Address: 24 Grimescar Meadows, Huddersfield, HD2 2DZ
Phone:
Objection: for Planning Application 2022/62/93615/W

1. Context

a) About Me
I live at No. 24 Grimescar Meadows and would like to object to the Planning Application 2022/93615.

I live in a detached house, with a detached double garage with 2 parking spaces directly in front of the garage doors. The parking spaces are (by design) orientated such that they are parallel to the road.

b) Local Area
Grimescar Meadows along with the immediate areas (such as Whitebeam Park, Ridge View Drive, Broombank, Harefield Park, etc.) are 100% residential areas with primarily detached residential dwellings. The connecting main road (Birkby Road) is not even on a bus route and uses several traffic-calming measures such as speed humps and vehicle-activated speed alert signs.

Grimescar Meadows itself is a cul-de-sac (i.e. not a through road) as well being a narrow street. In addition it is not a typical residential street – there are no traditional pavements or footpaths meaning that by design, pedestrians and vehicles share the same space on the road,

Grimescar Meadows was adopted by Kirklees Council in 2001 and has a 1.8m Service Margin on either side of the road (sections of the Service Margin are designed to be grass verges, shaded green in). There are also 4 designated visitor parking spaces on this street.

2. Two-year temporary planning permission request is unreasonable

The pharmacy business has already been operating for 5 years from No 26 Grimescar Meadows (since November 2017 and without planning permission); ample time has passed for the business to have been relocated to alternative premises. The applicant requesting temporary planning permission to continue to operate the business from No 26 for another 2 years in order to secure “suitable alternative premises” is wholly unreasonable.

A temporary planning permission should normally only be granted where the Local Planning Authority wishes to assess the impact of the proposed development before considering whether to grant full planning permission at some point in the future. In this case, the impact of the proposed development has been seen for 5 years and so it is unreasonable to attempt to use a temporary permission simply to give the

applicant enough time to find alternative premises (as suggested in the supporting information) – this should have been done as soon as the applicant was challenged about the unauthorised use. Enforcement complaints have been logged with Kirklees Council at least as early as February 2020 (i.e. almost 3 years ago) under reference COMP/20/0059. The amount of time that has passed since the complaints have been logged with the council is already more than what the applicant is requesting.

3. Impact on my residential amenity and quality of life

a) Vehicular Movements

No 26 Grimescar Meadows has many vehicles arriving on a daily basis (e.g. for deliveries and collections) in connection with running the pharmacy business. On average, this involves 10-12 vehicles per day but I have counted as many as 15 vehicles in a given day]. Note that this documents the minimum number of vehicles I recorded, I may have missed some.

The number of vehicles arriving at No 26 is excessive and completely disproportionate when compared to what might be expected for a typical residential property. On many occasions, multiples vehicles (e.g. 3) arrive at once and/or in quick succession. It has even caused traffic jams In this video: https://youtu.be/Igg_OTmZB-0 we can see a yellow van manoeuvring to leave and a white van immediately queueing to park in its spot. Another example can be seen in this video: https://youtu.be/4o032osupzo where we can see two vehicles arriving sequentially. Note that both of these videos *are from the same date*. Yet another example can be seen in this video: https://youtu.be/yiXb_I_M51U, where one vehicle is queueing behind another. This is wholly unreasonable within a residential area, even more so where the amount of traffic is generated by just one property on a street.

Given the actual vehicle movements, the business is more than just an ancillary use to a residential dwelling.

Note that the Planning Statement only acknowledges the *5 regular daily* deliveries, which is a significantly smaller number than what I have recorded, and the only other vehicles acknowledged are for Royal Mail and DHL. I have observed that other vehicles are also quite regular, such as that for Parcelforce, DispatchBay, UPS, DPD, DX and several other vans without outside signage. These vehicles park within the immediate vicinity of No 26 and therefore almost always only provide deliveries or collections at No 26.

Note that Royal Mail workers deliver standard mail to properties on Grimescar Meadows by foot and therefore the Royal Mail vans (often arriving more than once a day) are only for the business being run from No 26.

b) Joint Access

The driveways for No 24 and No 26 Grimescar Meadows have a Joint Access area (as defined in the deeds/plan by a shaded area), [

c) Parking On Or Adjacent To The Joint Access Obstructs Access To My Driveway

Given the position/layout of the Joint Access area and due to the frequency, size and number of vehicles arriving at No 26, I am often (several times a day) obstructed exiting and entering the driveway at my property. The vehicles either park on the Joint Access area or adjacent to the Joint Access area. This obstructs my right of way and impacts my residential amenity. I am stopped from having 24-hour access to my driveway, and given the locality, I am also reliant on a car for pretty much all journeys.

