

# LONDON CITY AIRPORT

2015 SECTION 106 ANNUAL PERFORMANCE REPORT

## APPENDIX 5 DRAFT NOISE INSULATION PAYMENT SCHEME

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# Proposals to allow certain developments under construction to benefit early from the noise insulation schemes operated by London City Airport

## Introduction

We are holding this consultation to seek your views on a scheme which we are required to put into place to allow certain developments when they are under construction to benefit early from the Airport's noise insulation schemes. This scheme is known as the Noise Insulation Payments Scheme ("NIPS").

A number of defined terms from the Section 106 Agreement relating to noise are used in this consultation. Please refer to the Glossary and Appendices at the end.

## Background

Planning permission ("the Planning Permission") was granted on 9 July 2009 (reference 07/01510/VAR) by the London Borough of Newham ("the Council") for variation of conditions attached to previous planning permissions for the Airport to allow up to 120,000 total aircraft movements per year (with related modifications to other limits on aircraft movements).

The Planning Permission was subject to an agreement under Section 106 of the Town and Country Planning Act 1990 dated 9 July 2009 ("Section 106 Agreement"). Under the Section 106 Agreement the Airport is required to prepare and consult on the NIPS.

The aim of the NIPS is to compensate landowners and developers for actual construction costs arising from the need for increased insulation against aircraft noise at certain proposed developments consisting of residential premises and public buildings situated on land:

- within the Full Use 57 dB Contour but outside the 1998 57dB Contour; or
- within the Full Use 66 dB Contour.

## The Noise Insulation Payment Scheme

### Eligible Persons

A person is eligible to receive a payment under the NIPS if at the date of application under the NIPS and the date of payment by the Airport under the NIPS that person:

- 1 is:
  - the owner of the freehold interest in Eligible Land; or
  - the owner of a leasehold interest in Eligible Land; or
  - the developer under a building agreement or agreement for lease relating to Eligible Land; and
- 2 will incur the increased costs of noise insulation identified below during the construction of an "Eligible Development" on "Eligible Land".

### Eligible Land

Eligible Land is land which at the time of implementation of an Eligible Development on that land is either within the Full Use 57 dB Contour but outside the 1998 57dB Contour or within the Full Use 66 dB Contour.

### Eligible Development

A development is an Eligible Development if:

- 1 the development comprises or includes residential dwellings and/or Public Buildings (the "relevant buildings");
- 2 planning permission was granted for the development before 9 July 2009; and
- 3 construction of relevant buildings forming part of the development has not been commenced at the time that an Eligible Person applies for assistance under the NIPS but the relevant buildings remain capable of construction pursuant to the relevant planning permission both at the time of the application and the time of payment by the Airport under the NIPS.

If the relevant planning permission is varied or modified after 8 July 2009 in a manner which results in planning permission for substantially the same development in all material respects this will not affect the eligibility of the development.

Similarly, eligibility of the development will not be affected if after 8 July 2009:

- the relevant planning permission is extended only by virtue of the substitution of a new time limit for commencement of development (without development having begun under the relevant planning permission) or
- development has begun (but construction of any buildings has not commenced on the Eligible Land) under the relevant planning permission and due to the proximity of the expiry date for submission of reserved matters for approval, a new planning permission is granted for substantially the same development in all material respects.

### Benefits of the NIPS

The Airport will pay to Eligible Persons the costs attributable to the additional noise insulation measures at residential dwellings or Public Buildings forming part of the Eligible Development on Eligible Land, which arise from the need for increased insulation against aircraft noise as a consequence of the permitted increase in aircraft movements. This payment will be calculated as set out below.

Payment under the NIPS will not be made more than once in respect of the same Eligible Development. In addition, payment agreed in respect of an Eligible Development will only be made to a person who is an Eligible Person at the time of payment.

