

Party Wall Advice – Extensions and Alterations

The Party Wall etc. Act 1996 (*hereafter "the Act"*) provides a legal framework by which potential disputes relating to building works affecting a Party Wall can be resolved without recourse to legal action.

Essentially it is an enabling Act that allows building owners to undertake lawful works to their property whilst protecting the interests and rights of the adjoining (neighbouring) owners.



Under the Act, building owners are required to serve notice to the adjoining owners in advance of their intention to undertake certain works. These works are stipulated within the Act and are set out in general terms in this advice leaflet. The adjoining owners can then consent or dissent to the works and in the case of the latter both parties are required to appoint surveyors to draft an 'Award' specifying how the works will be undertaken.

What is a Party Wall?

The Act recognises two main types of Party Wall:

The first definition includes a wall which stands astride the boundary of two separately owned properties whether it is part of one building or separates two or more buildings. A Party Fence Wall is one which stands astride the land boundary but is not part of the main building.

Secondly, a wall is also considered a "party wall" if it stands wholly on one owner's land, but is used by two (or more) owners to separate their buildings. An example would be where one person has built the wall in the first place, and another has built their building up against it without constructing their own wall.

What is covered by the Party Wall Act?

The Party Wall Act prescribes a number of works that can be completed with the written agreement of the adjoining owner including the following:

- Various works to an existing Party Wall structure including cutting into, raising, demolishing and rebuilding or underpinning the wall
- Building a new wall on the line of junction between two properties

- Excavating foundations within three metres of an adjoining structure and lower than its foundations
- Excavating foundations within six metres of an adjoining structure and below a line drawn down at 45° from the bottom of its foundations

If you are an adjoining owner and have received notice from your neighbour dissenting the works allows you to appoint your own surveyor to ensure your rights under the Act are fully protected. In the majority of cases any associated professional fees are the responsibility of the building owner.



Head of Party Wall

James Holmes MRICS MFPWS

Director

M:07887 711 680

O:0208 977 9062

E:james@wonnacotts.com

Party Wall Services

The Wonnacott Partnership have a team of experienced Party Wall Surveyors who can advise you as either Building Owners or Adjoining Owners Surveyor. We are able to complete all required statutory notices, responses and agree an “Award” on your behalf enabling the project to proceed.

If you are a building owner planning works to a Party Wall this ensures you are fully compliant with the Act and reduces the risk of any costly and time consuming disputes.

Head Office

Upper Floors
4 York Street
Twickenham
Middlesex
TW1 3LD

Tel: 0208 977 9062

www.wonnacotts.com

