

The Chartered Institute of Building (CIOB)

submission to

Scottish Government

on the consultation

Scottish Building Regulations: Proposed changes
to energy and environmental standards

Delivering a Scottish equivalent to the Passivhaus
standard: Stage Two Consultation

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Introduction

The Chartered Institute of Building (CIOB) is the world's largest and most influential professional body for construction management and leadership. We have a Royal Charter to promote the science and practice of building and construction for the benefit of society, and we have been doing so since 1834. Our members, over 2,600 of whom are in Scotland, work worldwide in the development, conservation, and improvement of the built environment. We accredit university degrees, educational courses and training, and develop policy positions, recommendations, and research based on evidence and best practice.

As a chartered professional body, CIOB acts in the public interest to promote the highest standards of quality, safety, and professionalism across the construction sector.

Background and key points

CIOB recognises the important role that improving the quality and energy efficiency of Scotland's built environment must play in meeting the Scottish Government's net zero targets. We also recognise the benefits of homes that are warmer, healthier, more energy efficient, and more affordable to heat.

However, these ambitions do not exist in isolation. Scotland is facing significant and urgent pressures on housing supply, alongside existing constraints on construction capacity, skills, and resources. Decisions made across housing, net zero, infrastructure, and building standards create demands on the same construction sector.

As such, CIOB has consistently advocated for considering Scotland's policy ambitions as part of an interconnected system, rather than in silos. In the context of this consultation, it is imperative that Government considers not only improving the energy performance of new homes, but what the collective impact of the proposed standards would be on Scotland's wider housing and construction systems.

We therefore believe that any further changes to building standards must be proportionate, evidence-based, and deliverable in practice. In particular, Scottish Government should: consider the cumulative impact of the proposals outlined in this consultation not only for their impact on energy performance, but also their implications for housing delivery, affordability and viability; demonstrate that the final level of challenge is proportionate; prioritise in situ building performance and effective compliance; and ensure that the skills, resources, and capacity necessary to deliver and verify the requirements are in place ahead of implementation.

CIOB welcomes Scottish Government's recognition of the need to balance improved performance with deliverability. However, the evidence presented within the consultation raises important questions about the costs and wider implications of further regulatory change. We therefore support the proposed additional time for industry preparation ahead

of implementation and welcome the commitment to consider full, phased, or voluntary adoption before mandatory implementation.

We believe there is a strong case for a proportionate approach to implementation, with phasing considered where this would allow Government and industry to assess in situ performance and compliance, costs, housing delivery impacts, and system readiness before new requirements apply universally.

Housing delivery and affordability

Scotland needs homes that are safe, warm, affordable to live in and energy efficient. However, the nation also needs more homes, quickly.

Much of Scotland's housing policy understandably focuses on the qualities we should expect from our homes. These ambitions matter, but they must be considered alongside their potential impact on the number of homes available, particularly in the context of the current housing emergency and rising homelessness. Housing delivery, affordability, quality, and performance are inherently interconnected outcomes and should not be considered in isolation.

The construction sector is often where policy ambitions meet practical delivery, with the industry balancing cost, viability, regulation, skills shortages, and timescales. Good policymaking is therefore rarely about choosing between good and bad outcomes but is instead about understanding and managing the trade-offs between competing public goods.

CIOB has previously raised concerns about the potential unintended consequences of introducing new energy and building standards without considering their impact on the wider housing system.¹ In our response to the Scottish Government's consultation on proposals for a Heat in Buildings Bill,² we urged Government to identify possible barriers to successful implementation and mechanisms to mitigate negative outcomes, particularly for the availability and affordability of housing across Scotland.

The same principle should apply to the proposals outlined within this consultation. If a policy improves the energy performance of new homes but, through increased cost or complexity, affects the viability, affordability, or pace of housing delivery overall, these consequences should be given due consideration alongside the environmental benefits achieved.

