

# Licence to Alter FAQ

## **I am considering making repairs or changes to my flat, do I need permission?**

If you are simply redecorating your flat or making minor repairs then you are unlikely to need permission or consent to do it. But you should read the **Rules** below and ensure that they are followed with respect to noise, nuisance, working hours, and keeping the common parts free from obstructions at all times.

If you are considering making any changes or repairs to your flat which affect interior or exterior walls, doors, windows, drainage or services such as gas, electricity or water then you should contact the managing agents, Harper Stone, before starting any works. You should discuss what works you have in mind and ask whether permission is required. Even if you are simply installing a new kitchen or a new boiler you should make yourself aware of what things you can and cannot do.

If your flat has any original fixtures and fittings from 1936 and your proposed work might affect these historic features, then you should ask the managing agents whether you require permission. Original fixtures and fittings may include sun rooms, original electric fire, bathroom or kitchen items such as bath taps and cupboards.

## **Why do I need permission to make changes to my own flat?**

There are three main reasons why you may require permission.

1. Embassy Court is a Grade II\* listed building. The listing applies to all aspects of exterior of the building including all exterior walls, doors, windows, soil pipes, drainage and vents. The listing also applies to some aspects of the interior of your flat including the layout, location of walls and certain historic features you may have. You will require Listed Building Consent from Brighton and Hove Conservation if your changes affect any of these things. Failure to obtain Listed Building Consent can result in a criminal prosecution and an order to reinstate at your own cost.

Bluestorm Ltd also has obligations to maintain Embassy Court's listed status and you therefore need permission from Bluestorm Ltd and demonstrate that you have gained Listed Building Consent for changes where Listed Building Consent is required.

2. Bluestorm has additional responsibilities to all leaseholders to ensure that the building remains structurally sound and all common areas, services and amenities remain functioning. You will require permission from Bluestorm Ltd to make any changes to your flat which might affect any of these things, even if the impact is temporary. Bluestorm Ltd may also need to be satisfied that all works undertaken and materials used are of an appropriate quality.
3. Bluestorm is also required to ensure that residents can have "quiet enjoyment" of the building. This means that any noise and disturbance must be kept to specified hours (see **Rules** below) and all persons performing works behave in a considerate manner at all times and in all aspects of the work. The overall timescale for the completion of your works should not be excessive. In addition there are strict rules about the storage of materials, use

of the service lift, keeping the common parts and walkways clear and the removal of any debris, dirt and dust.

If you are considering any changes to your flat which might have an impact in any of the above then you must contact the managing agents. They will tell you what consents and permissions are required for the work you are proposing and what stipulations apply. If you perform works without the appropriate consents you may be forced to cease work and possibly reinstate at your own cost and pay any costs that Bluestorm Ltd or the managing agents have incurred.

### **What kinds of consent do I need?**

#### **Listed Building Consent.**

If you wish to alter the external appearance of your flat in any way, front or back, then you must apply for Listed Building Consent. Any changes to windows, exterior doors, existing drainage or the installation of new drainage or paint will require LBC. Failure to gain LBC may be a criminal offence and may result in prosecution and an order to reinstate at your own cost.

Some aspects of the interior of your flat may also require LBC. These may include the layout of interior walls and partitions, ceiling heights, floor levels, and any historic features you have such as sun rooms, original electric fire, or original bathroom or kitchen items such as bath taps and cupboards.

You must check with the managing agents whether LBC is needed. If LBC is needed you must apply to the local planning authority, Brighton and Hove Conservation. They are likely to require all plans and drawings and materials to be used.

The freeholders have already acquired LBC for some types of alteration such as the installation of waste pipes for condenser boilers. The managing agents will tell you what you are required to do in these circumstances.

#### **Building Control.**

Some changes to flats may require permission from Building Control to ensure that they fall within statutory building regulations. Failure to gain permissions from Building Control may result in prosecution and an order to reinstate at your own cost.

Any proposed changes to your flat that could affect the structural quality of the building or affect other regulated aspects of domestic dwellings such as natural light, ceiling heights or ventilation, must be passed by Building Control, Brighton and Hove City Council. They will need to see all your plans and drawings and what materials and techniques you intend to use.

#### **Licence to Alter.**

Licence to Alter is granted by the freeholders, Bluestorm Ltd. Licence to Alter is required if you proposing to make the kind of changes to your flat described above. Licence to Alter will also be required if any of your changes affect the use of the common parts or common amenities of the building however temporary these may be.

The freeholders or any party nominated by them, may wish to see all plans and drawings relating to your proposed changes and all materials and techniques you wish to use. You should include a plan showing the overall timescale you propose for your works to take place.

Before you start work, the Freeholders may also require that you demonstrate that you have the relevant consents including Listed Building Consent, approval from Building Control and that your proposals comply with all relevant legislation.

You may need to show that you have taken out relevant insurance.

Starting work without Licence to Alter might result in prosecution and an order to reinstate at your own cost.

You are also required to ensure that all works take place according to the rules set out below.

### **Rules**

You are required:

To give notice to the Freeholders.

To give notice to your neighbours, adjacent above and below.

To ensure that the works are carried out in a workmanlike manner and that quality materials are used.

To carry out the works between 8.30am and 6pm Monday to Friday and 8.30am to 12 noon on Saturdays.

To ensure that the works are completed within your proposed timescale and notify the freeholders and managing agents if there is likely to be a delay.

To undertake not to disconnect any services or media without prior written permission.

To carry out all works without causing nuisance or annoyance to your neighbours.

To indemnify the Freeholders against all claims resulting from nuisance, injury, damage or loss as a result of the works.

To keep all common parts free from obstruction, dust and dirt arising from the works.

To keep the building secure at all times.

To ensure that the structure of the building is not endangered and not to endanger any adjoining premises.

To permit the Freeholder and any appointed agents to inspect the works at any time during or after completion to ensure that you are complying with the terms of the licence.

To pay any fees the Freeholder reasonably incurs in the preparation and supervision of this licence.