

TRIANGLE SITE
RESPONSE TO INSPECTOR'S ADJOURNMENT NOTE BY ARGENT (KING'S CROSS)
LIMITED, LONDON & CONTINENTAL RAILWAYS LIMITED AND EXEL LIMITED

The Appellants set out below their responses to the questions raised in the Inspector's Adjournment Note. In addition, the Appellants respond to two questions raised by the Inspector prior to adjournment of the inquiry.

1. ISSUE 1: GENERAL CLARIFICATION

- 1.1 The definition of development and its control as it is implemented and delivered are derived not merely from the description of development, but also importantly from the drawings and other material incorporated into the permission by conditions or section 106 obligations. These include the Parameter Plans (see Revised Development Specification CD1.4). They also include the prescribed arrangements for delivery of affordable housing set out in the framework provided by the section 106 obligations, which necessarily provides some flexibility as to dwelling mix to take account of changing circumstances over time.
- 1.2 The Parameter Plans will themselves serve to provide an appropriate level of definition for the reserved matters (see the definition of Reserved Matters given in the Definitions section at the end of the conditions attached as Appendix C - updated to reflect changes in planning legislation in accordance with Circular 06/06 and to achieve consistency with the planning permission granted for the Main Site) so that the scheme approved will be suitably definite in all respects, not merely as to layout and access (which are reserved except to the extent shown on the relevant Parameter Plans), but with an appropriate degree of flexibility for the local planning authority at the reserved matters stage.
- 1.3 It is important not to cut across the operation of these arrangements by overspecifying the description of development as applied for. It is important to distinguish between the description of development for which planning permission is sought (and which would appear on the face of the planning permission) and information which will control how that permission is implemented, for example through conditions or Section 106 obligations.
- 1.4 The Appellants consider that if the appeal is permitted and planning permission is granted the description of development should be strictly in accordance with and should mirror the amended description of development set out in the Revised Development Specification (paragraph 3.1 CD1.4) namely:

"Mixed use development of part of the former railway lands within the Camden Kings Cross Opportunity Area and an Islington Area of Opportunity. The development comprises residential; shopping, food and drink and financial and professional services within the A1, A2, A3 and A4 use classes; a health and

fitness centre (use class D2) with the potential to incorporate a crèche and community facilities (use class D1); amenity and open space; habitat areas; recycling, cycle storage and other ancillary uses; parking; highway works to provide access; and other supporting infrastructure works and facilities."

- 1.5 To do otherwise, and to amend the description of development to refer to specific amounts of floorspace or number of residential units would be inappropriate as there would then be a mismatch between the application and permission.
- 1.6 Matters which further constrain the planning permission, such as floorspace/number of residential units will, as explained above, be addressed through conditions and the section 106 obligations. This is the basis upon which the draft conditions and obligations have been prepared and discussed between the parties.
- 1.7 In terms of confirming the nature of the development to be delivered pursuant to the outline planning application, the following points respond to the issues raised in the Inspector's note:
- (a) The amount of residential floorspace is "up to 21,100m²" in accordance with Annex A of the Revised Development Specification.
 - (b) In terms of the number of residential units, the maximum number of dwellings is 246 which also reflects Annex A of the Revised Development Specification. However, the mix of dwellings has changed as a result of the affordable housing negotiations that took place post-submission. See Table 1 (page 6) of Claire Dickinson's proof of evidence. Specifically, the affordable housing negotiations led to an increase in 3 - bed social rented units. The mix is now:
 - 118 x 1 bed units
 - 115 x 2 bed units
 - 13 x 3 bed units
- 1.8 The reference in the Inspector's note to 84 affordable units of which 36 are to be for social rent and 48 for intermediate tenure is correct. It is also correct to say that, under the Appellants' Preferred Offer, 12 units are to be shared equity units, 12 units are to be shared ownership units, 12 units are to be key worker sub-market rental units and 12 units are to be right-to-buy homebuy units. Of course, there is also an Alternative Offer, as described in Mrs Dickinson's response to the Inspector's Pre-Inquiry Note. Under the Alternative Offer, 24 units would be shared equity units, 12 units would be shared ownership units and 12 units would be key worker sub-market rental units.

