

AN AWARD under the provisions of the PARTY WALL ETC ACT (The Act), 1996 to be served to the Appointing Owners under Section 10 (14).

WHEREAS Michelle Goff of Flat 1, 9 Pembridge Crescent London W11 3DT (hereinafter referred to as the Building Owner) an owner within the meaning of the said Act of the premises known as **Flat 1, 9 Pembridge Crescent London W11 3DT**

AND Elnaz Namaki of Flat 2, 9 Pembridge Crescent London W11 3DT (hereinafter called the Adjoining Owner) an owner within the meaning of the Act of the adjoining premises known as **Flat 2, 9 Pembridge Crescent London W11 3DT.**

AND on 30th September 2020 the Building Owner served Notice on the Adjoining Owner of her intention to exercise the rights given to her by the Party Wall ETC Act 1996 under **Section 2(2) (f), (g) and (k)** by executing works as more particularly defined in the Notice.

AND WHEREAS a dispute is deemed to have arisen

AND WHEREAS the Building Owner has appointed **Nigel G Conway BSc P G Dip MRICS of Conway Associates The Studio 10 Napier Avenue London E14 3QB** as her Surveyor and the Adjoining Owner has appointed **Darren Bekhor DipTP MSc MFPWS of Michael Alexander Limited Foundation House 4 Percy Road London N12 8BU** to act as her Surveyor in accordance with the Act.

AND WHEREAS the two Surveyors so appointed have selected **Stephen Cook BSc MRICS of Cook Steed Associates 177 Battersea High Street London SW11 3JS** as Third Surveyor on the application of either party in accordance with the provision of the Act and, in the event of his being unable or unwilling to act and their being unable to jointly agree upon a substitute, they have agreed that another Third Surveyor shall be appointed by the Appointing Officer of the relevant local authority in accordance with Section 10 (8) of the Act.

It is a requirement of the Act that the three Surveyors or any two of them, or in the event of no two of them being in agreement the Third Surveyor, shall settle by Award all or any matter which is connected with any work to which the Act relates and which is in dispute between the Building Owner and the Adjoining Owner including the right to execute the work, the time and manner of executing the work and any other matter arising out of the dispute including the cost of obtaining and making this Award.

This Award and its conditions relate only to the works described in Clause 2 of this Award and do not relate to other works outside the scope of the Act.

Any agreement or acceptance made by either Surveyor in this Award or subsequently during works on site shall not be taken to imply any responsibility by him or his appointed technical delegates for any structural or any other insufficiency in any part of the works whether existing or executed. Now we, being two of the three Surveyors so appointed, having inspected the said premises

DO HEREBY AWARD AND DETERMINE as follows:-

1.
 - (a) That the floor structure separating the Building Owner's and Adjoining Owner's premises is deemed to be a Party Structure within the meaning of the Act.
 - (b) That the said areas of the interior of flat 2 as illustrated in the attached Schedule of Condition, is sufficient for the present purposes of the Adjoining Owner.
 - (c) That the Schedule of Condition dated 15th September 2020 attached hereto and signed by us the said two Surveyors forms part of this Award.
 - (d) That the Drawings listed in the attached Document Register attached hereto form part of this Award.
 - (e) A photographic record was taken on the date of inspection and copies are retained in the Appointed Surveyors' offices.
2. That upon signing of the Award the Building Owner shall be at liberty if she so chooses, but shall be under no obligation to carry out the following works:
 - (a) Cut into Party Structure floor between lower ground and upper ground floor flats 1 & 2, 9 Pembridge Crescent to provide concrete padstones and steel beams in connection with internal alterations including removal of staircase to lower ground floor flat all as per attached consulting engineer's proposals prepared by Messrs Martin Redstone Associates.
3. That no deviation from the agreed works shall be made without prior consultation with, and agreement by the Appointed Surveyors.
4. That if the Building Owner exercises the above rights she shall:-
 - (a) Execute the whole of the aforesaid works at the sole cost of the Building Owner.
 - (b) Take all reasonable precautions and provide all necessary support to retain the Adjoining Owner's land and buildings.
 - (c) Make good all structural, decorative or horticultural damage to the Adjoining Owner's

building occasioned by the said works in materials to match existing works to the satisfaction of the Appointed Surveyors, or if so required by the Adjoining Owner make payment in lieu of carrying out the works to make damage good. Any making good is to be executed upon completion of the works referred to in Clause 2 of this Award or earlier if deemed necessary or at any time deemed appropriate by the Appointed Surveyors.

- (d) Hold the Adjoining Owner free from liability in respect of any injury or loss of life to any person or damage to property caused by, or in consequence of the execution of the said works, bear the costs of making any justified claims, and obtain and maintain public liability/all risk insurance to cover all risks involved.
 - (e) Permit the Adjoining Owner's Surveyor access to the Building Owner's premises at all reasonable times during the progress of the said works.
 - (f) Provide protection to the Adjoining Owner's land and property and erect necessary screens or hoarding as agreed by the Appointed Surveyors.
 - (g) Ensure the existence and content of this Award is made known to all consultants, Contractors or other persons engaged to implement or facilitate the works to include any sub-contractor and site foreman or any Contractor or sub-Contractor. A copy of this Award is to be kept at the Building Owners' property and always made available to such consultants, Contractors or sub-contractors or others in charge of the works.
 - (h) Provide the Appointed Surveyors with such Method Statements as may be required in relation to the works that are the subject of this Award.
 - (i) Ensure that the contractor has taken out the relevant insurances prior to the works commencing on site. Evidence of the insurance shall be provided to the Adjoining Owner upon request.
5. That the Appointed Surveyors shall be permitted access to the Adjoining Owner's property from time to time during the progress of the works at reasonable times and after giving seven days' notice in accordance with Section 8 of the Act.
6. That the whole of the works referred to in the Award shall be executed in accordance with the Building Regulations, and any other requirements of statutory authorities, and shall be executed in a proper and workmanlike manner in sound and suitable materials in accordance with the terms of this Award to the reasonable satisfaction of the Adjoining Owner's Surveyor.
7. That the works shall be carried through with reasonable expedition after the commencement and so to avoid any unnecessary inconvenience to the Adjoining Owner or occupiers. In particular noisy works which are the subject of this Award shall be restricted between the

hours of 08.00 am - 5.30 pm Monday – Friday. Saturdays, Sundays and Public Holidays no works shall be executed.

8. That the signed Award shall be delivered to the Appointing Owners forthwith and an unsigned copy of the document shall also be provided where possible for the Adjoining Owner's Surveyor.
9. That the Building Owners shall immediately on the service of this Award pay the Adjoining Owner's costs by way of their Surveyor's fees in the sum of £525.00 (£437.50 plus VAT of £87.50) in connection with the obtaining and making of this Award, and one subsequent inspection of the works. In the event of damage being caused or other contingencies or variations arising, a further fee shall be payable at a rate of £125.00 per hour plus VAT.
10. That the Appointed Surveyors reserve the right to make and issue any further Award or Awards that may be necessary, as provided in the said Act.
11. That this Award shall be null and void if the permitted works do not commence within twelve months from the day of this Award.
12. Nothing in this Award shall be held as conferring, admitting or affecting any right of light or air or any other easement whatsoever.
13. That for the purpose of Construction (Design and Management) Regulations 2015 (CDM), we have not approved any design, such design being referred back to the Designer, who will in conjunction with the Principal Designer vet for Health and Safety competence and Risk and Resource Allocations.
14. That this Award shall be served forthwith on publication to the parties by the Appointed Surveyors respectively in accordance with Section 10(14) of the said Act, and the day of any delivery by pre-paid post is deemed to be and shall be the same day of publication.
15. That either of the parties to the dispute may within 14 days from the date this Award is served upon them appeal to the County Court against this Award.
16. That nothing in this Award shall be held as admitting, contradicting, altering or affecting any other agreement or contract between the parties.

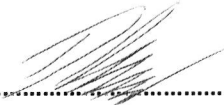
IN WITNESS WHEREOF we have set our hands this 10th day of November Two Thousand and Twenty.

