

The Party Wall etc. Act 1996: Section 6(1) - 3m

Notes:

Section 6 relates to proposed excavations and their proximity to the foundations of adjoining owner's structures. The position of the boundary between the properties is not relevant under this section.

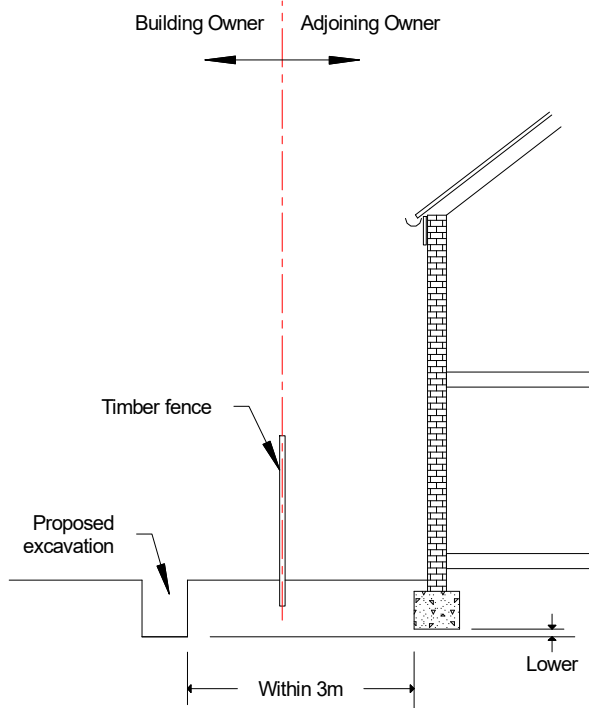
For Section 6(1) the governing distance is 3m. This is measured horizontally from the face of the adjoining owner's structure (likely to be the projecting foundation) to the face of the proposed excavation. The level aspect is taken from the bottom of the adjoining owner's foundation to the bottom of the proposed excavation.

If the excavation is lower than the adjoining owner's foundations **and** falls within 3m then the work is Notifiable under Section 6(1). Excavations could be for foundations, drains or a basement etc.

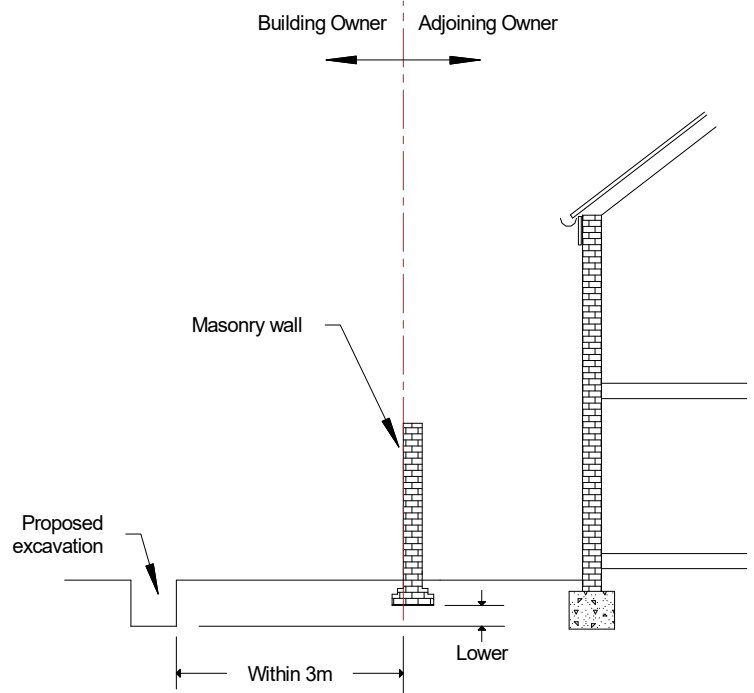
Adjoining owners' structures include masonry walls and masonry garden buildings, but not wooden fences.

Section 6 Notices must be served at least 1 month before commencing work. The Notice must be accompanied by plans and sections showing the site and depth of the proposed excavation and the site of any proposed building.

The position of the boundary is not relevant under section 6



Notifiable



Notifiable

Not Notifiable if the excavation is level with the bottom of the Adjoining Owner's foundation

The Act: Section 6 (1)

- (1) This section applies where -
- (a) a building owner proposes to excavate, or excavate for and erect a building or structure, within a distance of three metres measured horizontally from any part of a building or structure of an adjoining owner; and
 - (b) any part of the proposed excavation, building or structure will within those three metres extend to a lower level than the level of the bottom of the foundations of the building or structure of the adjoining owner.

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The Party Wall etc. Act 1996
Section 6(1)

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