

INITIAL CUSTOMER APPRAISAL REPORT

Our Ref: 09/10/2549239/DJB/MOORE
Insurer Ref: HD09091590
Date: 19th August 2010

Description of Premises and Site:

Number 5 Hitherwood Close, Waterlooville, Hampshire is a two storey detached house of standard construction built by Miller Homes in 1987. In 1992, Mr & Mrs Gruchy added a single storey extension to the rear right hand corner to extend the lounge. Internally, the property comprises a lounge, dining room, kitchen, four bedrooms, utility room, downstairs WC, tandem garage and two bathrooms, one of which is en-suite.

The property is situated on a residential housing estate on the outskirts of the town. The topography is generally flat and the front elevation is north east facing. To the front of the property is a tarmac driveway with lawn adjacent containing only minor vegetation. At the rear of the property there is block paving with a further garden laid to lawn. Also contained within the rear garden is a chicken coup.

Immediately beyond the rear boundary and situated on a bridle path are two mature Oak trees, believed to be under the ownership of Havant Borough Council. These trees are protected by Tree Preservation Orders together with a further Oak tree contained within the rear garden of a domestic property to the rear. All three trees are within influencing distance.

The underground drainage system is mainly to the left hand side, with waste connections serving the kitchen, downstairs WC as well as the two bathrooms. The waste water discharge appears to be forwards connecting into the main sewer to the road to the front. Surrounding the property there are stormwater downpipes which either connect into the system or to soakaways.

Discovery of Damage:

We understand from Mr Gruchy, that the damage first occurred in June/July 2009 and was subsequently reported to buildings Insurers, Congressional.

However, we understand that the claim was referred back to the previous buildings Insurers, Groupama Insurances, who we understand have now agreed to take responsibility for dealing with the claim going forwards.

Groupama has appointed Loss Adjusters, Merlin Claims Ltd, and a visit was made to the property on the 16th of August 2010 by a Subsidence Surveyor from Merlin's specialist National Subsidence Unit.

Description of Damage:

The damage relates to the single storey extension added in 1992 by local building contractors, P W Bennett, who ceased trading in 1993. The plans for the extension were drawn up by local Architect, L.I.G. Reed and approved by the local authority Planning Department. The works were inspected and signed off by their Building Control Officer.

It is understood that the Architect specified that the foundations to the extension must be to the same depth as the original house, which is clearly unaffected by periodic subsidence. We also understand that the Building Control Officer asked for the foundations to the extension to be taken to a depth of 3m due to the Oak trees to the rear.

It is clear, that the rear extension has rotated away from the rear elevation of the main house by approximately 20mm. This has caused both internal and external tapered fractures at this junction which we understand from Mr Gruchy close up during the winter months. It is also clear, that the concrete floor slab below the carpet in the lounge has also fractured.

At this time, there does not appear to be any significant fractures to the external brickwork and the extension appears to have rotated as one piece away from the rear elevation but has also moved laterally by approximately 20mm. Generally, the damage is in accordance with the BRE Digest 251 Category 4 (severe) with crack widths of 20mm at their widest point.

Furthermore the adjacent block paving has become damaged by periodic ground movement and this has caused it to become separated and undulating.

Site Investigations:

If Groupama Insurances are to accept this claim under the Subsidence section of the Buildings Policy, we have recommended that we commission an external trial pit and borehole to a depth of 5 metres at the rear of the extension. This is to try and implicate the third party Oak trees to the rear.

At the same time a further borehole to 5 metres will be driven at the front of the property to obtain soil analysis. This is for comparison against the soil samples to the rear plus to undertake a Heave Assessment. This is to see whether the ground will swell and heave is the Oaks are removed. This could cause damage to properties nearby.

We have also recommended that Arboriculturists are appointed to undertake an Arboricultural Survey. This would be used in support of a financial recovery against the local authority.

Cause:

Following our survey, it is clear that periodic subsidence occurs to the rear single storey extension due to moisture extraction from the protected Oak trees to the rear.

We await Groupama's acceptance of liability under the subsidence section of the buildings policy. The claim would be subject to a £1,000 policy excess, payable upon commencement of the repairs.

Recommendations:

As above.

Third Party Aspect:

A third party aspect clearly exists with regard to the three mature Oak trees situated to the rear. If this claim is accepted, then a financial recovery may be pursued against the owners of this vegetation for tree root trespass.

A financial recovery will however not be possible against the domestic owner of the Oak furthest away from the damage if they are a domestic householder, as they are not perceived to have the foreseeability that their tree could cause damage to neighbouring properties.

The main recovery is therefore anticipated to be against Havant Borough Council, who employ experts to manage vegetation under their control. As such they have the foreseeability.

Programme:

A Project Management Plan will be forwarded to Mr & Mrs Gruchy if this claim is accepted by Groupama Insurances. We therefore await their advice in this regard.

Yours sincerely

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