

DEVELOPMENT CONTROL AND REGULATORY BOARD**19 MARCH 2026****REPORT OF THE CHIEF EXECUTIVE****COUNTY MATTER****ADDENDUM****APP.NO.** 2025/01170/07 (2025/VOCM/0113/LCC)**DATE OF VALIDATION:** 20 August 2025

PROPOSAL: Variation of condition 2 of planning permission 2009/0939/07 (Variation of condition 4 of planning permission 96/0139/07 in order to revise the working scheme for Cloud Hill Quarry due to the proposed southern extension) to revise the working scheme for Cloud Hill Quarry to allow for deepening operations of the existing quarry void.

LOCATION: Cloud Hill Quarry, Stocking Lane, Derby, DE73 8AN**APPLICANT:** Breedon Trading Ltd

1. Following publication of the Officer's report, Breedon Trading Ltd (the applicant), provided additional comments on the draft planning conditions. After negotiation with officers, the schedule of conditions is proposed to be modified as below:

34. The properties known as Rock Cottages (as shown on Plan no. CL98-D1 accompanying the letter from John German dated 21st August 1996) shall remain unoccupied for residential purposes.

Reason: *In the interests of the amenity of the area, in accordance with Policy DM2 of the LMWLP and Policy D2 of the NWLLP.*

2. Condition 34 shall be removed. The properties know as 'Rock Cottages' have been demolished – confirmed by the applicant – and therefore the condition is no longer required as part of the permission.

36. A strip of land 8 metres wide adjacent to the top of the watercourse which adjoins the western boundary of the ~~proposed extension area~~

~~at Cloud Hill Quarry~~ site shall be kept clear of development. No raising of existing ground levels shall take place within this strip of land.

Reason: *To prevent pollution to the water environment and to comply with policy DM2 of the LMWLP.*

3. The wording of Condition 36 shall be amended by removing reference to the proposed extension area and replacing it with 'the site', as set out above.

43. Within 3 months of the date of this permission, a dust monitoring scheme for Cloud Wood SSSI shall be submitted to the Mineral Planning Authority for its approval. Monitoring shall be carried out in accordance with the approved scheme. In the event that dust is, in the opinion of the Mineral Planning Authority, causing an adverse impact on the SSSI, appropriate measures shall be taken to reduce the impact to the satisfaction of the Mineral Planning Authority.

Reason: *To minimise the adverse impact of dust generated by the operations on the SSSI in accordance with policy DM2 and DM7 of the LMWLP.*

4. This condition was a requirement of the original permission (Ref. 96/0139/07) which has been carried over and updated. However, Natural England did not request this condition and the SSSI is referenced in the dust management plan. As such, this condition not necessary and shall be removed.

53. ~~Within one year of the date of this permission,~~ Not later than 12 months prior to the planned cessation of mineral extraction at Cloud Hill Quarry, a scheme for the final restoration of the quarry (comprising all the land edged in both blue and red on Drawing No. KD.CLDHQ.D.002), based on proposals shown on the Conceptual Restoration Masterplan (Drawing No. KD.CLDHQ.D.004) and include details of:

- a) final contours including West-East and North-South cross sectional bank profiles of the proposed water body indicating mean water level;
- b) the treatment of exposed quarry benches and side slopes within the quarry void;
- c) details of the removal or retention of buildings or structures;
- d) the treatment of hard surfaced areas;
- e) tree and shrub planting (including species, provenance, spacings, sizes and planting specification);

- f) drainage;
- g) proposals for the creation and management of grassland and other habitats which contribute to local biodiversity targets;
- h) retention of any geological features;
- i) measures to ensure that the restored site does not increase the bird strike risk to aircraft operating to or from East Midlands Airport. Such measures shall include no future creation of islands, peninsula or incipient peninsulas either by design or inadvertently; no feeding of wildfowl; and the implementation of a positively managed grassland, through the introduction of wildflower meadows;
- j) the phasing and the anticipated timescale for completion of restoration works;
- k) maintenance and aftercare proposals including details of the cutting/grazing regime for grassland areas; and
- l) a programme of implementation.

The site shall be restored in accordance with the approved scheme.

Reason: *To ensure that the overall quarry complex is landscaped after being restored in the interests of assimilating it into the surrounding landscape and that the operational site areas are reclaimed in an orderly manner to a condition capable of beneficial after-use in order to comply with policies DM5 and DM12 of the LMWLP.*

5. It is accepted that the submission of a final restoration scheme when there remain around 16 years of until the quarry's end date, may mean that further changes to the scheme will be required. The submission of a final restoration scheme nearing the end date of the quarry is a reasonable alteration. As such, Condition 53 has been updated to alter the point at which the final scheme for restoration shall be submitted, as set out above.
6. As some conditions have been removed, the condition numbers, and any references to them within the condition text, will be updated.

