

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

I work for ----- but am responding as an individual. I have an understanding of Passivhaus benefits and projects across the UK and wanted to lend my support to this Bill.

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.

I believe Passivhaus standard is a tried and tested international low energy building standard that eliminates the building performance gap and delivers exceptionally energy efficient and comfortable homes. The climate emergency and energy bill crisis means that we should be aiming for the best - the exemplar building standards that will reduce energy demand for space heating.

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.

We are running out of time to tackle climate breakdown so legislation should be implemented to fast-track uptake and it would give a clear message about direction of travel to the construction industry. Funding mechanisms like that used by the Scottish Futures Trust are also useful: A very positive development in Scotland has been the funding criteria recently established for the Scottish Futures Trust's (SFT) Learning Investment Programme. Projects receiving funding need to meet a very clear energy target of 67 kWh/m².yr, comparable with a typical new build Passivhaus school. In addition, funding is reduced based on any performance gap post completion. The Passivhaus standard eliminates the energy performance gap, de-risking the possibility of any funding loss. The SFT funding criteria has already led to a greater uptake in the Passivhaus standard in Scottish educational buildings.

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?

Fully supportive

Please explain the reasons for your response.

Passivhaus buildings are designed and built to use 15 kWh/m²/year for space heating, which is 90% better than standard UK housing stock and about 50% better than proposed new Scottish building regulations (modelled at 28 kWh/m²/year). The 'performance gap' means that an average new home can have a heating demand of 60% more than that forecast using SAP modelling. Clearly, Passivhaus homes will use considerably less energy to heat and so will make a substantial difference to fuel poverty and the energy bill crisis.

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

Please explain the reasons for your response.

We are at a Code Red for Humanity in terms of the threat of climate breakdown and so need to be pursuing the measures that will bring about the most rapid reduction in carbon emissions.

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.

Passivhaus offers exceptional quality assurance and peace of mind.

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

The construction industry would need to learn about how to deliver Passivhaus in a steep learning curve. Lessons from other areas implementing Passivhaus at scale would be helpful eg looking at how Vancouver and Brussels implement Passivhaus.

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.

Useful resources on Passivhaus costs and benefits are here:

https://www.passivhaustrust.org.uk/guidance_detail.php?gld=41 Using intelligent policy mechanisms and carrots and sticks as other regions have implemented could help keep costs down. The reduction in fuel poverty would have a positive economic knock-on effect.

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 law would have a very positive and beneficial sustainable impact by reducing carbon emissions of newbuild homes and stimulating the economy.

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)?

The Passivhaus standard is a reliable way to cut carbon emissions and fuel poverty and has been tried and tested over 30 years and is being adopted wholesale by local authorities across the UK. The Scottish Government would be climate leaders if they adopted the Passivhaus standard, as well as showing that they are listening to the views and findings of its own Climate Assembly. The recent Climate Assembly, set up by the Scottish Parliament, presented its Recommendations for Action in which 97% of the Assembly voted in favour of the Passivhaus standard for new build projects in Scotland.