



**DEVELOPMENT CONTROL AND REGULATORY BOARD**

**19 MARCH 2026**

**REPORT OF THE CHIEF EXECUTIVE**

**COUNTY MATTER**

**PART A – SUMMARY REPORT**

<b>APP.NO.</b>	2025/01170/07 (2025/VOCM/0113/LCC)
<b>DATE OF VALIDATION:</b>	20 August 2025
<b>PROPOSAL:</b>	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.
<b>LOCATION:</b>	Cloud Hill Quarry, Stocking Lane, Derby, DE73 8AN
<b>APPLICANT:</b>	Breedon Trading Ltd
<b>RECOMMENDATION:</b>	PERMIT subject to the completion of a s106 legal agreement to secure the operation of a quarry liaison committee and subject to conditions as set out in the Appendix A to the main report.

**Circulation Under Local Issues Alert Procedure**

Mr. M. Squires CC

**Officer to Contact**

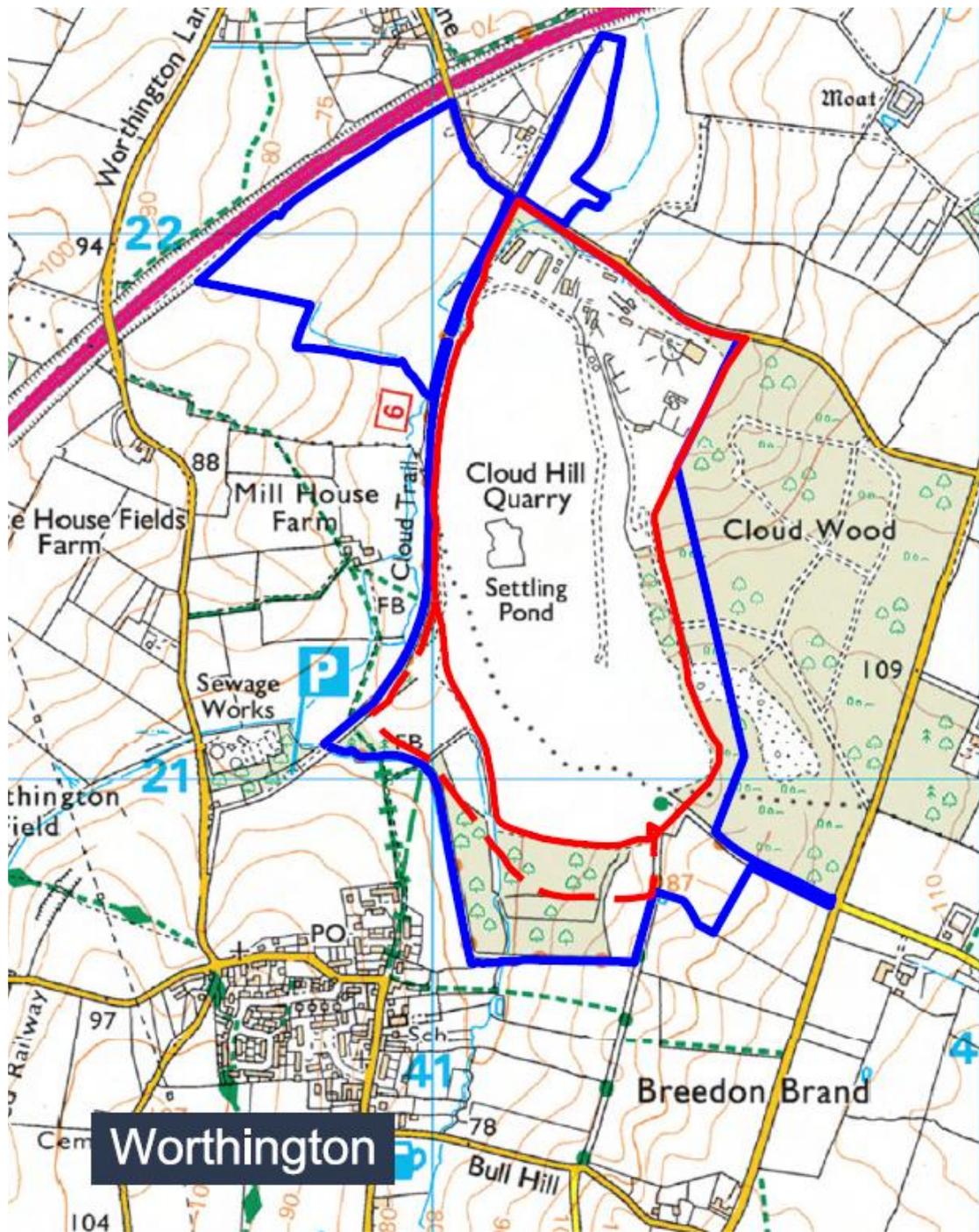
Rob Tollyfield (0116 305 2733)

