

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

**Addendum to CMR 239827**

**Camden's Minimum Requirements (CMR) number: 239827**

**Site: 168 Highgate Road, London, NW5 1QS**

**Planning number: 2015/4094/P**

**Date: 31<sup>st</sup> May 2018**

I have read the CMP 31/May/2018 Draft Version Produced by David Lewis regarding the above site, which is linked to planning application **2015/4094/P**.

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

The existing site is located to the east of Highgate Road and north of Woodsome Road and is bound by residential properties. It is proposed to undertake works to the existing pub to provide bed and breakfast units with associated loft conversion, demolition of the existing kitchen to create a side extension with associated basement to create two flats and basement excavation to the existing pub. The nearest receptors will be the adjoining properties on Highgate Road to the north of the site.

The duration of the works is estimated to be approximately 42 weeks. The main identified noise sources have been identified to be arising from the following stages:

- Demolition Activities
- Construction activities
- Masonry Works
- Scaffolding
- Roofing
- External Works
- Internal Trade

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.

**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 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 239827) 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.
- 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 (CMR239827, attached)
- Addendum CMR 239827, 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, tall or connected 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, CMR239827.
- (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 239827) 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. (239827 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 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, **168 Highgate Road, London, NW5 1QS**.
- (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 239827) 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 239827 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 239827 CMR for the site and BS5228:2009+A1:2014.

Signed: .....

*Moldoju*

Date: .....

31.07.2018

Print Name: .....

ADRIAN MOLDOVEANU

Position: .....

SHEQ MANAGER