

# **SPECIFIC DEFECTS REPORT**

**Relating to opening up the rear window to  
form a door access to balcony/terrace  
at**

**East London**

**Marketing by:**

**[www.1stAssociated.co.uk](http://www.1stAssociated.co.uk)**

**0800 298 5424**

# CONTENTS

INTRODUCTION AND INSTRUCTION	PAGE 2
SYNOPSIS	PAGE 4
EXECUTIVE SUMMARY	PAGE 5
SUMMARY UPON REFLECTION	PAGE 11
APPENDICES	
FLOOR PLANS	PAGE 13
CONSTRUCTION SUMMARY	PAGE 14
INSPECTION	PAGE 15
TIME LINE	PAGE 17
ESTIMATE OF BUILDING COSTS	PAGE 18
LIMITATIONS	PAGE 19
PARTY WALL BASICS ARTICLE	PAGE 23

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2

## **INTRODUCTION AND INSTRUCTION**

We have been instructed by XXXXXXXXXX to prepare an independent report on the XXXXXX with regard to alterations to the property to provide an access to the roof/balcony area.

We have carried out a visual inspection(non evasive) of the property on XXXXXXxx. We viewed the kitchen and dining area of Flat X and the building as a whole.

The weather was overcast with intermittent rain at the time of the inspection.

We are Independent Chartered Building Surveyors and professional members of:-

The Royal Institution of Chartered Surveyors (RICS)  
and  
The Independent Surveyors and Valuers Association (ISVA).

The work has been carried out as per our standard Terms and Conditions of Contract which have been emailed to you as part of the confirmation of our instructions. If you would like further clarification please do not hesitate to contact us.

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3

## **SYNOPSIS**

The subject property is what looks to be a converted stable block or outbuildings for the nearby Victorian properties which was redeveloped, we are advised, in 2004/2005 and divided into three apartments. These are:

Apartment One on the ground floor

Apartment Two to the front of the property at first floor level

Apartment Three to the rear of the property at first floor level and also into the roof by way of a vaulted ceiling.

The owner of Flat X is looking for a suitable, safe way of opening out onto the balcony to the rear without causing structural damage to the property. We are advised that the downstairs neighbour has a kitchen underneath this area.

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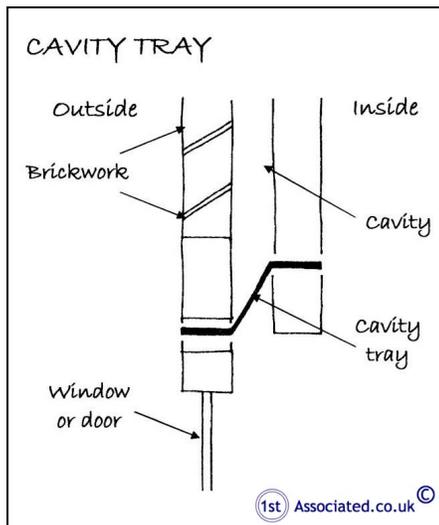
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# EXECUTIVE SUMMARY

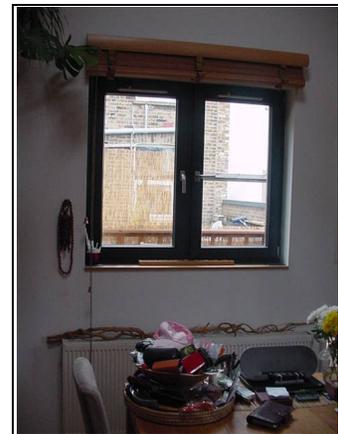
Summaries are not ideal as they try to précis often quite complex subjects into a few paragraphs. Here we give a summary of the problem and our various suggestions on how to solve it and all costs it relates to.

## 1.0) Lintel

Provision of a door underneath the windows shouldn't affect the building beneath as there is already a lintel in place. It would typically be a Metal Boot Lintel (Cavity Tray – see sketch) with a 100mm to 200mm support on either side (although we have no way of confirming this without opening up the structure, this would be normal building practice).



Boot lintel over window with a soldier course of brickwork



Window from inside

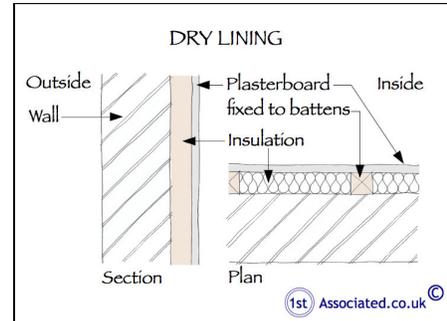
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## 2.0) Current Condition

We can see no undue stress or strains internally or externally albeit that internally we are advised it is a dry lined wall (we can confirm this by opening up the structure to inspect an area). Dry lining looks like the adjacent sketch.