Matters relating to the Breedon and Cloud Hill Liaison Committee

7. Following the submission of legal advice regarding the use of a Section 106 legal agreement to secure the continued operation of the Breedon and Cloud Hill Liaison Committee, the Mineral Planning Authority has determined that this can be secured via the imposition of an appropriate planning condition.
8. In this particular instance, the presence of an established liaison committee for the site which is secured by the Section 106 legal agreement associated with

Breedon Quarry provides sufficient assurance to the Mineral Planning Authority that it would be appropriate to secure the liaison committee via condition in this instance. This is without prejudice to any future decisions that the Mineral Planning Authority may make on such matters.

9. As such, an additional condition relating to the continued operation of the Breedon and Cloud Hill Liaison Committee is to be included within the schedule of conditions appended to the Officer's report. The condition states:

Within three months of the date of this permission the developer shall submit to the Mineral Planning Authority for its approval a scheme for the continuation of the Breedon and Cloud Hill Liaison Committee. The scheme, which shall be based on the terms of the existing Breedon and Cloud Hill Liaison Committee shall include details of the following:

- a. Updated Liaison Committee terms of reference;
- b. Detailed information relating to the membership of the Liaison Committee which shall, as a minimum, include representatives of the Mineral Planning Authority, North West Leicestershire District Council (or any named successor Council) and the relevant Parish Councils;
- c. Details of the frequency of meetings (which shall be convened at intervals of no less than six months);
- d. Details of the location of the meetings, including provision for visits to the active parts of the site;
- e. Provision for records of the proceedings to be kept and the subsequent distribution of those records to all those invited to attend;
- f. Provision for the Liaison Committee to continue to operate for the duration of the development, including the cessation of all quarrying and restoration operations; and
- g. A programme of implementation including the date of the first Liaison Committee to be convened following the date of this planning permission.

The scheme shall then be implemented as approved and maintained thereafter for the duration of the development.

Reason: To provide a forum for discussion between the quarry operator, the Mineral Planning Authority and the local community to provide a forum for discussion in respect of the ongoing impacts of quarrying at the site.

10. As a result of the above alterations, the recommendation is amended as follows:

PERMIT subject to the conditions set out in Appendix A, as amended by the Addendum dated 19th March 2026.

Officer to Contact

Rob Tollyfield

Email: planningcontrol@leics.gov.uk

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APPENDIX A

CONDITIONS

General

1. The permission relates to the extension of extractive and associated quarrying operations at Cloud Hill Quarry within the land shown edged red on Plan KD.CLDHQ.D.001 titled 'Location Plan', dated February 2025.

Reason: *For the avoidance of doubt and to ensure that the development is carried out in accordance with the application and in a satisfactory manner in the interests of the amenities of the area, in accordance with policy DM2 of the LMWLP and policy D2 of the NWLLP*

2. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application (as amended), documents and recommendations of reports, and the following plans:
 - a) Drawing No. KD.CLDHQ.D.001, titled 'Location Plan', dated February 2025;
 - b) Drawing No. KD.CLDHQ.D.002 titled 'Current Situation' dated February 2025;
 - c) Drawing No KD.CLDHQ.D.003, titled Block Proposals Plan dated March 2025;
 - d) Drawing No KD.CLDHQ.D.004, titled Concept Restoration Plan dated March 2025;
 - e) Hydrogeological Impact Assessment (report reference: 3490582 Rev01) produced by Envireau Water dated August 2025;
 - f) Flood Risk and Drainage Strategy (report reference: 3490582 Rev03) produced by Envireau Water dated 18 November 2025;
 - g) Landscape and Visual Impact Assessment produced by Kedd Limited dated July 2025;
 - h) Preliminary Ecological Appraisal (report reference: KD.CHQU.ER.001) produced by Kedd Limited dated March 2025;
 - i) Peregrine Survey (report reference: KD.CDHL.ER.003) produced by Kedd Limited dated July 2025;
 - j) Report Ref. KD.CHQU.ER.002, Kedd Limited, dated May 2025
 - k) Noise Monitoring Scheme produced by Breedon Trading Ltd dated October 2025;
 - l) Dust Action Plan produced by Breedon Trading Ltd dated October 2025;
 - m) Blasting Monitoring Scheme produced by Breedon Trading Ltd dated July 2025.
 - n) Written Scheme of Investigation (ref. 421.03523.00014), prepared by SLR, dated December 2014

Reason: *For the avoidance of doubt and to ensure that the development is carried out in a satisfactory manner.*

Duration

3. This permission shall be for a limited period expiring on 21/02/2042 when the development hereby permitted shall cease and any building(s) and works carried out under this permission are removed and the land reinstated in accordance with restoration details approved under condition no. 53 below.

Reason: *To provide for the completion and progressive restoration of the site within a specified timescale in the interest of the amenities of the area and in accordance with Policies DM3 and DM12 of the LMWLP and Policy En1 of the NWLLP.*

Working Programme and Phasing Details

4. The extraction of stone shall be limited to the area shaded and edged in purple, labelled 'Extent of Proposed Deepening to –145mAOD' as shown on Drawing No KD.CLDHQ.D.003, titled 'Block Proposals Plan' attached to and forming part of this permission.

