

# 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".)

Professional with experience in a relevant subject

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".)

**Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation**

Architect and Project Manager in Construction, with Experience of BREEAM and other energy efficiency tools and standards.

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.

Partially supportive

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

Passivhaus standard is expensive and requires a different understanding about how to live in the house, e.g. ventilation, orientation, insulation etc. Cost increases may lead to reduced numbers of properties being constructed, so substantial financial support may be required to HAs and other developers to avoid a reduction in volumes constructed. In addition, existing properties are a bigger problem than even current new builds. Substantial support for upgrade of existing homes would be a more effective target, to enable substantial reductions in energy consumption. New build is a tiny % of overall properties.

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.

Legislation is required

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

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

Tolerance and flexibility are the key to successful construction and design developments. Sites are not always ideal and orientation cannot always be optimised. Fabric matters can be fairly strict but aesthetics need far more flexibility.

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?

Partially supportive

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

Good for fabric. Need to educate about modern ways of living, e.g air-tightness/ ventilation. Needs flexibility re: planning/ urban matters and aesthetics.

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)

Partially 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.**

Strict enforcement is necessary pre-certification of completion. Pressure to enable sale/ occupation at construction completion will arise and builders who have left site will not readily return, for any reason...

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

Substantial cost increase for properties and substantial delays to completions, as the process is more complex and slower. In addition, there are few trained construction experts operating to Passivhaus quality standards and a massive upgrade in house-building quality will be required.

## 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?

a significant 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.**

House-builders will carry the cost and will pass that on to purchasers. Contractors will have higher costs for materials, equipment and time on site and the market will need to build capacity, which will take time.

## 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.

People like to open windows, which has a major impact on efficiency. People also like to personalise their homes, with local and personal adjustments, which can undermine efficiency. Education about how to live in a modern Passivhaus home needs to be constant and consistent, to get the message through to everyone.

## 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?

Help existing homes meet the same standards, to help create equality for new and existing owners. Seek to utilise systems which do not create noise pollution and protect the quiet in neighbourhoods.

## 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)?

Help everyone to contribute, without becoming a policeman and without telling people how to live. We are free. Let it remain that way.