

Party Wall Act

The *Party Wall etc Act 1996* provides a guide for preventing and settling disagreements concerning party walls, boundary walls and excavations near adjoining buildings. Any building owner planning on starting building work covered by the Act must notify neighbouring owners of their intentions. If they fail to do so, adjoining owners can obtain an injunction on the building work or require you to pay for legal fees and damages.



A party wall is a dividing partition between two adjacent buildings that is shared by the residents of each property.



NOTE: The Party Wall Act is separate from obtaining planning permission or building regulations approval.

Jobs covered under the Act:

- ✔ Having an **extension**
- ✔ Taking out **chimney breasts** on the Party Wall.
- ✔ Having a **loft conversion**.
- ✔ Carrying out works to a **Party Wall**
- ✔ **Digging** within 3 to 6 metres of your neighbour's property
- ✔ Building on the **boundary line**
- ✔ **Repairs** to Party Fence Walls

Your *options* as an adjoining owner:

- A. **Consent** to the notice
- B. **Dissent** from the notice and **appoint a Buildings Owner surveyor** ('the Agreed Surveyor'). You can agree to use the same surveyor or individually appoint your own. A Party Wall Award can be prepared to put in place between both the parties.
- C. **Dissent** from the Notice and **appoint your own surveyor**. If either adjoining owners appoints their own surveyor, you are obligated to pay for their surveyors' costs as well as your own.

The surveyors will look at specific points in the dispute but also try to minimise risk and inconvenience. Once both owners agree, a Party Wall Act Award is signed by the surveyors and served to the owners.



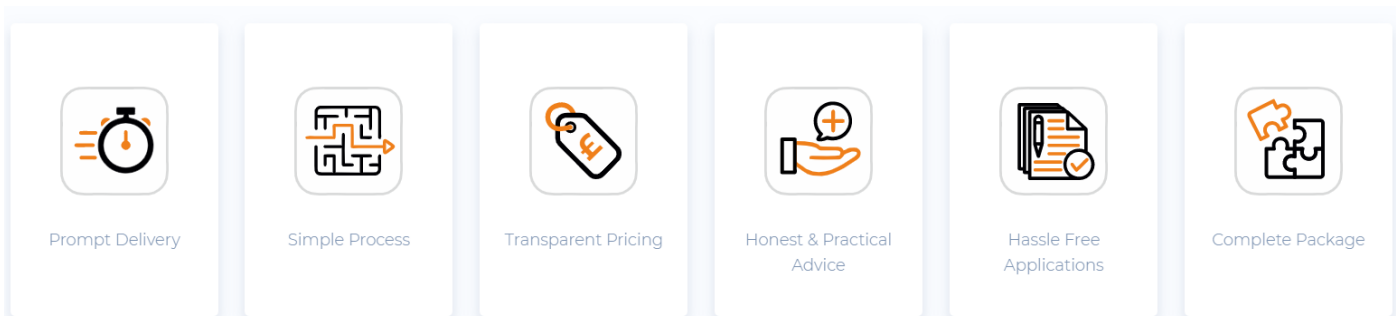
The Party Wall notices can be prepared by the owner themselves or **our team** at **ProDesign** can do them too for a small charge.

This is separate to planning, so they can't object to any build on your land unless it affects the structural stability of the wall, their property or outbuildings.

If the builders would need access through their land, and this is the only way to complete the work, then they are required to give access by the act too.



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Email: info@pro-design.uk

Tel: 0115 8547 397

Mob: 07967 205 642


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