Reason: *For the avoidance of doubt and to ensure that the development is carried out in accordance with the application in a satisfactory manner in the interests of the amenity of the area.*

5. No mineral shall be brought on to the site for processing purposes except that sand and other necessary raw materials not available from within the site may be imported for the purposes of manufacturing ready mixed concrete at Cloud Hill Quarry.

Reason: *For the avoidance of doubt and to ensure that the development is carried out in accordance with the application in a satisfactory manner in the interests of the amenity of the area.*

Approved Details

6. A copy of this permission, the plans and documents referred to in condition no. 2 above, including any other plans and documents subsequently approved in accordance with any condition of this permission, shall be kept available on site for the duration of the development.

Reason: *For the avoidance of doubt and to ensure the site operators are fully aware of the requirements of these conditions throughout the period of the development.*

7. Within 3 months of the development hereby approved, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to, and approved in writing by, the local planning authority, in line with the Preliminary Ecological Appraisal (KEDD

Ltd, March 2025), The Badger Report (KEDD Ltd, May 2025) and The Peregrine Survey Report (KEDD Ltd, July 2025). The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: *To conserve and protect Priority Species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended), and in accordance with DM1, DM2 and DM7 of the Leicestershire Minerals and Waste Local Plan (LMWLP), policy En1 of the North West Leicestershire Local Plan (NWLLP) and paragraph 193 of the NPPF (December 2024)*

8. The existing screening landform, as detailed in drawing nos. KD.CLDHQ.D.002 ‘Current Situation’, dated February 2025 and KD.CLDHQ.D.003 ‘Block Proposals’, dated March 2025, shall be retained and maintained for the duration of the operations hereby approved. Any alterations to the screening landform shall be submitted to and approved by the Mineral Planning Authority

Reason: *For the avoidance of doubt and to ensure that the development is carried out in accordance with the application in a satisfactory manner in the interests of the amenity of the area.*

Restriction of Permitted Development Rights

9. Notwithstanding the provisions of part 17 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order, with or without modification no fixed plant or machinery, buildings, structures and erections shall be erected, extended, installed or replaced at the site;

and no lights or fences shall be installed or erected at the site without the prior written approval of the Mineral Planning Authority.

Reason: *In the interests of the amenity of the area, in accordance with Policy DM2 of the LMWLP and Policy D2 of the NWLLP*

Hours of Operation

10. Unless otherwise agreed in writing by the Mineral Planning Authority, the hours of operations within the site shall be as follows:

- a) operations (other than water pumping, servicing, environmental monitoring and management, maintenance and testing of plant) shall only be carried out between the hours of 0700 and 1800 Monday to Friday and 0700 and 1200 on Saturday;
- a) servicing, maintenance and testing of plant shall only be carried out at Cloud Hill Quarry between the hours of 0700 and 2300 Monday to Friday and 0700 and 1700 on Saturday and 0800 and 1700 on Sundays or public or bank holidays.
- b) Except as provided above and other than environmental monitoring and water pumping at the site, no other operations shall take place on Sundays or public or bank holidays.
- c) Any operations which need to be carried out outside the specified hours in order to maintain safe working conditions shall be notified to the Mineral Planning Authority within 72 hours of its occurrence together with details of the reasons why operations were necessary.

Reason: *To protect the amenities of local residents and in the interests of the local environment, in accordance with policy DM2 of the LMWLP and policy D2 of the NWLLP.*

Access

11. There shall be no vehicular access to or from the site for any purpose in connection with the development hereby permitted except by means of the existing main quarry access off Stocking Lane.

Reason: *For clarity and in the interests of highway safety, to ensure safe access and egress to and from the site and to comply with policy DM9 of the LMWLP.*

12. Visibility splays of 2.4 x 120 metres to the centreline of the highway to the left of the quarry access (off Stocking Lane) and 2.4 x 100m to the nearside edge of the carriageway to the right of the quarry access shall be permanently maintained in accordance with the standards contained in the current County Council design guide. Nothing shall be allowed to grow above a height of 0.6 metres above ground level within the visibility splays.

Reason: *For clarity and in the interests of highway safety, to ensure safe access and egress to and from the site and to comply with policy DM9 of the LMWLP*

13. No HGVs shall leave the site without first passing through an efficient wheel cleaning system to ensure that no deleterious material is deposited on the public highway.

Reason: *To ensure that deleterious material is not carried onto the public highway in the interests of highway safety and local amenity, in accordance with policies DM2 and DM9 of the LMWLP and policy IF4 of the NWLLP.*

14. The design and construction of any access works shall be such that no surface water enters the public highway. The surfacing of the site accesses shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times throughout the duration of the operations hereby permitted.

