

PLANNING OBJECTION

Application 2026/90484: 143 Church Lane, Gomersal, Cleckheaton, BD19 4QN

Change of use from dwelling to C2 for 4 children, erection of first floor extension and front porch, internal and external alterations

Executive Summary

This application should be refused for the following principal reasons:

- **Green Belt conflict:** the proposal would amount to disproportionate enlargement over and above the original building and would cause further loss of openness through building bulk, frontage hardstanding, access domestication, and likely enclosure/security pressure, contrary to NPPF paragraph 154(c) and Kirklees Policy LP57.
- **Unsuitable location and site-suitability concerns:** West Yorkshire Police formally objects on location-specific safeguarding grounds. The site fronts the A643, has limited defensible outdoor space, poor containment, a nearby bus stop / rapid exit route, constrained neighbouring relationships, and an exposed frontage layout that has not been shown to provide a suitably secure and appropriate setting for the proposed use.
- **Parking, access and frontage harm:** the proposed 2-space frontage is not shown to be adequate for a 24-hour staff-intensive C2 use of this kind, the access is constrained, the frontage appears to rely on works beyond the lawful baseline, and the application does not demonstrate safe and suitable access for all users on this already sensitive A-road frontage.
- **Inadequate and unreliable application material:** the plans and management material are internally inconsistent, under-explain key practical impacts, and do not provide a sufficiently reliable basis for approval, particularly given the Green Belt context, frontage/access issues, and the fact that works have already started.
- **Limited positive weight on any claimed “meeting need” basis:** Kirklees Children’s Services formally objects and states that the proposed 4-bed model is not aligned with local placement needs, that Kirklees prioritises smaller therapeutic homes, and that there is already significant overprovision of this type of children’s home in the borough.
- **This is not a simple use-change case:** the application is a composite scheme involving a 4-child C2 use in a 5-bedroom layout, significant enlargement of the building, altered frontage/access arrangements, a Green Belt location, unreliable supporting material, and works already started.
- **Over-intensive use of a constrained site:** the house and plot are too limited to credibly support the proposed occupation, supervision model, servicing needs and day-to-day operation without unacceptable pressure on the site and neighbours.

Taken together, these are substantial planning objections going to the principle, scale, siting, access, operation and lawfulness of the proposal.

1. Introduction and nature of the proposal

I object to this application and respectfully request that planning permission be refused.

At the outset, this proposal should **not** be treated as a simple or routine change of use from a dwellinghouse (Use Class C3) to a children's home (Use Class C2). It is a **composite and cumulative scheme** comprising:

- a proposed children's home for **4 children (age 7-18)**, involving a materially more **intensive staffing, supervision and management** model than an ordinary dwelling.
- a **5-bedroom layout in practice**, including **4 child bedrooms and 1 staff bedroom**
- substantial physical enlargement of the building, including the creation of additional **first-floor accommodation** over an already enlarged footprint together with a further **full-height front extension element**
- internal and external alterations
- altered frontage, hardstanding and access arrangements
- application material that is incomplete, internally inconsistent, and in places unreliable
- a site located within the **Green Belt**
- and, on the applicant's own form, **works already started**

The management plan also confirms that the proposed use involves a materially more intensive staffing, supervision and security model than an ordinary dwelling. That is relevant from the outset because it goes directly to the likely intensity of activity, parking and access demand, the operation of the frontage, and whether the use can realistically be treated as comparable to an ordinary family home.

The point is not to speculate about the characteristics of any future individual occupiers. It is that Kirklees' own strategic and commissioning material identifies residential children's homes as provision for a smaller cohort of children requiring a higher level of support and supervision, while the wider strategic priority remains family-based care and fostering. In planning terms, that makes the suitability of this site, its layout and its surroundings all the more important.

That matters because the Council must assess the proposal by reference to the **full cumulative planning consequences of the whole scheme**, and not as though it were merely a routine house conversion or a simple use-change proposal. The proposed C2 use, the enlarged built form, the altered frontage and access arrangements, the weak and inconsistent supporting material, and the already-commenced works all interact and intensify one another. The planning effects therefore fall to be assessed together in terms of principle, Green Belt impact, residential amenity, site capacity, access and highway safety, safeguarding, and the correct lawful planning baseline.

This distinction is particularly important here because the site lies in the **Green Belt**, fronts the **A643 / Church Lane**, and is the subject of a proposal that goes materially beyond the type of straightforward C3-to-C2 conversion sometimes seen elsewhere. Even if a children's home can in some circumstances be acceptable in principle, that does not answer the separate planning questions raised by this application, namely whether a broad C2 use, coupled with substantial

building works and intensified access and servicing demands, is acceptable at this particular constrained site. In my view, and for the reasons set out below, it is not.

2. No demonstrated local need and direct conflict with Kirklees Children's Services' objection

The proposal should be afforded little or no positive weight on any claimed 'meeting need' basis, and it is also in **direct conflict** with the position of **Kirklees Children's Services on this application itself**.

Kirklees Children's Services has formally objected and states that:

- the proposed **4-bed model is not in line with Kirklees' placement needs**
- Kirklees' sufficiency priorities favour **smaller homes** with strong evidence of therapeutic and trauma-informed practice
- there is already **significant overprovision** in Kirklees of the type of children's home proposed, which **far exceeds** local need
- the service was **not aware of any initial enquiry** by the applicant regarding this proposal
- insufficient information has been provided regarding the provider's experience, Ofsted registration status, and ability to deliver high-quality trauma-informed residential care

That objection is a material consideration of real weight. It is not advanced here as though Children's Services can determine the planning application in place of the Local Planning Authority. Rather, it is relied on because it comes from the authority's own commissioning side and goes directly to whether this proposal responds to an identified local need, whether it is the right model of provision, and what positive weight, if any, can properly be given to the scheme on a "meeting need" basis.

