



## TIMES+

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## QUESTION OF THE WEEK

**Q** We live in a detached property in central southern England. Our home backs onto paddock land on three sides and sits in a slightly lower area, where the rainwater from neighbouring land runs through our garden in drainage pipes to a low-lying area some distance away. This land drainage arrangement worked without problems for many years, until our immediate neighbour gained permission to build an 8,000 sq ft equestrian area, or manège, on what had previously been free-draining grass paddock land.

During a flash rainstorm in January, the heavy rain – repelled by the waxed sand of the newly built manège – flowed off in a heavy stream, which flooded our garden almost to the foundations of our house.

I accept that the lower-lying property owner has a legal obligation to accept rainwater flow from higher neighbouring land, but we fear this unprecedented volume of water will result in significant flood damage.

A serious chat with the neighbour would, of course, be the best course of action, but how do we stand legally?

James Nicholas, Hampshire

**A** As you say, a chat with the neighbour would be sensible. It is generally better to try to resolve problems in this way than to engage in court claims. It is just possible that the neighbour has not

realised the effect of the changes made to their land, and will make adjustments. You will need to take your own advice about this, but you might be able to bring a claim against the neighbour. Although they may have the benefit of a right of drainage through the pipes you mention, it would appear that they have exceeded that right, and could be liable in what is known as the tort of nuisance.

This is an area of tort – a civil wrong, if you like – broadly divided into two categories, private nuisance and public nuisance. The former is what might apply in your case: it can arise where the actions concerned are causing a substantial and unreasonable interference with land or its use or enjoyment.

An occupier of land owes a general duty of care to a neighbouring occupier in relation to a hazard occurring on his land, whether such hazard is natural or manmade. The standard of the duty is that the occupier should do what it is reasonable to expect of him in his individual circumstances. In your case, there were functioning arrangements for the flow of rainwater from the upper ground, across your land, to the lower ground. Those arrangements have been interfered with by the works carried out on the upper land by the owner, who may, as a result, be liable to take steps to abate the nuisance, and for any loss caused.

Jason Hunter is a partner at Russell-Cooke Solicitors; [russell-cooke.co.uk](http://russell-cooke.co.uk)

**Q** We are renovating our home and we really like modernism and flat roofs, but I hear they leak terribly. Has technology moved on?

G Lake, Suffolk

**A** The Orwellian mantra "Flat roofs bad, pitched roofs good" was salient advice at the time. Since the invention of glass reinforced plastic (GRP), however, flat-roof membrane technology has been revolutionised. Most boats are made of GRP, so why not a roof?

The flat roofs of the 1920s and 1930s were usually installed with an asphalt layer over concrete or boarding. Many blocks of flats were built like this in the 1960s. The trouble with this method was that the asphalt would expand and contract as it heated and cooled during the day. This led to cracks and tears, causing water ingress, rot, damp and structural damage.

GRP was first used by the Germans in the 1950s. The beauty of liquid roofs (as they are known) is that a new membrane can be laid on a failed old one, as long as the structure and boarding are still strong, dry and rot-free. Many membranes, such as Kemper, come with a 20-year guarantee. With additional protection such as gravel or an earth roof, the lifespan could be 100 years; asphalt only lasts about 40, and felt 12-20. Plastic membranes

**Do you need help from one of our experts? Email your questions to [homehelp@sunday-times.co.uk](mailto:homehelp@sunday-times.co.uk). Advice is given without responsibility**

are popular, but the junctions between sheets can fail and the material is easily damaged. The GRP roof is a strong fibreglass waterproof shell that covers edge details and flashings. It's every modernist's dream. **Francis Shaw is the managing director of Shaw & Jagger Architects; [shawandjagger.com](http://shawandjagger.com)**

**Q** I live in a terraced house and my neighbours have just bought a karaoke machine. They are always having parties – we can hear them singing through the walls, and it's hell. We don't know them, except to say hello. Should we call the noise abatement officers?

A Shaw, Edinburgh

**A** Karaoke is the Japanese for "bloody awful". I feel (but, thankfully, don't hear) your pain. If you don't know them well, I'd say you have nothing to lose. We can't all get along perfectly with our neighbours – even Tom, Barbara, Jerry and Margo had their odd moments. Face to face and, smiling sweetly, ask if they wouldn't mind adjusting the volume of their speakers when they have their musical soirees, explaining in reasoned tones how it affects you. Should this not work, then, yes, unleash the full force of an antinuclear behaviour action team.

William Hanson is a leading etiquette coach; [williamhanson.co.uk](http://williamhanson.co.uk)

**Q** I have a chrome heated towel rail that has become stained with water-mark-type splottches. Can I get rid of them?

K Black, Birmingham

**A** Chrome is notorious for showing water spots, but there is a simple method for removing these marks. Fill a clean spray bottle with a mixture of two parts vinegar to one part water. Spray onto the towel rail, then wipe straightaway with a soft clean cloth. Repeat this process five times, ensuring you have fully dried the chrome when done.

To prevent future spots, wipe the towel rail dry after hanging something damp on it and, after cleaning, make sure no solution is left. A dry towel rail is a happy towel rail. Twice a year, apply two coats of chrome polish and buff to a shine.

Steven Zockal is the director of 0800 HANDYMAN; [0800handyman.co.uk](http://0800handyman.co.uk)

**Q** The neighbour's cat is using our flowerbed as his litter box. How can we deter him without harming him? What is the worst we can do without getting in trouble with the law?

B Palmer, north London

**A** Even a Buddhist would have dark thoughts after discovering cat droppings in the border, but put these murderous (and illegal) impulses to one side. Cats are lazy creatures of habit that avoid planted soil – roots make scraping holes hard work. So keep them at bay by planting spreading herbaceous ground cover such as cranesbills, oregano and rudbeckia.

Fragrant flowers (marigolds, lavender, santolina, chives) will put them off, as they mask the scent they're trying to leave as a territorial marker. Coffee grounds tipped onto bare earth work, too, in a veg garden where there's always unplanted soil, a motion-activated water sprayer plugged onto a hosepipe will douse any cat that comes into range. They cost about £25 – just don't put it near the washing line. **Toby Buckland is a garden writer and the host of [www.tobygardenfest.co.uk](http://www.tobygardenfest.co.uk)**

## TOP TIPS

Washing, rinsing, spinning and drying – how hard can it be to find machines that do these jobs well, saving time and energy? The GHI team tested 23 washing machines and 13 washer-dryers to find the top performers.

**WINNING WASHING MACHINE**  
Siemens W172796, 92/100; £1,299; [johnlewis.com](http://johnlewis.com)  
Features 6kg capacity, A energy rating, 1,600rpm spin speed. The average combination wash and dry time is 2hr 15min.



**Verdict** Excellent stain removal, low power and water consumption, easy to programme.

**WINNING WASHER-DRYER**  
Miele WT2796, 92/100; £1,299; [johnlewis.com](http://johnlewis.com)  
Features 6kg capacity, A energy rating, 1,600rpm spin speed. The average combination wash and dry time is 2hr 15min.

**Verdict** Great stain-removal results, quiet.

■ [goodhousekeeping.co.uk/institute](http://goodhousekeeping.co.uk/institute)

## Home help

Our experts are here to advise you on your household problems, from keeping bathroom chrome shiny to dealing with karaoke-crazy neighbours