### Calculation of Payment under the NIPS

The payment shall be calculated by reference to the estimated

capital cost (as at the date of the application by the Eligible Person) of providing increased noise insulation (over and above any noise insulation standards required by Building Control, conditions attached to the relevant planning permission or any relevant planning obligation) at residential dwellings and Public Buildings proposed on Eligible Land within an Eligible Development in order to achieve:

- the standard of the First Tier Works or, as the case may be, Public Buildings First Tier Works (if the Eligible Land is within the Full Use 57 dB Contour) or
- the Second Tier Works or, as the case may be Public Buildings Second Tier Works (if the Eligible Land is within the Full Use 66 dB Contour).

The amount of the payment will be dependent upon the number of residential dwellings and Public Buildings on Eligible Land and forming part of an Eligible Development which are affected. The relevant noise insulation costs will be estimated by the Airport's noise consultants but agreed between the Airport and Eligible Persons wherever possible; in the absence of agreement the costs (including the extent of the increased noise insulation required and its specification), will be determined in accordance with the dispute resolution process described below.

### Timing of payment under the NIPS

Timing of payment will be agreed wherever possible by reference to the proposed construction programme or phasing of the Eligible Development. However, under the NIPS, payment must be linked with both the progress of the Eligible Development and the installation of the necessary noise mitigation measures. [As a guide this could mean, for example, payment being made in four equal instalments as follows:

- Instalment 1 – upon satisfactory practical completion of 10% of the aggregate floorspace.
- Instalment 2 – upon satisfactory practical completion of 40% of the aggregate floorspace.
- Instalment 3 – upon satisfactory practical completion of 70% of the aggregate floorspace.
- Instalment 4 – upon satisfactory practical completion of 100% of the aggregate floorspace and the provision of evidence of the sound insulation standard that has been achieved in the Eligible Development.]

In this context the reference to aggregate floorspace means the total aggregate gross [external] floorspace of the residential dwellings and public buildings forming part of the Eligible Development. Satisfactory practical completion means the point in time where the architect for the Eligible Development certifies practical completion of the relevant floorspace and the noise insulation measures for the relevant floorspace have been installed.

Any dispute regarding timing of payments would be determined in accordance with the dispute resolution process (below). However, the principle of payment by instalments linked to progress in construction and installation of noise mitigation measures cannot be questioned.

### Procedure under the NIPS

An application under the NIPS must be made by the delivery to the Legal Affairs Manager of London City Airport Limited at City Aviation House, Royal Docks, London E16 9PX of a written request for assistance under the NIPS, which is accompanied by the following minimum information:

- Name of the applicant
- Nature of the interest held by the applicant
- Address of the site in which the interest is held
- A plan showing the extent of the interest in the relevant site
- A copy of the planning permission and any related S106 agreement for the Eligible Development, together with copies of all drawings approved by the local planning authority and any environmental statement or noise impact assessment or sound insulation assessment, which formed part of the relevant planning application.
- A copy of any sound insulation scheme or design detail which has been developed as a consequence of the planning permission or any related S106 agreement in order to mitigate environmental noise.
- Confirmation of the stage which the Eligible Development has reached, together with any draft or adopted construction programme for the Eligible Development.
- Any plans passed for the purposes of Building Control which show the insulating properties of the proposed building(s).

On receipt of the application the Airport will use reasonable endeavours to adhere to the following procedures and timescales:

- Within three months of receipt of the application the Airport will notify the applicant whether or not the Airport considers that the applicant is an Eligible Person under the NIPS and if so whether there is any further information that the Airport reasonably requires.
- If there is a dispute regarding eligibility this will be resolved in accordance with the dispute resolution process indicated below and the determination of eligibility through that dispute resolution process will prevail.
- If the applicant is an Eligible Person, the Airport and the Airport's noise consultants will meet with the applicant and its consultants within three months of either notification by the Airport that the applicant is an Eligible Person or receipt from the applicant of any further information reasonably requested at the time of notification (whichever is later). The purpose of that meeting will be to discuss and understand the Eligible Development, its design and specification and the timing of its construction.
- Within three months of the meeting between the applicant and the Airport, the Airport and its noise consultants will review the application and all supporting information and will notify the applicant in writing of the amount of the payment that the Airport proposes to make under the NIPS and how it is calculated, together with proposals for the timing of the instalments.

