

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

Please select the category which best describes your organisation

No Response

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).

Ben Rainger

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 provides a healthy low energy internal environment for building occupants improving building related health conditions resulting from mould, moisture and poor air quality, recycling heat and filtering pollutants from the air. The principles aim to significantly reduce building operational energy assisting fuel poverty. Although not zero carbon, passivhaus significantly reduces building energy demand and requires less renewable energy to achieve net zero carbon.

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 to provide the impetus for all housebuilders to move toward net zero as soon as possible and to support the 2030 net zero targets of Scottish Local Authorities. Alternatives could be to set u-values and air tightness requirements within the Technical Standards that reflect the Passivhaus guidance.

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 is the most effective way to reduce energy demand in domestic buildings.

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

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 building occupiers will need to be guided/trained in how to operate the building as it is different to the standard building. this will ensure that the performance gap will not occur in reality and that the occupier is comfortable with passivhaus. This could be a requirement of the planning conditions process or a general open source app/website/guide that provides troubleshooting and assistance

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

Hopefully the construction of super energy efficient homes will create added value in the housing market, especially with the current energy crisis and a carbon market that accurately reflects the cost of emitting carbon.

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

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.

Costs will increase sharply in the short term as the market, developers, designers and contractors learn how to build properly and build to passivhaus standards. Once the initial lessons have been learnt and supply chains established, the costs should reduce.

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.

This should not discriminate on the individuals noted, it might impact on the financially disadvantaged. Hopefully the funding models for social housing will adjust to reflect the costs and mitigate the impacts.

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 new law will have a positive impact on the environment, reducing household energy demand and reduce fuel poverty, lessening the impact of rising food and energy prices. It should also improve the health and wellbeing of the occupants reducing the demand on the health system and impact of airborne pollutants.

The expertise required to deliver passivhaus homes, should provide an economic boost and opportunities for training and improved skills across the construction sector.

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)?

1. The bill should allow some flexibility in the adoption of passivhaus having a short staggered timeline to allow the skills and knowledge required to deliver passivhaus buildings successfully and reduce the

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potential for mistakes.

2. include a learning element for occupants to ensure the users know how to successfully run a passivhaus and minimise/eliminate the performance gap. we teach people to drive and how to operate other machines but neglect teaching people how their homes operate. this needs to change.