



Matt's **PlanScope**

A CHARTERED SURVEYOR'S GUIDE

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# Party Wall Guide

*Plan, notify and protect your project.*

A practical, step-by-step guide to the Party Wall etc. Act 1996, written for UK homeowners by a Chartered Surveyor.

<b>PLAN</b> <i>Identify the Act</i>	<b>NOTIFY</b> <i>Serve correct notice</i>	<b>RESOLVE</b> <i>Award &amp; schedule</i>
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14 sections · 3 ready-to-use notice templates · UK Party Wall Act 1996

**By Matt Bright**

BSc (Hons) MRICS

*Chartered Building Surveyor*

## Plan it. Notify it. Protect it.

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Most homeowners only meet the Party Wall etc. Act 1996 once - and usually under deadline pressure. This guide tells you what to do, in what order, and what each step actually costs you in time and money.

It is written for the homeowner planning an extension, loft conversion, basement, or any structural work that touches a shared wall - not for lawyers.

### In the next 30 minutes, you will:

1. Work out whether the Act applies to your project.
2. Understand the 14-day response window and what dissent really means.
3. See realistic timescales - and where projects most often slip.
4. Learn what an Award covers and why a Schedule of Condition matters.
5. Get three plain-English notice templates ready to send.
6. Know the costs you will be asked to pay - and why.

#### IF YOU ARE SHORT ON TIME

Read Section 1 - Quick Start first. Then jump to Section 5 - Step-by-Step Process and use the template in Section 14 to serve notice. The Pre- and Post-Notice Checklists in Sections 12 and 13 will keep you on track.

#### ABOUT THE AUTHOR

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## Matt Bright

BSc (Hons) MRICS

Chartered Building Surveyor

Matt is a Chartered Building Surveyor and Member of the Royal Institution of Chartered Surveyors, with extensive experience of Party Wall matters, defects diagnosis and pre-purchase surveys on typical residential projects across the UK.



*“Most Party Wall problems aren't the works themselves - they're the wrong notice, served at the wrong time, with no record of the neighbour's property condition. This guide turns the process into the clear, ordered checklist it should be - in plain English, before you start.”*

## Do I need a Party Wall Notice?

A first sense-check before you read further. If your project matches any of the rows below, the Act will usually apply.

If you are doing...	You likely need...
Loft conversion with steel into a shared wall	<b>Yes - Party Wall Notice</b>
Internal decoration only	<b>No</b>
Excavating within 3 metres of a neighbour	<b>Yes</b>
Building on the boundary	<b>Yes</b>
Removing a chimney breast on a shared wall	<b>Yes</b>
Hanging shelves or replastering	<b>No</b>
Basement excavation under or near a neighbour	<b>Yes</b>

### SURVEYOR'S NOTE

If you are unsure, treat the Act as applying. Serving notice when in doubt is almost always cheaper than dealing with an injunction or claim later.

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## Quick Start Guide

*Does the Act apply to your project?*

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The Party Wall etc. Act 1996 applies more often than many homeowners realise. If you answer yes to any of the following, the Act is likely to apply and notice will usually need to be served.

### Four trigger questions

1. **Work on an existing wall** - are you cutting into a wall, floor, or structure shared with a neighbour (for example, inserting steel beams for a loft conversion or removing a chimney breast)?
2. **Building on the boundary** - are you building a new wall directly on the boundary line (the "Line of Junction") or astride it, sitting on both sides?
3. **Excavating nearby (3 metre rule)** - are you digging foundations within 3 metres of a neighbour's building or structure, where your new foundations will be deeper than theirs?
4. **Deep excavations (6 metre rule)** - are you digging within 6 metres of a neighbour's building where your excavation intersects a 45-degree plane drawn down from the base of their foundations?

FIGURE 4 · QUICK START FLOWCHART - DOES THE ACT APPLY?

