



26.4.2017

## **DRAFT OPINION**

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Industry, Research and Energy

on the proposal for a directive of the European Parliament and of the Council amending Directive 2010/31/EU on the energy performance of buildings  
(COM(2016)0765 – C8-0499/2016 – 2016/0381(COD))

Rapporteur: Anneli Jäätteenmäki

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## SHORT JUSTIFICATION

The Commission proposal tries to increase the energy efficiency of the European building stock and to contribute positively to the EU climate goals. The chosen method is to enhance implementation of the existing directive and to propose some provisions that go beyond the current situation. Putting energy efficiency first is rightly restated as the guiding principle.

Given the slow annual renovation rate of European buildings (around 0,4-1,2% depending on the Member State) and the complex interplay between EU legislation, national building codes, building practices, economic trends and the ownership structure of the building stock, there still remains enormous untapped energy saving potential. In light of the current trend, the coming years will not radically change the situation.

Without further measures, energy efficiency renovations will be carried out when they are economically reasonable and have the proper incentives in place in order to incentivise reaching the energy efficiency goals.

It is important that the Member States know their building stock and thus help the different actors to prioritise the renovations based on cost-efficiency. This is encouraged in the amendment to Article 2 on the long-term renovation strategies.

Currently, there is an urgent need for widely available financing products that would include and support the positive aspects of energy efficiency renovations, such as the higher asset value and healthier living conditions for the occupants. The Commission's efforts in enabling financing, such as the “Smart Finance for Smart Buildings” initiative are to be encouraged.

The rapporteur would like to stress two major issues: healthy building and the Commission proposal on electro-mobility.

First, one cannot overstate the importance of healthy buildings. A healthy building is designed to fulfil the needs of its occupants and can be modified to accommodate future needs. It is constructed from durable, repairable and recyclable non-toxic materials. It uses energy efficiently and might also produce it, has sufficient natural light and is ventilated and heated properly to maintain good indoor air quality and temperature.

Nowadays, most people spend most of their time indoors. According to estimates, tens of millions of Europeans suffer from bad indoor air quality, often because of excessive dampness, which encourages the growth of mould and can also cause structural damage to the building.

The range of affected buildings varies from private dwellings to public buildings. The way buildings are built and maintained has huge effects on

public health and the well-being of the whole population.

Energy inefficient houses and energy poverty are intimately linked. If the housing estates postpone the necessary renovations due to lack of financing, they risk further degrading of the living conditions and also decrease the value of the housing stock.

For the rapporteur, the second major issue is the proposal on electro-mobility, introduced in the amended Article 8.

The proposition includes all new non-residential buildings and existing non-residential buildings undergoing major renovation with more than ten parking spaces. Newly built residential buildings and those undergoing major renovations are also included. For the first category, at least 10 % of the parking spaces should be equipped with a recharging point. For the second category, every parking space should be equipped with pre-cabling.

In the rapporteur's view, the charging infrastructure obligations proposed by the Commission undermine the efficient allocation of both private and public money.

Currently, charging technology is being developed at a fast pace. Many Member States have already taken steps to build the charging infrastructure. The cost of a charging point is decreasing. Private companies and public utilities have viable business cases for building the network and pricing electric vehicle charging.

For new buildings, both non-residential and residential, the necessary infrastructure can be integrated to the design process from the beginning. It is therefore wise to make new buildings future proof by ducting. This would leave sufficient flexibility for the sizing of the cabling and ensure that the necessary charging infrastructure can easily be built when needed.

For existing non-residential buildings, the obligation should be relaxed to apply only in cases where the renovation concerns electric infrastructure of the building. This would help to keep the return for investment for the actual energy efficiency improvements higher.

## **AMENDMENTS**

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Industry, Research and Energy, as the committee responsible, to take into account the following amendments:

## Amendment 1

### Proposal for a directive

#### Recital 6

##### *Text proposed by the Commission*

(6) The Union is committed to developing a secure, competitive and decarbonised energy system by 2050<sup>12</sup>. To meet this goal, Member States and investors need milestones to ensure that buildings are decarbonised by 2050. In order to ensure this decarbonised building stock by 2050, Member States should identify the intermediary steps to achieving the mid-term (2030) and long-term (2050) objectives.

