



PARTY WALLS SURVEYORS LTD

SPECIALIST ADVICE FOR BUILDING OWNERS AND NEIGHBOURS



YOUR PROJECT. YOUR NEIGHBOURS. A CLEAR WAY FORWARD.

The Party Wall Guide

A practical guide to the Party Wall etc. Act 1996 for homeowners planning work and neighbours who receive a notice.

Know the process. Protect the relationship. Keep the work moving.

NOTICES · SCHEDULES OF CONDITION · AWARDS

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Understand the work. Follow the process.

A practical guide for homeowners planning building work and neighbours receiving a notice in England and Wales.



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Two owners. One workable process.

The Building Owner proposes the work. The Adjoining Owner owns a property affected by it. This guide explains their rights, responsibilities and practical next steps.

What the Act does

The Party Wall etc. Act 1996 provides a framework for certain works affecting shared structures, boundaries and nearby buildings.



Rights come with responsibilities

The Act can allow an owner to undertake specified work, provided the notice and dispute procedures are followed. It also requires unnecessary inconvenience to be avoided and relevant loss or damage to be addressed.

More than terraced houses

Party structures can include separating walls or floors between flats. A masonry garden wall astride a boundary may be a party fence wall. Wooden fences and hedges are not party fence walls under the Act.

Who must be notified?

An owner may be a freeholder, a leaseholder with an unexpired term exceeding one year, someone under contract to purchase such an interest, or a person entitled to receive rents. A property may have several qualifying owners.

Planning approval is a separate matter

Planning permission and building regulations approval do not replace the Party Wall process. The Act does not determine a disputed boundary or change ownership of a wall.

Which works may **be covered**?

A loft conversion, extension or basement can involve several types of notifiable work. The design details decide which provisions apply.



Work proposed	Why it may be relevant
Loft beams or chimney breast removal	Cutting into, or altering, an existing party wall or structure.
Raising, rebuilding or underpinning a party wall	Rights concerning existing structures under Section 2.
A new extension wall at the boundary	A new wall up to or astride the line of junction under Section 1.
Extension foundations or a basement	Distance and depth tests for excavation under Section 6.
A damp-proof course through a party wall	Work affecting the full thickness of the shared wall.

Small fixings are usually different

Ordinary shelving fixings, plaster renewal and some electrical work may be too minor to require notice. Structural effects and the risk of damage to the other side still matter. Ask for advice if the scope is uncertain.

Section 1: new boundary walls

A line-of-junction notice concerns a new wall built up to, or astride, the boundary between neighbouring land. Give at least one month's notice.



Astride the boundary	Wholly on your land
Written consent is essential. An Award cannot compel acceptance of an astride wall.	A wall up to the boundary still needs notice; silence does not itself create the same deemed dispute.

Astride the boundary: written consent is essential

You cannot use an Award to compel a neighbour to accept a new wall astride the boundary. If written consent is not given within 14 days, the wall must be built wholly on your own land. Record any agreed location, use and costs clearly.

Up to the boundary: a different response rule

A new wall wholly on your land but up to the boundary still requires notice. Silence does not automatically create the same deemed dispute as a party structure or excavation notice. An actual dispute about relevant work can be resolved under Section 10.

Check the foundations as well as the wall

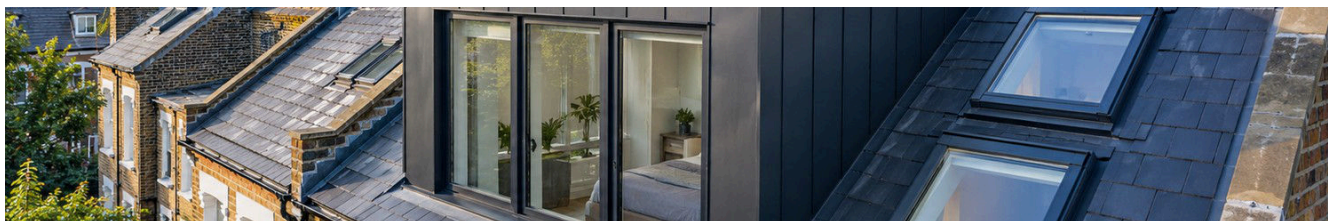
Necessary ordinary projecting foundations may have rights under the Act, subject to its conditions. Special foundations on a neighbour's land require written consent. Special foundations involve beams or rods used to distribute loads; seek advice on the design.

