Location of Proposed Development

1. Mountsorrel Quarry covers 200 hectares of land, including the main quarry extraction area, stone processing plants, ready-mix concrete plant and coated roadstone plant. It also includes the operational rail sidings adjacent to the main Leicester-Sheffield railway off Sileby Road, Barrow-upon-Soar.

2. The rail facility is bounded by an industrial estate to the north-west, the mainline railway to the north, a concrete products works to the south-east and Sileby Road to the south. The nearest residential properties lie to the south of Sileby Road, on Huston Close.

Description of Proposal

3. Lafarge Aggregates Limited has applied for permission to install additional storage bins at the Barrow Rail Sidings. Lafarge state that the sidings are a vital component of the quarry operation, enabling approximately 55% of dry quarry products to be distributed by rail. Products include rail ballast, single sized material and sub bases.

4. The rail facility comprises a rail head linked to the main quarry feed conveyor via secondary conveyors, a transfer shed and storage bins. The existing storage bins have a maximum height of 19.5 metres. Trains are loaded direct from the quarry conveyor feed or via stored material in the bins. Other existing structures include a control room, office, fitting shop as well as rail lines and localised product storage. The Company considers that the facility is generally well screened from external view by vegetation and a recently constructed and planted acoustic and visual screen mound.

5. The proposed additional storage bins would be sited close to the existing bins and would require minor modifications to the supply conveyor. It would occupy ground presently comprising hardstandings and conveyor support structures. The key features of the proposed plant would be:
6. The Company state that the proposed development will improve the operational effectiveness of the facility and that the additional storage bins will allow the percentage of rail distributed quarry products to increase by about 10%, thereby reducing road haulage. It is anticipated that the additional storage bins will allow 2 extra trains to be loaded. This is the equivalent of 120 lorry loads per day, on the basis of each train carrying 1500 tonnes and an average lorry load of 25 tonnes.

7. The Company have carried out noise and dust assessments. These conclude that the proposal development would have an insignificant effect on the existing noise climate and the small increase in material movements proposed is unlikely to produce a measurable increase in dust emissions. The noise assessment does however recommend additional acoustic screening at the south-east end of the existing mound adjacent to Sileby Road and at the railhead distribution point.

8. Vehicular access to the site is off Sileby Road. Traffic is restricted to employee commuting, works deliveries and maintenance. There would be no increase in road traffic as a result of the proposed development, other than during the construction period.

9. The Company considers that the existing storage bin structure would effectively screen the proposed development to views from the south east, east and north east, and that the additional bins would be substantially screened from nearby housing by the planted mound and, to a limited extent, roadside hedging. The additional bins would appear at a lower overall level than the existing bins behind. It is concluded that the effect of the new bins would be slight given the similarities of form, colour and the limited areas of the development that would be in view.

Planning History

10. Planning permission was granted for the extension of granite extraction at Mountsorrel Quarry in June 1994. This permission covers the whole of the Quarry, including associated plant and rail operations. Condition No. 12 of the permission states that:

“Notwithstanding the provisions of the Town and Country General Development Order 1988, no buildings, plant, structures or machinery (excluding mobile plant and machinery) shall be erected or replaced on any part of the site without the prior approval in writing of the Mineral Planning Authority, given following the submission of details and plans showing the location and (where appropriate) external appearance of the buildings, plant, structures, or machinery to be erected or replaced”.
Planning Policy

11. The current Development Plan for the application site comprises the Regional Spatial Strategy for the East Midlands (RSS8), the Leicestershire Leicester and Rutland Structure Plan (2005), Leicestershire Minerals Local Plan (1995) and the Borough of Charnwood Local Plan. The principal policy considerations relevant to the current planning application are set out below.

12. Policy 2 of the Minerals Local Plan states that the assessment of all proposals for mineral extraction will take account of, amongst other matters, the effect on the local environment. Part (b) of this policy covers proposals for buildings and sets out 5 criteria against which proposals will be considered. Briefly, these cover siting and visual appearance; screening; extent of improvement to operation; character of surrounding area; and, design and potential nuisance.