Building Owners' Surveyor



Nigel G Conway BSc PG Dip MRICS.....

Adjoining Owner's Surveyor



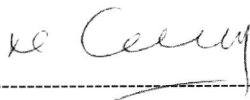
Darren Bekhor DipTP MSc MFPWS.....

DOCUMENT REGISTER

RELATING TO

FLATS 1 & 2, 9 PEMBRIDGE CRESCENT LONDON W11 3DT

Prepared by	Document reference
Conway Associates	Schedule of Conditions dated 15 th September 2020
Architect's Drawings Space Agent	Location Plan Site Plan PEM_E00a – Ground Floor and Section AA Existing PEM_E01a – Back Elevation and Front Elevation Existing PEM_E02a – Left Elevation Existing PEM_E03a – Right Elevation Existing PEM_P00e2 – Ground Floor and Section AA as Proposed PEM_P01e2 – Rear and Front Elevation as Proposed PEM_P02e2 – Left Elevation as Proposed PEM_P03e2 – Right Elevation as Proposed
Structural Engineer's Drawings Martin Redston Associates	20.322/1A – Proposed Ground Floor Plan & Beam to Beam Connection 20.322/2 – Proposed Foundation Plan 20.322/3 – Proposed Section Details

Signed -----
Nigel G Conway BSc PG Dip MRICS
Building Owner's Surveyor

Signed -----
Darren Bekhor DipTP MSc MFPWS
Adjoining Owner's Surveyor

SCHEDULE OF CONDITION

Relating to

Flat 2
9 Pembridge Crescent
London W11 3DT

Prepared by

Nigel G Conway BSc PG Dip MRICS
Conway Associates
The Studio
10 Napier Avenue
London E14 3QB

admin@conwayassociates.co.uk

www.conwayassociates.co.uk

Recorded on 15th September 2020

All directional references are with one's back to Pembridge Crescent

ELEMENT	DESCRIPTION	CONDITION
<u>INTERNAL</u>		
<u>Rear Right Hand Bedroom</u>		
Ceiling	<p>Painted plasterboard ceiling with ornate coving and spotlights with hook and ornate feature fixed to underside of ceiling adjacent to rear bay window.</p> <p>Smoke detector fitted to underside of ceiling above entrance door.</p>	<p>Ceiling and paintwork all appear new with no significant defects recorded.</p> <p>On the internal angle of the ornate coving, there is a hairline crack above the right-hand closing side of the door above the left side of the storey height wardrobe. This extends from a lower edge into the angle up to the upper side of the ceiling.</p> <p>There is also a further hairline crack to the face of the coving above the upper left-hand side of the storey cupboards adjacent to the front door. This appears to be a hairline crack to the joint.</p>
Bay Window, Reveals and Adjacent External Wall	<p>Original timber casement bay window with fixed wedged fanlights above casement and above central fixed pane.</p> <p>Opening casements fitted with casement stained security catches.</p>	<p>Deep window board and horizontal cracking noted to board joints particularly noticeable from right hand reveal extending across and diminishing approximately 250mm. Crack continues beneath paintwork.</p> <p>Slight splitting of mastic at junction with right hand side of window board and plastered reveal, to right side.</p> <p>Vertical cracking extending from upper edge of window board parallel to built in storey height wardrobe approximately 700m in length, to left side.</p>

		<p>Paintwork slightly lifting in number of locations adjacent to hairline cracks.</p> <p>There is slight separation of the silicone mastic between the left-hand side window board and reveal.</p> <p>There is slight lifting of the paintwork at the junction between the left-hand side casement and the paintwork at lower level.</p> <p>Minor hairline cracking to internal monitors of the left-hand side casement window to lower section of frame.</p>
Rear Wall below the Window Board to the Bay Window	Solid painted plastered walls and bay window above.	<p>Crack approximately 1mm width extending down from underside of the top edge of timber painted softwood skirting approximately 600mm from the right-hand side built in cupboard.</p> <p>There is a second hairline crack parallel to the first crack extending downwards and diminishing towards the upper edge of the skirting.</p> <p>There is a third further crack which extends upwards diagonally to the upper left-hand side of the single socket outlet which extends approximately 300mm then diminishes below the window boards.</p>
Flank Wall	Storey height built in cupboards extending from rear wall up to underside of ceiling and the ornate coving/cornicing extends around the top	No significant defects recorded.

	<p>of the cupboard towards the flank wall.</p> <p>The flank wall is solid painted plaster and is the bedspread fixed to the wall between the built-in cupboards and the spine wall and the adjacent en-suite bathroom.</p>	
Wall between Master Bedroom and Second Bedroom	<p>Storey height built-in cupboards. There are drawer units at floor level. Wardrobes above storage up to underside of the ceiling with the ornate coving.</p> <p>There is a section of wall above the door opening which is painted plaster.</p>	No significant defects recorded.
Door Frame	There is a timber double panelled door and frame hung on one half pair of door hinges with lever furniture.	No significant defects recorded.
Floor	Suspended timber floor with timber flooring.	No significant defects recorded.
Second Bedroom		
Ceiling	<p>Plasterboard ceiling with coloured plaster finish and ornate cornicing to perimeter with walls.</p> <p>Stencil finish to ceiling.</p>	No significant defects recorded.
Walls	<p>Solid masonry walls with coloured plaster finish and timber painted softwood skirting at low level.</p> <p>Panelling with storey height mirrored doors to partition between second bedroom and hallway.</p>	No significant defects recorded.
Floors	Combination of partly suspended solid and suspended timber with chevron machined wooden flooring.	No significant defects recorded.

<u>En-suite to the Second Bedroom</u>		
Walls	<p>Solid masonry walls with ceramic tiling over and above wash hand basin and pedestal and concealed cistern.</p> <p>Prefinished boarding to partition walls and storey height with inside shower cubicle.</p> <p>Chrome heated towel rail fitted adjacent to shower cubicle.</p> <p>Glazed cubicle with chrome shower rose and control.</p> <p>Mirror with light above fitted to left hand side flank wall.</p>	No significant defects recorded.
Floors	Suspended timber floors with ceramic wall tiling continuing within shower enclosure laid-to-fall to gulley/channel.	No significant defects recorded.
Window	<p>Timber single glazed arched window with segmented arched window above.</p> <p>Painted window board and built in cupboard below window to rear wall.</p>	No significant defects recorded.
<u>Hallway</u>		
Ceiling	Plasterboard ceiling fitted with metal tiles.	No significant defects recorded.
Walls	Storey height timber panelling with grooved panelling to perimeter and solid timber panelled doors leading to adjacent.	No significant defects recorded.
Floor	Suspended timber floor with machined wood	No significant defects recorded.

	finish.	
<u>Lobby and Cloak Room/WC</u>		
Ceiling	Painted plasterboard ceiling with light fitments.	No significant defects recorded.
Walls	Panelling to walls together with storey height glass mirror with panelling above. Low level cistern with concealed WC pan and flush together with wash hand basin and mixer tap concealed into wall.	No significant defects recorded.
Floor	Suspended timber floor with ornate ceramic tiling with border throughout.	No significant defects recorded.
<u>Communal Ground Floor Hallway Ground Floor with Staircase leading to First Floor</u>		
Ceiling (adjacent to Front Door)	Painted lathe and plaster ceiling and soffit to underside of stone stairs with plastered painted finish.	Crack over the width of the soffit, up to 1mm in width (61). Diagonal crack over the height of the cornice, located on the partition with Flat 2 (60). From the cornice there is a prominent hairline crack noted over a length of 1m (58).
Flank Wall adjacent to Front Entrance and Staircase leading to First Floor	Solid painted plastered walls.	Evidence of water staining and water ingress from adjacent external portico and rainwater goods. Damage to walls below dado and above skirting adjacent to front door.
Partition between	Solid masonry with painted plastered finish	No significant defects recorded.