Know where the boundary is

Party Wall surveyors cannot determine a disputed boundary under the Act. Resolve any uncertainty about the line separately before relying on it for the design.

Sections 2 and 3: existing structures

Section 2 describes relevant rights to carry out work. Section 3 is the party structure notice used to notify the work. Give at least two months' notice.



CUT INTO	RAISE / REBUILD	UNDERPIN
Beam pockets and relevant alterations.	Changes to an existing party structure.	Work affecting support and foundations.

Typical examples

Notifiable works may include forming beam pockets, raising or thickening the wall, underpinning, extending it downwards, rebuilding defective sections, or cutting away relevant projections. Chimney breast removal can also engage the Act. Each proposal needs a review of its structural details.

Your side of the wall still matters

Work does not have to pass through the centre of the wall to be notifiable. Cutting into your side of an existing party wall can require notice. The position of the legal boundary is not always the centre of the wall.

What happens after notice?

The Adjoining Owner can consent in writing or dissent. If written consent is not given within 14 days of service, a dispute is deemed to arise and the Section 10 procedure applies. The 14-day response period is separate from the two-month notice period.

Drawings should tell the full story

Provide the relevant plans, structural details and a clear description. Proposals for special foundations need the particulars required by the Act. Protection, temporary support and weatherproofing may need to be addressed before the work proceeds.

Section 6: nearby excavation

Distance alone does not decide whether notice is needed. The proposed excavation must also satisfy the relevant depth or geometry test. Give at least one month's notice.



3 metre test	6 metre test
Within 3 m and deeper than the bottom of neighbouring foundations.	Within 6 m and meeting the downward 45-degree plane from neighbouring foundations.

Within 3 metres

Section 6(1) applies where excavation is within 3 metres of any part of a neighbouring building or structure and goes deeper than the bottom of its foundations.

Within 6 metres

Section 6(2) applies where excavation is within 6 metres and meets a plane drawn downwards at 45 degrees, towards the excavation, from the bottom of the neighbour's foundations.

What must accompany the notice?

Plans and sections must show the proposed excavation's location and depth and the location of any proposed building or structure. The notice must say whether you propose to underpin or otherwise strengthen or safeguard the neighbour's foundations.

Actual foundation levels, horizontal distances and excavation depths must be established. A property can be affected even if it does not directly share your boundary.

Preparing and serving notices

A conversation is helpful. A valid written notice is still required where the work falls within the Act. Notify every relevant Adjoining Owner.



Notice	Relevant work	Minimum period
Section 1	New wall at the line of junction	1 month
Section 3	Section 2 work to an existing structure	2 months
Section 6	Excavation meeting the statutory tests	1 month

Include the right particulars

Identify the Building Owner, including joint owners, and the correspondence and project addresses. Describe the works accurately, state the proposed start date and date the notice. Include the drawings and particulars required for the notice type. Several notice provisions may apply to one project.

Use a permitted method of service

Notices can be delivered personally or sent by post. Email service requires the recipient's agreement to receive documents electronically, an email address for that purpose, and no withdrawal of that agreement. Keep evidence of the notice and service.

Check ownership rather than guessing

The occupier may be a tenant rather than the owner. Freeholders, qualifying leaseholders, joint owners and off-site landlords may need to be identified. Special service provisions exist where the owner's name is unknown.

A response deadline is not a start date

The usual 14-day response period does not shorten the one- or two-month notice period. An earlier start needs the necessary written agreement. Notices should not be served too early: the work generally needs to begin within 12 months.

The process at a glance

Begin the Party Wall review while the design is being developed. Allow time for ownership checks, notices, responses and any Award.



01 Review the proposal

Check drawings, work categories and neighbouring interests.

02 Serve the correct notices

Provide the required particulars and record service.

03 Review the response

Consent may allow work after the notice period. Dissent or a deemed dispute leads to surveyor appointments.

04 Appoint surveyor(s) if needed

Agree one surveyor or each appoint a surveyor; the two select a Third Surveyor.

05 Record condition and settle the Award

Arrange the inspection, review details and resolve relevant safeguards.

06 Serve the Award and brief the contractor

Confirm the permitted start and give the contractor the final documents.

