

Report Details

Report ID: 123456

Date: 22/10/2020

Grid Reference:
E: 123456 | N: 123456

Report Reference:
Sample Ref

Requested by:
Sample Client

Current Use: Commercial

Proposed Use:
Commercial



If you require assistance, please contact us to speak to an expert.

☎ +44 (0)1732 755 180

✉ consultancy@futureclimateinfo.com

🌐 www.futureclimateinfo.com

FCI Appraisal



Report on:
Sample Site, Street, Town, County, UK

Author:

Connor Bowman, BSc (Hons) AIEMA
Risk Team Leader

CBowman

Peer Review:

Penny Andrews, BSc MEng MRICS CEnv
Operations and Compliance Director

PAAndrews



Professional Opinion Summary

Environmental

PASS

From a review of the information contained within this report, the property is not considered to be at a significant risk of liability under Part 2A of the Environmental Protection Act, 1990. This assessment is made on the basis of a continued commercial use of the property without redevelopment.

This summary should be read in conjunction with the full assessment in the following pages of this report, along with any recommendations made.



1.0 Context

The FCI Commercial report is a modular assessment, which includes an 'Environmental' section relating to plausible liability under Part 2A of the Environmental Protection Act, 1990 (The 'Contaminated Land' regime). The report's Professional Opinion results in a 'Further Action' if there is a potential property specific risk is identified, and further action is advised.

The Professional Opinion of the FCI Commercial Report (Ref: 123456) advised further action in relation to the Environmental risk identified. This was due to the presence of an area of landfill at the property. As such, FCI has been instructed to complete an Appraisal Report. The FCI Appraisal contains a more detailed desktop review of the property and consultation with the relevant regulatory authorities. The FCI Appraisal offers a revised Professional Opinion, where the information reviewed suggests an appropriate reduction in the level of risk.



2.0 Information Review

2.1 Regulatory Consultation

Regulator	Summary of Response
Environmental Health Department <i>Sample Council</i>	A response provided by John Smith, Contaminated Land Officer, on the 15/10/2020 confirmed that the property has been prioritised for inspection under Part 2A of the Environmental Protection Act, 1990. However, the site has been assigned a 'Low' priority.
Petroleum Enforcement Authority <i>Sample Fire Service</i>	On the 21/10/2020 Sarah Jones, Petroleum Licensing Officer, confirmed that there are no records of current or historical petrol tanks located on the property.
Environment Agency <i>Southern Region</i>	Sam Smith, Customer and Engagement Officer of the Environment Agency provided a response on 20/10/2020. This confirmed that the Environment Agency are aware of the presence of an area of landfill at the Property, identified under reference EDH/123456, which accepted inert waste. The Environment Agency have no concerns over risks to controlled waters from the presence of this landfill.

2.2 Planning Review

Reference	Approval Date	Description of Development	Discharged?
18/000123/FUL	12/12/2018	Redevelopment of the property for commercial use as a 14-storey office block, with basement for parking. Conditions 12 (a-e) attached to the planning permission outlined a requirement for the investigation and remediation of contamination as part of the recent development. Documents available on the Sample Council planning website indicate that these conditions have been discharged in full.	✓
98/000123/FUL	21/01/1998	Redevelopment of the property to form a 4-storey office block. Condition 3 of the associated decision notice highlighted a requirement to consider contamination risk in the development. This condition does not appear to have been discharged.	✗

2.3 Document Review

Document	Summary
Site Investigation Report, Ref: 2018/JSC/SI-172	A Site Investigation Report authored by John Smith Consulting was carried out at the property on the 1 st January 2018, for the purpose of supporting the development of the property for commercial use under planning permission 18/000123/FUL. The report found no evidence of gross contamination of the property, however a single exceedance of guideline values for soil quality in light of the commercial development was identified, and so minor remedial measures were recommended.
Verification Report, Ref: 2018/JSC/VR-173	John Smith Consulting produced a Verification report to confirm the placement of 600mm of clean top soil in areas of soft landscaping incorporated into the development of the property under planning permission 18/000123/FUL. The verification report concludes that the imported top soil is free from contamination, and makes no further recommendations based on the ongoing commercial use of the property. This report was used to discharge the final contaminated land conditions associated with planning permission 18/000123/FUL.