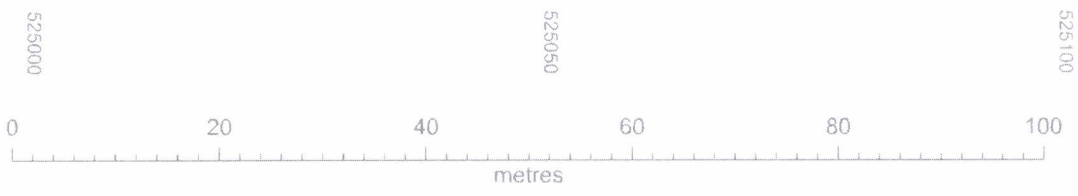
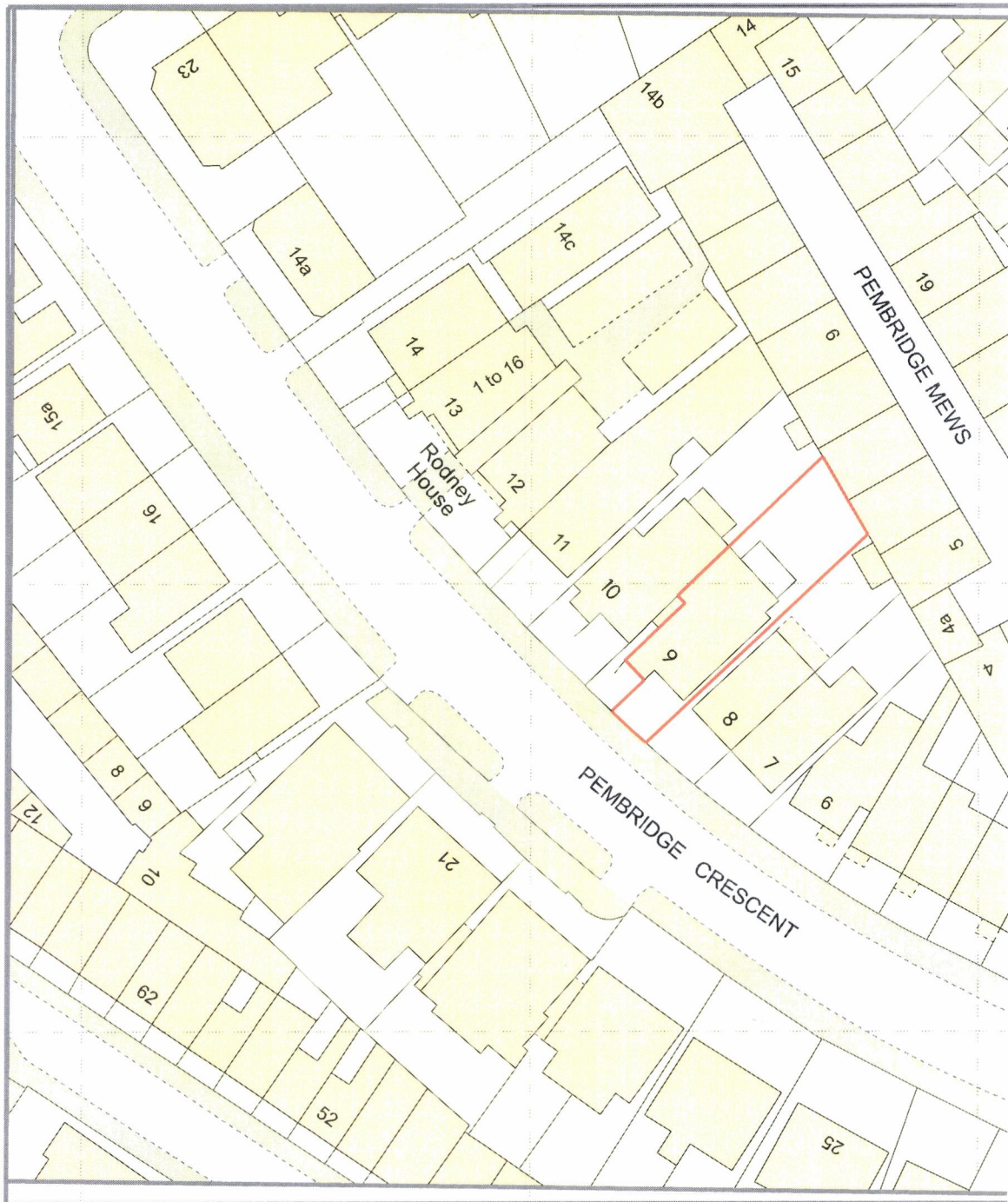
Communal Areas and Flat no.2	together with timber dado rail and timber painted chamford skirting.	
Flank Wall over and above Staircase leading to First Floor	Stone staircase with stringer and wrought iron railing with timber capping to outer string. Stairs covered with fitted carpets. Dado rail to staircase.	No significant defects recorded.
Ground Floor Hallway	Combination of suspended solid floor and suspended timber floor with fitted carpets extending up to staircase.	No significant defects recorded.

MapServe



Location plan scale_1:1250 at A4

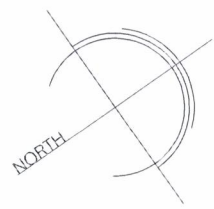
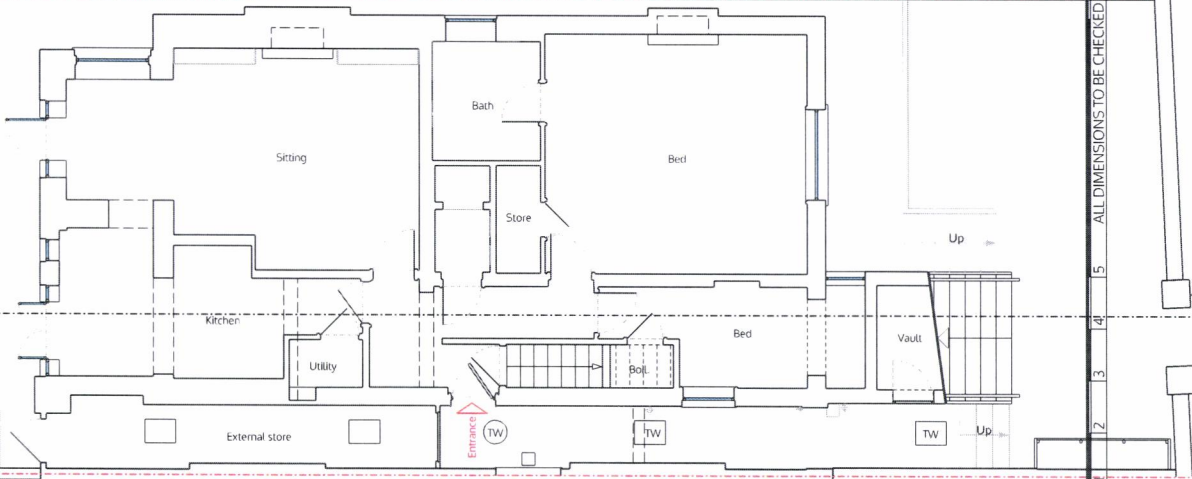
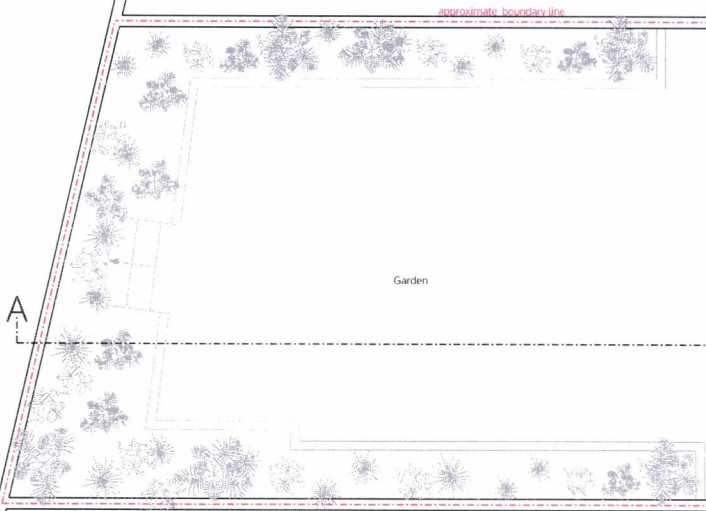
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Site plan scale_1:500 at A3