## 3.0) Suitability of flat roof as a balcony

We have not been able to view the flat roof due to the boarding that has been located over it which takes support from the adjoining wall.



Side of balcony



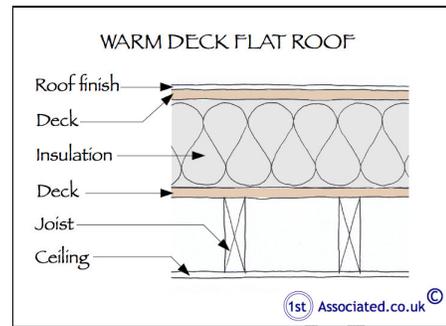
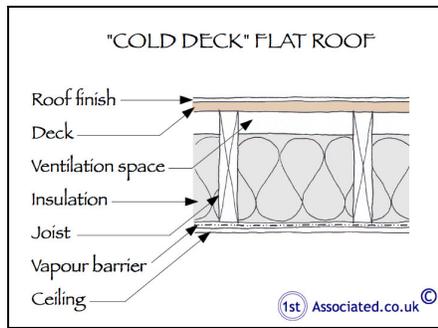
Decking on balcony

Typically a flat roof on a modern property would have a mineral felt finish or similar onto a wood decking which typically would be a cold deck flat roof. Given the era of the conversion, depending upon how advanced the developer was with regard to his thoughts on thermal efficiency, there may also have been a warm deck roof.

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Either way the roofs were not built to take weight and therefore we would normally recommend an additional floor taking support from the main wall and the perimeter wall of the flat roof area which is what we believe has been constructed in this instance.

**ACTION REQUIRED:** We would recommend opening up the structure and confirmation that the timbers are the sizes as recommended by the Building Regulations. We would be happy to comment on photographs if the decking is opened up.

#### 4.0) Visibility of occupants of the balcony area and airborne sound

We would recommend that divisions are put up to minimise airborne sound and visibility of the occupants from the neighbouring ground floor flat.



View from neighbour's ground floor flat

## 5.0) Structure borne sound

This is sound that passes through the structure of a property for example wood floors above living areas are a typical example of problems with structure borne sound.

We believe this balcony area to be above the kitchen (although we have not had access internally to the ground floor flat) and as such separating the floor structure of the balcony from the roof below would be the best way of reducing noise.

**ACTION REQUIRED:** We would therefore recommend a separate decking which is self supporting.

## 6.0) Services

Within Flat X the radiator would have to be relocated. This is a relatively simple job as it currently sits beneath the window.

## 7.0) Dealing with shared elements of a structure and the Party Wall Etc Act 1996

We would recommend that a way forward would be to use the Party Wall Etc Act 1996 to ensure that both parties are happy with the work that is being carried out. The Party Wall Etc Act we believe is a very good Act which helps record and manage any work that is being carried out with both parties in mind. The reason for the Party Wall Etc Act requirement is that the proposal to build a floor above the existing roof would take support from what we assume are the shared walls of the main building.

Party Structures Defined - Party Wall Act Etc. 1996

A structure which both parties enjoy the use of or benefit from. An example of this would be where both parties gain support from a wall or utilise a chimney or chimneys. The

Act does also relate to floors. It basically looks at any shared elements.

We have attached an article on the Basics of Party Walls in the Appendices at the rear of the report. Please see further articles on our website:

<http://1stassociated.co.uk/party-walls-article-11.asp>  
<http://1stassociated.co.uk/party-walls-article-6.asp>  
<http://1stassociated.co.uk/party-walls-article-7.asp>

### **8.0) Cup of tea meeting**

We feel it is essential that you have a cup of tea meeting with your downstairs neighbour to go through several things:

1. Management of the apartments as when we spoke to him it was obviously one of the areas he wished to discuss.
2. How he wishes to work with regard to the proposal to have a balcony area.
3. You should both swap details of your leases as there appears to be a difference in thought/opinion with regard to what the leases cover. This in theory should be the same and completely cover all areas of the property however in our experience we have found that sometimes things can be omitted or not communicated well. Such an area that could be omitted may be the flat roofs as we saw from the drawings a pitched roof was originally proposed in this area. If you recall during the course of our discussions I spoke with your neighbour and asked whether he had a cross section rather than a plan view in his deeds to show who owns what area and he couldn't recall so it would be well worth checking this further.

