

ROBINSON WHITE PARTNERSHIP – PARTY WALL SURVEYING SERVICES

The legislation dealing with party walls and associated matters is the Party Wall etc. Act 1996. This governs the rights and obligations of those intending to do work to party walls/structures, and/or, underpinning thereof, adjacent excavations and/or foundations (including piled foundations).

This is a statutory requirement which, when followed, gives an owner the right to carry out building work close to and sometimes on the boundary line but also protects the interests of the adjoining owner by endeavouring to safeguard the integrity of his or her property.

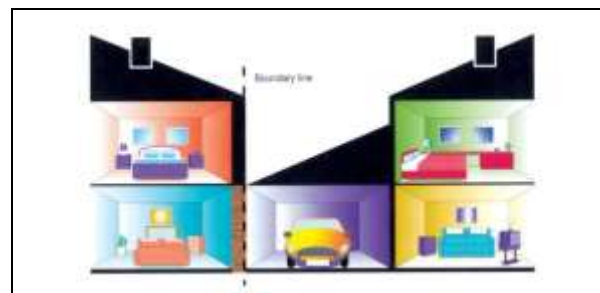
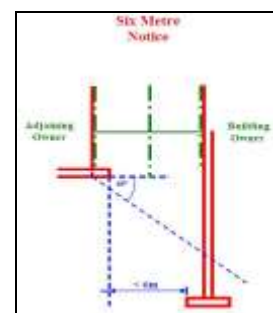
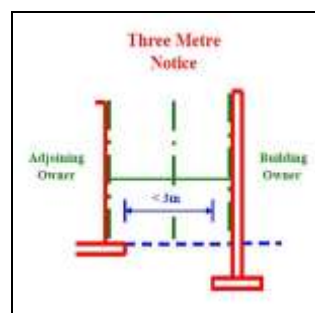
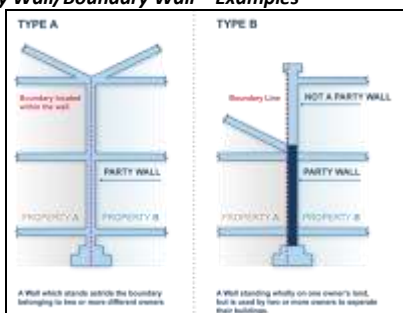
The wall dividing two properties is known as a “Party Wall” and without the benefit of the Act, neither party could alter it in any way as neither of them owns it. The simplest scenario is when the owner of one property wants to vertically extend his building or remodel the interior of the building and needs to cut into the party wall to insert the ends of steel beams needed to support the new structure. Not until he has served the requisite Notice on his neighbour and followed the procedure set out in the Act can he cut into or alter the party wall.

The same Act confers all liability for repairing any damage or injury etc caused to the neighbour or the neighbouring property onto the owner of the property being worked on, known as the Building Owner. That liability continues after the building work has been completed and remains with the Building Owner even after he has sold the property.

Although the title suggests that the Act only applies where there is a wall on the boundary line it actually extends to situations where a Building Owner’s property is separate from his neighbour’s. This is logical as excavating, even some distance from a neighbouring structure, can result in damage such as subsidence. If a Building Owner intends laying footings or simply excavating within 3 metres, and sometimes as many as 6 metres, of any structure belonging to an Adjoining Owner then he may need to serve a notice on his neighbour and comply with the provisions of the Act.

The procedure starts with the service of a formal notice a set period before work commences, the appointment of one or more independent Party Wall Surveyors, the preparation of a record of the condition of the neighbour’s property before work commences and culminates with the service on both parties of a Party Wall Award formally recording the Building Owners liability. As is only fair, in most cases this liability extends to the payment of any costs incurred by the Adjoining Owner including Surveyor’s or Engineer’s fees.

Party Wall/Boundary Wall – Examples



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INTRODUCTION

The Robinson White Partnership provides a range of property related consultancies covering South East and South West UK, from their offices in Kingston-upon-Thames, Surrey and Exeter, Devon.

The following projects demonstrate RWP’s experience in the provision of Party Wall surveying services. More information can be found on www.robinson-white.com.

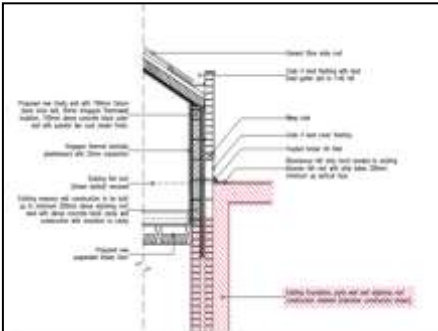
Current/Past Projects - Examples

Crescent Car Park, Taunton Deane Borough Council

A large, boundary retaining party fence wall was suffering from a myriad of defects. Dispute has arisen between the adjoining owners over the construction of the retaining wall and drainage from behind the wall. We were appointed by the Building Owner to act as Party Wall Surveyor.

9 New North Rd, Exmouth

Works involved the partial demolition and construction of an extension. Due to some detailing issues with the proposed design, negotiations had to be applied between the Adjoining Owners and the Building Owner, this resulted in some minor design changes and the arrangement of an escrow account to hold a security for costs fund. 2 Party Wall Notices were issued and 2 Party Wall Awards. We were appointed as Party Wall Surveyor by the Building Owner.



Party Wall Detail: New North Road

4 North Street, Crediton

A developer carrying out the construction of 3 residential units on a site in Crediton. The project involve Party structure and 3m Notices with adjoining residences. We were appointed as Party Wall Surveyor the Building Owner.

Gull Rock Hotel, Newquay, Cornwall

Construction of thirty-one flats on the site of an existing hotel in Newquay. There were a number of 3m and 6m Notices issued. We were appointed as Party Wall Surveyor by the developer.

Abbey Sands, Torquay (Formerly Palm Court Hotel)

Works involved the demolition and rebuild of an existing hotel to form 27 luxury apartments across 5 upper levels and 4 high quality food and drink outlets on the ground floor. 4 Party Wall Notices were issued and 3 Party Wall Awards. We were appointed as Party Wall Surveyor by the Project Manager, Doig and Smith.

Mount Pleasant, Brixham, Devon

A large, boundary retaining wall collapsed during a spell of heavy rain. Dispute has arisen between the adjoining owners over the construction of the retaining wall and drainage from behind the wall. We were appointed by the Building Owner to act as Party Wall Surveyor.

Lemon Gardens, Truro, Cornwall

A development of eight houses on a site in Truro. There were eight Party Wall Notices issued and two disputes have arisen. One Party Wall Award has been issued and the other will be resolved shortly. We were appointed as Party Wall Surveyor



Site Plan: Lemon Gardens, Truro

Jasmine Cottage, Grenofen, Cornwall

A Building Owner is rebuilding his property that adjoins the Halfway House Pub in Grenofen. We were as Party Wall Surveyor to serve Notices and produce an Award.

Salcombe Gardens, Sidmouth, Devon

A development of eighteen houses on a site in Sidmouth. Only one Party Wall Notice was issued and the Adjoining Owner agreed to the works. We were appointed as Party Wall Surveyor.