The point that **no initial enquiry** was made to Children's Services is particularly relevant in this case. It further undermines any suggestion that the proposal has been developed in response to an identified local need or in partnership with the part of the authority responsible for assessing that need. Instead, it supports the conclusion that this is a speculative proposal brought forward without meaningful alignment to Kirklees' own placement and sufficiency requirements.

The same applies to the lack of clear information on the proposed provider's experience, Ofsted position and ability to deliver the form of care said to be required. I recognise that those matters are not determinative planning issues on their own. However, in this case they are relevant to the **limited weight that can properly be attached to the application's operational assurances**, particularly where the applicant asks the Council to accept that the proposed use will be well managed, appropriate in scale, and suitable for a constrained and sensitive site.

This position is entirely consistent with Kirklees' wider Placement Sufficiency Strategy 2023–25. That strategy shows a **family-first** approach to care sufficiency. As at 31 March 2022, **530 of 604** looked-after children were in family-based care and only **32** were in children's homes. The strategy projected a need for around **7 additional in-house residential places** but **41 additional fostering places**, and identified the need for at least **100 fostering households** over

3 years. It also recorded that there were **30 private children's homes in Kirklees offering 99 places**, while Kirklees itself was using only **6** of those places, and that **221 children from other local authorities** were living in the borough.

Taken together, that evidence strongly indicates that the issue in Kirklees is **not** a shortage of the type of generic 4-bed residential provision now proposed. On the contrary, the evidence points to substantial existing provision already exceeding what Kirklees itself requires and serving a wider external market. In those circumstances, the proposal has not shown that it meets a local need, and it attracts little or no positive weight on that basis.

3. Existing overprovision, wider market demand, and the fact refusal would not leave Kirklees without provision

The application should also be assessed in the context of the **existing level of provision already present in Kirklees** and the substantial continuing pipeline of further C2 / children's-home proposals. That matters not because overprovision, viewed in isolation, automatically determines the planning outcome, but because it is highly relevant to the **weight that can properly be given to the proposal in the planning balance**.

Kirklees' own Placement Sufficiency Strategy 2023–25 records that there were **30 private children's homes in the borough offering 99 places**, while Kirklees itself was using only **6** of those places at that point. The same strategy also records that **221 children from other local authorities** were living in Kirklees. That is powerful evidence that the borough was already accommodating a level of residential provision substantially beyond the authority's own direct use, and that the local market was already significantly serving wider external demand.

That strategic picture is reinforced by the more recent applications evidence. A review of Kirklees planning records from the start of **2025 onward** identified **55 unique C2 / children's-home-related cases**, including **38 planning applications**, with many already granted and **8 still pending**. This demonstrates a clear and active pipeline of applicants seeking to establish further C2 / children's-home uses in the borough. On any fair reading, there is **no shortage of applicants** willing to bring this type of proposal forward.

The planning significance of that evidence is this: the Council is **not** faced with a choice between approving this unsuitable scheme or leaving Kirklees without provision. Refusal of a poor and unsuitable proposal at Church Lane would not prevent appropriately located and genuinely needed provision from coming forward elsewhere. The evidence instead indicates that the real planning issue is whether this **particular proposal**, on this **particular constrained Green Belt site**, is justified and acceptable.

That is important because the proposal should not be afforded material positive weight on the basis that it is urgently needed or that refusal would create a gap in supply. The authority's own strategic evidence, the Children's Services objection, and the recent volume of applications all point the other way. In those circumstances, the Council can and should be selective, and should not grant permission for a proposal that causes clear site-specific harm merely because it falls within Class C2.

The Council is not being asked to choose between this proposal and no provision at all; it is being asked whether this particular proposal, on this particular constrained Green Belt site, is

justified and acceptable. In short, the issue is not under-provision, but the risk of further concentration of generic C2 uses in Kirklees beyond what the authority itself says it requires.

4. The planning consequences of the broad C2 use sought

The Council must assess this application by reference to the **full planning consequences of the Class C2 use sought**, and not simply by reference to the applicant's present management-plan narrative or by analogy with an ordinary dwelling.

That matters because **Class C2 is a broad planning use class** covering residential accommodation and care for people in need of care. The planning decision therefore concerns the use of the land and building and the planning consequences of that use, rather than only the applicant's current operational assurances. The Council is being asked to grant planning permission for a Class C2 use at this site, with all the implications that flow from that, and not merely to approve a reassuring management narrative.

That is particularly important here because the proposal is not a simple or self-contained house conversion. It is a **composite scheme** on a constrained site in the **Green Belt**, fronting the **A643**, with only **2 parking spaces** shown, limited private outdoor space, significant physical enlargement, and a management plan that itself indicates a more intensive pattern of staffing, visits and activity than a normal dwelling. In those circumstances, the Council should not dilute the planning assessment by treating the proposal as though it were merely another family-style residential occupation.

The position is reinforced by national policy on planning conditions. The NPPF states that planning conditions should be kept to a minimum and only used where they are **necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable**. That is relevant here because the Council should be cautious about assuming that a broad C2 permission can safely be made acceptable simply by the later use of generic or loosely drawn conditions. A simple numerical cap on occupancy may control one aspect of intensity, but it does not necessarily resolve the wider planning consequences of the use, including the pattern of activity, staffing, access, servicing, security measures and relationship with neighbouring properties.

This is not to say that a C2 use can never be acceptable in principle. It is to say that the Council must assess the **real planning consequences of the permission sought at this site**, and not a narrower or more benign version of it. In this case, that means recognising that the proposal is for a broad C2 use coupled with substantial building works, altered access arrangements, likely additional servicing demands, and a materially more intensive occupation of a constrained site. Those are all matters that fall properly within the planning assessment.

