REMOWING THE BARRIERS TO DEVELOPMENT

POSITIVELY WORKING WITH YOUR NEIGHBOURS.

Dealing with neighbours when developing is often vital to the successful outcome of projects. Whilst there are various legal Acts that help, it is still important to positively manage the process. Projex are able to offer experienced advice to guide you through the process.

5 KEY STEPS TO REDUCING RISKS ASSOCIATED WITH NEIGHBOURLY MATTERS

01 Identify with the design team potential boundary issues
02 Identify in conjunction with solicitor legal ownership
03 Serve notices well in advance of notification
04 Accurately manage the additional development costs
05 Positively engage with adjoining owners to reduce programme risk

UNDERSTANDING THE PROPOSED DEVELOPMENT CONSTRAINTS EARLY

In delineating the developable area design often extends to the site boundaries. It is vital these boundaries are correctly identified and legally understood. Boundary advice on potential development constraints needs to be sought as part of the early design review, costed and ultimately used to inform the correct design solutions.

BE PREPARED WITH DESIGN INFORMATION

In the event Party Wall Awards or over-selling licenses are required, the adjoining owner’s surveyor will request design information. Having a clear list of the information necessary to obtain third party approval ensures Party Wall Awards are in place well in advance of notification being served. Establish a clear record for information schedules early in the process and proactively manage the delivery in conjunction with the design teams.

TIMEFRAMES

Although the Party Wall Act carries statutory timeframes, this does not necessarily allow sufficient time to allow all party wall awards to be finalized and published ahead of programme constraints. Under the Party Wall Act, all developers should be aware that adjoining owners can appoint their own independent surveyor, serve counter-notices and make requests for security of expenses. This process takes time.

BE AWARE OF ADJOINING OWNER’S COSTS

In all normal circumstances, the building owner or developer will be responsible for all professional costs associated with the adjoining owner. These can be in the form of a surveyor’s professional fees under the Act or instead of Editor’s and surveyor’s fees if they are dealing with over-sailing licences or deeds of agreement.

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