

Dear Denise and Edward

With reference to my visit to Malin House last week I have now had an opportunity to consider further the boundary wall problem and associated Holm Oaks situated on the west boundary. I comment as follows.

The ground within the back garden of Malin House slopes up about a metre or so to the west boundary. Edward's photographs in the e-mail string below provide a record of the wall to the neighbour's side but I do attach some of my own photographs which show the proximity of the oaks to the retaining wall separating the two properties. Quite how this rather strange situation of garden levels first occurred is a mystery to me but Denise was going to look back to possible historic records to see if there was anything which could shed light on the matter. Whatever the outcome of this it would appear that the oaks were planted in ground at the level of the top of embankment. The boundary wall has been built as a retaining wall as is evidenced by the presence of drainage weep holes at the base of the wall. There is nothing to suggest that soil has been dug away from the wall on its west side so from this I draw that the present boundary arrangement is of long standing.

The root growth of the oaks has over a long period of time pushed upon the back of the wall so causing the current lack of verticality. This is such that the wall is now at risk of collapse and whilst at the property I did advise that the neighbours should set up an exclusion zone on their side pending resolution. The ownership of the west boundary wall is currently unknown.

If the trees are to remain the physical space now occupied by the their roots now prevents any new boundary retaining wall construction capable of restoring verticality on its west side. Hence if it is desired to retain the trees then either a new wall will need to be constructed a distance to the west away from the boundary or an embankment formed on the neighbours side of the wall. It is I imagine unlikely that the neighbours will happily agree to such a proposition. Failing this and assuming that due permissions can be obtained the trees must be felled and roots ground out. The boundary can then be restored with a new retaining wall or alternatively the ground on the east side lowered such that the levels each side of the boundary are the same. If it is desired to retain the embankment there are many options for a new retaining wall including one of simple block construction of thickness of the order of 225mm set on new foundations say 750mm wide. Such a wall can be faced up to the west side if so desired.

I suggest that the two options are first discussed with neighbours with a view to arriving at the preferred approach. At this stage a design of wall can be determined. It would be useful to have a level survey of the back gardens along the boundary wall at this stage. If the embankment is to be removed then all that would be required is a boundary wall or fence.

I trust the above is clear. Please come back to me if you have any queries.

Kind regards

Peter

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