

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.

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

Architects Climate Action Network Scotland - Scottish chapter of <https://www.architectscan.org/>

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

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).

Architects Climate Action Network Scotland

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.

We need to improve the thermal performance of buildings and Passivhaus is currently the most reliable way to achieve 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.

Legislation is required, mandatory even. While the Technical Standards could be used to introduce this level of performance, they have failed to do so. The inertia of the construction industry has hindered progress.

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.

As Passivhaus greatly reduces the fuel required to heat a building, this would be of benefit all, especially those in fuel poverty 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.

Passivhaus greatly reduces the fuel required to heat a building, this would reduce the amount of emissions produced.

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.

Current Technical Standard tools are not sufficiently rigorous to accurately predict the performance of buildings. Third-party verification by Passivhaus Assessors is an important part of Passivhaus as it ensures the designers/ constructors maintain high standards.

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

Our priority should always be creating safe homes for people in a dangerous climate crisis and fuel poverty crisis. But the market would cope, with new jobs and skills created. Passivhaus buildings are well thought through and this aids the construction process. As high performance/ low fuel buildings become more common, the value of lower performing buildings may drop. The retrofit market will pick up in response to the high performing new builds.

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?

Don't know

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?

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.

Better question would be what is the cost of doing nothing? What is the cost currently facing people from rising builds? What is the cost to their health living in a substandard home?

There are both costs and savings to be made. There is an approx 10% on-cost for Passivhaus as compared to a house built to Technical Standards. So the purchase price of a new build would be higher, but lower running costs mean this on-cost is recouped over time. Everyone wins from lower levels of pollution, as the risks of damage from climate change induced weather events is reduced. The on-cost would reduce as this form of construction becomes more common, and there is competition/ innovation in the supply of the more expensive components.

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.

Measures should be taken to ensure a Just Transition. If those on lower incomes could benefit from this technology that would be a way to improve the wealth and health of the more vulnerable individuals in society.

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?

Passivhaus should have positive benefits on the environment through lower CO2 emissions. Passivhaus should help make the economy more sustainable by reducing its vulnerability to spikes in fuel cost. If Passivhaus can be introduced for those on lower incomes, it could be a tool to make society more equal.

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)?

Architects Climate Action Network Scotland very happy to be consulted on this bill and look forward to seeing its progress. We would very much like to be contacted by Alex Rowley or any other MSP who would like to speak to us further about issues related to built environment and climate emergency.