



Glasgow and West of Scotland
Forum of Housing Associations



Shirley-Anne Somerville MSP
Cabinet Secretary for Social Justice & Housing
Scottish Government
St Andrew's House
Edinburgh EH1 3DG

By email only - CabSecforSJH@gov.scot

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Dear Cabinet Secretary

Building Regulations: The Scottish equivalent to the Passivhaus standard: Stage 2 Consultation

With our organisations having separately submitted responses to the above in support of Option 3 to retain current standards, thus declining our support for the changes proposed, we are writing collectively to highlight our shared concerns.

Jointly, we believe that the high-quality, energy-efficient homes our members are already delivering to current standards achieve the thermal performance, comfort and lower bills that are sought by government, tenants and home buyers alike, while making a significant contribution in reducing carbon emissions from Scotland's housing stock. We do not support further changes to these standards as it is our clear view that the proposed standards (and compliance methodologies) will disproportionately increase the cost of new homes in the social/affordable and private tenures, impacting deliverability, viability and the liveability of the homes, while only making a minimal impact on carbon emissions from housing. In the most up to date statistics we have, private sector completions were at their lowest level since 2018 whilst social sector completions were at their lowest level since 2007. Research from the Fraser of Allander Institute has found that at current delivery trends, just 75,000 of the 110,000 target for affordable homes will be delivered by 2032.

We therefore urge the Scottish Government to withdraw the proposed changes and instead prioritise actions that accelerate housing delivery, in accordance with the housing ambitions committed to at the election in May. We fully support government taking the necessary steps to ensure that the regulatory landscape can deliver more high-quality, energy-efficient homes at pace.

Combined, our members deliver the vast majority of all new homes in Scotland, both social/ affordable and private. Our individual responses provide substantial detail from the perspectives of our members. Across them, you will see our clear agreement that:

- Existing high standards already provide a level of challenge that delivers lower householder bills, thermal comfort and energy efficiency, while delivering an +80% reduction in carbon emissions compared to a home built in 1990.
- Both Good and Best Practice proposals will have further unacceptable increased costs attached, reducing affordability for tenants and homebuyers, impacting the viable delivery of more homes. In addition, the changes will deliver only a modest reduction in carbon emissions as "neither the good nor best practice standards deliver a net benefit in comparison to the current regulations"¹.

¹ [Building regulations - new domestic buildings: identification and assessment of energy standard improvements - gov.scot](https://www.gov.scot/publications/building-regulations-new-domestic-buildings-identification-and-assessment-of-energy-standard-improvements/pages/2.aspx)

- In the context of the housing emergency and continuing falls in the number of completions of all tenures, these additional costs will further erode the effectiveness of the Affordable Housing Supply Programme (AHSP) budget and development viability in general, threatening the delivery of the much-needed homes of all types that Scotland requires.
- These costs cannot be isolated: excluding management, maintenance and component costs, the sector is already facing considerable pressure from construction materials inflation, alongside a cumulative cost of Scottish Government regulation (implemented or proposed since 2021) that has added an average of £37,000² to the cost of a new home, with further ongoing regulatory costs for social/ affordable providers.
- The Scottish Government's own partial Business and Regulatory Impact Assessment (BRIA) is deficient as a result of a clarification note made late into the consultation period, adding further significant uncertainty around costs. More broadly, the partial BRIA does not sufficiently consider the interaction with the housing emergency, up to date cost assumptions and delivery pressures in the AHSP and private sector, regional differences and the cumulative impact of regulatory changes.
- Combined with the impact of an incomplete Scottish Wrapper of the Home Energy Model, our members have not been able to adequately baseline their existing development pipelines against prospective standards with any degree of confidence to be able to conclude that the proposals will be affordable, deliverable and liveable. Where existing evidence exists of homes built to a similar standard to the 'best practice' proposal, costs have been reported as 15-22% higher. In rural areas, costs have been reported as 45-57% higher.
- Liveability and the educational requirements of living in new homes are a frequent and increasing concern of our members who report issues with ventilation and overheating, as the public struggle to keep up with substantially new technologies and fabric impact. We are not convinced that the ongoing maintenance costs borne by both social/affordable housing providers and home buyers have been considered, nor the compliance requirements for social/affordable housing providers, particularly for homes that may require mandatory mechanical ventilation.
- Finally, due to the significant progress made in eliminating carbon emissions from new homes further regulation on new homes will not be as cost-effective at removing emissions or tackling fuel poverty compared to action on existing housing stock.

At a time when Scotland remains in a housing emergency, we cannot support further costly regulation which will impact our members' abilities to deliver more homes across all tenures. We jointly agree that there should be no change in standards. Our members will be at the heart of the Scottish Government's housing ambitions to deliver more high-quality, energy-efficient homes at pace where it is affordable, viable and deliverable. We ask you now to prioritise actions that accelerate the housing delivery ambitions your government committed to at the election in May.

We would welcome the opportunity to meet with you jointly to discuss our shared position.

Yours sincerely



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Chief Executive
Homes for Scotland



Richard Meade
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Scottish Federation of Housing
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David Bookbinder
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Enc. Homes for Scotland response to Building Regulations: The Scottish equivalent to the Passivhaus standard: Stage 2 Consultation.

Scottish Federation of Housing Associations response to Building Regulations: The Scottish equivalent to the Passivhaus standard: Stage 2 Consultation.

Glasgow and West of Scotland Forum of Housing Associations response to Building Regulations: The Scottish equivalent to the Passivhaus standard: Stage 2 Consultation.

² Provided in the Homes for Scotland consultation response, utilising survey responses from members who built half of the new build homes sold in 2025