

CADOGAN GUIDELINES

LICENCE TO MAKE ALTERATIONS Commercial and residential property

These guidance notes have been prepared to assist you in making an application for the Estate's consent to make alterations. You are reminded that no alteration work should be undertaken until a licence for alterations has been obtained and completed.

GENERAL REQUIREMENTS AND COSTS

To enable alteration proposals to be considered, please provide the following information:

1. A set of 'as existing' drawing(s) to an appropriate scale. 2. A set of 'as proposed' drawing(s) setting out clearly the works proposed to an appropriate scale.
2. All drawings are to be provided with a title block, dated and individually numbered. All annotation is to be in English.
3. Where a head lease is in place, the consent of your immediate landlord should be obtained. Enquiries for the Estate's consent should be made via the headlessor or Right to Manage Company in the first instance.

The costs involved in obtaining a licence to alter are as follows:

- 3.1 An undertaking will need to be provided for our legal and administrative costs incurred in considering the application. These are payable regardless as to whether the application proceeds to completion. The Estate currently makes an administrative charge of £1,000 plus VAT. Our solicitors will charge on an hourly basis with overall fees for a routine licence typically amounting to £1,000 plus VAT. However, such fees will be assessed at the outset of each application and assessed on a case by case basis.
- 3.2 Depending on the scope of the works, the Estate may require a third-party Structural Engineer, Building Services Engineer, Acoustic Engineer or other specialist to provide an independent review of the proposals. This will be assessed on an individual basis and any reasonably incurred fees will be re-chargeable to the applicant. The Estate reserves the right to seek interim payments from the applicant for the fees of such third-party specialists.
4. For the protection of both the Estate and the applicant, a schedule of condition of the common areas (and any other areas to be affected by the works) will be required, prior to works commencing. The extent of the schedule will be at the discretion of the Estate and dependent on the extent of the works proposed. The schedule should be prepared by an independent Surveyor and costs paid directly by the applicant. If a satisfactory schedule is not produced, the Estate reserves the right to appoint an independent Surveyor and re-charge the cost to the applicant including by way of interim demands for payment where required.
5. The Estate reserves the right to appoint an independent third-party monitoring Surveyor to regularly inspect the works on the Estate's behalf. This will be assessed on an individual basis and any reasonably incurred fees will be re-chargeable to the applicant including by way of interim demands for payment where required.

6. If the building is managed by a managing agent, an administrative charge of £1,000 plus VAT may be required to cover the managing agent's costs.
7. Depending on the scope of works, a deposit to cover damage to the common parts or consequential damage may be required. The level of deposit required will be assessed on an individual basis.
8. The applicant should follow the attached best practice M&E guidance when considering their mechanical and electrical proposals. The document has been produced in order to help applicants mitigate potential water leaks into neighbouring properties.

GUIDANCE ON INFORMATION REQUIRED

The following information should be shown on the 'as proposed' drawing(s) to assist us in considering the application:

- (i) Any changes to above and below ground drainage, including waste pipe routes and connection points to existing soil pipes, (it should be noted that new external pipework will not normally be permitted).
- (ii) Any changes to extract and ventilation ductwork including point of termination on exterior (to be behind terracotta or painted cast iron airbrick).
- (iii) All proposed floor finishes. If hardwood floors are proposed, please refer to the guidance note appended to this document. It should be noted that where there are known issues with noise transference throughout a multi occupied building, permission for hardwood floors will be withheld.
- (iv) Where structural works are proposed a report and calculations prepared by a suitably qualified engineer/ surveyor should be provided. The structural works should clearly be shown on the plan/sections.
- (v) Whenever works affect the exterior of the property, photographs/elevation drawings setting out the effect of the proposals should be provided.
- (vi) More generally, you should identify in your application the extent of the proposed works that (in your view):
 - a. are within the demised premises and are permitted under your lease without the Estate's consent;
 - b. are within the demised premises and are permitted under your lease if you obtain the Estate's consent;
 - c. are within your demised premises but prohibited under your lease; and
 - d. fall outside your demised premises.

In the case of (c) and (d) consent will not usually be granted if it would breach the terms of your lease to do so.