Such consideration is particularly important given the Scottish Government's own assessment of the costs and benefits associated with the proposed levels of challenge. For new dwellings, the Partial Business and Regulatory Impact Assessment estimates additional capital, maintenance, and replacement costs of £213 million under the Good Practice option

¹ Chartered Institute of Building, 2026. [Response to Call for Evidence on Fire Safety Review and Compliance.](#)

² Chartered Institute of Building, 2024. [Response to Scottish Government on the Proposals for a Heat in Buildings Bill.](#)

and £1.46 billion under the Best Practice option.³ Even after estimated energy cost reductions and carbon and air-quality benefits are taken into account, the assessment identifies a net cost of £62 million for the Good Practice option and £811 million for the Best Practice option.⁴ In the context of a national housing emergency and with gravely limited funding for new homes, these figures are significant. Their implications for supply, particularly in the social and affordable tenures, must be duly considered.

We recognise that cost-effectiveness is not the only measure against which environmental regulation should be judged. Better-performing homes can produce wider benefits for households, the environment, and Scotland's transition to net zero. However, where further regulatory requirements impose significant additional costs, Government should be able to demonstrate that these costs are proportionate to the benefits achieved and represent an effective use of limited housing and construction resources.

This assessment should consider not only the additional cost of an individual home, but the cumulative implications for development viability, affordable housing budgets, and the number and pace of homes that can ultimately be delivered. The impact may also differ considerably according to tenure, geography, building type, and development scale.

As CIOB has previously argued, policy evaluation should consider not only whether an individual policy is working as intended, but what outcomes are emerging, the collective impact of policy decisions on the wider system and what Government should do differently as a result.⁵ For example, as outlined above, these proposals may have implications for housing delivery and affordability. However, these proposals may also have long-term benefits for other policy areas, like healthcare. We therefore urge Scottish Government to ensure that the final level of challenge is supported by robust evidence of its likely impact, both positive and negative, on Scotland's wider housing and related systems, the nation's capacity to meet housing need, and, ultimately, its ability to end the housing emergency.

Quality, compliance and in situ performance

CIOB welcomes the emphasis within the Stage Two proposals on improving assurance that intended building performance is achieved in practice.

Quality is not simply a matter of regulatory compliance. The quality of our built environment affects health, safety, and wellbeing, as well as wider social, environmental, and economic outcomes. Addressing failures in quality requires clear regulatory frameworks, competent professionals, consistent standards, and sufficient resources across the system.

³ Scottish Government, 2026. [*Scottish Building Regulations: Proposed changes to energy and environmental standards Delivering a Scottish equivalent to the Passivhaus standard: Stage Two Consultation*](#), p. 73.

⁴ Scottish Government, 2026. [*Scottish Building Regulations: Proposed changes to energy and environmental standards Delivering a Scottish equivalent to the Passivhaus standard: Stage Two Consultation*](#), p. 73.

In this context, we believe there is an important distinction between increasing the theoretical performance required of new buildings and ensuring that buildings consistently achieve their intended performance in practice.

Increasing theoretical performance requirements will achieve little if the design and construction process cannot consistently translate those requirements into real-world outcomes. Effective implementation must therefore place significant emphasis on construction quality, clear accountability, evidence of compliance, professional competence, and sufficiently robust and well-resourced verification.

Scottish Government's proposals recognise this challenge through the enhanced compliance process set out in these proposals. CIOB supports the inclusion of a greater focus on robust evidence gathering, effective process management, and clearer roles and responsibilities throughout design and construction.

CIOB has previously supported the intention to strengthen Scotland's building standards system, improve guidance and introduce mechanisms to provide greater assurance that buildings are designed and constructed in accordance with the required standards.⁵

We also recognise the importance of flexibility within technical guidance. As such, we support the proposed approach outlined in the consultation, which is intended to enable flexibility and allow cost-effective levels of fabric performance that are viable for projects across Scotland. We believe this approach will be integral to ensuring that the final framework can respond appropriately to differences in building type, location, and project circumstances.

That said, any accompanying guidance should be clear, consistent, and practically applicable. As we have highlighted in previous consultations, unclear or inconsistently applied guidance can itself create additional costs, delays, and uncertainty.⁶ We therefore encourage Scottish Government to place in situ building performance and construction quality at the centre of the final framework, alongside appropriate mechanisms to evaluate whether the changes are delivering their intended outcomes in practice.