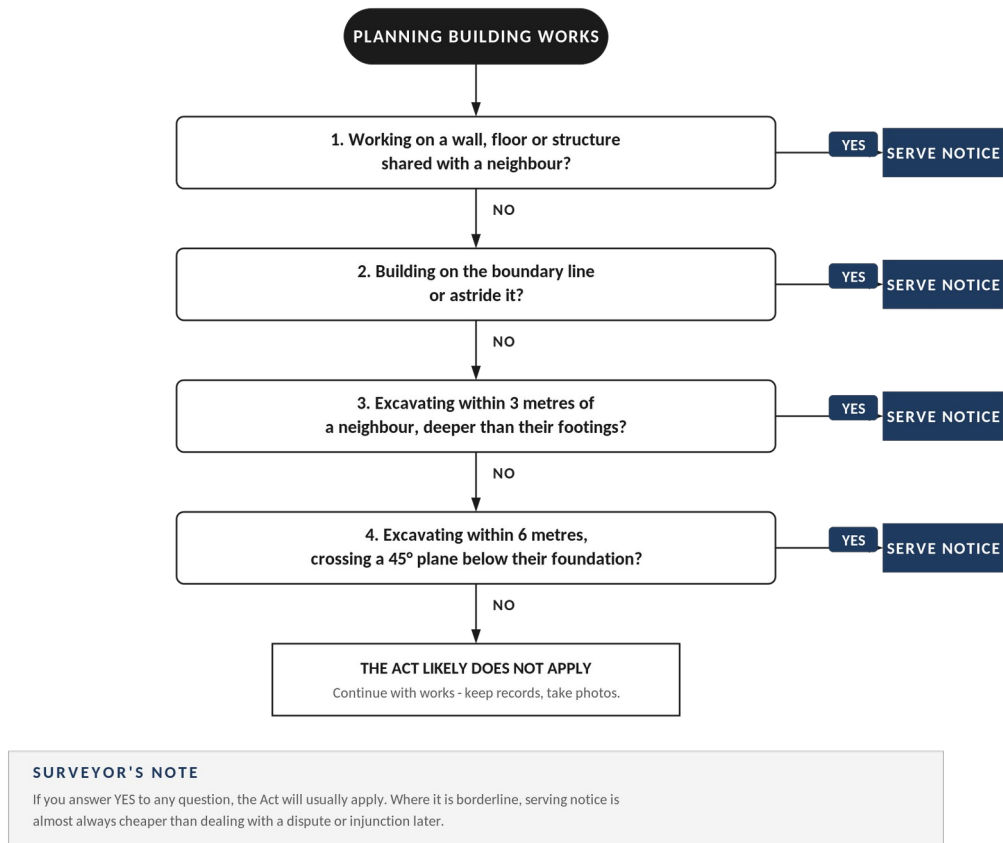


Figure 1 - Quick Start Flowchart

**SURVEYOR'S NOTE**

If any of these apply, the Act is likely to apply and notice should be served in most cases. Even where the answer is borderline, it is almost always cheaper to serve notice than to deal with a dispute later.

**WHAT TO DO TODAY**

Use these three steps to decide your next move:

Step 1 — **Do I need a Party Wall Notice?** Run through the four trigger questions above. If you answer “yes” to any one of them, the Act applies and a notice is needed.

Step 2 — **What type of notice?** Section 1 for a new wall on the boundary, Section 2 for works to an existing party wall, Section 6 for excavation near a neighbour. The table in Section 06 shows the notice period for each.

Step 3 — **What do I do next?** Confirm your adjoining owners (Section 12 checklist), copy the matching template from Section 14, and serve at least three months before your intended start date.

## When the Act Does Not Apply

*Avoiding unnecessary cost*

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To avoid unnecessary costs, it is helpful to understand when the Act will not usually apply.

1. **Internal renovations** - works that do not affect the structural integrity of a party wall, such as replastering, electrical works or decoration.
2. **Minor attachments** - fixing shelving, cupboards or similar items where the structure is not significantly cut into.
3. **Works at a distance** - building works carried out more than 6 metres away from neighbouring structures.
4. **Very minor repairs** - maintenance to your side of a wall that does not involve cutting into or weakening the structure.

Each situation should be considered carefully, as works that appear minor may still fall within the scope of the Act depending on how they are carried out.

### COMMON MISTAKE

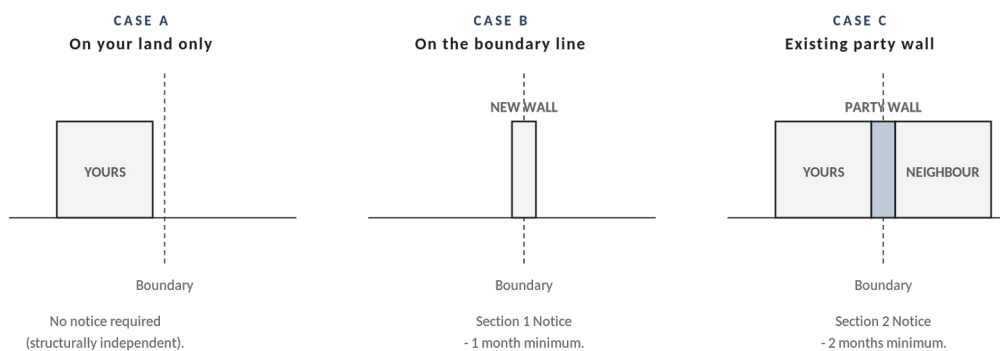
Assuming a chimney breast removal is “internal.” It is not - the chimney is part of the party structure and the Act applies. The same is true of most steel beams that bear onto a party wall, even if the wall is not visibly altered.

## What the Act Does (and Doesn't Do)

*Rights, duties, and surveyor impartiality*

1. **Rights, not permission** - the Act grants rights to carry out certain works, provided the correct procedure is followed. It does not remove your obligation to comply with the process.
2. **Conditional process** - you can proceed with works, but only once notice has been served and any dispute resolved.
3. **Mutual protection** - the Act protects neighbours from damage while also protecting you from unjustified claims.
4. **Impartial surveyors** - where surveyors are appointed, they act under statute and must remain impartial. Their role is to resolve disputes fairly, not to act as advocates for either party.

FIGURE 5 · PARTY WALL AND BOUNDARY EXPLAINED



### PRACTICAL NOTE

A "party wall" can be a wall built astride the boundary or a wall on one owner's land that another structure is enclosed against. The right notice depends on the relationship of the wall to the boundary.

Figure 2 - Party wall and boundary explained

### THE PRACTICAL RULE

The Act gives you a clear, statutory route to do your works. It does not give you permission to skip it. Following the process is what gives you the legal protection - not the works themselves.

