

Consent to Make Alterations

Guidance for Homeowners

Introduction

If you own a property in Southwark and would like to carry out alterations to your property, you will require the Council's consent under the terms of your Lease / Freehold Transfer if you:

- are a leaseholder and Southwark Council own the freehold of your building
- own a freehold house on a Southwark Council Estate
- own an underlease house on a Southwark Council Estate
- own an underlease flat and Southwark Council are your direct landlord or freeholder

Please check the terms of your Lease / Freehold Transfer.

If you have already started or completed alterations without applying for consent, then you will need to apply for retrospective consent.

These Guidance Notes explain how to apply for consent to make alterations and the types of charges you are likely to incur.

In addition to obtaining consent under the terms of your Lease / Freehold Transfer, you may also be required to obtain statutory consents for certain alterations, such as:

- Planning Permission
- Building Control approval
- Party Wall agreements

If you reside on the Dulwich Estate, along with requesting the Council's approval, you may also need to apply to the Dulwich Estate for their consent.

We strongly advise you to contact these departments for more information about their services, requirements and additional fees that may be payable. Their details can be found in the [Useful Links](#) section of this document.

Why is consent important?

It is important that you gain consent before you start to make any alterations to your property. It is a condition of your Lease / Freehold Transfer and can save you time and money as:

- the Council might demand that you reinstate the property to its original condition, at your cost, if the alterations do not comply with Council standards
- you are likely to experience difficulties when you want to sell your property. The new buyers will request proof that the Council has consented to all alterations in accordance with the terms of the Lease / Freehold Transfer. If you do not have consent, this can delay the transaction
- the cost of making a retrospective application for consent is more expensive. Please note there is no guarantee that the Council will consent to the works carried out retrospectively

Southwark Council request for you to apply for permission in accordance with the terms of your Lease / Freehold Transfer. The Council are not in a position to provide legal advice to you and you should seek your own legal advice if required.

Works you are not allowed to carry out

Applicable to all Leaseholders where the property forms part of a block:

The Council will not accept applications for window replacements, side / rear extensions or the removal of structurally significant elements if you own a leasehold property that is part of a block. The term *structurally significant* includes being loadbearing, or otherwise providing support to, buttressing, or laterally restraining another part of the building. This is to ensure that the structural integrity of the whole building is maintained.

Applicable to all Leaseholders:

As a Southwark Council leaseholder, you are not allowed to change your front door. Any such request for permission will not be granted, as the front doors of the property form part of the main structure of the building and the Council is responsible for maintaining the same under the terms of your Lease. Southwark Council must ensure that any front door replacements undertaken, meet the standards required as per our Health and Safety compliance obligations and fire risk assessments for the property. If your front door is broken/needs to be replaced, please contact the Repairs Team: [Reporting housing repairs - Southwark Council](#)

As a leaseholder, you are responsible for the maintenance of the locks for the doors. However please be aware that you are not permitted to install additional locks without permission to alter as this may interfere with the integrity of the door.

Where any refurbishment is undertaken to the property, you must ensure that access is provided to communal pipework so that relevant repairs can be identified and repaired promptly by Southwark Council or their appointed contractors. This includes (but is not limited to) providing access panels when boxing in pipes, stacks or other communal pipework and ensuring that bath panels can be removed as necessary for inspections. Please note that if communal pipework is not accessible for Southwark Council to carry out relevant repairs, the leaseholder will be solely responsible for any costs to make good anything removed or altered in order to gain necessary access.

Leaseholders are not permitted to disconnect from the District Heating System (DHS). Disconnecting from the DHS is complicated, dangerous, and expensive. In reviewing a request for disconnection the Council is required to act in the best interest of all homeowners and tenants and it is our opinion that it would not be equitable to allow you to disconnect from the DHS. The DHS services a number of properties to which the costs (fuel, on-going maintenance, and major works) are shared between these residences. Allowing residents to disconnect would result in these costs being apportioned between fewer residences creating a greater financial burden on those who remain connected to the DHS. This would not be an equitable situation and would leave the Council open to challenge and place these residences in financial difficulty. Aside from the issues of costs we advise that disconnection can often be dangerous as it creates an imbalance of pressure which could cause the DHS to erupt. The issues caused by fluctuations in pressure would also result in the DHS becoming increasingly unreliable and therefore more costly to repair. This would in turn create higher maintenance costs that would be levied against the fewer home owners as discussed above.

