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5 November 2012

Mrs I Abiola
4L Portman Mansions
Chiltern Street
London W1U 6NS

Dear Mrs Abiola

8 Pilgrim's Lane, London NW3

In accordance with instructions received on your behalf from Michael Doyle of Doyle Town Planning & Urban Design, I have reviewed the matter of the proposed works at no 8 Pilgrim's Lane and with specific reference to the neighbouring properties and the provisions of the Party Wall etc Act 1996. Following my inspection at the property on 20th June and my subsequent study of the proposals, I would advise as follows.

It is noted that there are general alterations proposed to the interior of no 8 and that these works include the provision of a new lower storey over the rear part of the building and a lower floor level to the existing basement to the front. There are various adjoining buildings being nos 6 and 10 Pilgrims Lane and Downshire Studios which are located at the rear. I would advise in connection with each specific adjoining building as follows:

6 Pilgrims Lane

This property is located to the right-hand side of no 8 when facing no 8 from the front and is terraced with no 8. An inspection at roof level reveals a single wall between the properties projecting through the roofline as a parapet such that it may be assumed that there is a classic party wall between nos 6 and 8 where they abut. In the event that the internal works involve alterations to the party wall by way of removal of chimney breasts, cutting in steel beams and padstones etc, a Notice will have to be served under the Act on the owners of no 6 and the statutory procedure followed.

It would seem that the wall of no 8 Pilgrim's Lane abutting the rear patio of no 6 is located entirely on the no 8 side of the boundary. This being the case, no notification to the Adjoining Owners is required for the underpinning to construct the basement other than the service of Notice under Section 6 of the Act for the excavation involved which will be within 3m of the rear addition of no 6.

It should be noted that the Party Wall etc Act 1996 gives the Building Owners an absolute right to carry out works affecting the party wall in the main body of the house at no 8 and the proposed excavation for the basement to the rear section alongside the rear patio of no 6.

Downshire Studios

From site inspection and from the survey drawings provided, it would seem that there are two separate walls involved at the abutment of the two properties being Downshire Studios at the rear and no 8 Pilgrims Lane. This being the case it may safely be assumed that the boundary runs between the two walls and that there is no single party wall involved.

Depending on the relative levels of the two buildings it will, in all probability, be necessary for the owners of no 8 to serve Notice on the owners of Downshire Studios under Section 6 of the Act for the proposed excavation to underpin their wall and create the basement accommodation. The procedure under the Act will thus follow and it should be noted that the Building Owners have an absolute right to proceed with the underpinning of their wall as far as the Act is concerned.

10 Pilgrims Lane

No 10 is located to the left-hand side at no 8 when standing facing the buildings at the front. No 10 is a more contemporary building than the period property at no 8 and it would appear likely that the ground on which no 10 stands has at some time in the past been sold off by no 8 to create the separate building plot.

The building at no 10 is somewhat unusual in that at first floor level the building extends over a vehicular access way serving no 8 in the form of the first floor structure. This structure is supported on beams and columns which sit alongside the flank wall of no 8 and it would appear from external inspection that the first floor accommodation of no 10 abutting no 8 is enclosed by its own wall such that there are two separate walls and no single party wall.

I am advised by Mr Doyle who, having examined the relevant Land Registry extracts, confirms that the driveway to the side of no 8 is within the freehold ownership of no 8 except that rights have been granted that allow columns and beams supporting the

structure of no 10 to oversail the driveway. That part of the area of the driveway which lies 2 metres above the level of the floor in the entrance hall of no 8 Pilgrim's Lane is in the ownership of no 10 and is included in that registration.

The applicant's structural engineer has allowed for the column bases to be underpinned in order to facilitate the excavation proposed.

Whilst the title may be complex, the situation under the provisions of the Party Wall etc Act 1996 is quite clear. Sections 6(1) and (2) of the Act give the Building Owner the right to excavate to a lower level than the Adjoining Owners' property and Section 6(5) states that the Building Owner may underpin or otherwise strengthen or safeguard the foundations of the building or structure of the Adjoining Owner.

At the rear of the building of no 10 there is a boundary wall separating the current rear yard and garden area of no 8 from no 10. This wall runs in line with the flank wall of no 10 on the left-hand side of the vehicular access way. As the flank wall of the vehicular access way is unlikely to be considered to be a party wall as it stands entirely on the land of no 10 it is fair to assume that the garden wall at the rear is a boundary wall and not a party fence wall and therefore outside of the provisions of the Act. This being the case, there will be no right to carry out works which affect the garden wall other than works of excavation alongside the wall to construct the proposed basement. Notification would be required under Section 6 of the Act for the proposed excavation and it could be suggested in that Notice that the Building Owners, subject to the Adjoining Owners' agreement, would like to underpin the party fence wall in order to safeguard the wall whilst the excavations are carried out.

Whilst there is no indication from visual inspection, I will assume that the rear boundary wall to the garden at no 10, separating it from the garden at no 8 is also a boundary wall and not a party fence wall and therefore subject to the same restrictions as noted above.

Summary

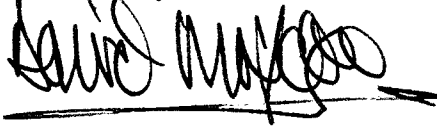
From site inspection and a review of the drawings, it would seem likely that the only party wall involved at no 8 is that between the main part of no 6 and no 8, no 6 being on the right-hand side standing facing the front. Any works directly affecting that wall will necessitate service of Notice under Section 3 of the Party Wall etc Act 1996 and the statutory process described therein will follow.

Notification will be required in respect of the other adjoining properties at Downshire House and no 10 Pilgrims Lane in respect of adjacent excavation under Section 6 of the Act and the procedure described therein will have to be followed.

The applicant has the right, per Section 6(5) of the Act, to underpin the column supports to the first floor structure of no 10 where that structure is located over the land of no 8 Pilgrim's Lane.

I trust that this is sufficient for your purposes by way of an initial review and will be pleased to discuss matters further should you so wish.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David R Maycox', written over a horizontal line.

David R Maycox FRICS FFPWS