



## Building Surveying Department

### **Guidelines for applications for Licence to Undertake Alterations**

The Estate has produced the following guidance notes for lessees and under lessees to clarify and to improve the process of licensing alterations and to minimise any misunderstandings regarding the Estate's position. **Lessees are reminded that no work should be undertaken until a licence for alterations has been obtained.** Contravention of this requirement will result in a breach of the terms of the relevant lease, thereby delaying the application.

#### **Please provide the following:**

1. 1 copy of an 'as existing' plan to an appropriate scale, not more than 1:100.
2. 4 copies of an 'as proposed' plan setting out clearly the works proposed to an appropriate scale, not less than 1:100.
3. Any drawings prepared for the purpose of a licence to make alterations are to be provided with a title block, are to be dated and individually numbered. All annotation included is to be in English.
4. An undertaking for the Estate's legal and surveying costs incurred in considering the application for a licence for alterations which are to be payable regardless as to whether the matter proceeds to completion.
5. Where an intermediate head-lease is in place, the written consent (copy to accompany application) of the head-lessee must be obtained prior to approaching the Estate. Enquiries for the Estate's consent must be made via the headlessor in the first instance.

#### **Further to this the following should be shown on the proposed drawings:**

- (i) All changes to above and below ground drainage including waste pipe routes and connection points to existing soil pipes or stacks. (It should be noted that new external pipe-work will not normally be permitted).
- (ii) All changes to extract and ventilation ductwork including point of termination on exterior (to be behind terracotta airbrick colour to match surrounding wall finish).
- (iii) All proposed floor finishes. (Floor finishes to comply strictly with the terms of the lease/head-lease).

- (iv) Where structural works are proposed, the proposals should be backed up by a report and calculations prepared by a suitably qualified engineer/surveyor. The structural works should clearly be shown on the plan/sections. Structural calculations may be checked by the Cadogan Estate's own engineers. Any associated fees will have to be met by the applicant.
- (v) Where works affect the exterior of the property photographs/elevation drawings setting out the effect of the proposals should be provided.
- (vi) Where air conditioning/comfort cooling is proposed the position of all external items of plant including condensate drains and methods of support should be provided. The application must be accompanied by an acoustic engineers' report describing the before and after noise levels to be expected and to show how compliance with the noise level criteria adopted by The Royal Borough of Kensington & Chelsea is to be achieved.
- (vii) Copies of all application forms made seeking consent for the following are to be provided to support the application:
  - Planning
  - Listed Building/Conservation Area
  - Building Control.

**Applicants should bear in mind these points when preparing an application:**

- a) Each case is judged solely on its merits, the primary point of reference is the alteration covenant contained within the individual lease, coupled with the building in question and current Estate policy. Previous Estate policy and decisions regarding your or other property on the Estate should not be considered as setting a precedent or guidance.
- b) The Estate may require a 'Schedule of Condition' to be taken of the property prepared by the Estate's consultant surveyors to be appended to the licence. The applicant will be responsible for their fees.
- c) Please allow as much time as possible for applications to be considered. The completion of Licences can be a lengthy process particularly if there is an intermediate landlord's consent to be obtained.
- d) If drawings are sent to the Estate by electronic mail, it should be noted that only drawings in .pdf format can be accepted. The Estate does not have the facility to open drawing files in .dwg or any other format.
- e) Where a lease contains an absolute prohibition against alterations the Estate may, at its sole discretion, be prepared to give its approval to the alterations, on the basis that;
  - i) the alterations do not adversely effect the character of the building or the character of the Estate, for example, undue sub-division or amalgamating of individual rooms.

- ii) the alterations are not adverse to the Estate's commercial interests, for example, the alterations do not result in our risking forgoing a financial return or do not damage value.
- iii) if criteria (i) and (ii) are met then in giving consent the Estate will charge a premium based on the estimated value of the works and the effect the works have on the value of the property.
- iv) any works proposed which extend the demise in any direction will be subject to consideration under (i) and (ii) but in addition will be subject to a premium based on the increase in value.

*NAD/CJB/gc*  
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