

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

sustainability professional having worked in sustainable construction for 6 years

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.

Passivhaus is the only standard available for homes that provides significant environmental benefits/savings as well as improving the health and wellbeing of occupants and addressing fuel poverty at the same time.

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.

Yes, when it comes to environmental issues the best way to achieve the aims is to legislate - take for example in England Part L1A/B and Home Quality Mark. We must build homes to meet the standards set out in Part L1A (and refurbishments to L1B) but Home Quality Mark is voluntary and is therefore not used/actively ignored by the house building sector.

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 homes have been shown time and time again to significantly reduce energy demand for heating, to the extent that some occupants have never had to turn on a heating system in over 10 years of occupation. At a time when heating costs are skyrocketing, Passivhaus offers a sustainable solution to address fuel poverty.

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.

Passivhaus reduces energy demand for a building, which therefore reduces carbon emissions. When it comes to the whole life cycle carbon, this can also be factored in during the project design phases to ensure low embodied carbon materials are selected.

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.

I believe the houses must be inspected and signed off by an accredited professional at key build stages to ensure a quality is maintained and thermal breaks are minimised so that we can be confident the house has been built to a good standard and is not a poor quality, knock-off version of a true Passivhaus with a significant performance gap.

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

Until workforce training has upskilled our existing construction workforce, it could result in a downturn in house building rates - however I'm sure the Scottish Government could do a better job than the UK Government in providing funding and opportunities to upskill the workforce

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.

At first, due to the skills gap in the workforce it could increase costs, however Passivhaus homes can be built to a similar cost point compared with traditional build and they can be built offsite which reduces build time and costs of on-site work.

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?

It would have a significant positive impact on sustainability and the environment, making housing sustainable for years to come and reducing emissions to help address climate change

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)?

I'd like to reiterate the importance of certifying that buildings have been built to a good standard - the house building sector has a reputation for cutting corners and must be subject to checks to make sure they are building what they have said they will - similar to BREEAM assessments and site visits during construction and post-construction