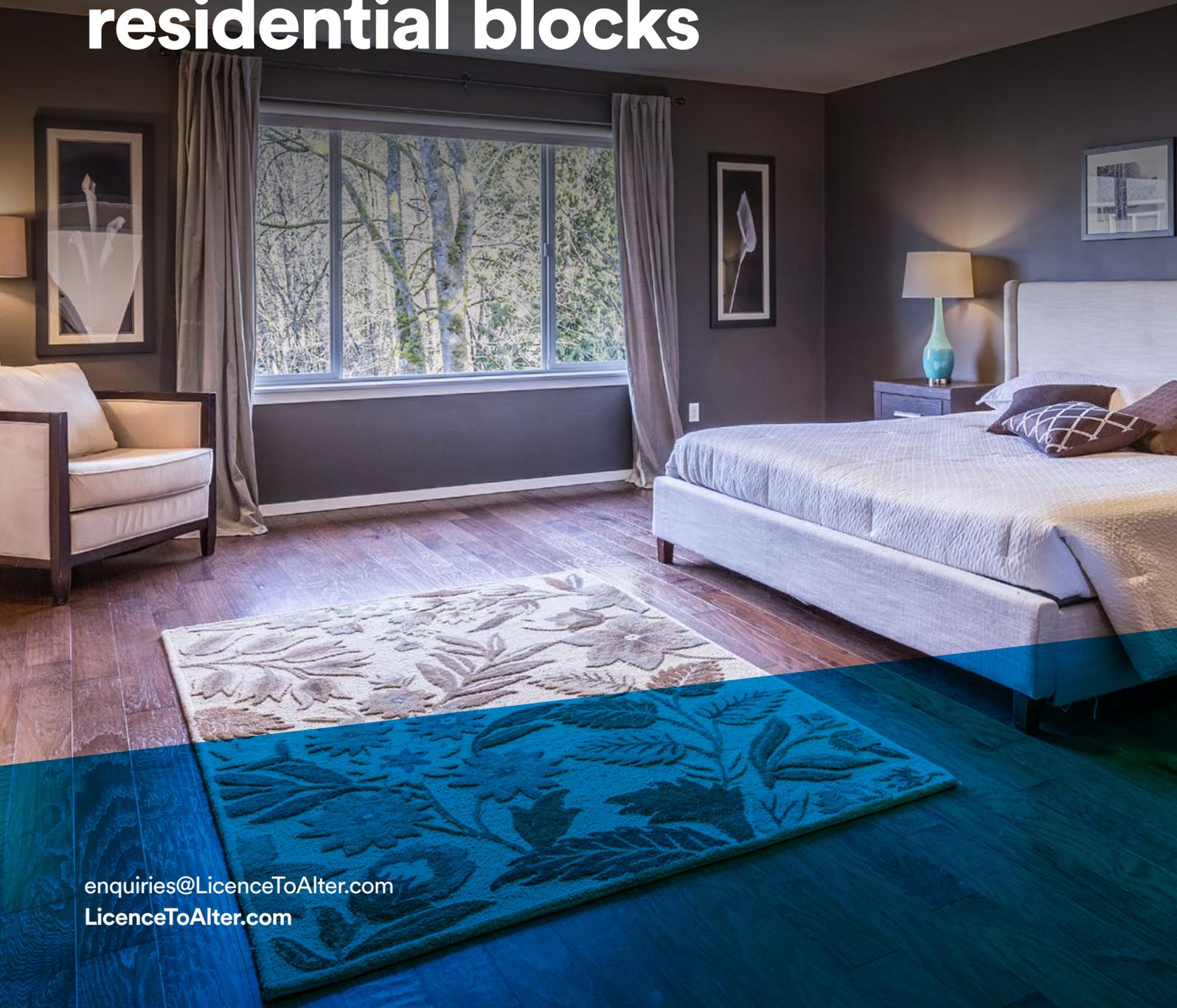




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# Considerations for hard floor finishes in residential blocks



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# This fact sheet highlights the issues that must be considered when developing proposals to install hard floor finishes in residential blocks, the requirements for acoustic performance and the likely basis of any landlord's consent.

## Considerations for hard floor finishes in residential blocks

### Background

In residential blocks of flats, the installation of hard floor finishes is often a significant concern because of the associated risk of noise nuisance (from the hard floor finishes) affecting other flats.

Most leases stipulate that floors are to be kept covered with a carpet or other suitable material.

Why carpets? Quite simply for minimising impact sound, such as the noise from footfalls, furniture being moved and objects being dropped. This may not be a problem in some modern, purpose built blocks, which will usually have the sound insulation incorporated in the floor construction, but can be significant in many older blocks or converted houses.

It should be remembered that sound doesn't just travel directly through the floor to the flat below, but can also travel via the walls and even through the floor to an adjoining flat on the same level. This is known as 'flanking sound'.

It is not uncommon for freeholders/ those responsible for managing residential blocks to place an absolute prohibition on the installation of hard floors. However, in most, the freeholder/management company will consider granting consent for hard flooring, subject to certain conditions.

