

# WHAT IS A PARTY WALL?

## WHY DOES A PARTY WALL MATTER?

*“The Party Wall Etc Act 1996 is there to enable the building owner to proceed with the works, having obtained building regulations and/or planning consent. It is to protect both the building owner and adjoining owner by ensuring that their property and rights are protected.<sup>2</sup>*

*“If you have walls shared by adjacent properties, they are usually jointly owned by the two owners and are termed party walls. A party wall isn't only the wall between two semi-detached properties, it is also; a wall forming part of only one building but which is on the boundary line between two (or more) properties; a wall which is common to two (or more) properties, including where someone has built a wall and a neighbour has subsequently built something butting up to it; a garden wall, where an extension wall butts up against it and; is used to separate the properties but is not part of any building; the floors and ceilings of flats, apartments, and maisonettes”.*

***If you share a party wall you have a legal responsibility when it comes to carrying out certain works. The Party Wall Etc Act 1996 that came into force in 1997 gives right and responsibilities to both sides sharing a party wall when one or other party wall owner is planning or undertaking work***

### **What Work is Allowed Without Notice Or Permission?**

If you are only doing small jobs, such as putting up shelves and wall units, replastering, or electrical rewiring, you do not need to notify anyone.



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## What Work Does Require A Party Wall Agreement?

The types of work covered by the Party Wall Etc Act 1996 include: demolishing and/or rebuilding a party wall, increasing the height or thickness of a party wall; inserting a damp proof course; cutting into the party wall to take load bearing beams; underpinning a party wall.

## When Do I Need To Give Notice?

If you think that any work you are proposing might have an effect upon the structural strength or support function of the party wall, or might cause damage to the neighbouring side of the wall, notification must be made. If in doubt, advice should be sought from a professional surveyor.

## Should I Talk To My Neighbour First?

You can discuss your plans with your neighbour first. You may find that they have no objections, or would go halves with you on the work because they consider the job needs doing, too. Even if they are not supportive of your decision they will no doubt appreciate being asked for their opinion. Regardless of whether they agree to the work being undertaken, and if the planned work to an existing structure falls under the Party Wall Act, formal notice must be served.

## WHO SHOULD I SPEAK TO?

We are members of the Chartered Institute of Building (CIOB), the Faculty of Party Wall Surveyors (FPWS) and the Chartered Institute of Arbitrators.(CI Arb). We are approved by the Safe Contractor Scheme.

### A Party Wall Surveyor

Here at PD Building Consultancy, we have Paul Dainty, he is a specialist in all Party Wall matters. Paul has worked within the construction industry for over 35 years and has a wealth of in depth knowledge and experience within this industry. We are just a phone call, if you are worried or confused by The Party Wall Etc Act 1996, Paul will be able to give to you, clear and impartial advice on all Party Wall matters.

### Mediation

Paul is a member of Chartered Institute of Arbitrators (CI Arb), and holds a certificate in Commercial Mediation. Sometimes disputes arise and we offer mediation services for such instances, mediation is used as a more cost effective form of dispute resolution. Being a mediator means that Paul is appointed by both disputing parties to act as an impartial link between the two parties and in this role he can assist in achieving a resolution which is acceptable to both sides.

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