Accordingly, the proposal should not be afforded positive weight on the basis of a simplified assumption that it will operate in practice just like a large family home. The Council must instead assess the full consequences of a Class C2 permission at 143 Church Lane, and on that basis the site is not an appropriate or acceptable one for the use proposed.

5. Green Belt harm, disproportionate enlargement of the original building, and additional loss of openness through frontage/access works

The proposal should be refused because, in Green Belt terms, it goes well beyond a modest alteration to the original dwelling. It would further enlarge a property that has already been substantially extended, with the result that the **original building would no longer remain the dominant element** in terms of size and overall appearance. That conflicts directly with national Green Belt policy and Kirklees' own Green Belt policy.

Under paragraph **154(c)** of the National Planning Policy Framework, the extension or alteration of a building in the Green Belt is only not inappropriate where it does **not** result in disproportionate additions over and above the size of the **original building**. The NPPF glossary defines the original building as the building as it existed on 1 July 1948 or, if built later, as originally built. The Framework also requires that **substantial weight** be given to any harm to the Green Belt, including harm to openness.

Kirklees Policy **LP57** is directly in point. It requires that, in the case of extensions in the Green Belt, the **original building remains the dominant element** both in terms of size and overall appearance, and that the **cumulative impact of previous extensions and associated buildings** must be taken into account. It also makes clear that proposals must not result in a greater impact on openness through the treatment of outdoor areas, including **hardstandings, curtilages, enclosures and means of access**. Kirklees' policy justification further explains that disproportionate additions are those where the original building is no longer the dominant element, and that this is **not judged solely by visibility from public vantage points**.

That policy wording is especially important here. The proper comparison is with the **original house**, not with the house as it stands after later additions. On the submitted and marked-up plans, the original dwelling is plainly much smaller than the current and proposed built envelope. The existing single-storey additions have already enlarged the house substantially, and the current proposal would intensify that enlargement further by adding first-floor accommodation over large parts of that already-extended footprint together with a further **full-height front extension element**. In planning terms, this is a cumulative increase in **bulk, height, massing and prominence**, not a minor domestic alteration.

On a fair plan-based reading, the built form already appears substantially beyond the original dwelling footprint, and the present proposal would intensify that enlargement still further. Even if those comparisons are treated as approximate rather than formal measured survey data, they strongly indicate that the original house has become, or would become, visually and functionally subordinate to the cumulative extensions. That is precisely the type of disproportionate enlargement that LP57 is intended to prevent. On any fair reading of the plans, this is not a modest extension to a Green Belt dwelling but a substantial cumulative remodelling in which the original house is plainly overwhelmed by successive additions.

It is also important that the proposal is **not** simply retaining an existing single-storey spread. By introducing first-floor accommodation over substantial parts of the extended form, it would materially increase the building's **three-dimensional massing and volume**. In Green Belt terms, that is a separate and serious increase in impact over and above the original dwelling.

The frontage works add a further and distinct Green Belt objection. Kirklees' Green Belt approach is not limited to the walls and roof of the house itself. LP57 and its supporting text make clear that openness is also affected by the treatment of outdoor areas, including

hardstandings, curtilages, enclosures and means of access. Here, the proposal appears to involve a widened or intensified frontage parking and access arrangement, with loss of soft frontage and increased hard surfacing. That creates a more urbanised and domesticated appearance to the site, adding further harm to openness in Green Belt terms.

The application also appears to understate the likely need for enhanced boundary treatment and security infrastructure at the front of the site. The management material refers to controlled gates, alarms and external CCTV, yet the application does not show what secure frontage arrangement would be required in practice for a home of this nature. That omission is material. The current frontage presents an open parking forecourt directly onto the A643, and there is an evident tension between the likely need for more robust containment and safeguarding measures on the one hand, and the planning constraints of a Green Belt site and highway frontage on the other. More prominent gates, fencing or other enclosure may themselves add to visual harm, domestication and loss of openness, but the application provides no proper assessment of that issue.

There is also a distinct highway and access issue relevant to this Green Belt harm. Kirklees' own vehicular crossing guidance states that any application to construct a crossing serving a means of access that exits onto a classified road requires planning permission before any crossing application is submitted, and that the crossing remains part of the adopted highway network, meaning the occupier does not own the land. The guidance also requires hardstanding and driveway works to comply with planning requirements and to prevent surface water from flowing onto the highway. Church Lane at this location is identified as the A643, so the proposed widening or intensification of the access is not merely a private driveway matter. The Council should therefore be satisfied that the proposed frontage and access arrangements are lawful, safe, properly drained, and acceptable in visual and Green Belt terms. If verge or frontage works have already taken place, they should not be treated as establishing an accepted planning baseline.

Taken together, these matters indicate conflict with national and local Green Belt policy, because the proposal would result in disproportionate cumulative enlargement over and above the original building and would also add further harm to openness through frontage treatment, hardstanding, access and likely enclosure pressure.

6. Unsuitable location for vulnerable children, including the West Yorkshire Police objection

The proposal should also be refused because the site is an **unsuitable location for the accommodation of vulnerable children**, and that conclusion is now reinforced by a direct **West Yorkshire Police objection on this application**.

West Yorkshire Police states that it has **safeguarding concerns with regard to the location** of the proposed children's home, concurs with neighbours' **location-specific concerns**, and respectfully requests that the application be refused. In doing so, it expressly relies on "The protection of children standard" in the **Children's Homes (England) Regulations 2015**, including the requirement that the premises used to house children in care must be **"located so that children are effectively safeguarded."**

That is a material consideration of real weight. The police objection is not framed as a generic fear of children's homes, nor as a broad moral objection to the use. It is a **site-specific safeguarding objection** based on the location and surroundings of this particular property. That

is highly relevant in planning terms, particularly where national policy requires planning decisions to create **safe, inclusive and healthy places**, and where the local authority is required under section 17 of the Crime and Disorder Act 1998 to have due regard to the likely effect of its decisions on crime and disorder.

