# Guide to Building Works & The Party Wall Act

Party Wall etc. Act 1996:
www.gov.uk/guidance/party-wall-etc-act-1996-guidance#explanatory-booklet



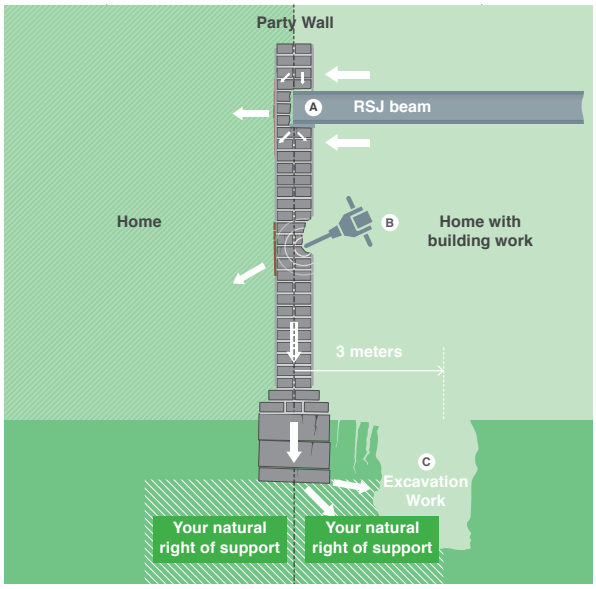
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Ref: P&P Info Party Wall Issue 2.1 8/3/22

# If you are carrying out building work – usually a loft conversion or ground floor extension – you may need to comply with the Party Wall Act.

In England and Wales, there is legislation in place to protect party walls when building work takes place. The Party Wall etc. Act 1996 requires that you notify any affected neighbours before starting work and, under certain circumstances, requires a Party Wall Survey. Usually you, as the person carrying out the building work, are responsible for paying the fees.

**How can a party wall be damaged?**
There are three common ways a party wall is damaged during building work. The first is RSJ beams causing plaster on the other side of the wall to crack, blow or fall away (see A). RSJs are often used in loft conversions. Secondly jack hammering – where heavy vibrations can sometimes cause plasterwork to crack (see B). Jack hammers are often used when removing chimney breasts. Lastly, excavating close to neighbour's buildings causing the earth around the foundations to shift (see C). In order to carry out such works, you need to temporarily remove your neighbour's 'natural right of support' which the soil on your land provides. Excavation work is generally undertaken for ground floor extensions.




**What does a Party Wall Surveyor do?**
By undertaking a Party Wall Survey, you are reducing the risk of the wall being damaged and unreasonable claims from neighbours. A Pearce & Pearce Party Wall Surveyor carries out the following:

i) Reviews your proposals and determines a suitable 'method and manner' for carrying out the work to minimise the risk of damage occurring in the first place.

ii) Records the pre-works condition of your neighbour's side of the wall (existing damage or defects). Photographs are taken which may be used to resolve disputes if damage is alledged.

iii) Serves a 'Party Wall Award' (sometimes called a 'Party Wall Agreement') to authorise your building work under the Party Wall Act. This sets out your rights and responsibilities during the work, such as your access rights on neighbouring land.

iv) The 'Party Wall Award' will include a copy of the written survey of your neighbour's property and is held on our files (with the accompanying photographs) for a minimum of 10 years.

**Good neighbours stay good friends**
A good surveyor understands the nuances of maintaining good relationships between neighbours. Pearce & Pearce have honed this skill with over 2000 Party Wall surveys. Before you employ our services, you may want to speak with your neighbour. They may already have a Party Wall Surveyor in mind who can also represent you. If not, we would be delighted to act for both you and your neighbour.



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**How much does this cost?**
Party Wall Surveyor's fees will vary depending on the scope of the works but are **typically between £900 and £1400+VAT.** Notice periods are one month for digging works (ground floor extensions) and two months for works to the Party Wall (loft conversions, chimney breast removal).The best way to limit costs is for both owners to use the same surveyor, which the Government and organisations with an interest in the Party Wall Act recommend. A Party Wall surveyor is obligated to remain impartial. We can serve the initial Notices free of charge. We can either prepare these for you to serve yourself, or can serve them in the post on your behalf. Further information concerning this service can be found at www.pearceandpearce.co.uk/services/party-wall-surveyor/free-party-wall-notices/

**Information on the Party Wall Act**
Full information on the Party Wall Act can be found at
www.gov.uk/guidance/party-wall-etc-act-1996-guidance#explanatory-booklet
However, we would like to highlight some specific areas which may be of use to you. These are:

- The Party Wall Act applies to structural work to shared 'Party Walls' between properties and/or new walls built at or astride the boundary of adjoining properties.

- The Party Wall Act is also applicable if excavation is carried out within 3 metres of any neighbouring buildings, which includes detached properties without Party Walls.

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If you require more detailed information please call Pearce & Pearce between 9am – 5.30pm.

I would delighed to help.

Yours,

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Managing Director

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