

TANFIELD

PROPERTY & REAL ESTATE BARRISTERS



Nicholas Isaac

Year of call

1993

Nicholas Isaac is a property litigator with extensive experience in all aspects of property litigation, and relishes the challenge of difficult cases, last-minute instructions and novel points.

Nick's practice sometimes crosses over into commercial work, usually with a property angle, and his clients include large London estates, as well as commercial and private clients.

He is the author of [The Law and Practice of Party Walls](#) and [Where is my boundary?](#)

Real Property

Although experienced in most aspects of property law, Nick is particularly sought after for his expertise and experience on easements (including rights of way and rights of light), party wall matters, and boundary disputes. He is widely recognised as a leading expert in the law of party walls, and is the author of "The Law and Practice of Party Walls".

ADR

In addition to over 20 years experience in courts at all levels, Nick has extensive experience in mediation and arbitration, regularly advising and acting successfully in both forms of ADR.

Notable Cases

Alan Coates v Marathon Estates Ltd [2018] UKUT 0031 (LC)

Enforcement of management order made under section 24 of Landlord and Tenant Act 1987 against third party.

Lea Valley Development Ltd v Derbyshire [2017] 4 WLR 120

Correct way of approaching compensation claims under section 7(2) of Party Wall etc. Act 1996.

Lea Valley Development Ltd v Derbyshire [2017] EWHC 1243 (TCC)

Whether dispute resolution under s.10 of Party Wall etc. Act 1996 excludes jurisdiction of court.

Watson v Sadiq [2017] EWCA Civ 313

Successfully resisting appeal against committal order.

Farrs Lane Development Ltd v Bristol Magistrates Court [2016] EWHC 982

Extent of surveyors' jurisdiction to make and enforce party wall awards.

Chliaifchtein v Wainbridge Estates [2015] EWHC 47 (TCC)

Successfully recovering the costs of a without notice injunction for breach of a party wall award.

Patel v Peters [2015] 1 WLR 179

Party Wall Etc. Act 1996. Appeal against ex parte award made under section 10(6) and (7). First consideration of an ex parte award by the CA.

Abid v Nata Lee Ltd [2014] EWCA Civ 1652

Informal boundary agreements and adverse possession issues; useful observations as to extent of leeway to be given to litigants in person.

Donovan v Rana [2014] 1 P&CR 23

Implied grant of right to lay services on sale of building plot where the only express grant in the relevant transfer was a right of way.

Emmett v Sisson [2014] 2 P&CR 3

Whether dominant tenement owner entitled to maintain entirely open access to right of way where it adjoined dominant tenement.

Watson v Sadiq [2013] EWCA Civ 822

Challenge to consent order on the grounds of judicial misconduct and Article 6 grounds.

Stannard v Gore [2013] 3 WLR 623

Key case examining the rule in Rylands v Fletcher as it applies to escape of fire.

Recommendations

"The go-to party wall person."

Chambers UK 2018

"He is a really good property litigator." "He is a compelling advocate and I don't know anyone better at managing a challenging client."

Chambers UK 2017

"Well regarded by sources for his expertise in party wall matters. He also has extensive experience in easements and boundary disputes." "He is accessible, personable and efficient in the delivery of advice."

Chambers UK 2016

"He has a very smooth style of advocacy". "He is extremely knowledgeable and very incisive in his analysis."

Chambers UK 2015

Publications

- Author: The Law & Practice of Party Walls – Property Publishing (2014)
- Contributor: Service Charges & Management: Law & Practice 2nd edition (2009)
- Co-author: Easements & Other Rights – RICS publishing (2008)

Memberships

- Chartered Institute of Arbitrators
- Chancery Bar Association
- Property Bar Association
- Pyramus & Thisbe Club

Languages

- English
- German (fluent)
- Chinese / Mandarin (fairly fluent)
- French (conversational)
- Spanish (basic)