Reason: *In the interests of highway safety and safeguarding the local environment, in accordance with policies DM2 and DM9 of the LMWLP and policies D2 and IF4 of the NWLLP*

15. No public roads shall be used for the transportation of overburden or soils between any areas within the application site.

Reason: *In the interests of highway safety and safeguarding the local environment, in accordance with policies DM2 and DM9 of the LMWLP and policies D2 and IF4 of the NWLLP*

16. All heavy vehicles (over 7.5 tonnes unladen) leaving via the site access onto Stocking Lane shall turn right only.

Reason: *To ensure the site is accessed with due regard to highway safety and the local environment, in accordance with policies DM2 and DM9 of the LMWLP, and policy IF4 of the NWLLP.*

17. No loaded vehicles shall leave the site and enter the public highway unsheeted, except those carrying stone in excess of 75mm in diameter. All loads shall be evenly filled and levelled to avoid spillage when in motion.

Reason: *In the interests of highway safety and safeguarding the local environment, in accordance with policies DM2 and DM9 of the LMWLP and policies D2 and IF4 of the NWLDC Local Plan.*

Rights of Way

18. Rights of Way and Permissive Paths shall be implemented as detailed in Drawing Nos. KD.CLDHQ.D.002, 003 and 004. Any operations affecting the Rights of Way network involving the stopping up of routes, temporary closures, provision of diverted routes, new permissive and dedicated routes and the proposed cycle path shall only be undertaken with the written approval of the Mineral Planning Authority.

Reason: *In the interests of protecting users of the rights of way network, in accordance with policy DM10 of the LMWLP.*

Dust

19. All operations shall be carried out in a manner which minimises the emission of dust from the site. In order to minimise any dust created by site activities, the following steps shall be taken as appropriate:
- a) all haul roads within the site to be watered as necessary to control dust from internal traffic movements.
 - b) water bowser to be available for use on site at all times.
 - c) meteorological conditions to be monitored.
 - d) volume of water applied to road surface to be monitored and adjusted according to weather conditions.
 - e) any dry, exposed material to be watered as necessary in dry and windy conditions.
 - f) haul roads to be compacted, graded and maintained.

Reason: *To minimise the adverse impact of dust generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.*

20. At such times as operations on site give rise, in the opinion of the Mineral Planning Authority, to unacceptable levels of dust leaving the site, such as during adverse weather conditions due to strong winds combined with dry weather, operations shall be temporarily suspended until such time as they can be resumed without causing nuisance, either by a change in working, weather conditions or by taking other additional measures.

Reason: *To minimise the adverse impact of dust generated by the operations on the local community and environment and to comply with policy DM2 of the LMWLP.*

21. The monitoring and control of Dust at the application site shall be carried out in accordance with the Dust Action Plan dated October 2025. The Dust Action Plan shall be reviewed by the operator, in consultation with the Mineral Planning Authority, at 2 yearly intervals from the date of this permission and any revisions deemed appropriate shall be submitted to the Mineral Planning Authority for formal approval in writing. The scheme as further approved shall be implemented in full.

Reason: To minimise the adverse impact of dust generated by the operations on the local community and environment, in accordance with Policies DM2 and DM11 of the LMWLP and policies D2 and En6 of the NWLLP.

Noise

22. Measures shall be taken within the site to ensure that the best practicable means are used to control the emission of noise from the site and to ensure so far as is reasonably practicable that the operations carried out within the site do not give rise to nuisance at nearby residential properties.

Reason: To minimise the adverse impact of noise from site operations and to provide for the monitoring of the impact in the interests of protecting local amenity and to comply with policy DM2 of the LMWLP.

23. Between the hours of 0700 and 1900 Monday to Friday and 0700 and 1700 Saturday, the noise levels arising from the development (with the exception of temporary operations identified in Condition No. 24 below) shall not exceed 50db (LAeq) (1 Hour), freefield at any noise sensitive property.

Reason: To minimise the adverse impact of noise from site operations and to provide for the monitoring of the impact in the interests of protecting local amenity and to comply with policy DM2 of the LMWLP.

24. Noise levels arising from temporary operations, such as soil stripping, and the construction and removal of soil/overburden mounds, shall be minimised as far as is reasonably practicable and shall not exceed 70db (LAeq) (1 hour), freefield at any noise sensitive property. Temporary operations which exceed the normal day to day criterion set out in Condition No. 23 above shall only be carried out between the hours of 0900 and 1700 Monday to Friday and shall be limited to a total of 8 weeks in any 12-month period for any individual noise sensitive property. Advance notice of the commencement of such temporary operations shall be given to the Mineral Planning Authority and the Environmental Health Authority.

Reason: To minimise the adverse impact of noise from site operations and to provide for the monitoring of the impact in the interests of protecting local amenity and to comply with policy DM2 of the LMWLP.

