



LEASEHOLDER GUIDE TO MAKING ALTERATIONS OR IMPROVEMENTS TO YOUR PROPERTY

Your Lease requires that permission is needed if you wish to carry out any alterations or improvements. Some leases differ but generally this includes works affecting:

- a) The exterior of the building; or
- b) The structure of the building (including the removal of internal walls).
- c) Works outside the demised premises

It is very important that leaseholders complete an application form and receive written permission from THCH before making any arrangements for work to begin.

Why do I need permission to make alterations or improvements to my home?

- It is a condition of your lease that Tower Hamlets Community Housing (THCH) consent to alterations/improvements
- THCH need to manage their leasehold properties and be aware of any changes in the structure of the properties
- It allows THCH to keep their residents, buildings and associated property safe
- Alterations and improvements can affect the insurance to a building
- We need to be clear that all works are done to a reasonable standard
- We do not want you carrying out works that may not be your responsibility
- Permission for alterations is important if you try to sell and can affect the value of the property
- Ensure alterations do not affect the management or safety of our buildings

Will making improvements affect my lease?

The majority of alterations/improvements will not affect your lease position.

If works fundamentally change the property structure there may be a need to make changes to the legal arrangements. There are costs involved in such a process which would be paid by the Leaseholder

If the alterations are significant you may also need to inform your mortgage company.

Will there be any costs I have to pay when applying to make improvements to my home?

Yes. THCH will be able to advise you on the fees relating to the work you plan to do. Typical costs are set out in the table below

Type of Approval	Minor Alterations	Major Alterations
Application fee	£250	£250
Letter of Consent*	£250	£300
Licence of alterations *	£250	£300
Deed of Variation	£250	£300
Other fees (as applicable):		
Property Services	£500	£500
Legal Services	£750	£750

You cannot be charged for letter of consent and licence of consent.

Additionally, THCH will charge

- £90 an hour for a structural assessment or a post inspection
- £50 an hour for significant administrative work

What if I have already carried out improvements without receiving written permission?

By making unauthorised alterations, you run the risk of having to bring the property back to its original position and pay the costs incurred to THCH. Whilst THCH will endeavour to be reasonable in providing retrospective consent, you need to be aware of the following:

There is a fee for the granting of retrospective consent

If we are unable to give retrospective consent we will explain why and:

- Inform you of what alterations are needed to gain consent
- Give a reasonable timeframe for resolution
- May ask you to return the property to its original condition at your cost
- In serious cases, take legal action as a breach of lease
- THCH will seek to be reimbursed for its reasonable costs in regards of the retrospective application

Important note: Building control and planning permission

Landlords consent for alterations from THCH as Landlord is **not sufficient** to satisfy building or planning regulations.

You are responsible for ensuring that all building control and planning consent regulations are adhered to, in addition to obtaining Landlords approval for work.

What type of improvements or alterations are likely to be refused permission?

We will not permit any improvements or alterations which may:

- Adversely affect an adjoining or neighbouring property
- Affect any part of the building which is not designated as part of your leasehold property
- Affect the structure of the building
- Affect the use of communal areas or facilities.
- Works beyond boundary of demised premises
- The construction of extensions or conservatories or loft conversions and replacement of windows

THCH will not unreasonably refuse permission for improvements

We may impose conditions which will apply to granting permission. Any conditions will be clearly identified and **must** be adhered to.

Loft alterations

Unless it is clearly included as part of their property under the terms of their lease, leaseholders have no right to make any alterations to this area. If the loft is included within the lease for the property, permission will still be required.

Boilers and flues

Any work in relation to installing a new flue or changing an old one must be agreed beforehand by THCH. Any damage caused to the outside of the building must be repaired by the resident at their cost and to the satisfaction of THCH.

Landlord consent will not be given for a leaseholder to be disconnected from the communal heating system.

Flooring alterations

THCH will not agree requests to fit laminate flooring within flats.

