

**DEVELOPMENT CONTROL AND REGULATORY BOARD****7 August 2025****REPORT OF THE CHIEF EXECUTIVE****COUNTY MATTER****PART A – SUMMARY REPORT**

<b>APP.NO. &amp; DATE:</b>	2025/00719/07 (2025/VOCM/0061/LCC)
<b>DATE OF VALIDATION:</b>	1 May 2025
<b>PROPOSAL:</b>	Variation of condition 57 of Planning Permission 2023/0032/07 (Variation of conditions 4, 17, 63 and 64 of Planning Permission 2010/0076/07 to reprofile the northern landform amenity bund and northern landform; to rationalise landscape, restoration and aftercare; and submit an interim restoration scheme) to amend the operating hours of the wash plant from 0600-2200 to 24/7 operation.
<b>LOCATION:</b>	Bardon Quarry, Bardon Road, Coalville. Leicestershire, LE67 1TL
<b>MAIN ISSUES:</b>	Noise impacts
<b>APPLICANT:</b>	Holcim UK Limited
<b>RECOMMENDATION:</b>	Approve application, subject to conditions

**Circulation Under Local Issues Alert Procedure**

Mr C. Whitford CC, Mr. J. Boam CC and Mr. P. Harrison CC

**Officer to Contact**

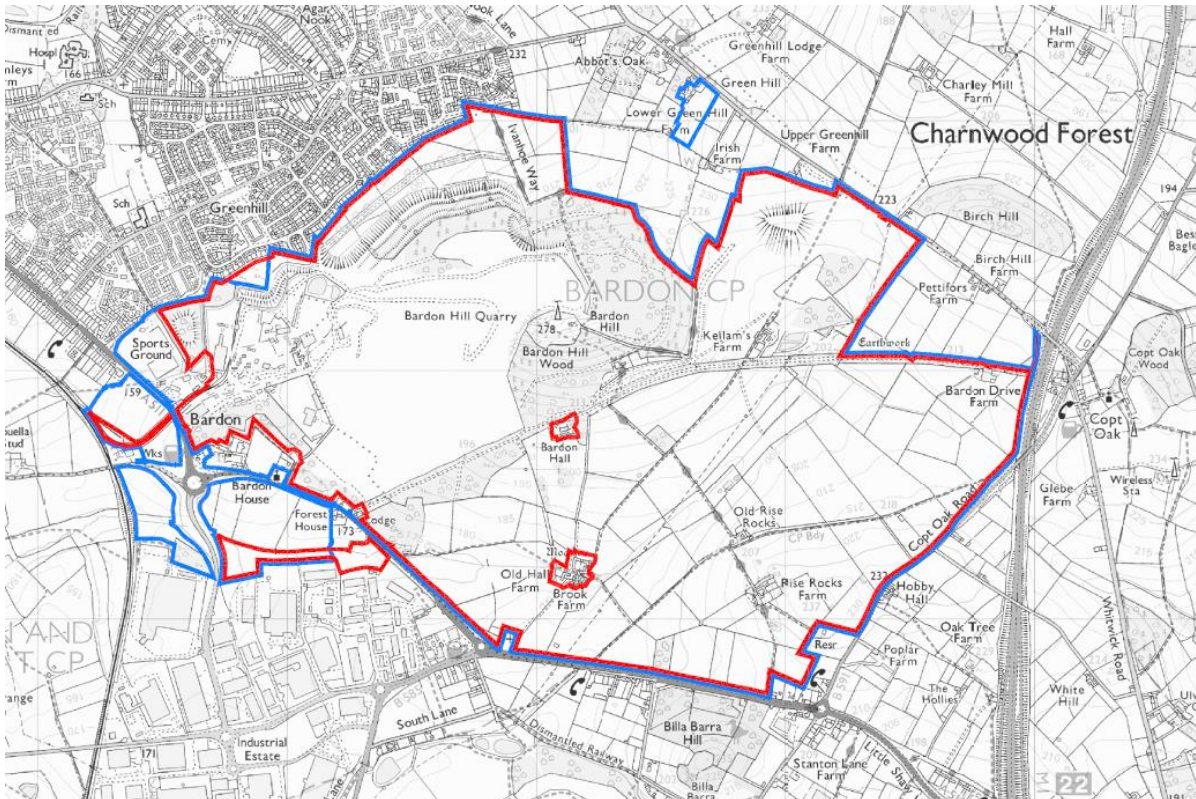
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## **PART B – MAIN REPORT**

