About the application

Application number: 2022/93615	
What is the application for?:	Change of use of part of dwelling (C3a) for online pharmacy
Address of the site or building:	26, Grimescar Meadows, Birkby, Huddersfield, HD2 2DZ
Postcode:	HD2 2DZ

User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	Yes

Please accept this as an objection notice to the aforementioned planning application.

1. Residents were led to believe that planning permission and advice had been sought by the applicant at the time the business commenced trading although now it appears that residents were actually misled about this particular issue. It appears not only is the current use unlawful, but it also appears that the garage has also been converted without the necessary planning permission and building regulations consent, in addition, the proposed use would be a breach of covenant and likely a breach of the applicants mortgage conditions.

2. The applicant indicates there are spaces for 3 cars at the property. This is incorrect, there are spaces for 2 cars and the small additional tarmacked area laid in the front garden to create an additional parking space (which is never used as a parking area) appears to have also been created without the necessary planning consents and building regulations given that it appears to be constructed from an impermeable material. In any case, there is only still space for 2 cars.

3. No provisions appear to have been made for the collection of waste which we would presume to be hazardous and something requiring additional consideration and likely additional vehicles to and from the property. In addition to the potentially hazardous materials on site, the application is unclear as to whether the business has been paying the commercial/business rates for the part of the property being used as a business.

4. The applicant’s company, Easymeds Healthcare Ltd (Co Regn 09507478) in its accounts for the year ending January 2022 (filed in October 2022) indicates there are 6 employees and not 3. If the business is run from the garage, where are all 6 of the employees based? This potentially doubles the actual parking and traffic from what is stated in the application.

5. The application notes the business has been running from 2016 but that the works were completed to the property in November 2017 and that they are now seeking

were completed to the property in November 2017 and that they are now seeking retrospective permission on a temporary basis for 2 years to find premises. Given the multiple number of empty properties in the Kirklees area which are available for rent on a commercial basis we would question why an application is needed for 2 years? Is the applicant seeking to obtain temporary planning and extend this to a permanent planning situation in the future? If that is the case, then the reason for this temporary application is disingenuous and misleading. The applicant has had more than enough time to find premises for the business.

6. Turning to the increase in commercial traffic on what is already a small road, the application states that there are 'usually' 5 daily deliveries and a royal mail collection. The reality is that there are much more deliveries at the property and often these are in larger vehicles than those stated in the application. On multiple occasions the increase in traffic and inconsiderate parking of the vans has resulted in bin collections being missed (due to being unable to get past) along with delaying other residents either trying to leave or return to their homes. I personally have experienced being stuck waiting to get past on at least 3 different occasions. The safety of the highway is already negatively impacted due to the lack of actual footpaths and allowing this application to continue allows the safety to be compromised even further due to the additional traffic and additional noise.

7. Part of the grass verge which has been replaced fronting the applicants property is not owned by the applicant and actually forms part of the public highway/footpaths. In any case, the area is not used for parking and the majority of commercial cars./vans always park in front of the driveway leaving part of the car on the main road causing an obstruction to the main road.

8. The application cites the NPPF and indicates planning policies 'should help create conditions in which business can invest, expand and adapt.' Despite the discrepancy in terms of the number of employees at the business being run from the applicants premises, it is clear that a small single garage being part of a residential property on a residential street in a residential area is not an appropriate place to be considering expanding a commercial premises.

9. Local plan – The applicant cites several sections of the Kirklees local plan – in particular, that 'the local plan spatial strategy seeks to develop a strong and thriving economy, combining great quality of life and a strong sustainable economy leading to thriving communities, growing business, high prosperity and low inequality and where people enjoy better health' Whilst we have no objection to a business thriving, we do object to this being on a wholly residential estate which is having a detrimental effect on the remaining residents. As previously states, there are multiple empty properties fit for commercial use.

Granting even temporary permission sets a dangerous precedent for other home business applications to be submitted in a residential neighbourhood which not only goes against the local plan but also deprives the local authority of obtaining adequate business rate and would ask the application to be refused based on the above. The traffic and noise nuisance alone which as per the applicant's own submissions is throughout the day and not appropriate for a quiet residential street.