- (vii) Where air conditioning/comfort cooling equipment is proposed the position of all external items of plant should be provided. The application must be accompanied by an acoustic

engineers' report to show how compliance with the noise level criteria demanded by The Royal Borough of Kensington & Chelsea will be met.

- (viii) Dependent on the scope of work, details of how the works will be facilitated (e.g. by external scaffolding) and details of the protection measures to the common parts will be required.
- (ix) Copies of any application forms made seeking consent for the following are to be provided to support the application:
 - Planning
 - Listed Building Consent
 - Building Regulations Approval
- (x) Details of the contractor proposed to undertake the works. If works are significant, there will be a requirement for a full-time foreman to oversee the works. The foreman's contact details should be provided to the Estate and the managing agent for the building.
- (xi) Details of your solicitors or legal advisers who will be instructed to consider and approve the licence to make alterations.

You should bear in mind these points when preparing an application:

- A. Each application is judged on its individual merits. The primary point of reference is the alterations covenant contained within your individual lease although other provisions in both your individual lease and the leases of your neighbouring residents may also be relevant.
- B. If drawings are sent to us by e-mail, it should be noted that only drawings in .pdf format can be accepted.
- C. Noise and Working Hours
 - i) All works must be undertaken in accordance with RBKC Code of Construction Practice: [www.rbkc.gov.uk/ environment/code-construction-practice](http://www.rbkc.gov.uk/environment/code-construction-practice)
 - ii) Dependent on the scope of the works, the Estate reserve the right to reduce the hours of high impact noisy works. The Estate's decision on this matter will be final.
 - iii) The Estate reserves the right to appoint an independent acoustic consultant and undertake noise monitoring of the works, costs for which will be rechargeable to the applicant.
- D. Following receipt of all of the required information set out above, we aim to conclude all formal licences within 90 days. The process will involve the following steps:
 - (i) Acknowledgement of application to make alterations;
 - (ii) Estate consideration and comment on alteration proposals. We aim to provide all comments within five working days of receipt but reserve the right to extend these timescales on more complex applications;
 - (iii) Once finalised plans incorporating Estate comments are received, the plans are circulated to the Estate Board for final approval. Once final approval is obtained, solicitors are instructed to prepare the draft licence; (iii) Draft licence to make alterations forwarded to your legal advisers;

(iv) Completion of licence to make alterations.

- E. Where an application for a licence to make alterations is not completed within six months of instructions being placed with our solicitors, the Estate reserves the right to consider the application withdrawn and it will collect the abortive costs. A fresh application will then have to be made.

Should you have any queries on the above document please contact Cadogan on 020 7730 4567 and ask to speak to the Building Surveying department.

INSTALLATION OF HARDWOOD FLOOR or HARD FLOOR IN FLATS

These guidelines have been prepared to assist in applying for 'Licence for Alterations' for the installation of hard floors where a lease permits such flooring.

In addition to the above, you will need to satisfy the following minimum requirements to control impact and airborne sound to prevent a nuisance or annoyance. Any licence granted will include a nuisance clause providing that if, in the Estate's opinion (which shall be final), the hardwood floor or hard floors causes a nuisance or annoyance to any neighbouring occupier or resident, the floor must be covered to prevent any ongoing nuisance.

Sound testing

- To establish a bench mark for the existing situation, sound tests to BS EN ISO 16283-1: 2014 airborne sounds and BS EN ISO 16283-2:2015 impact sound must be carried out before any refurbishment works are undertaken.

The measurements are to be corrected to a reverberation time in the receiving room of 0.5s to produce a single figure, for comparison to a further test being carried out on completion of the hardwood/hard floor. A test is required in each area to receive hardwood/hard floors.

The Building Regulations 2010 and Approved Document E 2015 requirements for sound insulation are 43db for airborne sound and 64dB for impact sound. To assist in understanding these set points for airborne sound insulation, a value higher than 43dB is better and for impact sound insulation a value lower than 64dB is better. The Building Regulations is only to be used as the minimum requirement and cannot be used where greater sound insulation qualities have been proven by the initial sound tests. An existing situation i.e. carpet with underlay, takes precedence over Building Regulation requirements, where sound insulation performances are greater.

