

# COBURNS PARTY WALL

## Party Wall and Neighbourly Matters

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**GUIDANCE NOTE**

**GETTING YOUR NEIGHBOUR TO APPOINT AN AGREED SURVEYOR**

## GETTING YOUR NEIGHBOUR TO APPOINT AN AGREED SURVEYOR

In an ideal world neighbours would simply trust each other in the knowledge that everyone always does the right thing. In the real world trust can be difficult to establish, sometimes for good reason. Everyone knows someone with a story to tell.

In this document we try to identify key messages you need to get across in an attempt to gain the trust of your neighbour with the aim of having them appoint your surveyor as the agreed surveyor.

In party wall matters, a neighbour (adjoining owner) has the right to appoint anyone they wish to act on their behalf to make an award. If they choose a surveyor other than yours, you can expect your costs to double (or more). Your aim should be to have them appoint your surveyor as the agreed surveyor. This can mean lower costs, fewer delays and happier neighbours.

**However, before you can expect your neighbour to trust your surveyor to look after their interests, there are key messages they should hear from you:**

- You should talk to them at the earliest opportunity to outline your plans so there are no surprises. Give them a copy of your plans.
- Assure them your surveyor is obliged to be impartial and that's what you want them to be because you understand your neighbours may have concerns. That if the party wall surveyor isn't impartial the their award could be deemed invalid.
- Say again that you have asked you party wall surveyor to ensure impartiality. That you want your neighbour to be happy and that their needs are important to you.
- Suggest that even if they have no problems with the works going ahead with a formal agreement that you will ask your surveyor to carry out a condition survey of their property so it will be clear what you are responsible for.
- Assure the that you are happy to put right any damage your work might cause. That you can get your builder to fix any faults at your cost or they can choose to have their own builder carry out the necessary work. It's their choice.
- In most cases, the damage will be limited to a few minor cracks. Nothing major. That you just want to be careful for their sake.
- You are willing to consider any issues they have - children, pets, work, night shift, elderly relatives etc. and you will pass on any concerns to the builders. That the builders have been told that they need to be careful and considerate.
- To be reassured that you are happy to rectify any faults created by the work you are undertaking and that is what you would expect from them.
- You want to make sure their needs are considered because that is the neighbourly thing to do.
- Remind them that if or when they want to do any work you will be equally accommodating to them.

- If they have issues during the build they can raise them with anytime. You are just next door (where applicable). Give them a daytime contact number too.

Remember, you are not asking permission. You are letting them know, out of courtesy.

#### **To maintain neighbourly relations once party wall appointments have been made:**

- Discuss your neighbours concerns with your builder. Ask them how they will accommodate any needs. Remember, after the builder has gone you will still be there.
- Any promises you make should be kept...if you want to maintain neighbourly relations!
- Building work involves noise but let your neighbours know if you expect EXTRA noise or disruption so they have time to make suitable arrangement.
- If they raise issues during the build, listen to their concerns and try to resolve where reasonably possible. Be a good neighbour.

#### **Conclusion**

If you have a poor relationship with your neighbour this may all fall on deaf ears but if you don't try to talk to them you should expect them to appoint their own surveyor. This will inevitably lead to higher costs and prolonged negotiations which could delay your building works.

Be fair, reasonable and nice then hope that your neighbours are too.