

# Proposed Domestic Building Environmental Standards (Scotland) Bill

## Introduction

A proposal for a Bill to introduce new minimum environmental design standards for all new-build housing to meet the Passivhaus standard or a Scottish equivalent in order to improve energy efficiency and thermal performance.

The consultation runs from 4 May 2022 to 27 July 2022

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (\*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

## About you

Please choose whether you are responding as an individual or on behalf of an organisation.

Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the public

Please select the category which best describes your organisation

*No Response*

Please choose one of the following:

I would like this response to be published anonymously

Please provide your Full Name or the name of your organisation. (Only give the name of your organisation if you are submitting a response on its behalf).  
(Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

## **Aim and approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").**

Q1. Which of the following best expresses your view of the proposed Bill? Please note that this question is compulsory.

Fully supportive

### **Please explain the reasons for your response.**

Having recently bought a new home as a first-time buyer, getting information on the energy efficiency of potential properties as constructed compared to as advertised proved difficult due to the "performance gap" described in the bill. Furthermore, finding properties that were set up to age well in terms of carbon impact (so non-gas heating and MHVR, as well as efficient insulation and glazing) was difficult. I was concerned that most new build properties would require retrofits as new regulations came into force that were foreseeable even now (e.g. removal of gas heating). Having all new build properties set to a standard that would mitigate a lot of likely climate-related regulation changes, that could certify the as-constructed performance of the property accurately, would have helped with this.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

I have concerns around the fact that most housing in Scotland (and the wider UK) is some of the oldest in Europe, and will require significant retrofitting to bring up to these standards, and therefore this bill only addresses the tip of the iceberg which is new properties built going forward. Greater decarbonisation and impact on fuel poverty could be achieved by helping to retrofit these existing homes - especially as new homes are more likely to be sold to (and therefore lived in by) private buyers who are less likely to be

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impacted by fuel poverty. I would like to see more done to address this, however, this may not be within scope for this bill, and this bill is a good first step nonetheless.

Q3. Which of the following best expresses your view on setting the Passivhaus standard or a Scottish equivalent as the most appropriate new build housing standards to contribute to eradicating fuel poverty?

Partially supportive

Q4. Which of the following best expresses your view on setting the Passivhaus standard or a Scottish equivalent as the most appropriate new build housing standards to contribute to a reduction in emissions?

Fully supportive

Q5. Which of the following best expresses your view of the process set out to ensure that the new standards are met in all new build housing? (see pages 14 to 16 in the consultation document)

Fully supportive

**Please explain the reasons for your response, including your views on how effective the process would be in removing the 'performance gap' and on how the proposed verification process might work in practice.**

Having more verifiers, operating using more stringent standards, with a greater amount of evidence backing up any claims on performance, would definitely help to address this (and would help potential homeowners/renters identify the true performance of their property)

Q6. What could be the market effects of the introduction of this proposal?

Likely slightly increased property prices as skills develop (counterbalanced by new jobs facilitating the construction and verification of these homes). Concern that developers may restrict construction of new houses until prices rise until such a point as they make whatever margin they are aiming for, which could also impact supply for a time.

## Financial Implications

Q7. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

some increase in costs

**Please explain the reasons for your answer, including whom you would expect to feel the financial impact of the proposal, and if there are any ways you think the proposal could be delivered more cost-effectively.**

This would result in an increase in costs for new build properties - more expensive materials would have to be used, currently niche skills would have to be employed which would be in high demand, and extra verification steps would take more time and labour which would add to costs. Demand for the materials

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and skills may help to drive down prices over the long run but unsure how verification costs would be reduced long-term beyond either homebuilders taking a hit or property buyers paying more. For buyers however, this is offset by reduced energy bills and reduced variation in energy use generally, leading to more predictability in outgoings over the time they are living at the property. Use of MVHR and similar systems will incur additional maintenance costs as well, and these skills are currently quite specialised so maintenance is not especially cheap (anecdotal example, MVHR servicing is roughly 2x boiler servicing costs for my current property - given the lack of boiler in a hypothetical Passivhaus this is offset somewhat but is still an increase in costs)

## Equalities

Q8. Any new law can have an impact on different individuals in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

What impact could this proposal have on particular people if it became law? If you do not have a view skip to next question.

Please explain the reasons for your answer and if there are any ways you think the proposal could avoid negative impacts on particular people.

*No Response*

## Sustainability

Q9. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

Do you think the proposal could impact in any of these areas? If you do not have a view then skip to next question

Please explain the reasons for your answer, including what you think the impact of the proposal could be, and if there are any ways you think the proposal could avoid negative impacts?

This proposal will directly contribute to enhancing the environment, achieving a sustainable economy, and creating a just society by decarbonising housing stock, contributing to a reduction in fuel poverty, and encouraging the development of supply chains and skills in sustainable construction

## General

Q10. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

*No Response*