

Environmental Services

Unit 4, Linnet Court
Cawledge Business Park
Atnwick
NE66 2GD
United Kingdom

T: +44 (0) 330 380 1036

F: +44 (0) 330 380 1038

E: office@innovation-environmental.co.uk

www.innovationpropertyuk.com/environmental



innovation group

environmental
services

Besley

① Call Bromley Council

② Citizen Advice Bureau

22 March 2021

③ Send copy to Chris.

Mr Princewill Davidson
2 Church Terrace
Chatham
ME5 7JP

Our Ref: MG17134
Contact: Ryan Kingham
Direct Dial: 0330 380 1036
E-mail: mitigation@innovation-environmental.co.uk

Dear Mr Davidson,

Sent by Recorded Delivery

Telephone
0208 303 7777

PLEASE DO NOT IGNORE THIS LETTER AS IT RELATES TO POTENTIAL FUTURE LEGAL PROCEEDINGS

Re: Subsidence issue at 18 Briary Court, Sidcup, DA14 6HZ *out of hours*
0208 303 7171

We write further to our recent correspondence regarding the above subsidence issue.

Due to the time elapsed without action or decision we must remind you that you have a legal obligation to abate a nuisance caused by something situated on your land, once it has been brought to your attention.

We are obliged to advise you that should you decide not to undertake the recommended vegetation management works the likely result will be further damage to the property leading to more extensive repairs being required such as underpinning.

In the event of your refusal to co-operate and the vegetation listed under their ownership goes on to cause further damage then our client reserves the right to take legal action to recover their costs, associated with this further damage and subsequent necessary repairs, from you.

Due to the time elapsed without action you now have a further 21 days only in which to conclude your investigations and provide a definitive decision.

If no decision is received by Tuesday 13th April 2021 then my client will be forced to consider their next action against you.

For your records my client has advised the current reserve for Superstructure repairs stands at £3909.20. If Underpinning is required it will be significantly more.

I look forward to your prompt response confirming how you intend to proceed with the implicated vegetation.

Arboricultural Consultancy for Aviva

Note: This report is intended for use between the client, Environmental Services and any parties detailed within the report. It is based on the understanding at the time of visiting the property that Engineers are satisfied that damage is attributable to clay shrinkage subsidence exacerbated by vegetation.

1. Case Details

Insured	Mr Martin Smith	Address	18 Briary Court, Sidcup, DA14 6HZ		
Client	Subsidence Management Services	Contact	Sophie Pryor	Claim No.	IFS-AVI-SUB-20-0088331
ES Ref	SA-246998	Consultant	Lewis Fraser	Contact No.	0330 380 1036
Report Date	05/11/2020				

Scope of Report: To survey the property and determine significant vegetation contributing to subsidence damage, make recommendation for remedial action and assess initial mitigation and recovery prospects. The survey does not make an assessment for decay or hazard evaluation.

2. Property and Damage Description

The insured structure is a 2 storey semi-detached house. The property occupies a level site with no adverse topographical features.

Damage relates to the front left-hand corner of the insured dwelling. Please refer to the engineers report for a full description of the claim history and damage.

3. Technical Reports

In preparing our report we have had the benefit of the following technical investigations:

Soil Analysis	<input checked="" type="checkbox"/>	Foundation Detail	<input checked="" type="checkbox"/>	Root Analysis	<input checked="" type="checkbox"/>
Borehole Log	<input checked="" type="checkbox"/>	Engineers Report	<input checked="" type="checkbox"/>		

4. Action Plan

Mitigation	
Insured involved?	No
Local Authority involved?	No
Other third party Mitigation involved?	Yes
Recovery	
Is there a potential recovery action?	No

Treeworks	
Local Authority	Bexley London Borough Council
TPO / Conservation Area / Planning Protection Searches	Awaiting Searches from LA
Additional Comments	
Awaiting Further Instructions.	

5. Technical Synopsis

This report is based upon our understanding at the time of visiting the property that Subsidence Management Services' engineers are satisfied that damage is due to clay shrinkage subsidence exacerbated by vegetation.

We have been instructed to advise on the causal vegetation and to deliver management proposals which will provide on-going and long term stability, thereby allowing repairs to be undertaken.