- 1.9 These tenure splits will be enshrined in the section 106 agreement. It is important that neither split is enshrined in the formal description of development for which planning permission is granted because:
- (a) The various tenure descriptions have no formal meaning in terms of development use classes. Class C3 encompasses both market housing and affordable housing and does not distinguish between them (let alone between different tenures within affordable housing); and
 - (b) The split of units may change if the cascade provisions in the section 106 agreement came into effect.
- 1.10 This demonstrates why the description of development should remain as stated in the application, with the conditions and planning obligations governing how the permitted development is actually delivered.
- 1.11 The figures in the Inspector's note in relation to floorspace for retail uses (up to 2,500m² of retail floorspace in classes A1, A2, A3 and A4) and floorspace for health and fitness and related uses (up to 3,000m² of health and fitness and related uses in classes D1 and D2) are correct (Annex A to the Revised Development Specification).
- 1.12 Accordingly, the total amount of floorspace set out in Annex A of the Revised Development Specification is correct at up to 26,600m² (up to 21,100m² residential, up to 2,500m² retail and up to 3,000m² Class D1/D2).
- 1.13 As regards the drawings which accompany the application, the 9 parameter plans were always intended to form part of the application and none of them were submitted for illustrative purposes (para 4.1 of the Revised Development Specification). The Revised Development Specification explained the purpose of each parameter plan. An additional plan was submitted for the application which did not formally form part of the application, namely the plan "Context 001" which was submitted to show the relationship of the Triangle Site with the principal development zones on the Main Site.
- 1.14 Each of the parameter plans explains by reference to its key and the information contained in the Revised Development Specification the detail contained on the relevant plan.
- 1.15 In order properly to interpret the development for which planning permission is sought, the Appellants consider that each of the first 7 parameter plans (TS001 - TS007) should be approved as part of the planning permission. For example, although the Inspector's note indicates that detailed approval is sought only for means of access and siting as shown on drawings TS003 and TS004 respectively, drawings TS005, TS006 and TS007 also show siting of buildings. TS001 which shows the planning application area by way of the

red line drawing must form part of the application drawings for which permission is granted. Drawing TS002 shows site layout and levels post CTRL and it is right that these should be treated as site parameters.

- 1.16 The Appellants also consider that the section drawings at TS008 and TS009 can properly be treated as application drawings and are aware that they were treated as such during the processing of the planning application.

2. **ISSUE 2**

On Camden's evidence, the Inspector will want to know:

Issue 2.1 Whether there is any documented evidence to support the tenure mix being proposed (ie at the level below the 70:30 social rent / intermediate "split")

Issue 2.2 Whether there was ever any informal agreement between Camden and Islington to the effect that Camden would undertake economic appraisal for the two Authorities, or whether Camden was expecting Islington to provide a "second opinion" of its own.

- 2.1 Camden has addressed these matters within its response to the Inspector (circulated to all Inquiry parties before this response was finalised). Camden correctly point out that the "split", when calculated on a habitable room basis in accordance with CD3.8, across King's Cross Central would be 74:26 i.e. above the 70:30 split referred to in the Inspector's Note. This would be distributed:

- (a) 77:23 on the Main Site
- (b) 53:47 on the Triangle Site

- 2.2 Camden's response refers to a number of documents including CD1.15, the Appellants' Regeneration Strategy. It may help the Inspector to provide some background to this document, which was submitted in support of both the Main Site and Triangle Site applications. It responded directly to CD6.1, which specifically called for a Regeneration Strategy to outline the opportunities for local people to benefit from the proposed development.

- 2.3 CD1.15 provided documented evidence for a greater emphasis on intermediate tenures, within the affordable housing provision. The basic argument, explained in some detail, was that more intermediate housing and less social rented housing would strike a better balance between competing objectives, particularly at the higher levels of housing provision (beyond the first 1,000 net referred to in Camden policy KC4).

- 2.4 CD1.15 was prepared by Arup, working with the Appellants. Its preparation and research included discussions and consultations with regeneration and planning officers at both

Camden and Islington Councils. It also responded directly to the outcome of extensive pre-application consultation summarised in CDs 1.6-1.8.

- 2.5 As part of its formal observations to Camden in 2005 and 2006, Islington Council welcomed the Regeneration Strategy and expressed a desire to see elements of it (housing tenure was not specifically identified) developed and expanded and locked into the formal application/permission.

3. **ISSUE 3**

On the noise issue, the Inspector will want to know:

Issue 3.1 (from Camden) The degree of permanence attaching to the existing concrete batching plants (this is to be both factual - duration of planning permissions - and aspirational - the Council's vision for the area. Essentially the Inspector is contemplating whether the pattern for permanent regeneration of the area should be determined / distorted by existing uses that might, by comparison, be transitory).

