Contaminated Land Case Study

The UK has a long industrial history and many areas of land may have been contaminated by old industrial uses, with substances such as arsenic and lead being left behind in the soil. Over the years, these old industrial sites have been and continue to be redeveloped into housing and offices and unless identified and remediated, any toxic substances may cause harm today.

The previous use of a site can be an issue when people buy and sell houses, particularly because the liability of removing any hazardous waste can lie with the homeowner. There have been a number of cases where properties have had to be ‘cleaned’ retrospectively after having been built on former industrial land. In 2005, residents of around one hundred homes at Seaton Carew in Teesside were issued with a list of precautions to be taken because their gardens were contaminated by arsenic, lead and zinc from an old pit-prop treatment works – the clean-up costs for this site were an estimated £4 million.

In 2010 the owners of nineteen properties built on an old quarry in Bath discovered that the land was filled with toxic waste that was contaminating their gardens.

Since 2001, conveyancers have been obtaining an Environmental Search Report as standard practice, to check whether the land that has been designated as Contaminated Land under Part 2A of the Environmental Protection Act 1990 or for any potentially historical contaminative causes.

The simple solution to finding out about the risk of Contaminated Land in a conveyancing transaction, taking into account contemporary planning legislation, is to obtain a Future Climate Info Premium, Standard, or Essential Environmental Report. Along with all the other environmental information needed by conveyancers, our reports identify the likely build date for properties as part of the risk assessment. This means that where properties were built after planning laws were tightened, fewer recommendations for Further Action will be returned, minimising your time spent on dealing with the issues and eliminating the need to make unnecessary further investigations.