

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 and qualified passivhaus designer with over 15 years designing Passivhaus projects in the UK and abroad

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).

Elrond Burrell

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 proposal is a robust and reliable means to ensure housing is fit for climate change with very low emissions and provides healthy environments for all people, including the most vulnerable, especially as we face the impacts of a changing climate.

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.

The legislation is required. Where it is left voluntary and incentivised uptake is much lower. See the Brussels region, for example, that had a successful rapid transition from some of the worst buildings in the EU (for climate change and occupant health etc) to some of the best because they legislated passivhaus.

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 ample evidence from existing passivhaus projects (eg Hostoe Housing and Exeter City and European examples) demonstrating that Passivhaus is a reliable and robust means to effectively eradicate fuel poverty. Other approaches often suffer from a "performance gap" where reality doesn't live up to the good intentions and expectations of the design.

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 provides a robust and reliable means to significantly cut energy needs in housing, thereby significantly reducing operational emissions of houses. It does this while enhancing the indoor environmental conditions the occupant's experience which is incredibly important for vulnerable people.

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.

Fully supportive, however, additional training and education and technical resources would benefit the industry gearing up for Passivhaus to be the new normal. More accredited Passivhaus verifiers will be needed, and maybe building control authorities should have them on staff also to undertake verification services. Where the building control authorities don't have PH verifiers on staff they need competent staff to check the verifications that they receive.

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

Maybe some initial increase in design and construction costs, but these would even out/disappear in a few years as can be seen from examples from Europe (eg data from Austria, Brussels) and North America (eg data from Pennsylvania where Passivhaus is incentivised for social housing), and Scotland would soon be exporting high-value skills, expertise and products that come out of such a change.

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

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.

Maybe some initial increases that soon level out. See my answer to the previous question.

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 have a massive positive benefit for the most vulnerable people who otherwise suffer from the poorest housing and accommodation situations. They will enjoy health improvements, financial improvements with less income spent on heating, and wellbeing improvements with health and financial stresses reduced.

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?

Yes, very positive impacts on all those aspects. Additionally, there will be international reputational benefits for Scotland in all those areas.

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)?

It's a fantastic proposal, many people around the world will look on with envy and admiration as it gets implemented.