



BUILDING REGULATIONS: THE SCOTTISH EQUIVALENT TO THE PASSIVHAUS STANDARD STAGE 2 CONSULTATION

A BEFS Response to a Scottish Government consultation

About This Paper

In late 2026, the Scottish Government consulted on plans to [develop a Scottish equivalent to the Passivhaus standard](#), and its plans for implementation through building regulations. This stage two consultation followed up earlier consultation and engagement activity to seek views on proposed energy and environmental performance targets for the new standard.

It also requested feedback on proposals for an enhanced compliance process, including guidance to support a requirement to submit energy and environmental design and construction statements.

This paper presents a response by Built Environment Forum Scotland (BEFS) to two questions set in the consultation paper on the potential introduction of the standard through a phased implementation and on a voluntary basis. BEFS is grateful to the Scottish Government for the opportunity to comment.

BEFS is an umbrella body for organisations working in the built environment in Scotland. Drawing on extensive expertise in a membership-led forum, BEFS informs, debates and advocates on the strategic issues, opportunities and challenges facing Scotland's historic and contemporary built environment. Further information about BEFS is available [on the BEFS website](#).

Other relevant consultation responses from BEFS can be seen below, as many issues overlap and demand associative consideration:

- [Accelerating Home-Building in Scotland](#) (Apr 2026)
- [Draft Climate Change Plan](#) (Jan 2026)
- [Draft Environment Strategy](#) (Sep 2025)
- [Heat and Energy Efficiency Technical Suitability Assessment](#) (Aug 2025)
- [Minimum Energy Efficiency Standards in the Private Rented Sector](#) (Aug 2025)
- [Climate Change Targets Bill](#) (Aug 2024)

BEFS Response: Building Regulations: The Scottish Equivalent to the Passivhaus Standard: Stage 2

Q2. Do you have any comments on the merits of introducing the standard on a mandatory basis through a phased implementation?

Yes. BEFS Members are generally supportive of regulatory ambition towards higher standards on energy performance in Scottish buildings. As the latest [2024 Scottish House Condition Survey](#) notes, around 732k of Scottish households are in fuel poverty, and only 56% of Scottish homes are rated as Energy Performance Certificate band C or better under the 2012 Standard Assessment Procedure. Improving performance will have extensive cross-portfolio value for health and wellbeing, climate change, housing quality, and a wide range of additional areas.

A mandatory standard could provide significant value as part of a holistic, multi-pronged action plan to improve the energy efficiency of housing in Scotland. A phased implementation may be helpful in supporting practical integration into the existing policy and regulatory landscape, through appropriately communicated lead-in timescales for relevant project activity and reviewing any unintended consequences on roll-out.

BEFS Members assert that the embodied energy in our existing buildings, infrastructure and historic environment is immense and often underappreciated. Achieving the statutory net zero target by 2045 will require making the most of all opportunities to retain embodied carbon and reduce operational energy demands in housing and other buildings.

As noted, however, in the training and skills section of a [BEFS Manifesto for the Built Environment](#), which was produced to inform policy activity in the current 2026-31 term of Parliament, there are significant concerns about under-capacity in many building maintenance, construction and retrofit specialisms. Without addressing these capacity challenges, there are serious risks of restricting aspirations and targets for policy and practice across the built environment in the current term of Parliament and beyond.

Q3. Do you have any comments on the merits of introducing the proposed standard initially on a voluntary basis?

Yes. BEFS Members have shared general observations that voluntary targets and non-statutory policies can lack effective impact in practice, and often rely on adoption by organisations that are willing to act as a role model for the wider sector to develop traction.

In a busy and complicated policy landscape, with capacity issues, rising costs, and other challenges across the built environment sector, there is a greater risk in the current context that non-mandatory policies and procedures will be overlooked, sidelined or ignored.

A 29 September 2026 letter from the Cabinet Secretary for Public Service Reform to the Convener of the Finance and Public Administration Committee stated there are approximately 120 live Scottish Government strategies. It can be particularly challenging for voluntary duties to develop strategic attention in the wider current policy environment.

End of BEFS consultation response

BEFS responses to a number of consultations in relation to the Built Environment can be found at: <https://www.befs.org.uk/resources/consultations/>

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BEFS gives consent to the Scottish Government to publish the consultation with name, to share the response internally with other Scottish Government policy teams, and to contact BEFS in future in relation to this consultation exercise.



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