07 Build, review and retain the records

Follow the terms, report issues and deal with relevant damage.

This is a general route. Section 1 has different consent rules; see the Section 1 section. An Award is required to resolve a relevant dispute, rather than for every project where a neighbour consents.

The Party Wall process

Your quick reference from proposed works to notices and Awards.



Read the 14-day no-response branch for Sections 2 and 6. Section 1 has different rules: no consent to an astride wall means it must be built wholly on your land. A separate ten-day written appointment request applies before a Section 10(4)(b) appointment.

Consent, dissent and no response

For party structure and excavation notices, the response determines whether there is a dispute to be resolved under Section 10.



Written consent

There is no dispute at that point. An Award is not automatically required. The Building Owner's duties still apply, and the notice period must be observed unless an earlier start is agreed in writing.

Dissent

Dissent engages the dispute procedure. It does not automatically prevent lawful work. The owners can agree a single Agreed Surveyor or appoint separate surveyors to resolve the relevant matters.

No written consent within 14 days

For work under Sections 2 and 6, a dispute is deemed to have arisen. Silence is not permission to start. If an owner then fails to appoint a surveyor following a written request, Section 10(4) provides a route after the required 10-day period.

Section 1 is different

No written consent to an astride wall means the wall must be built wholly on the Building Owner's land. Silence on a notice for a wall wholly on that land does not itself create the same deemed dispute. A dispute about relevant work can still require resolution.

Choosing the surveyor route

A surveyor appointed under Section 10 must apply the Act impartially and consider the rights of both owners, regardless of who appointed or pays them.



Agreed Surveyor

Both owners appoint one impartial surveyor. There is no Third Surveyor in this route.

Separate surveyors

Each owner appoints a surveyor. Those two select a Third Surveyor.

An Agreed Surveyor

Both owners must agree to the appointment in writing. One surveyor can often reduce duplicated work and fees, but the choice should suit the project and both owners. There is no Third Surveyor in this route, and an appointment cannot simply be rescinded.

Separate surveyors and a Third Surveyor

Each owner appoints a surveyor in writing. Those surveyors must select a Third Surveyor, who can be called upon by an owner or appointed surveyor to determine relevant disputed matters. The Third Surveyor does not routinely inspect every project.

Choose for knowledge and judgement

Look for experience of the Act and construction detailing, a clear scope and fee explanation, suitable insurance and a practical approach. A party to the dispute cannot act as their own Section 10 surveyor.

Fees must be reasonable

The Building Owner usually pays reasonable Award-related costs where the work is solely for their benefit. The surveyors determine the allocation. Repair obligations, shared benefit and other circumstances can affect who pays; the neighbour is not always automatically free of cost.

The Schedule of Condition

A dated factual record of visible condition before the works begin. It gives both owners a reference point if a question about damage arises later.



What the report usually records

The inspection notes the accessible parts of the property relevant to the works: walls, ceilings, floors, external elevations and other affected areas. Photographs support written descriptions of existing cracks, staining or defects. Limitations and areas not inspected should be recorded.

What it can tell you

A comparison before and after the work helps assess changes. Clear locations, dated photographs and measurements can reduce disagreement about whether a defect was already present. The report supports the evidence; it does not by itself establish what caused a later defect.

What it does not do

It is not a structural survey, a guarantee against damage or permission to build. It does not set binding construction safeguards. A Schedule of Condition is not a statutory requirement, but it is often a sensible precaution and commonly accompanies an Award.

If internal access is unavailable

Record the limitation and consider the useful external evidence that can be obtained. Drone photographs may help record roofs or rear elevations where appropriate, but external images cannot establish the condition of rooms that were not inspected.

Why a detailed condition record matters

A careful record protects clarity for both owners if damage is later alleged.



Detailed written and photographic reports

We prepare very detailed Schedules of Condition combining written observations with clear, referenced photographs. The report identifies the property, inspection date, relevant areas and any access limitations.

What we record

Relevant accessible walls, ceilings, floors, finishes and external elevations; existing cracks, staining, distortion and other visible defects. Locations, measurements where useful and photograph references help a later comparison.

Why photographs and words work together

A photograph shows appearance; the written description explains precisely where the defect is and what was visible. Together they provide a more useful reference than a collection of unlabelled photographs.

