

**LBC LEGAL DUTIES and EXPECTATIONS REGARDING BUILDING CONSTRUCTION/DE-CONSTRUCTION SITES****Addendum to CMR 239632****Camden's Minimum Requirements (CMR) number: 239632****Site: 35 South Hill Park, NW3 2ST****Planning number: 2014/1938/P****Date: 25/04/2018**

I have read the CMP Version 1 – dated April 2018 regarding the above site, which is linked to planning application **2014/1938/P**.

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

The site is located to the east of South Hill Park and comprises a semi-detached residential dwelling. Planning permission has been previously granted for the excavation of a new basement level and erection of a part two, part three storey rear extension. A revised application has been submitted with minor alterations to the internal layouts and an adjustment to the internal levels so as to eliminate the need for substantial regrading of the rear garden.

The nearest receptors will include the neighbouring properties of numbers 33 and 37 South Hill Park. In addition, numbers 25 and 27 Parliament Hill may be affected as the gardens of these properties border that of the site. It is currently anticipated that the overall construction period will be 33 weeks.

The main identified noise sources are:

- Demolition + floor removal (Strip out and remove internal finishes and structure)-
- Underpinning
- Manual digging and 1 ½ tonne excavators
- Excavation, diggers, conveyors and lorries
- Floor installation
- Occasional steel cutting
- Power tool emissions.

Although the submitted CMP proposes a number of noise mitigation measures to minimise the impact of the works, the CMP still has either missing information or the information provided is insufficient or simply not provided.

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

- A noise report dealing with ABC +5dB method according BS5228:2009+A1:2014
- Identification of the type of piling operations (if any) and its impact to the neighbouring receptors.
- Identification of the worst affected property by the effect of noise/vibration (including structure borne) and 3D (see CMR 239632) if applicable
- 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.

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

- Actions to be taken in cases where these noise levels exceed the predicted noise and vibration levels.
- A 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 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 (CMR239632, attached)
- Addendum CMR 239632, 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 report to be produced 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 or tall buildings.**

- (a) A noise report dealing with the effect of structure borne noise from the building deconstruction 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, CMR239632.
- (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 239632) 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. (239632 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 control/extermination**

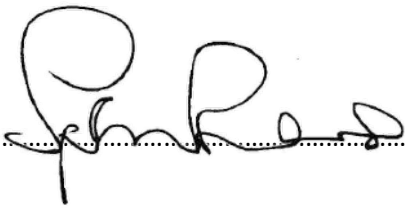
- (k) Once main contractor has been appointed and at least 6 weeks before the works commence a rodent assessment report shall be issued and the site shall be baited to ascertain the degree of rat/mice infestation.
- (l) A British Pest Control Association (BPCA) company shall produce the rodent assessment 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 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, **35 South Hill Park, NW3 2ST**.
- (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 239632) 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) Full adherence and compliance and implementation with the 239632 CMR for the site.
- (g) Where practicable, to prevent vibration during excavations works, most modern excavating equipment and the most modern excavation techniques shall be used.
- (h) No demolition works shall be commenced without an adequate water supply to cover the whole working areas.
- (i) 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)).
- (j) 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.
- (k) Full adherence and compliance and implementation with the 239632 CMR 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: ...22<sup>nd</sup> June 2018.....

Print Name: ...Stephen Brandes.....

Position: ...Architect.....