The acoustic test is to be undertaken by a member of a recognised professional body, either The Institute of Acoustics or The Association of Noise Consultants.

Design

When granting a 'Licence for Alterations' for the installation of hardwood floors, we do not accept any responsibility in the design performance of insulation products or that the design chosen will satisfy the sound requirements to be achieved.

Designers of wooden/hard floors will be required to design a floor that does not rely on any insulation treatment requiring access to the ceiling of the floor below where the hardwood floor is to be installed.

Designers should also be aware that flanking transmission can be as important in determining the sound insulation of the floor and is often not quoted or shown by manufacturers' sales literature.

The designed floor details are to be provided to us as part of the licence requirements.

If following installation of the wood floor, the post acoustic tests fail to meet the required db levels of the previous floor finish e.g. carpet with underlay, the Estate reserves the right to enforce carpet and underlay to be re-installed.

CADOGAN ESTATE LICENCE REQUIREMENTS TO BE INCLUDED IN FORMAL LICENCE (WHERE APPLICABLE)

1. All new soil pipes, vent pipes waste pipes, rainwater goods etc and existing pipes etc replaced, are to be cast iron.
2. Lead in accordance with the Lead Sheet Association Code of Practice or asphalt in accordance with CP 144, is to be used for flat roofs. No mineral felt or any other material is to be used.
3. All stud partitions to be constructed with 100mm x 50mm studs, insulated and finished with expanded metal lathing and three coat plastering. Alternatively the Gyproc metal stud system may be used provided that it is constructed wholly in accordance with the British Gypsum White Book. New internal block/brickwork walls to have two coat plaster finish.
4. Where ceramic, quarry, marble tiles etc are used, a suitable insulation material is to be provided to reduce impact sound levels.
5. Plasterboard ceilings to be finished with two coat plastering.
6. All mechanical ventilation to bathrooms, WC's etc to be by means of extractor fans and vent trunking, all to the approval of the Statutory Authorities. Vents to be externally finished with flush fitting terracotta or metal airbricks. These are to be neatly pointed in to match surrounding brickwork.
7. No flue pipe, Vent-Axia or other similar projecting type of ventilator to be fixed on the external face of walls or windows except where specifically approved.
8. Where new partitions are constructed to divide existing rooms, cornices and skirting are to be returned around the new partitions to match or alternatively existing cornices and skirting to be removed and new cornices and skirting to be fixed around all new rooms, lobbies etc or false ceilings to be provided where approved.
9. The bathrooms, WC's, kitchens etc to be provided with good class sanitary fittings with all soil, waste, anti-siphonage, ventilating and service pipes etc together with all necessary alterations to the drainage system to the approval of the Statutory Authorities (Sani-floor similar pumped systems are not acceptable). All pipes no longer required to be properly sealed off.
10. No new pipes to be fixed to exterior elevations.

11. Windows to the ground floor front rooms, where used as bedrooms, to have the lower sash fixed shut and to be kept properly curtained at all times.
12. There are to be close fitted carpets and felt underlay on all floors and staircases, other than bathrooms, kitchen and WC floors which are to be suitably covered.
13. Where alterations within rooms, passages or halls which are not required to be close carpeted give rise to a variety of floor surfaces (such as wood and cement) the floors within those areas shall be surfaced uniformly with a permanent finish previously approved by the Estate Surveyor. Amongst others, the following materials would be approved: wood, cork, rubber, Marmoleum or PVC tiles not less than 4mm thick.
14. All walls to be incorporated in a flat or maisonette which are surfaced with glazed tiles, facing bricks or similar materials shall be prepared for and plastered.
15. Where a lift or lifts are to be installed, their design and installation shall be wholly in accordance with the provisions of British Standard 5655. In particular, lift cars shall be wholly enclosed and shall be fitted with gates.
16. No advertisements, placards, posters or Contractors' boards shall be placed on the exterior of the premises.
17. No projections shall be formed above the planes of the roofs of the premises without the prior consent of the Company in writing.
18. Gas flue terminals, where approved, to be stove enamelled finished to match the colour of the existing brickwork.
19. No external intruder alarm bell boxes are permitted.