You should note that you must contribute to major works for the blocks regardless of the works that you have carried out. As a leaseholder, your lease requires you to pay a share of the cost of any structural, external or works to shared areas that benefit your block or estate. You will not be exempted from contributing from any major works, because you have carried out certain alterations to the property. For example if you are leaseholder (and your property does not form part of a block) and are permitted to replace your windows, this will not exempt your costs if major works are instructed to replace the windows of the whole building.

Applicable to Freeholders:

Many of our Freehold Transfers will contain a covenant similar to the following:

“Not without the prior written approval of the Council to make any alteration to the structure or external appearance of the property (other than painting of such parts as are normally painted) or to any drains sewers pipes apparatus or installations which serve the property in common with any neighbouring or adjoining property.”

If your Freehold Transfer contains a covenant (rules which regulate the way the land can be used or land owner obligations) similar to this, it essentially means you must obtain the Council's permission specifically to carry out any structural work or external alterations to the property.

Your Freehold Transfer may also contain a covenant that prevents you from disconnecting from the District Heating System (if your property is connected to this) without paying the Council's costs for such a disconnection. Should you seek to disconnect from the District Heating System, you will need to request our permission, so that we can advise you about the associated costs to do so.

How to Apply for Consent to Make Alterations

Applications can be submitted online using the link below:

[Permission to make alterations | Southwark Council](#)

Please remember to have your debit or credit card ready as you will be required to pay an administration fee before we can consider your application.

As part of your application, you will need to provide:

- a full itemisation of proposed works, including any electrical, gas, plumbing and structural alterations
- existing and proposed plans
- a structural engineer's report including relevant structural calculations

Note: the removal of loadbearing walls is not permitted in Council blocks

We may ask for further details before processing your application and we will let you know if this is required.

Administration Fees

Please note that once your application has been submitted, the administration fee is non-refundable. Payment of our fee does not guarantee that the Council will grant consent.

Furthermore, if you pay the incorrect fee, we will request that the balance is paid before proceeding with your application. This may delay your request. Please ensure you read the guidance carefully.

The administration fee covers the Council's costs to assess your application. The amount you need to pay will depend on the type of alteration you want to make. Our fees are reflective of our costs of obtaining the professional opinion of our Repairs Department, Engineering Department (Fire Safety Compliance, Electrical Compliance & Gas / Heating Compliance), Resident Services and Tenant Management Organisations, to ensure that the proposed alterations meet the Council's policies.

Our administration fees for 2024/25 applications are as follows:

Category	Fee
<p>1. Like for Like Alterations The replacement of a similar type fixture / fitting in the same location, for example (but not limited to): kitchen units, bathroom sanitaryware, replacement consumer units, electrical rewiring.</p>	£55.00
<p>2. Boiler / Radiator Alterations The replacement of boilers, radiators, water tanks and cylinders.</p> <p>If you are connected to the District Heating System, there are strict technical conditions to adhere to which will be provided once your application is assessed.</p> <p>Remember: Leaseholders are <u>not</u> permitted to disconnect from the District Heating System. Freeholders should contact us before applying.</p>	£106.00
<p>3. Minor Structural Alterations Alterations which impinge on the fabric of the building but do not alter it or change the layout, for example (but not limited to): replacement internal doors, replacement flooring, built-in wardrobes.</p>	£134.00
<p>4. Major Structural Alterations Alterations which alter the layout of the property or involve the removal of windows and/or walls, for example (but not limited to): internal reconfiguration of rooms, removal of internal walls to create open plan spaces, side/rear extensions, loft conversions, and window replacements.</p>	£362.00
<p>5. Retrospective Consent If you have already started or completed alterations that required the Council's approval, you will need to apply for retrospective consent. If you are part way through works, we advise you to stop as there is no guarantee that the Council will grant consent.</p>	£542.00

If you are requesting alterations which fall under a mixture of categories, you are only required to submit one application. Please choose the highest administrative fee that is applicable.

If you are unsure which category to select, please contact us before applying.

Assessment

Your application will initially be reviewed by the Residential Conveyancing and Compliance Team to ensure that sufficient information has been provided by you, in order for your application to be assessed. We will then instruct your case for a pre-works assessment. This will involve a review by the Council's Repairs Team, Engineering Services (Electrical Compliance, Gas / Heating Compliance and Fire Safety Compliance) and Resident Services, where applicable. If you are carrying out structural alterations, a site visit may be required.

It is our priority to ensure that any changes made to the property are safe for all residents within the building. As part of your application, an assessment will be completed by a Council Fire Safety Surveyor, to advise on whether any fire safety measures need to be addressed. These fire safety requirements will be included in the consent documentation. Inspections of the property may be required at any point during the application process, to identify and discuss any fire safety issues that may arise as part of the property assessment.