Email: [planningcontrol@leics.gov.uk](mailto:planningcontrol@leics.gov.uk)

## **PART B – MAIN REPORT**

### **THE SITE AND SURROUNDINGS**

1. Cloud Hill Quarry is located to the south of the A42, accessed from Stocking Lane between the villages of Worthington (to the southwest) and Breedon-on-the-Hill (to the northwest). It forms part of a long-established mineral extraction landscape in North-West Leicestershire. The nearest residential properties include Mill House Farm (~160 m to the west) and dwellings at Manor Drive, Worthington (~200 m to the southwest), with the wider village of Worthington approximately 250 m from the site boundary.
2. Cloud Hill Quarry is an active extraction site comprising the main quarry void and faces, with established processing infrastructure at its northern extent, including crushing, screening, and asphalt plant buildings located adjacent to the main access on Stocking Lane. Much of the internal landform comprises bare mineral surfaces, haul roads, benches, and engineered slopes with limited vegetation cover. The quarry has permission to extract mineral until 2042.
3. To the southern boundary lies a screening mound, incorporating a permissive right of way. To the south beyond this boundary are areas of commercial and amenity woodland, while Cloud Wood to the east provides mature woodland cover and ecological value. Boundary treatment also includes the elevated disused railway embankment (along which Cloud Trail runs) forming the western edge to the site.



-  Planning Permission Boundary
-  Southern Extension Area Planning Boundary
-  Other Land Under the Control of the Applicant

Figure 1. Site Location

## PLANNING HISTORY

4. Cloud Hill Quarry has been subject to numerous applications related to both extraction of mineral and extension to the extraction area, with associated applications for ancillary development within the quarry itself. Below is a list of applications that are most relevant to the application currently before the Mineral Planning Authority (MPA).
  - 1996/0139/07 – Quarrying and ancillary development at Breedon and Cloud Hill Quarries and Restoration by Infill at Breedon Quarry
  - 2009/0939/07 – Variation of condition 4 of planning permission 1996/0139/07 in order to revise the working scheme for the quarry due to the proposed southern extension
  - 2009/0940/07 – Southern Extension of Cloud Hill Quarry including deposit of overburden within existing quarry
  - 2013/0763/07 – Variation of condition 22 (b) & (c) of permission 1996/0139/07 to provide extended hours of operation for servicing, maintenance and testing of plant
  - 2015/0042/07 – Importation and processing of waste asphalt and road planings, together with erection of a covered storage bay.
5. For the purpose of this proposed development, the relevant planning permissions are 1996/0139/07 and 2009/0939/07.

## DESCRIPTION OF PROPOSAL

6. This Section 73 application seeks to vary condition 2 of planning permission 2009/0939/07 to enable the deepening of the existing extraction void through the submission of a revised working scheme for Cloud Hill Quarry. It is proposed that the existing extraction area within Cloud Hill Quarry is deepened, from -60.5 AOD to 145AOD, which will release circa 14.4 million tonnes (mt) of limestone. At current extraction rates of approximately 1.5mt per annum it equates to about 9.6 years of operation.
7. To enable this change to the approved working scheme, the following drawings have been submitted to replace those secured in condition 2 of planning permission ref. 2009/0939/07:
  - Drawing No. KD.CLDHQ.D.003 – Block Proposals Plan
  - Drawing No. KD.CLDHQ.D.004 – Concept Restoration Scheme

The following supporting documents have also been submitted to aid the assessment of the proposed vertical extension:

- Hydrogeological Impact Assessment (HIA);
- Flood Risk and Drainage Strategy (FRADS);

- Landscape and Visual Impact Assessment (LVIA);
- Preliminary Ecological Appraisal (PEA);
- Peregrine Survey;
- Noise Monitoring Scheme;
- Dust Action Plan; and
- Blasting Monitoring Scheme.