- Within three months of the Airport's notification of payment, the Airport and its noise consultants will meet with the applicant and its consultants in order to discuss the amount of payment, agree the amount to be paid and agree on the timing of the instalments of the payment. Disputes are to be dealt with in accordance with process outlined below.
- Within three months of agreement or determination concerning the aggregate payment and the timing of the instalments under the NIPS in respect of an Eligible Development the Airport will make a final written offer based on the agreed or determined payment and the instalments (including the trigger events for the instalments) and subject also to the following conditions:
  - (i) The offer will be open for acceptance until the expiry of three months following the date of its receipt by the applicant; and
  - (ii) Any payments or instalments specified in the offer will only be made to a person who at the time of the payment or instalment is an Eligible Person (in respect of the Eligible Development which is the subject of the offer); and
  - (iii) The Applicant must account for use of the payments including the provision of as-built drawings showing the required standard of noise insulation measures.

## Publicity

Once the NIPS has been approved by the London Borough of Newham, it will become operational within three months. Within that three month period, the Airport will notify potentially Eligible Persons insofar as it is able to identify them through Land Registry searches. Otherwise, the existence of the NIPS (once adopted) will be publicised by its inclusion in the Annual Performance Report which the Airport is obliged to publish each year under the Section 106 Agreement.

## Scheme Close

Applications may not be made and will not be accepted by the Airport after [8 July 2019].

Determination of disputes

In the event of a dispute under the NIPS the matter in dispute will on the application of either the Airport or the applicant be referred to a person acting as expert (the "Expert") being a person with not less than 10 years' recent and relevant experience of the matter in dispute whose identity will be agreed between the Airport and the claimant or in the absence of agreement appointed by or on behalf of the [President for the time being of the Royal Institution of Chartered Surveyors on the application of either party.

The resolution of the dispute will be on the following terms:

- (b) the determination will be final and binding on the parties except where the Expert has made a manifest error;
- (c) the parties will be entitled to make representations and counter-representations in accordance with such timetable as the Expert directs; and
- (d) the Expert's costs will be borne in such proportions as he or

she may direct failing which each party will bear its own costs of the reference and determination and one half each of the Expert's costs

## GLOSSARY

### 1998 57 dB Contour

The 57 dB Contour included as part of the application for the 1998 Permission shown on the plan attached to this document marked "Plan 1" and based on full use of the 1998 Permission

### 1998 Permission

The planning permission granted on 21 July 1998 under reference P/97/0826

### 57 dB Contour

The 57 dB LAeq, 16h Average Mode summer day contour

### 66 dB Contour

The 66 dB LAeq, 16h Average Mode summer day contour

### Annual Performance Report

An annual report to be submitted to the Council by 1 July in each calendar year which will (to the extent required) report on the compliance with the terms of the Section 106 Agreement in the preceding calendar year

### Elevation Treatment Plan

The plan attached to this document marked "Plan 3"

### Full Use 57 dB Contour

The 57 dB Contour included with the application for the Planning Permission which is based on the full use of the Planning Permission and is shown on the plan attached to this document marked ("Plan 2")

### Full Use 66 dB Contour

The 66 dB Contour included with the application for the Planning Permission which is based on full use of the Planning Permission shown on the plan attached to this document marked ("Plan 2")

### Full Use Contours

The Full Use 57 dB Contour and the Full Use 66 dB Contour

### Habitable Room

- (a) a living room;
- (b) a bedroom (but not including a bathroom or en-suite);
- (c) a dining room; and
- (d) if the living room in the relevant premises is less than 14 square metres a kitchen in excess of 7 square metres or if the living room in the relevant premises is 14 square metres or more a kitchen in excess of 11 square metres but in any case not including a corridor