13. The Barrow Rail Sidings is identified in the Borough of Charnwood Local Plan as lying within a ‘Primary Employment Area’, which extends to the east and west of the site between Sileby Road and the mainline railway. Policy E/7 of the Plan states that, in determining planning applications within such Areas, account will be taken of, amongst other matters, the environmental impact of the proposed development and the protection of residential amenities.

Consultations

Charnwood Borough Council (Planning)

14. No reply received at the time this report was published.

Charnwood Borough Council (Environmental Health)

15. There are no historical complaints from residents around the sidings about noise or dust. It is noted that the application states that it is proposed to operate within the current consented working hours and within the parameters set out by the current noise and dust monitoring system. Pleased that the working hours restriction will remain. Recommends the imposition of conditions to ensure that the existing environmental conditions remains the same, and that the new bins will not lead to a measurable deterioration in the local amenity of the environment.

Barrow upon Soar Parish Council

16. No objection.

Publicity

17. Neighbour notification letters were sent to residential properties in the vicinity of the proposed development informing people of the Company’s proposal.
Representations Received

18. Following the neighbour notification correspondence, 3 letters of objection have been received from residents living on Huston Close. The following areas of concern are raised:

- Increased use of feeder conveyor belt from the quarry to the storage bins will mean more noise, dust and disturbance
- Dust levels already unacceptable and the extra storage facility will only increase the dust problems
- Trees that have been planted will not help to obscure the bins

Assessment of Proposals

19. Policy 2 of the Minerals Local Plan states that proposals for buildings, plant and other forms of construction or engineering works will be assessed in the light of the following considerations:

i. The siting and visual appearance of the development including its height, scale and colour;
ii. Screening of the development;
iii. The extent to which the development will contribute to an improvement in the efficiency of mineral working;
iv. The character of the surrounding area;
v. The design of the development and the anticipated generation of noise and dust and any other nuisance.

20. The new storage bins and conveyors will have a local impact on the landscape of the area when viewed from Sileby Road and the adjacent industrial estate. In addition the new development is visible from the A6. There is landscape planting on bunds around the existing storage bins that has established but will not have a screening effect for a number of years. Mature tree and shrub planting adjacent to Sileby Road provides some screening of the existing storage bins and will also mitigate the impact of the new development. There is little opportunity on site to carry out further construction of new bunds with landscape planting to screen the new development.

21. The proposed plant would however be situated in an area that is already characterised by industrial plant and structures. The proposed new storage bins are approximately 2 metres lower than the highest point of the existing bins. It is not therefore considered that in visual terms the proposed additional plant would be detrimental to the amenity of the area.

22. Lafarge state that the additional storage bins will improve the operational effectiveness of the existing rail facility and will enable the amount of rail distributed quarry products to be increased. This accords with Resource Management Policy 12 of the Leicestershire, Leicester and Rutland Structure Plan and Policy 4 of the Leicestershire Minerals Local Plan which encourage the use of rail as a means of transporting minerals wherever reasonably practicable.
23. Lafarge do not consider that the additional storage bins would cause any increased levels of noise or emissions from the site. The Company's noise assessment suggests that the predominant noise is from traffic sources in the area and that the impact of the new storage facility will be negligible. The Company's dust assessment concludes that the development is unlikely to produce a measurable increase in dust emissions. Charnwood Borough Council's Environmental Health Officer considers that both assessments are satisfactory in terms of their methodology and findings.

24. The existing planning permission covering the site contains conditions to control noise and dust. The Company's noise assessment recommends additional acoustic screening. This can be required by the imposition of a condition. Charnwood Borough Council's Environmental Health Officer has also recommended the imposition of certain conditions in relation to dust to ensure that the new bins will not lead to a measurable deterioration in the local amenity of the environment.

25. In conclusion, provided that conditions are imposed to protect local amenity, it is not considered that the proposed additional storage bins at the Barrow Railhead are likely to give rise to an unacceptable level of impact. The proposed development does not conflict with development plan policy and, consequently, it is recommended that approval is granted.