- 3.1 The Appellants note that issue 3.1 has been directed to Camden. There are batching facilities within Camden, to the north of the CTRL, south of the North London Line and west of York Way, but the Appellants are not aware that Cally Rail Group (or any party to the Inquiry) has raised any noise concerns about these facilities and their impact on the Triangle Site, in evidence.
- 3.2 The concrete batching plant about which noise concerns have been raised, during this Inquiry, is the Cemex plant. This is to the east of the East Coast Main Line, within Islington.
- 3.3 The Appellants are in the best position to advise the Inspector on certain factual matters concerning the permanence of the Cemex plant.
- 3.4 The Cemex facility sits on land owned by the Secretary of State for Transport and managed by London & Continental Railways (one of the Appellants). Cemex has a lease until mid 2015. There are opportunities to break the lease before that, for example for railway purposes or redevelopment, subject to suitable notice.
- 3.5 In the recent past, London & Continental Railways has examined potential redevelopment options for the Cemex plant. London & Continental Railways intends to explore these options further in advance of the first potential lease break in 2010. In any event, Cemex would require a new lease to operate the plant beyond mid 2015 and there is presently no commitment or intention by London & Continental Railways to grant such a new lease.

- 3.6 Rather, the intention is to redevelop the site in due course, alongside the Triangle Site redevelopment. London and Continental Railways therefore negotiated a rolling break regime within the Cemex lease to provide for flexibility, given the uncertainty over the status and timing of the Triangle Site redevelopment.
- 3.7 In terms of the vision for the area, the Triangle Site and Cemex plant both fall within the “Bingfield New Quarter”, defined by Islington as part of its “Regenerating King’s Cross: Neighbourhood Framework Document” dated July 2005. Neighbourhood Action Plan 5 within that document concerns the Bingfield New Quarter. See pages 30 – 33 of CD5.15. Neighbourhood Action Plan 5 identifies the Triangle Site as of primary strategic importance in so far as regeneration is of importance beyond the immediate site area.
- 3.8 During the Inquiry adjournment, the Appellants have commissioned research into the planning history of applications for residential development, since the year 2000, within that Bingfield New Quarter. In particular, the research has looked at applications within an area to the east of the Cemex site. The results are tabulated at Appendix A. It appears that:
- (a) neither the Cally Rail Group or the King's Cross Railway Lands Group has objected to (other) applications on the basis of Cemex operations;
 - (b) Islington officers have only ever referred to the Cemex site in the context of describing the nature of the surrounding area; and
 - (c) there are no instances of Cemex site operations being identified within planning reports or decisions as a noise issue which could restrict or prevent residential use.
- 3.9 Similarly, Cemex has never objected to the Triangle Site (or Main Site) planning applications.
- 3.10 In terms of the general approach to be taken to noise, the approach taken in the Ealing case submitted to the Inquiry (Appeals APP/A5270/A/06/2032281/NWF) confirms that some of the advice in PPG24 is embedded in technological assessments that may no longer be applicable. The definitions of NEC-C and NEC-D are examples (para 14 of the Appeal Decision).

Issue 3.2 The extent to which noise from the Cemex Plant has been measured at various times of the day, and taken fully into account.

- 3.11 Noise from the Cemex plant has been measured at various times of the day and taken fully into account. Please see attached, at Appendix B, a note produced by the English Cogger Partnership.

4. ISSUE 4

On conditions:

The following documents are attached to this note for ease of reference and following request by the Inspector:

- (a) Appendix C - Proposed Triangle Site conditions compared against the Main Site conditions
- (b) Appendix D - Main Site conditions which are not being proposed for the Triangle Site
- (c) Appendix E - Potential additional condition (affordable housing)

Issue 4.1 The Inspector wishes to record that the purpose of statutory time limit conditions is to remove uncertainty about the implementation of planning permissions, not to facilitate the phasing of schemes for the convenience of developers. He will therefore need to be assured of the justification for the proposed variations to the statutory conditions.

4.2 The statutory time limit conditions are intended to ensure that permitted development proceeds in a timely fashion. However, Circular 08/2005 "Guidance and Changes to the Development Control System" states that local planning authorities may agree longer or shorter durations of permission or consent (than the standard three years). Paragraph 22 recommends local planning authorities to be flexible in their dealings with applicants, designating periods appropriate to the size and nature of the proposal. Paragraph 26 notes that there will be developments where three years is unlikely to be long enough to enable the developer to complete all the preparation needed before starting work. It requires local planning authorities to bear in mind that applicants will no longer be able to apply to extend the time limit set in the consent.

