

# Purchasing your loft space



In most residential leases the roof space is part of the area of the building reserved for the Landlord (L&Q) and as such you have no rights to access the roof space, or use it for any purpose including storage, even if a loft hatch is located within your property. To use the loft space without permission would be considered as a breach of your Lease.

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As a homeowner, you may want to purchase the roof/loft space above your home from us with the aim of converting into additional living space. If you are interested in this, we hope that the below information will help you understand the process.

Please note that if you are a Shared Owner, you must own at least 50% of the property before we will consider selling the loft space or granting permission for structural improvements such as loft conversions.

As an alternative to purchasing the loft space, you may wish to consider applying to purchase the Freehold from L&Q (known as Enfranchisement). Please contact us via [leaseenquiries@lqgroup.org.uk](mailto:leaseenquiries@lqgroup.org.uk) and we can check if this is an option available to you.

All sales of loft/roof spaces are at L&Q's absolute discretion and acceptance of an application does not guarantee the sale to you. There may be legal or other reasons that become apparent as to why L&Q are not permitted to do so, or it is not in our interests to do so.

## **We will not agree to sell loft/roof space if:**

- The space is intended to be (or considered to be by us) for anything other than additional living space.
- Your intention is to create a separate dwelling. A clause will be inserted into your lease to specifically prohibit this.
- You are not up to date with any payments due to L&Q, e.g., service charges, ground rent etc.
- If the loft space is an area that we need regular access to for maintenance of the building

If the loft space were to be sold, then the lease would need to be surrendered and re-granted to include the loft in the flat and a new lease plan would be required. The new lease may contain amendments to service charge clauses as the flat would have increased in size and future works/maintenance to the roof may be more problematic and costly.

## Feasibility Report

This is a report carried out to determine if it will be possible to sell/create extra living space. You are responsible for the cost of this initial feasibility inspection including the Surveyor's fee of £420.00 which is payable by you directly to the Surveyor once instructed by us. They will contact you to arrange an appointment and take payment of their fee.

We work with an independent company, Alderton Associates, who will carry out the valuation report at the same time as the feasibility report (there is an extra cost for this). You can discuss this with Alderton Associates on the scheduled day of their visit.

Following receipt of the initial feasibility study from Alderton Associates, L&Q will aim to make an initial in-principle decision within 15 working days of receiving the report. If we turn down your application to purchase the loft space, we will detail the reasons why.

In some cases where it is considered that a loft conversion is not practical, you may still wish to have your lease varied to include an additional right for you as the leaseholder to use the loft. This would be strictly limited to specific purposes e.g. for the storage of small personal items, but nothing flammable, or anything that may invalidate L&Qs Building Insurance. You would not own the loft space and no alteration or development would be permitted by L&Q.

## Valuation

As a charity, L&Q are obliged to obtain the "best price" that we can reasonably obtainable for its assets when disposing of them (which the loft/roof space would be). We must therefore sell it at the open market value set by an independent Qualified Valuer accredited by the Royal Institute of Chartered Surveyors (RICS).

**The valuation can be carried out at the same time as the feasibility report.**

The estimated valuation fee of £375.00 is payable by you direct to the Surveyor. They will contact you to arrange an appointment and take payment of their fee. The valuation fees may vary and are dependent on the property and its location.

Having the valuation carried out does not commit you to buying the loft space or to L&Q selling it.

The valuation will be valid for six months and must be in date when the transaction completes. If the sale does take longer than three months to complete, you may have to pay for another valuation and if a new valuation is higher than the previous one, a new premium will apply. You may also be required to pay additional or abortive solicitor fees.

Please note that L&Q charge an initial administration fee of £450.00 to carry out this preliminary assessment, instruct the feasibility review, valuation report and send out your formal offer in principle. This fee is non-refundable.

## Offer Stage

Following the valuation, we will send you a written offer to purchase the roof/loft space setting out the purchase price and L&Qs terms and conditions.

After receiving our offer, you should contact your mortgage lender or financial advisor for advice on funding your purchase. We recommend that you get advice to make sure you are not over stretching yourself financially.

Any offer given by L&Q for the sale will be purely on an "agreement in principle" basis and as such is subject to any advice to the contrary from our solicitors once they are instructed.

If you decide to proceed you will have 30 days to return your "Purchase Confirmation Form" to us. This form will be attached to your offer letter and will confirm that you accept L&Q's offer, terms and conditions and wish to proceed.

At this point we will require you to pay L&Q's final non-refundable £450.00 admin fee to process your sale to completion. This can be paid using a credit or debit card over the phone via L&Qs secure payment line.

