

# **Planning Application – Proposed New “Return Point” for Scottish Deposit and Return Scheme**

## **Fraserburgh**

### **Statement**

28<sup>th</sup> February 2021

**Prepared on behalf of Lidl Great Britain Ltd**

Contact: Keith Hargest

Tel: 07977 982537

Email: [keith.hargest@btconnect.com](mailto:keith.hargest@btconnect.com)

**Hargest Planning Ltd**

---

## Introduction

1. This Statement has been prepared in support of a planning application for the provision of a new "Return Point" located at the existing trolley bay area at the Lidl foodstore, Fraserburgh. This provides for the return of single-use packaging for drinks which will enable Lidl Great Britain Ltd to meet their obligations under the Scottish Deposit and Return Scheme thereby supporting increased recycling of packaging materials.

## Scottish Deposit and Return Scheme

2. The Scottish Deposit and Return Scheme was passed by the Scottish Parliament in May 2020. The aim of this scheme is to help improve the quality and quantity of recycling thereby reducing litter and assist in achieving the country's climate change targets. The scheme is regulated through Scottish Statutory Instrument 2020 No. 154. The principal features of the scheme are:

- It applies to all drinks that are sold in single-use packaging.
- It requires the payment of a 20 pence deposit to be paid by consumers when purchasing such drinks (Reg 5).
- All retailers of these drinks are required under the regulations to operate a "Return Point" for the collection of single use packaging and for the redemption of deposits. This packaging would be retained for collection by the producer (Reg 20).
- The Regulations provide for only a small number of exceptions to the requirement to provide Return Points, for example if the layout of the retail premises is such that this could result in a breach of other regulations such as health and safety or fire risk (Reg 22).
- The commencement date for the operation of this scheme in 1<sup>st</sup> July 2022.

## Permitted Development for Reverse Vending Machines

3. The machines for the collection and retention of packing and the reimbursement of deposits paid are frequently termed "reverse vending machines". These would be accommodated within the Return Point which would be located within the foodstore's existing Trolley Bay adjacent to the entrance to the store. Given the importance of having the necessary infrastructure in place for the "Return Points" the Scottish Government has extended permitted development rights to include new reverse vending machines together with their associated buildings, canopies and enclosures. This is covered by the Town & Country Planning (General Permitted Development) (Reverse Vending Machines) (Scotland) Amendment Order 2020 which introduced a new Class 9H in the GPDO which allows the installation, alteration or replacement of a reverse vending machine (including its building etc) either within the wall or curtilage of a shop without the need for express planning permission (subject to specific restrictions).
4. The current proposal only requires planning permission because the height of the proposed enclosure exceeds 3.5m. However, it should be noted that the proposed facility is entirely enclosed within the existing

canopy of the store and the proposal neither increases the height of the canopy nor extend beyond the front of the canopy at any point.

5. The proposed Return Point will result in the loss of the existing trolley bay located adjacent to the store entrance. The planning application therefore includes a proposed new replacement trolley located within the store's car park.

## **Key Planning Issues**

6. The proposal is to provide a new Return Point which contains the reverse vending machines for the receipt of single-purpose packing/containers for drinks. This Return Point is located at the position of the existing trolley store adjacent to the store entrance and amends the external appearance of the building. The provision of the Return Point ensures that Lidl fully meets the requirements of the Scottish Deposit and Return Scheme. It will, therefore, provide a significant environmental benefit in support of sustainable development in that it will encourage re-use and recycling of packaging materials in line with the Scottish Government's aims and objectives.
7. The appearance of the entrance will match the existing building and it will, therefore, have minimal effect on the appearance of the building as a whole.
8. When using the Return Point pod customers will be entirely within an enclosed area within the building envelope. This will ensure that this will not have any effect on the amenity of nearby neighbours and other sensitive premises. Noise (from both customers and the reverse vending machines) will be fully screened by the walls and glazing and customers will be inside rather than outside the building. As noted above General Permitted Development Order Class 9H establishes the principle that, subject to limited exceptions, this type of development would not normally require express planning permission.

## **Conclusion**

9. The current application is for a new Return Point adjacent to the existing entrance of the Lidl foodstore at Fraserburgh. This will meet the requirements of the Scottish Deposit and Return Scheme Regulations for the collection of single use packaging for drinks and redemption of customers' deposits. Under these Regulations Lidl are required to provide this facility by July 2022. The changes to the appearance of the store are very limited and the Return Point would support sustainable development, provide environmental benefit and will not affect the amenity of nearby properties. In normal circumstances this type of development would be treated as permitted development under Class 9H of the GPDO. It is, therefore, requested that planning permission be granted for the proposed new entrance.