The physical context of 143 Church Lane is plainly problematic in this respect. Relevant factors include:

- direct frontage onto the **A643 / Church Lane**, a classified main road
- the presence of a nearby **bus stop** and a rapid route out of the immediate area
- very limited secure and defensible private outdoor space
- the relationship to neighbouring gardens at **different levels**
- limited privacy and poor containment
- and a working **farm / heavy machinery** to the rear

Taken together, those features raise serious concerns about whether this is a site that can safely and appropriately contain and protect vulnerable children, particularly where the proposal is for a **4-child home** with a broad age range of **7 to 18** and where the management plan itself indicates a need for constant supervision and a more intensive operational model than a normal dwelling.

This point is strengthened further by the nature of the frontage. The front of the site appears to operate as an open parking forecourt directly onto the A643. Yet the management material also refers to **controlled gates, alarms** and **external CCTV**, which strongly suggests that some form of more robust containment and security arrangement would be needed in practice. However, the application does not clearly explain how that would be achieved safely and appropriately at this location, or how the obvious tension between effective safeguarding on the one hand and the planning constraints of the frontage and Green Belt setting on the other would be resolved. That omission goes directly to **site suitability**.

The same issue arises in relation to the rear and side relationships. The constrained outdoor space, differing ground levels, proximity of neighbouring gardens and wider site layout all raise legitimate concerns about whether the site can offer a safely contained and appropriately secure environment for a closely supervised residential care use of the type proposed. The application does not provide sufficient confidence on that point.

For the avoidance of doubt, this is **not** an objection based on stereotype, stigma, or a general assertion that children's homes are incompatible with residential areas. The point is narrower and more planning-specific: **this particular site**, by reason of its road frontage, open and constrained layout, limited defensible space, surrounding relationships and wider environmental context, is a poor and unsuitable location for the proposed use. That site-specific conclusion is now expressly supported by West Yorkshire Police and is entirely consistent with the planning requirement to create safe places and with the regulatory requirement that children's homes be located so that children are effectively safeguarded.

Accordingly, even if a children's home may be acceptable in principle in some locations, this site is not one of them. The location itself is a material reason for refusal.

7. Parking, access, highway safety, frontage works and the A643 context

The proposal should be refused because the access and parking arrangements are inadequate for the intensity of use proposed, and because the scheme would create unacceptable highway and pedestrian-safety concerns at a constrained site fronting the **A643 / Church Lane**.

The application form itself confirms that:

- a **new or altered vehicular access** is proposed;
- parking would increase from **1 existing space to 2 proposed spaces**; and
- works are proposed to the **vehicle access and hard standing**.

Those changes must be considered against the operational intensity described in the management plan, which includes:

- up to **4 children**;
- a claimed **1:1 staffing ratio**;
- **2 overnight staff** on 48-hour shifts;
- an additional day carer;
- weekday manager attendance; and
- regular visits from social workers, family members, Regulation 44 visitors and other professionals.

On any fair reading, that pattern of use is **not comparable to an ordinary single dwelling**. It would generate significantly more comings and goings, more staff changeovers, more visits and greater reliance on the frontage than a normal C3 occupation. In those circumstances, the application does not demonstrate that 2 parking spaces are adequate for the operational intensity proposed.

This concern is heightened by the nature of the site. The property fronts directly onto the **A643**, a classified main road, and the existing access appears narrow and constrained. The application does not demonstrate that vehicles can safely enter and leave the site without awkward manoeuvring affecting the public highway. I do **not** overstate the position by saying that reversing onto the road is conclusively proved in every case, but the application does not clearly show that safe access and egress can be achieved for the intensity of use proposed.

The likelihood of overspill parking on Church Lane and The Coppice is a serious planning concern. Residents have consistently raised concern about:

- pressure on Church Lane and the junction with The Coppice;
- reduced visibility;
- pedestrian conflict;
- and wider highway risk.

Those concerns are not abstract. Residents report that since works began at the property there have already been numerous complaints to highways and police, including reports of blocked pavements, reduced visibility, and near misses. Residents also report that, at times, parents

with prams have been forced into the main road because of obstruction on the pavement. I recognise that those matters are resident evidence rather than findings of the planning authority, but they are still relevant because they indicate that the frontage and access arrangements may already be operating unsafely and that the proposal risks intensifying an existing practical problem rather than resolving it.

There is a further concern that the proposed frontage layout appears to rely on access changes beyond what lawfully exists. The current dropped kerb appears only wide enough for a **single-width access**, yet the application now proposes a 2-space frontage arrangement. Kirklees' own vehicular crossing guidance makes clear that any crossing remains part of the adopted highway network, that occupiers do **not** own that land, and that where an access serves a classified **A, B or C road**, planning permission is required before any crossing application is submitted. The same guidance also emphasises that hardstanding and driveway works must comply with planning requirements and avoid surface water discharging onto the highway.

That guidance is highly relevant here because the verge and pavement in front of the property are outside the application red-line boundary, yet the grass verge has reportedly already been dug up and replaced with hardcore. On the information available, that frontage area appears to form part of the highway verge rather than the applicant's private curtilage. Any such works should not be treated as part of the accepted planning baseline, and the Council should not assume that a widened or intensified access can simply be taken for granted.

