

Report Details

Report ID: 123456

Date: 26/02/2023

Grid Reference:

E: 123456 | N: 123456

Report Reference:

Sample Ref

Requested by:

Sample Client

Current Use Light

Industrial:

Proposed Use: Light

Industrial



Report on:

Sample Site, Street, Town County, UK

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Author:

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Associate Environmental Consultant



Peer Review:

Connor Bowman, BSc (Hons) PIEMA
REnvP
Risk Team Leader



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 industrial 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 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 Commercial Report (Ref: 123456) advised further action in relation to the Environmental risk identified. This was due to presence of an area of landfill at the property, and an industrial building identified on ordnance survey mapping as a 'garage'. As such, we have been instructed to complete a Walkover Report. The Walkover contains a more detailed desktop review of the property and consultation with the relevant regulatory authorities, as well as a walkover of the property to look for evidence of gross contamination that may not be evident from purely desk-based research. The Walkover offers a revised Professional Opinion, where the information reviewed suggests an appropriate reduction in the level of risk.



2.0 Property Summary

2.1 Property Description

A walkover of the property was conducted by Connor Bowman, Risk Team Leader, on the 01/02/2023. The walkover was accompanied by the Site Manager, Mr John Smith.

The property is approximately 0.25 Hectares in aerial extent, and comprises a yard laid to concrete hardstanding, with an industrial building along the south eastern boundary. The yard is principally used for the storage of plant equipment, such as tracked excavators, compactors and trucks, and is accessed at the south west corner from Sample Street. The industrial building is a steel portal frame construction, clad in corrugated cement board. The building is used as a workshop to service the plant equipment and sits at ground-floor level only with no basements or mezzanine levels. The property boundary is delineated by a palisade security fence on all sides.

The property sits at approximately 29m AOD (above ordnance datum) at the centre, sloping gently down to the south-east.

2.2 Surrounding Area Description

North	Waste transfer and treatment operations are located to the immediate north, beyond which the area is industrial in nature to over 500m.
East	Distribution warehouses are located beyond Sample street to the east with an estate of modern office buildings beyond adjacent to a canal.
South	Vehicle maintenance facilities and small industrial units containing light industrial operations exist to the immediate south and a wider light industrial area is located beyond.
West	A public park, with football pitches and a children's play area, lies adjacent to the west with an estate of residential properties with gardens approximately 250m from the property, extending to beyond 500m.

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2.3 Potential Sources of Contamination

From Data Review

A review of desktop sources, including historical ordnance survey mapping and environmental data held by us, has identified the following potential sources of contamination:

Desktop Data Review

- Garage/Workshop (on site) c 1960 onwards.
- Historical Landfill (Ref EADL/1555) located adjacent west, the area of which is currently used as a public park.

From Walkover

Bulk Fuel Storage

Above Ground Storage Tank: A 2,000 litre Glass Reinforced Plastic (GRP) Above Ground Storage Tank (AST) containing fuel oil is located at the property. It is situated outdoors, in the north-east corner against the eastern property boundary within a secured fenced off area. The tank feeds an oil-fired boiler located inside the main building which is used for heating and hot water. The tank is bunded. The tank appeared to be in reasonable condition, with no visual or olfactory evidence of leaks or spills noted. The fuel conveyance pipeline remained above ground, with no evidence of damage or leaks noted.

Underground Storage Tank: The location of a disused Underground Storage Tank (UST) was observed at the northern edge of the property. Evidence of excavation and reinstatement of the hardstanding was noted, and the Site Manager was able to provide tank decommissioning reports, the content of which is summarised in the document review section (3.3).

Bulk Chemical Storage

No bulk (>1,000L) chemical storage was identified during the site walkover.

Waste

Landfill: Observations of the area of the adjacent historical landfill did not identify any signs of distressed vegetation.

Waste Oil: Waste motor oil was being stored in an Intermediate Bulk Container (IBC) located externally at the south western end of the main building, adjacent to the vehicle entrance. No signs of leaks or spills of oil were noted around this feature.

Other Wastes: General waste was noted to be stored in a proprietary wheeled bin at the north eastern end of the yard, adjacent to a second wheeled bin used for the storage of cardboard waste. The area around the waste storage bins was seen to be tidy.

Waste Transfer and Treatment Operations: The adjacent waste management operation was displaying signage indicating that environmental permits are held for transfer and treatment activities.

Industrial Infrastructure

No historical infrastructure indicative of additional potentially contaminative uses was noted.

Ground Staining / Odours

No visual or olfactory evidence of leaks or spills of fuels, oils or chemicals was noted during the walkover.

2.4 Sensitive Receptors

Groundwater

The superficial geology is Glacial Till which is recorded as being an Unproductive aquifer. This provides protection to the underlying Nodular Chalk Formation bedrock, which is a Principal aquifer.

Surface Water

A canal is located 200m east of the property.

