

**2 Oakhill Avenue, London, NW3 7RE**

**Ref: SP 232322**

A copy of this document shall be made available to the appointed Building Contractors and their sub-contractors

**LBC LEGAL DUTIES and EXPECTATIONS REGARDING BUILDING CONSTRUCTION/DE-CONSTRUCTION SITES**

**Addendum to CMR 232322**

**Camden's Minimum Requirements (CMR) number: 232322**

**Site: 2 Oakhill Avenue, London, NW3 7RE**

**Planning number: 2013/6162/P**

**Date: 15<sup>th</sup> November 2017**

**Revision:**

I have read the CMP dated 15<sup>th</sup> November 2017 Version 1.0 Produced by Jake Puddy regarding the above site is linked to planning application **2013/6162/P**.

I confirm that no visit has been made to this site in connection with this CMP.

The site is a post war 3-storey single dwelling set back from the road. The proposed development is a retrofit basement under the footprint of the house and part rear garden.

The works include excavation of a basement under the existing building using reinforced concrete underpinning, retaining walls and structural steels to support the upper floors. The property has one adjoining owner but party wall agreements will be sought with both immediate neighbours.

The nearest and most obvious receptors are:

2c Oakhill Avenue (adjoining owner)

2b Oakhill Avenue (adjoins the AO 2c)

4 Oakhill Avenue (immediate neighbour)

1a, 1b, 1c and 1d Oakhill Avenue (immediately opposite)

There are a number of issues that have not been addressed adequately by the CMP (e.g. noise issues, prevention of rats/mice escaping the site, etc.). The following are being missed from the submitted CMP.

**The following is missing from the submitted CMP:**

- A Noise Report showing the ABC method stipulated in BS5228:2009 +A1:2014 and the structure borne noise including respite areas during the proposed works.
- The prediction of noise levels (including structure borne noise) at the potential noise receptors.
- Respite proposals regarding structure borne noise.
- Philosophies to be incorporated, maintained, improved and enforced in:
  - (a) Noise/vibration reducing throughout the site and the life of the project.
  - (b) Prevention of dust formation in the first place, throughout the site and the life of the project.
- Identification of the worst affected property by the effect of noise/vibration (including structure borne) and 3D (see CMR 232322) if applicable

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- Full details describing mitigation measures to be incorporated during the construction /deconstruction works to prevent noise and vibration disturbances from the activities on the site to the main receptors (including those who will remain in partial occupation during the works).
- Actions to be taken in cases where these noise levels exceed the predicted noise and vibration levels.
- Report from a British Pest Control Association (BPCA) company demonstrating existence /non-existence of rats and mice by using baiting techniques.
- Action taken to prevent the rodents living in the site escaping the site prior commencing the works and during the works.

Noisy building construction /deconstruction works could be allowed to commence if the Contractor fully adhere and complies with the following specific and general understandings stated below:

## **UNDERSTANDINGS**

**NB.** In meeting these SPECIFIC UNDERSTANDINGS and/or reviewing the CMP, the Contractors shall have regard and shall be consistent with the following documents, policies, and procedures:

- Camden's Minimum Requirements (CMR232322, attached)
- Addendum CMR 232322, attached)
- British Standards BS5228:2009+A1:2014
- "Pest minimisation Best practice for the Construction Industry" (attached) for eradication of rat/mice before works commence
- The Control of Dust and Emissions During Construction and Demolition (SUPPLEMENTARY PLANNING GUIDANCE) 2014
- Noise/vibration reduction and visible dust prevention philosophies
- Noise/vibration report according to BS5228:2009+A1:2014 to be produced and to be approved.

## **SPECIFIC UNDERSTANDINGS.**

1. **In the case, that Structure borne noise is likely to occur at party walls or tall buildings.**
  - (a) A noise report dealing with the effect of structure borne noise from the building de-construction and construction activities shall be required before any proposed works commence. The noise report shall deal with the provision of suitable respite accommodation to those who are being affected. Refer to BS 6472-1:2008, BS5228: 2009+A1:2014.
  - (b) The prediction of noise levels (including structure borne noise) at the potential noise receptors (including any person residing/working inside the building or sharing party wall) shall be made before the proposed works commence.

