

The Party Wall etc. Act 1996: Section 1

Notes:

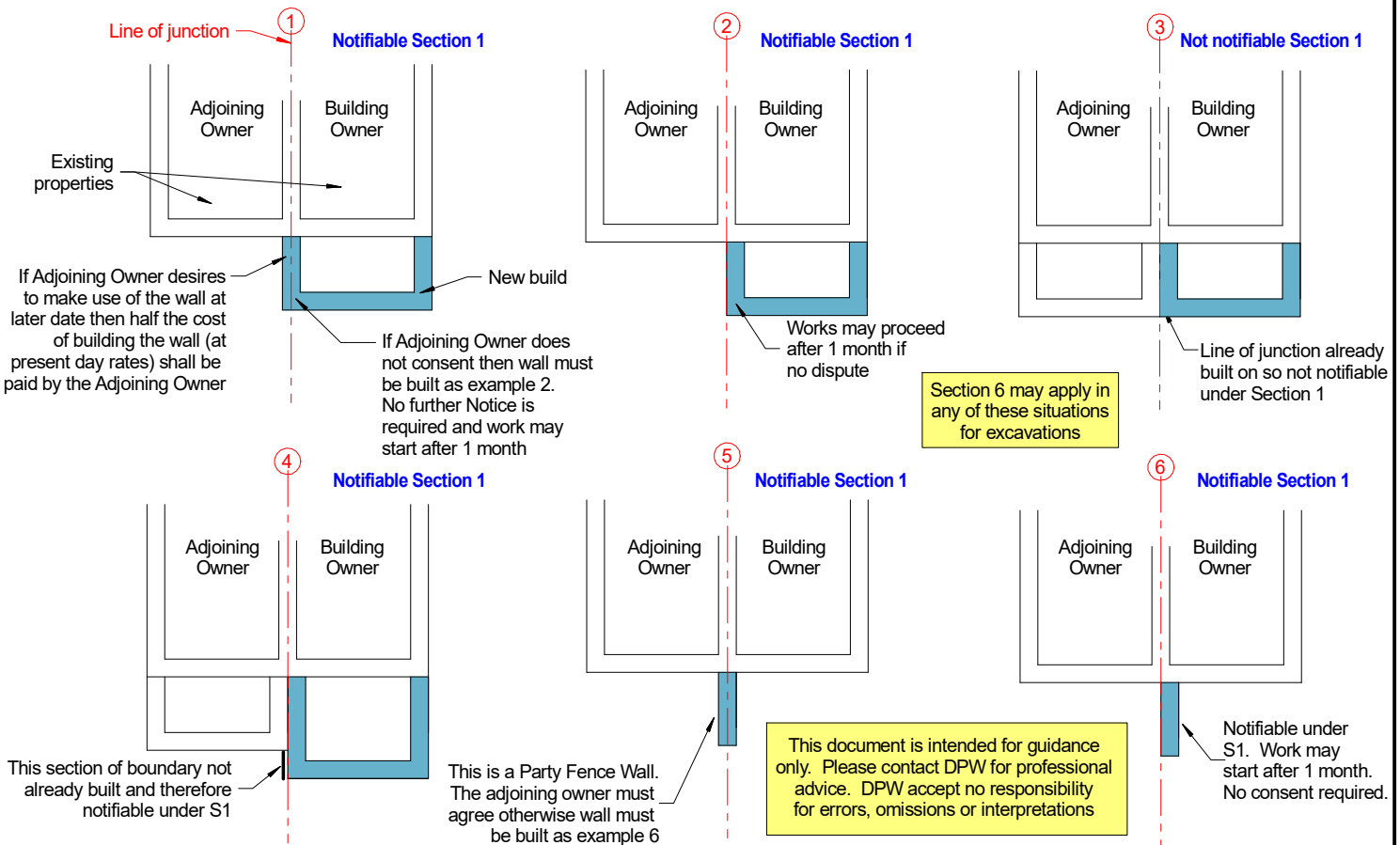
Section 1 applies to new building on the line of junction. The line of junction is a line that has no thickness but separates the land of two owners. It effectively means the boundary line between two properties but in this definition it relates to the land itself, not the vertical aspect of the boundary.

If you are raising a wall that already stands wholly on your own property this is not covered by the Act as it is land that has already been built on.

Building a wall at a small distance away from the line of junction does not come under the Act but the excavation for the foundations might fall within Section 6. It might seem sensible therefore to always build away from the line of junction but there are advantages to building on the line of junction.

Leaving a gap to the boundary clearly reduces the internal space of the room. It would also create a gap between a similar wall on the neighbour's side of the boundary. This might be completely inaccessible and potentially lead to damp and maintenance problems.

A wall built on the line of junction potentially triggers Section 8 rights of entry to your neighbour's land for works in pursuance of the Act, allowing scaffolding to be erected for instance. It could also allow you to cut into the wall of the adjoining property to insert a flashing, thereby eliminating the gap between the walls and sealing it from weather.



The Act: Section 1

New building on the line of junction

(1) This section shall have effect where lands of different owners adjoin and -

- (a) are not built on at the line of junction: or
- (b) are built on at the line of junction only to the extent of a boundary wall (not being a party fence wall or the external wall of a building),

and either owner is about to build on any part of the line of junction.

Devon Party Walls Ltd

Tel: 07871 781964

E-mail: info@devonpartywalls.com

Web: www.devonpartywalls.com

The Party Wall etc. Act 1996 Section 1

© Devon Party Walls Ltd

Date: Mar 2018

Dwg: DPW/S1 Rev A