25. Any pumps which must be operated outside hours of operation specified in Condition No. 23 above shall be operated and sited so as to minimise impact on residents from noise.

Reason: To minimise the adverse impact of noise from site operations in the interests of protecting local amenity and to comply with policy DM2 of the LMWLP.

26. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers. Any breakdown or malfunction of silencing equipment shall be treated as an emergency and should be dealt with immediately. Where a repair cannot be effected within a reasonable period, the equipment affected should be taken out of service and replaced with equipment which functions to the satisfaction of the Mineral Planning Authority.

Reason: To minimise the adverse impact of noise from site operations in the interests of protecting local amenity and to comply with policy DM2 of the LMWLP.

27. All audible warning devices fitted to mobile plant, vehicles and fixed plant and machinery, whilst affording suitable safety, should be of a design that does not cause unreasonable noise intrusion to residential areas.

Reason: To minimise the adverse impact of noise from site operations in the interests of protecting local amenity and to comply with policy DM2 of the LMWLP.

28. Noise monitoring of site operations shall be undertaken in accordance with the Noise Monitoring Scheme dated October 2025 in respect of the frequency of monitoring. All noise monitoring records and results shall be provided to the Mineral Planning Authority in accordance with the approved scheme. The monitoring scheme shall be kept under regular review and may be varied or amended by agreement with the Mineral Planning Authority.

Reason: To minimise the adverse impact of noise from site operations and to provide for the monitoring of the impact in the interests of protecting local amenity and to comply with policy DM2 of the LMWLP.

Blasting

29. Except in an emergency, no quarry blasting shall be carried out within the site other than between the hours of 1100–1700 Monday to Friday provided that no blasting shall take place during hours of darkness. No quarry blasting shall take place on any Saturday, Sunday, Public or Bank Holiday. Any emergency quarry blasting needed to be carried out outside the specified hours shall be notified to the Mineral Planning Authority within 72 hours of its occurrence together with details of the reasons as to why it was necessary. Quarry blasting shall normally be carried out at a regular time which shall be displayed at locations to be agreed with the Mineral Planning Authority. Audible warning shall be given prior to the commencement of any blasting operations.

Reason: To minimise the adverse impact of blasting on the local community and environment, in accordance with policies DM2 and DM11 of the LMWLP and policies D2 and En6 of the NWLLP.

30. No ground vibrations resulting from blasting shall exceed 6.0 mm per second peak particle velocity (PPV) with an upper 95% confidence level. measured over any period of 6 months. No individual blast shall result in ground vibration exceeding 10.0 mm/s ppv in any of the three planes of measurement at any residential property located in the three sensitive locations identified in section 2.2.1 of the 'Blast Monitoring Scheme', dated July 2025. In the event that 6.0mm per second peak particle velocity is exceeded at any monitoring location, the operator shall inform the Mineral Planning Authority as soon as possible and provide details of investigations undertaken within 7 days.

Reason: *To minimise the adverse impact of blasting generated by the operations on the local community and environment, in accordance with policies DM2 and DM11 of the LMWLP and policies D2 and En6 of the NWLLP.*

31. Every blast shall be designed to minimise noise and air overpressure by use of the latest available techniques with the aim that air overpressure should not exceed 120dB peak linear as measured externally at any residential property under normal atmospheric conditions.

Reason: *To minimise the adverse impact of blasting generated by the operations on the local community and environment, in accordance with policies DM2 and DM11 of the LMWLP and policies D2 and En6 of the NWLLP.*

32. No secondary blasting shall be carried out within the site the subject of this permission.

Reason: *To minimise the adverse impact of blasting generated by the operations on the local community and environment, in accordance with policies DM2 and DM11 of the LMWLP and policies D2 and En6 of the NWLLP.*

33. Monitoring of all blasting within Cloud Hill Quarry shall be undertaken in accordance with the approved scheme – 'Blast Monitoring Scheme' dated July 2025. All blast monitoring results shall be provided to the Mineral Planning Authority in accordance with the approved scheme. The monitoring scheme shall be kept under regular review and may be varied or amended by agreement with the Mineral Planning Authority.

Reason: *To enable the blasting effects of the development to be adequately monitored during the course of the operations, in accordance with policies DM2 and DM11 of the LMWLP and policies D2 and En6 of the NWLLP.*

Other Environmental Protection

34. Measures shall be taken and the development carried out in such a manner as to ensure that, so far as is reasonably practicable, the operations carried out within the site do not give rise to nuisance at nearby residential properties by reason of illumination. So far as is reasonably practicable, lights shall not be directed beyond the boundaries of the site, particularly during hours of darkness.