### Statutory Controls

The Building Regulations 2000 and Approved Document E 2003 (amended 2004) requirements for sound insulation are 43 dB (DnT,w + Ctr) for airborne sound in dwellings formed by a change of use; 45 dB (DnT,w + Ctr) in purpose built dwellings and 64 dB (L'nT,w) for impact sound in dwellings formed by a change of use; 62 dB (L'nT,w) in purpose built dwellings.

The terminology looks a little complex. DnT,w + Ctr is just a way of expressing the difference between the noise level in one dwelling relative to the level heard in the adjoining dwelling, with a correction to make the level more sensitive to low frequencies, while the impact sound insulation is measured as the sound level in the flat below caused by impacts from the flat above.

To assist, a higher value is better for airborne sound insulation (i.e. the difference between the noise being made in one flat and that heard in the adjoining flat) and a lower value is better for impact sound insulation (i.e. the noise from an impact will be lower for a lower value).

Furthermore, in the case of existing flats, there is no requirement to meet the Building Regulations unless there is a material change of use (which is usually not the case) or the building is a new construction (which is not the case in the context of this document).

Having said that, where buildings were constructed or altered in such a way that compliance with Part E of the Building Regulations was required, it is likely that any new changes would need to meet the requirements of the Building Regulations at the time.

Where relevant, the Building Regulations must only be seen as the minimum target and compliance with them does not necessarily mean that the new hard floor will not cause noise nuisance to other leaseholders, particularly where carpets were installed previously.

For this reason, it is recommended (for the benefit of all parties, including the leaseholder carrying out the works to minimise the risk of complaint) that a robust/comprehensive system of acoustic insulation is considered at the licence application stage.

## Usual Requirements for Landlord's Consent

Most landlords require both "Pre" and "Post" installation acoustic testing to be carried out as part of any consent to install hard floors.

The usual requirements for the Pre and Post Installation testing are provided here:

### Sound testing:

1. Establish a benchmark of the existing situation, by employing a competent person to carry out sound tests to BS EN ISO 140 — 4: 1998 airborne sounds and BS EN ISO 140 — 7: 1998 impact sound, before any refurbishment works are undertaken with all the carpets laid in accordance with the lease requirement.
2. Both 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 the completed installation of the hard floor (a test is required in each area to receive hardwood/hard floors). A tolerance of field measurements of plus or minus 2dB between the test figures is permitted. Access to adjoining demises will be required.
3. The Building Regulation requirements as stated above are 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 takes precedence over Building Regulation requirements, where sound insulation performances are greater.
4. 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 hard finish 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 the

landlord's surveyor as part of the licence requirements.

5. The landlord, when granting a licence for alterations for the installation of hard floor finishes, does not accept any responsibility in the design performance of insulation products or that the design chosen will satisfy the sound requirements to be achieved. The performance of the acoustic insulation is dependent on the quality of the installation/workmanship. Post installation acoustic testing must be carried out to ascertain the "installed" performance and compare this to the design requirements. Copies of the post-installation testing results must be obtained by the surveyor prior to sign off.

## Typical Leaseholder Works —the Big 3!

### Common nuisance clause Summary

Subject to the methodology described in this fact sheet being followed, the landlord may consider granting a Licence for Alterations for the installation of hard floor finishes in place of the lease requirement for fully fitted carpets and underlay.

However, on the basis that the installation of hard floor finishes is usually unlikely to achieve the same acoustic performance as carpet and underlay, it is usual for any licence granted to require the leaseholder to accept a nuisance clause such as the following:

*In the event of a reasonable complaint being upheld by the landlord or the managing agent that an adjoining flat is suffering intrusive noise as the result of a hard floor surface, the leaseholder will, within a reasonable period, arrange for carpet runners or full carpeting (the provision of which will be determined by the landlord) to be positioned and maintained over it (at the leaseholder's expense).*

The purpose of this fact sheet is to highlight the problems faced when considering installing hard floors, the usual processes involved in achieving a "robust" insulation system and the likely terms of any formal consent.

Using the design approach set out above, it will be necessary for the leaseholder to consult with an acoustic specialist who will carry out the pre and post testing and "design" the acoustic composition of the new floor in the context of the building fabric.

The appointed acoustic consultant would take responsibility for the design of the insulation and also for carrying out "post-installation" testing to prove that the target performance has been achieved. If the above approach is followed, there is less risk of any noise/nuisance complaints being made. But with any hard floor finish, this cannot be ruled at entirely.

## How can EK Licence To Alter help?

We have vast experience in dealing with residential licences to alter and our skills and expertise in this area enable us provide clear advice to both leaseholders and landlords.

If you would like to know more about EK Licence To Alter and the services we provide, please contact:

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## How can EK Licence To Alter help?

EK Licence To Alter have vast experience in dealing with leaseholder alterations. Our skills and expertise in this area enable us to provide clear advice to both leaseholders and landlords. We are regularly appointed to act as the landlord's surveyor to monitor leaseholder works and often for large and complex alteration projects.

Earl Kendrick Building Surveyors, an established and award winning firm of chartered building surveyors, have spent years perfecting the procedures for the licence to alter consent process. We worked to hone and finesse the process from start to finish making it stress-free for managing agents whilst managing multiple parties throughout. EK Licence to Alter is solely dedicated to the licence to alter discipline.

If you would like to know more about EK Licence To Alter and the services we provide, please contact us:

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