

Bottling Plant Planning Application

Below are my personal views about planning application **DMPA/2023/1646** which I am sharing in response to the recent discussion on the CB What's App group. You are welcome to use the information below, preferably in your own words, but please bear in mind that I am not a Planning Consultant and that these are my personal views from reading the Local Plan policies and the planning application supporting documents.

Julia Williams, 5 March 2023

My understanding of planning application **DMPA/2023/1646** is that it is for the raising of the height of an already approved warehouse by 15m (from the existing approved height of 21m to 36 metres), providing 6 new silos (16m in height) and small amendments to the building footprint of the approved western production hall.

I think that raising the building height would have a significant effect on the visual impact and would contravene the Local Plan policies:

Policy BNE1 which requires that new development "*should not have an undue adverse affect on the privacy and amenity of existing nearby occupiers*".

Policy BNE4 which states "*Development that will have an unacceptable impact on landscape character (including historic character), visual amenity and sensitivity and can not be satisfactorily mitigated will not be permitted*".

Policy SD1 which states that "*the Council will support development that does not lead to adverse impacts on the environment or amenity of existing and future occupiers within or around proposed developments*". The Council will also take into consideration "*the need for a strategic buffer between conflicting land uses such that they do not disadvantage each other in respect of amenity issues, such as odours, fumes, or dust and other disturbance such as noise, vibration, light or shadow flicker.*"

Policy E5 which requires development at Dove Valley Park to be designed to mitigate potential adverse visual impacts, by such means as careful siting of buildings, **control of building heights** and appropriate landscaping.

The Landscape Visual Impact Assessment for the original planning application for the bottling plant (**DMPA/2019/1205**) stated that there would be no views of the proposed building in Church Broughton to the north of the site due to the intervening vegetation on the southern edge of the village and that the view from the northwest would be restricted to a very limited view near Harehill near Boylestone.

This assessment was clearly incorrect as the 21m tall Phase 1 building that has been built is much taller and more intrusive than expected and has adversely impacted the local rural landscapes viewed from houses, gardens, public footpaths and the local lanes. *I suggest people add photos to demonstrate this. You can't add photos if you are commenting on the planning portal, you have to email your comments to the planners with the photos or just send a separate email referencing your comments on the planning portal.*

The applicant is now seeking permission to increase the height of the Phase 2 southern warehouse from 21m to 36m. This would have a much greater adverse visual impact than the constructed Phase 1 warehouse as it will be well above the tree level.

The height of the proposed raised warehouse would be closer to 38m as the 36m relates to the eaves height and not the ridge height. There may also be 1.7m high parapets around the roof edge.

A Landscape Visual Impact Assessment (LVIA) dated December 2023 has recently been added to the Planning Portal. With reference to the 36m high warehouse it states that:

“In most cases, views of the buildings at DVP are restricted to near distance views from the rights of way in the vicinity of the Site”

“intervisibility is somewhat intermittent and views are frequently prevented by intervening field boundary vegetation and by topography”

“Beyond the local area, the proposals will have a limited impact on the wider landscape character. In the relatively limited occasions where long distance views of the building are available it is visible as part of a much wider panorama and within the context of existing development at DVP, although given the size and height of the building it will form a notable addition to the industrial park.”

The Design & Access Statement Conclusion states that *“the impact on the local landscape, natural environment and cultural heritage assets do not give rise to undue impacts.”*

Since the 21m high Phase 1 warehouse is already very visible from many locations, the much higher Phase 2 warehouse would not be limited to “occasional views between trees” as suggested in the LVIA but would be very visible and significantly higher than the treeline.

The Visualisation drawing shows the proposed raising of the building to be massive in scale. The only mitigation proposed is a banded colour scheme for the cladding but the Visualisation drawing shows that this will not reduce or minimise the visual impact.

There are on-going issues of excessive noise from compressors and excessive lighting from Phase 1 which is having a significant negative impact on local residents. These issues have not yet been resolved by the plant operator and are only likely to get worse when more plant and equipment (including compressors) is added during Phase 2 and the lighting is increased for the proposed 24/7 working hours.

No new landscaping proposals have been submitted to improve the screening to the north. The views of the Phase 1 building show that it will not be physically possible to screen the view of the taller building through additional tree planting.

The proposed biodiversity mitigation scheme is located on the south side of the A50 so will be of no benefit to our local wildlife and communities. There is space to the east of the site to carry out local mitigation works where a green space could be provided to offset diversity loss and provide wildlife habitat and a recreational area for the employees and local residents, but this has not been proposed. Raising the lower section of the bund along Heath Top at the east end of the site to reduce the visual and noise pollution to the closest residents has also not been proposed.

The proposal to raise the southern warehouse at the Bottling Plant will adversely impact the landscape character, environment and amenity of existing nearby occupiers and local communities, affecting people’s wellbeing and happiness. These adverse impacts cannot be mitigated due to the proposed height of the southern warehouse and therefore the development contravenes Local Plan Policies BNE1, BNE4 and SD1 and E5.

Other points of note

I have spotted discrepancies in the documents, including the following:

The Design & Access (D & A) statement says that the proposed increased height of the southern warehouse is to provide “additional contingency buffers in terms of water and end product storage providing substantial operating benefits”. This is not consistent with the statement that the proposed raising of the building is critical for the business.

The D & A Statement states that the additional storage is required to allow them to respond to fluctuations in demand, e.g. during heat periods, but this is inconsistent with another statement that says that the proposals would not result in any increase in operational vehicular movements and that the factory operating hours will increase to 24 hours, 7 days a week.

The Noise Impact Assessment (NIA) notes that HGV delivery movements for loading and unloading are expected to be between 06-00 and 22-00. However, the same page assumes that there could be up to 47 HGV loading/unloading cycles per hour in the daytime and 12 HGV loading/unloading cycles per 15 minutes **at night time**. The change in planned HGV operations/movements must be clarified (or conditioned if planning permission is granted) to ensure that there are no HGV movements at night.

SDDC may decide that the economic benefits outweigh the significant adverse impacts on the landscape and local communities. I will therefore be including conditions that I think should be imposed on the developer to mitigate some of the impacts in case planning permission is granted. My thoughts are: no night-time or weekend HGV movements (as stated in the D & A statement), no construction traffic on Woodyard Lane, no operational traffic on Woodyard Lane, providing biodiversity mitigation in the local area, providing tree planting schemes to create woodland corridors and help screen the views, provide recreational amenity area, require the applicant to make a contribution to local Community projects, including resurfacing Woodyard Lane to repair the damage caused by Phase 1 construction, etc.