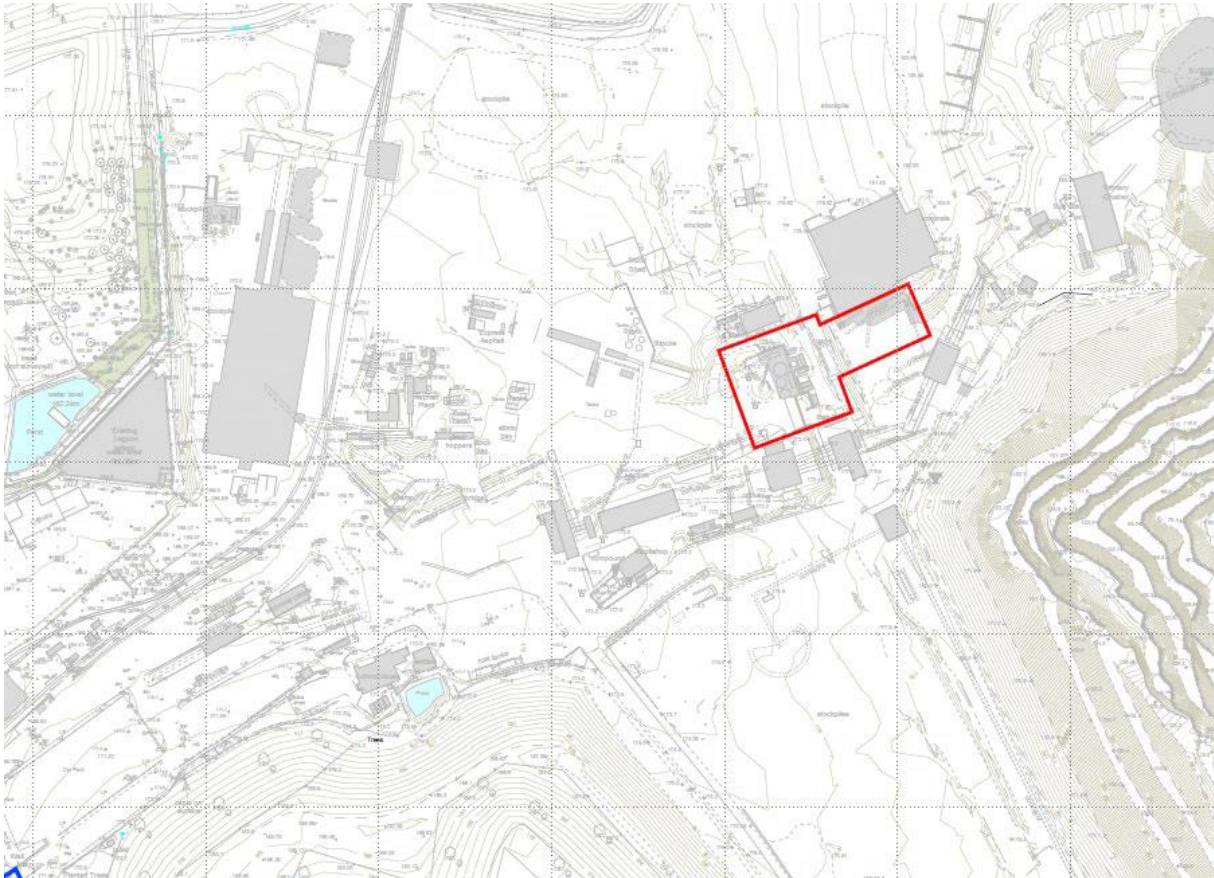
## The Site and Surroundings

1. The application site comprises the long-established Bardon Quarry site which has seen extraction operations occurring for many years. Active parts of the site comprise the 25-hectare granite extraction and processing complex to the south-east of Coalville, west of the M1 motorway.



