

# Plans



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## I have a cunning plan

Plans often need to be drawn up as part of the process of documenting a land transaction. Historically, the Land Registry would accept most plans, as long as they were clear. Those days are long gone. The Land Registry now has a detailed list of requirements and they will refuse to register a transaction where the relevant plans do not comply with these requirements.

The requirements are fairly sensible and, if followed, tend to produce clear plans which are easy to understand. There is merit in ensuring that the millions of plans recorded at the Land Registry all share common features, so that it's easier to compare them against each other.

To avoid wasted time and expense and to avoid the risk of a transaction being incapable of registration, it is important to get the plans right first time. You should ensure that the people drawing up your plans have a copy of this leaflet. They should treat it as a checklist and ensure that each point is dealt with.

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## Practice makes perfect

Land Registry Practice Guide 40 (Supplement 2) is the full guide to the preparation of Land Registry plans. It can be accessed at no cost on the Land Registry website:

<https://www.gov.uk/government/publications/preparing-plans-for-land-registry-applications/guidance-for-preparing-plans-for-land-registry-applications>.

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## The Golden Rules

### Basic plans

In order to be Land Registry compliant, a basic plan must:

- Be drawn to, and show, its actual scale (preferably 1:1250 – 1:500 for urban properties and 1:2500 for rural properties)
- Show its orientation (for example, a north point)
- Not be reduced in scale (see below)
- Not be marked or referred to as being "for identification only" or include similar wording
- Not show statements or disclaimer used under the

Property Misdescriptions Act 1991

- Show sufficient detail that the property can be identified on the Ordnance Survey map

### Plans defining the property or land

In order to be Land Registry compliant, a plan defining specific property or land must:

- Show the property's general location by showing roads, road junctions or other landmarks
- Show the land or the property including any garage or garden, grounds or parking space or bin store
- Show buildings in their correct (or intended) position
- Show access drives or pathways if they form part of the property boundaries
- Show the land and property clearly (for example, by edging, colouring or hatching)
- Ensure that edgings are of a thickness that does not obscure any other detail
- Show all colours referred to in the relevant deed, with their extents clearly defined
- Show measurements in metric units only, to two decimal places (no imperial measurements)
- Show undefined boundaries accurately and, where necessary, by relevance to measurements
- Show measurements that correspond, so far as possible, to scaled measurements

### Deed plans

In order to be Land Registry compliant, a deeds plan (such as a floor plan) must:

- Show where the property falls in relation to the external footprint of the building and/or in relation to the surrounding detail on the Ordnance Survey map
- Show the extent of each floor level, if necessary by using separate plans
- For subsoil or airspace, show the level between which the land falls, or relate the land to Ordnance Survey Datum (mean sea level)
- Identify different floor levels (where appropriate)

- Show intricate boundaries such as the internal divisions in a building (possibly shown best on a separate plan at a larger scale such as 1:200)
- Show separate parts by suitable plan markings (house, garage, parking space, bin store, etc)
- Match up with the verbal description contained in the deed
- Correctly shows all markings referred to in the deed

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### **Growing (and shrinking) pains**

A plan which is a reduced or enlarged photocopy of an original will not be acceptable to the Land Registry. The best course of action is to get the people who produce your plans to let you have an electronic version – so you can print more off at a later date. But be careful when printing not to reduce the size of the plan to fit the size of the paper.

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### **Paperwork**

If your building contract requires the contractor to provide you with conveyancing plans – it would be as well to specify in the contract that such plans must comply with the requirements of the Land Registry at the time the development finishes.

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### **If you only remember 5 things, remember these 5 things**

1. The Land Registry has a detailed list of requirements when it comes to how plans are drawn up.
2. Plans that don't comply with the Land Registry's requirements will be rejected by the Land Registry, and it may not be possible to register the transaction to which they relate.
3. Make sure that anyone drawing up plans for you has a copy of this leaflet.
4. If your contractor is required to provide you with conveyancing plans, you should specify in the building contract that such plans will be in accordance with the Land Registry requirements.

5. Further information can be found in Land Registry Practice Guide 40 (or, of course, from us).

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### **Vaguely relevant facts**

- The earliest surveying map of the world is the 'Babylonian World Map', which dates from around 600BC. It is non Land Registry compliant in a number of respects – the most crucial being that it was not an accurate representation of the physical world – not to mention the lack of a north point or a recognised scale.
- Baldrick's well-known catchphrase 'I have a cunning plan' was not, in fact, regularly used until the third Blackadder series.

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## ...little bits of law

This is one in a series of leaflets published by Lewis Silkin LLP, providing information on a range of legal issues that face our developer clients. Other topics discussed range from boundaries to wildlife.

Professional advice should be obtained before applying the information on this client guide to particular circumstances.

For a full list of available leaflets, please visit our website or contact [patrick.brown@lewisilkin.com](mailto:patrick.brown@lewisilkin.com).

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