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<sup>12</sup> Communication on an Energy roadmap 2050, (COM(2011) 885 final).

##### *Amendment*

(6) The Union is committed to developing a secure, competitive and decarbonised energy system by 2050<sup>12</sup>. To meet this goal, Member States and investors need milestones to ensure that buildings are decarbonised by 2050. In order to ensure this decarbonised building stock by 2050, Member States should identify the intermediary steps to achieving the mid-term (2030) and long-term (2050) objectives ***and stimulating the renovation rate of the existing building stock.***

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<sup>12</sup> Communication on an Energy roadmap 2050, (COM(2011) 885 final).

Or. en

## **Amendment 2**

### **Proposal for a directive Recital 7 a (new)**

*Text proposed by the Commission*

*Amendment*

*(7a) The construction of new buildings and the renovation of existing buildings should aim to create buildings that fulfil the needs of occupants and that can be modified to accommodate future needs, that are constructed from durable, repairable and recyclable non-toxic materials, that use energy efficiently and that could also produce energy, that have sufficient natural light, and that are ventilated and heated properly to maintain a healthy indoor environment.*

Or. en

## **Amendment 3**

### **Proposal for a directive Recital 7 b (new)**

*Text proposed by the Commission*

*Amendment*

***(7b) As the building stock in the Union is being modernised to a higher level of energy efficiency, it is also becoming more complex. For low-energy buildings, this often means increasing sensitivity for defects during their whole lifetime. There is an increasing need for cooperation between the different professionals on-site. Encouragement for systemic thinking should start from the educational system and continue throughout the careers of builders.***

Or. en

#### **Amendment 4**

#### **Proposal for a directive Recital 13**

*Text proposed by the Commission*

*Amendment*

***REHVA amendment proposal of the ENVI opinion with track change.***

(13) To ensure their best use in building renovation, financial measures related to

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energy efficiency should be linked to the depth of the renovation, which should be assessed by comparing energy performance certificates (EPCs) issued before and after the renovation.

energy efficiency should be linked to the depth of the renovation, which should be assessed by comparing energy performance certificates (EPCs) issued before and after the renovation. ***Energy efficiency improvements should be considered as a whole in order to ensure that all parts and technical systems, including building maintenance, result in a high level of energy efficiency.***

***Energy efficiency improvements should be considered as a whole in order to ensure that all parts and technical systems, including building maintenance, result in a high level of energy efficiency and indoor environmental quality at the same time.***

Or. en

## Amendment 5

### Proposal for a directive Recital 18

#### *Text proposed by the Commission*

(18) The provisions of this Directive should not prevent Member States from setting more ambitious energy performance requirements at building level and for building elements as long as such measures are compatible with Union law. It is consistent with the objectives of this

#### *Amendment*

(18) The provisions of this Directive should not prevent Member States from setting more ambitious energy performance ***and indoor environmental quality*** requirements at building level and for building elements as long as such measures are compatible with Union law. It is

Directive and of Directive 2012/27/EC that these requirements may, in certain circumstances, limit the installation or use of products subject to other applicable Union harmonisation legislation, provided that such requirements should not constitute an unjustifiable market barrier.

consistent with the objectives of this Directive and of Directive 2012/27/EC that these requirements may, in certain circumstances, limit the installation or use of products subject to other applicable Union harmonisation legislation, provided that such requirements should not constitute an unjustifiable market barrier.

Or. en

## Amendment 6

### Proposal for a directive

#### Article 1 – paragraph 1 – point 1

Directive 2010/31/EU

Article 2 – point 3

#### *Text proposed by the Commission*

3. 'technical building system' means technical equipment for space heating, space cooling, ventilation, domestic hot water, built-in lighting, building automation and control, on-site electricity generation, on-site infrastructure for electro-mobility, or a combination of such

#### *Amendment*

3. 'technical building system' means technical equipment for space heating, space cooling, ventilation, domestic hot water, built-in lighting, building automation and control, *elevators and escalators*, on-site electricity generation, on-site infrastructure for electro-mobility,

#### *REHVA amendment proposal of the ENVI opinion with track change*

3. 'technical building system' means technical equipment for space heating, space cooling, ventilation, and other equipment for controlling indoor environmental conditions. domestic hot water, built-in lighting, building automation and control, *elevators and*

systems, including those using energy from renewable sources, of a building or building unit;;

or a combination of such systems, including those using energy from renewable sources, of a building or building unit;;