## How Long Does the Process Take?

*Notice periods, dissent, and contingencies*

Timescales must be built into your project planning. Underestimating the notice period is one of the most common reasons for delayed starts on site.

1. **Notice period** - 1 to 2 months depending on the type of works.
2. **If a neighbour dissents** - allow an additional 4 to 8 weeks for surveyor appointment and Award preparation.
3. **Complex situations** - larger projects or multiple neighbours may extend this further.

FIGURE 2 · TYPICAL PARTY WALL PROCESS TIMELINE

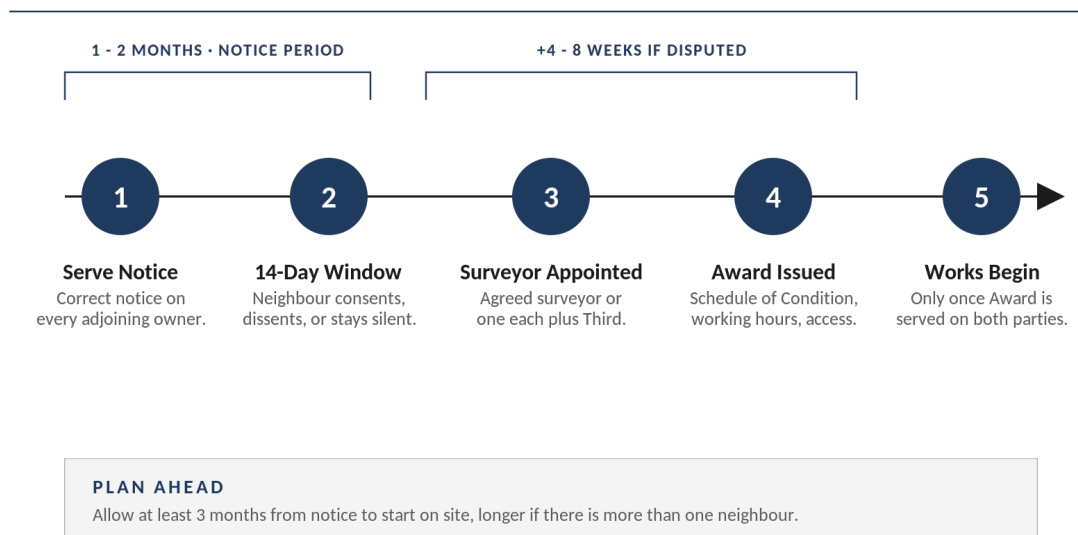


Figure 3 - Typical Party Wall process timeline

### PRACTICAL ADVICE

Serve notices at least 3 months before your intended start date. This builds in contingency for any dispute, surveyor appointments and the production of an Award - and avoids the most common cause of contractor stand-down charges.

#### **WHAT TO DO TODAY**

Build a realistic Party Wall window into your project programme:

1. Confirm your contractor's earliest realistic start date.
2. Count back 3 months — that is the date your notice should be served.
3. Calendar the 14-day response window and a reminder for day 12.
4. Add a 4 to 8 week contingency for any dispute and Award.

## Step-by-Step Process

*From identification to Award - with mistakes to avoid*

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### STEP 1 Identify if the Act applies

Review architectural and structural drawings carefully alongside your contractor or designer. Most extensions and loft conversions will trigger the Act, particularly where steelwork bears onto a party wall, where a chimney breast is removed, or where new foundations sit close to a neighbouring structure.

#### WHAT YOU NEED

- Architect's plans showing wall types, footings, and proximity to boundaries.
- Structural engineer's calculations or design notes for any beams, padstones or excavations.
- Land Registry title plan, to confirm the legal boundary.

#### WHAT HOMEOWNERS GET WRONG

- Treating a "garden wall" as outside the Act when it sits on the boundary - it is still a party fence wall.
- Forgetting that loft steels nearly always bear onto a party wall.

#### WHERE DELAYS HAPPEN

Drawings change late in design. Re-issue notice if the proposed works change in any structural way before you start - the original notice is not a blank cheque.

