

## Planning Ahead - have you carried out works to your home since you bought it?

There are many things to think about when marketing your property for sale. One aspect that may not immediately come to mind is the work that you may have carried out to your home since you bought it.

Most of us know that certain alterations or improvements to a house need prior permission from the Planning and Building Department and that in some cases they must be signed off as complete by a Building Control officer.

Prospective buyers will make enquiries designed to ensure that all works carried out at your property within the previous 8 years have received the necessary permissions and that they have been completed to an appropriate standard. This will be of interest not only to the buyers but also to their lender if they are taking a mortgage.

Investigations will be made by the buyer's lawyers both through questions to the seller, and by asking Planning to provide a report about the property. Any outstanding Planning matters should be unearthed as a result of these enquiries and will have to be addressed.

Sellers must therefore be proactive and if they are aware of outstanding Planning matters, they should ensure that they deal with them as soon as possible to avoid delays or issues with their transaction.

If a seller fails to resolve an outstanding Planning issue it will more than likely result in them having to contact the Planning Department to obtain the requisite permissions or completion certificates.

In some cases this could mean making a retrospective planning application (involving double the original application fee) or arranging for a building control officer to inspect the work and issue a completion certificate. Therefore, when putting your home up for sale you should think about any works that you have carried out to it and check whether the appropriate permissions and certificates were obtained.

You must also appreciate that there may be restrictions connected with your title that affect your proposed work.

Before carrying out any major work to your home you should consult with your lawyers to ensure that there are no contractual provisions or common law principles which could affect your plans. It is essential that you do not assume that so long as Planning permission has been obtained you can go ahead, as there may be legal points such as boundaries, building restrictions, access rights and encroachments to consider.

A diligent estate agent or lawyer should ask whether you have carried out any works to the property and, if so, what they were. Your answers to these questions will help them to deal with your sale as smoothly as possible and pre-empt any buyer's questions that may arise. It will also be useful if you have all relevant paperwork to hand as this will save time in the event that prospective buyers require copies.

If you have any questions or concerns relating to Planning matters or works that you have carried out your agent and lawyer should be able to provide you with answers or put you in contact with a person who can assist you. Always make the most of their expertise by talking to them about anything that might impact on your sale - they are there to help you.

*For an informal chat please do not hesitate to contact our property team on +44 1534 514056 or Graham Hoare at **Broadlands** on 880770 or +44 7797 765036.*

*The information and expressions of opinion contained in this guide are not intended to be a comprehensive study or to provide legal advice and should not be treated as a substitute for specific advice concerning individual situations.*

# Contact Us

For a friendly chat call the residential property team on

Ogier uses cookies to help us improve our services and to enhance your experience of our site. By continuing to browse the site you are agreeing to our use of cookies. For more details about cookies and how to manage them, see our [cookie policy](#)

× Accept and close