This point also links back to the proposal's wider inadequacy as a whole. A 24-hour, staff-intensive C2 use on a constrained frontage with only 2 parking spaces, uncertain lawful access arrangements, and realistic concerns about overspill, manoeuvring and pedestrian safety is materially different from an ordinary dwelling and should not be treated as though the highway effects would be negligible. The proposal conflicts with the planning objective of ensuring safe and suitable access for all users and with the local concern, reflected in neighbour objections, that the development would prejudice highway safety and pedestrian movement at this location.

For all of those reasons, the access, frontage and parking arrangements have not been shown to be acceptable for the use proposed and provide a substantial reason for refusal. The proposal fails to demonstrate safe and suitable access for all users, and the residual cumulative impacts on highway safety would be unacceptable.

The proposal also sits uneasily with Kirklees Policy LP47, which seeks to create healthy, active and safe communities, and with the wider planning requirement that development should provide safe access and movement for all users.

8. Over-intensive use of a constrained site

The proposal should also be refused because it represents an **over-intensive use of a constrained site** that is physically and functionally unsuited to the scale of occupation and activity proposed.

This is not simply a matter of the number of children. The application seeks to accommodate **4 children aged 7–18** within a **5-bedroom layout in practice**, comprising **4 child bedrooms and 1 staff bedroom**, together with a management model that claims a **1:1 staffing ratio**, overnight staffing, constant supervision, and regular professional and family visits. On the face of the

plans and supporting material, that amounts to a level of occupation and operational intensity materially beyond that of an ordinary dwelling.

The constraints of the site are obvious. They include:

- limited private outdoor space;
- close neighbouring boundaries;
- a constrained frontage already under pressure from access and parking issues;
- only **1 bathroom** serving the main bedroom accommodation;
- office/staff use within a domestic property;
- and no convincing explanation of how the home would function day to day without overburdening the building and curtilage.

Those matters are relevant in planning terms because they go directly to:

- whether the site is physically capable of accommodating the use proposed;
- whether the operational model is realistic;
- whether the proposal would materially intensify activity beyond the character of a normal dwelling;
- and whether the use would place unacceptable pressure on neighbouring amenity and the local environment.

The management plan itself reinforces these concerns rather than resolving them. It says:

- children are **never left alone**;
 - children only leave under **staff supervision**;
 - staff would proactively search for any child who went missing;
 - and the home would operate in a manner similar to a “typical family dwelling.”
- Yet the staffing pattern actually described does not credibly explain how that would work in practice for **4 children** across a broad age range, particularly if more than one child required support at the same time, if children needed to leave the site separately, or if any incident arose requiring one or more members of staff to be absent from the building. That inconsistency is important because it suggests that the site may not realistically support the operational model claimed.

The problem is therefore not just that the proposal involves “more people.” It is that the relationship between the **claimed care model**, the **physical layout**, and the **constrained site** does not convincingly stack up. Taken together, the physical layout, constrained curtilage, limited outdoor space and operational demands of the proposed use raise a serious question as to whether the site can accommodate the use without unacceptable pressure on the property, frontage and surrounding residential environment.

The deficiency in private outdoor space strengthens that conclusion. For vulnerable children, especially in a setting said to require constant supervision and close management, the lack of meaningful secure private outdoor space is not a trivial detail. It is a material indicator that the

site is poorly suited to the use proposed and that everyday occupation of the site is likely to spill pressure onto the frontage, access arrangements and neighbouring relationships.

The same concern arises in relation to routine servicing. The application does not clearly explain where **refuse and recycling bins** would be stored, how many would be required, or how collection would work on such a constrained frontage. That omission matters because waste arising from commercial activity is **business waste**, and Kirklees' own waste policies state that trade waste is not collected as part of residential collections. In other words, the site has not demonstrated a workable refuse and servicing arrangement for the intensity of use proposed, which further supports the conclusion that it is too constrained and under-planned for this form of occupation.

For all of those reasons, the proposal amounts to an over-intensive occupation of a constrained residential plot and should be refused on that basis.

9. Residential amenity, overlooking, privacy, lighting, CCTV, fencing and boundary impacts

The proposal should also be approached with caution because it has not been demonstrated that the enlarged building, likely intensity of use, and associated boundary/surveillance measures can be accommodated here without **unacceptable impact** on privacy, outlook, daylight and general residential amenity.

These impacts arise from both:

- the **substantial physical enlargement** of the building; and
- the likely need for more overt boundary treatment, surveillance and lighting associated with the proposed use.

That matters directly in planning terms. Kirklees Policy **LP24** requires development to be of good design and to seek to minimise impact on the residential amenity of neighbouring occupiers, including through maintaining privacy and daylight. Kirklees' Housebuilders Design Guide SPD similarly states that residential layouts should maintain high standards of amenity, avoiding overlooking, loss of privacy, loss of light and poor outlook. National policy also requires planning decisions to create places that are safe, inclusive and accessible and which provide a **high standard of amenity for existing and future users**.

First, the **physical enlargement itself** is likely to increase overlooking, loss of privacy and visual intrusion to neighbouring occupiers. This is not simply a case of a different use occupying an unchanged building. The proposal introduces substantial additional first-floor accommodation over an already enlarged footprint and a further full-height front extension element. That would create a larger and more intrusive built form with greater scope for overlooking neighbouring homes and gardens, a stronger sense of enclosure, and a more pronounced overbearing effect. Given the relationship of the site to neighbouring residential properties and rear gardens, including differing ground levels, those impacts should be carefully assessed and should not be dismissed as negligible.

Secondly, the proposal appears to understate the likely need for **boundary treatment, CCTV, controlled access and external lighting**. The management material already refers to **controlled gates, alarms** and **external CCTV**, which indicates that a more robust security and

surveillance arrangement is anticipated than for an ordinary dwelling. However, the application does not properly explain:

- what fencing, gates or other enclosure would be required in practice;
- what external lighting or floodlighting may be needed;
- how those features would affect neighbouring privacy and outlook;
- or how they would be accommodated without creating an intrusive, institutionalised frontage and curtilage.