FIGURE 1 · THE 3 METRE AND 6 METRE RULES

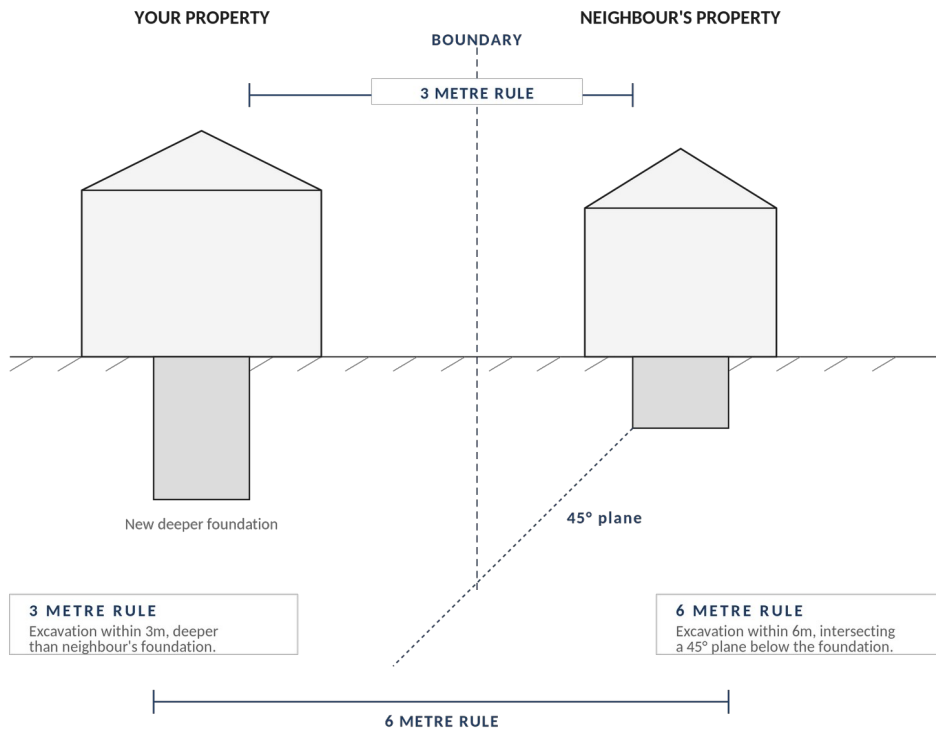


Figure 4 - The 3 metre and 6 metre rules

## STEP 2 Serve a Party Wall Notice

A formal written notice must be served on all relevant Adjoining Owners. This may include both freeholders and leaseholders, and in some cases more than one neighbour for the same wall.

### THE NOTICE MUST INCLUDE

1. Your full name and the address of the property where works are proposed.
2. A clear, plain-English description of the works.
3. The proposed start date, no earlier than the statutory notice period (1 or 2 months).
4. Drawings where required, particularly for excavations under Section 6.
5. A signed statement and the date of service.

### WHAT HOMEOWNERS GET WRONG

- Sending notice only to the freeholder where there is also a leaseholder in occupation - both must be served.
- Hand-delivering without proof of delivery; use Recorded Delivery or get a signed acknowledgement.
- Setting a start date inside the statutory notice period, which makes the notice invalid.

### WHERE DELAYS HAPPEN

Notices served just before a contractor's start date almost always cause delay. Plan to serve at least three months before site begins.

### STEP 3 Wait for the response

Neighbours have 14 days to respond. There are two outcomes:

1. **Consent** - works can proceed. A Schedule of Condition is strongly recommended to protect both parties.
2. **Dissent or no response** - a dispute is deemed to have arisen under the Act and surveyors must be appointed.

#### WHAT HOMEOWNERS GET WRONG

- Treating silence as agreement. Silence after 14 days is a deemed dissent under Section 5.
- Skipping the Schedule of Condition because the neighbour was friendly. The friendliest neighbour can sell next year - and the new owner can claim damage you cannot disprove.

#### WHERE DELAYS HAPPEN

Neighbours often want to discuss before responding. Build in time for a phone call or a coffee - it usually shortens the process overall.

### STEP 4 Appoint surveyor(s)

If a dispute arises, the parties have two options:

1. **One Agreed Surveyor** may be appointed to act for both owners, which is generally the most cost-effective route.
2. **Each party appoints their own surveyor**, with a Third Surveyor selected to resolve any disagreement between them.

#### WHAT YOU ARE PAYING FOR

- Inspection of both properties and the proposed works.
- Drafting and serving the Award.
- Producing the Schedule of Condition.
- Time spent agreeing protective measures, working hours, and access.

#### WHERE DELAYS HAPPEN

Difficulty agreeing a single Agreed Surveyor is the most common cause of escalation to two surveyors. Suggest two or three names early; let the neighbour pick from your list.

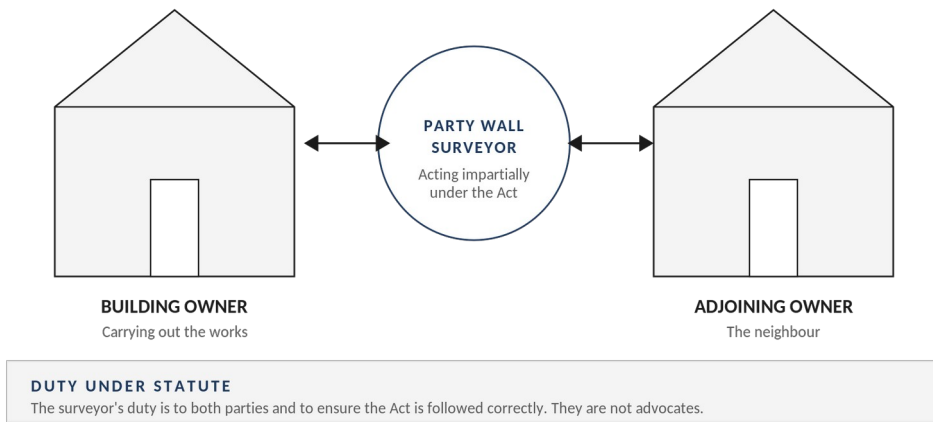


Figure 5 - The role of the Party Wall Surveyor

## STEP 5 Receive the Party Wall Award


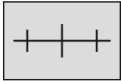
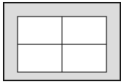
The surveyor or surveyors produce a document known as an Award (sometimes informally referred to as a Party Wall Agreement). The Award sets out:

1. How the work will be carried out.
2. Working hours and access arrangements.
3. Protective measures to prevent damage.
4. A Schedule of Condition recording the state of the adjoining property.
5. Provisions for resolving any damage that occurs during the works.

