

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

**2024/91591 Land off, Bankwood Way, Birstall Retail Park, Birstall, Batley, WF17 9DT**

**Variation conditions 2-6, 15, 29 on previous permission 2021/92528 for erection of retail development, associated parking, servicing areas and landscaping**

**Date Responded: 12/08/2024.**

**Responding Officer: Mike Hibbert**

**Responding Ref: WPN 24- 025**

**NOTES/COMMENTS:**

The following comments are made without prejudice and purely from the point of view of the Waste Collection Authority.

To meet the requirements of the Authority the following issues need to be addressed. Solving these will help create an environment that functions safely and efficiently for waste management. This will also enable the development to better meet the Kirklees Council policy requirements and the Kirklees Highway Design Guide SPD in respect of waste collection. Ultimately this will be to the benefit for customers, Lidl GB Ltd / Home Bargains managers, and waste contractors for the lifetime of the development.

The application relates to the development of Lidl and Home Bargains retail premises.

The applicant has submitted PROPOSED SITE/SURFACING PLAN – PLANNING Ref 7404 - SMR - 00 - ZZ - DR - A - 2003 - A3 – Rev C9 dated 01.05.24. and a Design and Access Statement Dated 2024.

**Waste storage and presentation:**

Section 75(7) of the Environmental Protection Act 1990 defines waste produced by the premises as Commercial waste. The WCA does not have a duty to collect commercial waste but would if requested provide a chargeable trade waste collection service,

Regardless of the contractor used the WCA does want to ensure the new development has appropriate waste storage capacity on site for a range of source separated wastes and to maximise recycling and efficient collection. Appropriate waste storage is vital to prevent escape of waste, odour, or vermin problems. Any producer of controlled waste must ensure compliance with Section 34 Duty of Care etc. as respects waste.

It is not clear as to the exact composition or quantity of waste that is expected to be generated but it is likely to correspond closely to the arisings from the existing Lidl stores.

The applicant has stated that “Lidl will optimise each delivery by returning all waste to the distribution depot on a lorry’s return journey and there are no separate waste collections made to their stores.”

In the case of Home Bargains, it is stated “Waste produced by all stores is collected and sent back to the main office depot for recycling and reuse if possible in compliance with Packaging Waste Regulations 2007.”

It is welcomed that both companies have established waste management arrangements for the proposed premises.

**Refuse Collection Vehicle access:**

- Suitable site access and manoeuvrability space for a Refuse Collection Vehicles is vital to collect waste from any premises. Reversing of RCV's and skip wagons is a recognised safety risk (particularly in locations such as shopping centres with proximity to members of the public). and therefore, if not all waste is collected by the reverse logistic operations there will need to be provision of vehicle turning points and good layout of skip/ wheeliebin compounds should be a critical consideration in the layout of the site.
- Parked cars are a perpetual problem for RCV access, and it is important to account for potential parking spaces even where these are undefined.

**Full detailed guidance on waste management requirements can be found in in the [Kirklees Waste Management Design Guide 2020](#) (available on the Planning advice notes page at: <https://www.kirklees.gov.uk/beta/planning-applications/guidance-and-advice-notes.aspx>)**

Waste policy context:

- Local Plan Policy LP43 Waste Management Hierarchy “The council will encourage and support the minimisation of waste production and support the re-use and recovery of waste materials including, for example, recycling, composting and Energy from Waste recovery”.
- Scheme design should conform to Building for a Healthy Life (2020); Building Regulations 2010 part H6; and British Standard 5906:2005 Waste Management in Buildings Code of Practice.
- Further advice on Highway matters is contained in the [Kirklees Highway Design Guide SPD](#) which can be found at <https://www.kirklees.gov.uk/beta/planning-policy/adopted-supplementary-planning-documents.aspx>