

**Consultation Response from Mike Hibbert,
KC Waste Strategy(Refuse & Recycling)**

2023/91812 railway line and associated land between, Huddersfield and Westtown (Dewsbury), within the Order Limits of The Network Rail (Huddersfield to Westtown (Dewsbury), Improvements Order 2022

Discharge conditions 5, 6, 7, 10, 12, 16 of the Deemed Planning Permission granted by the Department for Transport in relation to The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements Order 2022, Stage 4 of the Development

Date Responded: 13/07/2023.

Responding Officer: Mike Hibbert

Responding Ref: WPS 23-038

NOTES/COMMENTS:

The following comments are made without prejudice and purely from the point of view of the Waste Collection Authority. They are intended to help create an environment that functions safely and efficiently for waste management.

The application is for the **Discharge conditions 5, 6, 7, 10, 12, 16 of the Deemed Planning Permission granted by the Department for Transport in relation to The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements Order 2022, Stage 4 of the Development**

The condition relevant to the Waste Collection Authority is **5b(iii): Waste Management Plan – Stage 4**

Stage 4 comprises the main civils works at Huddersfield Station and Huddersfield Viaduct (Stage 4 limits are set as Westgate Overbridge and Hillhouse Lane Underbridge) and are set out in Table 2-1, as well as links to the relevant planning drawings. Figure 1 in Appendix A shows the geographical locations of the works.

The wording of Condition 5b(iii) is reproduced as follows:

5.a) No stage of the development (including preliminary works) is to commence until a Code of Construction Practice (CoCP) Part B for that stage, including the relevant plans and programmes referred to in (b) below (which incorporates the means to mitigate the construction impacts identified by the Environmental Statement), has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt this does not include approval for Part A of the CoCP (a general overview and framework of environmental principles and management practice to be applied to the scheme along with all construction-led mitigation identified in the Environmental Statement) which has been submitted as part of the Order.

5.b) Part B of the CoCP (as defined in the Environmental Statement: Volume 3, Appendix 2-1 Code of Construction Practice (Part A), Section 1.2.5) must include the following plans and programmes, for each stage as defined in condition 3:-

iii) A waste management plan;

The development must be implemented in accordance with the approved CoCP and the relevant plans or programmes unless otherwise agreed in writing with the local planning authority shall be implemented in full throughout the period of the works.

To support the discharge of this condition the applicant has submitted **Document reference: 151667-TSA-00-TRU-REP-W-EN-001241 Network Rail June 2023**

With reference to Kirklees Metropolitan Council Local Plan Strategy and Policies 2019 Section 16.4 states: - In the National Planning Policy for Waste, central government sets out its commitment to the aims for sustainable waste management which are summarised in the 'waste hierarchy':

The Authority welcomes the proposal in the 5b(iii): Waste Management Plan – Stage 4 Section 5.1.2 to reuse excavation waste through the CL:AIRE protocol and 5.1.3 the requirements of the waste hierarchy will be enforced where possible, and the duty of care placed on all parties to take responsibility for protecting the interests and safety of others from the potential effects of handling, storing, transporting and depositing of excavated materials and wastes.

The statement of compliance with waste legislation as detailed in Section 5.2.1 is noted.

5.2.1 The TRU West Alliance, on behalf of Network Rail, shall take all reasonable steps to ensure that:

- All waste from the site will be dealt with in accordance with the waste Duty of Care as set out in Section 34 of the Environmental Protection Act 1990 (as amended) and Defra's Waste Duty of Care Code of Practice (November 2018);
- Greater emphasis is put on the waste hierarchy to ensure that waste is dealt with in the priority order of: prevention; preparing for re-use; recycling; other recovery (for example, energy recovery); disposal, as per the Waste Regulations 2011 (as amended); and
- Materials will be handled efficiently, and waste managed appropriately.

5.2.2 Hazardous waste produced will be disposed of in compliance with the Hazardous Waste (England & Wales) Regulations 2005 (as amended).

It is stated in Section 5.2.5 Waste management facilities "As the Scheme progresses, permitted waste facilities will be identified and the SWMP will be updated to include the details on waste facilities and quantities of wastes removed from site."

Section 5.4.7 states" As information becomes available the anticipated waste generation figures will be updated prior to start on site."

- **A list of proposed sites and data for waste arisings is requested, so the WCA can assess impact of Stage 4 and other stages on available waste treatment, recovery and disposal capacity within the Authority and surround area.**

The Waste Collection Authority can confirm that the proposals are satisfactory, and that Condition 5b(iii): Waste Management Plan – Stage 4 can be discharged.