

ABERDEEN CITY COUNCIL

COMMITTEE	Enterprise, Strategic Planning & Infrastructure
DATE	January 2013
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Supplementary Guidance: Low and Zero Carbon Buildings
REPORT NUMBER:	EPI/13/257

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to obtain Committee approval of Supplementary Guidance for Low and Zero Carbon Buildings for adoption as Supplementary Guidance to the Local Development Plan. Some amendments have been made to the Supplementary Guidance following public consultation and details of these are contained within this report. A copy of the Supplementary Guidance for adoption is contained in Appendix 1.
- 1.2 The recommendations to this report were approved at 29 August 2013 Enterprise Planning and Infrastructure Committee. However, one response was sent to the Council within the consultation period, but not registered or given consideration. Before adopting this as Supplementary Guidance all comments must first be given due consideration and this must be re-considered by this Committee.

2. RECOMMENDATION(S)

- 2.1 It is recommended that the Committee approve Supplementary Guidance: Low and Zero Carbon Buildings and agree that officers undertake the statutory process for adoption of supplementary guidance.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from this report. The implication for the priority-based budgeting is positive. Detailed topic-based guidance has value in reducing officer time spent on pre-application discussions, and will therefore prove beneficial in reducing costs. This relates to PBB option EPI PSD02 - Rationalise planning application management.

4. OTHER IMPLICATIONS

4.1 There are no known other implications arising from this report.

5. BACKGROUND/MAIN ISSUES

5.1 This follows up on a report to Enterprise Planning and Infrastructure Committee on 21 May 2013 requesting approval of draft Supplementary Guidance: Low and Zero Carbon Buildings for consultation. In summary the Supplementary Guidance requires a specified proportion of energy to be saved in new buildings through the use of Low and Zero Carbon generating technologies (LZCGT), for example using solar power. The Supplementary Guidance was to track the increases in the building standards, ensuring that there is an equal proportion of technologies to other measures, but not to seek savings above the overall level set for building standards. Following the latest national review in the building standards, the energy requirement review has been delayed by one year and, subject to consultation, the increased percentage requirement will be lower than planned.

5.2 It remains important that new buildings are built to the highest energy standards, but it is recommended that the planning policy does not press ahead of the national building standards requirements at this time as agreed by Committee. To keep the policy in line with the present standards, and ensure that it is flexible enough to take into account future changes, amendments were put forward in a Draft Supplementary Guidance for consultation. These changes would require that the percentage of LZCGT would be 50% of the saving required through the building standards energy requirements at the time when the application is granted consent.

5.3 The revised draft Supplementary Guidance was subject to six weeks of public consultation from 23 May to 4 July 2013. Details of the consultation were made available online. Only three representations have been received in response to this consultation from AREG, Stewart Milne Homes and Zanex GasSaver. A query about the Supplementary Guidance during the consultation period was also received through discussion on a planning application. The low number of responses is not unexpected as this was a minor amendment to guidance that has been in place since the adoption of the Aberdeen Local Development Plan and supports the Policy R7 – Low and Zero Carbon Buildings.

5.4 The issues raised and the recommended amendments to the Supplementary Guidance have been summarised below.

- Zanex GasSaver has suggested that passive heat flue recovery systems should be added to the list of eligible technologies. The technology captures heat lost from boilers and uses it to help generate hot water for domestic use making an efficient use and reuse of energy. Information has been submitted from Ofgem to

confirm that this is considered a low and zero carbon generating technology. **Response:** From the information submitted, this would appear an efficient and reliable technology that can be used to make reductions in energy use and this fits well with the objectives of this guidance and the recommendation is to include this technology as eligible.

- Given AREG's wish to support the installation of renewable technologies, and the Council's target for all our electricity to be renewable by 2020, AREG question the need for a buy-out option in the guidance. There are 14 carbon-reduction technologies listed - surely one would fit any site. I would enquire where the pressure to include a buy-out clause is coming from. If a buy-out clause is to be continued, it would seem that the financial level set in the existing guidance is far too low. **Response:** To-date the option of the payment has only be exercised on one occasion and given the level of the payment no use has been identified as it would be unable to deliver any improvements. This supports the comments made by AREG. It is suggested that this is not an effective policy and should be removed from the Supplementary Guidance as an option.
- Stewart Milne Homes have objected to the principle of this policy and suggested amended text for Policy R7. **Response:** Policy R7 has been subject to examination and the Reporters concluded that there was a legal requirement for a policy specifying a proportion of greenhouse gasses to be saved through the use of low and zero carbon generating technologies and that the approach adopted was reasonable. Supplementary Guidance can only provide further detail on the Local Development Plan and this change is outwith the scope of this guidance.
- Stewart Milne Homes suggest that any new policy implementation is delayed pending the findings of the Sullivan Panel. **Response:** The purpose of this revised Supplementary Guidance was to reflect the delay in the implementation of the revised Building Standards Energy Requirements and ensure flexibility going forward so as not to make increases, seeking higher savings the for the Building Standards.
- Stewart Milne Homes have evidence that suggests that decentralised combined heat and power is not viable. **Response:** It is accepted that this will not be a viable option in all cases, considering the options to provide decentralised energy or make use of the existing energy network is something that should be encouraged where it is viable.
- Stewart Milne Homes state that there is no remit in legislation to allow for cash contributions. **Response:** The option for payments has been removed although the option to make greater CO2 savings has been retained in the Supplementary Guidance.
- Through dealing with a planning application it has been identified that the calculation process needs to be clarified. **Response:** It is accepted and amendments to the calculation process have been recommended.

6. IMPACT

- 6.1 The Local Development Plan and associated Supplementary Guidance contribute to the following Single Outcome Priorities: 1 – We live in a Scotland that is the most attractive place for doing business in Europe; 2. We realise our full economic potential with more and better employment opportunities for our people; 10. We live in well designed, sustainable places where we are able to access the amenities and services we need; 12 – We value and enjoy our built and natural environment and protect and enhance it for future generations.
- 6.2 The Local Development Plan and associated Supplementary Guidance supports the Council’s Corporate Plan, in particular the aim of delivering high levels of design from all development, maintaining an up to date planning framework, promoting sustainable development.
- 6.3 The Local Development Plan and associated Supplementary Guidance contribute to “Aberdeen – A Smarter City” and the Smarter Environment by maximising the use of low carbon technology and materials, increasing energy efficiency and introduction carbon reduction measures in our processes and our housing and non housing assets to reduce our carbon footprint, save money and to bring people out of fuel poverty.
- 6.4 The proposal is consistent with the Planning and Sustainable Development Service Plan, in particular Adoption of Supplementary Guidance to Local Development Plan and production of Technical Advice Notes.
- 6.5 This report makes minor amendments to an existing policy and there will be no impact on equalities and human rights resulting from this report.

7. BACKGROUND PAPERS

- Aberdeen Local Development Plan – Proposed Plan
http://www.aberdeencity.gov.uk/Planning/ldp/pla_aldp_document_map.asp
- Appendix 1: Draft Supplementary Guidance: Low and Zero Carbon Buildings
- Appendix 2: Strategic Environmental Assessment Screening Determination

8. REPORT AUTHOR DETAILS

Daniel Harrington
Senior Planner
dharrington@aberdeencity.gov.uk 01224 523329