The problem is so bad, it has even been captured on Google Maps Satellite imaging. Here it can be seen that 2 vehicles arriving for No 26 are obstructing the Joint Access area (and therefore blocking the tradesman that was working on my property at the time from leaving the driveway).

As you can see, the Joint Access is not "clear at all times" as suggested by the Planning Statement (ref 1.6). The applicant monitoring vehicular movements on their CCTV and speaking to drivers is clearly not an effective or sustainable way of managing the huge influx of traffic for the business, as it can be seen from the various pictures.

d) Use Of "Non-communal" Parking Area Obstructs Access To My Driveway

The "non-communal" parking space referred to in the Planning Statement (where the commercial vehicles are asked to park by the applicant) is not, and never was designed to be a parking space.

This area is in fact meant to be a grass verge as part of the 1.8m Service Margin as adopted by Kirklees Council and is part of the public highway; it is therefore public and not "non-communal". The grass verge has been paved over, violating highway rules.

This so-called parking space is approximately only 4.3m x 1.8m and is barely big enough for a small car, never mind larger commercial vehicles even of a 'Ford Transit' van size (which in fact can vary in size from 5.5m to 6.7m in length). During loading and unloading, the rear doors remain open, significantly extending the exterior length of the commercial vehicles when parked. With the commercial vehicles parking in this area, I am often obstructed (several times a day) exiting and entering the driveway at my property, As evident from these pictures, I cannot see my garage or parking spaces from the road when driving and therefore my access is obstructed.

As my right of way is obstructed, it impacts my residential amenity. I am stopped from having 24-hour access to my driveway.

As this space is meant to be a grass verge and not a "non-communal" parking space, this space should not be used for parking. The relevant department within Kirklees Council should return this space back to being a grass verge.

There is not enough space on Grimescar Meadows to handle the amount of traffic generated by the pharmacy business at No 26.

e) Commercial Rubbish & Environmental Impact

I have had commercial rubbish from the pharmacy business land in my front and rear gardens which I have had to clean up. The commercial vans arriving for No 26 also often drop rubbish on the ground as well as video: https://youtu.be/VcVAWbWLVZM (watch in 1440p resolution).

This impacts my residential amenity, quality of life and also has an environmental impact.

f) Traffic, Noise & Pollution

Due to the number of vehicles arriving for the pharmacy business, it causes a significant increase in traffic (and therefore also pollution) on Grimescar Meadows, given that each vehicle also has to travel along the street twice (once in each direction) for every visit.

Not only is there noise and disturbance from the increase in traffic from the commercial vehicles (road and engine noises), noise and disturbance is also caused from loading and unloading vans, such as plastic boxes being thrown about, van doors opening and closing, trollies being moved to and from the vans, and human voices.

As an example, in this video: https://youtu.be/z0iBd72X w we can see a hive of activity caused by *a delivery and a collection* being made from multiple vehicles at the same time for No 26. This is wholly unreasonable within a residential area.

Given that I work from home, I am affected by such noises and disturbances all day long. This impacts my residential amenity and quality of life. For example, I struggle to concentrate on my work.

g) Large Deliveries & Collections

Not only is the business at No 26 generating a large influx of traffic, the deliveries and collections themselves are large too.

In this video example: https://youtu.be/OA51e6Hmx5Y the collection involves 12 large sacks and several large boxes. The worker makes *11 trips* between the house and the van in total, lasting nearly 12 minutes. This is wholly unreasonable within a residential area.

Given the size of the deliveries and collections, the business is more than just an ancillary use to a residential dwelling.

h) Fear Of Personal Safety

The storage of pharmaceutical products within the garage of a residential dwelling makes me fear for my personal safety. For example, should there be an attempt of

burglary at No 26, I fear that my house and/or family could also be targeted given that we live in the adjacent property. This impacts my residential amenity and quality of life.

i) Pharmacy Employees Using Visitor Parking Spaces All Day

Up until very recently (around mid-November 2022) the pharmacy employees had been using at least 1 or 2 of the visitor parking spaces on Grimescar Meadows every day between 8am and 6pm during most of 2022. The street only has 4 designated visitor parking spaces and this meant that visitors arriving to meet residents struggled to find parking. This impacted my residential amenity. The employees only started to park elsewhere when several residents complained.

j) Customers Collect Items From The Pharmacy Business

The Planning Statement states that customers are not allowed to visit the pharmacy business at No 26. However in this video: https://youtu.be/YVNj6LWcABs a vehicle arrives at No 26 to collect an item. An employee of the pharmacy business hands over the item via the car window.

