



Which party wall notices do I have to serve?

- **Party Structure notice** – This notice is to be served to gain consent from the owner of your neighboring property to undertake construction works on the party (shared) wall separating your properties. These works include removing the chimney breast or cap, inserting a steel beam and any other works that affect the shared wall.
- **Notice for excavation** - This notice is to be served to gain consent from the owner of your neighboring property to excavate for foundations to a greater depth than their foundations if you are within 3m of their structure. Generally, properties constructed prior to 1950 were constructed with foundations which are shallower than the required depth of current foundations. For this reason, this notice is required to be served in most cases when you are excavating for foundations within 3m of your neighboring structure.
- **Line of Junction Notice** - This notice is to be served to gain consent from the owner of your neighbouring property to build your extension flush with the boundary line or directly astride the boundary line separating your properties. If you receive consent to build astride the boundary line, this wall can be used as a shared wall by your neighbour in the future if they wish to extend.

For any additional information relating to party wall notices please speak with a party wall surveyor

Why do I need to serve party wall notices?

Party wall notices are a legally required to be served to your neighboring properties before commencement of construction if you will be affecting a shared wall, excavating within 3m of your neighbors foundations or if you intend to construct a new wall astride the boundary line separating your properties.

This is to ensure you have received consent from the owner of your neighboring to undertake construction works that could potentially affect their property. If construction works commence without first receiving consent in the form of a party wall notice your neighbors could take legal action.

How long do the party wall notices remain valid?

The party wall notices remain valid for 1 year from the date they were signed. If construction hasn't commenced within one year of receiving the signed consent you will be required to serve a new notice to your neighbors.

How much does a party wall surveyor cost?



EXTENSION PLANS

If your neighbors' dissent to the notice you will be required to appoint a party wall surveyor to agree a party wall award before construction can begin. There are a large number of factors which would affect the fee charged by a party wall surveyor and can range from £500 to roughly £3000. As the property owner, you are responsible for the fees of your own party wall surveyor and the party wall surveyor appointed by a neighboring property

Is there an alternate option to appointing a party wall surveyor if my neighbor is concerned?

If you think your neighbor will dissent to the notice you have served you can offer an alternate, cheaper solution that may alleviate your neighbor's concerns, called a schedule of conditions report. This involves appointing a party wall surveyor who will visit and survey your neighboring property pre and post construction to ensure no damage has occurred to your neighbor's property as a result of your construction works. The party wall surveyor will visit the property to take pictures and write a report to show the condition of the property before and after construction works. A schedule of conditions report would cost in the region of £500 and can be a cheaper, faster solution than appointing a party wall surveyor to agree a full party wall award, which would be required if your neighbor dissents to the party wall notice.

What if I do not receive a response to the party wall notice?

If you do not receive a response to your party wall notice within 14 days of serving you are in dispute under the act. In this case you would be required to appoint a party wall surveyor in order to proceed.

What if my neighboring property is rented?

Party wall notices are to be served to the owner of the property and any long-term tenants. A long-term tenant is generally categorized as somebody living in the property for more than 1 year. The details of the property owner can be attained from the Land Registry website - https://eservices.landregistry.gov.uk/eservices/FindAProperty/view/QuickEnquiryInit.do?_ga=2.184524774.19709775.1590669767-308473180.1585651022

What if my property neighboring property is owned by the council?

If your neighboring property is owned by the council you will be required to serve the notice to the housing department at the council. The council in most cases will request the appointment of a surveyor to agree a party wall award before you are able to start construction works.

Party wall notices are a legal requirement, if you are unsure about serving party wall notices please speak with a party wall surveyor to request, they serve the notices on your behalf.