

### **3 Amenity**

- 3.1 Development can be positive, but it can also have a significant environmental impact on the amenity of those who live near the development site. It can sometimes cause general nuisance and disturbance, vibration, noise pollution and dust pollution. Development can also have an impact on the surrounding landscape and biodiversity.
- 3.2 The negative impacts of development on amenity can be short term and connected to the construction phase of the development, or they can be long term and connected to the day to day operation of the development. The negative impact of a development on the amenity of the surrounding area can normally be offset by good design, planning conditions and controls covered by other legislation.
- 3.3 Where these measures are not adequate to deal with the potential negative environmental impacts of a proposed development which is deemed generally acceptable, a Section 106 Agreement can be drawn up between the Council and the developer, requiring the developer to undertake certain actions to offset those impacts.
- 3.4 The Council will seek to manage the impact of development when considering a development proposal in line with Development Plan policies DP26 and DP28. However, certain aspects of demolition and construction have specific planning implications and may need to be addressed through planning conditions or planning obligations entered into through a Section 106 Agreement.
- 3.5 Depending on the complexity and potential impact of the proposal costs may be sought from the applicant to cover the additional costs to the Council of resourcing the necessary assessment and supervision of these plans and requirements.

#### **Construction**

- 3.6 Where demolition and construction is likely to affect local amenity, it is better to consider the environmental impacts at the planning stage and seek ways to minimise them. Many concerns can be addressed through adoption of a co-operative stance between all parties involved and developers should refer to and utilise the Considerate Constructors Scheme.
- 3.7 Many of the environmental impacts of construction works are covered by specific legislation to control pollution, maintain clean air and minimise disturbance. Because of this and other controls small construction projects cause relatively minor amounts of local disturbance and in most cases will not require a section 106 agreement to deal with construction management. However, in the case of large construction and demolition works, planning obligations may be used to minimise the environmental impacts and address the consequences of construction (e.g. to manage construction traffic and/or reinstate surfaces to a condition that existed prior to construction).

- 3.8 In most cases planning obligations will involve a demolition and/or construction management plan. Please refer to Camden Planning Guidance 6 Amenity, Section 8 for further detail on Construction Management Plans (CMPs). In these plans the developer undertakes to carry out the demolition or construction works in strict accordance with a plan approved by the Council. The plan may include provisions for phasing, sequential development, management of waste, controlling noise and access during construction. When drawing up the construction or demolition management plan the developer will be required to consult with officers of the Council, the police and local residents and businesses as relevant. Local businesses could also be used to supply materials and services in relation to development and construction in order to minimise travel distances and transport costs.
- 3.9 As outlined also in CPG4: Basements and lightwells measures to alleviate impacts may be secured through condition and/or section 106 agreement as appropriate. As many impacts occur beyond the application sites section 106 agreements will need to be used.
- 3.10 This may require the submission and approval of further plans and methodologies in advance of works starting. These will need to be submitted as soon as logistically possible e.g. on appointment of a contractor (who should be informed of and familiar with these type of requirements as part of a selection process), but well in advance of any works on site taking place. If the Council cannot approve the submitted material because it is inadequate or not enough time has been given then works cannot commence.
- 3.11 **All related plans must be prepared and submitted well in advance of works taking place and must be approved before any related works commence.**
- 3.12 The Council may require the developer to set up a Construction Working or Liaison Group in order to discuss, advise and, where appropriate, make recommendations to the developer in relation to construction management. The Working Group should be made up of an appropriate number of representatives from local residents and/or business associations, a nominee of the Council, and a project manager and/or Liaison Officer who will act as a point of contact between the local community and the developer.
- 3.13 A Construction Working Group can have an input into the Construction or Demolition Plan or Method Statement for Construction, which the developer must submit for the approval of the Council before implementation. The plan or statement should normally cover the following:
- the programme for construction works;
  - site conditions;
  - erection of hoardings and scaffolding;
  - time of operations;

- noisy activities;
- time of deliveries;
- dealing with construction traffic, vehicles and other likely traffic and parking issues;
- temporary road and footway closures and surfacing reinstatement/repair proposals; and
- consideration of complaints from the business and residential community.