Note that the vehicle is also parking on the Joint Access and therefore also obstructing my right of way.

4. The impact on highway safety

a) Pedestrian Safety

Given that pedestrians and vehicles share the same space due to the lack of a traditional pavement or footpath, the sheer number of vehicular movements for No 26 means that it is dangerous for both my family and other pedestrians and residents on Grimescar Meadows; which shows one vehicle leaving and another one arriving *at the same time* – there is no space for pedestrians.

This is even more of an issue for pedestrians that might have impaired hearing, impaired vision, impaired mobility, or the elderly or children.

b) Excessive Wear And Tear On The Highway

The grass verge as part of the Service Margin adjacent to No 26 has been paved over (violating highway rules) and the vehicles arriving in connection with the pharmacy business are asked to park on this area.

Due to the sheer number and size of vehicles parking and driving over the Service Margin, it can be seen that the road has started to wear excessively and buckle under the strain of use. In addition, the edging stones have become misaligned and the rectangular utilities manhole cover has become loose (which makes a very loud noise when vehicles pass over the cover); for pedestrians, these are also a trip hazard.

Parking and driving over the Service Margin continually in this way could also damage the gas, electricity and water utilities underneath, with a potential to adversely affect the entire street.

c) Dangerous Driving

The van drivers often drive too fast and/or undertake dangerous manoeuvres in order to complete their deliveries and/or collections quickly at No 26.

An example can be seen in this video: https://youtu.be/cKDosAzmf2o where an AAH Pharmaceuticals van is delivering for No 26, but when leaving, the van is reversing and driving over the grass verge adjacent to No 24 (a loud scraping noise can be heard), and, dangerously reversing down the street. Note that this van had also parked within my driveway at No 24, obstructing my right of way.

Another example can be seen in this video: https://youtu.be/dWsSHUYmJ0g where a van delivering for No 26 can be seen dangerously reversing down the street when trying to find the address. This is common because drivers unfamiliar with the area do not expect to find a pharmacy business in a wholly residential area.

Yet another example can be seen in this video: https://youtu.be/gHioN10tfM8 where a van delivering for No 26 can be seen dangerously reversing down the street when trying to exit the street (as recent as 12th December 2022).

Given that pedestrians and vehicles share the same space on Grimescar Meadows, these types of manoeuvres are incredibly dangerous. It is an accident waiting to happen.

d) Many Vehicles Are Larger Than A 'Ford Transit' Van

In this example we can see a 7.5 tonne truck arriving to make a delivery at No 26 (in addition to another 2 vans arriving *at the same time* on either side). This exacerbates the issues around Pedestrian Safety and Dangerous Driving above. How are pedestrians meant to navigate around vehicles the size of trucks whilst doing everyday activities like walking their dog or jogging?

Note that the vehicles in this picture are also obstructing the Joint Access as well as my right of way.

e) Obstructing The Highway

With the commercial vehicles parking on the "non-communal" parking space (i.e. what is in fact part of the Service Margin) all day long, it effectively also obstructs the highway.

5. Other pertinent matters

a) Boundary

The size, position and scope of the boundary as outlined in the planning application Block Plan and Location Plan documents does not match the deeds of the houses for

No 24 and No 26, nor does it acknowledge the existence of the Joint Access area. See

b) Parking On The Joint Access Obstructs My Right of Way
The proposed residents' parking arrangement for No 26 in the planning application Block Plan (which proposes to park 2 cars on the Joint Access area) would obstruct my right of way.