## Sale Completion

On receipt of your completed purchase confirmation form we will instruct a solicitor to act for L&Q. The solicitor will prepare a Formal Licence for alterations for the proposed loft conversion and for the surrender and re-grant of your lease to include the loft space and / or variation of lease documents for you to agree. Subject to review of other Leases in the Building this may include amendments to service charges and maintenance and repair costs charged to you and other Leaseholders.

Your Solicitors will need to provide our acting Solicitors with an undertaking confirming that you as their client will pay all L&Q's legal costs and disbursements in this matter (including any aborted costs should you decide to drop out of the sale).

We will also need to instruct a new Lease Plan showing the loft space as part of your flat. The estimated cost of having the plan drawn up is approximately £350.00. This is paid directly by you to the Surveyor once instructed by L&Q, and they will contact you to arrange an appointment and take payment of their fee.

On completion the solicitors will legally complete on the transaction and your solicitor will notify you. As part of their completion process, they are responsible for updating Land Registry and any legal documentation including registering the new lease at Land Registry.

## Transaction Costs Breakdown

You will be required to cover all of your own and L&Qs costs including all legal, valuation and associated costs. You may also have to pay fees to your mortgage lender.

This is likely to be an expensive exercise and we would urge you to seek legal and financial advice before progressing. Please note that all costs are estimated and may be subject to change.

You will be responsible for all the transaction costs if applicable to your application (see below) which will include but are not limited to.

Valuation and feasibility report minimum fee (payable by you direct to the surveyor)	£1140.00
Desktop valuation (required if valuation has expired 6 months) fee payable by you direct to the surveyor)	£420.00
L&Q's sale and conversion administration fee (non-returnable)	£450.00
Pre-completion structural surveyor's fee to review proposed works and report (payable by you direct to the Surveyor should you be converting the loft space)	£540.00
Reasonable disbursements for variations/construction licence/surrender and re-grant	£1020.00
L&Q's estimated legal costs* for the major works conversion licence (payable by you via your solicitors)	£540.00 to £900.00
New lease plan	£354.00
Post completion inspection cost (payable by you direct to the surveyor)	£420.00
This will need to be confirmed by your own solicitor	Your own Solicitor costs
The agreed purchase price for the loft space	Price dependent on valuation

\*L&Qs Legal Costs range is estimated and subject to a review of each application by L&Q's Solicitor and will depend upon whether there are standard or more complex matters to take into consideration which will require more work and so a higher cost. All fees quoted above are inclusive of VAT at the prevailing rate (currently 20%).

Please note that the contents of this guide are intended to be read as information only. Each application is unique and will be assessed on that basis. If you have any questions about making an application or during your application, you should contact [Leaseenquiries@lqgroup.org.uk](mailto:Leaseenquiries@lqgroup.org.uk) to clarify before proceeding any further.

## Applying For A Loft Conversion (During or After the Purchase of the Loft Space)

A Loft Conversion is a major alteration to the building and is strictly controlled by L&Q as Freeholder and subject to the terms and conditions of your lease which will usually prohibit or restrict alterations to the structure or appearance of the building.

As stated above, purchasing the loft space from L&Q does not automatically guarantee that a loft conversion is actually possible, and you should seek your own advice on this from a suitable builder and comply with any Local Authority planning or building control requirements before progressing or making any commitments.

Planning Consent and Building control - You will need to approach your Local Authority directly and fees may be applicable for these services which are non-refundable. You must be aware that obtaining Planning Permission and/or Building Control approval does not automatically guarantee L&Q's consent, and should we be unable to provide consent, we will be unable to refund any fees to you.

**Before we can consider granting Landlords consent and approve any requests for a loft conversion, we will require the following:**

- A quotation from the proposed Company / Building Contractor carrying out the loft conversion works on their headed paper, outlining their full structural design and site plan.
- A copy of their public / professional liability insurance policy.
- Confirmation that the works will be carried in accordance with necessary Health & Safety legislation / Approved Codes of Practice (ACOPS).

## Information for you to follow/provide:

### Planning Permission

Planning Permission is concerned with the use of land and the external appearance of buildings. If the property is listed, in a conservation area or the plans involve external building work, you should contact the planning department of the relevant local authority. If this is required, please ensure you supply us with a copy of the planning permission documentation.

### Party Wall

Confirmation that any Party Wall matters will be dealt with in accordance with the Party Wall Act 1996 where applicable

### Building Regulations Approvals from your Local Authority (If applicable).

Building Control approval ensures that building work meets certain requirements relating to health and safety, energy conservation etc. and more recently certain types of electrical work. The level of building control approval will be advised by the building control department of the relevant local authority.