**Recommendation**

That Lafarge Aggregates Ltd be informed that their request relating to the installation of additional storage bins, as set out in the statement and associated drawings accompanying the letter from David Jarvis Associates dated 1st March 2005, be **APPROVED** subject to the following conditions:

1. Unless otherwise required by the conditions below the development shall only be carried out in accordance with the conditions attached to planning permission Nos. 91/2240/2 dated 29th June 1994.

2. The development hereby permitted shall commence within 3 years from the date of this permission. Written notification shall be given to the Director of Community Services within 7 days of the new storage bins being brought into use.

3. This permission relates to the installation of additional storage bins on land edged red as shown on drawing no.1576/1 submitted with the letter from David Jarvis Associates dated 1st March 2005.

4. Unless otherwise approved in writing by the Director of Community Services, the development shall be carried out in accordance with the statement and associated drawings accompanying the letter from David Jarvis Associates dated 1st March 2005.

5. No monthly average reading from the front of the dust deposition gauge at the Barrow Railhead shall exceed 1200 milligrams of dust per cubic metre per day.
6. No annual average reading from the front of the dust deposition gauge at the Barrow Railhead shall exceed 380 milligrams of dust per cubic metre per day.

7. In the event that dust levels exceed the levels set out in condition nos. 5 and 6 above, appropriate remedial measures shall be agreed with the Director of Community Services and undertaken as soon as reasonably practicable.

8. Details of the additional acoustic screening at the south-east end of the existing bund adjacent to Sileby Road and at the railhead distribution point (as recommended in the noise report ref. R05.3973/1/LD dated 28.4.05) shall be submitted to and approved in writing by the Director of Community Services. Such screening shall be carried out in accordance with approved details before the storage bins are brought into use.

**Background Papers**

Planning permission no. 91/2240/2 dated 29th June 1994.


**Circulation Under Sensitive Issues Procedures**

Mr. A. M. Kershaw C.C.
Mr. P.C. Osborne, CC

**Officer to Contact**

Mr. N.K. Hunt (Tel. 0116 265 7042)
E-Mail: planningcontrol@leics.gov.uk
DEVELOPMENT CONTROL AND REGULATORY BOARD

The considerations set out below apply to all preceding applications.

EQUAL OPPORTUNITIES IMPLICATIONS

Unless otherwise stated in the report there are no discernible equal opportunities implications.

IMPLICATIONS FOR DISABLED PERSONS

On all educational proposals the Director of Education and the Director of Resources will be informed as follows:

Note to Applicant Department


You are advised to contact the County Council’s Assistant Personnel Officer (Disabled People) if you require further advice on this aspect of the proposal.

BACKGROUND PAPERS

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

SECTION 54A OF TOWN AND COUNTRY PLANNING ACT 1990

Members are reminded that Section 54A of the 1990 Act requires that:

“Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”

Any relevant provisions of the development plan (i.e. the Structure Plan or any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to “have regard” to the development plan are:

Section 70(2) : determination of applications;
Section 77(4) : called-in applications (applying s. 70);
Section 79(4) : planning appeals (applying s. 70);
Section 81(3) : provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991);
Section 91(2) : power to vary period in statutory condition requiring development to be begun;
Section 92(6) : power to vary applicable period for outline planning permission;
Section 97(2) : revocation or modification of planning permission;
Section 102(1) : discontinuance orders;
Section 172(1) : enforcement notices (the phrase occurs also in the new s. 172 which is substituted by the Planning and Compensation Act 1991, but not in the new provisions relating to planning contravention notices (new s. 171C) and breach of condition notices (new s. 187A);
Section 177(2) : Secretary of State’s power to grant planning permission on enforcement appeal;
Section 226(2) : compulsory acquisition of land for planning purposes;
Section 294(3) : special enforcement notices in relation to Crown land;
Sched. 9 para (1) : minerals discontinuance orders.