How it helps if damage is alleged

Dated before-work evidence can show whether a crack already existed or has changed. The record supports an inspection and assessment of the evidence; it does not itself prove that the building work caused a new defect.

Scope and limitations

The report records visible condition at the inspection. It is not a structural survey or a guarantee against damage. Uninspected rooms and concealed areas are identified as limitations. Drone photographs can supplement external coverage.

Before and after

Arrange the record before relevant work begins. Keep the report and original photographs, report changes promptly and refer any relevant dispute to the appointed surveyor(s).

The Party Wall Award

When a relevant dispute arises, the appointed surveyor or surveyors determine it through an Award. This establishes how the notifiable works may proceed under the Act.



What it may contain

An Award identifies the owners, the relevant notices and the permitted notifiable works, with drawings and details. Within the Act's scope it may address methods, sequencing, temporary protection, hours for relevant works, necessary access, inspection and the treatment of loss or damage. A Schedule of Condition is often attached.

A statutory determination

The Award is made by the surveyor or surveyors; it is not simply a contract that both owners must sign. Its authority is confined to matters within the Act. It does not approve the whole building project or replace planning, building control, design responsibility or other required permissions.

Read it before the work starts

Owners should keep the served Award and drawings and pass the relevant documents to their contractor. Check the start date and conditions carefully. The existence of an Award does not automatically shorten an unexpired notice period.

Appeal: a short deadline

An owner may appeal an Award to the county court within 14 days beginning with the day it is served on them. Obtain prompt legal advice if considering an appeal. Do not assume informal discussions or a complaint extend that deadline.

Award or condition report?

A condition report records evidence. An Award resolves a relevant dispute and can set binding terms within the Act. The two documents often work together.



Purpose	Schedule of Condition	Party Wall Award
Starting condition	Records visible condition and photographs.	Often incorporates the condition record.
Define works	Does not authorise work.	Determines relevant works under the Act.
Safeguards	Does not impose construction conditions.	May set protection, methods and access terms.
Damage	Supports comparison and evidence.	Can resolve relevant disputed loss or damage.
Dispute resolution	Does not resolve a legal dispute itself.	Statutory determination, subject to appeal.

A practical example

Before an extension begins, a condition record notes an existing hairline crack. Where a dispute has arisen, an Award can also address excavation sequence and protection. If the crack later changes, the original record helps assess the facts and the Act provides a route to determine a relevant dispute.

An Award is not required simply because it offers more

Where valid consent is given and there is no dispute, an Award is not automatically necessary. A condition report can still be worthwhile. Consent does not remove statutory duties or prevent the Act's dispute procedure being used if a relevant difference arises later.

Checklist for Building Owners

Prepare early, give neighbours useful information and build the Party Wall timetable into the project programme.



1 Send complete drawings

Provide architectural plans, structural details and foundation depths. Include all relevant boundary and shared-structure works.

2 Identify the adjoining interests

Check joint owners, landlords, freeholders and qualifying leaseholders, including properties affected by excavation.

3 Allow time for notices and an Award

Do not rely on a 14-day reply to mean work can start. Resolve any dispute and observe the notice period or agreed earlier date.

4 Brief the contractor

Give them the final Award and drawings, explain safeguards and access arrangements, and check they understand the scope.

5 Check design changes before building

Ask the surveyor whether revised works require fresh notice, further particulars or a further Award. Do not assume the original paperwork covers changes.

Keep communication and records clear

Speak to your neighbours early. Keep notices, responses, proof of service, drawings and appointments together. Planning or building control approval does not replace the Party Wall process.

Checklist for Adjoining Owners

You can raise concerns, understand the proposal and choose the appropriate response while preserving a workable relationship with your neighbour.



Read the notice and drawings

Check the property, owners, work description and notice type. Ask for clarification if the excavation depth, structural alterations or timing are unclear.

Respond in writing

For party structure and excavation notices, consent or dissent within the relevant 14-day period. Dissent can lead to an Agreed Surveyor or separate surveyors. Read Section 1 notices using their different rules.

Consider the condition record

Arrange reasonable access where appropriate and identify areas that could be affected. Keep a copy of the report and the original photographs. Consent can be accompanied by a separately arranged condition inspection.