## Public Buildings

The following types of public buildings in noise sensitive community use and any other types of public building as agreed between the Airport and the Council: schools (including but not limited to Britannia Village School) colleges doctors' surgeries health centres hospitals nursing homes (including old people's homes) community centres (but not those used only as social clubs) meeting halls village halls churches and other places of religious worship libraries children's and other day centres crèches and nurseries and including any parts of buildings authorised and used for such purposes

## First Tier Works

The noise insulation works described in Appendix 1 to this document which set out the nature of the relevant works normally undertaken by the Airport to certain existing dwellings under the Section 106 Agreement

## Public Buildings First Tier Works

The noise insulation works described in Appendix 2 to this document which set out the nature of the relevant works normally undertaken by the Airport to certain existing Public Buildings under the Section 106 Agreement

## Second Tier Works

the noise insulation works described in Appendix 3 to this document which set out the nature of the relevant works normally undertaken by the Airport to certain existing dwellings under the Section 106 Agreement

## Public Buildings Second Tier Works

the noise insulation works described in Appendix 4 to this document which set out the nature of the relevant works normally undertaken by the Airport to certain existing Public Buildings under the Section 106 Agreement

# Appendices

## Appendix 1 – First Tier Works

First Tier Works mean:

### 1 Scope of Works

Subject to the remainder of this Appendix:

- (a) for single-glazed properties, secondary glazing and sound-attenuating vents;
- (b) for double-glazed properties, sound-attenuating vents only.

### 2 Elevations to be treated

Windows and external doors to Habitable Rooms on the following elevations:

- (a) for premises in zones A and C identified on the Elevation Treatment Plan all elevations;
- (b) for premises in zone B identified on the Elevation Treatment Plan only the south east and west facing elevations;
- (c) for premises in zone D identified on the Elevation Treatment Plan only the north east and west facing elevations.

### 3 Rooms to be treated

Habitable Rooms.

### 4 Acoustic standard

The installation shall produce an average sound reduction not less than 25 dB averaged over 100 to 3150 Hz in accordance with the procedure of British Standard Publication BS EN ISP 140: Part 5.

### 5 Glazing specification

- 5.1 An initial survey of the windows to be treated shall be undertaken followed by a schedule of existing defects which is to be agreed by the Airport the Council and the occupiers of the properties. The Airport and the Council shall agree which defects must be remedied to ensure that the noise insulation meets the required acoustic standard and/or so that it can be satisfactorily fixed, and shall also agree how the costs of any such remedial work shall be apportioned.
- 5.2 The Airport shall carry out the works required under paragraph 1(a) of this Part unless the defects referred to in paragraph 5.1 of this Part are so considerable that the Airport are unable to carry out the works effectively in which case they will notify the owner/occupier of the relevant property as well as the Council with a view to the defects being remedied by the owner/occupier following which the works required under paragraph 1(a) of this Part will be undertaken.
- 5.3 The type of secondary glazing units fitted shall relate to the form of the primary windows. The design of secondary units shall be such as to facilitate cleaning of both surfaces of the primary windows from within the treated room.

Secondary units shall be either a side-hung casement type, or horizontally or vertically sliding units. Quotations shall be accompanied by full details of the systems offered.

- 5.4 The secondary system shall generally comprise 4mm float glass within white polyester powder-coated aluminium frames. 6mm float glass and toughened glass shall be used where required by B.S. 6206 for safety reasons. Anodic oxidation shall comply with British Standard 1615.
- 5.5 The minimum air gap between primary and secondary panes is to be 100mm, where this can be accommodated within existing reveals.
- (a) Where the reveal depth is insufficient to achieve an air gap of 100mm, secondary glazing shall be fitted flush with the inner face of existing walls subject to a minimum of 50mm being achieved.
  - (b) Where a minimum air gap of 50mm cannot be achieved within existing reveals and with the secondary glazing fitted flush with the inner face of existing walls boxing out of the reveals will be necessary. In these cases the reveals shall be boxed out to achieve a minimum reveal depth of 67mm.
  - (c) In all cases where a minimum gap of 100mm cannot be achieved the glass thickness of the secondary pane shall be increased to 6mm.
  - (d) The top and side reveals between primary and secondary windows are to be lined with an approved sound absorbent material treated with a suitable fungicide.
- 5.6 The secondary glazing system is to be mounted on a timber frame with white gloss painted finish. Any gaps between sub-frame and reveal shall be sealed with an approved resilient sealant.
- 5.7 Where it is necessary to remove and refix existing curtain tracks, pelmets etc., this is to be undertaken by the secondary glazing installer.