Resources, skills, and capacity

Any changes to standards, guidance, or compliance processes must take account of the current capacity of the construction sector and local authorities. As outlined in our comments above, there is a persistent and ongoing shortage of skilled and experienced professionals across many parts of the industry.

Ensuring the construction industry has a steady supply of labour with the necessary skills continues to be one of the biggest issues for the sector. Recent CIOB research has highlighted both ongoing recruitment challenges and the scale of future workforce

⁵ Chartered Institute of Building, 2026. [Response to Call for Evidence on Fire Safety Review and Compliance.](#)

⁶ Chartered Institute of Building, 2026. [Response to Call for Evidence on Fire Safety Review and Compliance.](#)

requirements.⁷ The introduction of new energy and environmental standards, alongside enhanced compliance requirements, will create demands across design, construction management, installation, supervision, and verification at a time when the same workforce is already insufficiently resourced to deliver Scotland's wider retrofit, net zero, and infrastructure ambitions.

New energy efficiency standards and related compliance frameworks may therefore require this system to recruit and develop additional people with appropriate skills and training. Developing this additional capacity is a slow process and requires sufficient investment and forward planning. Therefore, the human resource and education implications of these proposals should also be considered when setting timelines and phasing for implementation.

The capacity of local authority building standards teams must also be considered. Enhanced compliance processes will only provide greater assurance if verifiers have sufficient resources, skills, and time to undertake their role effectively.

Implementation must therefore be proportionate, with feasible timelines and sufficient investment in skills and training to allow industry and local authorities to prepare. Scottish Government should work closely with industry, professional bodies, education and training providers, and local authorities to identify the competencies required to deliver new standards, understand where gaps exist, and ensure appropriate training and guidance are available well ahead of implementation.

CIOB therefore welcomes the revised implementation timetable and Scottish Government's intention to preserve an appropriate period for industry preparation.

We believe that phased implementation of changes to building standards may be necessary where industry requires time to recruit, develop competence, training, and capacity. A phased approach to these proposed standards could provide an opportunity to evaluate actual rather than modelled construction costs and building performance, identify practical challenges across different building types and locations, assess impacts on housing delivery, and ensure sufficient workforce, supply-chain, and verifier capacity is in place before requirements apply universally.

If voluntary adoption forms part of this process, it should be accompanied by structured monitoring and evaluation so that experience from early projects can inform the final framework. Early, voluntary adoption should be an opportunity for genuine policy learning rather than simply a delay before predetermined requirements become mandatory.

Conclusion

⁷ Chartered Institute of Building, 2025. [Lack of construction careers advice in Scotland threatens housing targets: Research Briefing.](#)

CIOB recognises the important role that improving the energy and environmental performance of new buildings must play in Scotland's transition to net zero. However, these ambitions must be considered alongside the urgent need to increase housing supply and ensure that homes remain affordable to deliver at the pace and scale needed.

Scotland needs more homes, but it also needs homes that are safe, warm, high quality, affordable to live in and fit for the future. These objectives should reinforce, rather than undermine, one another.

The success of these proposals should therefore not be assessed solely by the additional energy performance achieved by an individual new building. Scottish Government must also consider the collective impact of new standards on Scotland's housing and construction system, including housing delivery and affordability, construction capacity, skills, and verification.

CIOB supports efforts to strengthen the quality and performance of Scotland's built environment. However, changes to standards must be implemented in a proportionate and effective manner, taking account of the resources and skills available across industry and local authorities and mitigating possible unintended consequences.

We therefore urge Scottish Government to ensure that the final level of challenge is supported by robust evidence of its costs and benefits and its wider impact on Scotland's housing and related systems. Where necessary, implementation should be phased to allow Government and industry to test real-world outcomes, build capacity, and address delivery challenges before requirements apply universally.

Ultimately, any new framework must ensure it does not unduly hinder Scotland's ability to deliver good quality homes, tackle homelessness, and end the nation's housing emergency. CIOB stands ready to work with the Scottish Government and other stakeholders to support the development of a building standards system that protects the public interest and promotes the highest standards of safety and quality.