A

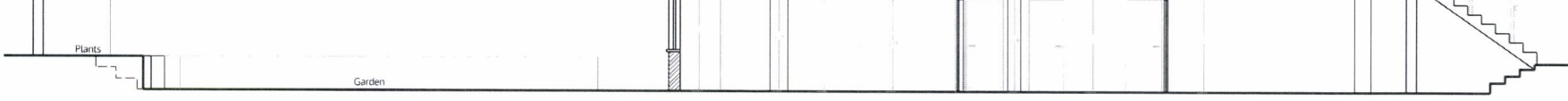


Ground floor_plan

Location plan scale 1:1000



Section A-A



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project Refurbishment with conservatory
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 London W11 3DT

client Michelle Moreau
 9 Pembridge Crescent
 London W11 3DT

title Ground floor and section AA
 Existing

EXISTING	
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	1:50 @A1
	22.05.20
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PEM_E00a	



Back Elevation



Front Elevation

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Michelle Moreau
 9 Pembridge Crescent
 London W11 3DT

Back elevation and Front elevation
 Existing

EXISTING

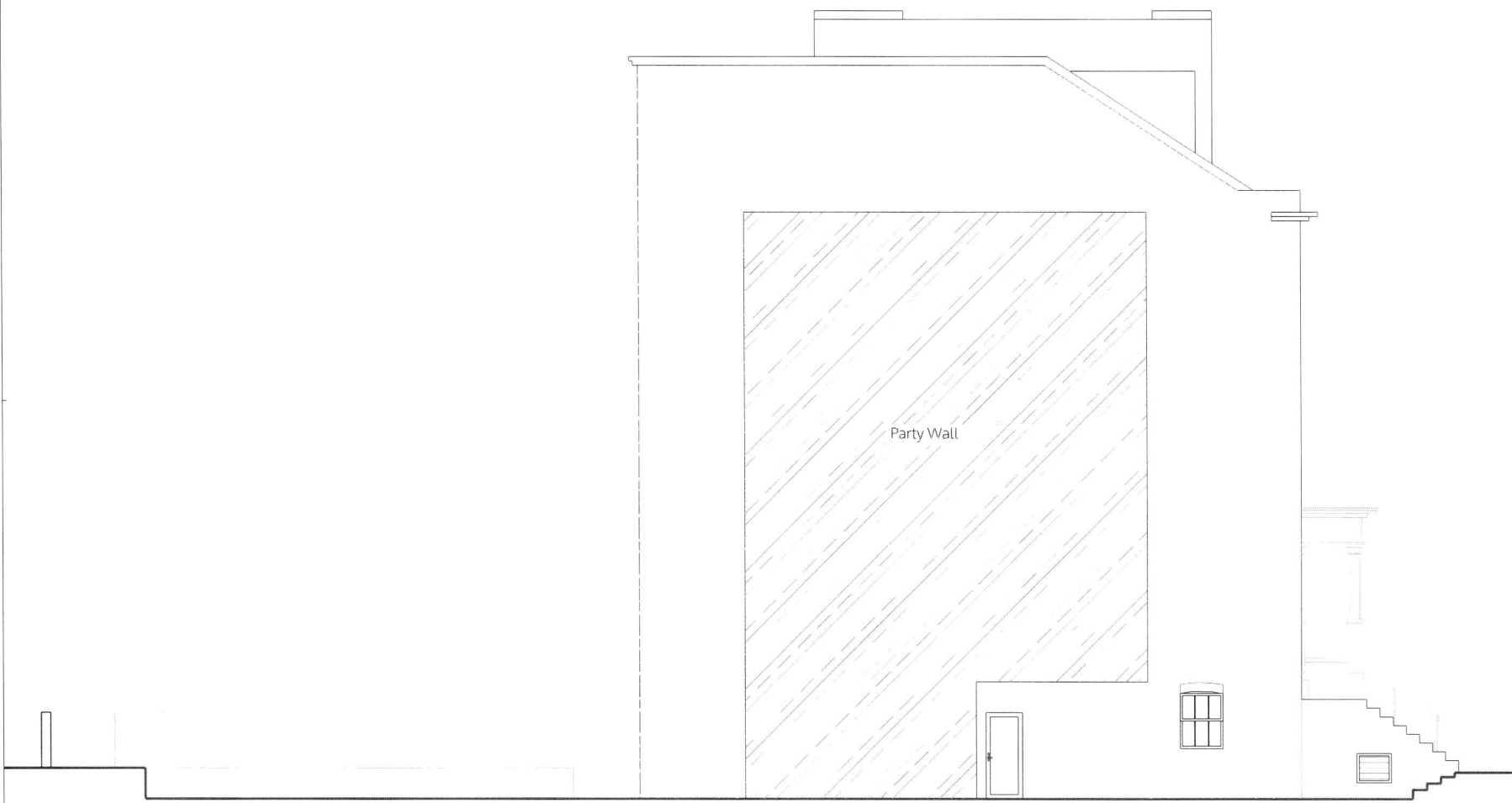
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Left Elevation

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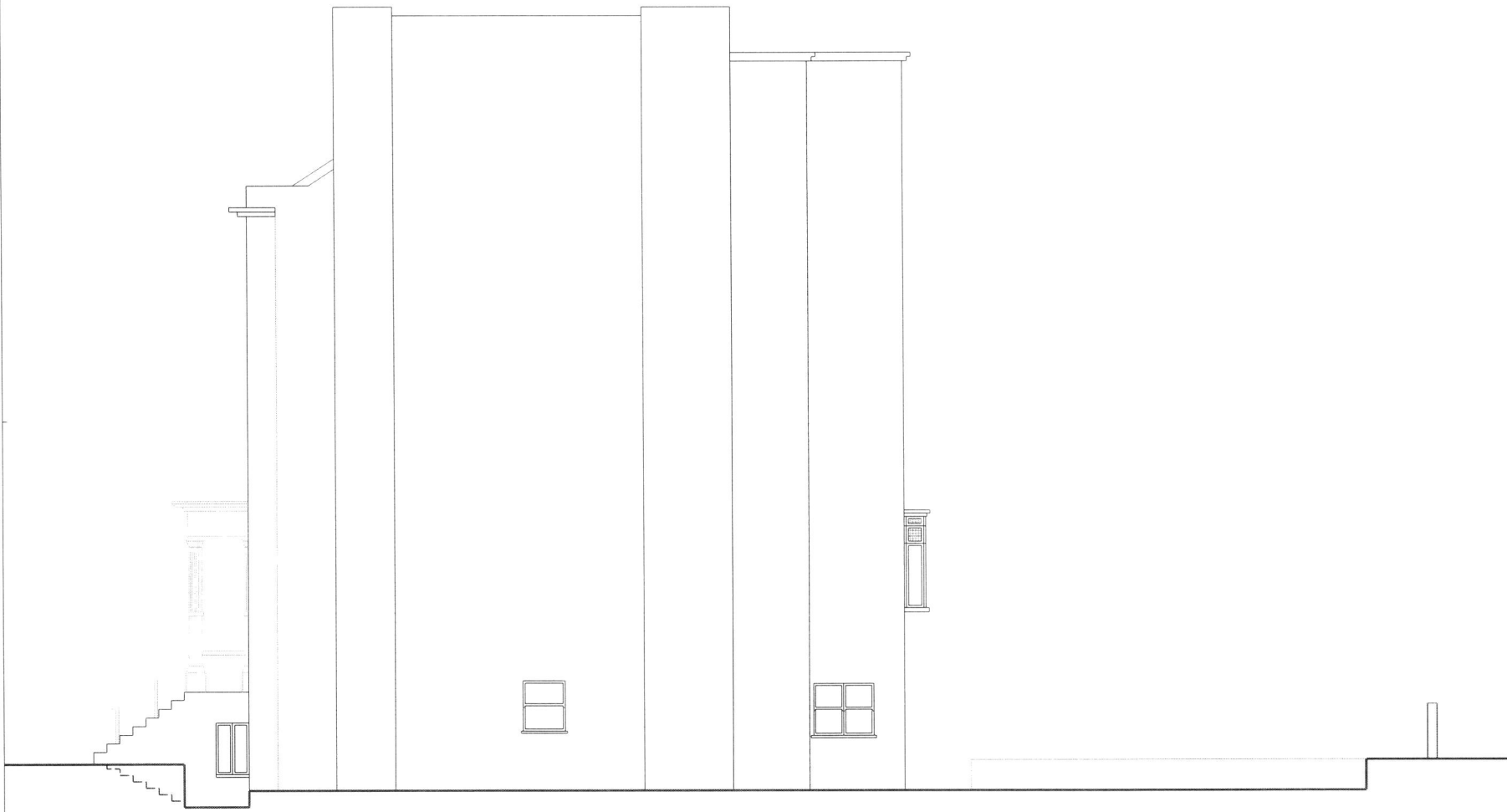
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 London W11 3DT

