

Report Details

Report ID: 123456

Date: 01/04/2023

Grid Reference:

E: 123456 | **N:** 123456

Report Reference:

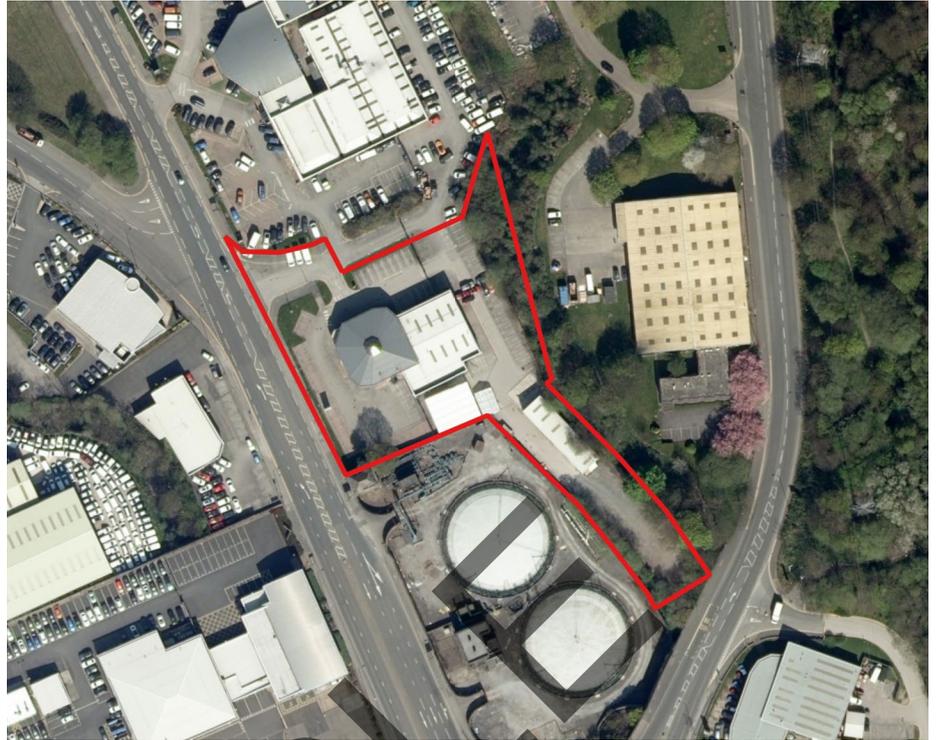
Sample Ref

Requested by:

Sample Client

Current Use: Commercial

Proposed Use: Commercial



Report on:

Sample Site, Street, Town, County, UK

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Author:

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REnvP

Environmental Team Lead



Peer Review:

Tim Champney, BA (Hons) PgDip MCIWEM
C.WEM AssocRICS PIEMA AEA

Commercial Product Director



Professional Opinion Summary

Environmental

PASS

In the context of this Appraisal, the Property is not considered likely to be determined 'Contaminated Land' under Part 2A of the Environmental Protection Act 1990, assuming a continued end-use 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 the Property being historically adjacent to a garage to the north and gas works to the south. The Property is also immediately adjacent and within 25m of historical landfill sites. As such, we have been instructed to complete an Appraisal Report. The Enviro Appraisal contains a more detailed desktop review of the property and consultation with the relevant regulatory authorities. The Enviro 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 City of Bradford Metropolitan District Council	<p>A response provided by Jane Smith, Environmental Health Manager, on 09/02/2023 confirmed that the Property has not been prioritised for inspection under Part 2A of the Environmental Protection Act, 1990.</p> <p>The Environmental Health Land Contamination team also deem the Property suitable for its current use as a car dealership and mechanical garage.</p>
Environment Agency Yorkshire Area	<p>Maddy Sharpe, Customers and Engagement Team of the Environment Agency provided a response on 13/02/2023. This confirmed the historic landfill sites within 25m of the Property. The Environment Agency has deemed these as historical landfills as the sites stopped operating prior to the Environment Agency coming into operation in 1995. No further information was provided regarding these landfill sites.</p> <p>One pollution incident has been recorded approximately 50m from the Property on 21/06/2005. The reported pollution incident was from the leakage of cable oil, which had a potential for environmental land, air, and water impact. The leak was located where Station Road meets Canal Road. Once located a response team carried out an emergency excavation of all contaminated soil with the expectation that there will be full remediation works completed.</p> <p>The Property has not been associated with a Waste Exemption, and therefore the Environment Agency have no reason to visit the site.</p>