Foundations are noted to extend to a depth of 1000mm in TP1, and bear onto subsoil described within the borehole log as containing clay, thereby indicating the potential for the observed damage to be the result of clay shrinkage subsidence exacerbated by the influence of vegetation.

The supporting subsoil has been analysed by a UKAS accredited Laboratory (to relevant BS, EN and ISO standards).

NHBC chapter 4.2 (2020) categorises the supporting subsoil as being of 'High' plasticity, i.e. capable of significant volumetric change potential in response to moisture content.

Moisture depletion/soil desiccation has been demonstrated by way of Atterberg testing; moisture depletion at the depths identified is beyond the maximum depth of ambient soil drying and commensurate with root activity.

Arboricultural Consultancy for Aviva

Date: 05/11/2020

Property: 18 Briary Court, Sidcup, DA14 6HZ

9. Tree Works Reserve - Does not include recommendations for future risk.

Insured Property Tree Works	£0.00
Third Party Tree Works	£4800.00
Provisional Sum	£0.00

- The above prices are based on works being performed as separate operations.
- The above is a reserve estimate only.
- Ownerships are assumed to be correct and as per Section 6.
- A fixed charge is made for Tree Preservation Order/Conservation Area searches unless charged by the Local Authority in which case it is cost plus 25%.
- Should tree works be prevented due to statutory protection then we will automatically proceed to seek consent for the works and Appeal to the Secretary of State if appropriate.
- All prices will be subject to V.A.T., which will be charged at the rate applying when the invoice is raised.
- Trees are removed as near as possible to ground level, stump and associated roots are not removed or included in the price.
- Where chemical application is made to stumps it cannot always be guaranteed that this will prevent future regrowth. Should this occur we would be pleased to provide advice to the insured on the best course of action available to them at that time. Where there is a risk to other trees of the same species due to root fusion, chemical control may not be appropriate.

10. Limitations

This report is an appraisal of vegetation influence on the property and is made on the understanding that that engineers suspect or have confirmed that vegetation is contributing to clay shrinkage subsidence, which is impacting upon the building. Recommendations for remedial tree works and future management are made to meet the primary objective of assisting in the restoration of stability to the property. In achieving this, it should be appreciated that recommendations may in some cases be contrary to best Arboricultural practice for tree pruning/management and is a necessary compromise between competing objectives.

Following tree surgery we recommended that the building be monitored to establish the effectiveness of the works in restoring stability.

The influence of trees on soils and building is dynamic and vegetation in close proximity to vulnerable structure should be inspected annually.

The statutory tree protection status as notified by the Local Authority was correct at the time of reporting. It should be noted however that this may be subject to change and we therefore advise that further checks with the Local Authority MUST be carried out prior to implementation of any tree works. Failure to do so can result in fines in excess of £20,000.

Our flagging of a possible recovery action is based on a broad approach that assume all third parties with vegetation contributing to the current claim have the potential for a recovery action (including domestic third parties). This way opportunities do not "fall through the net"; it is understood that domestic third parties with no prior knowledge may be difficult to recover against but that decision will be fully determined by the client.

A legal Duty of Care requires that all works specified in this report should be performed by qualified, arboricultural contractors who have been competency tested to determine their suitability for such works in line with Health & Safety Executive Guidelines. Additionally all works should be carried out according to British Standard 3998:2010 "Tree Work. Recommendations".

Arboricultural Consultancy for Aviva

6.0 Recommendations

6.1 Current Claim Requirements

These recommendations may be subject to review following additional site investigations.

Tree No.	Species	Age Cat	Approx. Height (m)	Distance to Building (m) *	Ownership	Action	Requirement
TG1	Mixed Species Group: Ash & Sycamore.	1	17.5	12.7	E - Boundary Veg (ownership to be confirmed)	Maintain as detailed	Remove section of group (Sycamore cluster closest to property) close to ground level (indicative of site plan); do not treat stumps due to translocation risk. Where such a risk exists, we advise that any emergent regrowth is removed annually. Do not allow remaining section to exceed current dimensions by way of regular pruning.
Age Cat: 1 = Younger than property; 2 = Similar age to the property; 3 = Significantly older than property							

* Estimated

6.2 Future Risk Recommendations

These recommendations may be subject to review following additional site investigations.

