
STATUTORY INSTRUMENTS

1975 No. 1763

The Noise Insulation Regulations 1975

Buildings to which these Regulations apply

7.—(1) Subject to the provisions of this Regulation, the classes of buildings in respect of which a duty or power is to arise under these Regulations are—

- (a) dwellings, and
- (b) other buildings used for residential purposes,

which will be not more than 300 metres from the nearest point on the carriageway of the highway after the construction of that highway or of an additional carriageway therefor or the alteration thereof, as the case may be, and the expression “eligible building” in these Regulations means a building falling within either of those classes.

(2) The following shall not be eligible buildings—

- (a) any building in respect of which a compulsory purchase order is in force, or in respect of which a compulsory purchase order has been submitted for confirmation to, or prepared in draft by, a Minister and in respect of which a notice has been published under paragraph 3(1)(a) of Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946 or under any corresponding enactment applicable thereto, unless the order has been withdrawn or a decision has been taken not to confirm or make the order, as the case may be;
- (b) any building liable to be acquired compulsorily under any local or private Act of Parliament or under an order, rule, regulation, byelaw or scheme made under an Act of Parliament;
- (c) any building which is the subject of a closing order under Part II, a demolition order under Part II or III, or an undertaking accepted under section 16(4), of the Housing Act 1957, or which is the subject of a closing order, or an undertaking accepted, under section 60 of the Housing Act 1969;
- (d) any building within an area declared to be a clearance area by a resolution under section 42 of the Housing Act 1957;
- (e) any building which was first occupied after the relevant date;
- (f) any part of a building in respect of which part a grant has been paid or is payable in respect of the carrying out of insulation work under any enactment other than the Act or any instrument made under any such enactment.