



# Determining the principles for a Scottish equivalent to the Passivhaus standard

## Response submitted to the Scottish Government 23 October 2024

The Scottish Government has committed to introducing a requirement for all new build homes to meet a Scottish equivalent of the Passivhaus standard. This consultation seeks views on the principles of introducing such a requirement. Views on the technical details of the proposed standards and compliance will be sought in a separate consultation in summer 2025.

### General comments

We fully support the drive towards improving building standards for new homes, ensuring that our housing stock is modern, energy efficient and fit for the future. We think that as far as possible, standards should be aligned across tenures so that residents can expect the same high standards whether they are a private renter, social housing tenant or a homeowner.

While supporting improved standards, it will be essential to ensure that changes to building regulations are cost effective and can be delivered along with other priorities in the housing sector. The Ministerial foreword acknowledges the financial pressures currently being faced by the housing sector and that the national housing emergency requires consideration.

Since the consultation was published, new [homelessness statistics](#) have shown a further increase in open cases, up eight per cent, and households in temporary accommodation, an increase of nine per cent. The latest [house building statistics](#) show newbuild starts and completions across all tenures fell by 17 per cent. In the social housing sector starts were down by five per cent and completions by 25 per cent.

We have serious concerns that new standards could undermine the Scottish Government's target to deliver 110,000 affordable homes by 2032 if additional funding is not made available to support implementation. This could worsen the homelessness situation in Scotland and have a negative impact on poverty and equalities. We do not believe that these concerns are addressed in the consultation and would like to see a full impact assessment before any changes are introduced.



## Consultation questions

**1. Do you broadly agree with the statements on what 'equivalent' should not mean, in delivery of amended building standards to address energy and environmental performance?**

We agree that any standards adopted by the Scottish Government should not be carbon copies of the standards mandated by Passivhaus. A degree of flexibility will be required to ensure that high standards are met, but that they are also deliverable in different contexts and provide value for money.

However, achieving consistency of standards across all new homes would require clear definitions, expectations and robust enforcement and this will be challenging. As stated above, we have serious concerns about the cost of delivering new standards and the impact that it could have on the delivery of new homes, especially given the recent cuts to the affordable housing supply budget and ongoing national housing emergency.

**2. Do you broadly agree with the statements on what 'equivalent' should require consideration of, in delivery of amended building standards to address energy and environmental performance?**

We broadly agree with the statements setting out considerations for what an "equivalent" standard should encompass. The list makes reference to aligning with "broader Ministerial objectives" including the Heat in Buildings Strategy and Housing to 2040. We would like to see specific reference to links with housing delivery, particularly the Affordable Housing Supply Programme and the Scottish Government's commitment to deliver 110,000 affordable homes by 2032, 70 per cent of which should be social homes. It is also unclear how the new standard will align with the ongoing review of Housing for Varying Needs and the new Scottish Accessible Homes Standard.

If the standards are too restrictive or expensive to achieve, there is a risk that housing delivery across tenures will be further reduced, worsening the current homelessness situation and national housing emergency.

**3. On the basis that HEM and SBEM are reviewed and shown to report representative outcomes, do you support the continued use of calculation tools which implement the UK methodologies?**

No comment

**4. Do you support retention of the current approach and the setting of relative performance targets for new buildings through an approved calculation methodology?**



No comment

**5. Do you agree with the proposal to retain delivered energy, covering only regulated energy use, as the main compliance metric for targets set under standard 6.1 (energy demand)?**

No comment

**6. Do you support further consideration of the introduction of a prescriptive space heating demand limit for new buildings through building regulations?**

If the Scottish Government believes that further consultation is needed then we would support this. The priority for any new standard must be to balance the need for improved standards with deliverability and value for money. Changes to building standards should not be rushed through.

**7. Do you support the move to application of regional climate data within the approved calculation methodologies and their application within compliance targets?**

No comment

**8. Do you currently deliver new buildings that exceed 'backstop' values for fabric performance set under standard 6.2 or those used to define the notional building in guidance to standard 6.1?**

Not applicable - CIH Scotland does not deliver new homes.

