

Answer by **Scott Goldstein, Dispute Resolution Associate at Payne Hicks Beach**, first published in The Times online on 31 March 2019 and is reproduced with kind permission <https://www.thetimes.co.uk/edition/home/where-can-i-get-rid-of-my-old-record-collection-gfp5f93hs>

THE  **TIMES**

HOME HELP



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Need to know how to extend a leasehold flat? Ask our team

March 31 2019, 12:01am, The Sunday Times

Q I want to buy a leasehold flat on the top floor of a block. I would like to extend the property onto the roof to create a terrace and/or a new room. Do I need consent from the other flat owners and/or the management company?

Stuart, London

A Look at the wording of the lease to see if it includes both the roof and the airspace above. Care is needed where a lease is silent on this point. The airspace is valuable because it could be used for solar panels and equipment for telecommunications. If your lease is not crystal clear, expect pushback from the freeholder when you try to assert ownership: you will only be able to extend if the landlord grants you a lease of that space. They do not have to, and will charge a premium. They may be required first to offer the airspace lease to the other tenants, who can buy it if a majority accept.

If the roof and airspace are part of your lease and you need the freeholder's consent, they cannot unreasonably refuse you. But they might turn down an extension that interferes with services for the whole block (drains and gutters) or any rights to light of neighbours. Sound out the landlord before you buy to gauge the likely response. *Scott Goldstein, associate, property litigation team, Payne Hicks Beach; phb.co.uk*

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