

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

Director at Thermal Image UK Limited since 2008 - undertaking blower door tests and thermal imaging on new and old houses & other buildings looking for heat loss; Chair of Climate Action Strathaven since 2019 - an environmental charity based in Strathaven

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).

Tom Barbour

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.

Any houses not built to Passivhaus standard now, will need to be retrofitted in the future, in a process that will be costly and disruptive. It is smarter and more cost effective to move to this higher standard for new build as soon as possible. Passivhaus has the opportunity to significantly reduce our carbon emissions, and to create warmer, more comfortable homes, that cost less to heat. While there are many excellent developers building great homes in Scotland currently, there is no consistent, effective quality control process across the board - resulting in misery for many new home buyers in Scotland who end up with a house that costs more to heat than it needs to, and is uncomfortable to live in. We receive a large part of

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our business from buyers of sub-standard new build homes - "why is my new house cold?" The QA process that is central to Passivhaus build, ensures that problems of performance gap are avoided.

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 required. Don't leave it to the market! Don't leave it to the guarantee companies. Set standards, and fund the enforcement of these standards. As a back-up, create an effective remediation process that ensures that any problems discovered after occupation are also resolved, without the need for home buyers to revert to expensive legal action. While consumer affairs are a reserved matter, there is opportunity for local authorities or others to be given power to enforce remedial work. The current system sees many buyers of new homes, giving up on complaining about heat loss, or selling up and moving on. The current system fails Scottish home buyers.

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.

Creates warmer, more comfortable homes that are cheaper to run and help us meet our emissions targets. Don't create a separate "Scottish standard" - why would we do that?! The Passivhaus standard is international, and has developed to be the best. There would need to be exceptionally good reason to generate a completely separate approach.

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.

There is an inbuilt QA process in Passivhaus, that requires quality.

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

Build houses for people to have warm, safe, comfortable places to live, not to create assets. Don't build to what the market is perceived as needing - the market will adapt! Houses are homes, and Scots will

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

always need good quality homes. (But over the lifetime of the building, construction & running costs will be down).

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 reduction 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.

Over the lifetime of the building, the cost of building, maintaining and heating/cooling the building would be less

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?

Scots becoming skilled in the construction methods could export these skills around the world.

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)?

Good luck Alex. It will be very telling to see which MSPs do and don't support the bill.