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Environment Agency

[redacted]

Reference: SO-2025-124804/02
Customer reference: 142223/FO/2025
16 June 2026

Erection of a residential development comprising 120 dwellings (including a mix of housing types and tenures) together with open spaces, landscaping, sustainable drainage features, cycleways and pedestrian footways, vehicular accesses and highways, parking provision and other associated works

Land Bounded By Longford Park; St John's RC Primary School And Properties On Peveril Crescent/Copley Road; Properties On Rye Bank Road/Park Square/Great Stone Road; And Longford Road/Ryebank Road, Manchester

[redacted]

Thank you for reconsulting the Environment Agency on the above application on 27 May 2026. In our previous response, SO/2025/124804/01 (31 March 2025), we had recommended several conditions in regard to the contaminated land present on the site. The applicant has submitted updated information for review.

Environment Agency Position

We have no objections in principle to the proposed development but wish to make the following comments

We have reviewed the submission of an Environmental Impact Assessment report for the proposed development which includes appendices associated with land contamination conditions at the location. These individual reports include:

- A Phase I Geoenvironmental Site Assessment by e3p ltd dated March 2020 (reference:13-533-R1-2) dated March 2020,
- A Phase II Geoenvironmental Site Assessment by e3p ltd dated February (Reference: 17-403-R1-4),
- A Detailed Controlled Waters Risk Assessment by e3p ltd dated January 2025 (ref. 17-403-L2-1)

- Contaminated Land Remediation Strategy by e3p ltd dated February 2025 **(**Reference: 17-403-R2-2).

As part of this reconsultation we have now additionally reviewed the submission of

- A Drainage Strategy dated May 2026 by Renaissance ltd for this proposed development.

The submissions to date show that the land has been subject to historic waste disposal which appears, from the ground investigation which has been undertaken, indicates the introduction of adverse concentrations of contamination to the ground which are very likely to pose an unacceptable risk to controlled water receptors.

Further, the composition of the waste materials (including plastics and other materials) suggests the likelihood of persistent organic pollutants being present. These have not been included in any of the sampling which has been undertaken. We additionally identify and recommend that additional ground investigation (including a more comprehensive groundwater sampling programme) is undertaken to more fully investigate the impact from the waste matter on the aquatic environment.

We note from the ground investigation that a non-aqueous phase liquid has been identified at a variety of locations across the site which is indicative of contamination which will require remediation. This is in direct contradiction of the detailed risk assessment which suggests no remediation is required.

We also advise the council that, should there be a requirement to excavate the previously discarded/disposed waste material then this material will retain its description as a waste material The Environment Agency's current position aligns with the Waste Framework Direction (2008/98/EC) and in particular the relevant Article 6(1) and 6(2) wording therefore the return of this material to the ground is likely to require additional environmental permitting. Advice and guidance should be sought from the Environment Agency's permitting support centre at PSC@environment-agency.gov.uk.

In light of the above, and with the new information provided, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 196 of the National Planning Policy Framework.

Without these conditions we would object to the proposal in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition
No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. Additional site investigation scheme, based on the submissions to date, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason
To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework. This is supported by Policy EN17 (Water Quality) of the current Manchester Local Plan (adopted 11 July 2012).

Condition
Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason
To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework. This is supported by Policy EN17 (Water Quality) of the current Manchester Local Plan (adopted 11 July 2012).

Condition
Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority,

which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the proposed piling, does not harm groundwater resources in line with paragraph 187 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection'. This is supported by Policy EN17 (Water Quality) of the current Manchester Local Plan (adopted 11 July 2012).

As you are aware, the discharge and enforcement of planning conditions rests with your authority. You must therefore be satisfied that the proposed meets conditions meet the requirements of the 6 tests in paragraph 57 of the NPPF. Please notify us immediately if you are unable to apply our suggested conditions, to allow further consideration and advice.

Advice to applicant

Model Procedures and good practice

This development site appears to have been the subject of past industrial activity which may pose a risk of pollution to controlled waters.

We recommend that you should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) Land contamination risk management (LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by contamination
- Refer to the contaminated land pages on gov.uk for more information
- Refer to 'The Environment Agency's approach to groundwater protection'

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.

Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated

material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Piling and Penetrative ground improvement methods:
Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Dewatering
Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. Any dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests. This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk:
https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction.

Regulatory position statements
Discharges from dewatering to surface water or groundwater will require an Environmental Permit unless you can meet the conditions of the RPS or exemptions or exclusions for groundwater activities. The following Regulatory Position Statement will apply: 'Temporary dewatering from excavations to surface water.'
https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water

Please note that this response is based on the information provided at this time and if this changes in the future, we would need to consider our position again. If you have any further questions, please do not hesitate to contact me.

Many thanks,

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