



Your Party Wall Pack

Guidance

Navigating Party Wall Notices: A Beginner's Guide

Embarking on a significant renovation project can be an exciting venture, especially when it involves transforming your living space with an extension or loft conversion. However, if you're nestled close to your neighbours, you might find yourself navigating the complexities of the Party Wall Act. But fear not! We've crafted this guide to demystify the process, ensuring you're well-equipped to secure the necessary legal clearances to bring your vision to life.

Remember, our doors (and inboxes) are always open for a chat if you find yourself tangled in confusion after reading through this guide.

Understanding Party Wall Agreements: The Essentials

A party wall typically refers to a shared wall, boundary, or outbuilding between two properties. This concept is most commonly encountered in terraced or semi-detached homes, though it's not unheard of for detached property owners to share a garden wall or an unseen boundary line.

[Should your renovation plans include work on a party wall, or if you're considering excavation close to your neighbour's property \(within 3 to 6 metres, depending on the foundation depth\), it's crucial to secure consent from the impacted neighbours well in advance—specifically, two months before construction kicks off.](#)

Gaining approval involves issuing a 'party wall notice.' If your neighbour gives the green light in writing, you can proceed without a formal 'party wall award.' However, we always recommend conducting a photographic survey of the neighbouring property as a precautionary measure. This documentation can be invaluable should any structural disputes arise later on.

In instances where your neighbour does not consent to the notice, the next step is to appoint one or possibly two party wall surveyors to draft a 'party wall agreement' and finalise the award.

Pro Tip: Opting for a mutually agreed-upon surveyor can be more cost-effective. Although the financial responsibility falls on you, this approach often results in savings.

The Process of Issuing a Party Wall Notice

You have the option to serve a party wall notice yourself or enlist a party wall surveyor for a flat fee. The necessary forms and a letter of acknowledgment for your neighbour are readily available online.

While handling the notice personally is more budget-friendly, we advocate for professional assistance to sidestep common pitfalls, such as overlooking affected parties (e.g., forgetting to notify a freeholder) or providing insufficient project details.

Remember: Construction can only commence two months and one day after securing written consent or finalising your award. For excavation projects, this timeline is slightly shorter.

If Your Neighbors Consent...

Upon serving the party wall notice, your neighbours have fourteen days to respond. Ideally, they'll agree in writing, subject to the condition that any resultant damage will be rectified. This scenario allows you to proceed without a party wall award. Nonetheless, documenting the current state of the adjacent property through photographs is advisable, offering a reference point should any disputes arise later.

Facing Rejection...

If your neighbour either rejects your proposal or fails to respond, you're legally obligated to pursue a 'party wall agreement' to obtain the necessary award. This involves appointing an agreed surveyor to represent both parties. Should disagreements prevent the selection of a mutual surveyor, your neighbour has the right to appoint a second surveyor.

Crafting a Party Wall Agreement

A comprehensive party wall agreement should outline the execution plan for the proposed works, include a "schedule of condition" of the adjoining property, and be supported by architectural drawings.

Maximising Your Project's Success Rate

To smooth over the party wall notice process and foster neighbourly goodwill, consider these tips:

- **Be Neighborly:** A personal visit to explain your plans can go a long way in mitigating concerns and fostering support.
- **Stay Informed:** Beware of 'ambulance-chasing' surveyors who might incite your neighbours to oppose your notice for their gain.
- **Provide Details:** When discussing your project with neighbours, having the contact information of your party wall surveyor or architect handy can help address any technical concerns they might have.

By approaching the party wall notice process with understanding, preparation, and a touch of diplomacy, you can pave the way for a smoother renovation journey.

Party Structure Notice

Dave Chamberlain

Peter Testington
1 Example Street, Exampleton, Niceplace EX1 AM2

26/03/2024

Dear Peter Testington,

The Party Wall etc. Act 1996 Notice of proposed works under section 2 of the Act - Party Structure Notice

As the owners of which is adjacent to your property at 1 Example Street, Exampleton, Niceplace EX1 AM2, we Dave Chamberlain, , , of notify you that within our rights under the Party Wall etc. Act 1996 we intend to carry out building works.