**escalators**, on-site electricity generation, on-site infrastructure for electro-mobility, or a combination of such systems, including those using energy from renewable sources, of a building or building unit;;

Or. en

#### *Justification*

*Elevators and escalators use energy and can be used to store it. They should thus be included in the list.*

***REHVA justification: beside ventilation there are other important technologies that prevent overheating (solar shading), and improve indoor environmental condition (air cleaning) for the health and comfort of consumers.***

#### **Amendment 7**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 2 – point a**

Directive 2010/31/EU

Article 2a – paragraph 1

#### *Text proposed by the Commission*

(a) ***the first paragraph consists of Article 4 of the Directive 2012/27/EU on energy efficiency, other than its last subparagraph;***

#### *Amendment*

(a) ***paragraph 1 is inserted as follows:***

***“1. Member States shall establish a long-term renovation strategy for mobilising investment in the renovation of the national stock of residential and commercial buildings, both public and private, with the aim of encouraging and guiding the decarbonisation of the building stock by 2050. This strategy shall encompass:***

***(a) an overview of the national building stock based, as appropriate, on statistical sampling;***

***(b) identification of cost-effective approaches to renovations relevant to the building type and climatic zone;***

***(c) policies and measures to stimulate cost-effective deep renovations of buildings, including staged deep renovations;***

***(d) the introduction of individual building renovation passports or similar measures;***

***(e) a forward-looking perspective to guide investment decisions of individuals, the construction industry and financial***

***(c) policies and measures to stimulate cost-effective deep renovations of buildings that ensure minimum indoor environment quality and comfort levels for the health and comfort of the occupants, including staged deep renovations***

*institutions;*

*(f) an evidence-based estimate of expected energy savings and wider benefit.*

*(f) an evidence-based estimate of expected energy savings and wider benefit, including the health and productivity related socio-economic benefits due to the improved indoor environment quality in renovated buildings.*

Or. en

#### *Justification*

*A building renovation passport is a document that plans a long-term renovation roadmap for any given building. In some Member States, housing companies are already obliged by the law to produce and update such a roadmap. It will typically include analysis on reparation and renovation of heating, sanitation, ventilation, electricity and communication systems. In addition, it often includes window, façade and roof renovation plans and elevator renovation plans, when applicable.*

***REHVA justification:***

***As it was also presented at the Healthy Buildings Day organised on 31 May in the European Parliament, building renovations must be done properly in order to maintain and improve healthy indoor environment and comfort. With the current trend towards more insulated buildings complying with the building codes according to the EPBD, the renovation strategies shall tackle this aspect and ensure that the proper ventilation and indoor environmental control is integrated in the renovation plans.***

***Member States shall be encouraged to consider in their renovation strategies also the socio-economic benefits of improved health and productivity of building occupants as a financial benefit.***

## **Amendment 8**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 3 a (new)**

Directive 2010/31/EU

Article 7 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(3a) In Article 7, the following paragraph is inserted after the fourth paragraph:***

***“Member States shall ensure that energy performance upgrades also contribute to achieving a healthy indoor environment.”***

Or. en

*Justification*

*As many people spend most of their time indoors, a healthy indoor environment is of utmost importance. Poor indoor air quality is a major factor behind asthma and allergies, causes irritation and interferes with learning in schools, for example. Tightly sealed low-energy houses are particularly risky as their indoor air quality is very dependent on proper functioning of the ventilation system.*

## **Amendment 9**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5 – point b**

*Text proposed by the Commission*

Member States shall ensure that in all new non-residential buildings and in all existing non-residential buildings undergoing major renovation with more than ten parking spaces, at least one of every ten is **equipped with a recharging point** within the meaning of Directive 2014/94/EU on the deployment of alternative fuels infrastructure<sup>17</sup>, **which is capable of starting and stopping charging in reaction to price signals**. This requirement shall apply to all non-residential buildings, with more than ten parking spaces, as of 1 January 2025.