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Site Users and Third Parties

Site users include employees of the business operating at the property. Surrounding uses are predominantly industrial/commercial in nature with employees of those businesses occupying surrounding properties. Residential properties with gardens are located approximately 250m west. A public park, including football pitches and children's play area are adjacent to the property.

Eco receptors

There are no ecologically sensitive receptors identified within a 500m radius of the site.



3.0 Information Review

3.1 Regulatory Consultation

Regulator	Summary of Response
Environmental Health Department <i>Sample Council</i>	A response provided by John Smith, Contaminated Land Officer, on the 01/02/2023 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 Brigade</i>	On the 02/02/2023 Sarah Jones, Petroleum Licensing Officer, confirmed that there are records of current or historical petrol tanks located on the property. Records indicate the presence of a single steel skin 1,600-gallon underground petroleum spirit storage tank at the property, located at the northern edge. The Authority hold no records to confirm the tank's decommissioning.
Environment Agency <i>Southern Region</i>	Sam Smith, Customer and Engagement Officer of the Environment Agency provided a response on 03/02/2023. This confirmed that the Environment Agency are aware of the presence of an area of landfill to the west of the Property, identified under reference EADL/1555, which accepted inert waste. The Environment Agency have no concerns over risks to controlled waters from the presence of this landfill. Monitoring records indicate no significant landfill gas generation.

3.2 Planning Review

Regulator	Approval Date	Description of Development
18/000123/FUL	12/12/2018	Development of an extension to the existing workshop building to house a new boiler along with a replacement roof and new external cladding to the existing workshop. 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 the conditions have been discharged in full.
98/000123/FUL	21/01/1998	Development of a light industrial unit. No conditions relating to contamination investigations.

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3.3 Document Review

Document	Summary
Tank Decommissioning Report AP Tanks Ltd 22nd March 2018 - Ref: c223XF	The property manager was able to present a Tank Decommissioning Report for review during the site walkover. The decommissioning report corresponded with the response provided by the PEA which indicated the former presence of a single petrol UST at the northern edge of the property. The decommissioning report records the cleaning, removal, and appropriate disposal of the tank.
Tank Removal Validation Report CBS Consultants Ltd 23rd March 2018 – Ref: James/0318	A Validation Assessment of the tank removal was undertaken by CBS Consultants on the 23rd March 2018. The validation work involved the supervision of the removal of the tank, and inspection of the ground at the base and walks of the tank excavation. This inspection did not reveal any significant odours or staining, and no further action in regard to assessing risks to human health or groundwater from this source was deemed necessary.



4.0 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. Evidence relating to the removal of a single petrol UST has been observed to confirm no significant odours or staining beneath the tank at the time of removal in 2018 indicating a very low residual risk. Furthermore, the AST containing fuel oil for the boiler was observed to be in reasonable condition and afforded appropriate bunding and security. 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.



5.0 Recommendations

As a result of the findings of this report, no further action is recommended in respect of liabilities under Part 2A of the Environmental Protection Act, 1990. However, please see any relevant guidance below in Section 6.0 'Supplementary Guidance'.

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6.0 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.

6.1 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 industrial 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-riskmanagement-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.

6.2 Operational Risk

CONSIDERATIONS

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 industrial use and it will remain in this use without redevelopment. The Walkover identified the property as being in industrial use, with a number of features that could potentially give rise to environmental damage. Whilst there is no evidence to suggest that these activities have caused environmental damage, there is the potential for the Property to cause harm to surrounding land and the environment, if the standard of general environmental management is inappropriate or infrastructure is not maintained. Failure to comply with environmental legislation and best practice could lead to regulatory or civil action against the operator of the Property or lead to reputational damage.

Prudent Measures:

- The waste oil IBC should be replaced with a proprietary waste oil storage container, which should ideally be lockable, bunded, impact resistant and placed in a suitable location away from surface water drains.
- Under certain circumstances permits/exemptions may need to be registered for the storage of waste at the place of production. Where registration is not needed there is still a need to comply with the Non-Waste Framework Directive (NWFD) exemptions. These don't need to be registered and permit temporary storage at the place of production, at a place controlled by the producer or a collection point.
- You should ensure that ongoing site management is monitored and seek professional advice should any concerns be raised.

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7.0 Notes & Guidance

7.1 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.

7.2 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.

7.3 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 we have 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 we are 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 we are 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

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- ‘**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.

7.4 Standard

T&Cs, QUERIES & COMPLAINTS

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<https://futureclimateinfo.com/wp-content/uploads/2023/02/FCI-terms-and-conditions-v0223.pdf>

7.5 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.
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- Handle complaints speedily and fairly
- Ensure that products and services comply with industry registration rules and standards and relevant laws
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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

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7.6 Report Licensing



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7.7 Useful Contacts

Environment Agency

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

Local Authority

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

Dye & Durham – Environmental Risk Team

Tel: 01732 755 180
Email: fci-admin@dyedurham.com
Address: Office 35, 26 Kings Hill Avenue, Kings Hill, West Malling ME19 4AE

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