### Figure 1. Location Plan

2. The complex is bound to the southwest by the A511. The residential areas of Bardon and Greenhill are located to the northwest of the site beyond wooded perimeter bunds and along the A511. The Bardon Hill industrial area is to the southwest. Open farmland interspersed with isolated dwellings, businesses and small settlements surrounds the site to the east.
3. The complex comprises two large quarry voids, one undergoing backfilling operations (the western void) and one actively being extracted together with an extensive mineral processing area accessed from the A511 (the western void). Internal haul roads and conveyor systems connect different parts of the site, which are intersected by restored landforms, areas of woodland, and agricultural land and buildings. The applicant's national head offices are also located within the wider complex, but separate from the operational areas, and accessed via Bardon Drive from Whitwick Road to the west.
4. The wash plant, which forms the basis of this application, is associated with the production of asphalt on the site and sits adjacent to the asphalt plant, which is permitted to operate 24 hours a day. The wash plant sits within a cluster of ancillary processing plants.



**Figure 2. Location of the Wash Plant within the Quarry**

### **Background & Planning History**

5. Mineral working at Bardon Hill Quarry was first permitted in 1947 but references to mineral working go back several centuries. The 1947 permission was extended in 1957, 1981 and 1989. These permissions were then consolidated into a single planning permission in 2006 under a Review of Old Mineral Permissions (ROMP). The following are the most relevant permissions to the proposal currently under consideration:
6. 2010/0076/07 is the principal planning permission for all extraction, processing and restoration operations at Bardon Hill Quarry, including the two asphalt plants.
7. 2014/0840/07 permits the use of land for the importation, processing, reuse and storage of reclaimed bituminous products for use in the asphalt plants at Bardon Hill Quarry, Coalville
8. 2017/0098/07 proposed alternative overland aggregate and overburden conveyor to that previously approved under planning permission 2010/0076/07 and was granted in May 2017.
9. 2023/0032/07 varied four conditions of the 2010 permission related to moving material to the northern landform, with associated alterations to the landscaping and restoration schemes.

10. 2023/01698/07 permits an increase in the annual throughput of imported reclaimed bituminous product.

### **Description of Proposal**

11. The application seeks to vary condition 57 of planning permission 2023/0032/07, to change the operating hours of the wash plant from 6am-10pm to 24-hour operation. The proposal does not alter the fundamental nature of the original planning permission, and no additional structures are proposed.
12. The applicant states that the change is required to improve efficiency in the production of suitable aggregate for the asphalt plant.
13. Condition 57 of planning permission 2023/0032/07 controls hours of operation at the site. it states that, the development shall only take place in accordance with the following hours:

Operations	Permitted Hours	
	Monday to Saturday	Sundays, Public & Bank Holidays
<ul style="list-style-type: none"> <li>The extraction, primary crushing and internal movement of stone from within the new and previously permitted extraction areas;</li> </ul>	07:00 to 22:00	None
<ul style="list-style-type: none"> <li>The use of the secondary and tertiary aggregate processing plants;</li> <li>The despatch of aggregate and concrete products;</li> <li>The use of the aggregate and concrete product stocking areas;</li> </ul>	06:00 to 22:00	None
<ul style="list-style-type: none"> <li>Emergency works;</li> <li>Maintenance and repair of plant and machinery;</li> <li>Essential pumping;</li> <li>The use of the asphalt plants and despatch of products;</li> <li>The manufacture of concrete products;</li> <li>The loading, movement and servicing of trains.</li> </ul>	Any Time	

*Reason: To protect the amenities of local residents and in the interests of the local environment.*

14. It is proposed that planning condition 57 is amended to read (amended text shown in bold):



Operations	Permitted Hours	
	Monday to Saturday	Sundays, Public & Bank Holidays
<ul style="list-style-type: none"> <li>The extraction, primary crushing and internal movement of stone from within the new and previously permitted extraction areas;</li> </ul>	07:00 to 22:00	None
<ul style="list-style-type: none"> <li>The use of the secondary and tertiary aggregate processing plants;</li> <li>The despatch of aggregate and concrete products;</li> <li>The use of the aggregate and concrete product stocking areas;</li> </ul>	06:00 to 22:00	None
<ul style="list-style-type: none"> <li>Emergency works;</li> <li>Maintenance and repair of plant and machinery;</li> <li>Essential pumping;</li> <li>The use of the asphalt plants and despatch of products;</li> <li><b>The use of the aggregate wash plant</b></li> <li>The manufacture of concrete products;</li> <li>The loading, movement and servicing of trains.</li> </ul>	Any Time	

