

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.

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Commercial organisation (company, business)

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).

Rural Design Ltd

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.

Partially opposed

Please explain the reasons for your response.

Our specialism is in the construction of rural housing. This is both in respect to private housing for individuals, and affordable housing. We have constructed a number of low energy projects including Passivhaus designs. Construction in the Highlands and Islands is already encumbered by very high build costs, typically these additional costs can be around 30-55% on top of the typical construction costs. This is primarily due to transport costs, a small labour pool, and additional costs as a result of frequent weather delays etc. The increase in thermal efficiency achieved via the improvements in technical standards has already made very significant improvements, however this has been at the cost of an overall increase in construction costs (well beyond inflation) which result in rural housing becoming increasingly unaffordable to the local population, particularly to young people however this also applies to encouraging professionals to rural locations, for example to staff hospitals etc. Housing availability and costs is an ongoing issue. Any further increase in standards and (and therefore building costs) need to be assessed against housing affordability, including the remote parts of Scotland with a true assessment of real world build costs. We know of no study that has been undertaken to date.

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.

Legislation is not required.

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?

Partially opposed

Please explain the reasons for your response.

See previous answer.

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?

Partially opposed

Please explain the reasons for your response.

We believe the current standards achieve the best balance between low emissions and high construction costs. To go "the last mile" towards zero carbon adds such a significant cost to builds that it will inevitably reduce the volume of new builds, particularly in the delivery of affordable housing and starter homes in our rural areas. Also see initial response.

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 opposed

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.

There is no proposed assessment of the impact of a further increase in building costs in economically vulnerable rural areas. The affordability gap to get on the housing ladder (particularly for young people) continue to increase. The spend to save approach does not function if housing is not affordable in the first place. Which is the current situation in rural places.

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

At the moment there are less and less local working people building to live in rural areas. Professional people even find the costs of building unaffordable. This contributes to the challenges staffing local essential services such as hospitals. Those able to afford to build are generally building retirement homes or holiday homes. Social housing providers are finding the deliverability of rural socially rented housing increasingly challenging, and this will be exacerbated by this proposal.

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 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.

When considering the multiplier already present on construction costs in the highland and islands, this will be a further penalty to this living in rural areas.

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 particularly disadvantages people living in Rural areas. See previous answers.

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?

This continues to erode the viability of the affordability of rural life. Resulting in further reductions in populations as young people in particular cannot find it affordable to establish a life on remote rural 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)?

No Response