

Tom Carter Appears in Supreme Court in the case of Davies v Bridgend

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Tom Carter appears in the Supreme Court in the case of Davies v Bridgend on the question of causation following his win in the Court of Appeal that damages for diminution in value of a property are recoverable in the absence of physical damage and are not pure economic loss: see *Davies v Bridgend* [2023] EWCA Civ 80.

The issue of diminution in value is no longer challenged by the other side and causation is the only remaining issue.

Japanese knotweed had spread from the defendant's land before the defendant was in breach of duty. Thereafter the trial judge found that the defendant was in breach from 2013 to 2017 by failing to treat knotweed on its land.

The defendant contended that the claim failed the but for test on causation. At trial, on first appeal and in the Court of Appeal, it was held that it did not. In particular, the Court of Appeal placed weight on the famous case of *Delaware Mansions*.

The Supreme Court is now considering that decision. The hearing has taken place and the decision is expected later in the year.

To read the case details, please [click here](#).

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