That omission is material. More overt enclosure, surveillance and lighting could itself cause harm to neighbouring occupiers through:

- additional visual intrusion;
- loss of privacy;
- light spill and disturbance;
- and a materially less domestic relationship between the site and surrounding homes.

This point is strengthened by the physical context of the site. The front of the property is exposed to the main road, while the side and rear relationships are tight and affected by differing levels. If stronger fencing or enclosure were needed to provide effective containment, that may itself create overbearing effects or affect light and outlook for neighbours. I do **not** overstate this as a proven consequence in every detail, because the application does not properly show what boundary solution is intended. That is precisely the problem: the likely amenity consequences of the security and containment measures associated with the proposed use have not been properly assessed or explained.

The same concern applies to activity levels. A 24-hour, staff-intensive C2 use with regular staff changeovers, professional visits, family contact, controlled access, surveillance and security arrangements is materially different in practical terms from an ordinary single dwelling. Even if some of those elements are capable of being managed, the application gives insufficient confidence that the overall effect on neighbouring amenity would remain within acceptable limits at this constrained site.

For all of those reasons, the proposal conflicts with the planning requirement to protect residential amenity and to secure good design that responds appropriately to context. It has not been demonstrated that the enlarged building, the likely intensity of use, and the probable boundary / surveillance / lighting consequences can be accommodated here without unacceptable harm to the amenity of neighbouring occupiers.

In this respect, the proposal risks transforming what is presently a domestic plot into a more surveilled, enclosed and visually intrusive environment that sits poorly with both neighbouring amenity and the Green Belt setting.

10. Inaccurate, inconsistent and unreliable application material

The application should also be refused because the submitted material is **inaccurate, inconsistent and unreliable**, such that the Council cannot safely conclude that it has a sound evidential basis on which to assess the true scale, operation and impact of the proposal.

That is a material planning concern. The planning authority must determine the application on the basis of **accurate plans, a correct understanding of the existing lawful position, and sufficient information to assess the likely effects of the development**. Where the submitted drawings and supporting documents are incomplete, internally contradictory, or fail properly to explain the operational consequences of the proposal, that is not a trivial procedural point: it goes directly to whether the scheme has been properly assessed at all.

There are four main problems here.

a. The submitted plans do not appear to provide a reliable picture of the existing building

The submitted plans do not clearly or reliably enable assessment of the existing layout or the true baseline against which the proposed enlargement should be assessed. In particular, there does not appear to be a clear existing first-floor layout shown. Instead, the drawings appear to show the ground floor arrangement twice, which creates uncertainty as to the actual existing two-storey form of the building and the proper relationship between the original house and the later additions. That materially undermines confidence in the application drawings as a reliable basis for assessing the scale of enlargement, the Green Belt baseline, and the effect of the proposal on the site and its surroundings.

That matters because the Council cannot properly assess:

- the true scale of the proposed enlargement;
- the correct relationship between the original house, the existing extensions and the new works;
- the actual baseline against which Green Belt impact should be judged;
- and the real effect on neighbouring amenity, site capacity and openness.

In a case such as this — involving a Green Belt site, cumulative enlargement, and works already commenced — accurate existing plans are essential. If the existing layout and footprint have not been correctly shown, the application is not a reliable basis for determination.

b. The management plan is internally inconsistent and lacks operational credibility

The management plan repeatedly seeks to reassure, but on closer reading it creates more concern than confidence. It states that:

- the home will operate with a **1:1 staffing ratio**;
- children are **never left alone**;
- children only leave the property **under staff supervision**;
- any missing child would be proactively searched for;
- and activity would be comparable to a **“typical family dwelling.”**

However, the staffing pattern actually described does not credibly explain how those assurances would work in practice for **4 children aged 7–18**. The same management plan anticipates:

- two overnight staff;
- an additional day carer;
- weekday manager attendance;
- social worker visits;
- family visits;
- reviews and inspections.

That combination is difficult to reconcile with the claim that the home would function like an ordinary family dwelling. It also does not convincingly explain how constant supervision would be delivered in practice if more than one child required support at once, if children needed to leave the site separately, or if one or more members of staff were occupied elsewhere.

In planning terms, that matters because the Council cannot safely place substantial weight on generic operational assurances if the applicant's own supporting material does not convincingly stack up. The internal inconsistency of the management plan significantly reduces the weight that can properly be attached to it.

c. Generic “good neighbour” assurances are not supported by meaningful operational detail

The management material refers to a **“good neighbour policy”** and presents the proposal as though neighbour impacts can simply be managed by broad reassurance. However, the application provides **no meaningful operational framework** showing how neighbour impacts would actually be handled in practice.

In particular, the application does not properly explain:

- how parking pressure and visitor management would be controlled;
- how complaints from neighbours would be recorded, managed and resolved;
- how boundary treatment, access control and surveillance measures would operate;
- how external lighting and security arrangements would be handled;
- or how day-to-day site management would avoid unacceptable impact on adjoining occupiers.

That omission matters because the proposal is being advanced for a constrained site in a sensitive location, yet the Council is being asked to place weight on generalised “good neighbour” assurances without any real operational detail showing how those assurances would be delivered in practice. In those circumstances, **limited weight** should be given to such generic statements.

d. Key practical consequences of the proposal are under-explained or omitted

The application also fails properly to explain several important practical consequences of the proposed use, including:

- likely vehicle movements and day-to-day comings and goings;
- the true parking demand associated with the staffing model;
- the intended boundary treatment and any containment/security measures;
- the likely need for CCTV, alarms, controlled gates and external lighting;
- refuse and recycling storage, presentation and collection;
- and how the frontage and access would function safely in practice.