8. No new lateral extraction areas are proposed nor is any additional plant, with extracted mineral being processed through existing structures. Additionally, the site currently benefits from a cessation date for mineral extraction of 21 February 2042. As such, it is not proposed to extend the cessation date for extraction.

## **PLANNING POLICY**

### The Development Plan

*Leicestershire Minerals and Waste Local Plan (adopted September 2019) (LMWLP)*

The relevant policies of LMWLP to the development are:

- Policy M4 Crushed Rock
- Policy M13 Associated Mineral Development
- Policy DM1 Sustainable Development
- Policy DM2 Local Environment and Community Protection
- Policy DM3 Strategic Green Infrastructure
- Policy DM5 Landscape Impact
- Policy DM6 Soils
- Policy DM7 Sites of Biodiversity / geodiversity Interest
- Policy DM8 Historic Environment
- Policy DM9 Transportation by Road
- Policy DM10 Public Rights of Way
- Policy DM11 Cumulative Impact
- Policy DM12 Restoration, Aftercare and After-use

*North West Leicestershire Local Plan (as amended by the partial review) (Adopted March 2021) (NWLLP):*

- Policy S3 Countryside
- Policy D1 Design of New Development
- Policy DM2 Amenity
- Policy Ec5 East Midlands Airport: Safeguarding
- Policy IF1 Development and Infrastructure
- Policy IF4 Transport Infrastructure and new development
- Policy En1 Nature Conservation
- Policy En6 Land and Air Quality
- Policy He1 Conservation and enhancement of North West Leicestershire's historic environment

- Policy Cc2 Flood Risk
- Policy Cc3 Sustainable Drainage Systems

*Breedon on the Hill Neighbourhood Plan (Adopted March 2025)*

- Policy BotH1 Countryside
- Policy BotH4 Countryside Access
- Policy BotH5 Ecology and Biodiversity
- Policy BotH7 Water Management
- Policy BotH1 Non-designated Heritage Assets

National Policy

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

9. The NPPF sets out the Government's planning policies for England and is a material consideration in planning decisions.
10. Paragraph 8 of the NPPF identifies the three overarching objectives to achieve sustainable development – economic, social and environmental. These objectives are interdependent and need to be pursued in a mutually supportive way so that opportunities can be taken to secure net gains across each of the different objectives.
11. Paragraph 47 – planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
12. Section 17 of the NPPF (Facilitating the sustainable use of minerals) indicates that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and the goods that the country needs. It also indicates that as minerals are a finite natural resource and can only be worked where they are found it is important to make the best use of them to secure their long-term conservation. Paragraph 224 of the NPPF requires that great weight should be given to the benefits of mineral extraction, including to the economy, and sets out how MPAs should determine applications for mineral extraction.

Other Policy Considerations

13. 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 emerging policies are considered relevant to this development:
  - Policy S4 Countryside (Strategic Policy)
  - Policy AP1 Design of New Development (Strategic Policy)
  - Policy AP2 Amenity

- Policy AP7 Flood Risk (Strategic Policy)
- Policy Ec5 East Midlands Airport: Safeguarding
- Policy IF1 Development and Infrastructure
- Policy IF5 Transport Infrastructure and new development
- Policy En1 Nature Conservation/Biodiversity Net Gain (Strategic Policy)
- Policy En6 Land and Air Quality

Given the early stage of its development, the policies listed above are afforded limited weight in the determination of this application.

## **CONSULTATIONS**

14. **North West Leicestershire District Council (Planning)** – No objection
15. **North West Leicestershire District Council (Environmental Health Officer)** – No objection.
16. **South Derbyshire District Council (Planning)** – No comments received.
17. **South Derbyshire District Council (Environmental Health)** – No comments received.
18. **Worthington Parish Council** – No comments received.
19. **Environment Agency** – No objections.
20. **Lead Local Flood Authority (LLFA)** Leicestershire County Council – No objection.
21. **Leicestershire County Council Highways Authority (LHA)** – No objection.
22. **National Highways** – No objections.
23. **Public Rights of Way** (Leicestershire County Council) – No objection
24. **Natural England** – No objection.
25. **LCC Ecology** – No objections, subject to conditions.
26. **East Midlands Airport Safeguarding** – No objection.
27. **LCC Archaeology** – No objection
28. **National Forest** – No comments received.
29. **Forestry Commission** – No comments received.
30. **Mr Michael Squires CC** – Notified of the application.

