

**Consultation Response from Alan Smith,
KC Waste Strategy (Refuse & Recycling)**

2025/90487 47, Huddersfield Road, Mirfield, WF14 8AE

Change of use and alterations to convert from vacant bank (Class E) to hot food takeaway (sui generis) with installation of extract and ventilation equipment and external alterations to the front and rear elevations

Date Responded: 02/07/2025

Responding Officer: Alan Smith

Responding Ref: WPN 25 007

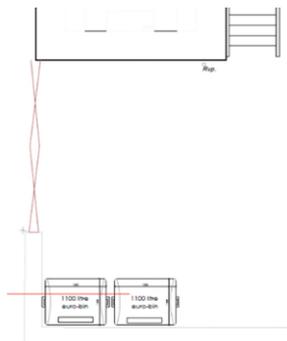
The following comments are made without prejudice and purely from the point of view of the Waste Collection Authority. They are intended to help create an environment that functions safely and efficiently for waste management; addressing these will also enable the proposal to better meet the policy requirements of LP43 and the Kirklees Highway Design Guide SPD in respect of waste collection and management.

The proposal is for the “Change of use and alterations to convert from vacant bank (Class E) to hot food takeaway (sui generis) with installation of extract and ventilation equipment and external alterations to the front and rear elevations”.

The applicant has submitted the planning document, “General [id 1078145] Size: 77KB 24/02/2025 - R003v1 Waste Management Plan”.

Waste Management Plan:

- It is noted that the waste generated will be contained in 2 x 1,100ltr bins and stored in the southwest corner of the site near the gate. I can confirm that this location is suitable for waste storage.



- 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.
- Access from the bin storage area to the Bin Collection Point on Trinity Street next to the highway 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. Wheeled bins must not be permanently stored on the pavement or highway on Trinity Street.
- It is noted that arrangements will be made for the bins to be taken to the kerb for collection on the required day(s).
- For takeaway requirements for waste management can be found in Section 4.5 HFT5 Waste Disposal of the Kirklees Council Hot Food Takeaway SPD. See [Hot Food Takeaway Supplementary Planning Document](#)

- From 31 March 2025, Government legislation requires businesses to separate dry mixed recycling and food recycling as part of the Environment Act 2021 (Commencement No. 9 and Transitional Provisions) Regulations 2024, ensuring recycling across England is standardised. All mixed recycling, including cardboard, plastics, glass, and metal, should be carefully separated and disposed of in accordance with the new guidelines to ensure that each material is recycled appropriately and to minimise environmental impact. If a business produces more than 5kg of food waste per week, it must arrange a separate collection by licensed waste carriers. This includes biodegradable materials from processing or preparing food, such as inedible parts like bones, eggshells, fruit and vegetable skins, tea bags, and coffee grounds. The new legislation excludes micro-firms (businesses with fewer than ten full-time equivalent employees).

Waste storage and presentation:

- 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 / tenants may choose to use the trade waste service from Kirklees Council, a private contractor or reverse logistics 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.

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 and full guidance is contained in the [Kirklees Waste Management Design Guide 2020](https://www.kirklees.gov.uk/beta/planning-applications/guidance-and-advice-notes.aspx) (found at <https://www.kirklees.gov.uk/beta/planning-applications/guidance-and-advice-notes.aspx>) and the [Kirklees Highway Design Guide SPD](https://www.kirklees.gov.uk/beta/planning-policy/adopted-supplementary-planning-documents.aspx) found at <https://www.kirklees.gov.uk/beta/planning-policy/adopted-supplementary-planning-documents.aspx>