Further information about the Act can be found in the explanatory booklet available to download from:

<https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>

Will the work involve special foundations? (relevant information enclosed if required): No

We intend to start work on or after **02/04/2024**

If you are content for the work to go ahead as proposed, please complete, sign and return the attached letter within 14 days of receiving this letter.

If you do not confirm in writing that you are content for the works to go ahead as described, we will be 'in dispute' under the Act.

In the event of any dispute between us under the Act, would you be willing to agree to the appointment of an 'Agreed Surveyor'?

If the answer is yes, we can provide the details of our preferred surveyor below, but would be happy to receive your alternative proposal. If the answer is no, please let us know who you would like to appoint as your surveyor.

Yours Sincerely,

Dave Chamberlain
26/03/2024

Preferred Surveyor (if available):
at ,

Dave Chamberlain

Dear Dave Chamberlain,

**The Party Wall etc. Act 1996
Acknowledgement of Notice**

As adjoining owner of Dave Chamberlain, , , and having received notice dated 26/03/2024 in respect of the proposed works at and without prejudice to any of my rights under the Act,

Please tick the appropriate box

I am content for the works set out in your notice to go ahead as proposed

OR

I am not content for the works set out in your notice to go ahead as proposed and concur in the appointment of {{Surveyor Name}} at {{Surveyor Address}} to act as Agreed Surveyor

OR

I am not content for the works set out in your notice to go ahead as proposed and appoint the surveyor detailed below.

Surveyor Name:

Surveyor Contact Details:

Sincerely,

(Please note all adjoining neighbours should sign)

Date:


Notice of Adjacent Excavation

Dave Chamberlain

Steve Realguy
123 Notfake Road, Realton, Realville RE1 AL2

26/03/2024

Dear Steve Realguy,

The Party Wall etc. Act 1996
Notice of proposed works under section 2 of the Act - Party Structure Notice

As the owners of which is adjacent to your property at 123 Notfake Road, Realton, Realville RE1 AL2, we Dave Chamberlain, , , of notify you that within our rights under the Party Wall etc. Act 1996 we intend to carry out building works.

Further information about the Act can be found in the explanatory booklet available to download from:

<https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>

Will the work involve special foundations? (relevant information enclosed if required): No

We intend to start work on or after **27/03/2024**

If you are content for the work to go ahead as proposed, please complete, sign and return the attached letter within 14 days of receiving this letter.

If you do not confirm in writing that you are content for the works to go ahead as described, we will be 'in dispute' under the Act.

In the event of any dispute between us under the Act, would you be willing to agree to the appointment of an 'Agreed Surveyor'?

If the answer is yes, we can provide the details of our preferred surveyor below, but would be happy to receive your alternative proposal. If the answer is no, please let us know who you would like to appoint as your surveyor.

Yours Sincerely,

Dave Chamberlain
26/03/2024

Preferred Surveyor (if available):
at ,

Dave Chamberlain

Dear Dave Chamberlain,

**The Party Wall etc. Act 1996
Acknowledgement of Notice**

As adjoining owner of Dave Chamberlain, , , and having received notice dated 26/03/2024 in respect of the proposed works at and without prejudice to any of my rights under the Act,

Please tick the appropriate box

I am content for the works set out in your notice to go ahead as proposed

OR

I am not content for the works set out in your notice to go ahead as proposed and concur in the appointment of {{Surveyor Name}} at {{Surveyor Address}} to act as Agreed Surveyor

OR

I am not content for the works set out in your notice to go ahead as proposed and appoint the surveyor detailed below.

Surveyor Name:

Surveyor Contact Details:

Sincerely,

(Please note all adjoining neighbours should sign)

Date: