



Sussex Heights (Brighton) Ltd
c/o Friend-James
4th Floor, Park Gate
161 – 163 Preston Road
Brighton
BN1 6AF

To all Leaseholders

Alterations to flats at Sussex Heights

From time to time, the owners of flats at Sussex Heights may wish to carry out internal alteration works. Under the terms of the leases for Sussex Heights, consent is required for alterations and internal works for which a 'Licence to Alter' is required. This document explains to leaseholders what is required in the event that they wish to carry out such alterations.

Permission is required where windows are to be replaced, balconies are to be enclosed, balconies are to be re-opened, internal layouts of flats are altered or where kitchens, bathrooms or cloakrooms are to be re-sited. Where sections of any structural walls are to be removed or altered, calculations will also be required from a structural engineer.

In the first instance you should complete the Building Works Proposal Form giving details of your proposals and submit it to the Managing Agents. Following consultation with the Board of Sussex Heights (Brighton) Limited (SHBL), you will be informed whether permission is required and if so, whether a 'Licence to Alter' is necessary.

The following points should be considered in order for works to be considered:

1. It will be necessary for a Chartered Surveyor to be instructed on behalf of SHBL and you will be responsible for their fees. BLB Surveyors Ltd are used by SHBL and if you choose to use this firm this can be arranged through our Managing Agent.
2. Full details of the work including all architects and engineers plans must be submitted in order for permission to be considered. Necessary works may need to have been approved by Building Control.
3. Confirmation will be required that all work is being carried out in full accordance with a Building Control Application and that the works will result in a Building Control Certificate being issued.
4. Evidence of all necessary planning applications and permissions will need to be submitted.
5. Confirmation must be given that all Gas, electrical, plumbing and window replacement work (if applicable) will be carried out by contractors working under the rules of relevant trade organisations and that certificates will be issued at the end of the works.
6. Window replacement work must be carried out only using companies approved by SHBL and must follow the Window Replacement Specification (April 2022). Details of suggested contractors and the Window Specification can be found in the Handbook.(?)

7. Leaseholders will be responsible for the payment of any legal and administration fees incurred by SHBL for the preparation of any Licence to Alter.
8. The lease plan for your flat may need to be altered with the new plan and any necessary Deed of Variation being prepared by a solicitor and registered with Land Registry. You will be responsible for any fees relating to this requirement incurred by you or the landlord.

If you are in doubt whether proposed works to your flat require permission, please do not hesitate to contact the Managing Agent for clarification.

Retrospective permission for alterations

Where work has been carried out in the past without Landlord's permission, it may be necessary to apply for retrospective permission. If this is the case, the procedure above must be followed.

Window frames and enclosed balconies

Over the years, there have been a series of incidents which have occurred at various flats in Sussex Heights regarding windows or window frames, enclosing of balconies and even of windows becoming detached and fallen onto the roof of the Hilton Brighton Metropole Hotel.

Considering these incidents regarding enclosed balconies, Sussex Heights (Brighton) Limited, after consulting solicitors over the years to ascertain what should be done to prevent a repeat such incidents, give the following advice:

1. The repair and maintenance of enclosed balconies at Sussex Heights is the primary responsibility of leaseholders, i.e. you.
2. You must always take steps to consider the condition of the windows and window frames that enclose your balcony to ascertain that they are safe. We strongly recommend that you obtain the advice of an appropriately qualified person to do this. If it transpires that they require work to bring them up to a safe standard then you must immediately take steps to do this. You are obliged to do so as a matter of contract under your lease, but you should also consider the likelihood that you would be held personally liable if death or injury caused by falling parts of windows or frames.
3. It is not only from risk of falling debris that you need to be concerned about, but also the cause of water ingress from poorly fitting, old or damaged frames and enclosures. This will have an effect on adjacent flats above and below you because water finds its way into the structure of the building through gaps and damaged areas. You are therefore responsible for these types of issues and any damaged caused to adjacent flats. If a claim is made on the Buildings Insurance you will be responsible for payment of the £2,500 excess applicable to any water damage.

Board of Sussex Heights (Brighton) Ltd
April 2022