



Llywodraeth Cymru
Welsh Government

Number: WG50056

Welsh Government Consultation response form

Electric Vehicle Charging in Residential and Non-Residential Buildings

Date of issue: 6 September 2024

Action required: Responses by 29 November 2024

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg /
We welcome correspondence and telephone calls in Welsh

Overview	This consultation seeks your views on the draft amendments to Building Regulations in Wales. The draft amendments will mandate the provision of electric vehicle chargepoints in new residential, non-residential buildings and buildings undergoing major renovations, or material change in use, which have associated car parking.
How to respond	<p>The closing date for responses is 29 November 2024. You can respond in any of the following ways:</p> <p>Email: Please complete the consultation form and send it to EVChargerBuildingRegs@gov.wales</p> <p>Post: Please complete the consultation response form and send it to:</p> <p>Building Regulations EV chargepoints, Welsh Government Cathays Park Cardiff CF10 3NQ</p> <p>Further information and related document Large print, Braille and alternative language versions of this document are available on request.</p>
Contact details	<p>For further information:</p> <p>Building Regulations EV chargepoints, Welsh Government Cathays Park Cardiff CF10 3NQ</p> <p>email: EVChargerBuildingRegs@gov.wales</p> <p>This document is also available in Welsh</p>

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tick the box below. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Confidentiality

Responses to consultations may be made public on the internet or in a report.

If you do not want your name and address to be shown on any documents we produce please indicate here ☐

CONSULTATION FORM

Date:

Your Name: **Rhodri Williams**

Your Position (if applicable): **Technical & Sustainability Director**

Your Organisation (if applicable): **Home Builders Federation**

Email / Telephone Number: **Rhodri.williams@hbf.co.uk**

Your Address: **HBF House, 27 Broadwall, Southwark, London SE1 9PL**

Type of Organisation: Choose one of the following:

- Builder/Developer ☐
- Small/medium builder ☐
- Volume house builder ☐
- Designer/Engineer/Surveyor ☐
- Local Authority ☐
- Registered Building Control Approver ☐
- Architect ☐
- Manufacturer/supply chain ☐
- Energy Assessor ☐
- Energy sector ☐
- Construction Professional ☒
- Property Manager/Housing Association/Landlord ☐
- Building Occupier/Resident ☐
- Other Interested Party (please specify) ☐

Trade Body Association

Proposed Building Regulations for new residential buildings and residential buildings undergoing major renovation or material change of use.

Question 1 – Do you agree with our proposed policy position that every new residential building with an associated car parking space to have an electric vehicle (EV) chargepoint?

- Yes ☐
- No ☒
- Unsure ☐
- N/A ☐

Question 2 – Please give reasons for your answer including, where applicable, any alternative requirement you think would be suitable.

We recognise the need to transition to a low carbon future and that electric vehicles may be part of the solution, but we see practical and financial challenges associated with the proposed approach. The physical installation of active fixed charging points is not necessary. A duct and cabling provision would be far more sensible and avoid the potential risk of charging points becoming obsolete and never being used. Our preferred approach would be for consideration towards Option 2 Lower Cost Provision (cabling) as detailed under Section 3.5.2. as a mandatory approach followed by an inclusion that allows developers to provide an enhanced provision if they desire for a full active charge point to a 7kW output.

HBF and its members recognise and support the general direction of travel towards electric and hybrid vehicles. However, providing the infrastructure, cabling, ducting and termination points for a 'Passive' charge point is considered to be a more appropriate way to integrate the use of EV charging at home over the course of the next 10 years. As industry transitions, a passive approach would allow greater choice of charge points to be installed relative to customer choice and market availability. There are already cases where new active charge points are removed by new homeowners as they are not compatible with new EV cars or specific green energy tariffs such as those offered by Octopus. There is increased risk towards developers having to pay increased connection charges due to the presence of EV charge points on new homes in addition to significant National Grid offsite re-enforcement works that are needed in order to support the infrastructure for 100% active charging on new developments. In many cases it appears that the developer is funding the potential future reinforcement of the DNO/IDNO/National Grid network at significant cost when this responsibility should rest entirely with the transmission network.

Our preferred approach would be to smooth out the transition of the introduction of active charge points gradually over the course of the next 10 to 15 years by installing passive charge points only, thus avoiding overwhelming the grid and therefore gradually come online with new installations at the appropriate time over the coming



years. We believe this provides greater flexibility and choice for homeowners whilst lowering their current monthly electricity bills where a passive charge is provided and allows for greater success for grid connections for the developer with existing available capacity without placing an additional burden onto the grid.

Question 3 – Should the proposed Building Regulation requirement to install a chargepoint in every new home also apply to residential buildings undergoing a major renovation?

- Yes ☐
- No ☒
- Unsure ☐
- N/A ☐

Please provide an explanation for your answer, including any evidence or costings if relevant.

