



PLANNING STATEMENT

Retrospective application for the temporary use of a C3a dwelling for the ancillary use for an online pharmacy (2 years)

**26 Grimescar Meadow
Birkby
Huddersfield
HD2 2DZ**

1/11/2022

1. Background

- 1.1. In 2016, my client had informal advice that to operate an online pharmacy from his home would not require planning consent. This was based upon a small number of daily deliveries, with delivery vehicles no larger than a transit van, operated by one member of the residential family.
- 1.2. Since this time, the business has operated solely from a converted garage space as an internet pharmacy. Customers/patients are not permitted to visit the address
- 1.3. The internet pharmacy, officially called a DSP (distance selling pharmacy) was approved by NHS England Leeds and the General Pharmaceutical Council who have both inspected and approved the premise initially and on an ongoing basis. NHS contracted hours are from 9am – 5pm Monday to Friday.
- 1.4. This temporary application is to give the applicant time to find a suitable alternative premises. He is actively looking for new premises for the business and has had several viewings. Unfortunately, so far nothing has been found. He has registered with all the main commercial agents within Huddersfield.

Vehicular Movements

- 1.5. There are usually 3 regular morning and 2 regular afternoon deliveries in Ford Transit or smaller sized vans. Morning deliveries are between 9am and 12noon and afternoon deliveries between 2pm and 5pm. There is also a royal mail collection at around 5.45pm Mon-Fri.
- 1.6. All the regular drivers are acutely aware of the importance of considerate parking. A CCTV screen has been fitted behind the applicant's PC in order to monitor parking of delivery vehicles throughout the working day. Any occasional new drivers are advised on their first visit where to park (non-communal parking area at the top of the drive, in front of the hedges) in order to keep the shared driveway with No. 24 clear at all times. The drivers have all been advised to be considerate of the fact that it is a residential area and to park in the correct place to ensure that there is no obstruction for passing cars.
- 1.7. In addition to the delivery vans, there is an occasional, non-regular collection from DHL. This is the same DHL van that also delivers parcels to other houses on Grimescar Meadows.



- 1.8. In terms of the applicant's deliveries, the pharmacy driver now uses his own car in the local Huddersfield area. These are made only 3 times per week on Mondays, Wednesdays and Fridays, with the driver arriving just after 6.00pm
- 1.9. The applicant has had the grass removed from his front garden, replacing it with slate chippings. This is to create extra room for a family car, plus to ensure that the delivery car will at no time obstruct No. 24.

Employees

- 1.10. There are three full time employees.
- 1.11. The senior dispenser has started parking his car in the communal space, after the resident at No. 21 kindly suggested that he could park in front of his house. Previously he used a communal parking space at the start of Grimescar Meadows, where there are no houses.
- 1.12. One employee parks in a communal parking space at the start of Grimescar Meadows, where there are no houses on either side, at the start of Reap Hirst Road. The other employee walk to work.
- 1.13. The part time delivery driver starts work after 6pm on Mondays, Wednesdays and Fridays and usually finishes by 8pm. He now uses his own car which is parked at the top of the driveway, in the same non-communal parking area used by delivery vans, briefly while collecting the medication.

Mixed Use

- 1.14. The primary use of the house is a family home. The pharmacy only occupies the converted garage area and is otherwise not visible from the outside.

2. Assessment against planning policy

- 2.1. The planning policy framework is provided by the NPPF (2021) and the Kirklees Local Plan (2019).
- 2.2. Section 6 of the NPPF, is titled: 'Building a strong, competitive economy'. Paragraph 81 states: *'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'*.



- 2.3. This objective is reflected in the Kirklees Local Plan. *'The Local Plan spatial strategy seeks to develop a strong and thriving economy, combining great quality of life and a strong and sustainable economy leading to thriving communities, growing businesses, high prosperity and low inequality and where people enjoy better health throughout their lives. This reflects the Local Plan vision and the main priorities identified in the Leeds City Region (LCR) Strategic Economic Plan (SEP) and the Kirklees Economic Strategy (KES) and Joint Health and Well-being Strategy'.*
- 2.4. Policy LP2 (Place shaping) states: *'All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan, in order to protect and enhance the qualities which contribute to the character of these places..'*
- 2.5. Whereas the Council would support the development of a successful local business such as the current application, it must clearly be mindful of the impact on the residential amenity of neighbours. It is accepted that the business has now grown to the point where it needs to relocate to other premises with parking, where the comings and goings will not cause disturbance to neighbours and adequate parking is available so as not to cause a problem for highway safety.
- 2.6. This application is to allow the business to continue to operate until satisfactory alternative premises can be found.

3. Conclusions

- 3.1. Section 72(1)(b) of the Act gives power to impose conditions requiring that a use be discontinued at the end of a specified period.
- 3.2. This will allow the business to operate for a short period of time, until alternative premises can be found.