

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

Commercial organisation (company, business)

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).

We are an architectural practice with 35 years experience of low energy sustainable design, and 15 years experience of delivering Passivhaus buildings around the UK, including many current buildings in Scotland. Passivhaus is our agreed by staff consensus as our policy standard for all new projects.

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).

Architype Ltd

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.

Our experience of designing, delivering, and most importantly monitoring Passivhaus in completing buildings of the last 15 years confirms that it delivers the lowest possible energy consumption, minimised carbon emissions, at the most economic cost, whilst maintaining optimum levels of internal comfort for building users. The evidence of this experience means that we can confirm with certainty that adopting Passivhaus for housing in Scotland will deliver the benefits described in the Bill

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 it is. The evidence again is that in the housing sector, particularly the private developer market, that legislation has proved to be the only way to universally drive-up standards.

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 guarantees the lowest possible energy consumption (and therefore cost to consumers) whilst maintaining optimum human comfort. With ever rising energy prices, the cheapest energy is that which you don't consume. We cannot think of a better way to contribute to eradicating fuel poverty, than ensuring houses consume the least possible energy. There is no other standard that has a 30 year track record of consistently achieving such radical reductions in energy consumption.

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.

Reducing energy consumption at source, i.e. in the building simply eliminates the emissions associated with that energy. Alternative ways of reducing emissions by adopting, for example, heat pumps, are not as effective if they are consuming energy to supply heat that could simply be saved. The switch to electricity for heating across Scotland is a good in principle, but combined with the shift to electrical vehicles is putting huge strain on the capacity of the grid which will only be able to meet this increasing demand, but reducing energy consumption at every possible opportunity. Adopting Passivhaus for new build housing is a really simple fix to reducing carbon emissions at source.

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.

The process is very clear and logical.

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

By requiring increased standards, this proposal would encourage investment and upskilling. This has been seen in the Scottish education section where the implementation of the SFT Energy Metric has driven massive upskilling by designers and contractors across Scotland. Four years ago most of these same designers and contractors were dismissing Passivhaus and saying it couldn't be achieved, but now because they are required to deliver it, they have put huge effort into upskilling themselves to achieve the standard. The same will happen in the housing market, if Scottish Government were to pass this bill. It would put Scottish designers, engineers and contractors, and the supply chain for materials and

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

equipment ahead of the rest of the UK and create a strong market position for them to apply their expertise and products down south, when the rest of the UK inevitably adopts the same standards in the future.

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?

no overall change 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.

For consumers, this will deliver dramatic reductions in the cost of heating their houses year on year, which at a time of rising energy prices will be a massive benefit. There would be an initial modest increase in capital cost as the perceived risk of the unknown are priced in, but upskilling and market competition will ensure prices stabilise. Our experience over the last 15 years is that Passivhaus can be delivered for a similar capital cost.

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.

I don't think that this will have a negative impact on any individuals. For many the increase comfort of Passivhaus and the reduction of the stress of fuel poverty, will have a positive impact.

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?

The law would have a positive impact on the sustainability of the economy, and contribute significantly to social justice, and to the health of the people living in the houses.

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)?

There will undoubtedly be lobbying against any increase in standards, and from those without the experience of seeing that Passivhaus works so effectively, but please do note the evidence of 30 years of monitoring of Passivhaus buildings, and listen to the experience of people living in Passivhaus houses. It really does work. It can be delivered, Scotland can do better than the rest of the UK, please pass this bill!