Michelle Moreau
 9 Pembridge Crescent
 London W11 3DT

Left elevation
 Existing

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Right Elevation

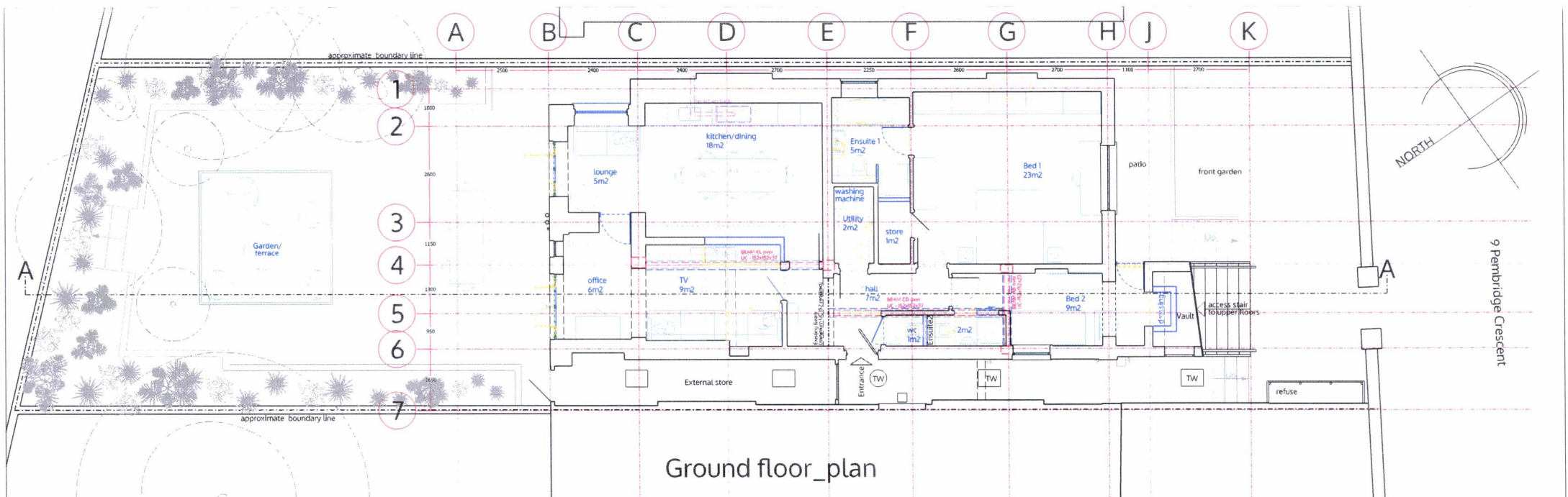
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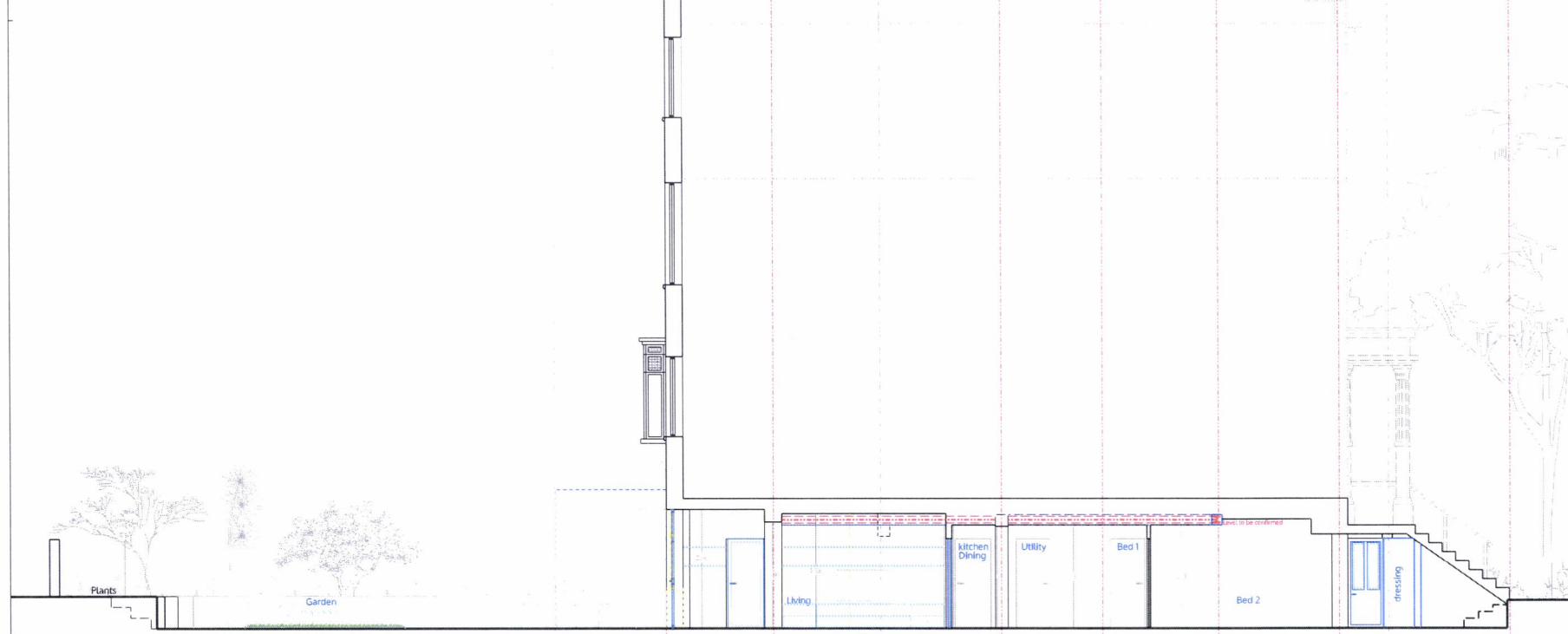
Right elevation
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Ground floor plan

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Section AA

LEGEND

- Existing
- Demolition
- New construction
- New structure

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client Michelle Goff
9 Pembridge Crescent
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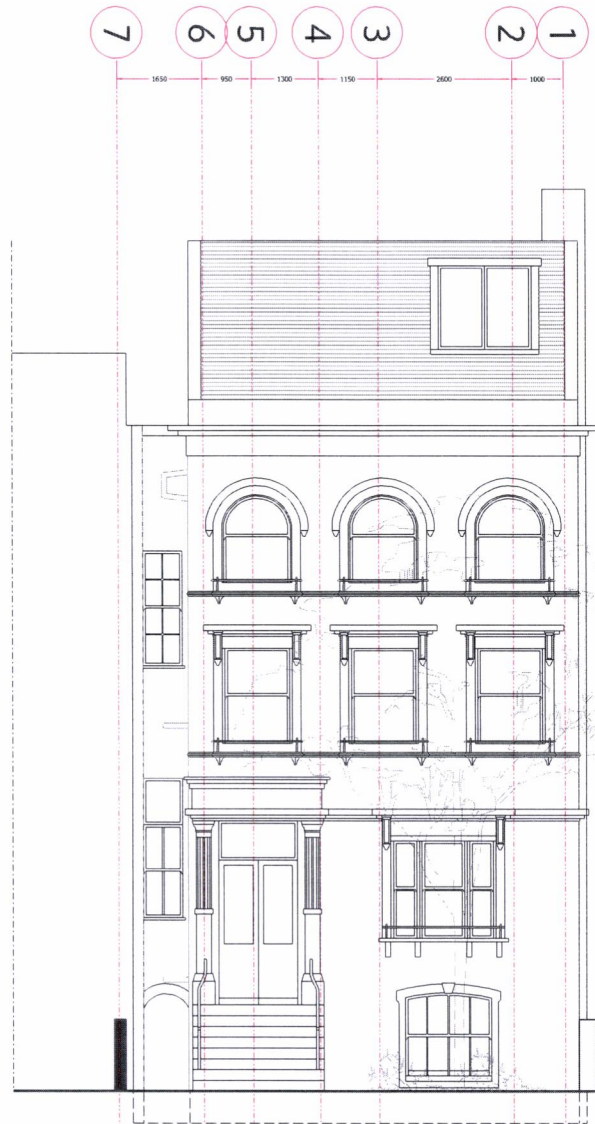
title Ground floor and section AA
as proposed