## **PUBLICITY AND REPRESENTATIONS**

31. The application has been publicised by means of site notices, press notice and neighbour notification letters, in accordance with the County Council's adopted Statement of Community Involvement. One letter of representation has been received.

32. The points raised in the representation include:

- Lack of notification about the planning application despite close proximity to the quarry.
- Quarry extension would bring operations within 100m of the nearest properties in the nearby village of Worthington.
- Loss of woodland and public footpath / bridleway.
- Increased noise from quarry vehicles, machinery, alarms, and early morning operations.
- Greater impacts from blasting and explosions.
- Increase in quarry HGV traffic, including speeding, noise, and vehicles using the village as a shortcut.
- Additional dust pollution affecting homes, vehicles, and residents' health.
- Broader concern that village issues are routinely ignored, including road erosion, speeding, unsafe school bus stops, nearby dog kennel noise, and lack of local investment.

33. The issues raised are considered in the Assessment of Proposal section of this report.

## **ASSESSMENT OF PROPOSAL**

### Principle of Development

34. The proposed changes to the approved working scheme are sought under Section 73 of the Town and Country Planning Act 1990 (as amended), which allows planning permission to be granted for development of the same description as that which is already permitted but subject to different conditions.

35. The proposal does not seek a change that would conflict with the description of the development, nor does it propose an extension to the date for cessation. Therefore, it is considered that the proposal does not change the basic principle of the permitted operations on site nor conflict with the operational part of the existing planning permission.

36. As the proposal is contained within the existing quarry boundary and subject to an extant and operational planning permission, the development is acceptable in principle.

### Requirements for Crushed Rock

37. Policy M4 of the LMWLP requires the County Council to maintain a 'steady and adequate supply of crushed rock for aggregate purposes'. This is to be achieved through:
- making provision over the plan period (2015 to 2031) for the extraction of some 231 million tonnes of crushed rock;
  - maintaining a landbank of at least 10 years based on the past 10 years average sales;
  - giving priority to proposals for extraction to be worked as extensions to existing rail-linked site operations where they are required to ensure sustainable supply.
38. The NPPF also requires that mineral planning authorities maintain a sufficient supply of minerals to provide for infrastructure, buildings, energy and goods.
39. The submitted Planning Statement states that Leicestershire's Carboniferous Limestone landbank stood at only 9.71 years at the end of 2024, below the NPPF requirement and the aims of Policy M4. Cloud Hill Quarry provides 75% of the County's productive capacity in this mineral type, and without the proposed deepening, extraction would cease following exhaustion of currently permitted reserves, leaving Leicestershire unable to meet national and local supply obligations.
40. Whilst Cloud Hill Quarry is not a rail-linked site, it is located close to the Strategic Road Network (SRN) – both the A42 and M1 – and the benefits of extending the extraction area vertically rather than laterally or through a new extraction site would outweigh the lack of rail connectivity in this instance.
41. The proposal therefore carries significant positive weight under Policy M4, ensuring continuation of a critical mineral resource necessary for construction, infrastructure, and economic growth.

### Landscape and Visual Impact

42. The application is supported by a detailed Landscape and Visual Impact Assessment (LVIA) that analyses existing character, visibility, magnitude of change, and restoration outcomes. The quarry currently represents a large, visually contained hard-rock structure, with extensive woodland belts and landform variations providing natural enclosure around the void. The LVIA concludes that, because the proposed development involves only deepening within areas already excavated, the change in landscape character would be minimal, diminishing further with distance from the quarry as no alteration to the quarry rim, skyline profile, or external landform is proposed.
43. Views from public vantage points, including along the Cloud Trail and other viewpoints of the site, would not be affected by the deepening of the extraction area within the void, as no expansion of excavation footprint or increased exposure of quarry faces is proposed. Subject to the completion of the submitted restoration

scheme, the re-establishment of a quarry lake, grassland, scrub and woodland habitats will result in either neutral or slightly beneficial effects relative to the currently consented restoration scheme, as the final landform and ecological mosaic remain broadly consistent.

44. As such, there are no objections or concerns to be raised regarding the impact on landscape and visual amenity from the proposal and it is considered to accord with Policies DM3 & DM5 of the LMWLP and with Policies S3 and En1 of the NWLLP.

