

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

2025/91650 143, Upper Commercial Street, Batley, WF17 5DH

Change of use of former public house (sui generis) to HMO (C4) (within a Conservation Area)

Date Responded: 29/07/2025

Responding Officer: Alan Smith

Responding Ref: WPN 25 012

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.

Waste storage and presentation:

The proposed waste management solution is detailed in the plan "Proposed Site / Block Layout [id 1092805] Size: 938KB 17/06/2025 - UCS006 Site Layout Plan Proposed A3"

- The application is for the construction of 11 HMO apartments. The plan shows the proposed bin store located at the southeast of the site. As the property is a HMO the bin storage area must be able to store 2 x 240ltr residual waste and 1 x 240ltr recycling bin.
- If adequate storage cannot be accommodated on site, then there may need to be a review of the configuration of residual and recycling provision or the management company for the development could consider more frequent collections (e.g. weekly residual) on an additional paid for basis. KC Trade Waste staff can arrange to meet on site and discuss potential solutions.
- On collection day the bins will need to be placed next to the footway on Mayman Close. If the refuse collection vehicle cannot access the property due to parked cars on Mayman Close the alternative collection option will be for the bins to be brought down to Upper Commercial Street.
- With the introduction of the new Simpler Recycling Legislation there may well be a future requirement for the Council to collect waste from additional containers which need to be able to be contained in the bin store.
- The communal waste storage area should be secured to prevent unauthorised use, rough sleeping, damage or theft. The bin store should be of suitable dimensions to accommodate the bins and constructed in compliance with the details specified in the design guide.

- The bin store must comply with fire regulations (refer to BS 5906:2005 Waste Management in Buildings; BS476-22:1987: Fire tests on building materials and structures; and BS EN 1634-1:2008: Fire resistance and smoke control tests for door, shutter and open-able window assemblies and elements of building hardware) for internal compounds.
- Access from the bin store area to the Bin Collection Point (BCP) on Mayman Close 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 Mayman Close. There should be room to accommodate 2 x 240ltr bins at the BCP.

Refuse Collection Vehicle access:

The Authority defers to Highways colleagues for technical analysis of the road layout and swept paths in respect of RCV access but offers the following observations in this regard.

- Section 45 (1)(a) of the Environmental Protection Act 1990 imposes a duty on the Waste Collection Authority to arrange for the collection of household waste in its area. Regardless of whether a private collection contractor is used the WCA would wish to ensure there is sufficient waste storage capacity on site, appropriate access, and that if the responsibility for collection falls to the WCA in future that efficient waste collection can be achieved.

If the application is approved, the following conditions are requested:

- A. Before development commences, details of the management and maintenance of refuse storage areas and presentation of bins to the BCP on collection day, by a designated private management company shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

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”.
- Local plan Policy LP15 – residential use in town centres part h: provision of refuse storage and collection.
- 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> [Kirklees Local Plan](https://www.kirklees.gov.uk/beta/planning-policy/adopted-supplementary-planning-documents.aspx) can be found at [Kirklees Local Plan Strategy and Policies](https://www.kirklees.gov.uk/beta/planning-policy/adopted-supplementary-planning-documents.aspx).