traditionally constructed buildings which will support achieving government targets of net zero by 2050 if carried out without causing unintended consequences and disastrous results. Governments cannot protect our heritage buildings for future

generations without proper representation from those who understand how traditional buildings should be sensitively treated when compared to their modern counterparts that employ modern methods of construction. The two types require two totally different technologies and if not considered as such we will end up with unintended consequences and disastrous results.

Recent changes to approved documents supporting the building have little regard for the thermal improvement of traditional and historic buildings. Without proper guidance in the Approved Documents, we will see ever increasing dampness and deterioration in our traditional and historic buildings built with solid walls and causing health issues for those who occupy them. It is clear that poor methodologies in the Approved Documents are a critical part of the problem and without intervention, these issues and limitations faced by traditional buildings will only increase as government legislates to achieve net zero carbon by 2050.

There are industry calls for the U-value of solid walls to be less onerous and a more flexible approach to be adopted in Approved Document L. This would allow for greater flexibility to choose a U-value that is more appropriate for a particular situation and building- you cannot adopt a one size fits all approach.

Although Part L has exemptions and special considerations for traditional and historic buildings, the decision regarding it relies on the building control body approving this. If it is listed, the conservation officer may intervene, but for the majority of the 5.5m traditional buildings in England and Wales that don't have the benefit of statutory protection, the supervising building control body may refuse special provision unless a specialist's report is obtained. This can be expensive and is rarely done. In most cases it is possible to apply to a local authority for a dispensation/relaxation of a regulation, however, this option is prevented in Regulation 11. Even with the exemptions and special considerations under paragraphs 0.8 to 0.13 in Approved Document L there is little comfort to industry and practitioners where any damp evident from a bespoke breathable insulation system applied to a solid wall when not properly understood might lead to masking the wall and trapping the moisture instead of allowing any moisture to evaporate.

Government needs to ensure that people are in place with the necessary training and skills to ensure the works are carried out properly to buildings of traditional construction. Governments are failing to recognise the complexities around traditional buildings and they need to adopt a more targeted approach. In particular

Government needs to ensure that any future technical working group that reviews the building regulations and approved documents (particularly for the major changes due in 2025) should include working group members from the heritage sector which was not the case in the last Part L review.

Yours sincerely