

Any property owner, which may include tenants and developers, intending to undertake repairs, improvements or alterations to an existing property or development should be mindful of that such work may be subject to the requirements of the Party Wall etc. act 1996.

The Act does not only concern works to party walls but also construction work on or in close proximity to the boundary between adjoining properties. The Act, for example, regulates excavations at particular depths within certain distances of adjoining buildings even where no party wall is present. Furthermore, the Act also regulates work to certain types of structure situated on the land of entirely on the land of one of two neighbouring owners.

The Act facilitates construction operations in the vicinity of boundaries partly by providing a procedural framework which ensures that neighbouring owners are notified of impending construction works but also by granting rights to property owners which entitle them to interfere with the land and structures belonging to the neighbouring owners.

The appointment of a Party Wall surveyor is a statutory one and one that is independent of instructions from the appointing party. Where surveyors have been appointed their primary role is to balance the interests of the two appointing parties and specifically to ensure that the building owner is able to exercise his or her rights under the Act, but only in such a way that unnecessary inconvenience is not caused to adjoining owners and occupiers. This is achieved by the surveyors defining in an Award the detail of the work which may be lawfully carried out under the Act and by the subsequent monitoring of operations to ensure compliance with the award.

How Stiles Harold Williams Can Assist

We have extensive experience of being appointed for both building owners and adjoining owners. Our thorough understanding of the Act enables us to ensure, in the roles as Party Wall surveyors, our appointing owners are fully advised of their rights and the likely implications of the works that are the subject of a Party Wall award. Such advice should reduce disputes between neighbouring owners when construction works are in progress.

For further information contact:

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