

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

**Addendum to CMR 244875**

**Camden's Minimum Requirements (CMR) number: 244875**

**Site: Land Adjacent to 23 Carol Street, London, NW1 0HT**

**Planning number: 2017/5590/P**

**Date: 11<sup>th</sup> September 2018**

**Revision:**

I have read the submitted CMP, regarding the above site, which, is linked to planning application **2017/5590/P**.

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

A vacant site will be developed into a studio space with living accommodation above. The works include:

- A basement together with accommodation on ground,
- First and second floor.

It is being proposed building and deconstruction works where noise and vibration may be caused due to the following:

- (a) Enabling works
- (b) Sheet piling,
- (c) Excavation,
- (d) Removal of obstructions in the ground,
- (e) HGV movements
- (f) drilling and machine tools
- (g) Internal works
- (h) General clearance of the site.
- (i) Scaffold erections internally and externally.
- (j) Operations heavy duty plant such as mobile cranes,
- (k) Excavators (Brokk) fitted with hydraulic breaker,
- (l) Concrete vibrating poker,
- (m) Steel frame erection and metal deck cutting and welding.

The adjacent buildings are likely to be impacted by the proposed works and these are:

The most likely receptors for the contractor are the close proximity of neighbours, where the control of dust and noise from the site. Because the site is bounded by residential accommodation on one side, light industrial on the second and a public park on the third and the excavation of the basement is likely to potentially have a major effect to the likely receptors. However, special attention should be given to 23 Carol Street.,

The identified potential receptors might present conflicting interests and expectations during the works. Hence the contractors, have to have special care when devising their continuous community liaison programme. The duration of the demolition works is expected to be approximately 56 weeks.

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

- Nomination of main Contractors
- Asbestos Report
- Noise and vibration report
- The submitted CMP does not take fully into account BS5228:2009+A1:2014 and Camden's Minimum Requirements 244875.
- A noise report dealing with ABC +5dB method according BS5228:2009+A1:2014
- Identification of the type of noise generated (e.g. airborne, ground-borne and structure-borne) during the works and their impact to the noise sensitive neighbouring receptors.
- Vibration levels likely to impact to nearest identified receptors.
- Identification of the worst affected property by the effect of noise/vibration (including structure borne) and 3D (see CMR 245875) if applicable.
- Actions to be taken in cases where these noise levels exceed the predicted noise and vibration levels.
- 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 demolition works.
- Evidence from a British Pest Control Association (BPCA) demonstrating existence/non-existence of rats and mice by using baiting techniques.
- Evidence of how the rodents living on the site are being prevented escaping the site prior commencing the works and during the works

**The following items listed below are being required to be submitted for approval before any deconstruction/construction works are carried out on site.**

- Nomination of main Contractors
- Asbestos Report
- Noise and vibration report
- A noise report dealing with ABC +5dB method according BS5228:2009+A1:2014 (\*see below of what it is required to be presented in this report for implementation).
- Philosophies to be incorporated, maintained, improved and enforced in:
  - (a) Noise/vibration reducing measures to be used throughout the site and the life of the project. (*\*see below of what it is required to be presented in this report for implementation*).

- (b) Prevention of dust formation in the first place, throughout the site and the life of the project. Submission of a Dust management plan for visible dust.
- Identification of the worst affected property by the effect of noise/vibration (including structure borne) and 3D (see CMR 245156)
  - 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 (taking into account noise type and noise levels).
  - State the actions to be taken in cases where these noise and vibration levels exceed the predicted noise and vibration levels.
  - 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.
  - Evidence before works commence Contractors, builders, etc. have taken reasonable steps to ensure that 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.
  - Before any building works commence provide evidence if the existing drains are not to be used for the new development then these have been cemented and sealed.
  - Before any building construction/de-construction works commence evidence should be provided that any additional drainage leading back from the interceptor left open, the corresponding interceptor/s are sealed.
  - Evidence of action taken to prevent the rodents living in the site are not escaping the site prior commencing the works and during the works (baiting results and drain capping, etc.).

**NB Note**

***\*When submitting noise report and producing the noise/vibration philosophies the following ((i) to (xv) shall specifically be taken into account:***

- (i) The existing baseline of the ambient noise levels.
- (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, etc.

- (ix) Impact of vehicles related to the site in terms of noise during the different working phases and according different times i.e. loading-unloading, etc.
- (x) Identification of structure borne noise respite areas during the proposed works (if required).
- (xi) The prediction of noise (including structure borne noise) at the potential noise receptors.
- (xii) Identification of the worst affected property by the effect of noise/vibration (including structure borne) and 3D (see CMR) if applicable
- (xiii) Full details describing mitigation measures to be incorporated during the deconstruction 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) Full details describing mitigation measures to be incorporated during the deconstruction 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.

Once the above is provided and approved by the Council, then noisy building deconstruction /construction works could commence with the proviso that the Contractors also agree with the following understandings:

### **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 (CMR244875, attached)
- Addendum CMR 244875, 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 to be produced and approved to be implemented.
- Noise Vibration report produced according to BS5228:2009+A:2014 to be produced and approved for implementation.
- ABC method according BS5228:2009+A1:2014 to be produced and approved for implementation
- Noise/vibration reductions philosophies to be produced and implemented.

The Main Contractor also 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 case, structure borne noise at party walls or tall buildings is generated.**

- (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, CMR245875.
- (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 244875) 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. (244875 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, **Land Adjacent to 23 Carol Street, London, NW1 0HT**.
- (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 245156) 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 244875 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 244875 CMR, 244875ACMR 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:** ..... 26/06/2019 .....

**Print Name:** ..... David Donkor .....

**Position:** ..... Trainee Quantity Surveyor .....