

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

2023/92926 Stiches, 10, Commercial Street, Batley, WF17 5HH

**Change of use from retail shop to hot food takeaway and installation of extract vent to rear
(within a Conservation Area)**

Date Responded:18/12/2023.

Responding Officer: Mike Hibbert

Responding Ref: WPN 23-062

NOTES/COMMENTS:

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

Under Section 45 (1) (b) of the Environmental Protection Act 1990 It shall be the duty of each Waste Collection Authority (WCA), if requested by the occupier of premises in its area, to collect any commercial waste from the premises.

The applicant may choose to use the trade waste service from Kirklees Council or a private contractor for collection and treatment of wastes arising on the site. Regardless of the contractor used, providing appropriate waste storage is vital to prevent escape of waste, odour, or vermin problems. Evidence of a waste collection contract and Controlled Waste Transfer Notes (CWTN's) must be available if requested.

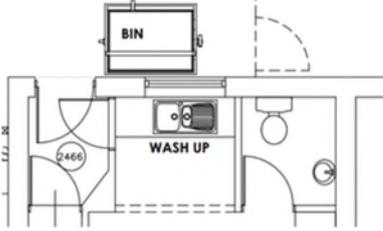
Any producer of controlled waste must ensure compliance with Section 34 Duty of Care etc. as respects waste.

The applicant should provide a waste management strategy as detailed in Section 4.5 HFT5 Waste Disposal (Page 20) of the Kirklees Hot Food Takeaway SPD dated September 2022. This should include details of the storage of trade waste including the number and size of bins, the size of storage facilities which must be commensurate with the amount of waste produced, the provision of bins for customer's litter at the premises and elsewhere if appropriate, screening measures, access for service vehicles, the frequency of disposal of waste/ refuse collection.

In the absence of a Waste Strategy to support the application the following observations should be addressed.

Waste storage and presentation:

There are no details included in the application form relating to waste storage or management. The applicant has submitted a Drawing No 3846/01 dated September 2023 that shows a bin located to the rear of the premises.



It is not clear what the volume of waste generated at the site will be as this is dependent on the level of trade and packaging of supplies. Guidance indicates that typical waste generation is in the region of 1000ltrs per week.

- Separate wheeliebins will be required for residual waste, recycling (dry recyclables including cardboard and packaging), potentially separate food waste/Cat 3 animal by-products in addition secure storage of used cooking oils/ fats.
- The bins should be contained within a purpose designed store. Details of bin store construction requirements including screening can be found in the Kirklees Waste Management Design Guide 2020. The bin store should be secure to prevent theft, unauthorised use/ fly tipping, arson or rough sleeping.
- Bin store surfaces should be durable and waterproof enough to withstand heavy duty cleaning such as power washing. The storage area needs to have suitable drainage.
- A temporary Bin Collection Point (BCP) for use on the collection day should be shown on the site plan. It appears that the closest highway is Hannover Place at the rear of the premises. The drag out distance for wheeliebins from a Bin store/ premises to the collection vehicle should preferably be under 15m.
- The bin storage area and access routes to the Bin Collection Point (BCP) should be constructed to withstand point loading and movement, impacts of larger bins over time, and to resist future rutting, pitting, cracking, or other such surface degradation that would impair bin manoeuvring. The route should avoid kerbs.
- Provision should be made to collect litter generated by customers.
- Waste management for the development will need very careful consideration to prevent negative impact on surrounding premises. Full details of the site layout and design must be addressed.

Refuse Collection Vehicle access:

- Adjacent business premises are already serviced by KC trade waste services and private waste service contractors.

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