MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/25/1088
Date registered valid:	13 November 2025
Proposal:	Discharge of Condition 15C (contaminated land) attached to planning permission 138788/FO/2023.
Address:	Land At Mount Road, Manchester
Ward(s):	Longsight Ward
Applicant:	Miss Shannon Cooke, Kellen Homes
Agent (if any):	
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	28 January 2026

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:
Printed: 20 November 2025 Expired: 11 December 2025

Neighbour notifications
No neighbour notifications have been printed and sent.

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

Description of development

Consultations & Notification Responses

Environmental Health – 06.01.2026
Have considered the Brownfield Solutions Ltd (BSL) Remediation Validation Report, Ref. PH/C5150/14069 Rev A, dated July 2025, submitted for the above CDN application and can provide the following comments:

The report mainly addresses the earthworks finished levels for the proposed sports pitches area (beneath the proposed clean cover system), and states the following:

- "*the clean cover system in the pitches, POS and residential gardens have not been implemented to date*".
- "*Import of the topsoil to site is currently in progress and this report will be updated once the onsite testing for the initial 500m3 and any subsequent import is completed.*"
- "*BSL understand that E3P will be undertaking the validation within residential phase area of the site operated by Kellen Homes. The other phases as shown on the Phasing Plan*

(ref. KH007-A-103) with be validated by other parties. The clean cover depth validation will not be covered in this report and will be submitted under separate cover as build phase items."

As the clean cover system has not been validated, including onsite testing of imported materials, they cannot currently recommend discharging part c of the condition.

Further comments 12.01.2026
Suggested the developer apply for phased discharges, and also that the developer needs to include the POS clean cover.

Further comments 28.01.2026
Have considered the information submitted for the above CDN application and can provide the following comments:

1. Some of the plot validations state that the entire cover system consists of 600mm topsoil. The approved Remediation Strategy was for 150mm topsoil and 450mm subsoil.

2. For some of the plots, particularly those where it's stated that the entire cover system consists of 600mm topsoil, the material is clearly the same throughout the depth of the hand pit, and appears to be subsoil rather than topsoil from the photos and low soil organic matter in the majority of analytical results. This material does not appear suitable for use as topsoil.

3. Regarding the re-use of site-won subsoil, all reports state that "*Brownfield Solutions have been appointed to sample and chemically validate stockpiled site-won subsoil. To date, 42 samples of site-won subsoil have been analysed from four stockpiles of site-won subsoil (1, 25, 3 and 4)."* As per CDN/24/0915, the following information is required for this material:
    a. Confirmation of suitability as growing medium.
    b. Chemical suitability sampling rate of minimum 1 sample per 100m3.

Due to the above outstanding issues they cannot currently recommend discharge of the condition.

Issues

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations
This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

Condition 15C (contaminated land)

15) The content of the Kellen Homes email dated 9th January 2026 has been reviewed in conjunction with the information contained in the documentation specified below:

- Plot 92-101 Garden Validation ref: 18-062-V1-2 dated 20th January 2026
- Plots 102-109 Garden Validation ref: 18-062-V2-2 dated 20th January 2026
- Plots 1-32 Garden Validation ref: 18-062-V3-2 dated 20th January 2026
- Plots 73-91 and 175 -182 Garden Validation ref: 18-062-V4-2 dated 20th January 2026
- Plots 33-48 Garden Validation ref: 18-062-V5-2 dated 20th January 2026

On the basis of the referenced documentation above, insufficient information has been submitted to enable condition no.15c to be discharged**.**

The following matters need to be addressed.

1. Some of the plot validations state that the entire cover system consists of 600mm topsoil. The approved RS was for 150mm topsoil and 450mm subsoil.
2. For some of the plots, particularly those where it's stated that the entire cover system consists of 600mm topsoil, the material is clearly the same throughout the depth of the hand pit, and appears to be subsoil rather than topsoil from the photos and low soil organic matter in the majority of analytical results. This material does not appear suitable for use as topsoil.
3. Regarding the re-use of site-won subsoil, all reports state that "*Brownfield Solutions have been appointed to sample and chemically validate stockpiled site-won subsoil. To date, 42 samples of site-won subsoil have been analysed from four stockpiles of site-won*

subsoil (1, 25, 3 and 4)." As per CDN/24/0915, the following information is required for this material:

a. Confirmation of suitability as growing medium.

b. Chemical suitability sampling rate of minimum 1 sample per 100m3.

In addition, if this application is to be considered in relation to the discharge of condition no.15 c solely for Phase 1 of the wider development, no information has been provided for consideration in regard to plot nos-217-220 and 264-267, which form part of phase 1.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA