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WHAT IS THE DIFFERENCE BETWEEN BUILDING PLANS AND SECTIONAL TITLE PLANS?

A building plan usually reflects all the details of the proposed building, including but not limited to the height, width, floor area, position of doors and windows etc. Current legislation requires that no erection, addition or extension of an existing building may be done without the approval of the local authority. Thus, all plans for new buildings, as well as the plans for the construction or addition to existing buildings, must be drawn up by an architect or draftsman appointed by the registered owner of the property and submitted to the local authority for approval before it can be built. In practice this does not happen and transactions are delayed or disputes arise due to building plans not reflecting all structures on the property. Currently, the seller is not obliged to provide updated approved plans unless it is contractually agreed by the parties or required by the bank granting the loan.

A sectional title plan shows the layout or outline of buildings of an existing or proposed sectional title scheme. Sectional title plans are drawn up by a surveyor. The plan is registered at the offices of the Surveyor-General. All sectional title developments, including a duet, must have both approved building plans and sectional title plans.

If owners wish to make any change in the structure of a building in a sectional title scheme, they must be aware of the fact that both the building plan and the sectional plan must be amended, approved and duly registered. Therefore, it is important to consult an architect, surveyor and conveyancer before starting the alteration of the building.