The occupier of the ground floor flat also advised that his father is an architect, it may well be worth him being involved in discussions to give a better understanding of the construction that is taking place which is not from the roof but is from a floor placed independently above the roof.

## 9.0) Planning

You advised us that you had applied for planning and withdrawn the application. Planning on this type of building can take a long time. You do need to take specific advice as to whether planning is necessary as it relates to the aesthetics of the building but also has other sections of it. As we mentioned planning is written in black and white and interpreted in grey so there are other factors to consider.

### Planning Permission Defined

Planning Permission looks at the aesthetics and how this is appropriate for the area with such things as additional windows at the gable end.

## 10.0) Limited inspection

As you are aware due to the configuration of the property and us not pre-arranging access with the ground floor neighbour we have had a limited view of the premises therefore our thoughts and considerations are based upon what we saw on the day.

Note: We will need to have a walk around the entirety of the property and gain access inside and out to be conclusive with our findings.

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10

## **SUMMARY UPON REFLECTION**

The Summary Upon Reflection is a second summary so to speak, which is carried out when we are doing the second or third draft a few days after the initial survey when we have had time to reflect upon our thoughts on the property. We would add the following in this instance:

As with any project which involves several different parties there will of course be several different views. This project needs to be pre-planned and agreed.

From a structural point of view we do not see any problems with regard to opening up the window to form a door and we feel that adding an independent floor above the roof would be the best way forward with regard to the balcony/terrace area as this would then not put any loading on the roof and cause any deterioration or defects.

We would recommend inspecting the roof prior to the work being carried out and carrying out any repair works and also allowing in the construction of the floor for the balcony/terrace an access to the roof for future repair requirements.

If you would like any further advice on any of the issues discussed or indeed any that have not been discussed! please do not hesitate to contact us on 0800 298 5424.

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# APPENDICES

1. FLOOR PLANS
2. CONSTRUCTION SUMMARY
3. INSPECTION
4. TIME LINE
5. ESTIMATE OF BUILDING COSTS
6. LIMITATIONS
7. PARTY WALL BASICS ARTICLE

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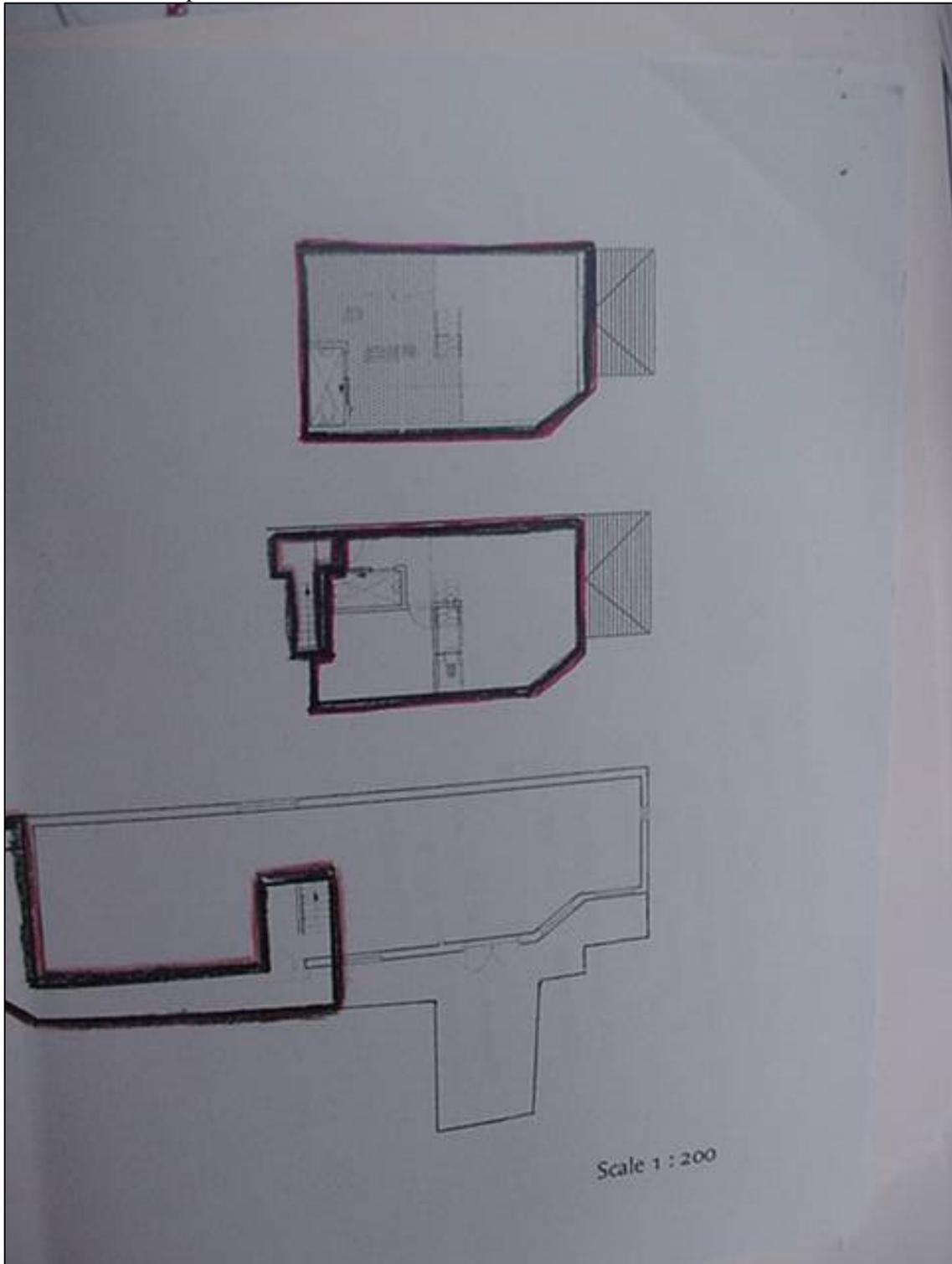
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12

