

Guidance for applying for licence to make alterations

These guidance notes have been prepared to assist in the making of an application to make alterations. **You are reminded that no alteration work should be undertaken until a licence for alterations has been obtained.**

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

1. An 'as existing' drawing(s) to an appropriate scale.
2. An 'as proposed' drawing(s) setting out clearly the works proposed to an appropriate scale.
3. All drawings are to be provided with a title block, are to be dated and individually numbered. All annotation is to be in English.
4. An undertaking will need to be provided for our legal and administrative costs incurred in considering the application for a licence for alterations. These are payable regardless as to whether the application proceeds to completion. Cadogan currently makes an administrative charge of £1,000 + VAT. Our solicitors will charge on an hourly basis.
5. Where a head lease is in place, the consent of your landlord should be obtained. Enquiries for our consent should be made via the headlessor or Right to Manage Company in the first instance.

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 pipe-work will not normally be permitted).
- (ii) Any changes to extract and ventilation ductwork including point of termination on exterior (to be behind terracotta or metal (not plastic) airbrick).
- (iii) All proposed floor finishes.
- (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. Structural calculations

may be checked by our own engineers and their fees will have to be met by the applicant.

- (v) Whenever 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 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.
- (vii) 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
- (viii) 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 the individual lease.
- b) If drawings are sent to us by electronic mail, it should be noted that only drawings in .pdf format can be accepted. We do not have the facility to open drawing files in .dwg or any similar format.
- c) Where a lease or underlease contains an absolute prohibition against alterations Cadogan might be prepared to give its approval to the alterations, on the basis that;
 - i) the alterations do not adversely affect the character of the building or the estate, for example, undue sub-division or amalgamating of individual rooms.
 - ii) the alterations do not adversely affect our commercial interests, for example, the alterations do not result in our risking forgoing a financial return or do not damage value.
 - iii) if (i) and (ii) are met then in giving consent we may charge a premium based on a proportion of the net increase in the value of the property, less construction costs.
 - iv) any proposal which seeks to 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.

- d) Following receipt of all of the required information set out above it is hoped the following timescales will be achieved
- (i) Acknowledgement of application to make alterations – two working days;
 - (ii) Consideration and comment on alteration proposals or instructing solicitors to prepare draft licence – five working days;
 - (iii) Draft licence to make alterations forwarded to your legal advisors – five working days;
 - (iv) Completion of licence to make alterations – thirty working days
- e) Where an application for a licence to make alterations is not completed within six months of instructions being placed with our solicitors, we reserve the right to consider the application withdrawn and we will collect our abortive costs. A fresh application will then have to be made.