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Rear Elevation



Front Elevation

no. drawn date scale status project client title

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m10

ALL DIMENSIONS TO BE CHECKED ON SITE

1 2 3 4 5

Refurbishment with conservatory

Michelle Goff

9 Pembridge Crescent

London W11 3DT

Rear and front elevation as proposed

1:100 @A3

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- LEGEND
- Existing
 - Demolition
 - New construction
 - New structure

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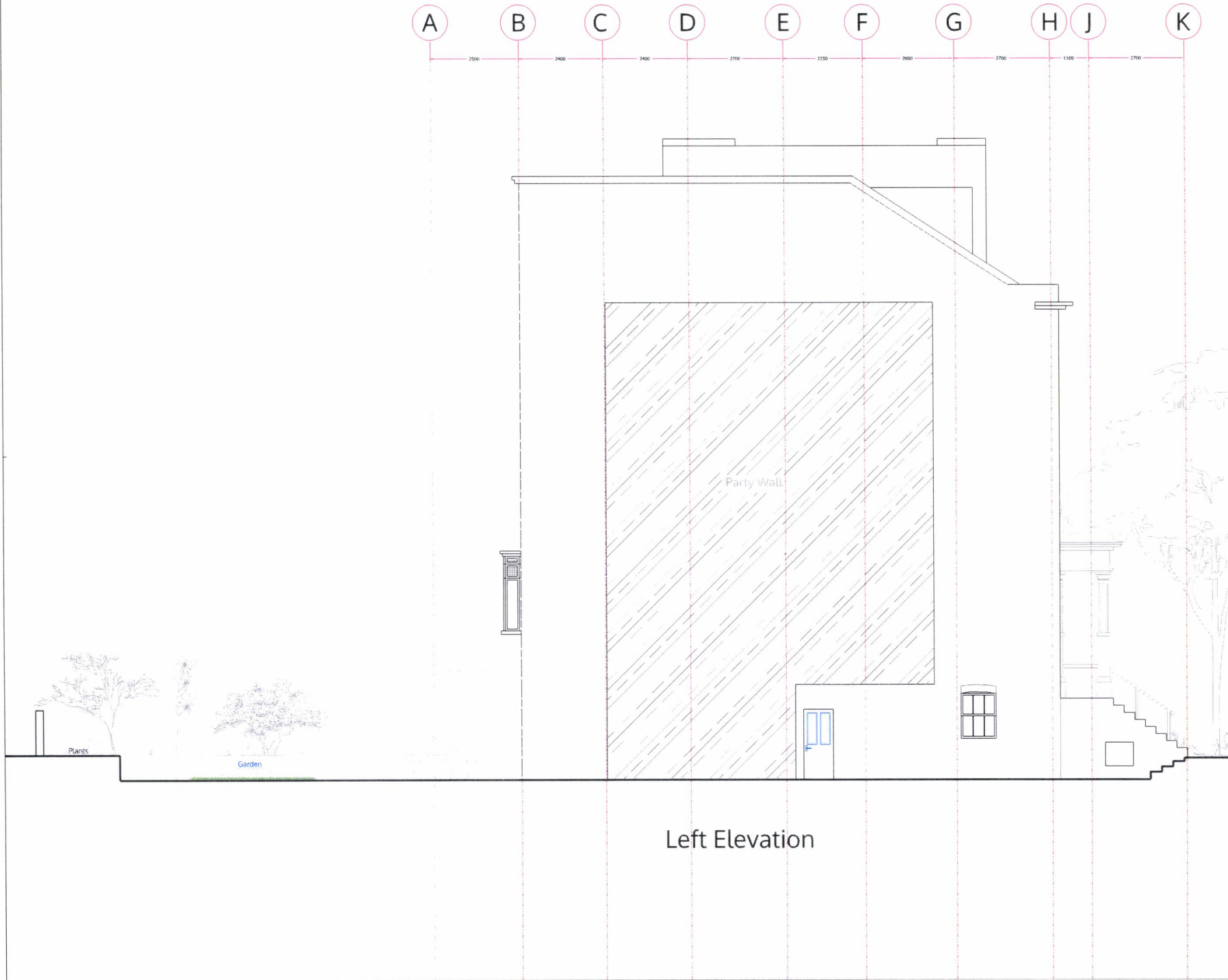
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 London W11 3DT

Michelle Goff
 9 Pembridge Crescent
 London W11 3DT

Rear and front elevation
 as proposed

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Left Elevation

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LEGEND

- Existing
- Demolition
- New construction
- New structure

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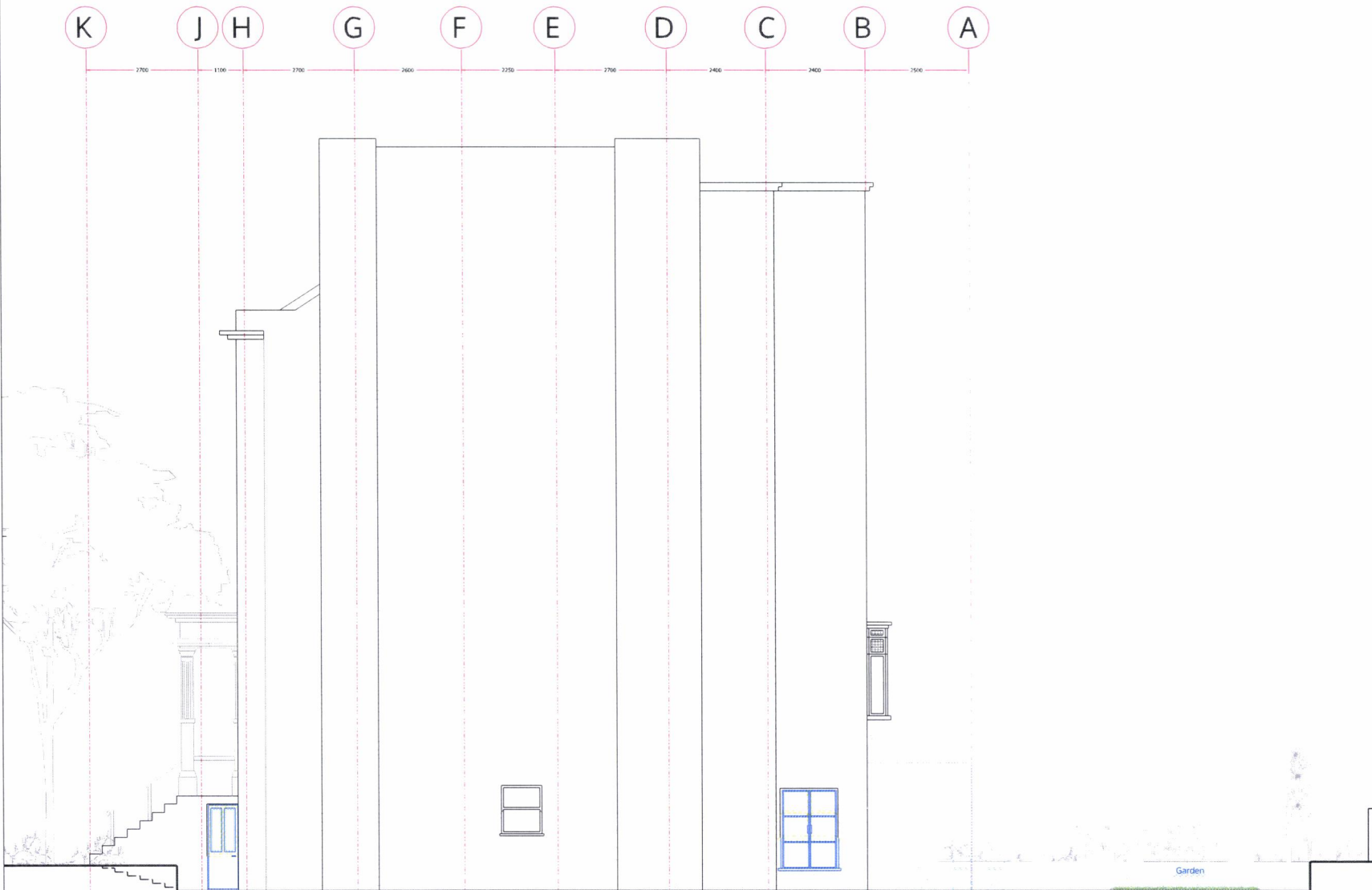
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client Michelle Goff
9 Pembridge Crescent
London W11 3DT