**FLOOR PLANS TAKEN FROM THE DEEDS OF FLAT THREE**

Note: The pitched roof shown is flat.



Scale 1 : 200

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13

# **CONSTRUCTION SUMMARY**

## **External**

Main Roof:	Not visible
Gutters and Downpipes:	Plastic
Soil and Vent Pipe:	Plastic
Walls:	Horizontally clad in timber and render to front. Flemish bond brickwork to side
External Joinery:	Aluminium double glazed windows
Foundations:	Not inspected

## **Internal**

Ceilings:	Plasterboard (assumed)
Walls:	Dry lining to outside walls (assumed)
Floors:	Suspended timber floor (assumed)

We have used the term 'assumed' as we have not opened up the structure.

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# INSPECTION

Our inspection has been specifically related to the opening of a window to form a door access to balcony/terrace as detailed below.:

## Visual Inspection

Our inspection has taken the format of a visual inspection:

1. External of the property of the
  - i. Front
  - ii. Right hand side
  - iii. Rear viewed from balcony
  - iv. No access to left hand side

We have had the benefit of a x 16 lens on a digital camera



Front of property



End of property

2. Internal of the property

We have viewed:

### Flat X

- i. Kitchen
- ii. Dining Area

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Flat X

No access other than the garden area.

3. Surrounding areas
  - i. Front area
  - ii. Right hand side
4. We have spoken with Flat X owner occupier
5. We have had the benefit of talking to the neighbours although this was not a pre-arranged meeting so the neighbour wasn't prepared.

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**Time Line – A brief history of the structure**

This has been based upon a discussion with Mr X.

<b>DATE</b>	<b>DESCRIPTION</b>
2004/2005	Building converted into three apartments.

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## **Estimates of Building Costs**

Where we have offered an estimate of building costs please remember we are not experts in this area. We always recommend you obtain quotations for the large jobs before purchasing the property (preferably three quotes). The cost of building work has many variables such as the cost of labour and estimates can of course vary from area to area when giving a general indication of costs. For unskilled labour we currently use between £75 and £100 per day (the higher costs in the city areas) and for tradesmen we use between £100 and £200 per day for an accredited, qualified, skilled tradesman. Other variations include the quality of materials used and how the work is carried out, for example off ladders or from scaffold.

If you obtain builders estimates that vary widely, we would advise the work is probably difficult or open to various interpretations and we would recommend a specification is prepared. It would usually be best to have work supervised if it is complex, both of which we can do if so required.

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# **LIMITATIONS**

## **Specific Defects Report**

### **1. Conditions of Engagement**

Please note: references to the masculine include, where appropriate, the feminine.

Subject to express agreement to the contrary (which in this particular case has been none) and any agreed amendments/additions (of which in this particular case there have been none), the terms on which the Surveyor will undertake the Specific Defects Report are set out below.

