DEALING WITH JAPANESE KNOTWEED
THE JAPANESE KNOTWEED PROBLEM

Japanese Knotweed is a hardy bamboo-like perennial plant that grows quickly and strongly. It spreads through its underground rhizomes or roots and thick clumps or stands can quickly grow to a height of over two metres. It was introduced into the United Kingdom in the mid 19th Century and was initially popular with landscapers because of its ability to grow quickly and form dense screens. However, it soon became a problem because of its ability to out-compete indigenous flora and their associated fauna. In 1905 the Royal Horticultural Society was warning its readers against planting Japanese Knotweed in their gardens unless ‘...it is kept in check’.

Eventually the government took action. Japanese Knotweed was included in the Wildlife and Countryside Act 1981, making it an offence to ‘plant or otherwise cause Japanese Knotweed to grow in the wild’.

In the last few years this uneasy relationship with the plant became more of a problem when some lenders reviewed their policies. A number of loans on properties affected by Japanese Knotweed were declined. Several of these cases became prominent news stories, changing the status of Japanese Knotweed from a complication that was simply ‘difficult to solve’ to one that could result in property sales failing.

The members of the Council of Mortgage Lenders (CML) and the Building Societies Association (BSA) account for the majority of UK residential mortgage lending. Both represent the views of their members, but neither can impose policies. When the Japanese Knotweed problem became apparent, the CML consulted its members. It did not publish a formal policy, but it was clear that there was a general reluctance to lend on Japanese Knotweed affected properties. However, some individual lenders are willing to consider applications on a case by case basis once remediation works have been implemented.

Individual lenders adopt policies that reflect their own commercial priorities. The variation in approach across the sector presents a challenge for valuers and surveyors, especially those who carry out mortgage valuations for several different lenders.

Discussions with the Association of British Insurers (ABI) and some insurance companies revealed the following:

• Insurers do not generally ask any specific questions about Japanese Knotweed when a home owner applies for a building insurance policy.
• Although it is not specifically excluded, most buildings insurance policies do not cover damage and problems caused by Japanese Knotweed. Additionally, because the damage occurs gradually, it is unlikely to be covered in the future.
• Where Japanese Knotweed originates from a neighbouring property, insurance companies are likely to pursue others for the costs of the damage caused.
• A number of lenders claim that they are unable to obtain insurance cover for property affected by Japanese Knotweed.

This can leave a home buyer in a difficult situation where their preferred lender will not grant a mortgage unless the home buyer can secure a building insurance policy that covers...
damage caused by Japanese Knotweed; but the home buyer cannot get an insurance policy that does.

Consequently, lenders and owners may need to tackle the problems posed by Japanese Knotweed without the support of building insurance policies.

**Japanese Knotweed damage – the worst case scenario**

The most common effects and affected areas include the following:

- **Drains and other buried services** - Knotweed roots can exploit existing cracks and gaps in the pipes in their search for water, which will further damage and, in some cases, block the drains. Large, densely packed clumps of Japanese Knotweed can disrupt drain runs. In the worst cases, the drains must be renewed.

- **Patios, paths and drives** - Japanese Knotweed can grow between slabs and movement joints of concrete drives and disrupt brick paving. Repairs can involve the removal of the existing paving and bedding material, treatment of the plant, removal of the disruptive crowns and roots and replacement of the path, patio or drive.

- **Boundary and retaining walls** - closely packed stands can undermine garden walls with shallow foundations. The mass of the stands can ‘push over’ retaining walls, often resulting in sudden collapse.

- **Outbuildings** - vigorous stands of Japanese Knotweed can overwhelm lightweight, insubstantial and poorly founded outbuildings such as garden sheds, greenhouses and in some cases, poorly built garages.

- **Conservatories** - although the effects will be similar to those described for outbuildings, owners, valuers and surveyors usually attribute greater importance to these structures.

- **Gardens** - the invasive nature of the plant can ruin well planned and well stocked gardens.

**Environmental Protection Act 1990**

The act contains a number of legal provisions that designate Japanese Knotweed contaminated soil as ‘controlled’ waste. Only properly licensed organisations may remove this waste from a property and they must take it to appropriately licensed waste facilities.

If your property is affected by Japanese Knotweed and you require advice, call:

**Grimsby** 01472 353436

**Scunthorpe** 01724 856037
LOVELLE BACONS
SURVEYING SERVICES

• SELF BUILD WARRANTY
• BOUNDARY DISPUTES
• LAND AND SITE MEASUREMENTS
• PLANNING APPLICATIONS AND APPEALS
• KNOTWEED REPORTS
• DEFECT SURVEYS
• PARTY WALL NEGOTIATIONS
• EXPERT WITNESS

HEAD OFFICE:

TELEPHONE: 01472 353436
EMAIL: enquiries@lovelle-property.co.uk
WEB: www.lovellebaconsestateagency.co.uk

Hampton House, Church Lane, Great Grimsby,
North East Lincolnshire, DN31 1JR