

# NOTICE OF PLANNING PERMISSION

## Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

**To:**

Mr Richard Kevan  
Egniol  
Unit 7  
Llys Onnen  
Ffordd y Llyn  
LL57 4DF

**On Behalf Of:**

Mr Patrick Hughes  
Valencia Waste Management Ltd  
Pilsworth Quarry  
Pilsworth Road  
Bury  
BL9 8QZ

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### PART 1 - Particulars of Application

**Application Number:** 71273

**Date of Registration:** 01/11/2024

**Proposal:**

Erection and operation of Material Recycling Facility

**Location:**

Pilsworth Quarry, Pilsworth Road, Bury, BL9 8QZ

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### PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 1 The development shall only remain in place until landfilling ceases on site. The Material Recycling Facility building, hardstanding areas and other associated structures shall be removed and the land fully restored in accordance with already approved drawings LE10698/EIA 4.14 rev B and LE10698/EIA 4.15 approved under application 53453, not later than the 12 months after the cessation of landfilling operations, or in accordance with any subsequent variations to the approved landfilling operations or restoration scheme agreed beforehand in writing with the Local Planning Authority.

Reason: To safeguard the landscape character and appearance of the area pursuant to Policies OL1/5 - Mineral Development and Other Development in the Green Belt, EN1/1 - Visual Amenity and EN9/1 - Special Landscape Areas of the Bury Unitary Development Plan, Policy JP-G9: The Green Belt of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 2 This permission relates to the following plans and documents:

Drawing no. ECL.9595.D01.002 Rev.C: Proposed MRF Location;  
Drawing no. ECL.9595.D01.009 Rev. A: Floor Plan;  
Drawing no. ECL.9595.D01.004 Rev. C: Building Elevations;

Drawing no. ECL.9595.D01.010: MRF Building Roof Plan;  
Drawing no. ECL.9595.D01.008: Proposed Section Plan;  
Drawing no. ECL.9595.D01.007 Rev.B: Proposed Parking Plan Layout; and,

Document: Flood Risk Assessment

Except as provided for by other conditions to this permission, the development shall be carried out and completed in complete accordance with the approved drawings and documents.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan and the Places for Everyone Joint Development Plan.

- 3 Prior to first use of the building hereby approved, details of surface water drainage proposals shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the principles set out in the submitted Flood Risk Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The scheme shall take account of the size and location of the existing building and shall include calculations which confirm the adequacy of the attenuation pond. Any infiltration elements included in the design shall take account on the findings of the Phase II Ground Investigation Report by providing appropriate infiltration testing.

Reason. To promote sustainable development. The current application contains insufficient information regarding the adequacy of the drainage design for the as built development, in accordance with Policy JP-S4: Flood Risk and the Water Environment and the National Planning Policy Framework.

- 4 Prior to any use of the building hereby approved occurring a scope of works for a ground gas assessment of the constructed Material Recycling Facility (MRF) should be submitted to and agreed in writing by the Local Planning Authority.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 5 Following the provisions of Condition 4 of this planning permission and prior to any use occurring the following information shall be submitted to and approved in writing by the Local Planning Authority:

- a) The agreed ground gas assessment shall be undertaken, and the findings submitted the Local Planning Authority for approval; and
- b) Should the above indicate that remediation is necessary, a Remediation Strategy shall be submitted to the Local Planning Authority for approval. The Remedial Strategy should also include proposals for capping of any exposed made ground.

The remedial scheme shall be carried out in accordance with the approved Remediation Strategy unless otherwise agreed by the Local Planning Authority.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs

187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 6 The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:
- Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.
  - A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 7 Prior to first use of the development hereby approved, the car parking spaces identified on drawing no. ECL.9595.D01.007 Rev.B shall be implemented and thereafter retained whilst they serve the development hereby approved.