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2.2 Planning Review

Reference	Approval Date	Description of Development
21/04318/FUL	11/10/2021	<p>Onsite: Former Sampleyard Sample Road Town County SA13 9LE</p> <p><i>Re-branding and refurbishment of existing motor retail facility to provide showroom, workshop with MOT facility, valeting, ancillary office accommodation, technicians facilities, and external vehicle display and parking areas.</i></p> <p>No contaminated land conditions were imposed on the Decision Notice.</p>
98/04387/FUL	08/02/1999	<p>Onsite: Premises At Sample Road Town County SA13 9LE</p> <p><i>Erection of bodyshop extension and erection of new prep building.</i></p> <p>No contaminated land conditions were imposed on the Decision Notice. However, a Note for the developer/land occupant had been included to advise that the site lies within 250m of a landfill site and may be subject to landfill gas. The developer or land occupant should make further enquiries to ensure any necessary preventive measures are incorporated with the development to prevent any contaminated land issues during and after the construction.</p>
21/01270/PND	01/04/2021	<p>Offsite: adjacent to the south Gas Holder Site Sample Road Town County SA13 9LE</p> <p><i>Demolition of 2 x Gas Storage tanks and 2 x ancillary outbuildings.</i></p> <p>Prior approval of the Local Planning Authority is not required and therefore, no conditions have been imposed. The process of de-commissioning will be controlled under another more relevant environmental legislation.</p> <p>An example of a Remediation Strategy from Redheugh Gas Holder Site was submitted and provides a guide to how the site may be remediated. This includes information on how to backfill below-ground tanks safely and securely.</p>

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3.0 Professional Opinion Analysis

Contaminated Land Liability

PASS

The regulatory enquiries conducted as part of this Appraisal have reduced the level of perceived risk associated with the Property, and it is now considered unlikely to be at a significant risk of designation as 'Contaminated Land' under Part 2A of the Environmental Protection Act 1990 at this time. No significant concerns were raised by the regulators during our enquiries, and in particular the Local Authority Environmental Health Department has confirmed that the Property is not at an elevated priority for investigation.



4.0 Recommendations

None required.

SAMPLE

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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

CONSIDERATIONS

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.

However, due to known historical contaminative use and the correspondence from Jane Smith, Environmental Health Manager, it is possible that for any proposed development, particularly if it's for a sensitive end use, a more detailed environmental investigation may be required as a confirmatory step to demonstrate beyond doubt that the Property will be suitable for that proposed end-use. Should this Property be redeveloped in the future, it is possible that the Local Planning Authority would request phased investigation, 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>.

5.2 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 commercial use and it will remain in this use without redevelopment.

Additionally, information from the recent aerial imagery and the Local Authority suggests that the Property may be used as a car dealership and mechanical garage. 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.

You should ensure that ongoing activities are closely monitored and seek professional advice where necessary. We can send an experienced Environmental Consultant from our Environmental Risk Team to complete a survey and produce a bespoke 'Walkover Report'. This report will focus only on the identification of imminent risks of causing environmental damage, or major non-compliance with key environmental legislation. Prices start from £995+VAT. Please contact us on 0330 900 7500 if you wish to discuss this recommendation with one of our in house Environmental Consultants, or email FCI-Consultancy@dyedurham.com.

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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 Dye & Durham (UK) Limited (formerly Future Climate Info Limited).

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 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.

6.4 Standard

T&Cs, QUERIES & COMPLAINTS

This report is supplied by Dye & Durham (UK) Limited (formerly Future Climate Info Limited) subject to Terms and Conditions of Business, available at:

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

6.5 Search Code

CONSUMER INFORMATION

IMPORTANT CONSUMER PROTECTION INFORMATION

This search has been produced by Dye & Durham (UK) Limited (formerly Future Climate Info Limited), Imperium, Imperial Way, Reading, Berkshire, RG2 0TD, Telephone 0330 900 7500, Email: insight-info@dyledurham.com, which is registered with the Property Codes Compliance Board (PCCB) as a subscriber to the Search Code. The PCCB independently monitors how registered search firms maintain compliance with the Code.

The Search Code:

- Provides protection for homebuyers, sellers, estate agents, conveyancers and mortgage lenders who rely on the information included in property search reports undertaken by subscribers on residential and commercial property within the United Kingdom.
- 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.

By giving you this information, the search firm is confirming that they keep to the principles of the Code. This provides important protection for you.

The Code’s core principles

Firms which subscribe to the Search Code will:

- Display the Search Code logo prominently on their search reports
- 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

Complaints

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

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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 Report Licensing



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6.7 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

Dye & Durham – Environmental Risk Team

Tel: 0330 900 7500
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Address: Imperium, Imperial Way, Reading, Berkshire, RG2 0TD

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