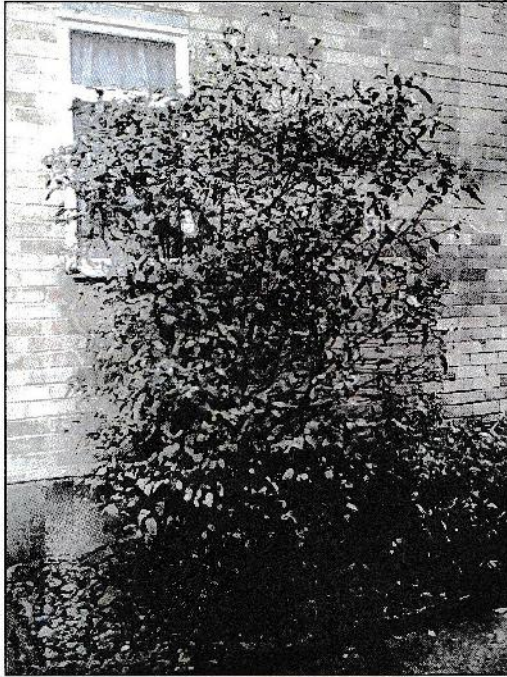
Tree No.	Species	Age Cat	Approx. Height (m)	Distance to Building (m) *	Ownership	Action	Requirement
S1	Viburnum	1	2.2	3.2	A - Third Party	Action to avoid future risk	Do not allow to exceed current dimensions by way of regular pruning.
T1	Ash	1	18	12.4	E - Boundary Veg (ownership to be confirmed)	Action to avoid future risk	Crown reduce overall canopy by 30% (minimum) to achieve a crown volume reduction in line with BRE IP7/06. Maintain at reduced dimensions by re-pruning back to points of previous reduction on a strict 2-3 year cycle.
Age Cat: 1 = Younger than property; 2 = Similar age to the property; 3 = Significantly older than property							

* Estimated

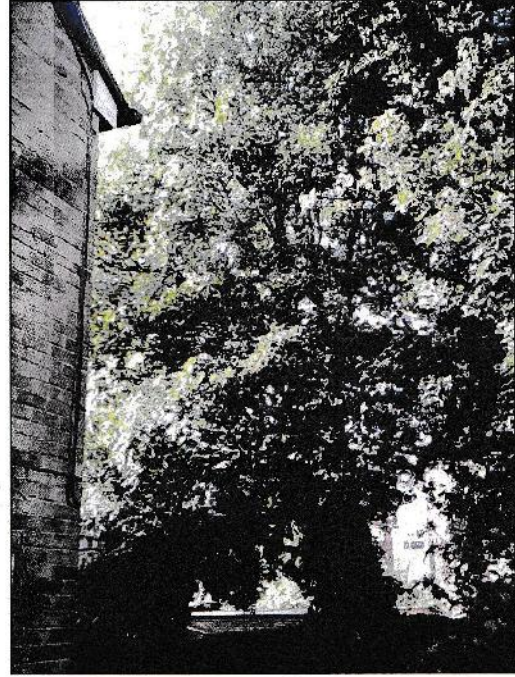
Third party property addresses should be treated as indicative only, should precise detail be required then Environmental Services can undertake Land Registry Searches