**9. Do you have any particular views on limiting fabric infiltration through the building standards?**

No comment

**10. Do you have any particular views on the means by which effective ventilation of new buildings is best achieved?**

No comment

**11. Specifically for new homes should further guidance be given on MVHR, generally, and through the Technical Handbooks?**

No comment



**12. Are there areas of newbuild design and specification you would wish to highlight as potential risks to occupant comfort that should be better addressed through the building standards?**

No comment

**13. Do you consider that Passivhaus Certification offers a feasible alternative means of compliance with standard 6.1 (energy demand)?**

Yes

It would make sense to allow accredited Passivhaus status to demonstrate compliance, but this should not be the default requirement.

**14. Are there any other comments or observations you wish to make on the proposed components of the review which relate to building design?**

The way that tenants and residents use their homes and their understanding of how to use new systems such as heat pumps or other heating systems should be taken into consideration. It is essential that residents have the right information to make optimal use of heating and cooling systems to ensure that they are not at risk of increased bills and fuel poverty.

**15. Do you currently apply an in-house or third party compliance management process to your projects which specifically addresses energy and environmental project elements?**

Not applicable - CIH Scotland is not a developer.

**16. From your experience of delivering very low energy buildings, what are the most common risks identified at an early design stage and how are they managed most effectively?**

Not applicable - CIH Scotland is not a developer.

**17. Do you consider there are practical limits to effective risk management at design stage alone and can you give examples of where management of risk is more effective at a later (construction) stage?**

No comment

**18. Do you currently apply a particular approach to the recording of project information during construction that can demonstrate, to a third party, that work complies with energy-related aspects of building regulations?**

No comment



**19. Do you currently compile and report summary information on the completed building as part of a handover record of project information that goes beyond what is currently required by building regulations?**

No comment

**20. Do you have experience of implementing methods to effectively de-risk the very low energy building aspects of design and construction and provide assurance that the compliant solutions are properly considered and delivered as intended?**

No comment

**21. Why: Do you consider the proposals set out present a reasonable summary of why there is a need for improvement in compliance processes to deliver very low energy buildings?**

We welcome the proposal to use guidance to share examples of good and best practice which can help to demonstrate a range of compliance routes. Setting out where new standards align with and differ from the Passivhaus approach will help to provide clarity around expectations.

**22. What: Do you consider the proposed scope of application and recommended actions are appropriate to address the effective delivery of very low energy buildings?**

No comment

**23. Do you support the application of provisions from an early (pre-warrant) design stage through to completion and handover of the building?**

No comment

**24. Do you have any views on the key areas where the verification process should focus, to be effective in responding to an enhanced compliance reporting regime?**

No comment

**25. Do the recommendations presented adequately describe action to affect the key roles and responsibilities of those who contribute to building compliance?**

No comment

**26. Are you currently designing buildings to the February 2023 standards and have confirmed specifications which are at a stage that have been or will be**

**used in a building warrant application, that you would be happy to share with us?**

Not applicable - CIH Scotland is not a developer.

**27. With regards to the current approach to target setting and overheating risk, do you have experience related to either of these two issues you consider useful to inform review of the current published guidance or this review of current energy and environmental standards?**

Not applicable - CIH Scotland is not a developer.

**28. Have you undertaken any projects under the post-2023 energy standards which considered connection to a new or existing heat network, both district heat networks and communal heating systems?**

Not applicable - CIH Scotland is not a developer.

**29. Do you have experience of issues affecting development which you consider have arisen from application of current energy and environmental standards set under building regulations?**

Not applicable - CIH Scotland is not a developer.

**30. Do you agree with the proposal to mandate the standard in 2028, introducing changes initially as a voluntary standard from 2026?**

As set out above, we have serious concerns about the deliverability of a new standard, additional costs involved and the potential impact that this could have on the supply of new homes. We urge the Scottish Government to carefully consider how the timing of any new standard may impact the delivery of new homes or to provide reassurance as to how any additional costs will be covered.

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23 October 2024