Our response to this question is detailed and answered above in question 1. Our preferred approach for residential buildings undergoing major renovation would be for consideration towards Option 2 Lower Cost Provision (cabling) as detailed under Section 3.5.2. This provides new customers with the option to install active charge points at some point in the future to a manufacturer and specification appropriate at that time. Provision of cabling, ducting, routing and connection would still be provided but the lower cost is less likely to cause less viability issues for projects undergoing major renovations and thus more likely to contribute to their success in coming forward. Connection issues with the National Grid in addition to customer electrical charges remain the same as set out in question 1 above.

Question 4 – If so, do you think the requirement should apply only to residential buildings undergoing major renovation with more than 10 car parking spaces?

- Yes ☐
- No ☐
- Unsure ☐
- N/A ☒

Please provide an explanation for your answer, including any evidence or costings if relevant.

N/A.

Question 5 – In buildings where it is not technologically feasible to include a chargepoint, is this an appropriate case for exemption to apply and if so, what is the appropriate threshold for this exemption to be triggered?

Exemptions should be retained within the proposed approved document to allow for mitigating circumstances or unique site circumstances such that passive or active charge points cannot be provided. A developer or applicant must be able to demonstrate each unique set of circumstances that exist in relation to any particular site such that an exemption not to provide EVCP charge points can be presented and agreed with the planning and building control authority. This scenario could relate specifically to buildings undergoing building conversion or renovation where it may not be suitable on viability grounds to make significant grid connection applications or where grid expansion is required. HBF therefore wishes to see exemptions retained within the new building regulations approved document S.

Question 6 – Do you agree the requirements should be for one chargepoint per dwelling rather than for every parking space associated with the building?

- Yes ☒
- No ☐
- Unsure ☐
- N/A ☐

Question 7 – Please give reasons for your answer including, where applicable, any alternative requirement you think would be suitable.

Our reasons for providing one charge point per dwelling as opposed to per parking space per dwelling is based on cost, feasibility and practicality grounds. It would not be reasonable to provide upwards of 2, 3 or 4 charge points per dwelling where housing layouts dictated such. Provision of multiple charge points per dwelling would place enormous strain on developers on cost grounds but also on the national grid for available capacity. Furthermore, it is also unlikely that all charge points would be utilised at the same time and thus it is unreasonable, unviable and disproportionate to propose the implementation of multiple charge points in new homes. This would not be in line with other legislation already implemented elsewhere in the UK and departs from the current provision already carried out to date in Wales.

Question 8 – Should the proposed Building Regulation requirement for electric vehicle chargepoint and infrastructure apply where the building has undergone a material change of use as defined in paragraph 8(1)(e) of Schedule 1 to the Act, a) or b) of Regulation 5 of the Building Regulations 2010?

- Yes ☒
- No ☐
- Unsure ☐
- N/A ☐

Question 9 – If you disagree, please explain why.

HBF agrees however the opportunity to retain an exemption should still remain where the building has undergone a material change of use as set out in our detailed response to question 5 within the proposed building regulation approved document S.

Question 10 – Should we apply an exemption to the requirements for material change of use in residential buildings in cases where there is adequate spare capacity in the incoming electrical supply to the car park?

- Yes ☒
- No ☐
- Unsure ☐
- N/A ☐

Question 11 – If you disagree, please explain why.

Yes. The opportunity to equally retain an exemption to provide or justifiably not provide a charge point works both ways. HBF believes the proposed building regulations approved document S should therefore allow developers not to provide a charge point in mitigating circumstances. This aligns with our response to question 2 whereby we suggest that passive charging is mandated but the opportunity to provide enhanced active charging is also retained should the developer choose to do so. This provides the best possible outcome providing maximum flexibility whilst reducing undue strain onto the existing grid providing an opportunity for reduced electrical bills to the home owner who retains the flexibility to install the correct charge point at the correct point in time.

Proposed Building Regulations changes

New non-residential buildings and non-residential buildings undergoing major renovation or material change of use.

Question 12 – Do you agree with the Welsh Government proposed policy position?

- Yes ☐
- No ☐
- Unsure ☐
- N/A ☒

Please give reasons for your answer including, where applicable, any alternative requirement you think would be suitable.

HBF is the representative body of home builders in England and Wales. Whilst the principle of capturing all building types undergoing major renovation works to provide a form of passive or active charging is agreeable, it would not be appropriate to comment in detail in this regard to question 12.

Key exemptions considerations

Question 13 – Do you agree that we should apply an exemption for listed buildings and buildings in conservation areas as suggested above?

- Yes ☒
- No ☐
- Unsure ☐
- N/A ☐

Question 14 – If you disagree, please explain why.

N/A

Question 15 – Should we apply an exemption to the requirements for major renovations in residential buildings where the cost of installing the cable routes exceeds 7 per cent of the total cost of the major renovation?