Reason: *In the interests of the amenity of the area, in accordance with Policy DM2 of the LMWLP and Policy D2 of the NWLLP.*

Water Protection and Pollution

35. Throughout the period of working, restoration and aftercare, all reasonable steps shall be taken to ensure that drainage from areas adjoining the site is not impaired or rendered less efficient by the operations hereby permitted. All reasonable steps, including the provision of any necessary works, shall be taken to prevent damage by erosion or flooding and to make proper provision for the disposal of all water entering, arising on or leaving the site during the permitted operations. The development shall be implemented in accordance with the recommendations and mitigation measures set out in document ref. 3490582 Breedon Cloud Hill HIA (dated 11/08/2025) and 3490582 RPT Cloud Hill FRADS – Final (dated 18/11/25).

Reason: *To ensure adequate drainage of the site and to prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with policy DM2 of the LMWLP, policies CC2 & CC3 of the NWLLP and paragraph 170 of the NPPF (December 2024).*

36. A strip of land 8 metres wide adjacent to the top of the watercourse which adjoins the western boundary of the site shall be kept clear of development. No raising of existing ground levels shall take place within this strip of land.

Reason: *To prevent pollution to the water environment and to comply with policy DM2 of the LMWLP.*

37. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution to the water environment and to comply with policy DM2 of the LMWLP.

Landscaping

38. All trees, shrubs and hedges along the boundaries of the site, together with any other trees, shrubs and hedges which are to remain undisturbed, shall be retained, made stockproof (where required), protected and maintained throughout the duration of the operations hereby permitted except for any tree that may be felled for the purposes of good woodland management. Whilst operations, including the passage of vehicles, are occurring within the vicinity of the trees and hedges to be retained, protective fences shall be erected around the trees and hedges at a distance equivalent to not less than the existing spread of the branches from the trunk and in any case not less than 3 metres. The land between the fence and the trees and hedges shall be left completely undisturbed and no trees shall be used as an anchorage and no items shall be fixed to any tree. Maintenance shall include the replacement of any tree, shrub or hedge that may die or become seriously damaged or diseased or be removed with a plant or similar type within the next available planting season; allowing hedgerows to grow to enhance their effectiveness as visual screens, and the identification and tagging of individual saplings within hedgerows and then allowing them to grow.

Reason: To protect visual amenity and provide for management of the site boundary features in accordance with policies DM3 of the LMWLP.

39. The felling of trees shall be restricted to the minimum that is necessary for efficient operational purposes in order to carry out the proposed development. No hedgerows shall be removed in the bird nesting period.

Reason: To ensure the successful establishment of landscaping at the site in the interests of assimilating it into the surrounding landscape and the visual amenity of the area and to comply with policies DM5 and DM12 of the LMWLP.

40. Within 6 months of the date of this permission, an updated landscape enhancement scheme and Woodland Management Plan for retained woodland, trees, shrubs and hedges shall be submitted to the Mineral Planning Authority for approval. Planting proposals contained in the scheme shall be implemented in the first available planting season following its approval.

Reason: To ensure the successful establishment of landscaping, to minimise the effects on nature conservation interests, including protected species, woodland, veteran trees, hedgerows and to protect the visual amenity of the area at the site in the interests of assimilating it into the surrounding landscape in accordance with policies DM5, DM7 and DM12 of the LMWLP and paragraph 186 of the NPPF.

41. All existing woodland, trees, shrubs or hedges within the Applicant's control shall be retained, protected and maintained throughout the duration of the operations hereby permitted. Any plants which die, or are removed or become seriously damaged or diseased, shall be replaced with others of a similar size and species within the next available planting season.

Reason: *To ensure the successful establishment of landscaping at the site in the interests of assimilating it into the surrounding landscape and the visual amenity of the area and to comply with policies DM5 and DM12 of the LMWLP.*

Geology

42. Prior to the cessation of pumping of the site, a scheme for the monitoring, surveying and recording of the geological SSSI at Cloud Hill Quarry shall be submitted for the written approval of the Mineral Planning Authority. The scheme shall be implemented in full immediately following approval and shall be reviewed on a five-yearly basis following approval.

Reason: *To minimise the effects on geological conservation interests and provide access to the key geodiversity features, in accordance with policy DM7 of the LMWLP*

43. The habitat improvement and management scheme shall be undertaken in full accordance with the 'Review of Habitat Improvement and Five-Year Management Plan' prepared by EMEC Ecology and approved by the Mineral Planning Authority on 04/01/08. The land shall be managed in accordance with the approved scheme throughout the duration of the quarry operations hereby permitted.

Reason: *To safeguard and monitor the effects of the development on the local habitats, in accordance with policies DM2 and DM7 of the LMWLP, policy En1 of the NWLLP and paragraph 193 of the NPPF (December 2024).*

Archaeology

44. The implementation of a programme of archaeological work in accordance with the written scheme of investigation (ref. 421.03523.00014, dated December 2014) shall be undertaken in accordance with the details approved by the Mineral Planning Authority on 27th April 2015, 20th June 2017 and 28th March 2018. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: *To ensure protection of the archaeological assets in the site through a phased programme of investigation, in accordance with Policy DM8 of the MWLP and Policy He1 of the NWLLP.*

Soil Stripping and Handling

45. Soil movement operations shall only be carried out when the full volume of soil involved is in a dry and friable condition, i.e. the soil is in a non-plastic state such that damage to its structure shall be avoided. Conditions shall be sufficiently dry for the topsoil to be separated from the subsoil without any difficulty. No movement of topsoil or subsoil shall occur during the period October–April (inclusive) unless agreed in writing by the Mineral Planning Authority.