**FIGURE 6 · SCHEDULE OF CONDITION - EXAMPLE EXTRACT**

Property: 12 Example Road, London

Inspection date: 15 May 2026 · Inspected by: M. Bright BSc (Hons) · MRICS

REF	PHOTO	LOCATION	DESCRIPTION OF EXISTING CONDITION
01		<b>Rear elevation</b> Above kitchen window	Hairline diagonal crack to render, approximately 350 mm long, no displacement. Pre-existing.
02		<b>Boundary wall</b> Garden, west elevation	Frost damage to upper three courses; loose pointing across approximately 1.2 m of brickwork.
03		<b>Internal hallway</b> Adjoining party wall	Decorative finish in good condition; no visible cracking or movement at time of survey.

**WHY IT MATTERS**

A photograph-led record of pre-existing conditions agreed by both surveyors before works begin.

*Figure 6 - Schedule of Condition (example extract)*

**IMPORTANT**

Works should not commence until the Award has been served on both parties. Beginning work prematurely undermines the protection the Act provides and can expose the Building Owner to injunction or damages claims.

## SECTION 06

# Types of Notice & Notice Periods

Section 1, 2 and 6 - the practical table

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The Act distinguishes between different categories of work, each with its own notice requirements. The table below summarises the most common notices encountered in residential projects.

Notice Type	Relevant Work	Notice Period	Key Rule
<b>Section 1</b>	New wall on the boundary	1 month	Building astride the boundary requires neighbour consent
<b>Section 2</b>	Works to an existing party wall	2 months	Includes cutting into, raising or rebuilding
<b>Section 6</b>	Excavations near neighbouring structures	1 month	Requires plans showing depth and position

### PRO TIP

Speak to your neighbour informally before serving formal notice. Early communication can significantly reduce disputes, costs and delays - the formal notice is then a confirmation of an already understood plan, rather than a surprise letter through the door.

## SECTION 07

# Common Real-World Scenarios

*Four projects, what triggers the Act, and what goes wrong*

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The Act is easiest to understand through real projects. The four scenarios below are the most common situations where Party Wall issues arise on UK residential schemes.

### SCENARIO 1 Rear extension affecting neighbour foundations

#### WHAT TRIGGERS THE ACT

New foundations within 3 metres of the neighbour's building, where your foundations will be deeper than theirs - or within 6 metres and crossing a 45-degree plane below their footings (Section 6).

#### WHAT TYPICALLY GOES WRONG

- Excavation begins before the Award is in place; the neighbour issues a stop notice or seeks an injunction.
- No Schedule of Condition - cracks that pre-date the works are later attributed to them.
- Trial pits change the design (e.g. needing piles or strip foundations) without re-notifying.

#### WHAT TO DO

- Serve a Section 6 Notice with marked-up foundation plans before any excavation.
- Commission a Schedule of Condition (photographs and written record) before site begins.
- If the design changes materially, re-issue or supplement the notice.

### SCENARIO 2 Loft conversion inserting steels into a party wall

#### WHAT TRIGGERS THE ACT

Cutting into the party wall to seat new steel beams or padstones is a Section 2 notifiable work, even if the wall finish is not visibly altered.

#### WHAT TYPICALLY GOES WRONG

- Builders cut pockets into the wall before the Notice expires, assuming "it's just a few bricks."
- Vibration and dust from cutting damages neighbour's plaster or tiles - difficult to defend without a record of pre-existing condition.
- Padstones land on a wall section with concealed flues, requiring redesign mid-works.

#### WHAT TO DO

- Serve a Section 2 Notice and allow the full 2 months.
- Confirm structural detail with the engineer before notice; include drawings if available.
- Photograph the neighbour's adjoining rooms (with permission) as part of the Schedule of Condition.

### SCENARIO 3 Basement excavation risk

#### WHAT TRIGGERS THE ACT

Almost all basement schemes engage Section 6, often Section 2 as well where underpinning of a shared wall is involved. Basements are high-risk works and surveyor involvement is essential.

#### WHAT TYPICALLY GOES WRONG

- Movement monitoring is omitted; settlement appears later and cause is contested.
- Neighbour seeks an injunction once works begin and protective measures are inadequate.
- Insurance for the Adjoining Owner becomes a sticking point in negotiations.

#### WHAT TO DO

- Plan for surveyor involvement from day one - basements are not a DIY notice job.
- Agree movement monitoring (precise levelling, crack monitors) within the Award.
- Confirm contractor has appropriate basement-specific insurance and method statements.

### SCENARIO 4 **Semi-detached house chimney removal**

#### WHAT TRIGGERS THE ACT

Chimney breasts in a semi-detached or terraced property typically share the party wall structure. Removing one is a Section 2 work.

#### WHAT TYPICALLY GOES WRONG

- The chimney stack above the removed breast is left unsupported - leading to cracking on the neighbour's side.
- "Gallows brackets" are used without engineering sign-off, contrary to most local authority guidance.
- Notice served too late, with builders waiting on site.

#### WHAT TO DO

- Serve a Section 2 Notice with the structural design for chimney stack support.
- Engage an engineer for the support detail; gallows brackets are rarely accepted now.
- Document the neighbour's flue and chimney condition before works begin.

