
THE HOMEOWNER'S GUIDE

PARTY WALL ACT 1996

A simple explanation of what the law means for you and your neighbours.

Planning building work? Received a notice?

This short guide explains when the Act applies, what notice is needed and how neighbours are protected.

THE ACT IN ONE MINUTE

The Party Wall etc. Act 1996 is a law for England and Wales. It provides a process for certain building works affecting shared walls, boundary walls and excavations close to neighbouring buildings.

IT IS ABOUT BUILDING WORK - NOT EVERY NEIGHBOUR DISAGREEMENT

The Act does not replace planning permission, Building Regulations or ordinary property rights. Only particular types of work fall within it.

[A plain-English overview](#) | [Free homeowner resource](#)

01 Which building works are covered?

Three main types of work can require a formal party wall notice.

1

Boundary walls

Building a new wall at the boundary between two properties. This includes certain walls built wholly on your own land.

2

Shared walls

Work to an existing party wall or structure - for example, inserting beams, raising the wall or removing a chimney breast.

3

Nearby digging

Some excavations within 3 or 6 metres of a neighbouring building, depending on the depth and location.

02 How much notice is needed?

1 MONTH

Boundary wall work

2 MONTHS

Shared wall work

1 MONTH

Qualifying digging

Notices must give appropriate details of the proposed work. They generally expire if work has not started within 12 months. Earlier work may be possible where the necessary written agreement is given.

Not every extension or excavation needs notice. The design and the neighbour's foundations matter.

03 What happens after a notice?

For notices concerning shared walls or nearby excavation, neighbours normally have 14 days to respond.

01

Notice served

The building owner explains the intended work in writing.

02

Neighbour responds

They can consent or dissent. No reply within 14 days normally means a dispute is deemed to have arisen.

03

Surveyor appointment

If there is a dispute, both owners can use one agreed surveyor or appoint one each.

04

Party Wall Award

The surveyor(s) set out how and when the relevant work may take place and deal with protections and costs.

IMPORTANT: A DISSENT IS NOT A REFUSAL

It simply starts the formal process for resolving matters under the Act. A neighbour's consent to a notice does not remove the building owner's responsibility for damage.

04 Your rights and protections

7

Damage & disruption

Building owners must avoid unnecessary inconvenience and compensate neighbours for loss or damage caused by works under the Act.

8

Access to property

The Act allows access for certain lawful purposes, usually with at least 14 days' notice. Access is not automatic for every request.

10

Settling disputes

An agreed surveyor or two appointed surveyors can make an Award. You normally have 14 days from service to appeal an Award in the county court.

11-14

Costs & safeguards

The person doing the work normally pays, but there are exceptions. The Act also deals with shared costs and, in some cases, financial security.

15-17

Other rules & definitions

These sections cover serving documents, enforcement, meanings of key terms and where the Act applies.

A useful distinction

A Schedule of Condition records a neighbour's property before work. An Award is a formal decision setting out how the notifiable work may proceed.

05 Quick answers for homeowners

Can my neighbour stop my building work?

Not simply by dissenting. The Act provides a route for resolving disputes about qualifying works.

Do I need a notice to paint or plaster a wall?

Ordinary decoration and minor works usually fall outside the Act.

Who pays the surveyor?

The person carrying out the building work usually pays the reasonable costs, but there are exceptions.

What if my property is damaged?

The Act provides rights to making good or compensation for loss or damage caused by works carried out under it.

Can I serve a notice by email?

Yes, but only where the recipient has agreed to receive documents electronically at the specified address.

NEED HELP WITH YOUR PARTICULAR PROJECT?

Our team can explain whether your proposed work may be notifiable and what your next steps could be.

0203 576 0786 | partywallssurveyors.co.uk

This is a simplified overview, not the legislation itself or legal advice. For the full wording, visit legislation.gov.uk/ukpga/1996/40/contents.