Timeframes

Please allow up to 60 days to process and note that this can take longer depending on the number of applications the Council is dealing with at any time. Please note however that some application can be processed within 10 working days depending on the nature of the works. We cannot expedite any application, and all applications will be reviewed in the order in which they are received.

Consent in Principle ("CIP")

If your application is approved, the Council will issue you with Consent in Principle. This document will contain conditions that you must adhere to when completing the works. Please ensure you share this with your contractor(s) so they are aware of any specific requirements, such as qualifications, indemnity insurance, specification of materials, etc.

Consent in Principle lasts for 12 months. Please notify the Council once your alterations are complete so we may proceed with arranging a post-works assessment and finalising your application. If you are unable to complete the works within the 12 month timeframe, please contact us to discuss further.

Final Consent

Your application is not complete until Final Consent has been issued. Once a post-works assessment has been completed and works are approved, we can proceed with arranging Final Consent. This section includes guidance on the costs payable for formalise your application. This

will vary depending on the nature of the works and will be confirmed to you when issuing the Consent in Principle.

Form of Formal Consent by Category of Alteration	Legal Fees 2024/25
Like for Like Alterations Certificate of Final Consent	£0.00
Boiler / Radiator Alterations Certificate of Final Consent	£0.00
Minor Structural Alterations Certificate of Final Consent	£0.00
Major Structural Alterations	
Change in internal layout Land Registry compliant lease plan; and Licence for Alterations	£252.00 £342.68 + VAT
Change of windows Deed of Variation incorporating a Licence for Alterations	£642.18 + VAT
Side/rear extensions and loft conversions Land Registry compliant lease plan; and Deed of Variation incorporating a Licence for Alterations	£252.00 £642.18 + VAT

If you own a freehold house or underlease house, Final Consent will be in the form of a Certificate of Final Consent. Legal documentation will not be required for this process.

If you are required to obtain a new lease plan, you are not obliged to use the Council's contractors. However, you will need to ensure the lease plan is Land Registry compliant and meets the Council's lease plan requirements. If you wish to use the Council's contractors, payment for the lease plan can be made using the Conveyancing Payments Form. Please ensure you include your Property Reference Number (PRN) as the reference when completing the form.

Licences and Deeds of Variation will be drafted by the Council's external solicitors. The Council's solicitors will liaise directly with yours to finalise the matter. Please note the costs payable might change owing to the complexities involved. We cannot advise as to how long this process will take, as it will be dependent on the speed and workload of both parties' solicitors. Once the legal documentation is complete, your solicitor can register this for you at Land Registry. A copy shall also be saved against your leasehold / freehold account on the Council's systems.

If your alterations result in the number of bedrooms increasing, your service charge account will be updated to reflect this on completion. For further information on how your service charges are calculated, please visit: [About service charges - Southwark Council](#)

Useful Links

[Planning applications - Southwark Council](#)

[Building control - Southwark Council](#)

[Party walls - Southwark Council](#)

[Conservation areas - Southwark Council](#)

[Reporting housing repairs - Southwark Council](#)

[Scaffolding and hoarding licences - Southwark Council](#)

[The Leasehold Advisory Service](#)

[Freehold, leasehold and rental property on The Dulwich Estate](#)

Leaseholders can apply to the Dulwich Estate by e-mailing info@thedulwichestate.org.uk

Freeholders can apply to the Scheme of Management by e-mailing som@thedulwichestate.org.uk

Contact Information

If you have any queries, please e-mail the Residential Conveyancing and Compliance Team at HSG.Conveyancing@southwark.gov.uk or call us on 020 7525 3338.

Frequently Asked Questions (FAQs)

I am selling my property and/or have contractors ready to start the work; can this application be expedited?

No, we cannot expedite applications for permission to alter (with the exception of boiler replacements in an emergency). Although we understand that time is of the essence, there is no service to speed up the process. Our estimate guidelines exist as all applications require assessment from various internal departments, who review, inspect and comment on the safety and potential impact of the proposed alterations. If you are selling your property, we would always recommend that you ensure all consents obtained / relevant retrospective consent applications are made prior to agreeing the sale of the Property.

I am connected to the District Heating System. Can I make an application to disconnect?

We do not permit disconnection from the District Heating System for leasehold properties. Please do not make an application under change of boilers/radiators where you seek to do this. If there is an issue with your District Heating System (DHS), you will need to contact the Engineering Team to review this. If you are a freeholder and still require disconnecting from the DHS system, you must email us to put forward your request for review.

