

# **Six Metre Notice**

## **Section 6(2)(a) and (b) of The Party Wall etc Act 1996**

If you need help and advice with regard to disputes, particularly party wall matters, boundary disputes or building disputes then give us a call. You may require a structural report or a building survey or a schedule of condition prepared for a party wall notice or a dilapidations report. For any property matters please call 0800 298 5424 for a friendly chat.

The excavation near neighbouring buildings falls into two categories:-

1. The three metre notice
2. The six metre notice

In this article we will look at the Six Metre Notice

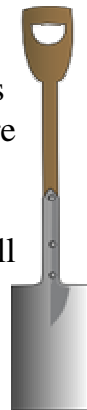
### **Six Metre Notice**

On a Party Wall award you can have a Six Metre Notice as well as a Three Metre Notice and the normal Party Wall award; so you can have three notices on one project.

### **Section 6(2)(a) and (b)**

This section applies where, and to quote The Party Wall etc Act 1996

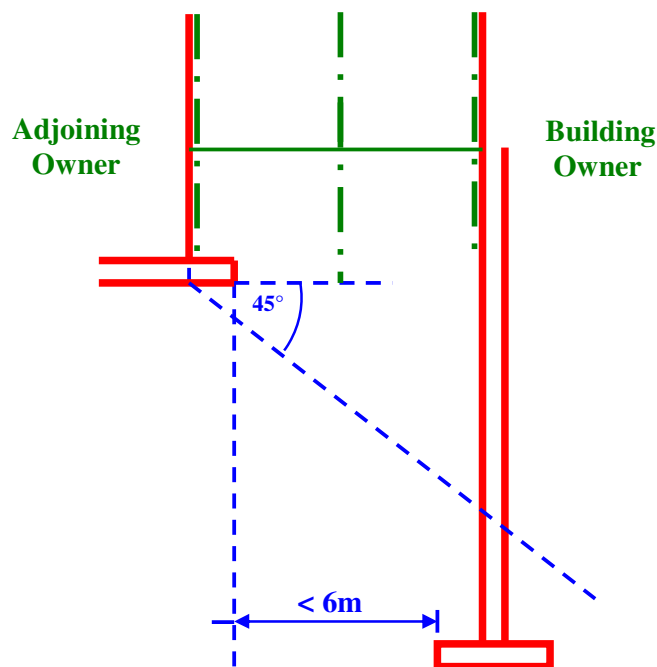
- (a) “a building owner proposes to excavate, or excavate for and erect a building or structure, within a distance of six metres measured horizontally from any part of the building or structure of an adjoining owner; and
- (b) any part of the proposed excavation, building or structure will within those six metres meet a plane drawn downwards in the direction of the excavation, building or structure of the building owner at an angle of 45 degrees to the horizontal from the line formed by the intersection of the plane of the



level of the bottom of the foundations of the building or structure of the adjoining owner with the plane of the external face of the external wall of the building or structure of the adjoining owner.”

What a mouthful! If that hasn't put you off learning more about the six metre notice rule then have a look at the diagram below.

### Six Metre Notice

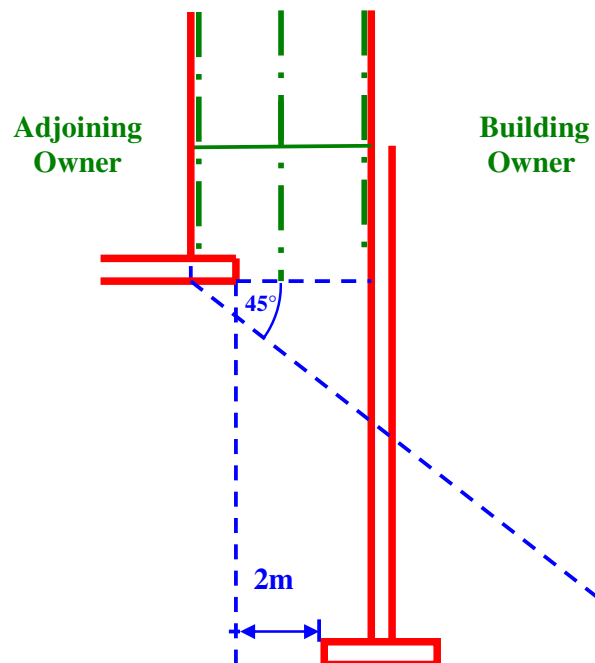
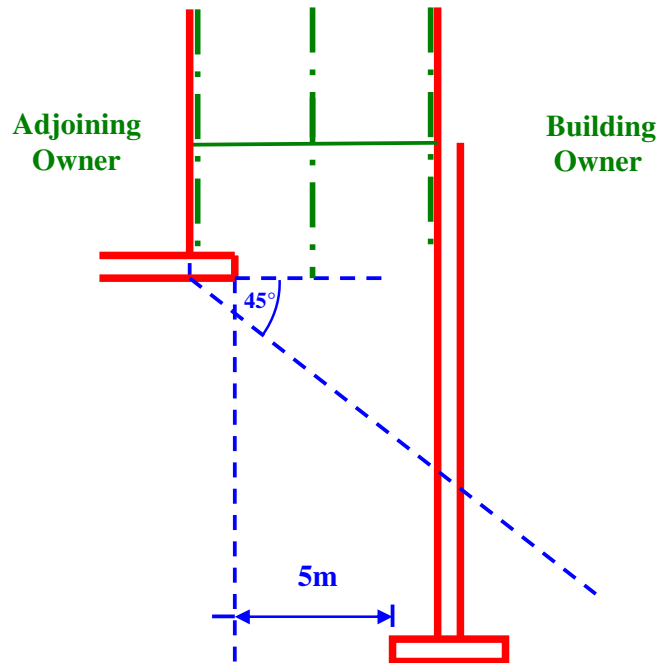