#### **SURVEYOR'S NOTE**

These four scenarios cover most of the issues that arise on typical residential projects. The pattern is the same in each: the works are usually fine, the process around them is what causes the dispute.

## What Your Neighbour Can Do

*Consent, dissent, silence, and how to read each one*

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Once a notice is served, the Adjoining Owner has three real options. Understanding each one - and the most common misunderstandings - lets you anticipate the next step and keep the project moving.

### Option 1 - Consent

The neighbour confirms in writing, within 14 days, that they consent to the works. Works can begin once the notice period has expired, even if they consent earlier. Surveyor involvement is not required.

Even where consent is given, a Schedule of Condition is strongly recommended. Friendly consent today does not protect you from a damage claim from a future buyer of that property.

### Option 2 - Dissent

The neighbour says no, in writing, within 14 days. This is not a refusal of the works - the Act does not give them that power - it is a request to invoke the dispute resolution procedure.

Dissent triggers the appointment of surveyors, either an Agreed Surveyor or one for each owner. The works can still proceed, but only on the terms set out in the Award.

### Option 3 - Silence

If the neighbour does not respond within 14 days, a dispute is deemed to have arisen under Section 5 of the Act. You should then write a follow-up notice giving them a further 10 days to appoint a surveyor; if they do not, you can appoint one on their behalf.

Silence is the most common outcome, particularly with rented or absent owners. It is not agreement.

### Common misunderstandings

- **“My neighbour can stop my project.”** They cannot. They can only invoke the dispute resolution procedure and have terms set in the Award.
- **“They didn't reply, so I can crack on.”** Silence is deemed dissent. You must appoint a surveyor before works begin.
- **“They verbally said it's fine.”** Verbal agreement is not consent under the Act. Always get a written, dated response - the Response Form in Section 14 makes this easy.
- **“They signed for the consent so we can drop the surveyor.”** Consent removes the need for an Award, but it does not remove the value of a Schedule of Condition.

#### **PRACTICAL ADVICE**

Treat the 14-day window as an opportunity, not a threat. A short conversation in week 1 - explaining what you are doing, the hours, and the protections you are putting in place - prevents most disputes from becoming surveyor-level matters.

#### **WHAT TO DO TODAY**

Once your notice is served, work through this short list:

1. Drop a copy of the notice through the door personally and offer a brief chat.
2. Send the Response Form (Template 3) at the same time so they can reply easily.
3. Have two or three Agreed Surveyor names ready in case they ask.
4. Diary day 12 to follow up if you have not had a written reply.

## How Surveyors Actually Work

*What you are paying for and what the Award really covers*

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Party Wall Surveyors are not optional consultants. Where a dispute arises under the Act, their appointment is a statutory requirement, and they act under the Act rather than as advocates for either owner. Understanding what they actually do removes most of the anxiety around the cost.

### What surveyors do in practice

1. **Confirm jurisdiction.** Check that the works are notifiable, and that the notice itself is valid.
2. **Inspect both properties.** Inside and outside, including any rooms abutting the party wall and any access route.
3. **Produce a Schedule of Condition.** A photograph-led record of pre-existing condition, agreed between the two owners.
4. **Draft the Award.** A formal document setting out how the works will be carried out, working hours, access, protections, and how any damage will be resolved.
5. **Serve the Award and follow up.** Including a final inspection where appropriate, and any post-works damage assessment.

### What the Award really covers

- Permitted hours of working (typically 08:00 to 18:00 weekdays).
- Access arrangements over the neighbour's land for scaffolding or works to the wall face.
- Protective measures - sheeting, dust control, vibration limits, propping.
- A clear procedure for raising and resolving damage during the works.
- Insurance and indemnity provisions for the works.
- Provisions for the works to revert if the design changes materially.

### Why they are impartial

A Party Wall Surveyor's duty under Section 10 of the Act is owed jointly to both owners and to the proper administration of the Act. They are not your representative or your neighbour's. This is the key reason the process works: each party can rely on the same professional standard regardless of who appointed them.

### What you are paying for

The fee covers professional time, not pages of paperwork. A well-run Party Wall job is heavily front-loaded with site time, drawing review and conversation; the Award itself is the visible deliverable but is rarely the bulk of the work.

#### **THE PRACTICAL RULE**

If you ever feel the surveyor is acting as an advocate for either side, raise it. Their statutory role is impartial, and that impartiality is what makes the Award enforceable and reliable.

## SECTION 10

# Costs

*Fee breakdown, escalation triggers, and how to keep them down*

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The Building Owner is usually responsible for all reasonable surveyor costs incurred under the Act, including those of the Adjoining Owner's surveyor where one is appointed. The figures below are indicative for typical residential schemes in the UK at the time of writing.

Scenario	Indicative cost
Simple consent (no surveyor required)	£0 - £500
Agreed Surveyor (one acting for both parties)	£1,000 - £2,000
Two surveyors (one for each party)	£2,500 - £4,500+
Multiple neighbours, complex scheme	£5,000 - £10,000+
Basement / underpinning works, contested	£10,000 - £25,000+

### Typical surveyor fee breakdown

- **Notice review and validation** - checking the notice is properly served and the works are notifiable.
- **Site inspections** - of both properties, inside and out.
- **Schedule of Condition** - the photo-led record of pre-existing condition.
- **Drafting and serving the Award** - and any addendums for design changes.
- **Disbursements** - Land Registry searches, postage, occasional travel.

