



## **Property Boundary Dispute Avoidance**

Boundaries can very often become a contentious issue between neighbours. I make no apologies for referring back to this subject, which I wrote about last year. In that article I covered land registry plans, their purpose and preparation. Here I will refer to more general matters relating to the limits of the extent of your property.

The land registry compliant plan (Title plan) merely shows the general extent of the boundary of your property and whilst, more often than not, it is straight forward to identify your boundary line from this plan it is not to be taken as a definitive plan, despite having originally been drawn to a specific scale. These scales can become distorted when plans are scanned, emailed or copied between parties.

On a number of occasions I have been asked to make a follow up visit to a property where I have originally undertaken the preparation of such plans. The purpose of the second visit is to have a meeting between all parties i.e. myself, seller and buyer of adjoining blocks of land or the two buyers where a piece of land is being split into two. At this meeting all parties will identify and agree the boundaries and a plan can be prepared showing the actual measurements of the plot. This may be considered a sufficient requirement, however you may feel that you want to have the boundaries “determined” by identification of permanent features, the nature of the boundary line, be it a wall, hedge or post and rail fence. Responsibility for maintenance and repair can also be covered in a boundary agreement. A verbal statement and the preparation of an additional plan with measurements may be considered prudent. Your conveyancer will be able to advise you relating to the registration of documentation once prepared.

Matters of dispute relating to boundaries can become very involved and expensive to resolve if the matter goes to Court. The time and cost involved in having additional documentation drawn up and plans prepared can save a great deal of distress in the long term so it may well be worth having a simple boundary agreement prepared upon the first transfer or when you are moving in to a different property.

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