

# 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).**

Coast2Coast Architects

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).

Greig Munro - Coast2CoastArchitects, AffordableTM 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.**

The only way to bring about change in the current Housing Sector is to set minimum performance standards. These standards need to be robust, measurable and auditable. Passivhaus is the only 3rd party verification scheme that can affect real and meaningful change in compliance and as-built performance.

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.

Minimum performance standards administered through the Scottish Building Regulations is the only way. The RIAS Sustainable Working Group has come to the same conclusion and has made recommendation to RIAS and RIBA in support of this approach.

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 only calculated performance standard that predicts actual energy consumption in the built environment.

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.**

30 years of designing rural domestic dwellings.

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.**

In the short term Building Standards could contract with Passivhaus Certified Consultants for undertaking the Verification processes until a Certificate is issued in advance of the Building Warrant process being concluded. This is no different from (and would replace) the production of a Design Stage SAP / EPC. Over time the Building Warrant Verifier may then take on this Certification role following sufficient training and qualifications.

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

In a single piece of legislation the Scottish Government would fundamentally change the energy requirement of the Housing Market, eliminating fuel poverty in the rental sector, reduce heating demand & demand on grid electrification in the private sector while meeting existing zero-carbon policy objectives. As a result of this change to Passivhaus energy profiles in the Scottish Housing stock the energy sector could then start to operate meaningful phase shifting and time of use charging for the domestic sector.

## 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 reduction 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.**

Initial capital expenditure would increase by a small percentage (estimated at 4%) however this is off-set by reduced Operating costs & rising energy prices. If the designed life-cycle cost of the dwelling is taken into account then a net Saving is always generated.

## 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.

All Rental Sector accommodation should be upgraded / and / or designed to Passivhaus Standard in order to protect the lowest income and vulnerable sector of the community.

## 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 methodology is the only calculated way to value Operational Carbon. Recent changes in Passivhaus make it also possible to quantify and limit Embodied Carbon to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

## 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)?

This Bill is possibly the biggest positive impact that the Scottish Government can undertake to deliver CoP26 targets in todays market-led economy. As design & construction professionals with 30 years experience in the built-environment we absolutely commend this Bill with our full and unconditional support.