Arboricultural Consultancy for Aviva

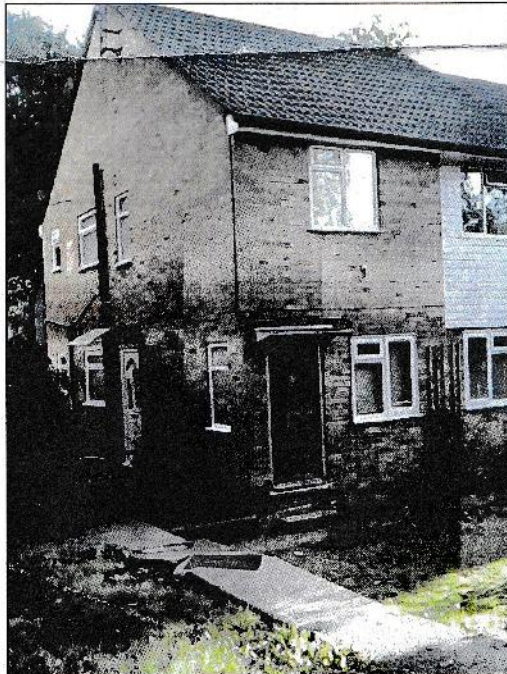
8. Photographs



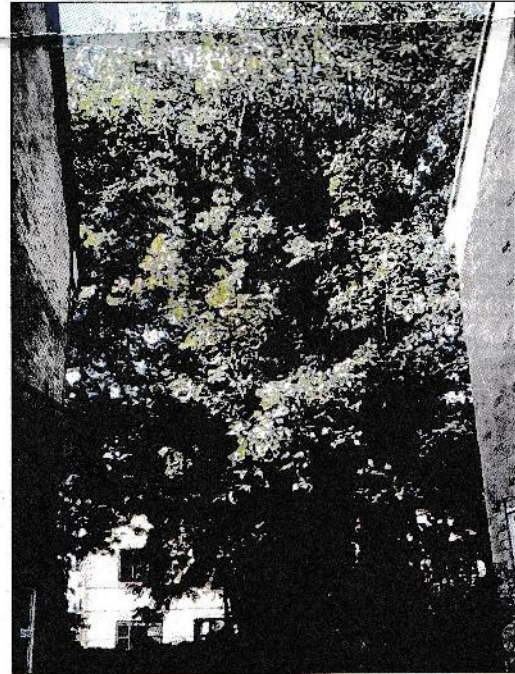
S1 - Viburnum



T1 - Ash



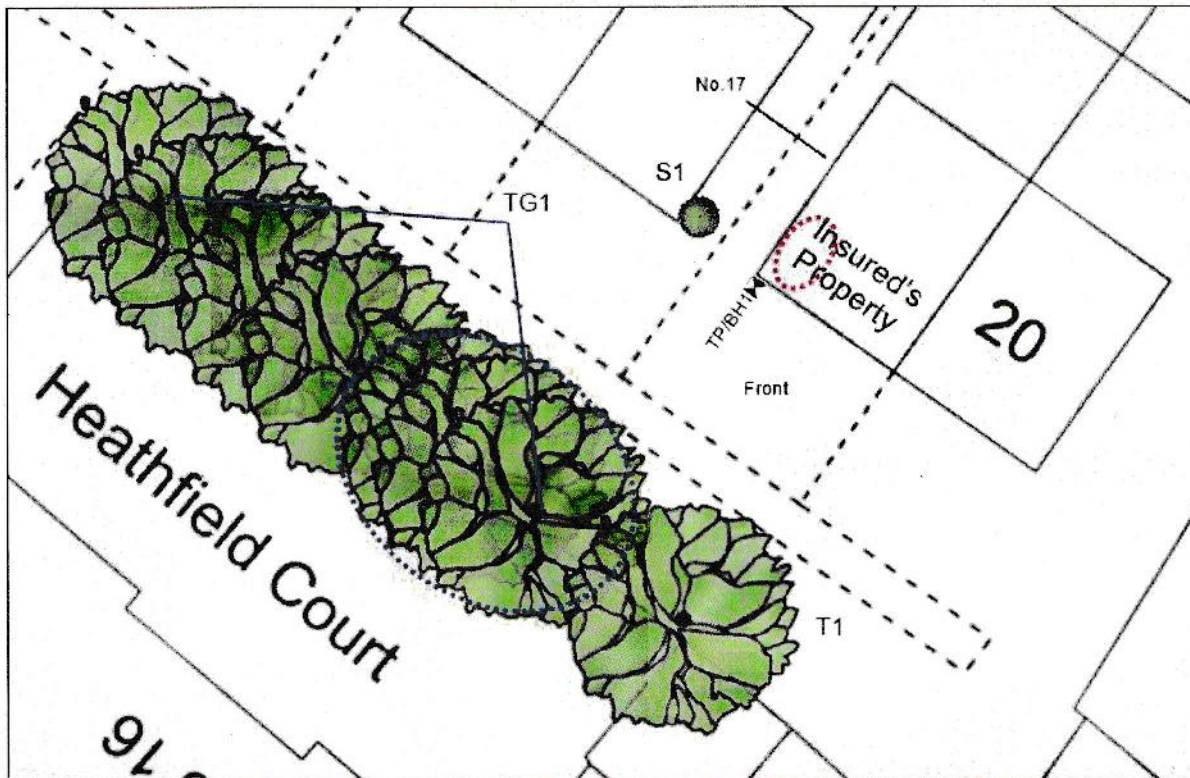
General Site



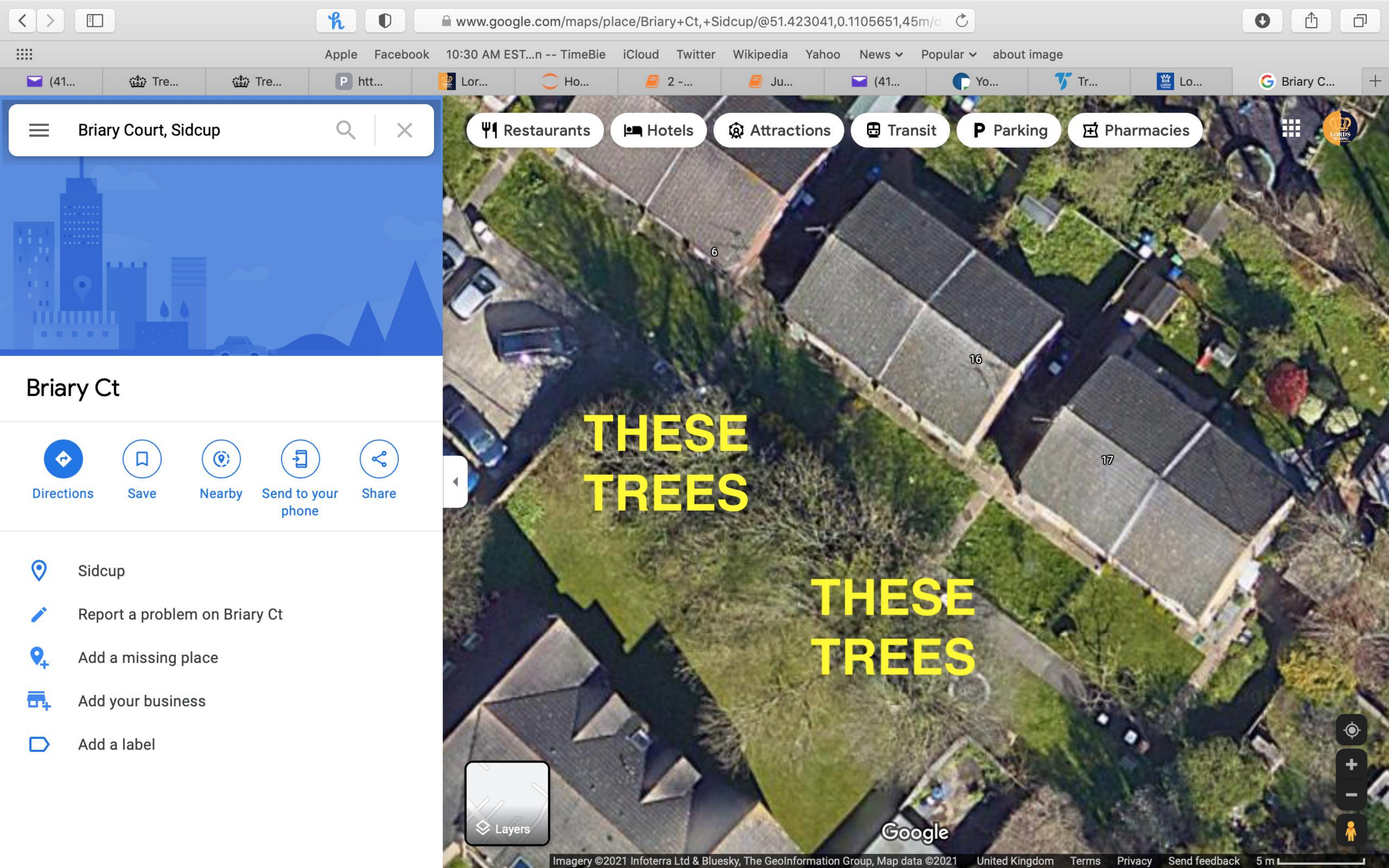
TG1 - Mixed species group

Arboricultural Consultancy for Aviva

7. Site Plan



Please note that this plan is not to scale, OS Licence No. 100043218



Briary Ct

- Directions
- Save
- Nearby
- Send to your phone
- Share

- Sidcup
- Report a problem on Briary Ct
- Add a missing place
- Add your business
- Add a label

