

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

**Addendum to CMR 242058**

**Camden's Minimum Requirements (CMR) number: 242058**

**Site: 7 Branch Hill London NW3 7LT**

**Planning number: 2013/4187/P Revision B**

**Date: 13<sup>th</sup> July 2018**

**Revision: Revision B**

ACMR 242058 supersedes previous ACMR 224520

I have read the CMP dated 16/11/2017 Version B Produced by A Sherlock London, regarding the above site, which is linked to planning application **2013/4187/P**.

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

The proposed works consist of:

- Site preparation
- Soil removal
- Demolition of the existing 3 storey dwelling.
- Construction of a new three storey above ground house arranged over ground, first and second floors.
- Construction of a single storey basement containing swimming pool, leisure facilities and car parking.
- Reinstatement of raised garden and landscaping to the front of the site.

The basement works comprise of excavations and formation of new formations adjacent to party wall boundaries.

The main identified noise sources have been identified to be arising from the following activities:

- Site preparation
- Excavation activities
- Basement activities
- Construction activities
- Soil removal
- Scaffolding
- Delivery of concrete.
- External Works

The total duration of the proposed works are approximately 85 weeks.

Although the applicant has submitted a number of documents in support of the CMP (Appendix E 7 BRANCH HILL, HAMPSTEAD, LONDON Noise, Vibration and Dust Management Plan Report 16439.NVDMP.01 dated 18 September 2017; Appendix F Health, Safety & Environmental Policy & Management System

Appendix G Rentokil Re Quote 01678165-0001 and Service Visit Report Visit Date: 01/12/17; etc.) the submitted CMP still has either missing information or the information provided is insufficient regarding the mitigation of noise, vibration, rodent control, etc.

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

- A comprehensive noise report dealing with:
  - (i) ABC +5dB method according BS5228:2009+A1:2014
  - (ii) Prediction of the noise levels at worst affected noise receptor
  - (iii) Full description of the noisy activities and/or operations
  - (iv) Noise sources from plant/machinery/activity
  - (v) Noise type i.e. airborne, ground borne and structure borne (including causes)
  - (vi) Noise impact of nearest building demolition works on existing residents.
  - (vii) Impact of activities likely to be carried outside standard hours i.e. utilities connections, crane arrival and assemblage
  - (viii) Impact of vehicles related to the site in terms of noise during the different construction phases i.e. loading-unloading, duration, etc.
  - (ix) Identification of structure borne noise respite areas during the proposed works (if required).
  - (x) The prediction of noise levels (including structure borne noise) at the potential noise receptors.
  - (xi) The existing baseline of the ambient noise levels.
  - (xii) Identification of the worst affected property by the effect of noise/vibration (including structure borne) and 3D (see CMR 224520) if applicable
  - (xiii) Full details describing mitigation measures to be incorporated during the excavation 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).
  - (xiv) Actions to be taken in cases where these noise levels exceed the predicted noise and vibration levels.
- Provision of a detailed and carefully managed structural sequencing to prevent vibration and or structure borne noise to the neighbouring receptors.
- Philosophies to be incorporated, maintained, improved and enforced in:
  - (i) Noise/vibration reducing throughout the site and the life of the project.
  - (ii) Prevention of dust formation in the first place, throughout the site and the life of the project.
- Actions to be taken in cases where these noise levels exceed the predicted noise and vibration levels.
- Evidence of rats/mice elimination from the site.

Noisy building construction /deconstruction works could commence with the proviso that there is full adherence and compliance with the following specific and general understandings stated below:

**SPECIFIC UNDERSTANDINGS**

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 (CMR224520, attached)

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

- Addendum CMR 242058, 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
- Construction Noise, Vibration & Dust Management Plan to be submitted
- Noise, Vibration and Dust Management Plan Report 16439.NVDMP.01 dated 18 September 2017
- ABC +5dB method according BS5228:2009+A1:2014 to be added taking into account airborne and structure borne noise.

The Main Contractor understand that the proposed works cannot commence unless 28 days before the following SPECIFIC UNDERSTANDINGS are already in place, are ready to be implemented and their details are readily made available on request by an authorised Officer of the Council:

**1. In the case that Structure borne noise likely to occur at party walls, 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 being affected. Refer to BS 6472-1:2008, BS5228: 2009+A1:2014, ACMR242058.
- (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.

**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 224520) 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. (224520 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 (airborne noise).**

- (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 control/extermination**

- (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.**

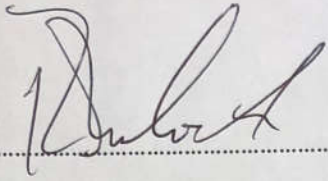
- (a) London Borough of Camden under the Control of Pollution Act 1974, Environmental Protection Act 1990 and Prevention of Damage by Pest Act 1949, has the legal duty to protect

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

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, **7 Branch Hill London NW3 7LT**.
- (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 224520) Camden's Minimum Requirements attached)
- (e) A continuous philosophy 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
- (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 224520 CMR and ACMR 242058 for the site and BS5228:2009+A1:2014.

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

Signed: 

Date: 27-7-18

Print Name: R SHERLOCK

Position: Director