

# 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".)

Member of the public

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**

Long term interest in self build housing, environmental issues and energy efficiency.

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).

David McCabe

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.**

It makes sense on so many grounds - lower full life cost of housing, reducing CO2 emissions, more comfortable homes, increasing energy security.

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, legislation is required, as housebuilders have repeatedly shown they will not take action on improving energy efficiency and quality unless forced to, and even then, they pay lip service at design stage and build lower performing dwellings.

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.**

There is no point in taking half measures, passivhaus standard means we can reduce cost by removing the need for a central heating system, either gas boiler or heat pump. A lesser standard will need the extra heating system. Passivhaus is also well proven on the continent in cold countries, so there is no need to reinvent the wheel.

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?

**Please explain the reasons for your response.**

There is no point in taking half measures, passivhaus standard means we can reduce cost by removing the need for a central heating system, either gas boiler or heat pump. A lesser standard will need the extra heating system. Passivhaus is also well proven on the continent in cold countries, so there is no need to reinvent the wheel.

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.**

Absolutely need to ensure that what is built meets standards, sadly, the housebuilders cannot be trusted to police themselves, so an independent body needs to do this.

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

Improvements to building quality, are often opposed on the grounds that this will increase the cost of the end product to consumers. However this is a fallacy when considering adopting Passivhaus standard.

- 1) Part of the additional cost in insulation, airtightness and heat recovery ventilation systems is offset by not needing a full additional heating system.
- 2) The cost of new housing has two components, the price of the land being built on, and the actual build costs. The price that the consumer pays is a function of how much they are prepared to pay and the availability of credit via mortgages, not the actual cost of the product. Hence if the build cost does go up, then all that will happen in the short term, is that developers make less profit, and in the medium term, the cost of new development land will be less, as developers reduce how much they are prepared to pay for it, to maintain their profit margin.

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

So the market effect will in the short term reduce profits for developers when they are developing any land they currently own, but in the medium and long term will just reduce the value of development land. A reduction in the huge increases in land values that are currently seen when planning permission is gained for housing, does not seem to be an issue to me.

## 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?

a significant 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.**

There will be a short term hit to developers profits, as they develop existing landbanks. More importantly, there will be significant reductions in fuel costs for the actual inhabitants of the buildings, which will be both a short and long term gain for them. A reduction in fuel use also means we need as a country to invest less in power generation, transmission and storage infrastructure. There is also a knock on effect on fuel bills in general, as less demand overall means lower prices.

## 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?

Will be overwhelming positive.

## 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)?

Also need to look at retrofitting to the same standard for the existing housing stock, although this is much more challenging from a technical perspective.