title Left elevation
as proposed

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Right Elevation

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LEGEND

- Existing
- Demolition
- New construction
- New structure

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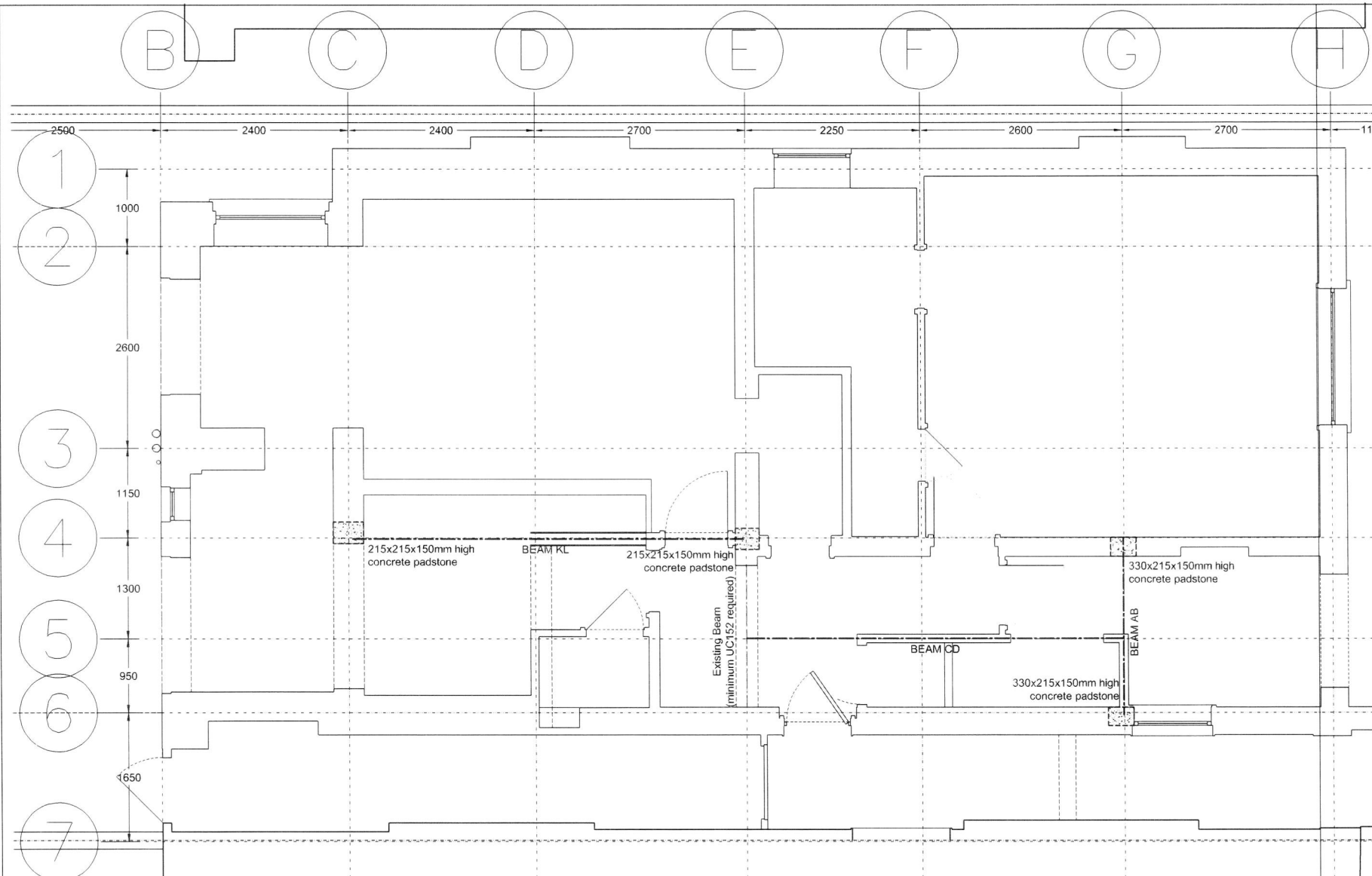
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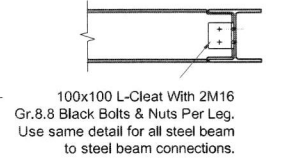
client Michelle Goff
 9 Pembridge Crescent
 London W11 3DT

title Right elevation
 as proposed

DRAFT GA	
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	1:50 @A1
	19.10.20
	I.lezzi
PEM_P03e2	



MEMBER SIZES
 Beam AB - UC 152x152x23
 Beam CD - UC 152x152x37
 Beam KL - UC 152x152x37



TYPICAL BEAM TO BEAM CONNECTION
 Scale 1:20 at A3

NOTES

1. All dimensions to be verified on site.
2. Read in conjunction with architect's drawings.
3. All steelwork designed to EN3 fabricated to EN3 and EN1090.
4. All steel members to be grade S275JR steel unless otherwise noted.
5. Apply 2 coats of red oxide primer/2 coats zinc rich primer to all steel prior to erection.
6. All fire protection to architect's specification, provide min. ½ hour fire resistance capability to all steel (e.g. 12.5 mm plasterboard and 7mm skim).
7. All steel below ground floor level to be encased in 75mm concrete unless noted otherwise.
8. All welding to be 6mm fillet welds carried out in workshop.
9. All black bolts to be grade 8.8.
10. Concrete padstones to be grade C25 (1:2:4).
11. Foundation concrete to be grade C40.
12. All temporary propping by the contractor.
13. New brickwork to be 35N/mm², new blockwork to be 3.5N/mm² set in 1:1:6 mortar, unless noted otherwise.
14. All new masonry to be toothed into existing.
15. All waterproofing to architect's specification.
16. All works to be approved by the building control officer.
17. No work to commence on site prior to building control approval of structural details.
18. Any excavations works within 3m of any adjoining property or party structure may be subject to party wall agreement.
19. Any beams, joists hangers, or other structural works attached to party wall may be subject to party wall agreement.
20. Floor joists strapped to main brick walls in accordance with A3 disproportionate collapse guidelines.
21. If contractor has preferred alternative method of construction please call us.