Reason: *In the interests of the protection of the soil resource in accordance with policy DM6 of the LMWLP and paragraph 187) of the National Planning Policy Framework (2024).*

46. No plant or vehicles shall cross any area of unstripped topsoil or subsoil except where such trafficking is unavoidable in undertaking soil handling operations hereby permitted. Where trafficking does occur, it shall be kept to the essential minimum and all available topsoil (and subsoil) shall be stripped from that part where trafficking occurs.

Reason: *In the interests of the protection of the soil resource in accordance with policy DM6 of the LMWLP and paragraph 187) of the National Planning Policy Framework (2024).*

47. Before topsoils and subsoils are stripped from any part of the site, a scheme of soil movement shall be submitted to, and approved in writing by, the Mineral Planning Authority. Such a scheme shall identify the origin, intermediate storage and final use of soils, as defined by soil units, together with details balancing the quantities, depths, and areas involved. Soil movements shall be carried out in accordance with the approved scheme.

Reason: *In the interests of the protection of the soil resource in accordance with policy DM6 of the LMWLP and paragraph 187) of the National Planning Policy Framework (2024).*

48. Topsoil and subsoil shall be separately stripped to their full depth and shall wherever possible be immediately respread in their correct sequence to the same settled depth. If immediate respreading is not practicable, the topsoil and subsoil shall be stored separately for subsequent use.

Reason: *In the interests of the protection of the soil resource in accordance with policy DM6 of the LMWLP and paragraph 187) of the National Planning Policy Framework (2024).*

Soil Storage

49. All topsoil, subsoil, imported soils and soil making materials shall each be stored in separate mounds which do not overlap. Mounds shall be located in positions specified and agreed with the Mineral Planning Authority in advance. Topsoil mounds shall not exceed 3 metres in height and subsoil mounds shall not exceed 5 metres in height.

Reason: *To minimise structural damage and compaction of the soil and to aid the final restoration of the site, accordance with policy DM6 of the LMWLP and paragraph 187) of the National Planning Policy Framework (2024).*

50. All soil storage mounds shall be constructed with only the minimum amount of compaction necessary to ensure stability, and shall not be traversed by heavy vehicles or machinery except where essential for purposes of mound construction or removal for restoration purposes.

Reason: *To minimise structural damage and compaction of the soil and to aid the final restoration of the site, in accordance with policy DM6 of the LMWLP and paragraph 187) of the National Planning Policy Framework (2024).*

51. All storage mounds that will remain in situ for more than 6 months or over winter are to be seeded in accordance with a specification agreed with the Mineral Planning Authority prior to bund construction. Mounds shall be managed throughout the period of storage to maintain satisfactory vegetation cover, weed control and to avoid erosion or waterlogging.

Reason: *To minimise structural damage and compaction of the soil and to aid the final restoration of the site, in accordance with policy DM6 of the LMWLP and paragraph 187) of the National Planning Policy Framework (2024).*

Restoration and Aftercare

52. Not later than 12 months prior to the planned cessation of mineral extraction at Cloud Hill Quarry, a scheme for the final restoration of the quarry (comprising all the land edged in both blue and red on Drawing No. KD.CLDHQ.D.002), based on proposals shown on the Conceptual Restoration Masterplan (Drawing No. KD.CLDHQ.D.004) and include details of:

- a) final contours including West-East and North-South cross sectional bank profiles of the proposed water body indicating mean water level;
- b) the treatment of exposed quarry benches and side slopes within the quarry void;
- c) details of the removal or retention of buildings or structures;
- d) the treatment of hard surfaced areas;
- e) tree and shrub planting (including species, provenance, spacings, sizes and planting specification);

- f) drainage;
- g) proposals for the creation and management of grassland and other habitats which contribute to local biodiversity targets;
- h) retention of any geological features;
- i) measures to ensure that the restored site does not increase the bird strike risk to aircraft operating to or from East Midlands Airport. Such measures shall include no future creation of islands, peninsula or incipient peninsulas either by design or inadvertently; no feeding of wildfowl; and the implementation of a positively managed grassland, through the introduction of wildflower meadows;
- j) the phasing and the anticipated timescale for completion of restoration works;
- k) maintenance and aftercare proposals including details of the cutting/grazing regime for grassland areas; and
- l) a programme of implementation.

The site shall be restored in accordance with the approved scheme.

