

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)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

We are an architectural practice specialising in PassivHaus design. We have completed numerous PassivHaus residential projects including Dormont Park, Lockerbie, completed in 2011, which was Scotland's first multi unit PassivHaus development built for social rent and Scotland's first open market PassivHaus in Gretna completed in 2016. We are now focussing on PassivHaus EnerPHit design-led zero carbon retrofit projects. We consider PassivHaus to be the only design standard which has the rigour to allow designers to deliver successful low energy buildings.

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).

David Major, White Hill Design Studio LLP

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.

we have passed the point where gradual improvements provide an adequate response to climate change. We should not be building homes which will require retrofitting in 10 years time to achieve zero carbon in use.

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 new-build industry is not delivering PassivHaus quality homes. These cost occupants more to run now and are not allowing fuel poverty to be eradicated from Scotland's housing stock.

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.

The standard is well known, the design and certification skills are becoming more widespread throughout the industry. It demands a significant raising of quality standards to be able to successfully deliver a PassivHaus which is a cultural benefit to Scotland and will significantly boost modern methods of construction.

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.

The PassivHaus standard is established, thorough and supported by an experienced, global network. The standard is independently monitored with third party certification available to guarantee the standard is applied correctly. A Scottish equivalent should focus supporting and applying the PassivHaus standard with high quality local and regional data to reflect local climate and Scotland's housing stock

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.

There should be real acknowledgement about the resources needed to set up a Scottish standard to compete with the PassivHaus standard. In particular, it is not possible to deliver PassivHaus quality buildings if they are not inspected and certified by an accredited verifier during construction.

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

More stable construction market; higher quality construction skills; an expanded and modernised construction workforce; release of industry capacity to retrofit the existing housing stock; significant development of Scottish based modern construction businesses, construction component manufacturers and a higher quality supply chain. Consideration should be given to government action to stabilise low energy construction materials prices and supply

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.

Day one capital costs will be higher but the true long term costs are currently ignored and passed on to purchasers, landlords and occupants

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.

The PassivHaus design community is very collaborative and seeks to improve design beyond energy. Good quality, affordable and comfortable homes are essential for everyone. It is easier to deliver fairness and equality if we build homes this way.

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?

Lower environmental impacts are only possible by using less. PassivHaus is the only design standard which seeks to reduce energy use to deliver comfortable homes

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