**PROPOSED GROUND FLOOR PLAN
 SHOWING STRUCTURE OVER**
 Scale 1:50 at A3

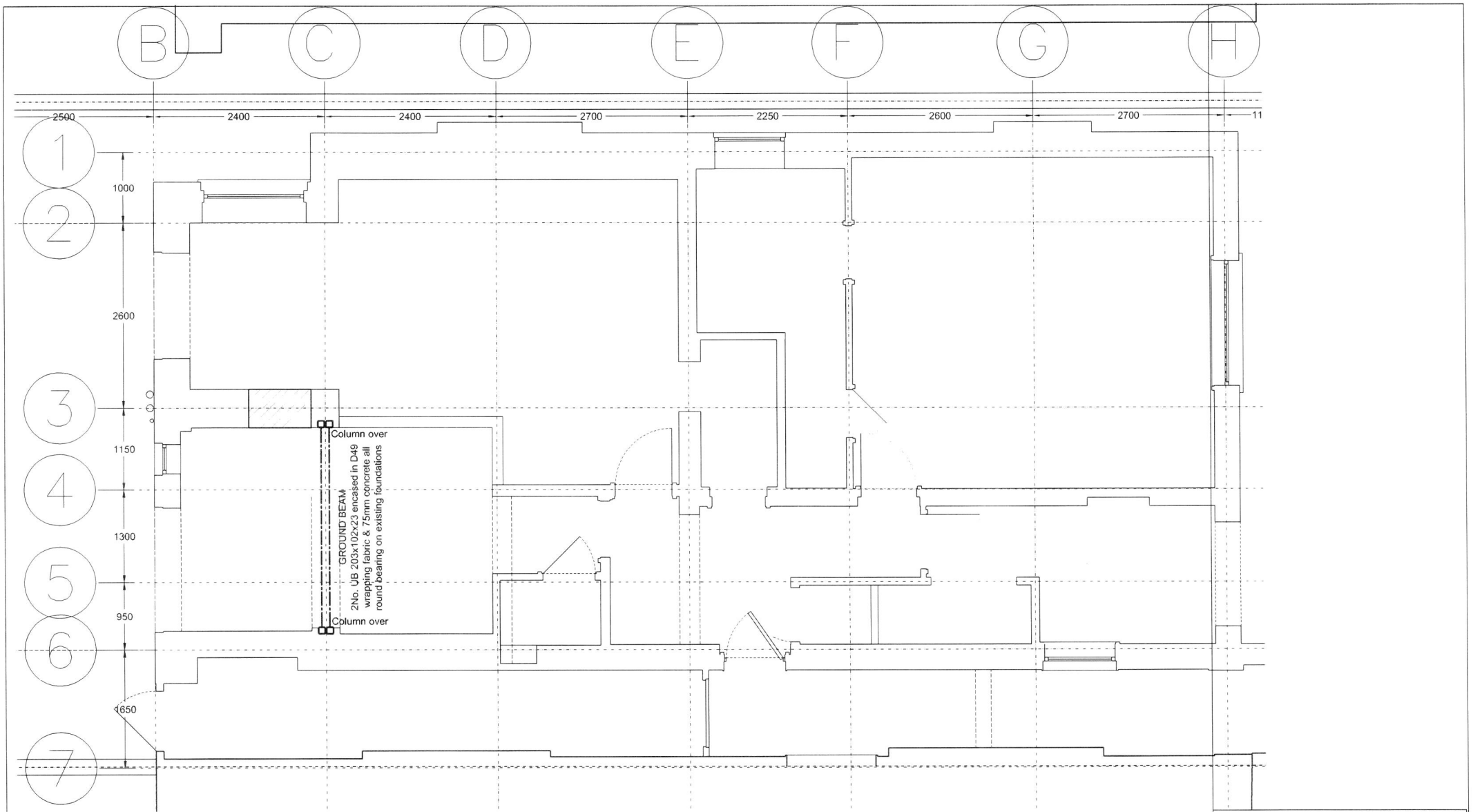
Title: Proposed Ground Floor Plan & Beam to Beam Connection			
Preliminary			
Rev	Date	Description	App
A	08/10/20	Scaled back proposal as per architectural revisions	

Martin Redston Associates
 Consulting Civil & Structural Engineers

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Date: 16.09.20	Sheet No. Rev
Eng: JS Scale: As shown	1 A
Job No: 20.322	Project: Flat 1, 9 Pembridge Crescent, London, W11 3DT



NOTES

1. All dimensions to be verified on site.
2. Read in conjunction with architect's drawings.
3. All steelwork designed to EN3 fabricated to EN3 and EN1090.
4. All steel members to be grade S275JR steel unless otherwise noted.
5. Apply 2 coats of red oxide primer/2 coats zinc rich primer to all steel prior to erection.
6. All fire protection to architect's specification, provide min. ½ hour fire resistance capability to all steel (e.g. 12.5 mm plasterboard and 7mm skim).
7. All steel below ground floor level to be encased in 75mm concrete unless noted otherwise.
8. All welding to be 6mm fillet welds carried out in workshop.
9. All black bolts to be grade 8.8.
10. Concrete padstones to be grade C25 (1:2:4).
11. Foundation concrete to be grade C40.
12. All temporary propping by the contractor.
13. New brickwork to be 35N/mm², new blockwork to be 3.5N/mm² set in 1:1:6 mortar, unless noted otherwise.
14. All new masonry to be toothed into existing.
15. All waterproofing to architect's specification.
16. All works to be approved by the building control officer.
17. No work to commence on site prior to building control approval of structural details.
18. Any excavations works within 3m of any adjoining property or party structure may be subject to party wall agreement.
19. Any beams, joists hangers, or other structural works attached to party wall may be subject to party wall agreement.
20. Floor joists strapped to main brick walls in accordance with A3 disproportionate collapse guidelines.
21. If contractor has preferred alternative method of construction please call us.

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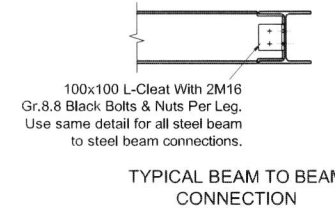
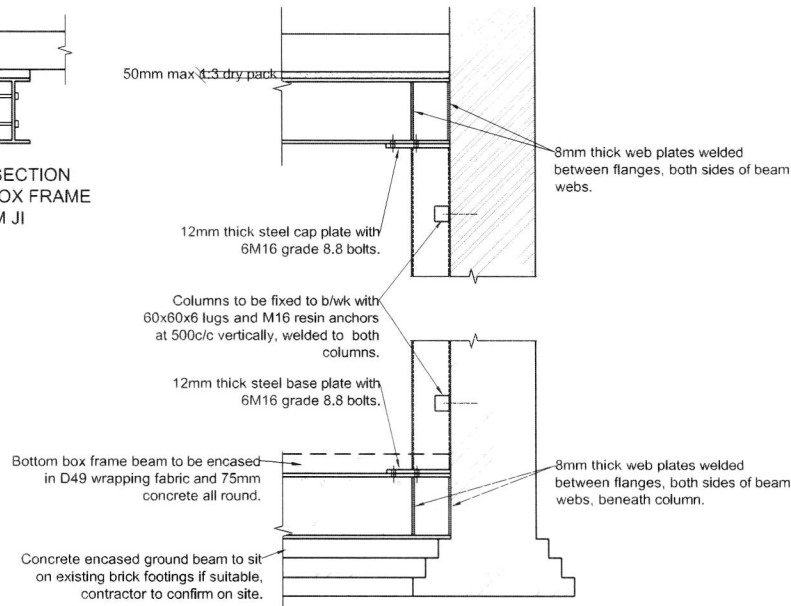
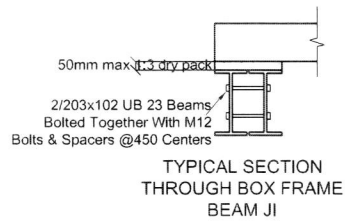
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Title: Proposed Foundation Plan

Preliminary

Rev	Date	Description	App

Date: 16.09.20	Sheet No. Rev
Eng: JS Scale: 1:50@A3	2 -
Job No: 20.322	
Project: Flat 1, 9 Pembridge Crescent, London, W11 3DT	



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Title: Proposed Section Details			
Preliminary			
Rev	Date	Description	App

Date: 16.09.20	Sheet No. Rev
Eng: JS Scale: 1:20@A3	3 -
Job No: 20.322	
Project: Flat 1, 9 Pembridge Crescent, London, W11 3DT	