Based upon a visual inspection as defined below the Surveyor will advise the Client by means of a written report as to his opinion of the visible condition and state of repair of the specific problem or problems only. In this instance relating to opening up the rear window to form a door access to a balcony/terrace area.

### **2. The Inspection**

#### a) Accessibility and Voids

The Surveyor will base this report on a visual inspection and accordingly its scope is limited. It does not include an inspection of those areas, which are covered, unexposed or inaccessible. Our visual inspection will relate to the specific defects shown to us only.

#### b) Floors

We have not opened up the floor structure. We have only carried out a visual inspection relating to the balcony and roof area. We would be happy to view the flat roof again or examine photos of the same. Any conclusions will be based upon our best assumptions.

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c) Roofs

The Surveyor has not inspected the main roofs and we have not been able to view the roof underneath the decking in this instance.

d) Boundaries, Grounds and Outbuildings

The inspection will not include boundaries, grounds and outbuildings unless specifically stated (none stated).

e) Services

No services inspected.

f) Areas not inspected

The Surveyor will have only inspected those areas identified within the report. His report will be based upon possible or probable defects based upon what he has seen together with his knowledge of that type of structure. If you feel that any further areas need inspection then please advise us immediately.

g) Specific Defects Report

As this is a report upon a Specific Defect we do not offer any comment or guidance upon reactive maintenance and/or planned or routine maintenance items.

h) Whilst we have used reasonable skill and care in preparing this report, it should be appreciated that the Chartered Surveyors cannot offer any guarantee that the property will be free from future defects or that existing defects will not suffer from further deterioration;

### 3. Deleterious and Hazardous materials

a) Unless otherwise expressly stated in the Report, the Surveyor will assume that no deleterious or hazardous materials or techniques have been used in the construction of the property. However the Surveyor

will advise in the report if in his view there is a likelihood that high alumina cement (HAC) concrete has been used in the construction and that in such cases specific enquiries should be made or tests carried out by a specialist.

#### **4. Contamination**

The Surveyor will not comment upon the existence of contamination as this can only be established by appropriate specialists. Where, from his local knowledge or the inspection he considers that contamination might be a problem he should advise as to the importance of obtaining a report from an appropriate specialist.

#### **5. Consents, Approvals and Searches**

- a) The Surveyor will assume that the property is not subject to any unusual or especially onerous restrictions or covenants which apply to the structure or affect the reasonable enjoyment of the property.
- b) The Surveyor will assume that all bye-laws, Building Regulations and other consents required have been obtained. In the case of new buildings and alterations and extensions, which require statutory consents or approval the Surveyor will not verify whether, such consents have been obtained. Any enquiries should be made by the Client or his legal advisers.

Drawings and specifications will not be inspected by the Surveyor. It is the Clients responsibility to forward any drawings and specifications that he has or knows the whereabouts of to us to include information in our report. If these are not forthcoming we will make our best assumptions based upon the information available.

- c) The Surveyor will assume that the property is unaffected by any matters which would be revealed by a Local Search and replies to the usual enquiries or by a Statutory Notice and that neither the property nor its condition its use or intended use is or will be unlawful.

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## **6. Fees and Expenses**

The Client will pay the Surveyor the agreed fee for the Report and any expressly agreed disbursements in addition.

## **7. Restrictions on Disclosures**

- a) This report is for the sole use of the Client in connection with the property and is limited to the current brief. No responsibility is accepted by the Chartered Surveyors if used outside these terms.
- b) Should any disputes arise they will be dealt with and settled under English law;
- c) This report does not fall under the Third Parties Rights Act.

## **8. Safe Working Practices**

The Surveyor will follow the guidance given in Surveying Safely issued by the Royal Institution of Chartered Surveyors (RICS).

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# Party Wall Basics

If you need help and advice with regard to disputes, particularly party walls matters, or you require a structural survey or a schedule of condition or dilapidations report or any other property matters please call 0800 298 5424 for a friendly chat.

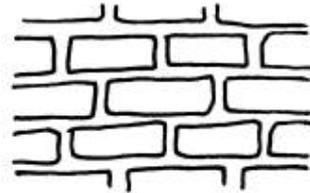
## Party Wall etc Act 1996 basics

The following article will help you get a basic understanding of the party wall process as set out within the Party Wall etc Act 1996. We would recommend the Party Wall etc Act 1996 explanatory free booklet that is available from the office of the Deputy Prime Minister: website [odpm.gov.uk](http://odpm.gov.uk)

The aims of these articles are to give a basic understanding (although not detailed understanding) of the Party Wall etc Act 1996. This particular article looks at the terms used in the party wall world.