*Reason: To protect the amenities of local residents and in the interests of the local environment.*

### **Planning Policy**

#### **The Development Plan**

15. Leicestershire Minerals and Waste Local Plan (adopted September 2019):

- Policy DM1 Sustainable Development
- Policy DM2 Local Environment and Community Protection
- Policy DM5 Landscape Impact
- Policy DM9 Transport by Road
- Policy DM11 Cumulative Impact

16. North West Leicestershire Local Plan (adopted November 2017):

- Policy D2 Amenity
- Policy En6 Land and Air Quality

17. Hinckley & Bosworth Core Strategy (adopted December 2009)

- Policy 21 National Forest

18. Hinckley & Bosworth Site Allocations and Development Management Policies DPD (adopted July 2016)

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM7 Preventing Pollution and Flooding
- Policy DM17 Highways and Transportation

National Policy

*National Planning Policy Framework (December 2024) (NPPF)*

19. The NPPF sets out the Government's planning policies for England and is a material consideration in planning decisions.

20. The NPPF advocates a presumption in favour of sustainable development at paragraph 11, and for decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

21. Section 17 of the NPPF facilitates the sustainable use of minerals. It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings and energy and goods that the Country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

National Guidance

22. The Noise Policy Statement for England (NPSE) was published in March 2010. It specifies the following long-term vision in policy aims: *"Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:*

- *Avoid significant adverse impacts on health and quality of life;*
- *Mitigate and minimise adverse impacts on health and quality of life; and*
- *Where possible, contribute to the improvement of health and quality of life.”*

23. Planning Practice Guidance (PPG) states that noise needs to be considered when development may create additional noise or would be sensitive to the prevailing acoustic environment. For decision making, there is a need to take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

This includes identifying whether the overall noise exposure is/would be above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation. PPG & NPSE identify three observed effect levels:

- Significant observed adverse effect level (SOAEL): This is the level of noise exposure above which significant adverse effects on health and quality of life occur.
- Lowest observed adverse effect level (LOAEL): this is the level of noise exposure above which adverse effects on health and quality of life can be detected.
- No observed effect level (NOEL): this is the level of noise exposure below which no effect at all on health or quality of life can be detected.

The NPSE does note that it is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. As such, a consideration of cumulative impacts is necessary to determine if development will reach the SOAEL threshold.

#### Other Policy Considerations

24. North West Leicestershire District Council is in the process of preparing a new Local Plan, which is subject to a public consultation under Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2012. The public consultation period closed on 17<sup>th</sup> March 2024. A further consultation on additional housing and employment sites concluded on 2<sup>nd</sup> May 2025.

The following policies are considered relevant to this application:

- Policy AP2 Amenity
- Policy IF5 Transport Infrastructure and New Development

25. As the emerging Local Plan is at the Regulation 18 stage, the policies listed above are afforded limited weight in the determination of this application.

### **Consultations**

26. **North West Leicestershire District Council Planning** – No objections.
27. **North West Leicestershire District Council Environmental Health** – No comments received as of 22/7/25
28. **Hinckley & Bosworth Borough Council Planning** – No objections
29. **Hinckley & Bosworth Borough Council Environmental Health** – No objections.
30. **Lead Local Flood Authority (Leicestershire County Council)** – No comments.
31. **Highways Authority (Leicestershire County Council)** – No comments.
32. **Environment Agency** – no objection.
33. **Markfield Parish Council** – no response received.
34. **Charley Parish Council** – no response received.
35. **Ellistown and Battleflat Parish Council** – no response received.
36. **Mr C. Whitford CC, Mr J. Boam CC and Mr P. Harrison CC** – Have been notified of the application.

### **Publicity and Representations**

37. The application has been publicised by means of neighbour notification letters, a site notice and press notice, in accordance with the Council's adopted Statement of Community Involvement.
38. Fifteen representations, all objecting to the proposal, have been received. The issues raised include:
  - Increased noise disturbance from the wash plant operating 24/7;
  - Associated noise and increased dust from vehicle movements;
  - Detrimental dust arisings from the quarry operations being exacerbated by the increase in operating hours of the wash plant.
39. A representation was made which stated that the proposal would have a negative effect on the value of the objector's home. The impact of development on property values is not a material planning consideration and therefore cannot form part of any assessment of this application.
40. Other representations made reference to the re-profiling of the northern landform. It should be noted that this was a result of an incorrect description of development in the first batch of neighbour letters sent to residents. This error was swiftly rectified and new letters – with the correct description of development – were sent out shortly afterwards.



