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Consulting Engineers

Vicarage Close
Roxwell
Chelmsford
Essex CM1 4LR

28th January 2022

Your ref: Eaton Avenue Residents Ltd
39 Eton Avenue
London NW1 3EP

Dear Sirs,

Boundary 'Party' wall to side of rear garden
39 Eton Avenue, London NW1

Further to our recent discussions, and subsequent to my original report dated 28th January 2022, I have summarised the movement of the boundary wall between the rear gardens of No. 37 and 39 as follows:

1. The 215mm thick solid brick garden wall, built circa 1900's, was running along the side boundary with the rear garden of the adjacent property No. 39. This wall was actually a retaining wall as the garden level to No. 37 was some 950mm higher than the garden of No. 39.

The retained height increased to some 1.45m close to the rear of No. 37, as the garden to No. 39 sloped down slightly towards the front.

There was a 10.0m high deciduous tree (Tree of Heaven) growing in the garden of No. 37, some 11.0m from the back of the main property of No. 37. The trunk of the tree was located some 500mm from what would have been the original line of the boundary wall, had the wall not been leaning over by some 500mm.

Between the rear of No. 37 and the Tree of Heaven were a considerable number of small trees growing in the garden of No. 37, very close to this boundary wall. There was also a heavily pollarded 4.0m high Sycamore tree growing in the garden of No. 37 some 5.5m to the rear of the Tree of Heaven, the trunk of which was only 420mm away from the boundary wall.

In conclusion I would like to state that the existing 215mm thick solid brick wall to the left hand boundary of the garden with No. 37 has suffered excessive inward rotational movement towards the garden of No. 39 and has failed. This movement appears to be very historic, and has been ongoing for a long period of time.

Director C. I. Adams BSc(Hons) C.Eng M.I. StructE M.I.C.E.

As the side boundary wall has suffered excessive rotational movement, and is severely cracked, consideration will need to be given to taking down the wall for its entire length and re-building it using salvaged bricks, to closely match the existing.

It is likely that the tree root action from the line of small trees growing in the garden of No. 37 close to the boundary wall, and especially the root action from the large Tree of Heaven and the pollarded Sycamore tree, are likely to have caused most if not all of the rotational movement of the boundary wall. The trees are not 120 years old, and were therefore planted after the boundary wall had been constructed. Indeed, the line of smaller trees between the rear of No. 37 and the Tree of Heaven were probably planted only some 20 years ago.

One point in terms of ownership of the boundary wall is that there was no joint observed at the junction of the boundary wall with the main flank wall of No. 37, and the brick coursing was seen to be continuous from the boundary wall in to the flank wall.

This indicates that the boundary wall was built at the same time, and as part of the construction, of No. 37. Assuming that the flank wall of No. 37 is the boundary line between the two demises, then the boundary wall, which is flush with the flank wall of No. 37, is fully within the demise of No. 37.

As the trees appear to have caused the failure of the boundary wall then it would appear that No. 37 will need to bear the cost of re-building the wall. Your Solicitor will need to check and verify this situation.

I trust that this adequately clarifies the situation but if you would like to discuss the matter further please do not hesitate to contact this office.

Yours sincerely,
CLIVE ADAMS ASSOCIATES LTD


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