These are not minor omissions. They are all matters that bear directly on:

- residential amenity;
- highway and pedestrian safety;
- Green Belt openness and domestication;
- and the overall suitability of the site for the use proposed.

The application appears to rely on a simplified and optimistic picture of the site and the proposed operation, while leaving those consequences vague or to be worked out later. That is not a satisfactory basis on which to grant planning permission for a proposal of this scale and sensitivity.

Overall conclusion on adequacy of the application

Taken together, the concerns about the accuracy of the plans, the internal contradictions in the management plan, the absence of any meaningful neighbour-management detail, and the failure properly to explain the practical consequences of the use mean that the application is not supported by a sufficiently reliable or complete evidential base. In those circumstances, the Council should not proceed on the assumption that the likely effects of the proposal have been properly understood.

If the authority is not minded to refuse the application outright, then at minimum it should require a **substantially revised, fully accurate and fully evidenced submission** before determining the proposal. On the material currently before it, however, refusal is justified.

11. Correct lawful planning baseline and works already started

The Council should take particular care to identify and assess the **correct lawful planning baseline** in this case. That is a material and important issue because the application form itself confirms that **works have already started**, and residents report that substantial alterations have already been undertaken on site.

That matters because planning permission must be determined by reference to the **proposal actually applied for**, measured against the **true existing lawful position**. The fact that works

may already have been carried out does **not** mean that those works form part of an accepted planning baseline, nor does it reduce the need for the Council to scrutinise carefully:

- what the lawful existing position actually is;
- what works have already been undertaken;
- whether the submitted plans accurately reflect the site as it presently exists;
- and whether any existing works are being implicitly relied upon to make the current proposal appear more acceptable than it otherwise would be.

That is especially important where the current on-site condition may itself be materially misleading if treated as though it were an authorised or settled starting point.

This point has particular force here because the proposal concerns a **Green Belt site**, where the correct comparison must be made against the **original building**, and because residents have raised serious concerns that the submitted plans may not accurately show the existing layout or the extent of change already carried out. In those circumstances, the Council should be especially cautious about accepting the current site condition as though it were an authorised or neutral starting point for assessment.

Residents also report that substantial material works have already occurred, including internal strip-out, replacement windows, alterations to the building fabric, and frontage changes. I recognise that building regulation compliance and construction standards are primarily matters for separate control regimes. However, in planning terms, the existence of those works is still relevant because they reinforce the need for the Council to establish the **true planning baseline** and to avoid allowing unauthorised or unverified changes to become normalised simply because they have already taken place.

Accordingly, any verge works, hardstanding changes, altered access arrangements, or other material changes carried out before determination should **not** be treated as establishing an accepted baseline for the application. The Council should instead assess the proposal against the **original lawful position** and the properly evidenced existing condition of the site, not against whatever may have been created on the ground in advance of a decision.

In a case where material works have already commenced and the existing condition of the site is itself in issue, lack of clarity in the Council's assessment or decision-making would create an obvious risk of later dispute and possible enforcement action. That is a further reason why the application must be assessed against the correct lawful baseline and on the basis of accurate plans.

In short, the Council should be particularly careful to assess the **accuracy of the submitted plans**, the **correct lawful planning baseline**, and the **extent of works already undertaken** at Church Lane. In that context, any unauthorised works should not be treated as part of the accepted planning baseline simply because they are already in place.

12. Supporting points

The following matters are not relied on as the primary reasons for refusal. However, they are still relevant to the overall planning balance and further reinforce the conclusion that this is an unsuitable proposal for this site.

a. Refuse, recycling and servicing arrangements are not adequately explained

The application does not clearly explain where refuse and recycling bins would be stored, how many would be required, or how collection would operate on such a constrained frontage. That omission is material because it goes to the practical day-to-day functioning of the site and further supports the conclusion that the proposal has not been properly worked through.

This is not a trivial detail. GOV.UK guidance states that waste arising from commercial activity is business waste, and Kirklees' own waste policies state that trade waste is not collected as part of residential collections. In those circumstances, the absence of a clear servicing strategy is another indicator that the site is too constrained and under-planned for the use proposed.

b. Loss of an ordinary dwelling from the housing stock

The proposal would also result in the loss of an existing dwellinghouse from the ordinary housing stock, which is a minor additional factor in the planning balance but not relied on as a primary reason for refusal.

c. The neighbour objections consistently identify the same site-specific planning harms

The volume and consistency of local objection is also relevant. Around **38 neighbour representations** have already raised recurring planning concerns, including:

- parking and highway danger;
- constrained site capacity;
- privacy and amenity impacts;
- extension scale and Green Belt harm;
- safeguarding and location-specific concerns;
- and the fact that works have already started.

I do not suggest that the number of objections determines the planning outcome by itself. However, the repeated consistency of the site-specific issues raised does reinforce the conclusion that the concerns identified in this objection are real, local, and grounded in the characteristics of the site rather than abstract opposition to the use.

d. Comparator approvals do not justify approval here

A review of granted children's-home / C2 officer reports in Kirklees is also informative, although not determinative. Those reports tend to approve proposals where officers are able to conclude that:

- the use remains broadly residential in character;
- there are no major external changes, or only limited changes;
- parking and visitor activity are broadly comparable to an ordinary dwelling;
- and the site can be treated as functioning similarly to a large family home.