Raise practical concerns early

Discuss relevant support, weatherproofing, access, working methods and protection. Security for expenses may be requested before works start where justified; it is not a standard payment due on every project.

Keep a record if something changes

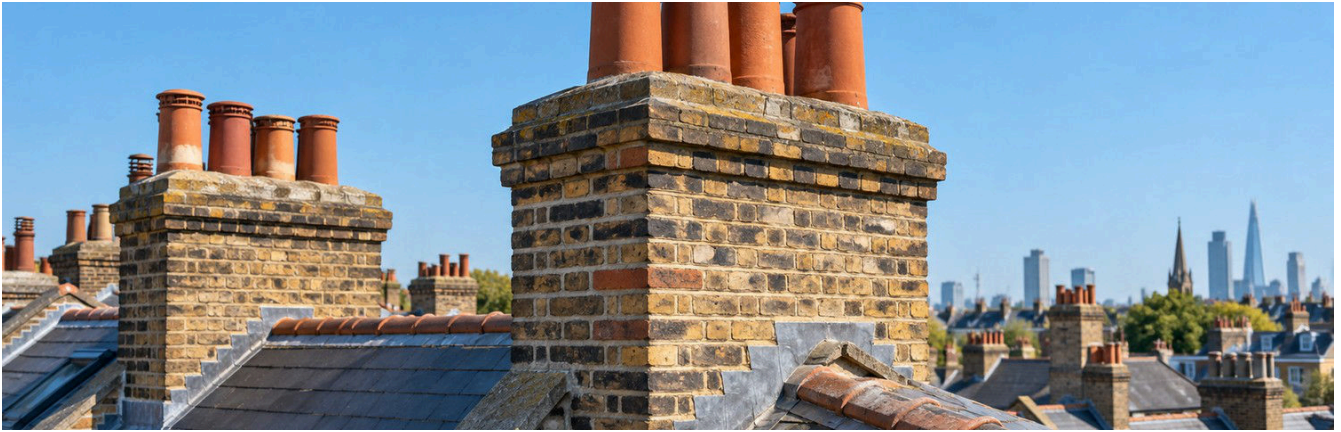
Report new damage promptly, with dated photographs and locations. Contact the appointed surveyor where applicable. For an immediately dangerous building, contact the local authority building control department.

Consent does not remove your rights

Consent indicates that there is no dispute at that time. Relevant rights concerning protection, unnecessary inconvenience and loss or damage remain. A later relevant dispute can still be resolved through the Act.

During and after the works

A well-prepared Award helps, but good communication, careful workmanship and timely reporting are still essential.



Access is for a defined purpose

Section 8 provides access where necessary for work in pursuance of the Act, subject to its requirements. Normally at least 14 days' notice must be given to the Adjoining Owner and occupier, except in an emergency. It is not a general entitlement to use a neighbour's land for the whole project.

Protection and unnecessary inconvenience

Check temporary support, security and weatherproofing where they are relevant. Follow the Award's conditions and agreed arrangements. The Party Wall process does not replace the contractor's health and safety duties or the designer's responsibilities.

If damage is reported

Notify the Building Owner and relevant surveyor promptly. Compare the condition record, inspect where needed and assess whether the loss or damage is attributable to the relevant works. The Act provides for making good or appropriate payment; disputed matters may require a further Award.

Use the right route for the issue

An Award cannot settle every construction complaint. Excessive noise or dust may need the local authority's environmental team; dangerous structures may need building control. Boundary disputes and works outside the Act may need separate professional or legal advice.

Retain notices, consents, appointments, the served Award, drawings, photographs and correspondence with your property records. These can be useful during a future sale.

Drone surveys

Elevated photography can add useful evidence where a view from ground level is limited.



We undertake drone surveys

Our drone surveys can record roofs, chimney stacks, parapets, rear elevations and other areas that are difficult to inspect safely from ground level. They can support Party Wall condition records and separately commissioned external inspections.

Useful coverage

Roof coverings, ridges, rooflights, dormers, chimney masonry, lead flashings, parapet details and wider roof relationships can be photographed. Rear elevations and surrounding views can help explain the arrangement of adjoining properties.

Supporting the Schedule of Condition

Elevated images supplement written descriptions and accessible internal or external photographs. They can provide a useful before-work reference for parts of a building that would otherwise be difficult to record.