No 26 does not currently have 3 car parking spaces in contradiction to the planning proposal. Currently 1 car is parked within the driveway of No 26, however the other car is parked partially on the Joint Access, obstructing my right of way. All cars should be parked wholly on the driveway of No 26 and not on the Joint Access, even partially.

c) Structure Built At The Rear Of The House For Business Operations
The Planning Statement makes no reference to a structure already built at the rear of the house at No 26. This structure is specifically used to conduct the pharmacy business

This suggests that the business is more than just an ancillary use to a residential dwelling.

d) Business Operates Beyond 9am-5pm
It is obvious that the pharmacy business operates beyond 9am-5pm. Workers often arrive 8:15am onwards and vehicular activity also sometimes starts before 9am and continues to 6pm, and often even beyond 6pm. In this example business activity and vehicular activity is taking place after 8.30pm. By its nature, an online business can operate for extended hours.

This suggests that the business is more than just an ancillary use to a residential dwelling.

e) Business Activity Visible From Outside No 26
The Planning Statement suggests that the business cannot be seen from outside the property. However, with the sheer number of vehicles arriving for No 26, it is very obvious that a pharmacy business is being run, in particular due to regular deliveries from 'Alliance Healthcare' and 'AAH Pharmaceuticals'.

This detracts from the local amenity given that it is not in keeping with the local area which is 100% residential.

f) The Business Has More Than 3 Employees
The pharmacy business at No 26 has more than 3 employees. The employees typically leave the house for a break around 2pm and return around 3pm.

In this video: https://youtu.be/PTtwszbQkcs we can see 4 employees leaving the property at around 14:01 and 14:02. In these videos: https://youtu.be/YsgS-QweTL8

and https://youtu.be/MWzOA9Cw0As we can see the same 4 employees returning to the property at around 14:51 and 15:03 respectively.

Another example of the 4 employees returning from a break on a different date can be seen in this video: https://youtu.be/7N-PlWubqAs

g) Complaints From Other Residents
It is my understanding that other residents have made several complaints previously about the running of the pharmacy business from No 26, both verbally to the applicant and formally to Kirklees Council.

h) Use Of Domestic Wheelie Bins To Dispose of Trade Waste
It appears that domestic wheelie bins are used to dispose of the trade waste generated by the operation of the pharmacy business; No 26 appears to have 3 green wheelie bins in comparison to other properties in the area that have only 1. Note that a green wheelie bin can be seen within the structure built at the rear of the house used to conduct the business and 3 green wheelie bins are visible in outside No 26 on a green bin collection date.

6. Conclusions

a) Impact On Residential Amenity & Quality of Life
As a result of the pharmacy business, the obstruction of my driveway, the obstruction of the Joint Access to my property, the obstruction of my right of way, the depositing of commercial rubbish in my gardens and on the street, the increase in noise and disturbance, the increase in traffic and pollution, and the fear of my personal safety, these matters have a significant impact on my residential amenity and quality of life on Grimescar Meadows.

b) Impact On Highway Safety
Given that pedestrians and vehicles share the same space on Grimescar Meadows, the dangerous driving nature of the commercial vehicles in connection with the pharmaceuticals business at No 26, the frequency of the commercial vehicles and the size of the commercial vehicles, there is a significant impact on highway safety.

c) Impact On Local Amenity
The operation of the pharmacy business from Grimescar Meadows detracts from the local amenity given that it is not in keeping with the character of the local area which is 100% residential.

d) The Business Is More Than Just An Ancillary Use To A Residential Dwelling
Given the sheer number of vehicles arriving for No 26, the large size of deliveries/collections, the actual operating hours (which are beyond 9am to 5pm) and the structure built at the rear of the house specifically for the business, this suggests that the business is more than just an ancillary use to a residential dwelling. It is a significant business operation being run from a residential area.

e) Enforcement Action For Relocating The Business

Whilst the Planning Statement acknowledges (ref 2.5) that *"…the business has now grown to the point where it needs to relocate to other premises…"*, it does not adequately demonstrate why the pharmacy business has not already been relocated (given that it has been operating for 5 years already, which is more than adequate in terms of time) or why it cannot be relocated within a more reasonable amount of time (such as within a matter of weeks) to another business-orientated premises temporarily, whilst also searching for a more permanent premises over a 2 year period. Why does the business need to continue to be run from a residential area (which is clearly acknowledged to be unsuitable) and therefore also continue to have a negative impact on residential amenity and highway safety for another 2 years? Such a circumstance would be wholly unreasonable.

I would request that the planning application be refused and enforcement action taken in order for the applicant to relocate the business to other premises within a reasonable amount to time, such as within a matter of weeks rather than years. Enough is enough.