

LBC LEGAL DUTIES and EXPECTATIONS REGARDING BUILDING CONSTRUCTION/DE-CONSTRUCTION SITES**Addendum to CMR 243406****Camden's Minimum Requirements (CMR) number: 243406****Site: 35 Flask Walk, London, NW3 1HH****Planning number: 2017/1328/P****Date: 9th August 2018**

I have read the regarding the above site, which is linked to planning application **2017/1328/P**.

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

The proposed development consists of internal and external alterations associated with extension to the garden annex to provide accommodation on one level, construction of a covered walkway in the rear courtyard and internal alterations to main dwelling house. The proposed development shares a party wall with the adjacent residential properties at 37 Flask Walk and a boundary wall with Lakis Close.

The proposed noisy works likely to cause some degree of noise disturbance consist of:

- Hording will be erected at the front of the property
- Partial demolition of existing rear
- Erection of a new brick and glazed wall to the inner courtyard
- Installation of new glazed walkway to link the two buildings
- New Roof for the Annex incorporating a new roof light
- Construction of a basement residential units.
- Internal refurbishment

The nearest potential receptors likely to be affected by the activities on site would be the neighbours in No. 37 Flask Walk and residents of Lakis Close.

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

- Site preparation
- Roof and Walls demolition
- Construction activities
- Scaffolding
- Mixing of concrete.
- External Works
- Power tool operations i.e. drilling, grinding, etc.

The total duration of the proposed works are approximately of 8 months.

Although the applicant has not submitted the noise, the applicant has stated the following noise and vibration levels: -

- 70 dB LAeq 1 hr during the hours of 08:00 to 18:00 on Monday to Friday (excluding Bank Holidays) –
- 70 dB LAeq 1 hr during the hours of 08:00 to 13:00 on Saturdays

- A peak particle velocity of 2mm/s as measured immediately adjacent to the nearest residential property. This proposed ppv of 2mm/s is higher than BS5228:2009 and CMR 243406
- vibration sensitive structure and 12mm/s measured immediately adjacent to site address which is not consistent to BS5228:2009

The submitted also states that the main contractor will be required to have all plant and tools fitted with either silencers or dampers so far as is practical and working methods will be regularly reviewed to ensure that nuisance to adjacent properties and residents is mitigated wherever practical. Moreover the main contractor is expected to respect any reasonable request to reduce the duration of noisy activities further if required.

Although the submitted CMP deals with some mitigation aspects, the CMP still has either missing information or the information provided is insufficient about the mitigation of noise, vibration, rodent control, etc.

The following is missing from the submitted CMP:

- (i) Nomination of the Main Contractor
 - (ii) ABC +5dB method according BS5228:2009+A1:2014
 - (iii) Prediction of the noise levels at worst affected noise receptor
 - (iv) Full description of the noisy activities and/or operations
 - (v) Noise sources from plant/machinery/activity
 - (vi) Noise type i.e. airborne, ground borne and structure borne (including causes)
 - (vii) Noise impact of nearest building demolition works on existing residents.
 - (viii) Impact of activities likely to be carried outside standard hours i.e. utilities connections, crane arrival and assemblage
 - (ix) Impact of vehicles related to the site in terms of noise during the different construction phases i.e. loading-unloading, duration, etc.
 - (x) Identification of structure borne noise respite areas during the proposed works (if required) and in particular at party walls.
 - (xi) The prediction of noise levels (including structure borne noise) at the potential noise receptors.
 - (xii) The existing baseline of the ambient noise levels.
 - (xiii) Identification of the worst affected property by the effect of noise/vibration (including structure borne) and 3D (see CMR 243406) if applicable
 - (xiv) Full details describing mitigation measures to be incorporated during any 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).
 - (xv) Actions to be taken in cases where these noise levels exceed the predicted noise and vibration levels.
 - (xvi) Exact location of monitoring of the noise and vibration levels.
- If underpinning is likely to be carried out then the provision of a detailed and carefully managed structural sequencing to prevent vibration and or structure borne noise to the neighbouring receptors would be required.
 - 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 (see CMR243406 + The Control of Dust and Emissions During Construction and Demolition (SUPPLEMENTARY PLANNING GUIDANCE) 2014)
- Actions to be taken in cases where these noise and dust levels are exceed their predicted levels.
- Evidence of rats/mice elimination from the site.

Noisy building construction /deconstruction works deconstruction works could commence with the proviso that then main contractors fully adhere and comply 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 (CMR243406, attached)
- Addendum CMR 243406, attached)
- British Standards BS5228:2009+A1:2014
- ABC +5dB method according BS5228:2009+A1:2014 taking into account airborne and structure borne noise.
- "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 and dust report "Construction Noise, Vibration and Dust Management Plan" dated 2018 approved by the LPA

The Main Contractor understand that the proposed works cannot commence unless 28 days before the following SPECIFIC UNDERSTANDINGS are already approved and 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, ACMR243406.
- (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 243406) 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. (243406 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 Pests 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 Flask Walk, London, NW3 1HH**.
- (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 243406) 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 243406 CMR and ACMR 243406 for the site and BS5228:2009+A1:2014.



Signed:

Date: 21.09.18

Print Name: Ilan Yitzhak

Position: Director