

LOVELLE BACONS NEW BUILD & CONSTRUCTION SERVICES



- SELF BUILD WARRANTY
- BOUNDARY DISPUTES
- LAND AND SITE MEASUREMENTS
- PLANNING APPLICATIONS AND APPEALS
- KNOTWEED REPORTS
- DEFECT SURVEYS
- PARTY WALL NEGOTIATIONS
- EXPERT WITNESS

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LOVELLE BACONS™
CHARTERED SURVEYORS



PROBLEMS WITH YOUR NEIGHBOUR?

- Boundary Disputes
- Party Wall Disputes
- Mediation
- Expert Witness
- Full UK Coverage



LOVELLE BACONS™
CHARTERED SURVEYORS

PROVIDING SURVEYING SERVICES SINCE 1932

BOUNDARY DISPUTES

Are you experiencing boundary issues with your neighbour? Are they claiming your land or denying you right of way? Perhaps they are stopping your development, or a development of their own is denying your "right to light"?

Boundary disputes are common-place and arise in relation to commercial, residential and agricultural land.

Disagreements can quickly escalate into full scale disputes, involving solicitors letters and threats of court action. Our boundary experts will look to resolve the concerns effectively at an early stage if possible. Our in-house specialists will look at all aspects of the problem and advise on whether or not you have a case.

In the first instance, this advice can be from either a Chartered Land Surveyor or a Chartered Surveyor, specialising in boundary disputes who will try to determine the correct boundary position. Our RICS member will provide you with 30 minutes of free advice.



- ▶ A surveyor will determine the correct boundary position.
- ▶ You can legally challenge any party wall changes.

Is Mediation Possible?

We will attempt to settle all matters via mediation before going to court. We offer a Neighbour Dispute Resolution Service (NDRS), this is a service provided by the Royal Institution of Chartered Surveyors as an alternative to lengthy and costly litigation. The NDRS is recognised as a Alternative Dispute Resolution, if a party fails to engage in some form of resolution before they go to court, costs may be awarded against them - even if they win!

Going to court

Mediation is not always successful. One party may refuse to mediate or, having agreed to mediate may be unwilling to compromise so that the mediation is ultimately unsuccessful. If the issue is taken to court, our specialists are well versed in court proceedings as an expert witness.

Lovelle Bacons have been dealing with boundary disputes for over 20 years and can help you decide where your property starts and finishes. Initial consultation is free, call Grimsby 01472 353436 or Scunthorpe 01724 856037 to make an appointment.



PARTY WALL DISPUTES

Do you have a neighbour who is undertaking building works to their house and making a noise at all hours of the day? Or a neighbour whose building works are creating cracks to your wall? Perhaps you intend to carry out work which may structurally affect a party wall and you need consent.

The best way of settling any point of difference is by friendly discussion with your neighbour. However, if you cannot reach agreement with your neighbour, the next best thing is to appoint a surveyor.

I wish to make party wall changes which may affect my neighbour

If you're doing minor work such as drilling into your own half of the party wall to fit shelves for example, this is deemed too trivial to come under the Act providing the work is carried out at reasonable times.

Any modifications that may have a structural impact on a party wall however will mean you need to serve notice to the adjoining owner(s). Should no agreement be reached with your neighbour you will need an appointed surveyor (preferably jointly) to draw up a "party wall award (or agreement)".

The party wall surveyor will then prepare the award, this is a document which:

- sets out the work that will be carried out
- says when and how the work is to be carried out (for example, not at weekends if the buildings are domestic properties)
- records the condition of next door before the work begins (so that any damage can be

properly attributed and made good)

- allows access for the surveyors to inspect the works while they're going on (to see that they are in accordance with the award).
- may place other obligations such as insurance
- confirm who pays the surveyors costs

It is a good idea to keep a copy of the award with your property deeds.

My neighbour's party wall changes are causing a disturbance

If your neighbour is carrying out any work on a party wall, under the Party Wall Act 1996, you have rights. If work is being carried out which you believe may structurally impact upon your property you need protecting against damage and insurance should work not be completed.

You can legally challenge any changes even if the work is being carried out at an unreasonable hour or the implications of any alterations may cause a future disturbance.

Lovelle Bacons have over 20 years of experience handling boundary disputes and can help you decide where your property starts and finishes. Initial consultation is free, call Grimsby 01472 353436 or Scunthorpe 01724 856037 to make an appointment.

PARTY WALL ACT 1996

It provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

Anyone intending to carry out work (anywhere in England and Wales) of the kinds described in the Act must give Adjoining Owners notice of their intentions, even where the work will not extend beyond the centre line of a party wall.

For more information see:
www.planningportal.gov.uk/permission/