- (c) Prior any de-construction/construction works commence but no less than (28 days of the proposed works commence), the resident and/or the residents, living at the sharing party wall (or tall buildings) shall formally be offered in writing an appropriate suitable respite alternative accommodation/areas for the whole duration of these construction/deconstruction works. The offer and details of the offer shall be confirmed in writing to the Council”.
- (d) If the adjoining building is structurally connected and is occupied while the proposed works are in progress and should structure borne noise through party wall and/or other connected part of the building occurs, then a respite scheme shall be required to provide to those who are directly affected by the works that is causing the structure borne noise.
- (e) No dweller should remain in their dwellings without a properly suitable respite accommodation/area being offered while noisy structure borne works/activities are being carried out.

**2. Identification of worst affected property.**

- (f) Prior any construction/deconstruction works commence identification of the worst affected property by the effect of noise/vibration (including structure borne) and 3D (see CMR 232902) shall be required.
- (g) Prior any construction/deconstruction works commence full details describing mitigation measures to be incorporated during the construction/demolition works to prevent noise and vibration disturbances from the activities on the site to the main identified receptors.

**3. Noise monitoring**

- (h) Noise and vibration monitoring shall be carried out. (232322 Camden’s Minimum Requirements attached).
- (i) State the actions to be taken in cases where these exceed the predicted noise and vibration levels.

**4. Respite accommodation for non-party wall/adjoining properties.**

- (j) Where noise exceeds noise limits for a period of 10 or more days of working in any fifteen consecutive days or for a total number of days exceeding 40 in any 6 month period provisions for temporary respite accommodation will be offered.

**5. Rats/mice control/extermination**

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- (k) Once main contractor has been appointed and at least 6 weeks before the works commence a rodent assessment report shall be issued and the site shall be baited to ascertain the degree of rat/mice infestation.
  
- (l) A British Pest Control Association (BPCA) company shall produce the rodent assessment report. The report shall demonstrate existence/non-existence of rats and how the rodents living on the site are being prevented escaping the site prior commencing the works and during the works.
  
- (m) Before any construction/deconstruction works commence Contractors, builders, etc. have to keep sufficient evidence and make such evidence readily available on request by an authorised Officer of the Council the following:
  - Any existing drainage serving the site is secure. This means locating the interceptors of the existing buildings and making sure that the drains are currently running free and that any interceptor (Rodding Eye) caps are in place. For straight through systems a rat block device should have been installed before any work starts.
  
  - If the existing drains are not to be used for the new development then these have been cemented and sealed.
  
  - Any additional drainage leading back from the interceptor left open, the corresponding interceptor/s are sealed.
  
  - The rodents living in the site are being systematically destroyed and/or prevented escaping the site prior commencing the works and during the works.

#### **GENERAL UNDERSTANDINGS.**

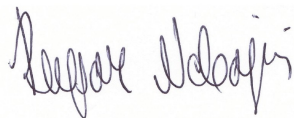
- (a) London Borough of Camden under the Control of Pollution Act 1974, Environmental Protection Act 1990 and Prevention of Damage by Pest Act 1949, has the legal duty to protect from the effects of noise (including vibration), statutory nuisances and pest prevention from rodents to those who are living in the proximity of the proposed works.
  
- (b) The Council expect to receive no valid complaints during the entire duration of the proposed works to be undertaken at, **2 Oakhill Avenue, London, NW3 7RE.**
  
- (c) The CMP shall be a living document to be reviewed/modified as soon as problems arise or when it is required.
  
- (d) A continuous philosophy to be incorporated, maintained, improved and enforced in:

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- (a) Noise/vibration reducing throughout the site and the life of the project.
- (b) Prevention of dust formation in the first place, throughout the site and the life of the project
  
- (e) Full adherence and compliance and implementation with the 232322 CMR for the site.
  
- (f) Where practicable, to prevent vibration during excavations works, most modern excavating equipment and the most modern excavation techniques shall be used.
  
- (g) No demolition works shall be commenced without an adequate water supply to cover the whole working areas.
  
- (h) At all times the site shall be kept free, so far as is reasonable practicable, from rats and mice. (Prevention of Damage by Pests Act 1949, part 'H' of the Building Regulations (Drainage & Waste Disposal)).
  
- (i) Continuous liaison with the local community, before works commence, during the works and in particular in case of exceedances and/or change of techniques or methodology and or complaints/concerns.
  
- (j) Full adherence and compliance and implementation with the 232322 CMR for the site and BS5228:2009+A1:2014.



**Signed:**

**Date: 6th of March 2018**

**Print Name: Nebojsa Rupar**

**Position: director**

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