Background

1. In 1983 the County Council granted planning permission for the development of a new quarry at Stud Farm (New Cliffe Hill Quarry) to the west of Stanton village. Until that time quarrying had taken place at what is now referred to as the Old Cliffe Hill Quarry site to the east of Stanton village.

2. As part of the 1983 planning permission, a condition was imposed which restricted the permitted development rights of the applicant in order that the Mineral Planning Authority could retain control over development at Old Cliffe Hill.

3. In 1989, production at Old Cliffe Hill was put on hold with provision for returning to extract the remaining reserve via a conveyor link between the two sites once reserves at New Cliffe Hill were nearing exhaustion. The plant was removed, and the electricity (supplied via a main near the access) disconnected.

4. As the remaining permitted reserves in New Cliffe Hill quarry are now reducing, various preparatory works for the recommencement of operations at Old Cliffe Hill are now taking place.

5. As part of these preparatory works, the applicant is seeking to re-establish an electricity supply to the Old Cliffe Hill site.
Location of Proposed Development

6. Old Cliffe Hill quarry is located to the east of Stanton-under-Bardon and is approximately 0.5km west of the M1.

7. The location of the proposed electricity sub station is at the outer toe of the north western screening bund, just off Cliffe Hill Road between its junctions with Main Street and Elbow Lane.

Description of Proposal

8. In connection with the forthcoming re-opening of Old Cliffe Hill Quarry, the applicant wishes to re-establish an electrical supply to the site. The previous supply (which was disconnected in 1989) via a main near the access to the quarry no longer has enough power available from this route as other industrial/commercial developments have taken up the capacity in the area.

9. The applicant is therefore proposing to establish a new electrical supply to the site. In order to do this, East Midlands Electricity Board would wish to install an electrical sub-station at Old Cliffe Hill Quarry on the outer banks of the screening bunds at the top of Main Street, Stanton-under-Bardon. (As shown on the plan attached to this report).

10. The proposed sub-station would comprise a green, flat roofed structure manufactured from glass reinforced plastic of dimensions 4m wide x 3 m deep by 2.5m high. It would have a double door at the front and a single door at the back and vents at either side.

11. It is proposed that access would be available to the substation off the entry into Elbow Lane, although only infrequent access would be required following the proposed establishment of the substation.

12. The applicant has confirmed that the apparatus would be contained within the building and that East Midlands Electricity do not envisage any noise nuisance arising from the electrical apparatus that would be installed.

Planning Policy

13. Policy 2 of the Minerals Local Plan covers assessment of Proposals. Part (b) of this policy covers proposals for buildings, plant and other forms of construction or engineering works and sets out five criteria against which proposals should be considered. Briefly these cover; siting and visual appearance; screening; extent of improvement to the operation; character of surrounding area and design and potential nuisance.
Consultations

Hinckley and Bosworth Borough Council – Planning

14. Hinckley and Bosworth Borough Council, as Local Planning Authority for the area, has no objection to this proposal subject to the existing vegetation being retained and augmented with additional screen planting, if appropriate, and the installation being removed when no longer required for the quarry operations.

Hinckley and Bosworth Borough Council – Environmental Health

15. No objection.

Stanton-under-Bardon Parish Council

16. No objection.

Assessment of Proposals

17. These proposals would establish a new mains power electricity supply to Old Cliffe Hill Quarry to supply the plant and machinery. Without it, generators would be required which would be unsustainable and uneconomic.

18. The structure would be visible from outside the quarry but is very low (only 2.5m high), is of a colour that will blend in with its surroundings and will be partially screened by the existing fence and hedgerow.

19. Having regard to the above it is considered that the proposals conform to Policy 2 of the Minerals Local Plan in terms of screening, improvement to operations and potential nuisance. Consequently the proposal is recommended for approval.

Recommendation

That Midland Quarry Products be informed that their request for approval of the proposed electricity substation be APPROVED subject to the following conditions:

1. The substation shall be laid out in accordance with the details contained in the statement and drawing (no. A2/6433) accompanying the submission dated 14th February 2003.

2. Unless otherwise required by the conditions attached to this approval the development shall be carried out in accordance with planning permission 1980/1437/4 as amended by the details contained in the submission dated 14th February 2003 under condition 19 of permission 1980/1437/4.

3. No development shall take place until the external colour of the substation has been approved in writing by the Director of Community Services.
4. Any hedgerows or plants that have been removed or damaged as a result of carrying out the development hereby permitted shall be replaced in the next available planting season in accordance with a scheme that has been previously agreed in writing by the Director of Community Services.

5. Unless otherwise agreed in writing by the Mineral Planning Authority the development hereby permitted shall be cleared and the site restored in accordance with a scheme previously agreed in writing by the Director of Community Services within 6 months of the permanent cessation of quarry operations at Old Cliffe Hill.

Reasons

1&2 For the avoidance of doubt.

3 & 4 In the interests of the visual amenity of the area.

5 The development is of a type not considered suitable for permanent retention and to ensure the site is satisfactorily restored within a reasonable time period.

Policies and Proposals in the Development Plan Relevant to the Decision


Background Papers

1. Planning permission 1980/1437/4

2. Letter from Midland Quarry Products Ltd dated 14th February 2003 and consultation responses kept on department of Community Services file no. 80/1437/4.

Circulation Under Sensitive Issues Procedures

Mr. D. A. Sprason C.C.

Officers to Contact

Miss. J. Kaslik (Tel. 0116 265 7326)
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.