4.3 In this case, the King's Cross Central development is now proceeding, on a phased basis, so the underlying premise of the statutory provision has been met:

- (a) Initial demolition and enabling works (along Pancras Road) have been completed.
- (b) Further enabling works are due to commence shortly.
- (c) Reserved matters applications for some 54,250 sq metres of development are due to be determined by Camden in April, with works planning to start later the same month (subject of course to approval).

4.4 The Triangle Site forms one part of this strategic scheme, as made clear by both (i) the Mayor, in his letters to Camden and Islington of 1 November 2004 (now both before the

Inquiry) and his Stage I and Stage II reports (CD 3.13 and CD 3.15) and (ii) the reality on the ground. Camden Council's Development Control committee has now approved temporary planning permission for a Construction Training Centre (CTC) on the Triangle Site. The CTC is an important component of the regeneration of the Opportunity Area. It arises from planning obligations attached to the Main Site planning permission and will be completed (and in use) later this year.

- 4.5 The reality is that the Triangle Site would have formed part of a single outline planning application, were it not for the administrative boundary between Camden and Islington and the provisions of the Joint Planning and Development Brief which recognised that boundary and specifically envisaged (para 4.1.4 of CD6.1):

"A second planning application for sub-area 5, the Triangle, to be submitted to both Camden and Islington for determination. This application will need to include means of access and other development parameters to explain the relationship between the proposed development and development proposed in sub-areas 1-4 and 6;"

- 4.6 This quote is taken from the "Implementation" part of the Joint Brief which states that:

"Comprehensive development is the key element in ensuring that regenerative benefits can be delivered effectively to this area and a masterplan provides the basis on which to form a cohesive and coordinated strategy in its delivery."

- 4.7 The same section continues (4.1.15 - 4.1.17):

"Interim Uses

> The scale and complexity of the Area and Triangle means that the comprehensive development of the King's Cross Central site will take a number of years to deliver. It is in everyone's interests that land and buildings are kept or brought into active use during this period, as this will make good use of scarce urban land, provide some income and site security for the developers, help prevent the deterioration of heritage buildings that are to be retained, maximise employment opportunities, add to the vitality of the area and help improve the personal safety of local people and visitors. The council will, therefore, sympathetically consider planning, Listed Building Consent and Conservation Area Consent applications for appropriate uses and associated works.

However, it will want to ensure that any interim uses that are permitted are commensurate with the developer's proposed phasing and construction activity and that they do not frustrate the timely delivery of the long-term comprehensive development of the Area and Triangle."

“As explained above, the councils will consider the use of planning conditions and planning agreements to ensure an appropriate balance of benefits in the scheme overall and that the process of project evolution keeps within the development parameters applied for and assessed. It may also use conditions and/or obligations to secure mitigation measures identified through the EIA and any separate Technical Assessments and to secure key aspects of the Guidelines, Strategies and Plans referred to above.

The comprehensive development of the site is an important objective for the councils and it is keen to see social and regenerative benefits, including affordable housing, provided at the earliest appropriate opportunity. The councils will also be keen to ensure that any permitted demolition or removal of existing buildings or structures does not lead to ‘voids’ that are then left undeveloped for long periods of time, taking paragraph 4.29 of PPG15 into account. These are also matters that may be addressed through conditions and/or planning obligations.”

- 4.8 These principles have informed and guided the approach to time limits, within both the Main Site and Triangle Site conditions. Condition 4 of the Main Site permission states that:

“No later than 21 years following the date of this permission an application or applications shall have been submitted to the local planning authority for the approval of Reserved Matters in respect of all of the built accommodation in the Development hereby permitted.”