## 6 Doors

External doors to habitable rooms will be fitted with weatherstrip seals (approved by the Council) to the thresholds, jambs and heads. Opening fanlights over doors shall be sealed and fixed in a closed position. Glazed doors and fanlights shall not be fitted with secondary glazing where the sealing measures meet the performance required in paragraph 4.

## 7 Ventilation

- 7.1 Existing air bricks within Habitable Rooms shall be replaced by permanent sound-attenuating passive vents.
- 7.2 In addition to the replacement of existing air bricks by permanent sound attenuating vents, either two permanent sound attenuating vents or one combined mechanical and permanent sound-attenuating vent shall be provided in each room. All vents shall be in accordance with the standards given in the Noise Insulation Regulations. Mechanical vents shall be wired to the domestic supply in compliance with current IEE Regulations. Suitable ducting shall be provided from room to outside air, complete with an external grille.

## 8 Building and gas regulations

- 8.1 The secondary glazing installer shall be responsible for ensuring that the property meets the ventilation requirements of the current Building and Gas Regulations on completion of sound insulation works. All additional ventilation shall be sound attenuated as provided in paragraph 7.2.
- 8.2 Any requirements for additional ventilation in the future arising from amendments to the building, to its gas appliance or the Regulations, shall be the responsibility of the building owner.

## 9 Blinds

Free hanging venetian blinds, or similar, are to be supplied and fitted between primary and secondary windows to eligible rooms and elevations. Blinds are to be white, with tilt mechanism. In no case shall it be required that blinds be fitted where following the agreement of the owners of the property it is decided that such installation would be impracticable.

## Appendix 2 – Public Buildings First Tier Works

- 1 The Airport shall firstly carry out a survey of the Public Buildings and shall produce a survey report including information on the existing and future aircraft noise levels, acoustic performance of the existing building envelope, information on legislation and planning conditions relevant to the sound insulation of the building envelope, and any significant defects relating to the sound insulation performance of the building envelope to be agreed by the Airport the Council and the managing companies of the properties.
- 2 The Airport and the Council shall agree what works must be reasonably carried out if any having regard to guidance on internal noise levels in BS 8233:1999 “Sound insulation and noise reduction for Buildings – Code of Practice” or Building Bulletin 93 “Acoustic Design of Schools” or other such guidelines for internal noise levels as may be relevant or issued from time to time modifying extending or replacing those Guidelines. Works will be designed so as to ensure that existing arrangements for ventilation are either maintained or improved in a manner that is reasonably consistent with its designed use.
- 3 The Airport shall carry out the works required under paragraph 2 of this Appendix unless the defects referred to in paragraph 1 of this Appendix are so considerable that the Airport is unable to carry out the works effectively in which case they will notify the owner/occupier of the relevant property as well as the Council with a view to the defects being remedied by the owner/occupier following which the works required under paragraph 2 of this Appendix will be undertaken.
- 4 The Airport and the Council shall agree which defects, where applicable, must be remedied to ensure that the Public Buildings First Tier Works meet the acoustic design standard

determined from the procedure described in paragraph 2 above and shall also agree how the costs of any such remedial work shall be apportioned.

## Appendix 3 – Second Tier Works

### 1 Second Tier Works

Second Tier Works means: the works described in this Appendix to improve further the standard of sound insulation specified in the First Tier Works and provision of any necessary acoustic ventilation as specified in the First Tier Works.

### 2 Eligible rooms

Any Habitable Room is eligible.

### 3 Elevations to be treated

All elevations are eligible for Second Tier Works.