## **Assessment of Proposal**

### **Principle of Development**

41. This application seeks to amend condition 57 of planning permission 2023/0032/07 to enable the existing wash plant to operate 24 hours a day, seven days a week. Because the proposal relates to variations to an existing, extant, mining permission and is contained within the footprint of that permission, in principle, the development is considered to accord with the development plan in terms of land use. Environmental impacts associated with the proposed amendment are set out below.

### **Noise, Dust and Amenity**

42. The main issue to consider in respect of the proposed operation of the wash plant 24/7 is the potential for a detrimental increase in noise disturbance to nearby receptors. The applicant has submitted a noise report – ref. R25.12379/1/AP – which concludes that the wash plant makes minimal contribution to the overall noise levels produced from the site operations and that continuous operation would not have a significant impact.
43. The operation of the wash plant on a continuous basis can be accommodated within the approved noise levels for the whole site without making a significant nor detrimental contribution to overall nighttime noise levels.
44. The site is subject to planning controls on noise and dust, with the applicant submitting regular reports to this Council, in its role as Mineral Planning Authority (MPA). This process would continue throughout the operational timeframe of the quarry and would allow the applicant to take appropriate action should any exceedances in noise levels occur.
45. In terms of dust arising from the operation of the wash plant, the continuous operation would likely generate dust from the washing of material. However, the site has measures in place to control dust arisings – such as water sprays and bowsers to mitigate dust generation from operational activity – as part of the wider site Environmental Management Plan and it is considered that the 24/7 operation of the wash plant can be monitored under the existing approved plan.
46. From the dust report submitted to the MPA – which covers the period of 1 January 2025 to 30 June 2025 – the site has had 22 exceedances of PM<sub>10</sub> particles, with 9 likely to have been directly caused by the quarry operations. Other occurrences of high PM<sub>10</sub> levels could be attributed to wider environmental factors and dust unsuspended from the nearby A511. The number of exceedances from the quarry since 2018 are as follows:

<b>Year</b>	<b>No. Daily Exceedances</b>
2018	19
2019	14
2020	26
2021	29
2022	44

2023	29
2024	27

Condition 47 limits the number of exceedances in a calendar year to 35; with the exception of 2022, the site has operated this limit and therefore in compliance with the requirements of condition 47.

47. Dust monitoring is an ongoing process at the site, as part of the principal permission and it is considered that any potential increase in dust arisings can be appropriately managed within existing planning controls. North West Leicestershire Environmental Health have been consulted on the application and have not – as of 22 July – made any comments relating to the environmental impacts of the proposal.
48. Representations from local residents are noted however, as the proposal can be undertaken within existing controls and is subject to ongoing monitoring to address any amenity issues, there is not any justification for the refusal of the application on the grounds of noise, dust or amenity impacts.

#### Traffic, Access and Parking

49. The proposed increase in operating hours is not expected to result in an increase in vehicle movements either within the operations area or to and from the site. Additionally, total HGV movements associated with the site operations would remain within the limits set out in condition 15. The Highway Authority have no objections to the proposal, and it is considered to comply with policies DM9 and DM10.

#### **Conclusion**

50. The application seeks to vary condition 57 of planning permission ref. 2023/0032/07 to operate the wash plant on a 24/7 basis. The proposed continuous operation of the wash plant at Bardon Hill Quarry is considered acceptable in principle, as it remains within the existing site boundary and accords with existing planning permissions. The supporting information submitted with the application indicates that the 24/7 operation will not result in significant increases in noise or dust levels, and existing environmental controls and monitoring mechanisms are deemed sufficient to manage any potential impacts. Traffic and access arrangements remain unchanged, with no expected increase in vehicle movements. While local concerns have been acknowledged, the proposal aligns with relevant planning policies and does not present sufficient grounds for refusal.

#### **Statement of Positive and Proactive Engagement**

51. In determining this application, the Mineral Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations and consultation responses. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

**Recommendation**

52. PERMIT subject to the conditions set out in Appendix A attached to the bottom of this report.

**Officer to Contact**

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