

# 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".)

Politician (MSP/MP/peer/MEP/Councillor)

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 campaigned for net zero since 2005 and have joined politics to show leadership at local level where so much of the net zero transformation has to take place. I have a special interest in buildings

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).

Rachel Nunn

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.**

I'm pleased to see that the bill includes increasing capacity of building control across councils / testing and reporting for completion certificates: this will reduce the gap between plans' energy efficiency aspiration and delivery. The by-product of this will be improved fitment of retrofit measures.

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.

My understanding is that a country-wide approach is needed so that developers cannot choose to build in areas where there are less stringent standards. The bill MUST be accompanied by a resource plan for local authorities

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.**

Until we have this, the price of passivehaus will always feel prohibitively high for most house building projects; there will remain huge ignorance within the building sector (SMEs and Micro construction businesses): this is the tool to change that. I think it will also help to change mindsets about our priorities more widely within society.

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)

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.**

Having built a house with high thermal performance, air tightness and a heat recovery ventilation system, my experience is that checks need to happen as the building progresses - not once it is built, as suggested here: it is hard to see once plasterboard goes up that detailing around windows, joints etc, including materials used, have been properly applied. This adds in considerable cost. I think capacity needs to be added into council's building control teams (ie they manage the sign off process completely) so that this rigour is applied to all buildings - including renovations / extensions, but we do need to sort out resources; it's my understanding that councils are finding it hard to retain officers as the private sector offers much more attractive salaries. There needs to be a look at the functionality of heat recovery systems too...I do have some queries over unintended consequences of these systems which, to be really eco - I think would need to be ironed out.

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

I'm not convinced that passivhaus is worth the considerable extra cost compared to a very very high standard of thermal efficiency and airtightness because at the end of the day, it is user behaviour that impacts on performance. An example of this; one of my kids likes their room really cold and despite putting him into the north east corner of the house, he will open his windows, even in the winter. The warm air brought into his room, from parts of the house that are being heated, by the MHRV (mechanical heat recovery ventilation) flies straight out the window; this is I'm sure worse than if we didn't have MHRV! This goes back to the functionality of the MHRV - I need to be able to easily 'close' rooms off from

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the system, but the whole thing is calibrated so exactly, this is not possible. Going back to mkt effects - I do worry this will bump up prices for young people trying to get on the property ladder (but I think we should find a way around this); it will (thank goodness!) start to instil the knowledge and skills within those who've been in the construction industry - esp in micro businesses - so that overall in all renovations - not just new build - there is improved quality of detailing

## 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.**

Costs will come in a) more expensive materials (this was our experience) - I'm not sure that increase in sales will bring costs down; b) increase in time in the build because there are simply more tasks to do, and doing them properly is finicky c) increase in site visits & checks. However...costs can be brought down (& carbon) in other parts of the build; for example we used larch as our final finish for external facade; at the time this was £26/sq m compared to render finish (what the council were asking us to do) which was well over £100 / sq m and of course embodied carbon was much lower.

## 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.

So my son I alluded to earlier, has Aspergers...and in some ways our highly thermally efficient airtight house does not work for him; but this is a bit arbitrary!

## 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?

Generally it should impact positively...but I'm aware of the most disadvantaged getting stuck in shoddy housing stock - especially in the hard to treat older rural detached houses. The Gvmt urgently needs to get on and work out how the Heat in Buildings retrofit is going to function financially as well as sort out new build

## 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)?

nope