

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

237373 Addendum to CMR 237373

Site: St Aloysius Convent, 32 Phoenix Road, London, NW1 1TA.

Planning number: 2017/6448/P

Date: 28th March 2018

I have read the CMP dated 01/03/18 version 001 and produced by Kevin Boyle regarding the above site which, is linked to planning application **2017/6448/P**.

I confirm that no visit has been made to this site

The site is positioned between the Maria Fidelis Catholic School FCJ currently under development and the St. Aloysius Infant School in Somers Town.

The works will comprise erection of infill extension at ground floor level and two-storey rear extension at second and third floors and replacement of external staircase to east elevation. Replacement of existing windows and introduction of new windows, provision of a new entrance ramp, stairs and canopy. The proposed refurbishment will consist largely of internal reconfiguration.

However, it will also include a ground floor infill extension to what is currently an undercroft car parking area and a two-storey, highly glazed extension to the second and third floor to what is currently an accessible roof terrace on the rear façade (South).

The nearest potential sensitive receptors are the properties along Phoenix Road, largely St. Aloysius Infant School and Maria Fidelis Catholic School FCJ as direct neighbours. The overall project is anticipated to take around 26 weeks. Construction started on the internal refurbishment on 8th January 2018 with completion by 31st August 2018.

Because this project appears to be of a small scale, before any works is carried out the following should be met:

Evidence from a British Pest Control Association (BPCA) company is required to demonstrate existence/non-existence of rats and mice by using baiting techniques. How the rodents living on the site are being prevented escaping the site prior commencing the works and during the works.

The noisy building deconstruction /construction works could continue with the proviso that the Contractors also agree with the following understandings:

1. Should there be valid complaints about noise and vibration and rats/mice then the following listed below are being required to be submitted and works should stop:

- A noise report dealing with the effect of noise from the building de-construction and construction activities.
- The prediction of noise levels (including structure borne noise) at the potential noise receptors.
- 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 237373) for the
- Provide 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 receptors. In particular, St. Aloysius Infant School and Maria Fidelis Catholic School FCI as direct neighbours.

- State the actions to be taken in cases where these exceed the predicted noise and vibration levels.
- State the actions to be taken in cases where these noise and vibration levels exceed the predicted noise and vibration levels.

A. Identification of worst affected property.

- Identification of the worst affected property by the effect of noise/vibration (including structure borne) and 3D (see CMR 237373) shall be required.
- 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.

B. Noise monitoring

- Noise and vibration monitoring shall be carried out. (237373 Camden's Minimum Requirements attached).
- State the actions to be taken in cases where these exceed the predicted noise and vibration levels.

C. Respite accommodation for non-party wall/adjoining/non-connected properties (Airborne noise).

- 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.

D. Rats control/extermination

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.

2. SPECIFIC UNDERSTANDINGS


- (a) When reviewing the CMP, the Contractors shall have regard and shall be consistent with the following documents, policies, procedures and best practices:
- Camden's Minimum Requirements (CMR237373, attached)
 - Addendum237373 CMR237373, attached)
 - British Standards BS5228:2009+A1:2014 (ABC +5dB methods)
 - "Pest minimisation Best practice for the Construction Industry" for eradication of rat/mice before works commence (attached)
 - The Control of Dust and Emissions During Construction and Demolition (SUPPLEMENTARY PLANNING GUIDANCE) 2014 (attached)
 - Noise/vibration reduction and visible dust prevention philosophies.
 - Noise report to be produced in case of: (i) Airborne noise and (ii) structure borne noise.
- (b) In the case, that structure borne noise is likely to occur at party walls or tall or connected 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 likely to be affected. Refer to BS 6472-1:2008, BS5228: 2009+A1:2014, 237373 Addendum - CMR237373.
- (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 shall formally be offered in writing an appropriate suitable respite alternative accommodation 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 being offered while noisy structure borne works/activities are being carried out.

3. 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, **St Aloysius Convent, 32 Phoenix Road, London, NW1 1TA.**
- (c) The CMP shall be a living document to be reviewed/modified as soon as problems arise or when it is required.
- (d) Noise and vibration monitoring shall be carried out. (See CMR 237373) Camden's Minimum Requirements attached)

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

- (e) A philosophy of reduction noise/vibration levels throughout the site shall be implemented, maintained and improved throughout the duration of these works.
- (f) For airborne noise, 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.
- (g) A philosophy for the prevention of dust formation in the first place shall be adopted, implemented and enforced during the duration of these works.
- (h) Full adherence and compliance and implementation with the 237373 CMR for the site.
- (i) Where practicable, to prevent vibration during excavations works, most modern excavating equipment and the most modern excavation techniques shall be used.
- (l) No demolition works shall be commenced without an adequate water supply to cover the whole working areas.
- (m) Prior any building construction demolition works the presence of rats and/or mice should be ascertained and the contractor shall employ a British Pest Control Association (BPCA) company to eradicate the rodent infestation. .
- (n) 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)).
- (o) 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.
- (p) Full adherence and compliance and implementation with the 237373 CMR for the site.

Signed: 

Date: 4/2/18

Print Name: BOYLE

Position: CONTRACT MANAGER