3.0 Professional Opinion Analysis

Contaminated Land Liability

PASS

The Environment Agency has confirmed that it has no concerns over impacts to controlled waters due to the area of landfill located on the property. In addition, the Environmental Health Department within the Local Authority has confirmed that, although the site is prioritised for inspection under Part 2A of the EPA, 1990, it is a low priority.

Furthermore, the recent redevelopment of the property has been undertaken in accordance with the requirements of the Local Planning Department in relation to the consideration of possible contamination issues. As such, any residual contamination issues are likely to have been adequately dealt with in relation to the commercial use of the property.

Considering this information, no significant liabilities under Part 2A of the Environmental Protection Act, 1990, have been identified.



4.0 Recommendations

As a result of the findings of this report, no further action is recommended.



5.0 Supplementary Guidance

This section provides general insight on common issues associated with redevelopment and operational compliance, which may offer helpful advice if they meet with the context of this transaction:

Please note that these assessments are supplementary to the main purpose of this report and are not considered within the overall 'Professional Opinion' or 'Contaminated Land Liability Analysis' given above. These sections are intended to serve only as guidance.

5.1 Redevelopment Risk

NONE IDENTIFIED

Consideration of ground conditions and pollution is required within the planning process to ensure that a property is suitable for use, as stipulated within the National Planning Policy Framework (NPPF). Contamination issues are a material consideration in all aspects of the planning process, including alterations under permitted development rights.

We understand that the Property is currently in commercial use and it will remain in this use without redevelopment. As such, redevelopment risks associated with land contamination do not present a current issue.

However, should the Property be redeveloped in the future, particularly if it is for a sensitive end use such as housing, then more advanced environmental investigations may be required by the Local Planning Authority. Such investigation would follow a staged approach, starting with a Phase 1 Preliminary Assessment, in compliance with the Environment Agency's Land contamination risk management web pages at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

If you require assistance with any planning proposals in the future, please contact the FCI Risk Team on 01732 755 180 or email us at consultancy@futureclimateinfo.com to discuss your situation with our in-house team of environmental professionals.

5.2 Operational Risk

NONE IDENTIFIED

It is important to note that the way in which land or property is used can have a material impact on third party land and Property. The nature of the existing use can give rise to regulatory action if compliance with current environmental regulations and best practice is not adhered to.

We understand that the Property is currently in commercial use and it will remain in this use without redevelopment.

From a desktop review of the data available to FCI in the process of compiling this report, no high-risk property-specific activities have been identified. Therefore, no additional assessment is considered essential in the context of this assessment. However, we would always recommend that a purchaser satisfies themselves of the suitability of all infrastructure and management practices.

If your own inspection or enquiries raise any concerns, please contact the FCI Risk Team on 01732 755 180 or email us at consultancy@futureclimateinfo.com to discuss your options.



6.0 Notes & Guidance

6.1 Report Notes

METHODOLOGY

This report is a desk study risk assessment, and no site or ground inspection or physical investigation has been carried out. The impacts of the risks addressed in this report are normally measured in terms of quiet enjoyment, saleability, mortgageability, and the value of the property as a result of the property being subject to a Remediation Notice as defined by Part 2A of the Environmental Protection Act, 1990.

The risk assessment in this report is provided by FCI who are regulated by RICS.

6.2 Contaminated Land

METHODOLOGY

The contaminated land risk assessment used in this report takes account of statutory Contaminated Land as well as information on the various land uses or processes which may have the potential to create Contaminated Land. These include, for example, relevant former industrial land uses shown on historical maps, current industrial land uses, and relevant industrial processes. Risks such as waste sites, licensed discharge consents, radioactive substances, pollution prevention and control licences, explosives, and dangerous substance inventory, Control of Major Accidents and Hazards (COMAH), and Notification of Installations Handling Hazardous Substances (NIHHS) and Planning Hazardous Substance sites are all very highly regulated and as such are excluded from the Contaminated Land risk assessment. Such features at or nearby the property are features that may be considered in the survey or valuation.

6.3 Supplementary Guidance

METHODOLOGY

The Supplementary Guidance given in this report is based on a desk study risk assessment, and no site walkover, ground inspection or physical investigation has been carried out. This section is intended as general advice and guidance only.