- 4.9 In relation to the Triangle Site, the condition proposed by the Appellants and Camden (and which we understand Islington does not contend) would require development to be begun not later than eight years from the date of permission, or two years from the final approval of the first Reserved Matters application, whichever is the later.
- 4.10 The practical effect would be secure delivery of the Triangle Site within the first third (approximately) of the timescale permitted for the Main Site.
- 4.11 In the Appellants' view, this is reasonable and appropriate and reflects the approach set out in the Joint Brief. It also reflects the fact that successful delivery of the Triangle Site and its benefits will depend upon good progress being made on the Main Site, in terms of delivery of infrastructure, public realm (for example the route through Cubitt Park, Cubitt Square and the Boulevard that Mr Robinson pointed out to the Inspector on CD1.32) and planned public transport improvements.
- 4.12 This linkage is clearly reflected in Camden's assessment of the Triangle Site within CD4.5; see for example paras 1.7.2, 1.9.60, 1.12.38 and 1.16.2. Islington made similar

points in their assessment; see for example pages 38 (second para), page 42 (last para), page 64 (on PTAL ratings) and page 76 (4th para) in CD5.15.

- 4.13 Imposition of the statutory time limit would therefore frustrate, rather than facilitate, the comprehensive, phased approach sought by the Councils. It would create a particular, avoidable difficulty over the Construction Training Centre.
- 4.14 In summary, the justification for the proposed variations to the statutory conditions is not driven by the convenience of developers. Rather, the variations have a positive purpose in the public interest, to enable an important, comprehensive scheme to proceed in good order. The justification for longer time limits can be found in the stated objectives of the two Councils for comprehensive development and regeneration, as expressed through the Joint Brief and many other documents.
- 4.15 The Section 106 Agreement with Camden and Islington has been drafted on this basis, and include clauses to ensure that implementation “tracks” and takes on board, good practice at the time this part of the scheme comes forward.

Issue 4.2 In addition to the conditions advanced in Appendix D of the Statement of Common Ground, the Inspector will consider those in paragraphs 7.2.1 - 7.2.5 of the Cally evidence.

- 4.16 The references given in the Adjournment Note are to Ms Shelley’s proof, paras 7.2.1 – 7.2.5.
- 4.17 At para 7.2.3, Ms Shelley refers to “Islington’s Condition 41” and in para 7.2.4 she asks for this condition (and others) to be “reinstated”.
- 4.18 The Appellants already propose a version of this condition. It appears as condition 40 in Appendix D of the Statement of Common Ground (SoCG). The differences between the Appellant/Camden version (column 3) and the Islington version (column 4) are minor. Nevertheless, the Appellants consider the Islington wording to be unsatisfactory in relation to Circular 05/2005, in particular the reference to “subject to final agreement.”
- 4.19 Ms Shelley wrongly interprets the condition as requiring “artificial air conditioning” (para 7.2.3). It does not, as explained by Mr English (see his para 5.3).
- 4.20 The matters covered in the “Condition 38(b)” referred to by Ms Shelley at para 7.2.5 are addressed in the SoCG Appendix D; see condition 38.
- 4.21 Similarly, the matters covered in the “Condition 39” referred to by Ms Shelley at para 7.2.5 are addressed in the SoCG Appendix D; see condition 39. The differences between the Appellant/Camden version (column 3) and the Islington version (column 4) are minor. Nevertheless, the Appellants consider the Islington wording to be unsatisfactory in relation

to Circular 05/2005, in particular the reference to a moving target for the distance criterion, "subject to final agreement." Colin English has explained that excessive levels of structureborne noise caused by vibration seldom occur at distances of more than 30 m from the track (para 7.1 of Mr English's Note).

- 4.22 The Appellants do not support Ms Shelley's "Condition 43" (condition 42 in the SoCG Appendix D). The only "commercial development" within the scheme is retail. The Cally Rail Group definition (see their "New Informative") would also catch the health and fitness uses. Neither is a particularly noise sensitive use, for example in terms of PPG24. The Appellants would wish to understand the planning policies that Islington and Cally Rail Group rely upon, as the basis for this proposed condition.
- 4.23 The Appellants do not support Ms Shelley's "Condition 44" (condition 43 in the SoCG Appendix D). To the extent that ground borne noise is an issue that should inform foundation design, condition 39 (as set out in the SoCG Appendix D) already covers the point. The Appellants also consider the Islington drafting to be unsatisfactory in relation to Circular 05/2005, in particular the reference to a moving target for the distance criterion, "subject to final agreement."

5. ILLUSTRATIVE SCHEME FOR BLOCK A

At the end of the first Inquiry session the Inspector asked about the illustrative design for Block A and the extent to which that design allows for the principal habitable rooms to be located on the southern elevation i.e. away from the railway lines.