#### Ecology and Biodiversity

45. The quarry sits partially within the Breedon Cloud Wood & Quarry SSSI. However, Natural England confirms that the deepening proposal would not damage designated features or compromise statutory conservation interests and, as such, have raised no objection to the development.
46. The project is accompanied by a Preliminary Ecological Appraisal, Phase 1 Habitat Survey, Badger and Peregrine Survey, which collectively conclude that ecological impacts of the proposal are considered to be minimal, due to the absence of lateral expansion and the focus on deepening within long established quarrying areas. Two active peregrine falcon nests were identified on southeastern quarry faces, but the quarry already implements robust operational controls, including seasonal limits on blasting within 50 metres of nest sites, and the submitted Peregrine Survey confirms that these measures adequately protect breeding birds during sensitive periods. Wider ecological receptors, including bats, great crested newts, badgers, reptiles, hedgehogs and invertebrates, are either absent or have negligible potential for disturbance, with any residual risks managed through pre-restoration checks and the adoption of a Construction Environmental Management Plan (CEMP) where necessary.
47. In regard to Biodiversity Net Gain (BNG), it is noted that applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. The original application was submitted before 12th February 2024, therefore this S73 variation of condition application is exempt from mandatory BNG.
48. The County Council Ecology team has raised no objection, concluding that the proposal includes sufficient mitigation and would not affect the favourable conservation status of the SSSI or adjacent habitats. The restoration scheme provides significant long-term biodiversity opportunities through native woodland, scrub, grassland creation, and aquatic habitats, consistent with Policies DM7 and DM12 of the LMWLP and with Policy En1 of the NWLLP.

#### Heritage / Archaeology

49. The quarry lies near a number of listed buildings and two Scheduled Monuments; however, as no lateral excavation is proposed, there is no encroachment towards heritage assets and no change in setting or visual influence.

50. The submitted Planning Statement confirms that all archaeological areas have been previously assessed or removed under earlier permissions, and no new ground disturbance will occur outside the established footprint. The proposal therefore complies with Policy DM8 of the LMWLP and Policy He1 of the NWLLP.

#### Traffic, Access and Parking

51. The proposed vertical extension does not require alterations to vehicle routing, access or HGV movements, which are controlled through existing planning conditions. Vehicles accessing / egressing the site will continue to utilise the existing site entrance on Stocking Lane and the established connection to the A42 and strategic highway network.

52. Both the Local Highway Authority and National Highways have confirmed that the proposal would not have any detrimental impact upon the local and strategic road network and raise no objection. Likewise, they confirmed that the internal and external road network can accommodate the proposal as there will be no increase in HGV numbers or alterations to design geometry or visibility arrangements.

53. Existing highway conditions remain effective, particularly those requiring wheel cleaning, road surfacing maintenance, vehicle sheeting and routing controls. As the proposal neither extends the life of the quarry nor results in higher extraction rates, cumulative transport impacts remain unchanged and acceptable, in accordance with Policy DM9 of the LMWLP.

#### Public Rights of Way

54. Public Rights of Way (PROW) in the vicinity of the quarry include the Cloud Trail to the west and several footpaths to the south of the site. None of these lie within the extraction area, and the proposed works do not require stopping up, diversion, or closure of any PROW. The existing visual and acoustic effects of quarrying upon users of nearby routes remain unchanged because all additional activity will occur at deeper levels within the void. The proposal does not encroach upon recreational corridors nor diminish public access to the surrounding countryside.

55. Additionally, the amended proposed restoration scheme includes the retention of PROW and permissive paths around the site perimeter. As such, the proposal complies with Policy DM10 of the LMWLP, which requires the protection of the existing PROW network during minerals operations.

#### Noise

56. There is the potential for increased noise impacts from the deepening operations. However, the site currently operates within established limits for normal operations (50 dB LAeq) and temporary works (70 dB LAeq), and the applicant has submitted an updated Noise Monitoring Scheme to reflect the transition from the southern extension back to the main quarry permitted under the 1996 permission.

57. As the proposal involves deepening rather than expansion, extraction activities will occur further below ground level, reducing the propagation of noise beyond the quarry rim. Additionally, the proposal does not seek to extend operating hours of the quarry. As such, any potential noise impacts will not occur over an increased period of time. Furthermore, neither the MPA nor local Environmental Health Officer (EHO) has received any noise complaints related to quarry operations within the last 12 months.
58. Existing mitigation measures – including plant maintenance regimes, use of effective silencers, controlled blasting times and the positioning of pumps to minimise noise – will continue to apply and is subject to regular monitoring by the MPA. The proposal therefore accords with Policy DM2 of the LMWLP and Policy D2 of the NWLLP.

