

Manchester City Council
Development Control
PO Box 488
Manchester
Lancashire
M60 2JT

Our ref: SO/2025/124938/01
Your ref: 142464/FO/2025
Date: 09 June 2025

Dear Jennifer Atkinson,

Erection of a residential development comprising 498 dwellings (Use Class C3a) together with landscaping, sustainable drainage features, pedestrian footways, vehicular accesses and highways, parking provision and other associated works

Former Riverpark Trading Estate Riverpark Road Manchester M40 2XR

Thank you for consulting the Environment Agency on the above application on 24 April 2025. We have no objection in principle to the proposed development but wish to make the following comments.

Environment Agency Position

As part of the consultation, we have reviewed the following documents:

- Phase I Geoenvironmental Site Assessment Site: Riverpark Road, Manchester, M40 2XP Reference: 17-246-R1-5 Date: March 25 prepared by e3p
- Phase II Geoenvironmental Site Assessment Site: Riverpark Road, Manchester Reference: 17-246-R2-5 Date: March 25 prepared by e3p
- Remediation and Enabling Works Strategy Site: Riverpark Road, Manchester Reference: 17-246-R3-6 Date: March 25 prepared by e3p

The previous use of the proposed development site as an infilled clay pit presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this area since the site is underlain by Principal aquifer and is located adjacent to the river Medlock.

Piling 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.

Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to

ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

In light of the above, 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

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason(s)

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 from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the National Planning Policy Framework and 'Policy EN 17: Water Quality' of the Manchester City Council Local Plan (Adopted 11th July 2012).

Condition

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason(s)

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 caused by mobilised contaminants. This is in line with paragraph 187 of the National Planning Policy Framework and 'Policy EN 17: Water Quality' of the Manchester City Council Local Plan (Adopted 11th July 2012).

Condition

Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. 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' in addition to Policy EN 17: Water Quality' of the Manchester City Council Local Plan (Adopted 11th 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 conditions meet the requirements of the 6 tests in paragraph 57 of the National Planning Policy Framework. Further guidance on the 6 tests is provided in the planning practice guidance (<https://www.gov.uk/guidance/use-of-planning-conditions>). Please notify us immediately if you are unable to apply our suggested conditions, to allow further consideration and advice.

Advice to Applicant / LPA

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 you receive (or reject) any hazardous waste, you must send a report to the Environment Agency. These are known as 'returns'. If you dispose of hazardous waste at the premises where it's produced you may also need to send returns. You should follow the guidance provided here: [Hazardous waste: consignee returns guidance](#) information.

Yours faithfully,



Sustainable Places Advisor

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