### 4 Glazing specification

- 4.1 The Second Tier Works contractor shall initially carry out a survey of the windows to be treated and shall produce a survey report including information on current window specification (secondary glazing/thermal double or single), opening type, and any significant defects to the primary and, if applicable, secondary glazing to be agreed by the Airport the Council and the occupiers of the properties. the Airport and the Council shall agree which defects must be remedied to ensure that the Second Tier Works noise insulation meets the required acoustic design standard and/or so that it can be satisfactorily fixed, and shall also agree how the costs of any such remedial work shall be apportioned.
- 4.2 Where reasonably practicable an offer of secondary glazing and sound attenuating ventilators or a contribution towards the cost of installing high acoustic performance double glazing and sound attenuating ventilators will be made for habitable rooms with existing thermal double or single glazing of a satisfactory standard PROVIDED THAT:
  - (a) The type of secondary glazing units fitted shall relate to the form of the primary windows. The design of secondary units shall be such as to facilitate cleaning of both surfaces of the primary windows from within the treated room. Secondary units shall be either a side-hung casement type, or horizontally or vertically sliding units. Quotations shall be accompanied by full details of the systems offered.
  - (b) The installation of the high acoustic performance double glazed windows and sound attenuating ventilators will be carried out by the Second Tier Works contractor.
  - (c) Any contribution payable by the Airport shall be equivalent to the cost of installing secondary glazing and sound attenuating ventilators.
- 4.3 Where it is not reasonably practicable to install secondary glazing over a primary thermal double glazed window within a habitable room an offer of a contribution towards high acoustic performance replacement double glazed windows and sound attenuating ventilators will be made up to a limit of 25% above the cost of installing secondary glazing and sound attenuating ventilation.
- 4.4 Where a surveyed existing double glazed window within a habitable room is found to have defects as a result of reasonable use the residential building owner will be entitled to either:
  - (a) remedial works to the existing double-glazed window and the provision of a secondary system as described below and sound attenuating ventilators; or
  - (b) a contribution towards the cost of installing high acoustic performance double glazing and sound attenuating ventilators (payable on such installation) equivalent to the cost of the remedial works referred to in paragraph 4.4(a) above.
- 4.5 Where a surveyed secondary glazed window within a Habitable Room with a primary single-glazed window is found to be in satisfactory order an offer of sound attenuating vents will be made if not present and an offer to alter the existing secondary glazed window to achieve an equivalent mean sound reduction index (100 to 3150 Hz) to the secondary glazing specification described in 4.6 and 4.7 below as determined using BS EN ISO 140 Part 1 as set out in 4.7 below.
- 4.6 The secondary system shall generally comprise 4mm float glass within white polyester powder- coated aluminium frames. 6mm float glass and toughened glass shall be used where required by B.S. 6206 for safety reasons. Anodic oxidation shall comply with British Standard 1615.
- 4.7 The minimum air gap between primary and secondary panes is to be 100mm, where this can be accommodated within existing reveals PROVIDED THAT:
  - (a) Where the reveal depth is insufficient to achieve an air gap of 100mm, secondary glazing shall be fitted flush with the inner face of existing walls subject to a minimum of 75mm being achieved.
  - (b) Where a minimum air gap of 75mm cannot be achieved within existing reveals and with the secondary glazing fitted flush with the inner face of existing walls boxing out of the reveals will be necessary. In these cases the reveals shall be boxed out to achieve a minimum reveal depth of 75mm.
  - (c) In all cases where a minimum gap of 100mm cannot be achieved the glass thickness of the secondary pane shall be increased to 6mm.
  - (d) The top and side reveals between primary and secondary windows are to be lined with an approved sound absorbent material treated with a suitable fungicide.
- 4.8 The secondary glazing system is to be mounted on a timber frame with painted finish. Any gaps between sub-frame and reveal shall be sealed with an approved resilient sealant.
- 4.9 The high acoustic performance double glazed unit shall generally comprise 10mm glass /12mm cavity/6.8mm acoustic laminated glass within a UPVC or aluminium

frame. Toughened glass shall be used where required for safety reasons.

