

LBC LEGAL DUTIES and EXPECTATIONS REGARDING BUILDING CONSTRUCTION/DE-CONSTRUCTION SITES**235467 Addendum to CMR 235467****Site: 38 Regent's Park Road, London, NW1 7SX****Planning number: 2016/0279/P****Date: 9th Feb 2018**

I have read the CMP dated 06/12/2017 Version 02 produced by Shorehan Ltd trading as Andrew Kerr regarding the above site which, is linked to planning application **2016/0279/P**.

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

The site is located at No. 38 Regents Park Road, in Primrose Hill, NW1 7SX, between the junctions with Princess Road (to the East) and Fitzroy Road (to the West) backing on to the rear of the properties to Kingstown Street.

The proposal is to combine the two apartments with some additional building volume. The works comprise of the retention and enhancement of original features to the existing front elevation, the replacement of the existing glazed link to the communal staircase with masonry construction and an extension at the rear of the property.

The duration of the proposed works are approximately 12 months (30th August 2018 – 30th August 2019.) The nearest receptors are 36 & 40 Regents Park Road.

A noise survey was carried out by RBA ACOUSTICS reference 8061/GD 4 December 2017. With regard to the vibration levels stated in the noise report produced by RBA Acoustics, I feel they are too high and likely to cause disturbance. The vibration levels stated in CMR235467 shall initially prevail, however, when works commence further pertinent arrangements subject to the best practicable means could be made.

The submitted CMP lacks information in a number of areas. However, due to the size and the duration of the works, noisy building construction /deconstruction works could commence provided that:

- (a) The proposed works do not cause valid complaints
- (b) Contractor should be made aware that in case of complaints during the breaking up operations then noise and vibration monitoring will be required.
- (c) 28 days prior the works commence the site is treated for rats/mice according ACMR235467 and CMR235467.
- (d) 28 days prior any works commence an Asbestos report is submitted for its approval. Once this asbestos report is approved its recommendations are fully implemented.
- (e) There is full adherence and compliance with the following specific and general understandings stated below:

The following listed below would be required in case of valid complaints being received and need to be incorporated in the new CMP resubmission:

- A noise report dealing with the effect of noise from the building de-construction and construction activities at the nearest noise receptors.
- 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 philosophies 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 235467)
 - 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 (including effects of the structure borne noise).
 - State the actions to be taken in cases where these exceed the predicted noise and vibration levels (including structure borne noise).
 - 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.
 - State the actions to be taken in cases where these noise and vibration levels exceed the predicted noise and vibration levels (including structure borne noise).
 - 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.

1. 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 (CMR235467, attached)
- Addendum235467 CMR235467, 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 by RBA ACOUSTICS reference 8061/GD 4 December 2017
- Noise report produced in case of 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, 235467 Addendum - CMR235467.

- (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. Noise survey and prediction of noise and vibration levels according BS5228:2009+A1:2014 ABC method.

See also CMR 235467.

3. 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 235467) 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.

4. Noise monitoring

- (h) Noise and vibration monitoring shall be carried out. (235467 Camden's Minimum Requirements attached).
- (i) State the actions to be taken in cases where these exceed the predicted noise and vibration levels.

5. 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.

6. Rats control/extermination

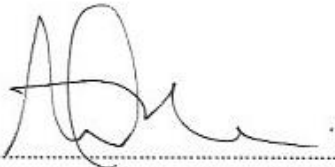
- (k) Once main contractor has been appointed and at least 6 weeks before the works commence a rodent assessment report shall be issued and the site shall be baited to ascertain the degree of rat/mice infestation.
- (l) A British Pest Control Association (BPCA) company shall produce the rodent assessment 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

7. 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, **38 Regent's Park Road, London, NW1 7SX.**
- (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 235467) Camden's Minimum Requirements attached)
- (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.

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

- (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 235467 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 contactor 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 235467 CMR for the site.

Signed:	
Date:	31/7/2018
Print Name:	Andrew Keer
Position:	Director - STOREHAN LTD