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Gerald McInerney
Sustainable Buildings Division
Department for Communities and Local Government
5th Floor
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Dear Gerald,

BCSC response to CLG Consultation on Proposed Changes to Part L and Part F

BCSC welcomes the Government Consultation on Proposed Changes to Part L and Part F of Building Regulations.

BCSC represents businesses operating in the retail property sector, our mission being to promote industry best practice and advance the professional aims of the retail property industry. Our membership is a broad church of nearly 3,000 property professionals including owners, developers, retailers, surveyors, architects and public sector managers. One of our primary aims, as embedded in BCSC's Sustainability Charter, is to significantly reduce carbon emissions from buildings in the retail property sector.

We are committed to working with our members' to achieve the Government's objectives for carbon reductions from non-domestic buildings and believe that good design, energy efficiency and low carbon technologies ought to be employed in our shopping centres.

We support the intention of Government to make all buildings as low carbon as possible and applaud the adoption of a hierarchy of allowable solutions, as outlined in the definition of zero carbon consultation earlier this year. We urge the Government to continue to develop a graduated, flexible approach in implementing a zero carbon standard, from 2010 and beyond.

As previously asserted in communication with CLG, we urge Government to note that many non-domestic buildings are subject to existing regulation that domestic residences do not face and that these regulations, such as the Climate Change Levy (CCL) and shortly the Carbon Reduction Commitment (CRC), are the best methods for handling unregulated emissions.

In designing a policy which will enable the non-domestic sector to meet the proposed 2019 target it is paramount that the right frameworks are developed which are sector focused, flexible and not bound by a 'one size fits all' approach.

We continue to support the use of Building Regulations as the mechanism to deliver sustainability advances, and urge Government to resist handing more powers in this area to the planning system.

The introduction of policies designed similar to that of the Merton Rule do not deliver the required flexibility to work towards meeting the 2010 or 2019 targets. It is crucial that each development is assessed on its own merit, and local authority-wide (often arbitrary) sustainability targets have not been shown to deliver the best results.

The Merton Rule is clearly popular with local authorities and is seen to be quick win to deliver energy reductions and improve a council's reputation in this area. However, the rule is restrictive in its application, and in certain circumstances introduces an element of risk in enabling developments to move forward.

A move towards such policies could serve to complicate matters and create further regional inconsistencies between different local authorities. This, we feel, could undermine the power of larger landlords and developers to make strategic decisions relating to the sustainability of more than one shopping centre at any one time, thus reducing economies of scale.

We recognise that there are many ways in which shopping centres can reduce their carbon emissions, via both behavioural and technological changes, and as an organisation BCSC is committed to relaying best practice in both of these areas between developers, landlords and retailers.

Shopping centres are often the hub of low carbon energy communities in current mixed-use schemes. Indeed, shopping centres fortified with low carbon CHP technologies are often the most effective way for domestic dwellings in a mixed-use scheme to meet their own low carbon objectives.

BCSC remains committed to seeing that carbon reduction decisions are taken in context, recognising that non-domestic buildings can achieve significant emissions saving goals in conjunction with other types of buildings. Such savings cannot always be guaranteed when the different assets are acting as (and treated as) separate entities.

With regard to the upgrade of existing buildings, we accept that all shopping centres will be refurbished at some point during their operational lifetime and that this offers an opportunity for cost effective introduction of carbon saving technologies.

We look forward to the Government's further work in reducing carbon from non-domestic buildings and to responding to the forthcoming Consultation dedicated to developing the trajectory towards the 2019 zero carbon target.

If you would like to receive any further information please feel free to contact me.

Yours sincerely,



Edward Cooke
Executive Director
BCSC