- 4.10 The high acoustic performance double glazed unit shall be designed to comply with relevant thermal efficiency requirements of the Building Regulations (Approved Document L).
- 4.11 Where it is necessary to remove and refix existing curtain tracks, pelmets etc., this is to be undertaken by the Second Tier Works contractor.

## 5 Doors

- 5.1 External doors to Habitable Rooms will be fitted with high acoustic and weather specification seals (approved by the Council) to the thresholds, jambs and heads. Opening fanlights over doors shall be sealed and fixed in a closed position. Glazed doors and fanlights shall be evaluated on an individual case by case basis to ensure sufficient sound insulation provision is achieved.
- 5.2 Fully glazed or patio doors or French windows will be treated as windows for consideration of eligibility.

## 6 Ventilation

- 6.1 Second Tier Works will only be carried out with appropriate sound attenuating ventilators.
- 6.2 Existing air bricks within habitable rooms shall be replaced by permanent sound- attenuating vents.
- 6.3 In addition to the replacement of existing air bricks by permanent sound attenuating vents, either two permanent sound attenuating vents or one combined mechanical and permanent sound- attenuating vent shall be provided in each room. All vents shall be in accordance with the standards given in the Noise Insulation Regulations. Mechanical vents shall be wired to the domestic supply in compliance with current IEE Regulations. Suitable ducting shall be provided from room to outside air, complete with an external grille.

## 7 Loft insulation

- 7.1 Where applicable an offer of installation of loft insulation will be made.
- 7.2 Where no loft insulation is present 250mm thick thermal grade mineral wool insulation will be laid in the loft.
- 7.3 Where existing loft insulation is found to be unsatisfactory further layers of insulation will be added to increase the total thickness of insulation to 250mm.

## 8 Building, gas and electric regulations

- 8.1 The Second Tier Works installer shall be responsible for ensuring that the property meets the ventilation requirements of the current Building and Gas Regulations on completion of sound insulation works. All additional ventilation shall be sound attenuated as provided in paragraph 6 of this Part.
- 8.2 Any requirements for additional ventilation in the future arising from amendments to the building, to its gas

appliance or the Regulations, shall be the responsibility of the building owner or occupier, as the case may be.

## 9 Blinds

Free hanging venetian blinds are to be supplied and fitted between primary and secondary windows to eligible rooms. Blinds are to be white, with tilt mechanism. In no case shall it be required that blinds be fitted where following the agreement of the owners of the property it is decided that such installation would be impracticable.

## Appendix 4 – Public Buildings Second Tier Works

- 1 The Airport shall firstly carry out a survey of the Public Buildings and shall produce a survey report including information on the existing and future aircraft noise levels, acoustic performance of the existing building envelope, information on legislation and planning conditions relevant to the sound insulation of the building envelope, and any significant defects relating to the sound insulation performance of the building envelope to be agreed by the Airport the Council and the managing companies of the properties.
- 2 The Airport and the Council shall agree what works must be reasonably carried out if any having regard to guidance on internal noise levels in BS 8233:1999 “Sound insulation and noise reduction for Buildings – Code of Practice” or Building Bulletin 93 “Acoustic Design of Schools” or other such guidelines for internal noise levels as may be relevant or issued from time to time modifying extending or replacing those Guidelines. Works will be designed so as to ensure that existing arrangements for ventilation are either maintained or improved in a manner that is reasonably consistent with its designed use.
- 3 The Airport shall carry out the works required under paragraph 2 of this Appendix unless the defects referred to in paragraph 1 of this Appendix are so considerable that the Airport is unable to carry out the works effectively in which case they will notify the manager of the relevant property as well as the Council with a view to the defects being remedied by the manager following which the works required under paragraph 2 of this Appendix will be undertaken.
- 4 The Airport and the Council shall agree which defects, where applicable, must be remedied to ensure that the Public Buildings Second Tier Works meets the acoustic design standard determined from the procedure described in paragraph 2 above and shall also agree how the costs of any such remedial work shall be apportioned.