What a drone cannot establish

Images show visible surfaces; they do not establish concealed defects, structural adequacy or the condition inside rooms. They do not replace close inspection where that is necessary.

Planned around the site

Coverage depends on safe operating conditions, weather, airspace, access and privacy considerations. The intended purpose and achievable scope are agreed before the survey.

Common questions

The key points to remember before you serve a notice, respond to one or begin work.



1. Does my project fall under the Act?

It may if it involves a new boundary wall, relevant work to a party structure, or excavation meeting the distance and depth tests. The drawings and details decide.

2. Does planning permission cover Party Wall matters?

No. Planning permission and building regulations are separate. Their approval does not replace notices or the Act's dispute procedure.

3. How much notice must I give?

Normally one month for Sections 1 and 6, and two months for a Section 3 party structure notice. The response deadline is separate from the notice period.

4. Can I start after receiving consent?

Observe the notice period unless an earlier date is properly agreed in writing. Check all affected owners and any other permissions before starting.

5. What if my neighbour does not respond?

For Sections 2 and 6, no written consent within 14 days creates a deemed dispute. A further written appointment request and the statutory ten-day period precede a Section 10(4)(b) appointment. Section 1 differs.

6. Can dissent stop the project?

Dissent usually triggers surveyor appointments rather than preventing lawful work. A new wall astride the boundary still requires written consent.

7. Do we need one surveyor or two?

Both owners can appoint one impartial Agreed Surveyor. Otherwise each appoints a surveyor, and those two select a Third Surveyor.

8. Who pays the surveyors?

The Building Owner usually pays reasonable costs where the work is solely for their benefit. Shared benefit, repair obligations and other circumstances can affect allocation.

9. Is a Schedule of Condition compulsory?

It is not a statutory requirement in every case, but a detailed record is often sensible. It supports comparison if damage is alleged and commonly accompanies an Award.

10. What should I do if damage appears?

Record dated photographs and locations, and contact the Building Owner and relevant surveyor promptly. Evidence and causation must be assessed; a relevant dispute may require a further Award.

Five-star Google reviews

Five-star feedback from clients who have used our Party Wall services.



London's most-reviewed dedicated Party Wall practice

Our website describes the practice in these terms. Below are genuine, attributed excerpts from five-star reviews displayed on its live review widget.

★★★★★ Aaliyah

"The level of service genuinely felt like a red-carpet experience."

★★★★★ MJ

"Very clear and detailed advice given and I really liked the thoroughness."

★★★★★ Asif

"I have been using PWS for many years....and have nothing but praise"

★★★★★ Linda

"The report is detailed including drone footage."

★★★★★ Rodrigo

"They were responsive to our questions, explained everything clearly"

★★★★★ Emma D

"Nisar provided an extremely efficient service and thorough responses to our queries."

★★★★★ David

"Provided drone footage to support the party wall agreement. I definitely recommend."

★★★★★ Alice

"Nisar was excellent - easy to communicate with, fast responses, helped resolve disputes before they arose, and really clear and helpful."

Short excerpts; original wording retained. Read the full Google reviews on our website. The comparative practice description is taken from our website and has not been independently audited.

Clear advice. Practical support.

Party Walls Surveyors Ltd provides specialist Party Wall services for Building Owners and Adjoining Owners in London and surrounding areas.



Notice preparation and service

Review proposals, identify relevant owners and prepare the appropriate Section 1, 3 and 6 notices.

Schedules of Condition

Record accessible condition with clear written notes and photographs before the works. External and drone photographs can supplement the record where appropriate.

Surveyor appointments and Awards

Act as Building Owner's, Adjoining Owner's or Agreed Surveyor where appointed, determine relevant matters impartially and prepare or negotiate Awards.

Support during the project

Review relevant design changes, protection and access requirements, and assist with disputes concerning loss or damage.

Send us your drawings or notice

Email the project address, proposed works, drawings and intended start date, or the notice you have received. We offer free initial guidance and written fixed-fee quotations.

info@partywallssurveyors.co.uk
0203 576 0786 | partywallssurveyors.co.uk

Sources and further reading

[Client reviews](#)

[The Party Wall etc. Act 1996](#)

[Government explanatory booklet](#)

[Our Party Wall guidance](#)

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