

Proposed Planning Obligation(s) / Heads of Terms (draft)

Ref: 19309-XX-ECXXX-000073

1. INTRODUCTION

- 1.1 These are the proposed heads of terms for an agreement (“**Agreement**”) to be entered into pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) (“**Act**”), relating to the planning application (“**Application**”) submitted by Heathrow Airport Limited (“**HAL**”) for the following description of development on land at Heathrow Airport (“**Site**”):

*“enabling works to allow implementation of full runway alternation during easterly operations at Heathrow Airport including the creation of a new 'hold area' at the western end of the northern runway, the construction of new access and exit taxiways, the construction of an acoustic noise barrier to the south of Longford Village and temporary construction compounds” (“**Development**”).*

- 1.2 The Agreement is to secure the delivery of the required planning obligations for the Development.

2. PARTIES

- 2.1 The parties to the Agreement will be:

- 2.1.1 HAL, as the registered proprietor of the freehold interests in the Site;
- 2.1.2 the registered proprietor of any legal charge over the Site; and
- 2.1.3 London Borough of Hillingdon Council (“**Council**”), as the local planning authority for the area in which the Site is situated.

3. PLANNING OBLIGATIONS

- 3.1 The primary planning obligation the Agreement will secure is the financial measures that HAL will offer to owners of eligible properties in order to mitigate predicted noise and vibration effects of the Development. The measures to be offered will depend on the category the relevant property falls into, as detailed further below.

Category A Properties (Noise Induced Vibration)

- 3.2 This category comprises those residential dwellings within 500 metres of aircraft start of roll on runway 09L (i.e. for departures from the northern runway when the airport is operating easterly alternation). These properties will be offered funding of up to £10,000 towards the cost of mitigating the effects of noise induced vibration which may occur as

a result of the Development. Such funding will be in addition to any eligibility under HAL's existing Quieter Neighbourhood Support Residential Insulation Scheme ("QNS").

- 3.3 The Agreement will attach a plan identifying the Category A Properties.
- 3.4 The offer will apply in relation to any habitable lightweight structures constructed to practical completion prior to the commencement of easterly alternation at the airport. The actual amount offered for each property will be determined following an independent survey and assessment to be arranged by HAL.

Category B Properties (Extension to Home Relocation Assistance Scheme)

- 3.5 This category comprises those residential dwellings which are forecast to be exposed to levels of noise of 69 dB L_{Aeq} , 16hr and above as a result of the Development and do not already qualify for relocation assistance under HAL's existing Home Relocation Assistance Scheme. These properties will be offered a financial contribution towards the cost of relocating, comprising 1% of the sale price of the property plus a lump sum of £10,000, up to a maximum of £20,000 in total. This will be paid upon completion of the sale/purchase of the property, provided completion takes place within 5 years of the date of the relocation offer.

Category C Properties (Revision to QNS Eligibility Boundary)

- 3.6 This category comprises those residential dwellings which are forecast to become eligible for the QNS as a result of the Development, once the eligibility boundary for QNS is updated to account for the Development.¹ Properties that fall within the updated QNS eligibility boundary as a result of the Development will be offered QNS scheme funding of up to £34,000 towards noise insulation costs. The actual amount offered for each property will be determined following an independent survey and assessment to be arranged by HAL.
- 3.7 The change in eligibility boundary will be identified by reference to a plan/plans attached to the Agreement (which will reflect those included in the environmental statement submitted with the Application).
- 3.8 Category C Properties will be offered a package of mitigation measures in accordance with the QNS scheme.

Category D Properties (Residential Dwelling Insulation)

- 3.9 This category comprises those residential dwellings which, as a result of the Development, are forecast to experience an increase in air noise of 3 dB and above leaving them exposed to levels of air noise of 54 dB L_{Aeq} , 16hr and above. Category D Properties are divided into 2 sub-categories:
 - 3.9.1 Category D1 Properties, being those residential dwellings which are forecast to be exposed to levels of air noise of 60 to 63 dB L_{Aeq} , 16hr and an increase of 3 dB or more as a result of the Development. These properties will be offered a financial contribution of up to £12,000 towards noise insulation costs.