#### Air Quality/Dust

59. Dust mitigation at Cloud Hill Quarry is managed by an established Dust Action Plan, which has been reviewed and updated to incorporate the proposed deepening operations. Environmental Health confirmed no objection, indicating that current dust control systems—including water suppression, regular road sweeping, controlled vehicle speeds, and stockpile management—remain effective and proportionate to the nature of the activity.
60. The potential for windborne dust emissions from the deepening of the extraction void will reduce because operations occur increasingly below the surrounding landform, however, there is potential for dust emission to arise from deposited overburden. Existing monitoring arrangements, complaint response procedures, and two-yearly reviews mandated by existing planning conditions continue to apply.
61. The proposal is therefore considered acceptable with respect to air quality and dust, in accordance with Policy DM2 of the LMWLP and Policy En6 of the NWLLP.

#### Odour

62. Mineral extraction at Cloud Hill Quarry does not involve infilling with putrescible materials however, the on-site processing can potentially produce odour. Statutory consultees, including the EA and EHO, have not raised any concerns regarding odour, and no changes to plant, materials or processes are proposed that could give rise to a potential increase in nuisance odour from extraction and processing of mineral at the site. Therefore, odour impacts from the proposal are considered negligible and the proposal accords with Policy DM2 of the LMWLP.

#### Hydrology and Hydrogeology

63. A detailed Hydrogeological Impact Assessment (HIA) and Flood Risk and Drainage Strategy accompanied the application, both of which were reviewed by the LLFA, which raises no objection to the development. The HIA notes that the quarry operates with long established dewatering systems, sump abstraction, and settlement ponds, all of which will continue with enhanced monitoring as the quarry deepens. The assessment concludes that the likelihood of increased groundwater

inflow or extended zones of influence is minimal due to the anticipated reduced transmissivity of deeper rock strata, with residual impacts assessed as negligible after mitigation. Pollution prevention measures—including bunding of fuel stores, sealed drainage systems, spill response kits and regular inspection—ensure compliance with industry standards and safeguard water quality.

64. A long-term monitoring regime is proposed, including groundwater level logs, suspended solid testing and rainfall correlation. This will be undertaken quarterly for the first 12 months and then reduced to 6 monthly. The hydrological concept model demonstrates no plausible pathway to impact abstractions, private water supplies, surface water features or the nearby SSSI. The proposal therefore satisfies Policies DM2 and DM1 of the LMWLP, with no adverse hydrological effects being anticipated.

#### Flood Risk and impact on Water Network

65. The Flood Risk and Drainage Strategy identifies that parts of the quarry void lie within Flood Zones 2 and 3 due to the potential for nearby Ramsley/Boden Brook to overtop during extreme events. However, the quarry acts as a large offline flood storage basin, and this behaviour will not change as the planform area of the void remains identical to the permitted scheme. The LLFA accept that flood consequences are negligible during both the operational and restoration phases because any ingress of floodwater would be managed by existing pumping systems during quarrying and would naturally equilibrate with groundwater levels once the quarry is restored as a lake. The long-term restoration lake provides around 4.35m<sup>3</sup> of excess storage above the expected waterline, further reducing flood risk downstream.

66. Surface water flood risk is unchanged, and the nature of Sustainable Drainage Systems (SuDS) in the restoration phase is inherent to the design of the quarry lake, which will act as a substantial infiltration basin.

67. The Environment Agency (EA) had raised concerns over the impact of the proposed deepening on groundwater quality, as no site specific data had been provided, However, further information was submitted in November and December 2025 which confirmed the use of existing practices and recommended measures to manage groundwater quality throughout the lifetime of the development. Additionally, sampling will be undertaken at quarterly intervals prior to the undertaking of deepening operations and regular once these have commenced. The EA is satisfied with this approach and raises no objection to variation of condition 2.

68. As such, the proposal accords with Policy DM2 of the LMWLP and policies Cc2 and Cc3 of the NWLLP, and no increases in flood risk elsewhere have been identified as a result of the proposal.

