

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

8 October 2026

Dear Sir/Madam

**FINAL COMMENTS - APPEAL REFERENCE: 6015099 - 143 CHURCH LANE,
GOMERSAL, CLECKHEATON, BD19 4QN**

Thank you for providing a copy of the Council's case and third party representations. The Appellant's previously provided Statement of Case sets out the full grounds of appeal and addresses the issues raised. Mindful of the purpose of final comments and the contents of the previously provided appeal statement, only the pertinent points will be discussed.

It is notable, that the application was recommended for approval by the Council's professional planning officer but was refused by Committee on four grounds relating to design, neighbouring amenity, privacy and parking/highway safety.

The Appellant maintains that the officer's assessment is well founded and that the alleged harms have not been demonstrated.

Design and Street Scene

The Council alleges that the first-floor extension would be dominant, overbearing and incongruous. This is not supported by the officer's assessment. The extension is set back from the front of the dwelling, incorporates a reduced roof form and uses matching materials. It would remain subordinate to the existing house.



Church Lane contains a varied mix of properties of different ages, designs and scales. The proposal would therefore not appear incongruous within a uniform street scene. The officer concluded that the works would not cause significant harm to visual amenity and complied with Policy LP24.

The Committee's decision does not identify why those design measures and the officer's assessment should be rejected. Reason for Refusal 1 is therefore not substantiated.

Impact on Nos. 1 and 3 The Coppice

The Council alleges an unacceptable overbearing and enclosing impact. The officer considered the relationship with each property individually.

In respect of No. 1, account was taken of the difference in levels, orientation, existing built form and limited openings facing the proposal. The officer concluded that the additional development would not cause significant additional harm.

With regards No. 3, the extension faces a blank gable elevation, with the principal habitable-room windows on other elevations. The officer therefore concluded that the proposal would not significantly affect its occupiers.

Neighbour representations describe the extension as overbearing and allege loss of light, but no technical evidence has been provided demonstrating unacceptable daylight, sunlight or enclosure impacts.

The relevant issue is not whether the extension will be visible, but whether it creates an unacceptable loss of residential amenity. The Council's professional assessment concluded that it would not.

Privacy and Overlooking

The Council alleges that the extension would create unacceptable overlooking. The proposed extension contains no side-facing windows directly overlooking the neighbouring gardens.



The area above the garage has historically provided an elevated external position from which views towards neighbouring gardens were possible. The proposal would replace that open elevated area with built form. The appeal evidence also identifies a separation of more than 11 metres from the relevant elements of No. 3 The Coppice, whose facing gable is blank.

The proposed extension would, in fact, result in a significant improvement to the existing privacy relationship with No. 1 The Coppice.

Importantly, the proposal would remove the three existing windows within the gable end of the property, which currently provide direct views towards, and into, the garden of No. 1 The Coppice. In addition, the existing full roof terrace, which also currently affords views directly towards the neighbouring garden, would be removed as part of the development.

Accordingly, the proposal would eliminate these existing sources of overlooking and would therefore represent a substantial improvement in the privacy of No. 1 The Coppice, when compared with the existing situation.

Once the extension is constructed, there would be no direct overlooking from the proposed extension into the garden of No. 1 The Coppice. The development should therefore be considered in the context of the existing overlooking arrangements, which are being reduced rather than intensified by the proposal.

The officer specifically concluded that the proposal would not result in unacceptable overlooking.

Some neighbours dispute the historic use of the roof area. However, even if that dispute is put to one side, the relevant point remains that the proposal introduces no new side-facing windows directly overlooking the neighbouring properties.

Parking and Highway Safety

The Council's fourth reason alleges insufficient parking and increased highway pressure. The Appellant's operational arrangements provide for a managed staffing model,



including a 48-hour rota. The proposal is therefore not based upon an assumption of conventional daily shift changes involving all staff simultaneously.

The Council's officer considered staffing, staff changes, professional visits and the operation of the children's home, including the presence of another children's home nearby. Following that assessment, the officer concluded that the proposal would not create unacceptable parking or highway impacts.

Significantly, the Council's Highways representative raised no objection, and the officer concluded that the development was acceptable in highway safety and parking terms.

Neighbours dispute the dimensions and availability of parts of the proposed parking arrangement. Those matters do not, however, establish that the development would result in unacceptable highway harm. Nor should occasional vehicle overlap be equated with a severe or sustained parking problem.

Council's Conditions – The appellant has no objection to the recommended conditions

Other Objections

Representations also raise concerns regarding local need, safeguarding, Children's Services, West Yorkshire Police, Building Regulations, accessibility and alleged unauthorised works.

Building Regulations, fire safety and enforcement matters are separate statutory regimes and should not be treated as determinative of this planning appeal.

Conclusion

The proposal makes effective use of an existing dwelling within an established residential settlement and provides accommodation for up to four children requiring care.

The Council's professional planning officer assessed the proposal and recommended approval.



The neighbour objections largely repeat these concerns but do not provide technical evidence that overturns the officer's conclusions. The Appellant therefore respectfully submits that the Committee's concerns have not been demonstrated to outweigh the benefits of the proposal.

The Inspector is respectfully requested to allow the appeal and grant planning permission.

Yours faithfully

Lloyd Jones MRTPI