

The Party Wall Act

The Party Wall Act is nothing to do with building regulations, but: -

The Act provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

An adjoining owner can agree or disagree with what is proposed. Where there is disagreement, the Act provides for the resolution of disputes.

If you intend to carry out building work which involves:

- work on an existing wall shared with another property
- building on the boundary with a neighbouring property
- excavating near a neighbouring building

you should find out whether that work falls within the scope of the Act. If it does, you must serve the statutory notice on all those defined by the Act as adjoining owners. A notice must be given even where that work will not extend beyond the centre line of a party wall.

In case 1, a notice must be given at least two months before the planned start date for the work. In cases 2 and 3, the period for notice is one month.

You can get more information about the Act in a free booklet *The Party Wall etc. Act 1996: Explanatory Booklet* from the Communities and Local Government website at:

www.communities.gov.uk/publications/planningandbuilding/partywall

This booklet is only available for download.

Useful Contacts

If you are not sure whether the Act applies to the work that you are planning, you should seek professional advice.

The following professional bodies may be able to give you further assistance:

The Pyramus & Thisbe Club

Rathdale House, 30 Back Road, Rathfriland, BT34 5QF

Tel: 02840 632082

www.partywalls.org.uk

The Association of Building Engineers

Private Practice Register, Lutyens House, Billing Brook Road, Weston Favell, Northampton, NN3 8NW

Tel: 08451 261058

www.abe.org.uk

The Royal Institution of Chartered Surveyors

Technical Services Unit, 12 Great George Street, London, SW1P 3AD

Tel: 08703 331600

www.rics.org

Chartered Institute of Architectural Technologists

397 City Road, London, EC1V 1NH

Tel: 02072 782206

www.ciat.org.uk

The Royal Institute of British Architects (RIBA)

RIBA Client Services, 66 Portland Place, London, W1N 4AD

Tel: 02075 805533

www.architecture.com

Any advice given should not be seen as being endorsed by Hastings Borough Council.

Please remember that this act is separate from building control and planning legislation; reaching agreement with your neighbour under this act does not remove the possible need for planning permission or building regulations approval.

Large format and audio versions of this leaflet are available on request.

Please call 01424 451091.

Please note

This is one of a series of notes intended to give broad guidance suitable in most circumstances; we cannot guarantee that they will be appropriate in every instance.

If you need further advice please ask us, or have a look at The Building Regulations and Approved Documents (various), which can be viewed and printed from the Planning Portal website at www.planningportal.gov.uk.