### When costs escalate

- Multiple neighbours, especially if any are absent, abroad, or in dispute themselves.
- Late design changes - underpinning, additional steels, basement deepening.
- Contested damage during the works - movement monitoring, repairs, expert reports.
- Difficult access (scaffolding licences, party wall on a flank wall above a neighbour's roof).
- Adjoining Owner's surveyor running up unreasonable hours - capable of being disputed via the Third Surveyor.

### How to reduce costs

1. **Have an early conversation.** Explain the works informally before notice; many neighbours then consent and no surveyor is needed.

2. **Suggest an Agreed Surveyor.** Offer two or three names; if the neighbour picks one, the cost is roughly half a two-surveyor route.
3. **Get drawings finalised before notice.** Late design changes mean fresh notices and supplemental Awards.
4. **Provide a complete pack to the surveyor.** Plans, structural calcs, contractor details - this saves billable hours.
5. **Serve early.** If you are not under deadline pressure, neighbours have time to respond calmly and surveyors can take a measured route.

### **Realistic worst-case scenario**

On a contested basement scheme with two adjoining owners, each appointing their own surveyor, with movement monitoring and a damage claim partway through the works, total Party Wall costs (both sides combined) can comfortably reach £15,000 - £25,000. This is rare, but it is the realistic upper end - and almost always avoidable with earlier engagement and proper documentation.

#### **COMMON MISTAKE**

Treating Party Wall costs as a tax to be minimised. The cheapest route to a smooth project is almost always early notice, a properly funded Schedule of Condition, and an Agreed Surveyor where possible - not the lowest possible legal compliance.

## Risks of Non-Compliance

*Injunctions, sale delays, and the real consequences*

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Failing to follow the Party Wall procedure exposes the Building Owner to a number of significant risks. These are not theoretical - they occur regularly when the Act is ignored.

### Real consequences

1. **Injunction to halt works** - an Adjoining Owner who has not been served can apply to court to stop your works. These applications can be heard quickly and the costs of an emergency injunction frequently exceed the cost of the underlying Party Wall procedure several times over.
2. **Damage claims** - without a Schedule of Condition, you have no way to demonstrate that a crack pre-dated your works. The default position is unfavourable to the Building Owner.
3. **Weakened legal position** - non-compliance can shift liability, undermine your insurance, and remove the statutory protections you were entitled to.
4. **Sale delays** - missing Party Wall documentation is one of the top issues raised by purchasers' solicitors during conveyancing on properties that have had any structural work in the past 6 years.

### How quickly an injunction can happen

An emergency application can be filed within days of works starting. Where granted, the injunction halts works immediately - meaning contractor stand-down charges, scaffolding hire on a stopped site, and the cost of unwinding a partly-completed structural alteration. The court will typically expect the Building Owner to demonstrate why retrospective compliance is now possible before any lifting of the injunction.

### Impact on resale and conveyancing

On every sale of a residential property, the seller's solicitor is expected to disclose any structural alterations in recent years. Standard pre-contract enquiries (TA6, CPSE for leasehold) will ask whether Party Wall procedures were followed. Three things follow:

- Buyers may withdraw or renegotiate the price if Party Wall documentation is missing.
- Lenders may require an indemnity insurance policy or refuse to lend on the property.
- Even where indemnity is available, the cost is borne by the seller and the issue tends to recur on each subsequent sale.

#### COMMON MISTAKE

“My neighbour didn't mind, so we just got on with it.” Verbal agreement is not protection. If a dispute arises later - typically when one of the properties is sold - there is no Award to fall back on, no Schedule of Condition, and the Building Owner is in the weakest possible position.

## Pre-Notice Checklist

*Get this right before you serve*

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Use this list as a final sanity-check in the week before you serve any Party Wall notice. Most invalid notices fail on one of these points.

- Architectural and structural drawings are complete and stamped final.
- All adjoining owners are correctly identified - both freeholders and any leaseholders in occupation.
- Land Registry title plan reviewed to confirm the boundary.
- Type of notice (Section 1, 2 or 6) confirmed against the actual works proposed.
- Notice period selected correctly (1 month for Section 1 and 6, 2 months for Section 2).
- Proposed start date is at or beyond the end of the notice period.
- Drawings are attached for any Section 6 excavation notice.
- Contractor's start date is realistic given the notice period and any likely dispute.
- Method of service decided - Recorded Delivery, signed acknowledgement, or both.
- Informal conversation with the neighbour has been had where reasonably possible.
- Two or three names of potential Agreed Surveyors prepared, in case asked.
- Contingency built into the project programme for a 4 to 8 week dispute window.

### **PRACTICAL ADVICE**

Print this page, tick each line, and keep a copy with your notice file. If a dispute or claim later arises, the documented decision-making is itself useful evidence.

## SECTION 13

# Post-Notice Checklist

*Track the response and the Award*

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Once notices are out, the next 4 to 12 weeks need active management. Use this list to track each step from response to Award.

