

## Permitting Decisions- Variation

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We have decided to grant the variation for Fletcher Bank Quarry operated by Churchill Enviro Limited.

The variation number is [EPR/GP3733FE/V003](#).

The permit was issued on 22/12/2025.

The variation is

- to allow the increase of the annual throughput to 350,000 per year,
- amend the groundwater parameters
- discharge the improvement conditions

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

## Purpose of this document

This decision document provides a record of the decision making process. It summarises the decision-making process to show how the main relevant factors have been taken into account. We have assessed the aspects that are changing as part of this variation, we have not revisited any other sections of the permit.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the variation notice.

## Decision considerations

### Confidential information

A claim for commercial or industrial confidentiality has been made.

The decision was taken in accordance with our guidance on confidentiality.

## **Identifying confidential information**

We have not identified information provided as part of the application that we consider to be confidential.

The decision was taken in accordance with our guidance on confidentiality.

## **Consultation**

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The comments and our responses are summarised in the [consultation responses](#) section.

The application was publicised on the GOV.UK website.

The comments and our responses are summarised in the [consultation responses](#) section.

## **Nature conservation, landscape, heritage and protected species and habitat designations**

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

The decision was taken in accordance with our guidance.

## **Environmental risk**

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

## **General operating techniques**

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

## **Dust management**

We have reviewed the dust and emission management plan in accordance with our guidance on emissions management plans for dust.

We consider that the dust and emission management plan is satisfactory and we approve this plan.

We have approved the dust and emission management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit.

The plan has been incorporated into the operating techniques S1.2.

## **Monitoring**

We have decided that monitoring should be amended for the following parameters, using the methods detailed and to the frequencies specified:

- Nickel which is limited to 0.020 mg/l, has been substituted for Cadmium as proposed by the operator.
- The sampling points and frequency of sampling remains unchanged

We agreed with the operator request to change Cadmium for Nickel as:

- Cadmium is no longer classified as a hazardous substance
- Nickel is now regarded as a the more applicable substance as found above the drinking water standard.
- The operator supplied additional data to us in September 2025 to allow additional consideration of the appropriate limit – 0.02 mg/l.

These monitoring requirements have been included in order to regularise the permit due to the change in the hazardous and non-hazardous substances and the most recent hydrogeological risk assessment review.

We made these decisions in accordance with LFTGN02 Monitoring of landfill leachate, groundwater and surface water.

## **Management system**

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

## **Growth duty**

We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit variation.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.

We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

# Consultation Responses

The following summarises the responses to consultation with other organisations, and the way in which we have considered these in the determination process.

## Responses from organisations listed in the consultation section

Response received from Bury Council - Planning.

Brief summary of issues raised: The permit variation is outside the scope of the current infilling rates, phasing controls, site operation and vehicle movements.

We have a statutory requirement to determine an application.

The operator will have to ensure that they obtain the appropriate planning permission from the planning authority and any variation to the environmental permit does not alter the planning requirements for the site.

This permit will allow the acceptance of a maximum of 350,000 tonnes per annum of waste to the site. If, however, the planning permission prescribes a stricter limit the operator will need to comply with those stricter limits until which time they are modified to align.

## Responses from organisations listed in the consultation section

Response received from Bury Council – Environmental Protection.

Brief summary of issues raised: Concerns/complaint regarding dust, increase vehicle movements and mud being tracked out onto the road

Summary of actions taken: A revised dust and emission management plan has been developed and is incorporated into the permit.

The plan includes:

### Waste Acceptance

- No excessively dusty wastes permitted on site.
- Sheeting of all incoming vehicles that can be sheeted

### Vehicle Movement Controls

- Enforce on-site speed limits to minimize dust generation.
- All vehicles must use wheel wash facilities to prevent mud/dust tracking onto adjacent roads.

## **Surface Management**

- Dampening of site roads and surfaces during dry periods using a water tanker.
- Regular street sweeping to remove mud and dust from site roads and the adjacent shared access and public highway as necessary.

## **Monitoring and Inspection**

- Daily visual inspections at strategic locations, considering prevailing wind direction.
- The integrity of the haul road will be inspected to ensure that potholes/low points where mud can build up and repairs made.

## **Weighbridge Controls**

- Assess waste inputs for dust potential.
- Apply controls such as bagging, rapid covering, or refusal to tip for dusty wastes.

## **Dust Management Procedures**

- Dusty wastes handled per the Dust Management Procedure.
- Site operations comply with the Dust and Particulate Management Plan (Appendix A).

## **Operational Restrictions**

- If dust emissions cannot be controlled, cease causative activities until adequate control is achieved.

## **Representations from community and other organisations**

Response received from: FCC Recycling UK Limited

Brief summary of issues raised:

The respondent states that the planning consent is to allow the site to be infilled with inert waste only and requests that we ensure that the permit is confined to inert waste.

Summary of actions taken:

The original permit (DP3638ST) issued on 08/03/2007 and was issued as an installation landfill and the landfill was classified (as per the Landfill Directive, Article 4) as a non-hazardous site.

This variation doesn't seek to add any additional waste types, change the waste acceptance, the variation only allows the increase the annual throughput. The site remains an installation non-hazardous landfill.

The operator must comply with both the environmental permit and planning consent. The interpretation of and compliance with the planning permission is a matter for the local planning authority.

