

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 Passivhaus Designer

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).

Melissa Hart

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.

Adopting this approach will address key issues such as poor workmanship and quality, value for money, current full poverty, poor internal conditions which affect occupant health and well being.

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 I think legislation is required. The baseline of design and build quality currently relates to technical standards, which are seen as required to comply. This baseline needs to raise to address the points previously mentioned. To address initial hurdles such as industry training and uplift costs, financial incentives should be in place to encourage training and clients/developers to pursue passivhaus standard rather than the baseline of technical 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.

Scotland has had an issue with fuel poverty for a long time. Given it is a developed country in the 21st century, it is disappointing that fuel poverty still currently exists, and is heading in the wrong direction with the ongoing cost of living crisis. It is a human right to live in a healthy and safe 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.

Passivhaus helps address carbon emissions associated with operational energy, which last the life span of a building. All new builds are generally designed for circa 50 years lifespan, this means the housing stock will still be around in 2050 (when Scotland will be net zero carbon). It is therefore paramount that housing designed and built now should be prepared to meet this standard.

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)

Partially 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.

Passivhaus projects are designed to PH principles and use the PHPP as a design tool (not only for verification purposes). This is a key process which starts prior to planning submission as it considers elements such as form, massing and orientation - all items which relate to planning- and throughout the project process. Passivhaus standards and verification should be by third parties, separate from statutory authorities (planning and building standards) as there are some conflicts of priorities (eg. conservation considerations by planning) but also there is already a huge demand on these services at present, and any increase in demand will have a significant impact on all local authorities. However, it is important for statutory authorities to have relevant training on the subject to inform their approval processes and decisions.

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

Lack of knowledge or experience by main developers but also sub-contractors and suppliers. Increased house prices as a result of initial uplift may further discriminate against key groups of the population - low income households or those on benefits, first time buyers etc.

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.

Some increased costs to the developers/contractors due to uplift in materials (triple glazing), airtightness tapes but also airtightness testing on site. Increase in training costs which will impact businesses and the public sector if statutory bodies are to receive even a basic understanding of the training. There are currently free training workshops provided by BE-ST (formerly CSIC) which I think are incentivised by the Scottish Government. As mentioned previous, increased cost to end consumer (any construction uplift cost likely to be passed from developer/contractor to end user/buyer) - might cause further discrimination to groups - couple be resolved by some financial support/incentives from the government.

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.

Financial uplift could affect those on low incomes/rely on benefits (these are the people that need this the most!)

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?

No Response

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)?

No Response