- Date of service recorded for every notice issued, with proof of delivery filed.
- 14-day response window calendared; reminder set for day 12.
- Response form returned by every adjoining owner (consent, dissent, or no response).
- Where consent received: written record kept; Schedule of Condition still commissioned.
- Where dissent or no response: surveyor appointment within 10 days of the deemed dispute.
- Surveyor appointment letter signed and dated.
- Schedule of Condition completed and agreed before any works commence.
- Award received, signed by the surveyor(s), and served on both owners.
- Award reviewed against the design - any inconsistencies raised promptly.
- Working hours, access and protective measures shared with the contractor.
- Insurance and method statements aligned with Award provisions.
- Final inspection scheduled at the end of the works.

### **SURVEYOR'S NOTE**

Most damage disputes after the works are won or lost on documentation. A complete file - notices, responses, surveyor appointments, Award and Schedule of Condition - is the single best protection a Building Owner has.

## Template Documents

*Three ready-to-use notices*

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The following templates are provided as a starting point and should be adapted to the particular facts of your project. Where works are complex or where multiple Adjoining Owners are involved, professional advice from a Party Wall Surveyor is recommended.

### What is included

1. **Section 2 Notice** - for works to an existing party wall, including cutting in for steel beams, removing a chimney breast or rebuilding part of a shared wall.
2. **Section 6 Notice** - for excavations within 3 metres (or 6 metres in certain circumstances) of an Adjoining Owner's building or structure.
3. **Neighbour Response Form** - a clear, tick-box reply that helps the Adjoining Owner respond formally within the 14-day period.

#### HOW TO USE THESE TEMPLATES

Replace the bracketed placeholders [in square brackets] with the relevant details for your project. Notices should be served in writing on every Adjoining Owner with an interest in the property, including freeholders and leaseholders where applicable. Keep a dated copy of every notice served.

## Section 2 Notice

*For works to an existing party wall - minimum two months' notice.*

### Section 2 Notice - Party Wall etc. Act 1996

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To: [Neighbour Name]

Address: [Neighbour Address]

Date: [Date]

Dear [Neighbour Name],

Under Section 2 of the Party Wall etc. Act 1996, I notify you of my intention to carry out works to the shared structure at [Your Address].

#### **Description of works:**

[Insert a clear, plain-English description of the proposed works - for example: insert a steel beam onto the party wall to support a loft conversion, including pockets cut into the wall and padstone bearing plates.]

#### **Proposed start date:**

[Minimum 2 months from the date of this notice.]

#### **How to respond:**

Please respond in writing within 14 days indicating whether you consent to or dissent from the works. If I do not hear from you within 14 days, a dispute is deemed to have arisen under Section 5 of the Act.

If you wish to discuss the works informally, I would be very happy to do so.

Yours sincerely,

Signed: \_\_\_\_\_

Name: [Your Name]

Address: [Your Address]

## Section 6 Notice

*For excavation works within 3 metres (or 6 metres in certain circumstances) of an Adjoining Owner's structure - minimum one month's notice.*

### Section 6 Notice - Party Wall etc. Act 1996

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To: [Neighbour Name]

Address: [Neighbour Address]

Date: [Date]

Dear [Neighbour Name],

Under Section 6 of the Party Wall etc. Act 1996, I notify you of my intention to carry out excavation works within 3 metres of your property at [Your Address].

#### **Description of works:**

[Insert a clear description of the proposed excavation, including depth, type of foundation and proximity to the boundary.]

#### **Drawings:**

Plans showing the depth and location of the proposed excavation are attached to this notice.

#### **Proposed start date:**

[Minimum 1 month from the date of this notice.]

#### **How to respond:**

Please respond in writing within 14 days indicating whether you consent to or dissent from the works. If I do not hear from you within 14 days, a dispute is deemed to have arisen under Section 5 of the Act.

Yours sincerely,

Signed: \_\_\_\_\_

Name: [Your Name]

Address: [Your Address]

## Neighbour Response Form

Send this alongside the notice so the Adjoining Owner can respond formally within the 14-day window.

### Adjoining Owner's Response

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Property carrying out the works: [Building Owner's Address]

Notice dated: [Date]

I, [Neighbour Name], have received the notice referred to above and respond as follows:

I consent to the works.

I dissent from the works.

**If dissenting, please indicate one of the following:**

I agree to the appointment of a single Agreed Surveyor.

I intend to appoint my own surveyor.

**Surveyor details (if appointing your own):**

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Telephone / email: \_\_\_\_\_

Signed: \_\_\_\_\_

Name: [Neighbour Name]

Date: \_\_\_\_\_

## A short note on scope

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This guide provides general guidance based on professional surveying principles applied to the Party Wall etc. Act 1996. It is written for UK homeowners as a practical planning tool and does not replace:

1. formal legal advice on a specific Party Wall dispute,
2. the appointment of a Party Wall Surveyor under the Act,
3. a structural engineer's design for the proposed works.

*No reliance should be placed on this guide as a substitute for a properly appointed surveyor on a specific project.*

Each Party Wall situation will vary depending on the property, the works proposed, and the relationship between the parties involved. Before commencing works, you should seek advice from a qualified Party Wall Surveyor who can review the specific facts of your project.

This guide does not constitute advice on any specific set of facts.

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*Written and compiled by Matt Bright, BSc (Hons) MRICS, Chartered Building Surveyor.  
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