I am a freeholder. Why do I need the Council's consent to carry out structural/external alterations or disconnect from the District Heating System?

When you purchased the property the Transfer deed may contain covenants which you are obliged to adhere to and require the Council's approval before such work commences. If you are unsure as to the covenants in the Transfer deed and what you are required to do, you should seek legal advice.

Can I make an application for permission before I purchase the property?

Yes, you can make an application for permission to alter prior to purchasing the property. Please note however, that our fees are non-refundable and therefore you will be responsible to pay the application fees whether or not the property purchase proceeds to completion, if the application has been processed. This is because work has already begun on processing your application.

Can you recommend a solicitor to act on the Licence for Alterations?

We do not make recommendations for solicitors but would advise that you instruct a solicitor to act on your behalf to deal with the Licence for Alterations.

Can you recommend a contractor to carry out the Alterations?

We do not make recommendations for contractors. You should however consult your Consent in Principle which may contain conditions on obtaining approved and accredited contractors for certain works.

My contractor advises me that I do not need the requested certificates referred to in my Consent in Principle; do I have to provide these?

Any documents that are requested as a condition of your Consent in Principle must be provided. Our technical engineers and advisors have specifically requested this documentation as it is deemed necessary and is therefore not optional. You should ensure your contractor is provided sight of the Consent in Principle and agrees to provide these documents prior to carrying out the approved works.

I want to remove a non-loading bearing wall. What do you need me to provide?

You must provide a structural engineer's report which specifically confirms that the wall/s you intend to remove are non-load bearing. Our internal departments may request further information from the engineer who carried out the report if they are not satisfied.

What happens if the work is not completed within 12 months of receiving the Consent in Principle?

Our Consent in Principle is only valid for 12 months from the date of issue. If you believe that your works will not be completed within this timeframe, you may make a request for an extension. All such requests will be assessed on a case by case basis and we will advise if an extension is permitted or not.

I did not carry out the works to the property, so why am I being asked to carry out a retrospective application to obtain consent?

Our team is sometimes alerted to works being carried out that have not been consented to. We will contact the freeholders/leaseholders of the property to query whether consent has been obtained. If it has not, regardless of whether the work was carried out by the previous owner/occupier, we will request the current leaseholder/freeholder to make a retrospective application. If you did not carry out the works without the Council's consent but the previous owner/occupier did, you have essentially inherited the breach on the purchase of the property. This is something you will need to discuss with the solicitors/conveyancers whom acted on your purchase. Our intention is to ensure as soon as possible that all works carried out meet our standards, requirements and processes, for the safety of all homeowners and occupiers.

I obtained Planning and/or Building control permission. Why do I need to obtain the Council's consent to the works?

Your Lease will contain a covenant which prohibits you from carrying out certain works to the Property without the consent of Southwark Council as the freeholder of the building. Although it is equally important to obtain all necessary statutory consents such as Planning Permission and Building Control approval where applicable, please note that the Residential Conveyancing and Compliance Team does not have access to the information held by these departments and vice versa. We will review your permissions application with the purpose of providing the Landlord's consent to the works (on behalf of Southwark Council who is the freeholder of the building). However you are still required to obtain all necessary statutory consents (Planning Permission, Building Control approval, Party Wall agreements, etc.) for certain works regardless of whether or not Southwark Council is the freeholder.

Other leaseholders/freeholders around me have had their permissions consented to, why was mine rejected?

The Council's policy relating to alterations is constantly developing. Sometimes changes need to be made to our policy to meet the requirements of a change in legislation or internal departmental policy. This is always done with the homeowner's/occupier's safety in mind, so where something may have once been acceptable, it may not meet today's requirements. The Council, when making such decisions, has to review the overall impact of the works you intend to carry out, for example, if a single leaseholder in a block seeks to remove a wall, this may not be an issue, but if all leaseholders in the block then decide to do the same thing in the same location, the structural integrity of the property is highly likely to be compromised and make the building unsafe.

Can the Council review their indemnity insurance policy requirements set out in the consent in principle (Appendix) document?

No, Southwark Council requires all contractors to have a £2million indemnity insurance policy prior to doing any works. It is also mandatory to provide a copy of the main contractor's Employers Liability (EL) insurance and Public Liability (PL) insurance, both with cover for minimum £10million. Please note that in case you do not obtain a contractor with that level of insurance it is at your own risk should anything occur as a result of the work.

What does Southwark Council define as a block?

This would relate to any large building(s) subdivided into two or more separate flats or houses. However, if your property is a converted street property, please contact us for further information.

Version: May 2024