Church Lane is materially different. It is in the **Green Belt**, involves substantial cumulative enlargement, fronts the **A643**, has a constrained frontage and uncertain access arrangements, limited outdoor space, and direct objections from both **Children's Services** and **West**

Yorkshire Police. The comparator approvals therefore do not assist the applicant, because they do not involve the same combination of Green Belt, access, safeguarding, site-capacity and baseline problems.

e. If the Council is not minded to refuse, it should at minimum require a substantially revised submission

If, despite the points above, the authority is not minded to refuse the application outright, then at minimum it should require a **substantially revised, fully accurate and fully evidenced submission** before determining the proposal. In particular, the Council should not determine the application on the basis of:

- inaccurate or unreliable plans;
- a weak and internally inconsistent management plan;
- unclear frontage, access and servicing arrangements;
- and incomplete information on boundary treatment, surveillance, lighting and day-to-day operation.

Given the scale of the proposal and the sensitivity of the site, the current submission does not provide a sufficiently robust evidential basis for approval.

13. Conclusion and request for refusal

For all of the reasons set out above, this application should be refused.

This is **not** an objection to children's homes in principle. It is an objection to **this particular proposal**, in **this particular location**, and to the cumulative planning harm that would arise from granting permission for:

- a broad **Class C2** use for **4 children** within a **5-bedroom layout in practice**;
- substantial enlargement of an already extended dwelling in the **Green Belt**;
- altered frontage, hardstanding and access arrangements on a constrained site fronting the **A643**;
- and the intensification of activity at a site that is poorly suited to the use proposed.

The proposal carries **little or no positive weight on any claimed "meeting need" basis**.

Kirklees Children's Services has formally objected and states that the proposed **4-bed model is not aligned with local need**, that there is already **significant overprovision** of this type of home in Kirklees, and that the authority's priorities lie elsewhere. That position is supported by Kirklees' own sufficiency evidence and by the wider pattern of existing and proposed provision in the borough.

At the same time, the proposal gives rise to multiple and substantial planning harms, including:

- conflict with Green Belt policy through **disproportionate enlargement over and above the original building** and additional harm to openness through frontage, hardstanding and access domestication;
- an unsuitable location for the proposed use, reinforced by the **West Yorkshire Police objection** on site-specific safeguarding grounds;
- **inadequate parking**, access and **highway arrangements** for the intensity of use proposed;
- **over-intensive** occupation of a **constrained** site;
- harm to neighbouring amenity through bulk, privacy impacts, likely surveillance / lighting consequences, and general operational intensity;
- **inaccurate, inconsistent and unreliable** application material;
- and the need for particular caution as to the **correct lawful planning baseline**, given that works have already started.

Taken together, these are not minor or technical concerns. They are substantial planning objections going to the **principle, scale, suitability, design, operation and lawfulness** of the proposal. Even if additional provision were needed in principle, that would not justify granting permission for a scheme with this combination of Green Belt harm, highway danger, site unsuitability, amenity impact and evidential weakness.

Accordingly, I respectfully request that planning permission be **refused**.

If, contrary to that position, the Council is not minded to refuse the application outright, then at the very least it should require a substantially revised, fully accurate and fully evidenced

submission before any decision is made. On the material currently before it, however, refusal is fully justified.

The issue is not whether children's homes can ever be acceptable; it is whether this particular proposal, on this particular site, is acceptable in planning terms. On the evidence, it is not.

The strongest and most clearly policy-based reasons for refusal are the Green Belt conflict, the unsuitable location, the inadequate access / parking arrangements, and the unreliable evidential basis of the application.

Appendix A – Marked-up comparison of original, existing and proposed extensions

Indicative visual comparison based on historic mapping and the submitted application plans, showing the relationship between the original dwelling footprint (green), the earlier single-storey extensions (orange), and the proposed two-storey additions (purple). Provided to assist assessment of cumulative enlargement and the correct Green Belt baseline.



Appendix B – Aerial view of site context, rear garden constraints and surrounding relationships

Indicative aerial image showing the relationship between 143 Church Lane, the surrounding neighbouring properties, the limited rear garden space, and the extent of the existing built form and recent works visible on site. Provided to assist assessment of site constraints, neighbouring relationships, limited defensible outdoor space, and the cumulative extent of enlargement and alteration.

Appendix C – Summary of Kirklees C2 / children’s-home applications reviewed (1 January 2025 to 22 March 2026)

This summary is provided as supporting context only. The point is not that every other application was inappropriate, but that Kirklees is **not short of applicants** seeking to bring forward C2 / children’s-home uses, and the Council is therefore **not compelled to approve** an unsuitable proposal at 143 Church Lane simply to maintain provision.

A review of Kirklees planning records from **1 January 2025 to 22 March 2026** identified **55 unique C2 / children’s-home-related cases**, including **38 planning applications** and **17 certificate-of-lawfulness applications**. Across those 55 cases, the outcomes recorded at the time of review were:

- **20 granted**
- **9 refused**
- **8 pending**
- **4 withdrawn**
- **4 certificates granted**
- **9 certificates refused**
- **1 refused with appeal lodged**
- **1 refused with appeal dismissed**

The review also showed a continuing flow of mostly small-scale proposals, with the majority involving homes for **1 to 4 children**, and a significant number of applications still live or pending as at **22 March 2026**.

This demonstrates a clear and active market for children’s-home / C2 applications in Kirklees. Importantly, many of the granted cases appear, from their proposal descriptions, to have been more straightforward change-of-use applications than the current Church Lane scheme. By contrast, 143 Church Lane is a **composite proposal** involving a 4-child C2 use, substantial enlargement, altered access / hardstanding, and wider physical changes on a constrained **Green Belt** site with an **A-road frontage**.

The significance of this review is that:

- there is already a substantial pipeline of applicants and proposals in Kirklees;
- refusal of one unsuitable proposal would not deprive the borough of potential provision; and
- the Council is able to be selective and is not compelled to approve a particularly unsuitable proposal simply to maintain supply.

The full spreadsheet and underlying application schedule can be provided on request.