

The Future Homes and Buildings Standards: 2023 consultation

CIEH response to a Department for Levelling Up, Housing and
Communities consultation

March 2024

About the Chartered Institute of Environmental Health (CIEH)

CIEH is the professional voice for environmental health representing over 7,000 members working in the public, private and non-profit sectors. Building on its rich heritage, CIEH ensures the highest standards of professional competence in its members, in the belief that through environmental health action people's health can be improved.

Environmental health has an important and unique contribution to make to improving public health and reducing health inequalities. CIEH campaigns to ensure that government policy addresses the needs of communities and business in achieving and maintaining improvements to our environment and our health.

For more information visit www.cieh.org and follow CIEH on Twitter [@The_CIEH](https://twitter.com/The_CIEH).

Any enquiries about this response should be directed to:

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Responses to consultation questions

1. Scope of consultation

Question 1. Are you responding as / on behalf of (select all that apply):

We are responding as a membership and awarding body for the environmental health sector.

Question 4. If you are responding on behalf of a business/organisation, what is the name of your business/organisation?

Chartered Institute of Environmental Health

Question 6. When you respond it would be useful if you can confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name,
- your position (if applicable),
- the name of organisation (if applicable),
- an address (including post-code),
- an email address, and
- a contact telephone number

This response is being submitted as an official response on behalf of the Chartered Institute of Environmental Health. See contact details above.

4. Performance requirements for new buildings

Question 7. Which option for the dwelling notional buildings (for dwellings not connected to heat networks) set out in The Future Homes Standard 2025: dwelling notional buildings for consultation do you prefer?

a. Option 1 (higher carbon and bill savings, higher capital cost)

Question 8. What are your priorities for the new specification? (select all that apply)

*lower bills
carbon savings*

We are prioritising lower bills for the person living in the property rather than for the developer.

Question 9. Which option for the dwelling notional buildings for dwellings connected to heat networks set out in The Future Homes Standard 2025: dwelling notional buildings for consultation do you prefer?

a. Option 1 (higher carbon and bill savings, higher capital cost)

In relation to option 1 (for both dwellings not connected to heat networks and those connected to heat networks) we do not support the blanket exclusion of the requirements to install solar PV in blocks of flats over 15 storeys and wastewater heat recovery systems in single storey dwellings. Instead we think provision should be made in these scenarios to enable the developer to seek an exemption if they can demonstrate installation is not practical or is cost prohibitive. In blocks of flats the constraints on installing solar PV are likely to vary according to the design of the building, for example the width and length of the building will affect the amount of roof space available. Single storey homes are more likely to be occupied by older/disabled people who would benefit more from lower heating costs.

5. Metrics

Question 12. Do you agree that the metrics suggested above (TER, TPER and FEE) be used to set performance requirements for the Future Homes and Buildings Standards?

a. Yes

6. Updated guidance and minimum standards

Question 15. Do you agree that operating and maintenance information should be fixed to heat pump units in new homes?

a. Yes

We suggest there should be some form of electronic system for providing updated information.

7. Material Change of Use

Question 25. Should we set whole-building standards for dwellings created through a material change of use?

a. Yes

Question 26. Should the proposed new MCU standard apply to the same types of conversion as are already listed in Approved Document L, Volume 1: Dwellings?

b. No, standards should also apply to non-dwelling accommodation e.g., student or patient accommodation, care homes, and hotels

c. No, the standard should be clearer that it applies to houses in multiple occupation

With regard to b., we believe that vulnerable people should not be left out.

With regard to c., we believe the standard should apply to all houses in multiple occupation including, for example, shared houses and bedsits.

Question 27. Should different categories of MCU buildings be subject to different requirements?

a. Yes

Question 34. Should a limiting standard be retained for MCU dwellings?

d. No, there is not enough information

Question 35. If a limiting standard is retained, what should the limiting standard safeguard against?

*risk of moisture, damp and mould
high energy demand and energy bills
other - noise, excess heat, excess cold, lack of natural lighting and ventilation*

Question 37. Do you agree that a BREL report should be provided to building control bodies if we move to energy modelling to demonstrate compliance with MCU standards?

*b. Yes, and photographic evidence is needed
c. Yes, and I'd like to provide further information*

We believe it is important to provide a full report and that this should include photographic evidence and any other evidence that is necessary to demonstrate compliance.

Question 38. Do you agree that consumers buying homes created through a material change of use should be provided with a Home User Guide when they move in?

a. Yes

Question 39. Do you agree that homes that have undergone an MCU should be airtightness tested?

a. Yes

8. Real-world performance of homes

Question 40. Do you think that we should introduce voluntary post occupancy performance testing for new homes?

c. No

We believe this testing should be compulsory to avoid introducing two different standards into the market. We would also have expected the National House Building Council to be involved.

Question 41. Do you think that the government should introduce a government-endorsed Future Homes Standard brand? And do you agree permission to use a government-endorsed Future Homes Standard brand should only be granted if a developer's homes perform well when performance tested? Please include any potential risks you foresee in your answer.

b. Yes, and I want to provide additional suggestions or information

The performance testing should be compulsory rather than voluntary so that all developers are required to prove that they meet the standard. There should be guidance about what steps can be taken if they do not meet the standard.

Question 50. Do you have a view on how Home User Guides could be made more useful and accessible for homeowners and occupants, including on the merits of requiring developers to make guides available digitally? Please provide evidence where possible.

a. Yes

There should be digital and web-based availability to avoid them being lost or misplaced. QR codes could be used.

9. Heat networks

Question 53. Do you agree that new homes and new non-domestic buildings should be permitted to connect to heat networks, if those networks can demonstrate they have sufficient low-carbon generation to supply the buildings' heat and hot water demand at the target CO2 levels for the Future Homes or Buildings Standard?

b. Yes, and I'd like to provide further information

Governments should consider ways in which they can accelerate the delivery of new heat networks and provide grants to expand existing ones. Costs would need to be controlled to avoid excessive increases in charges, and domestic rates charged rather than higher commercial rates.

11. Accounting for exceptional circumstances

Question 61. Do you agree that it should be possible for Regulation 26 (CO2 emission rates) to be relaxed or dispensed with if, following an application, the local authority or Building Safety Regulator concludes those standards are unreasonable in the circumstances?

b. No

There is a risk that developers would exploit such a loophole to reduce costs.

13. A review of our approach to setting standards

Question 67. Do you agree that the Home Energy Model should be adopted as the approved calculation methodology to demonstrate compliance of new homes with the Future Homes Standard?

Please see our response to the consultation on the Home Energy Model.

14. Transitional arrangements

Question 78. Which option describing transitional arrangements for the Future Homes and Buildings Standard do you prefer? Please use the space provided to provide further information and/or alternative arrangements.

a. Option 1

Question 80. Do you agree that the 2010 and 2013 energy efficiency transitional arrangements should be closed down, meaning all new buildings that do not meet the requirements of the 2025 transitional arrangements would need to be built to the Future Homes and Buildings Standards?

a. Yes

15. Part O – call for evidence

Question 82. Part O does not apply when there is a material change of use. Should it apply?

a. Yes