- Yes ☐
- No ☒
- Unsure ☐
- N/A ☐

Question 16 – If you disagree, please explain why.

We do not support an exemption for major renovations. Major renovations should be treated the same as new build.

Question 17 – Should we apply an exemption to the requirements for major renovations in residential buildings in cases where there is adequate spare capacity in the incoming electrical supply to the car park?

- Yes ☐
- No ☒
- Unsure ☐
- N/A ☐

Question 18 – If you disagree, please explain why.

Major renovations should be treated the same as new build development regardless of capacity issues. The cost to install and deliver is the same. Offsite network re-enforcement may still be required with network operators despite there being available capacity. Renovation work and new build work should be considered the same in this regard.

Question 19 – Should we apply an exemption to the requirements for major renovations in non-residential buildings where the cost of installing the cable routes and chargepoint exceeds 7 per cent of the total cost of the major renovation?

- Yes ☐
- No ☐
- Unsure ☐

- N/A ☒

Question 20 – If you disagree, please explain why.

N/A

Impact Assessment

Question 21 – Do you agree with the assumptions, costs and impacts set out in the Impact Assessment?

- Yes ☒
- No ☐
- Unsure ☐
- N/A ☐

Question 22 – If you do not agree, please provide supporting evidence

We principally agree with the cost assumptions provided within the consultation that for the average home, the cost of installation of a charge point upfront could be from around £1,100 (+/-£400) compared to £2,300 (+/-£1,100) for retrofit of a fully integrated installation back to the consumer unit. This could on occasions make an average cost saving of £1,200 (+/-£700) per charge point. However, this is not always the case and there are many instances of buying power advantages shown across different kinds of development and by different developers. SMEs would incur significant cost differences that national builders. Generally, the cost to install has reduced over the last two to three years since the equivalent consultation took place in England in 2021. Then, developers were experiencing costs in excess of £3,600 per dwelling added to the fact that charge points were not easily available in bulk supply. HBF agrees with the principal of the figures provided within the consultation as being around the £1,100 to £1,500 price mark. This however does not take into account any offsite network re-enforcement costs that may be necessary and are therefore separate to this figure. These costs can be significantly higher and can be detrimental to the viability of new housing schemes. These costs should be the responsibility of the network operator and not the developer. However, this is briefly mentioned in item 6.2.1 of the consultation paper and the principal on technical feasibility set at 2 and a half times the high scenario at £3600 per dwelling is considered reasonable upon the presentation of accompanying evidence. We agree that this should incentivise developers to find innovative solutions elsewhere.

Transitional arrangements/Lead in times

Question 23 – What is a reasonable transition period between publishing the new regulations and guidance and the requirements coming into force?

In line with the consultation document HBF agree that buildings that have submitted their initial notice or full plan applications by the point in time that the regulations come into force should be exempt from the regulations for EV charge points.

HBF supports a further minimum period of three years of transitional arrangement period following the coming into effect date of the regulations by which developers are able to continue on a site by site arrangement not plot by plot arrangement of exemption of Part S in order to manage supply chains, design, procurement and management of offsite grid upgrades and re-enforcement. This is absolutely necessary in order to manage loadings, consult with DNOs and potentially re-negotiate land agreements etc prior to new regulations being enacted on new developments. Alternatively, if a passive charge provision only were to be considered by Welsh Government then the shorter transitional arrangement as set out in the consultation paper could be accepted.

Part S significantly affects the strategic approach to housing developments whether it be housing layouts and residential design or offsite strategic upgrades required to the national grid. For these reasons alone a plot by plot arrangement cannot be achieved and should not be required. At the very least a site wide exemption is required in order to achieve development security. This is consistent with what was permitted as reasonable in England in their Part S regulation that came into being in 2022. HBF support the same approach under this consultation in Wales.

Question 24 – What, in your opinion, would be the likely effects of the proposed amendments would have on the Welsh language? We are particularly interested in any effects on opportunities to use the Welsh language and on treating the Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?

Do you think that there are opportunities to mitigate any adverse effects?

As the representative body of the house building industry, we do not feel we can comprehensively respond to this point and feel this is more appropriately responded to by other sectors closer related to the delivery of the Welsh language in Wales in addition to education and University providers in Wales that deliver construction & legal courses in Wales.

Question 25 – In your opinion, could the proposed actions be formulated or changed so as to:

- have positive effects, or more positive effects on using the Welsh language and not treating the Welsh language less favourably than the English, or

- mitigate any negative effects on using the Welsh language and on treating the Welsh language less favourably than English?

As the representative body of the house building industry, we do not feel we can comprehensively respond to this point and feel this is more appropriately responded to by other sectors closer related to the delivery of the Welsh language in Wales in addition to education and University providers in Wales that deliver construction & legal courses in Wales.

Question 26 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

None.

Next Steps

This consultation will close on 29 November 2024. Responses to this consultation will be analysed and a Welsh Government Response will follow.