## A party wall defined

This is a wall that stands astride a boundary of land belonging to two or more different owners. Interestingly enough, the Act doesn't just relate to party walls (that is why we have the etc. bit) and also it redefines different types of party walls.



## Party fence wall

The first term we will look at is the party fence wall. This is a wall that doesn't form part of a building and stands astride the boundary line between lands of different owners. In summary, it is used to separate these lands. Typically, it is a garden wall and that is what most people would call it, but it doesn't include a wooden fence!

## Line of junction

The term line of junction is often used in the party wall world to mean a boundary line.

## The other type of party wall

This is a party wall that sits wholly on the land of one of the owners, but is used to separate or divide their land or buildings. A good example of this is where a garden wall has been built, building on one person's land and next door builds a house extension utilising this wall. Another term used in the party wall world is party structure and this is more of an all embracing term that can be used for walls or floors, for example that divide flats, but still fit the interpretation of astride a boundary of land between two different owners.

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## Who do party walls affect and more specialist terms that are used

### **The land or building owners terms**

The first term to get used to is that a building owner, and this is usually the person that wants any work to be carried out, initiates the Party Wall Act. The second term that is often used is adjoining owner. This has slightly different connotations, as it can relate to the actual freeholder of the property or the leaseholder or leaseholders, with regard to a lease the interest has to be greater than one year. Therefore, an adjoining owner can in fact be several people or companies. These terms are very much used in abundance so you should get used to the term building owner and adjoining owner.

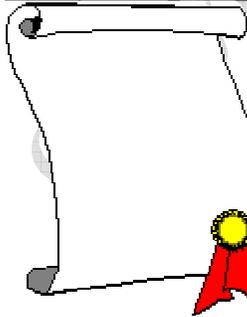
### **Terms used for the different sorts of surveyors**

Initially in any dispute the building owner will seek advice and guidance from a specialist chartered building surveyor (also sometimes known as the unappointed surveyor). The surveyor will advise and help the building owner to serve a notice on the adjoining owner. It is only when dispute arises from this notice served that we move onto the next stage and that is where we have appointed surveyors. There will be an appointed surveyor for both the building owner and the adjoining owner. However, there is another alternative, which is where both the building owner and the adjoining owner agree on having an agreed surveyor; so this is one surveyor appointed in agreement by both the building owner and the adjoining owner to see through the Party Wall etc Act 1996.

It is the ideal situation, in our opinion, particularly with domestic disputes. However, frequently both sides wish to have their own surveyor feeling rightly or wrongly, and we would say wrongly, that the surveyor will be acting on their behalf. They are in fact not acting on their behalf but simply ensuring that the Party Wall etc Act 1996 is carried out correctly.

There is a further surveying term used and that is the third surveyor. This is the surveyor that is selected by the two appointed surveyors, so that if there are any difficulties they can hopefully be resolved. We have carried out an article specifically on third surveyors which we would refer you to.

## Why do people use the Party Wall etc Act 1996?



It is because they gain more rights than they do have under common law. However, unless the Notice is served correctly and the surveyors have authority to act, the Party Wall etc Act 1996 does not exist. We have heard it explained as if you are going to a party without an invite to get the party wall Award started.

Then, in its simplest form, the building owner will work with his party wall surveyor and the adjoining owner will work with this party wall surveyor to have whatever work the building owner is wishing to have carried out and the adjoining owner to influence the work (but not stop it) until the work is completed. This is the ideal scenario.

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## **How does the Party Wall etc Act 1996 work?**

From a building owner's point of view they need to appoint a party wall surveyor. In our experience, we would recommend that they first of all seek advice from the surveyor as to their situation prior to instructing the party wall surveyor, as in some cases the Party Wall etc Act 1996 is not appropriate. Typically, Party Wall Notices will be required for any work that requires taking a bearing off the wall, any alterations to the wall, i.e. raising it, thickening it or cutting it down or off, demolition and rebuild or protecting work. Smaller works, such as adding a flashing or fixing a shelf (although in theory you are taking a bearing off the wall), or cutting it away to put electrical points in are too small to mention.

The key point with regard to the Party Wall Act is where there could be a consequence for structural strengthening or support, etc, or that to the adjoining property then the Party Wall etc Act 1996 applies.

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25