

# 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**

I have worked with a local authority for over 25 years as a joiner to begin with and now as a Quantity Surveyor. I have just completed a honours degree at Glasgow Caledonian University where I studied Construction and the Built Environment. The topic for my dissertation research project (submitted April 2022) was the procurement of Passive House projects in the UK.

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).

Paul Jackson

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 Passivhaus standard is a tried and tested method where the process has been developed over a number of years and has been adopted by governments worldwide. The European Union have carried out testing through the Cost Efficient Passive Houses as European Standards (CEPHEUS) project in 1998 demonstrating both the technical and economic feasibility of the standard and the Sullivan Report a low

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carbon strategy for Scotland published in 2009 proposed examining the adoption of the Passivhaus standard to help meet the targets set in the Climate Change (Scotland) Act 2009.

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, the Scottish Building regulations should be amended to provide a statutory requirements to ensure a minimum level is achieved across both public and the private sector, the current regulations do not go far enough in terms of the conservation of energy.

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.**

By insulating homes in Scotland to the Passivhaus standard heating bills will be significantly reduced raising those in fuel poverty out and never to return. Homes in Scotland should have always been built to this standard given the cold climate we live in, in simplistic terms the way we currently build and heat our homes is not good enough, we heat them only for the heat to escape for us to reheat them, it is astonishing that the Passivhaus standard has not become statutory long before now, the question here is are the current building regulations fit for purpose and is it the regulations themselves that are in fact driving fuel poverty in Scotland?

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 Passivhaus standard has been proven in practice to meet the theory behind the standard, the current performance gap on highlights further the inadequacy of the current building regulations. Passivhaus Planning Package includes a verification process if this is not suitable then this process could be carried out by Building Control.

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

The introduction of new building regulations and the Passivhaus standard will produce stimulate the economic markets and raise GDP creating jobs, better standard of living and a better health care system.

## 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?

no overall change 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.**

Any investment in better housing will see fuel bills significantly reduce, better living conditions and a healthier population leading to a reduction in the NHS budget. To deliver the Passivhaus standard the recommendations of the Egan Report should be considered where a partnering approach, supply chain management, collaborative working and early contractor involvement significantly reduces costs as demonstrated within the manufacturing industry and within recent research investigating the procurement of Passivhaus projects in the UK.

## 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?

The Passivhaus standard will achieve all of the above in droves and provide a route to achieve the climate change targets

## 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*