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<sup>17</sup> OJ L 307, 28.10.2014, p. 1

*Amendment*

Member States shall ensure that in all new non-residential buildings and in all existing non-residential buildings undergoing major renovation, **insofar as the renovation measures include electric infrastructure**, with more than ten parking spaces **inside or physically adjacent to the building**, at least one of every ten is **ducted to enable the installation of recharging points for electric vehicles**, within the meaning of Directive 2014/94/EU on the deployment of alternative fuels infrastructure<sup>17</sup>. This requirement shall apply to all non-residential buildings, with more than ten parking spaces, as of 1 January 2025.

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<sup>17</sup> OJ L 307, 28.10.2014, p. 1

Or. en

*Justification*

*Energy efficiency renovations and the electro-mobility building obligation should be kept separate. Without the targeting, the viability of actual energy efficiency improvements would unnecessarily suffer as the return on investment would be lower. A charging point does not make the building*

*per se more energy efficient. While the rapporteur warmly supports the transition to electric mobility, building measures should mainly be market-based. A blanket obligation without the market mechanism can result to underused and misplaced charging points.*

## **Amendment 10**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 5 – point b**

Directive 2010/31/EU

Article 8 – paragraph 3

#### *Text proposed by the Commission*

3. Member States shall ensure that ***newly built*** residential buildings and those undergoing major renovations, with more than ten parking spaces, ***include the pre-cabling*** to enable the installation of recharging points for electric vehicles for every parking space.

#### *Amendment*

3. Member States shall ensure that ***new*** residential buildings and those undergoing major renovations, with more than ten parking spaces ***inside or physically adjacent to the building, include ducting*** to enable the installation of recharging points for electric vehicles for every parking space.

Or. en

#### *Justification*

*The amendment would ease the obligation and leave the technical specifications, such as the sizing of the power cable, to be decided later.*

## Amendment 11

### Proposal for a directive

#### Article 1 – paragraph 1 – point 6 – point a

Directive 2010/31/EU

Article 10 – paragraph 6

#### *Text proposed by the Commission*

6. Member States shall link their financial measures for energy efficiency improvements in the renovation of buildings to the energy savings achieved due to such renovation. These savings shall be determined by comparing energy performance certificates issued before and after renovation.

#### *Amendment*

6. Member States shall link their financial measures for energy efficiency improvements in the renovation of buildings to the energy savings achieved due to such renovation. These savings shall be determined by comparing energy performance certificates issued before and after renovation *or using similar instruments such as individual building renovation passports or new energy performance measurements.*

Or. en

#### *Justification*

*More flexibility should be allowed to determine the savings as long as the methods are reliable and cost-efficient.*

## Amendment 12

### Proposal for a directive

#### Annex I – paragraph 1 – point 1 – point b

Directive 2010/31/EU

Annex I – point 2 – subparagraph 1

#### *Text proposed by the Commission*

The energy needs for space heating, space cooling, domestic hot water and adequate ventilation shall be calculated in order to ensure minimum health and comfort levels defined by Member States.

#### *Amendment*

The energy needs for space heating, space cooling, domestic hot water and adequate ventilation shall be calculated in order to ensure minimum health and comfort levels defined by Member States. ***Particular attention shall be paid to avoiding the temperature on any inner surface of the building dropping below the dew-point temperature.***

#### ***REHVA amendment proposal of the ENVI opinion with track change***

The energy needs for space heating, space cooling, domestic hot water and adequate ventilation shall be calculated in order to ensure minimum health and comfort levels defined by Member States. ***Particular attention shall be paid to avoiding the temperature on any inner surface of the building dropping below the dew-point temperature, as well as to avoiding the overheating by adapting the heating, ventilation and shading systems according to the needs of the deep refurbished buildings.***

Or. en

#### *Justification*

*According to estimates, tens of millions of Europeans suffer from bad indoor air quality, often because of excessive dampness, which encourages the growth of mould and can also cause structural damage to the building. If the temperature of any inner surface of the building drops below the*

*dew point temperature, water vapour condenses into liquid water, creating a mould-friendly environment. To avoid this, the building envelope has to be homogenously and adequately insulated, properly ventilated and sufficiently heated. Thermal bridges have to be avoided.*

***REHVA justification: more insulated buildings need less space heating. This can lead to overheat, if the heating system is not adapted, or ventilation and solar shading technologies are not integrated accordingly. Overheating is an equally important problem that affects the health and comfort of building users, as well as the energy performance of the refurbished buildings.***