

Builder's Liability to Neighbour: *Jones and Another v Ruth and Another*

In this case the court held that a builder, who had taken more than 4 years to renovate a terraced house, took too long in carrying out the works and had caused a private nuisance to neighbours living in the adjoining property. The damages awarded to the neighbours included damages for nuisance, harassment, personal injury and repairs (amounting to £96,800). This case does not set out any new legal principles but illustrates the risk a builder carries when carrying out renovations of a residential property. The court stated that although the law recognises the dynamics of commercial necessity and private needs which drive progress and improvement, such construction activity cannot be at any cost to the neighbour. In this case the court held that the works should have been completed within one year and the continued works constituted a degree of nuisance that caused a loss of immunity to the neighbours that was incompatible with their reasonable enjoyment of their property.