

**ABERDEEN CITY & SHIRE
STRATEGIC DEVELOPMENT PLANNING AUTHORITY**

Date: 3 December 2010

Title: Consultation on Sustainability Labelling within Building Standards

1. Purpose of Report

1.1 The purpose of this report is to propose a response from the Strategic Development Planning Authority (SDPA) to the Scottish Government's consultation on Sustainability Labelling within Building Standards.

2. Background

2.1 The structure plan contains targets in relation to both energy and water efficiency in new developments. Actions 11 and 15 in the associated action programme identify local development plans and supplementary guidance as mechanisms to deliver the target of all new development to use water saving technologies and meeting zero carbon standards.

2.2 While both targets will assist in meeting climate change commitments, reducing water consumption in new development will also relieve pressure on the area's water resources (primarily the River Dee). The current action programme update contains an action to consider writing to the Scottish Government to press for the introduction of water efficiency standards in future revisions of the building standards.

2.3 Two of the actions in the Scottish Government's Energy Efficiency Action Plan published in October 2010 were to explore the development of sustainability labelling for new buildings through the building standards regime and considering the introduction of water efficiency standards into the Building Regulations in 2013.

2.4 The current consultation (Appendices 1 and 2) relates to both domestic and non-domestic buildings and closes on 24 December 2010.

3 Consultation

3.1 The consultation paper notes that the Building (Scotland) Act 2003 allows Scottish Ministers to regulate for the purpose of furthering the achievement of sustainable development. It identifies that good progress has been made in relation to energy and accessibility through increasing standards over time in sections 1 to 6 of the Technical Handbooks.

3.2 Scottish Ministers consider that, at this time it is not appropriate to require all new buildings across Scotland to incorporate higher environmental performance

standards beyond that required by the current Building Regulations. However, they recognise that:

- developers may wish to gain recognition for building to higher standards;
- funding bodies might seek to make construction to a higher standard a condition of funding; and
- planning authorities might wish to make construction to a higher standard a condition of planning consent.

3.3 A new section to the building standards (section 7) is now being proposed as the next step in encouraging the sustainable design and construction of new buildings in Scotland. This is seen within the context of the Climate Change (Scotland) Act 2009 as well as wider issues of sustainable development.

3.4 The consultation paper seeks to:

- Recognise the level of sustainability inherent in meeting the current building regulations;
- Encourage more demanding standards of sustainability against a range of criteria; and
- Encourage consistency across Scotland.

3.5 The proposed system would require a new building to be assessed against the criteria through the building standards process and a label (a sample of which is provided in the Appendices) showing the level of sustainability reached to be fixed to the building. Although the assessment would be mandatory, meeting any of the higher levels would be a matter for the developer, funder or planning authority and not a requirement of the Building Regulations themselves.

3.6 A total of eight 'aspects' are identified as set out below and a number of standards are identified for each of these:

- a) Carbon dioxide emissions;
- b) Energy for space heating;
- c) Energy for water heating;
- d) Water use efficiency;
- e) Optimising performance;
- f) Flexibility and adaptability;
- g) Wellbeing and security; and
- h) Material use and waste

3.3 In relation to each of these aspects, up to five levels of sustainability are identified.

BRONZE	Meets current Building Regulations
BRONZE STAR	Meets current Building Standards and includes the use of low and zero carbon generating technology
SILVER	Full set of requirements
GOLD	Full set of requirements
PLATINUM	Zero Carbon (no other criteria)

- 3.5 The proposal recognises the efforts made against individual criteria but requires consistent effort against all criteria to enable a higher level of sustainability to be reached.
- 3.6 Assessment would be made via the building standards regime with data collected to enable monitoring and review of performance.
- 3.7 The consultation document recognises that some of the criteria could be incorporated into mandatory standards at future revisions over the next few years, including those relating to water efficiency.

4 Proposed Response

- 4.1 It is proposed to limit the response of the SDPA to those changes that directly impact on its interests and functions. This means that the response will only address issues impacting on the preparation and implementation of the structure plan and future strategic development plans. In addition, the response will not address matters of a technical nature around the standards themselves or their verification.
- 4.2 It is proposed that the SDPA's response focuses on four main themes – the division of responsibilities between the planning system and building standards; the value of the current proposal in improving consistency and efficiency; the need to ensure the highest ('Platinum') level of sustainability meets high standards across the eight criteria; and the need to ensure water efficiency measures are included in the criteria for non-domestic buildings.
- 4.3 The current division of responsibilities between the planning system and building standards in relation to energy efficiency is confusing and inefficient because different standards and policies apply in each planning authority area. The Climate Change (Scotland) Act 2009 has further muddied the relationships and any forthcoming primary legislation in the area of climate change should seek to rectify these difficulties (particularly the requirements on local development plans found in s72 of the Act).
- 4.4 However, the proposed sustainability labelling does represent a positive step forward in relation to ensuring a level of consistency across Scotland which must be to the benefit of the private sector but also result in increased efficiency in the public sector. The voluntary nature of the scheme will help to limit costs in a difficult financial climate for the development industry.
- 4.5 As the scheme is currently set up, it appears to be possible to gain a 'Platinum' standard on the basis of a zero carbon building and yet not exceed existing standards in any other aspects. It is suggested that the attainment of the Platinum standard should be based on meeting the 'Gold' standard and the extra requirements in relation to carbon dioxide emissions contained in the 'Platinum' standard.
- 4.6 As currently set out, the proposal is that non-domestic buildings would only be assessed against the criteria for carbon dioxide emissions. Little justification is

given for this position but it is important that, at the very least, water efficiency criteria are added, even if these only relate to the 'office' – type elements of a building.

- 4.7 If the labelling scheme is launched in May 2011 in a form comparable with that subject to the current consultation, consideration could be given at that time to using this as a basis for supplementary planning guidance to implement the water efficiency and / or carbon neutrality targets in the structure plan. Any such consideration would need to include consultation with a range of stakeholders, including the development industry.
- 4.8 Appendix 3 contains a draft letter to the Scottish Government in response to the consultation.

5 Financial Implications

- 5.1 There are no financial implications arising from this report.

6 Recommendations

- 6.1 It is recommended that the SDPA:
- a) welcome the moves by the Scottish Government to identify consistent sustainability standards for new buildings across Scotland; and
 - b) agree Appendix 3 as its response to the consultation.

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