### Mortgage Lender Consent

If you have a mortgage on your property, you may require their written consent before works are undertaken.

## Disruption to Neighbouring Properties

We will require from you written confirmation that noise will be kept to a minimum during the works to avoid any disruption to neighbouring properties, and a signed disclaimer that any damage caused to the surrounding areas during the works will be made good by you with no financial cost to L&Q and that all future maintenance will be your responsibility.

Your proposed loft conversion will require review and approval by a qualified structural engineer. On receipt of your proposal L&Q will instruct our own Structural Engineer to review and advise us on your proposed loft conversion.

Once we are in receipt of the Structural Engineers report we will be able to progress and grant consent for a loft conversion which will be in the form of a Licence.

A Licence for alterations is a legal document, which records that L&Q has approved the proposed alterations and gives Landlord's consent to the changes you are proposing to make to your property and how the work is to be carried out. As such the Licence is mutually beneficial to you as the Leaseholder and to L&Q as the Freeholder as it sets out and controls the manner and timing of carrying out the work so that it does not damage the interests of the freehold or cause unreasonable inconvenience to other lessees.

Once your loft conversion has been completed, we will require copies of any guarantees, safety certificates for gas and electrical works and any Local Authority Building Regulations Certificates before a completion inspection is carried out to confirm that the works have been carried out to L&Qs satisfaction so that a completion certificate can be issued. Please note that the estimated cost of this review (within our costs list) and payable by you direct to Alderton Associates and they will contact you take their fee once they are instructed by us.

If no remedial works come to light as a result of this final inspection, we will then issue a completion certificate confirming L&Qs acceptance of the works.

### **You have two routes to follow:**

1. Carrying out the conversion after the sale of the loft to you has completed
2. Applying to convert the loft in tandem with the sale of the loft space

To proceed with either route, firstly, please complete a request form:

**<https://www.lqgroup.org.uk/your-home/homeowners/your-lease/improving-your-home>**

Please note it may be more cost effective for the loft sale and conversion license to be completed at the same time. If carried out separately, this will result in further legal/administration costs being incurred.

## **Your Questions Answered**

### **Can you recommend a suitable contractor to assist with the loft conversion?**

We are unable to recommend a contractor; however, we work closely with Alderton Associates Structural Surveyors. They have extensive experience of undertaking loft conversions and offer their services to you for the preparation of plans for planning and building regulation approval. Please note that we would advise you to do your own research on reputable contractors. Alderton Associates are an independent company and L&Q we will not be held liable for any work that they may carry out on your behalf.

**Email:** danny.alderton@aldertonassociates.co.uk

**Tel:** 01245 460222

### **What does L&Q's administration fee cover?**

L&Q's administration fee covers our costs in enabling us to process and administer your request. The fee will need to be paid before we carry out any initial feasibility study or instruct a valuation.

### **How do I make a payment of the admin fees?**

You may pay using a credit or debit card over the phone via L&Qs secure payment line by calling: **0300 456 9996** and following the prompts to make payment.

### **What happens if my valuation runs out and I've not completed my purchase?**

Normally, if you have nearly completed the transaction, we will contact the valuer, they will advise whether the valuation can be extended to help you complete. They may ask for a desktop valuation to be carried out where they assess the value without visiting your home. In extreme circumstances where you cannot complete the purchase within three to six months, a new valuation may be needed. This means the value will depend on the new valuation. (In some circumstances, this has been known to increase. If this happens, you will need to pay the higher charge, if it reduces you will pay a lower charge).

### **What happens if I do not agree with the valuation?**

If you do not agree with the valuation, you will need to advise us and complete a form which provides details of your concerns with appropriate evidence of why you feel the value is incorrect. We will send this information to the valuer and ask them to review your evidence and explain their valuation

If we stand by our valuation but you are still not happy, you can arrange for your own valuation as a comparison. You will be responsible for the cost of this valuation as well as any costs for your Surveyor to negotiate on your behalf and agree a premium with our Valuer.

### **If I purchase the loft space can I carry out a loft conversion?**

Any proposed roof/loft conversions will require formal consent by L&Q under the terms of your lease. Please follow the guidance above.

## How to contact us

**L&Q, Homeownership Team**  
**Cray House, 3 Maidstone Road, Sidcup, Kent, DA14 5HU**  
**Lease Enquiries 0208 1897465, Option 2 and Option 2**  
**[Leaseenquiries@lqgroup.org.uk](mailto:Leaseenquiries@lqgroup.org.uk)**

All fees within this document were correct at the time of publication in april 2022.  
Fees are reviewed annually and are subject to change.

The L&Q logo is displayed in black text on a yellow rectangular background.