- 5.1 An illustrative arrangement of Block A is attached as Appendix F. The design is predicated on the following principles/features:
- (a) The three cores would be placed on the northern elevation;
 - (b) Flats would be grouped around these cores, typically with 4 flats on each landing;
 - (c) The majority of 1-bed apartments would face south to optimise day light and sunlight levels and solar thermal performance;
 - (d) Other 1-bed apartments would have dual aspect;
 - (e) There would be no 1-bed apartments facing north over the railway lines;
 - (f) Two and three bedroom flats would be 'through' flats, with a mix of north and south facing rooms and scope for cross-ventilation;
 - (g) Within the two and three bedroom flats, the intention is to give the principal, more heavily used living spaces a southerly aspect, to optimise day light and sunlight

levels to these rooms and long views out, over the communal garden. The less heavily used rooms, including kitchens and bedrooms, would be located on the northern façade;

- (h) The south-facing façade is intended to have a twin wall, creating a thermal buffer zone to reduce heat loss in winter and reduce heat gain in summer;
- (i) The twin wall creates a balcony space that allows occupants to sit out on their balconies during winter whilst openings in the glazing would allow summer ventilation; and
- (j) Bedrooms on the north façade can be ventilated through passive attenuated louvres in the façade and/or mechanical ventilation, to be specified by the acoustic engineer.

5.2 This illustrative layout was informed by acoustic advice from Mr English.

5.3 The overall layout of the development is intended to optimise the use of the site and respond positively to the objectives for development identified in the Joint Brief, disregarding the Borough boundary. Some of the market housing within Block A (CD 4.5 refers to 48 units at 1.9.13) and all of the affordable housing to be provided (84 units) within Block B, lie within the London Borough of Camden.

5.4 If the appeal is dismissed, it would be open to the Appellants to pursue a scheme with a reduced housing quantum, but with the same or similar tenure profile, wholly within Camden, co-operating with that authority that has delivered a positive outcome through the planning system. Camden, unlike Islington, supports the shared equity and right to buy homebuy products and these are an important part of the tenure mix of the Main Site.

5.5 Alternatively, it would be open to the Appellants to pursue other land use options, as made clear by Mr Robinson. The development plan is not so rigid as to restrict the land use options only to housing. Nor, for that matter, is the Joint Brief, though it favours housing.

5.6 Islington has suggested that if the appeal is dismissed, another similar scheme will come forward with a better affordable housing offer. It is more likely that the Applicants would pursue the options identified above, or alternatively seek to secure permission for a similar scheme to that before this Inquiry, having regard to the new powers granted to the Mayor of London. The Mayor will have the power to direct approval of strategic schemes submitted after 6 April 2008. Schemes with a residential component of more than 150 units will qualify as strategic for the purposes of this new power. In that context, it is relevant that GLA officers are on record that this scheme:

- (a) delivers the maximum reasonable amount of affordable housing;

- (b) is in accordance with the London Plan; and
- (c) will result in a development that will be in the best interests of good strategic planning in Greater London (CD3.5).

6. SUSTAINABILITY

At the end of the first Inquiry session the Inspector noted that, under the proposed time limit conditions, the Triangle Site component of King's Cross Central development may not come forward for a number of years (see response to the Issue 4.1 above). The Inspector wished to understand how, in that context, the conditions/obligations would provide for building design to respond to sustainability objectives at the time.

- 6.1 As explained above, the section 106 agreement with Camden and Islington have been drafted to address this point. It includes clauses to ensure that implementation "tracks" and takes on board, good practice at the time this part of the scheme comes forward.
- 6.2 There are, for example, reasonable endeavours obligations to incorporate energy efficient building design and technology. That can and will be judged against the circumstances at the time.
- 6.3 Second, the Government has set out its intention to progressively tighten up Building Regulations, to include elements from the Code for Sustainable Homes. In that context, the Appellants have obligations to achieve a 5% reduction in carbon emissions compared to Building Regulations existing as at the time.
- 6.4 Third, there are obligations to achieve BREEAM/EcoHomes "very good" or better. These assessment measures also track changes in Building Regulations such that the standard for "very good" will change over time.
- 6.5 Fourth, the Government requires grant-funded affordable housing units to achieve a minimum standard against the Code for Sustainable Homes, as a condition of that grant funding.
- 6.6 Fifth, in respect of Affordable Housing Units which do not require grant funding and Market Housing, the Developer shall use reasonable endeavours to achieve the same rating under the Code for Sustainable Homes dated December 2006 as required by the Government for grant-funded properties as at the time of submission of the relevant reserved matters.