- 3.14 Construction should proceed at all times in accordance with this plan or Method Statement and updated where appropriate to respond to changing circumstances. A pro-forma CMP is available on the Councils website at <http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/planning-agreements.en>

### **Construction waste**

- 3.15 The Council will seek to minimise the amount of waste generated by a development and to maximise the amount of waste that is reused or recycled. Developers should try to ensure that construction waste is minimised. Recycling of demolition waste can help reduce the amount of aggregates that have to be transported through London and contribute to the saving of resources.
- 3.16 Construction waste needs to be disposed of safely and the vicinity of the construction site should be kept in a clean and safe condition. The Council may require the developer to submit for approval a Construction Waste Management Plan separately, or as part an overall Construction and Demolition Plan, which the Developer will be obliged to follow during the period of construction.

### **Noise**

- 3.17 Noise pollution has a major effect on amenity and on quality of life in general. The Council will not grant permission for noise sensitive development in locations where there is noise pollution, unless appropriate attenuation measures are taken. Policy DP28 Noise and vibration sets out the acceptable thresholds for noise in relation to sensitive uses. If suitable separation cannot be achieved the Council will consider whether it is practical to control or reduce noise levels through the use of conditions, planning obligations or other environmental legislation.
- 3.18 Whilst design measures and planning conditions will often be sufficient to address noise impacts within the development site, planning obligations may require (including a financial contribution where legitimate):
- noise mapping;

- noise monitoring to identify the number of people adversely affected by noise from road traffic and railways, and to validate noise levels calculated by noise mapping; and/or
  - a post development survey to confirm that requisite measures have been implemented successfully.
- 3.19 In addition the Council may require a noise management plan through a legal agreement, which may require a developer to:
- put in place a scheme for the sound insulation of affected dwellings in order to safeguard amenity;
  - reduce noise at source, e.g. by vehicle fleet selection to minimise noise generated by individual vehicles such as delivery lorries, cars and railway vehicles;
  - implement off-site noise mitigation measures against traffic noise and vibration such as noise barriers and sound insulation of residential properties and other noise sensitive receivers;
  - provide and maintain off-site tree and landscape buffers;
  - put into operation a traffic management scheme to reduce road traffic noise; and/or
  - work with the local highways authority to implement requisite highways works and a maintenance programme incorporating provision of quieter road surfaces, such as porous asphalt.

### **Contaminated land**

- 3.20 Contamination of the ground and underground water can affect human health, cause harm to the natural environment and damage buildings and underground services. The Council will require measures to remove unacceptable risk from contaminated land and thus make the site suitable for its new use by way of planning conditions.
- 3.21 Where a development includes any potentially contaminative uses the Council will expect proposals to be submitted to prevent future contamination of land or groundwater and may impose planning conditions to that effect. Land contamination issues must be fully addressed in any environmental assessment or statement to accompany a planning application.
- 3.22 For those developments in or adjacent to areas where objectives for land contamination are unlikely to be met by condition (i.e. where there is still a residual impact), the Council will require a section 106 planning obligation. The planning obligation will be directed towards measures designed to deal with the contamination, including during construction works, and to make the site suitable for its intended use.
- 3.23 The Council may require a financial contribution for:
- site investigation and remediation works which would include any measures to prevent hazards arising from future use of the site and the disposal or containment of any contaminants;

- for monitoring work following the completion of the development, e.g. measuring gas or water contamination in boreholes or installing permanent monitoring equipment; and/or
- a post-development survey to confirm that requisite measures have been implemented successfully.

3.24 A management plan may also be necessary requiring the maintenance of remedial works such as landscaping or water treatment facilities, or imposing restrictions on the land to minimise and control future potentially hazardous or contaminating development or use of the site.

### **Microclimate**

3.25 Large developments have the potential to change the microclimatic conditions in the surrounding area, for example by overshadowing a public space for large parts of the day, or by causing windy conditions around the development. The Council will expect that in the case of a development that has the potential to have an adverse effect on the environmental conditions in a nearby street or public space relevant attenuation measures should be integrated into the proposals.

3.26 On-site attenuation measures can also be specified in the planning conditions attached to a planning permission. The Council may require a developer to undertake an assessment (e.g. a wind assessment) of the development as part of the planning application submission. The developer may be required to integrate any findings or recommendations into the finished development. The Council may also require the developer to manage and maintain a development in accordance with an environmental plan, which may need to be approved as part of an application.

3.27 In certain cases the adverse effects of a development on the environmental conditions of the public spaces around and within the development may be attenuated by off-site measures such as planting trees as a windbreak. Other off-site shading or shielding devices may be required to control or improve the environmental conditions in public and semi-public spaces around the proposed development. The Council may require the developer to pay a financial contribution to secure these site related works.