Reason: *To ensure that the overall quarry complex is landscaped after being restored in the interests of assimilating it into the surrounding landscape and that the operational site areas are reclaimed in an orderly manner to a condition capable of beneficial after-use in order to comply with policies DM5 and DM12 of the LMWLP.*

53. Planting in accordance with scheme approved in condition no. 53 above shall be carried out, as far as reasonably practicable, within the first available planting season following the restoration of any substantial part of the site. All trees, shrubs and hedges planted in accordance with the approved scheme shall be maintained for a period of five years following planting and such maintenance shall include the replacement of any trees or shrubs that may die or be seriously damaged or become seriously diseased.

Reason: *To ensure the successful establishment of landscaping at the site in the interests of assimilating it into the surrounding landscape and the visual amenity of the area and to comply with policies DM5 and DM12 of the LMWLP.*

54. All buildings, plant, structures, machinery, hardstandings, and roads shall be removed from the existing Plant Site within 12 months of the completion of mineral extraction.

Reason: *To ensure the successful establishment of landscaping at the site in the interests of assimilating it into the surrounding landscape and the visual amenity of the area and to comply with policies DM5 and DM12 of the LMWLP.*

55. Following the restoration of any part of the quarry complex in accordance with condition no.53 above, the restored land shall be treated and managed over a period of at least 5 years in accordance with an after-care scheme which has previously been submitted to, and approved in writing by, the Mineral Planning Authority.

Reason: *To ensure that those parts of the site that have been restored are subject to a programme of aftercare that has been approved by the Mineral Planning Authority in the interests of agricultural land quality and nature conservation and to ensure that the development does not result in any net gain of landscape features that will be attractive to species of birds that are known hazards to aircraft. To comply with policies DM2 and DM12 of the LMWLP.*

56. Before 31st May of every year during the aftercare period and every subsequent anniversary, the Mineral Planning Authority shall be provided with a detailed aftercare programme for approval by the Mineral Planning Authority, which includes:
- i. proposals for managing the land in accordance with the rules of good husbandry including planting, cultivating, seeding, fertilising, draining, watering or otherwise treating the land for the forthcoming twelve months;
 - ii. a record of aftercare operations carried out on the land during the previous twelve months.

The aftercare programme shall be carried out in accordance with the approved details.

Reason: *To ensure a suitable regime of aftercare is pursued to comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990, as amended in order to bring each phase of restored land to the required standard for agriculture and nature conservation and to comply with policies DM7 and DM12 of the LMWLP.*

57. A site meeting shall be arranged before 30th June of every year during the aftercare period to discuss and agree the aftercare programme submitted and approved with the condition 57 above. This meeting shall be attended by the person(s) responsible for undertaking the aftercare steps.

Reason: *To ensure a suitable regime of aftercare is pursued to comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990, as amended in order to bring each phase of restored land to the required standard for agriculture, woodland and nature conservation.*

58. Access shall be afforded at all reasonable times to allow personnel nominated by the Mineral Planning Authority and East Midlands Airport to observe measures taken to ensure that the quarry complex is not giving rise to increased bird strike risk to aircraft operating to or from Nottingham East Midlands Airport.

Reason: *To minimise the risk of bird strike for aircraft operating to and from East Midlands Airport.*

Temporary Restoration

59. In the event of a cessation of winning and working of minerals prior to the achievement of the completion of the approved scheme as defined in this permission, and which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990, a revised scheme to include details of reclamation and aftercare shall be submitted in writing for approval to the Mineral Planning Authority within six months of the cessation of winning and working. The approved revised scheme shall be fully implemented within 12 months of the written approval.

Reason: *To enable the Mineral Planning Authority to control the development and to ensure that the land is restored to a condition capable of beneficial after-use, in accordance with policy DM12 of the LMWLP.*

Continuation of the Liaison Committee

60. Within three months of the date of this permission the developer shall submit a scheme for the continuation of the Breedon and Cloud Hill Liaison Committee. The scheme, which shall be based on the terms of the existing Breedon and Cloud Hill liaison committee shall include details of the following:

- a. Updated liaison committee terms of reference;
- b. Detailed information relating to the membership of the committee which shall, as a minimum, include representatives of the Mineral Planning Authority, North West Leicestershire District Council (or any named successor Council) and the relevant Parish Councils;
- c. Details of the frequency of meetings (which shall be convened at intervals of no less than six months);
- d. Details of the location of the meetings, including provision for visits to the active parts of the site;
- e. Provision for records of the proceedings to be kept and the subsequent distribution of those records to all those invited to attend;
- f. Provision for the Liaison committee to continue to operate for the duration of the development, including the cessation of all quarrying and restoration operations; and
- g. A programme of implementation including the date of the first committee to be convened following the date of this planning permission.

The scheme shall then be implemented as approved and maintained thereafter for the duration of the development.

Reason: *To provide a forum for discussion between the quarry operator, the Mineral Planning Authority and the local community to provide a forum for discussion in respect of the ongoing impacts of quarrying at the site.*