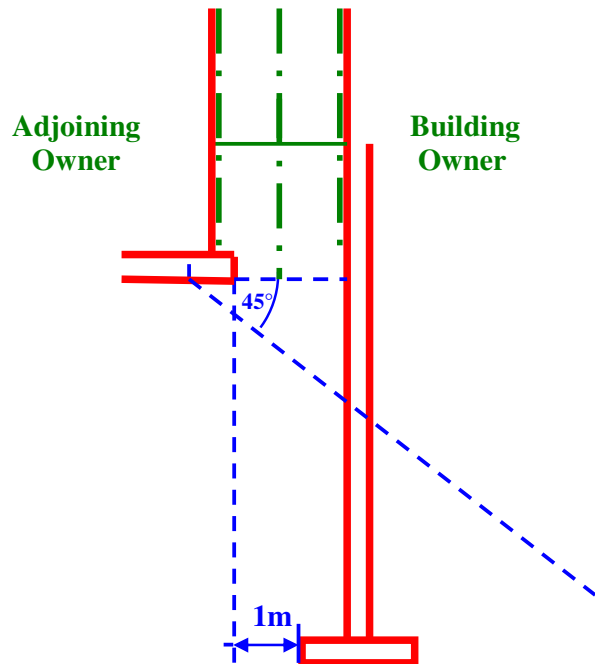
Here we have the building owner of a Victorian property with a small stepped brick foundation of about half a metre. To the left hand side we have adjoining owners. It is a terrace of Victorian properties both with foundations of about half a metre. The building owner's proposed work mean that they will have to pile (for example) down beneath their property. If the adjoining owner's building is within six metres, and this could be one or two buildings, "and" take an angle of 45 degrees from the base of the adjoining owner's foundations, and the building owner's proposed foundation is deeper, then a six metre notice needs to be served.

## Within Six Metres

Remember this Act also applies if it is within six metres.

### Six Metre Notice





### Various questions to be asked

How do we know the depth of the adjoining owner's foundations?

The answer is we don't; we dig down, which is very unlikely will be allowed. What we do need to do is take an educated guess as to its depth.



Equally, it could be argued that we don't know the full depth of the pile, but again we need to take an educated guess as to its likely depth. With the six metre notice it is certainly true that a picture is worth a thousand words. The notice, of course, needs to describe adequately the work that is being carried out.



If you truly do want an independent expert opinion from a chartered surveyor to specialise in party wall work please contact us on 0800 298 5424 for a chartered surveyor to give you a call back. We are also happy to carry out third surveyor work. If you require a structural survey, a schedule of condition, a dilapidations report, specific defects report, home buyers reports or any other property matters please contact us.

If you have a residential or commercial property we would be more than happy to help you with a Party Wall matter. We would also refer you to our other website [www.DisputesHelp.com](http://www.DisputesHelp.com) which has a section on Party Walls as well as covering building disputes and boundary disputes.

If you have a commercial property, be it leasehold or freehold, then you may wish to look at our Dilaps Website at [www.DilapsHelp.com](http://www.DilapsHelp.com).

We hope you found the article of use and if you have any experiences that you feel should be added to this article that would benefit others, or you feel that some of the information that we have put is wrong then please do not hesitate to contact us (we are only human).

The contents of the web site are for general information only and is not intended to be relied upon for specific or general decisions. Appropriate independent professional advice should be paid for before making such a decision.

All rights are reserved the contents of the web site is not to be reproduced or transmitted in any form in whole or part without the express written permission of [www.1stAssociated.co.uk](http://www.1stAssociated.co.uk).