Conservatories and Extensions

A conservatory or extension will not be permitted where the flat is situated in a block of flats and will have a negative impact on the design consistency of the buildings and the maintenance obligations of the landlord.

Permission for these applications can usually only be considered when the Leaseholder is the freeholder of the land.

Window replacement

Windows are deemed to be part of the building's structure and so are the responsibility of THCH to maintain or replace and there is no obligation to accept any request for a window renewal. THCH retains a full maintenance obligation for the upkeep of windows.

Generally speaking requests to replace windows by leaseholders will be refused as they form part of the building's structure and therefore are not within the lessee's demise.

In exceptional circumstances where consent is provided, the leaseholder will still have to contribute their share of any future window repairs or replacement.

Digital TV aerials and satellite dishes

Consent for satellite dishes will not normally be granted and can only be considered if there is no TV communal reception system for the building.

Asbestos

Your alteration may involve affecting a part of the building where asbestos is present. For example if you are putting in sound insulation you may disturb either your property or have to (with THCH permission) go into the reserved part of the building (that belonging to the Council).

Subject to obtaining THCH consent, you must employ a contractor authorised to work and/or remove asbestos at your cost.

Why do I have to submit certificates relating to Gas and Electrical work?

It is your responsibility to conform with all current Building Control and Health and Safety regulations when carrying out works. We will ask for the necessary certification on works to ensure your safety and that of others.

Alterations and Improvements Permissions Procedure

Step One – How to apply

Complete an application form and send it to THCH.

Please give as much information as you can with regards the alterations and enclose plans or drawings if possible.

We will write to acknowledge receipt of your request and give you an indication of any fees which may be payable

Step Two – THCH response

If the request complies with your lease agreement, THCH will then instruct one of our Building Surveyors to decide whether to grant permission immediately, to visit you, ask for further information or to refuse the request

Step Three – our decision

If THCH agrees to your request we will write to inform you and let you know of any conditions that apply before a licence is granted. This can include:

- Necessary Health and Safety certification required.
- Technical specification
- Specific inspection requirements for THCH
- Final inspection - Requirement of Certificate of Acceptance
- Informing others (eg) Mortgage companies

NB - The permission letter is only valid for work to start on site within three months.

Step Four – Carrying out the works

As soon as permission has been granted you may commence the works.

What to do when I have completed my improvement?

When the works are completed you must return the Notification of Completion form.

If an inspection is necessary we will arrange for a surveyor to visit. If everything is satisfactory you will receive a Certificate of Acceptance. This acknowledges that all the work has been carried out to our satisfaction. Please note this does not put any obligation on THCH in regards of the design, construction of future maintenance of your project. Responsibility for this remains with the resident

If the final inspection reveals any faults or that work has not complied with the permission granted, we will work with you to rectify the problem. We will highlight what needs to be done and give you a reasonable timeframe.

Please note - THCH have rights stipulated within the lease to rectify any remaining issues, at the expense of the leaseholder, should such remedial work not be carried out in a reasonable timeframe.

Do I have the right to appeal a decision?

If you are unhappy with the outcome of your application, you have the right to appeal to THCH.

Fees

THCH charges an administration fee for granting consent for alterations and the level of the fee will depend on the permission being sought:

Where do I send my completed application form?

Completed application forms can be handed in at any service access point or posted to THCH (address below). Remember to attach any plans or drawings so your application can be processed without delay.

THCH
Property Services Team
285 Commercial Road
London
E1 2PS

Phone: 0207 780 3070

Email: customerservices@thch.org.uk

This document is for guidance only and does not give a legal interpretation or a summary of all the rules and regulations, which may apply to any improvements you wish to carry out in your home.

Where can you get advice from?

The Leasehold Advisory Service (LEASE) provides free initial advice to members of the public on residential leasehold matters. You may want to contact them for independent advice on any query you have about your leasehold property www.lease-advice.org/advice