Section 5.1 'Redevelopment Risk' provides general guidance on the potential for and likely extent of additional assessment works which may be required as detailed within the National Planning Policy Framework should the property undergo a change of use or redevelopment. The following results will be displayed in the following scenarios:

- **'None Identified'** whether or not redevelopment is proposed, where FCI has no evidence to suggest that contamination will be present from the historical and/or current use of the property (or its surroundings) and only minor additional investigative environmental works would be anticipated in the first instance pending redevelopment.
- **'Considerations'** whether or not redevelopment is proposed, where FCI is aware of plausible contamination associated with the historical and/or current use of the property (or its surroundings) and minor additional investigative environmental works would be anticipated in the first instance pending redevelopment, and a need for some level of supplementary investigation and/or remedial works is plausible.
- **'Major Considerations'** where redevelopment is proposed, and FCI is aware of highly plausible contamination associated with the historical and/or current use of the property (or its surroundings) and major additional investigative environmental works would be anticipated in the first instance pending redevelopment, and a need for supplementary investigation and/or remedial works is considered highly likely.

Section 5.2 'Operational risk' flags specific risks which have been identified from a review of the data which in the opinion of the report author have the imminent potential to lead to serious future environmental harm to soils, surface water or groundwater or significant liabilities under areas of legislation relating to environmental permitting, environmental damage, oil storage and waste management if not managed correctly. The guidance is based only on observations of the data and does not guarantee to identify all plausible environmental risks or non-compliance issues. The following results will be displayed in the following scenarios:

- **'None Identified'** where, from a review of the data, no operational activities or management practices have been identified which present a plausible risk of causing environmental AND no highly sensitive environmental features are in close proximity to the property
- **'Considerations'** where, from a review of the data, operational activities or management practices have been identified which present a plausible risk of causing harm to sensitive environmental receptors if not managed correctly OR highly sensitive environmental features are in close proximity to the property.

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6.5 Search Code

CONSUMER INFORMATION

IMPORTANT CONSUMER PROTECTION INFORMATION

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- Sets out minimum standards which firms compiling and selling search reports have to meet.
- Promotes the best practice and quality standards within the industry for the benefit of consumers and property professionals.
- Enables consumers and property professionals to have confidence in firms which subscribe to the code, their products and services.

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Firms which subscribe to the Search Code will:

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- Act with integrity and carry out work with due skill, care and diligence
- At all times maintain adequate and appropriate insurance to protect consumers
- Conduct business in an honest, fair and professional manner
- Handle complaints speedily and fairly
- Ensure that products and services comply with industry registration rules and standards and relevant laws
- Monitor their compliance with the Code

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If you have a query or complaint about your search, you should raise it directly with the search firm, and if appropriate ask for any complaint to be considered under their formal internal complaints procedure. If you remain dissatisfied with the firm's final response, after your complaint has been formally considered, or if the firm has exceeded the response timescales, you may refer your complaint for consideration under The Property Ombudsman scheme (TPOs). The Ombudsman can award compensation of up to £5,000 to you if the Ombudsman finds that you have suffered actual financial loss and/or aggravation, distress or inconvenience as a result of your search provider failing to keep to the Code.

Please note that all queries or complaints regarding your search should be directed to your search provider in the first instance, not to TPOs or to the PCCB.

TPOs Contact Details:

The Property Ombudsman scheme, Milford House, 43-55 Milford Street, Salisbury, Wiltshire SP1 2BP
Tel: 01722 333306, Fax: 01722 332296, Email: admin@tpos.co.uk, Web: <https://www.tpos.co.uk/>
You can get more information about the PCCB from www.propertycodes.org.uk

PLEASE ASK YOUR SEARCH PROVIDER IF YOU WOULD LIKE A COPY OF THE SEARCH CODE

6.6 Useful Contacts

Environment Agency

Tel: 08708 506 506
Visit: www.environment-agency.gov.uk
Email: enquiries@environment-agency.gov.uk

Local Authority

Sample Council
Tel: 01273 555555
Visit: www.samplecouncil.com
Email: info@samplecouncil.com

Future Climate Info (FCI) Limited

Tel: 01732 755 180
Visit: <http://www.futureclimateinfo.com/>
Email: consultancy@futureclimateinfo.com
Address: 17 Kings Hill Avenue, Kings Hill, West Malling, Kent, ME19 4UA

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