

# Planning Consultation Request

## Town and Country Planning Act 1990

### APPLICATION FOR PERMISSION TO DEVELOP LAND

Observations By:	Mike Hibbert, KC Waste Strategy( Refuse & Recycling)
Application No.	2024/92109
Proposed Development:	Change of use of ground floor from salon (Class E) to restaurant (Class E(b)), installation of rear external extraction flue and formation of bin storage area to rear
Location:	Mark Betts Hair And Beauty, 43, Commercial Street, Batley, WF17 5EP
OS Map Reference	SE 424454.8749 424142.7628
Applicant/Agent:	363 Architecture
Class:	Minor Developments

Your comments on the above proposal are requested. Please e-mail your comments in either a Microsoft Word or PDF Document to [DC.Admin@kirklees.gov.uk](mailto:DC.Admin@kirklees.gov.uk) by **15-Oct-2024**.

If you would like to contact the Case Officer: Elenya Jackson for any reason then please do so on: Tel. 01484 22100 Ext 72691.

The submitted plans and documents for the application can be viewed online at the Planning Service Website by holding down Ctrl and Clicking the link below:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2024/92109>

\*If the plans are not available online after 5 working days of the date of this letter then please e-mail: [DC.Admin@kirklees.gov.uk](mailto:DC.Admin@kirklees.gov.uk)

If I do not receive your response by **15-Oct-2024** then the application may be decided without the benefit of your views.

Dated: 24-Sep-2024

Mathias Franklin  
Head of Planning and Development

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

**2024/92109 Mark Betts Hair And Beauty, 43, Commercial Street, Batley, WF17 5EP**

**Change of use of ground floor from salon (Class E) to restaurant (Class E(b)), installation of rear external extraction flue and formation of bin storage area to rear**

**Date Responded: 08/10/2024.**

**Responding Officer: Mike Hibbert**

**Responding Ref: WPN 24-037**

## **NOTES/COMMENTS:**

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

To meet the operational 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; and reduce the negative impacts of bin blight on the neighbourhood. This will also enable the proposal to better meet the policy requirements of LP24 part d (vi), LP43 and the Kirklees Highway Design Guide SPD in respect of refuse collection. Ultimately this will be to the benefit both residents and the Authority for the life of the development.

The proposal is for the change of use of an existing hairdresser's premises to a restaurant. 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.

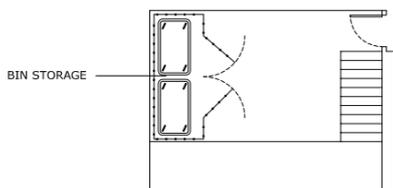
The applicant may choose to use the trade waste service from Kirklees Council or a private contractor for collection and treatment of wastes arising on the site. Regardless of the contractor used, providing appropriate waste storage is vital to prevent escape of waste, odour, or vermin problems. Evidence 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.

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.

### **Waste storage and presentation:**

The applicant has submitted a Proposed Floor plan Drawing Ref PP-01 dated 12/08/2024 that shows the location of a bin store, at the rear of the premises with direct access to the highway via a gate.



The applicant has provided a supporting DELIVERY & WASTE MANAGEMENT PLAN dated 19/09/2024 that states “All waste will be stored to the rear of the site which is secured via a gated entrance. This will store all waste generated by the business operation and have an independent oil drum to for collection. All waste will be collected three times a week if required. No bags and/ or storage will remain in the open in the interest of vermin control and hygiene. An independent company (Quatra) will be brought on board for the collection of used oil.”

#### **Refuse Collection Vehicle access:**

Suitable site access and manoeuvrability space for a Refuse Collection Vehicle (RCV) is vital. The applicant’s waste plan has identified that vehicles will use Wards Hill (that is adopted) as a Bin Collection location. Wards Hill is already used by Kirklees Council Trade waste and other private sector contractors for waste collection from neighbouring businesses.

- These proposals are acceptable to the Waste Collection Authority (WCA).
- If the application is approved the WCA would request evidence of the trade waste collection contract or copies of Controlled Waste Transfer Notes (CWTN’s)

**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 LP24 (part d.vi) and National Planning Policy for Waste (para 8) by –“incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste”
- 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>