Reason. To ensure that sufficient car parking provision is in place prior to any use of the building occurring, in accordance with Policy JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

- 8 Prior to first use of the development hereby approved, quick acting automatic roller shutter doors shall be fitted to the building. Thereafter the unloading and loading of HGV vehicles shall take place inside the building with the roller shutter doors closed.

Reason. In order to ensure that appropriate measures are put in place before any use of the building commences, to limit the potential for noise generation during operational/ opening hours and to prevent nuisance arising in order to safeguard the amenity of the occupiers of surrounding residential properties in accordance with the requirements of Policy EN7/2: Noise Pollution of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 9 Prior to any use of the building the applicant shall provide electric vehicle (EV) charging points for at least 20% of the proposed parking spaces. EV charge points shall be 7kW\* as a minimum.

Reason: To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 10 Prior to occupation and use of the building hereby approved the mitigation and opportunities for enhancement measures identified within section 4.2 of the Preliminary Ecological Appraisal, dated June 2023, carried out by Environmental Business Appraisal, shall be implemented.

Reason. In order to achieve appropriate landscape and biodiversity enhancements as part of the development in accordance with the requirements of Policies EN6/3: Features of Ecological Value and EN6/4: Wildlife Links and Corridors of the Bury

Unitary Development Plan and Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 11 The building hereby approved shall only be open for trade or business (including deliveries) between 0700 hours and 1800 hours Monday to Friday and between 0700 hours and 1300 hours on Saturdays.

Reason. To limit the potential for noise generation during operational/ opening hours and to prevent nuisance arising in order to safeguard the amenity of the occupiers of surrounding residential properties in accordance with the requirements of Policy EN7/2 of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the premises shall be used as a Materials Recycling Facility only, and for no other purpose (including any other uses falling within Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to those classes in any statutory instrument amending or replacing that Order).

Reason. To restrict any other use from occurring which may be inappropriate in this location in the Green Belt, in accordance with Policy OL1/2 - New Buildings in the Green Belt of the Bury Unitary Development Plan, Policy JP-G9: The Green Belt of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

**Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015**

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

**The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:**

|       |                                                                    |
|-------|--------------------------------------------------------------------|
| OL1/2 | OL1/2 - New Buildings in the Green Belt                            |
| OL1/5 | OL1/5 - Mineral Extraction and Other Development in the Green Belt |
| EN1/2 | EN1/2 - Townscape and Built Design                                 |
| EN6/3 | EN6/3 - Features of Ecological Value                               |
| EN7/5 | EN7/5 - Waste Water Management                                     |
| HT2/4 | HT2/4 - Car Parking and New Development                            |
| HT2/7 | HT2/7 - Lorry Parking                                              |
| JP-S1 | Sustainable Development                                            |
| JP-S2 | Carbon and Energy                                                  |
| JP-S5 | Clean Air                                                          |
| JP-G1 | Landscape Character                                                |
| JP-G8 | A Net Enhancement of Biodiversity and Geodiversity                 |
| JP-G9 | The Green Belt                                                     |
| JP-P1 | Sustainable Places                                                 |
| JP-C2 | Digital Connectivity                                               |

JP-C8 Transport Requirements of New Development  
GMMW GMMWP - Greater Manchester Minerals and Waste Plan  
P  
NPPF National Planning Policy Framework  
NPPG National Planning Policy Guide

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

**Applicant Plan Numbers:**

Drawing no. ECL.9595.D01.002 Rev.C: Proposed MRF Location;  
Drawing no. ECL.9595.D01.009 Rev. A: Floor Plan;  
Drawing no. ECL.9595.D01.004 Rev. C: Building Elevations;  
Drawing no. ECL.9595.D01.010: MRF Building Roof Plan;  
Drawing no. ECL.9595.D01.008: Proposed Section Plan;  
Drawing no. ECL.9595.D01.007 Rev.B: Proposed Parking Plan Layout

**NOTES TO APPLICANT**

Not Applicable

Signed:



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On behalf of the Council

**Date of Decision:** 19/03/2025