### Restoration, Aftercare and Long-Term Management

69. As part of the proposal to vary the working scheme at the quarry, an updated Restoration Plan has been submitted demonstrating a high quality, biodiversity focused after use that mirrors the permitted scheme.
70. Following cessation of mineral extraction and subsequent dewatering, the quarry will progressively fill to form a large waterbody surrounded by species rich grasslands, natural regeneration zones, scrub, and native woodland planting, with geological exposures preserved for education and conservation. The northern plant area will be restored to a mixture of wetland and woodland habitats with provision for recreational paths. Because the deepening occurs below the final waterline, it does not alter the final landform and instead increases the volumetric water storage and the potential for creating varied habitats along the shoreline. As such, the restoration scheme is in accordance with Policy DM12 of the LMWLP.

### Cumulative Impact

71. It is appropriate to consider the cumulative impact of a number of separate effects from a single site. Adverse cumulative impacts may include increased levels of noise or dust or impacts upon the local highway network.
72. There are no other live planning applications being considered within or surrounding the immediate vicinity of the site which would be relevant to the consideration of the proposed development. Therefore, the proposed development, when considered in addition to the existing operations onsite, would not result in adverse cumulative impacts in terms of local amenity, noise or other environmental pollution.
73. Statutory consultees have not raised any concerns regarding potential cumulative impact of deepening of the void for further mineral extraction. As such, the proposal is in accordance with Policy DM11 of the LMWLP.

### Other Issues

74. The submitted representation made reference to the nature of the quarry extension, stating that it would bring quarry operations 100m closer to the nearby village of Worthington. The proposed extension is vertical rather than lateral and the proposed operation would be contained within the existing quarry footprint. No expansion of the quarry boundary is proposed and as such, will not bring operations closer to residential properties or affect surrounding woodland and footpaths & bridleways.

### Updating conditions

75. A number of conditions attached to the planning permission to be varied (permission reference 2009/0939/07) are no longer relevant as they referred to earlier phases of development which are now complete. The opportunity has been taken to update the conditions so that those that are no longer relevant have been removed and those

which required information to be submitted, now refer to the submitted information. Those which were requested to be varied have also been updated. The applicant has had prior sight of the proposed amended conditions.

### Legal Agreement

76. Any grant of planning permission for the proposed development would be subject to the prior completion of a legal agreement to secure provisions for a liaison committee. The applicant would be expected to cover all reasonable costs incurred by the County Council in the drafting and execution of this agreement.

### **CONCLUSION**

77. This application seeks approval for a Section 73 application to vary Condition 2 of planning permission ref. 2009/0739/07, enabling the deepening of the existing extraction void at Cloud Hill Quarry. The development remains wholly within the established quarry footprint, introduces no lateral expansion, and maintains the existing cessation date, ensuring that the fundamental nature, scale and extent of the quarrying activity remain unchanged. The proposal makes a significant and necessary contribution to maintaining Leicestershire's crushed rock landbank, and safeguards continued supply of a strategically important mineral resource, as required by the NPPF and LMWLP.
78. Technical assessments, including LVIA, ecology, hydrogeology, noise, dust and traffic, demonstrate that there will not be any significantly detrimental effects of the proposal, owing to the contained nature of the deepening works. No objections have been raised by statutory consultees, and existing planning controls, environmental mitigation and monitoring regimes remain in place. The submitted, updated restoration concept maintains the high-quality biodiversity-led after use already permitted, while offering enhanced water storage capacity and long-term habitat creation.
79. No unacceptable cumulative, amenity, environmental or heritage impacts have been identified. Accordingly, the proposal accords with the relevant policies of the LMWLP and NWLLP and represents a sustainable and justified refinement of the quarry's operational scheme. It is therefore recommended that planning permission be granted subject to the conditions set out in Appendix A and a s106 legal agreement to secure the formation and operation of a liaison committee.

### **STATEMENT OF POSITIVE AND PROACTIVE ENGAGEMENT**

80. In determining this application, the Mineral Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussion; assessing the proposal against relevant Development Plan policies; all material considerations; consultation responses and valid representations received. Issues of concern have been raised with the applicant and addressed through the submission of updated dust and noise management schemes. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

**RECOMMENDATION**

81. PERMIT subject to the conditions set out in Appendix A and the prior completion of a S106 legal agreement requiring the formation of a liaison committee

**OFFICER TO CONTACT**

Rob Tollyfield (0116 305 2733)

Email: [planningcontrol@leics.gov.uk](mailto:planningcontrol@leics.gov.uk)