¹ Properties are eligible for the QNS if they are located within a single composite boundary based on the Significant Observed Adverse Effect Level (SOAEL) for day (63 dB L_{Aeq} , 16hr) and night (55 dB L_{Aeq} , 8hr), the Sound Exposure Level (SEL) footprint of the noisiest aircraft (90dB SEL for A380 arrival) and the calculated probability of >1 additional awakening due to early morning (0430-0600) arrivals. This is compliant with current UK noise policy.

The actual amount offered for each property will be determined following an independent survey and assessment to be arranged by HAL; and

- 3.9.2 Category D2 Properties, being those residential dwellings which are forecast to be exposed to levels of noise of 54 to 60 dB L_{Aeq} , 16hr and an increase of 3 dB or more as a result of the Development. These properties will be offered a fixed financial contribution of £3,000 towards noise insulation costs.

Schools Insulation

- 3.10 HAL will offer a package of bespoke insulation and ventilation to:
- 3.10.1 Those schools that are forecast to become eligible for noise insulation under the QNS as a result of the Development, namely Littlebrook Nursery in Longford and Khosla House in Cranford; and
- 3.10.2 Those schools that are forecast to experience significant increases in air noise of 3 dB L_{Aeq} , 16hr or more leaving them exposed to at least 54 dB L_{Aeq} , 16hr as a result of the Development, namely Cranford Community College and Cedars Primary School.
- 3.11 The package of works will be up to £2,500,000 per school, with the actual amount offered to each school being determined following an independent survey and assessment to be arranged by HAL.

Parks and Gardens

- 3.12 Berkeley Meadows, Avenue Park and Cranford Park are forecast to experience an adverse likely significant effect as a result of the Development. HAL will make a financial contribution to the Council towards the enhancement of these parks/gardens of up to £250,000 in total. The financial contributions will be made to the Council within 3 months of implementation of the planning permission authorising the Development.
- 3.13 There will be a provision in the Agreement prohibiting the sum(s) to be used by the Council towards the planting of bird-attracting trees, given the proximity to the airport and the impact birds can have on flight operations.
- 3.14 The Council will be required to have spent (or have committed to spend) the contributions by 2028. Any part of the contributions which are unspent or uncommitted by that date will be returned to HAL (with any interest accrued thereon).

4. OFFER DETAILS

- 4.1 The process and timing for identifying eligible properties and for making offers is summarised as follows:
- 4.1.1 Save in respect of the Category C Properties, HAL will submit offer letters to the owner of each affected Property within three months of the commencement of the infrastructure works authorised by the Development.
- 4.1.2 If an offer is not accepted unconditionally within a period of six months from receipt, the offer will be deemed to have been refused.

- 4.1.3 If the offer is accepted unconditionally, HAL will arrange for an appropriate surveyor/assessor to visit the relevant property in order to determine the works which ought to be undertaken. Once the extent of the works is agreed (and the owner will have an opportunity to refer any disputed works for expert determination), HAL's contractor will agree with the owner a mutually convenient time for carrying out the works at HAL's cost.
- 4.1.4 The works will be undertaken by contractors from HAL's supply chain, save in respect of works to Category D2 Properties, which may be undertaken by the owner's nominated contractor or a contractor from HAL's supply chain, at the owner's election.
- 4.1.5 Payment of the contributions will be made to the contractor undertaking the works, not to the property owner directly.
- 4.1.6 Save for the QNS scheme (including the review mechanism below), the Agreement is to include a longstop date of 2 years following the commencement of easterly alternation operations, after which the obligation to continue to make offers to any resident or landowner will cease to have effect. This will not affect any offers already accepted prior to the 2 year longstop date.

5. REVIEW OF OFFERS

- 5.1 In line with HAL's Noise Action Plan, HAL is to review the noise situation and QNS eligibility boundary every 5 years. If this review identifies any property as being exposed to air noise levels which bring it within the QNS eligibility boundary as a result of the Development, HAL will offer QNS RIS scheme funding to such property.