

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2025/62/93089/W
Site Address:	30, Moorcroft Avenue, Golcar, Huddersfield, HD7 4QH
Description:	Change of use of one room on the first floor to provide additional space to support online business operating on ground floor
Recommending Officer:	Joshua Merriman

DECISION – Conditional Full Permission

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Danielle Cooper

AUTHORISED OFFICER

Date: 18/02/26

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Officer Report – 2025/93089

Site Description

The application site refers to 30, Moorcroft Avenue, Golcar, Huddersfield, HD7 4QH, a two-storey semi-detached property faced in render, with a pitched tiled roof, and uPVC windows and doors.

The site lies in a relatively uniform street scene, surrounded by properties of a similar size, scale, character, appearance, and age. Furthermore, the application property benefits from amenity space and a hard-standing parking area to the front, as well as garden space to the rear.

Description of Proposal

The Scheme

The applicant is seeking permission for change of use of one room on the first floor to provide additional space to support online business operating on ground floor.

As part of the scheme, two additional part-time employees will be employed by the business, with the additional room subject of this application to be used for packing and dispensing medication. The day to day running of the business will remain the same.

As part of the application, the following supporting information has been submitted at the request of officers:

- Planning Statement

History of Negotiations / Amendments Received

No amendments have been requested by Officers.

Relevant Planning History

The most relevant planning history relates to the following planning applications

2015/90208 - Use of one ground floor room of dwelling for online pharmacy business – Conditional Full Permission.

2016/90531 - Use of one ground floor room of dwelling for online pharmacy business – Conditional Full Permission.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2024).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 19/12/2025. No representations have been received.

Consultation Responses

KC Highways Development Management (Informal) – No objections.

Allocation and Policy

The site is unallocated within the Kirklees Local Plan (adopted 2019).

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway and Access
- LP22 Parking
- LP24 Design

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter2 Achieving sustainable development
- Chapter 6 Building a strong, competitive economy
- Chapter 7 Ensuring the vitality of town centres
- Chapter12 Achieving well-designed places
- Chapter14 Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)

The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Representations
6. Conclusion

1 – Principle of Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Policy LP2 of the KLP sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

The proposal is for the change of use of one room in the application property on the first floor to provide additional support for the online pharmacy business operating on the ground floor of the residential property. It is

considered that this does not significantly impact the current use of the site, and the functions of and around the application units will be largely the same as current.

The out-of-town centre location can be justified as the functions of the business will not significantly change as a result of this application, with operations remaining the same with extra storage space sought as required. There will be no office space over what exists in the property, and only two new part-time employees will be employed in the business, which is not considered a significant loss to any local centre.

In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

2 – Impact on character and appearance of the area

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’*.

The application relates to the change of use of additional room within the application property to provide extra space for the running of an online pharmaceutical business. The additional room will be solely used for the storage of goods, as is currently the case of the operational rooms of the site, with no extra office space being sought in the property. The property is currently used for the same purpose on a slightly smaller scale, and all changes to the property will be internal rather than external, therefore, it is considered that there will be no significant impact upon the visual amenity of the property or surrounding street scene. A condition will be imposed to ensure the business remains ancillary to the residential use of the building.

3. Impact on Residential Amenity

Sections B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The operating hours of the business will be 09:00-18:00, Monday-Friday, with the business being closed on weekend and bank holidays. These opening hours will be conditioned at the end of this report. This remains the same as current opening hours. Despite the employment of two new part-time employees, the working hours of employees will be split and there will be no more than three members of staff working on site at any one time as a result, which will also be conditioned at the end of the report. Considering this, the introduction of one new employee at any one time is not considered to cause additional nuisance to the surrounding area.

Deliveries will be made twice daily to the site at approximately 9:00 and 16:00, Monday-Friday only, with no deliveries being made on Saturdays, Sundays, or Bank Holidays. There will be no increase in delivery activity as a result of the proposed change of use, therefore, no additional impact upon residential amenity is considered to occur. These delivery times will be conditioned at the end of this report. It is also noted that no customers will attend the property and this will be conditioned as such.

The distance to any neighbouring residential properties would not be reduced, and the functions of the application site would not significantly change. With this, it can be concluded that there would be no significant increase in noise, or other measures that may impact neighbouring occupiers' amenity, and thus the proposal is deemed acceptable with regard to residential amenity.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide seeks to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

Following an informal consultation with KC Highways Development Management, the proposals were deemed acceptable with regard to parking provision as there is ample space on site to provide parking for the current two and future three employees (at any one time) of the business. Furthermore, the dwelling is set well back from the nearest highway and will have no significant impact upon highway safety.

Considering this, the current parking provision on site is acceptable to remain, and as the site is set well back from the closest highway there will be no significant impact upon highway safety, complying with Policies LP21 and LP22 of the Kirklees Local Plan.

5. Climate Change

On 12th November 2019, the Council adopted a target for achieving ‘net zero’ carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Representations

No representations have been received.

7. Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government’s view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered, the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation
PERMISSION

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2025/93089

Officer Recommendation: Conditional Full Permission

Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework.
2. The premises shall not be operated for the collection of goods by customers. **Reason:** In the interests of highway safety and residential amenity in accordance with Policies LP21, LP22, and LP24 of the Kirklees Local Plan, and policies within Chapter 9 of the NPPF.
3. The online pharmacy business hereby approved shall be operated by no more than three members of staff at any one time.
Reason: In the interests of highway safety to ensure sufficient parking is retained and residential amenity in accordance with Policies LP21, LP22, and LP24 of the Kirklees Local Plan, and policies within Chapter 9 of the NPPF.
4. The online pharmacy business use hereby approved shall remain ancillary to the residential use of the property known as 30 Moorcroft Avenue and shall at no time become a separate planning unit.
Reason: In the interests of highway safety and residential amenity in accordance with Policies LP21, LP22, and LP24 of the Kirklees Local Plan, and policies within Chapter 9 of the NPPF.
5. No commercial related activities shall be carried out on the premises outside the hours of 0900 and 1800 on any day of the week. Deliveries to and dispatches from the property are to be limited to these times on Monday to Friday, with no deliveries or dispatches taking place on Saturday, Sundays and Bank Holidays.
Reason: In the interests of highway safety and residential amenity in accordance with Policies LP21, LP22, and LP24 of the Kirklees Local Plan, and policies within Chapter 9 of the NPPF.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	17/11/2025
Ground and First Floor Plans	-	-	17/11/2025
Proposed Floor Plan	-	-	17/11/2025
Application Forms	-	-	17/11/2025
Planning Statement	-	-	12/02/2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning

Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

18/02/2026