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:	**2026/62/92573/E**
Site Address:	65, Jackroyd Lane, Upper Hopton, Mirfield, WF14 8HS
Description:	Erection of car port (within a Conservation Area)
Recommending Officer:	Jennifer Booth

DECISION – FULL CONDITIONAL 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.

Kerri Simpson

AUTHORISED OFFICER

Date: 06-Nov-2026

SCHEDULE 1

DECISION LEVEL:

This is a Schedule 1 Application. By virtue of Regulation 4, it must be dealt with under delegated powers.

OFFICER REPORT

Site Description

65 Jackroyd Lane is a detached stone built dwelling, set off the main road with gardens to the front, a drive to the side and enclosed gardens to the rear. The property has a detached garage.

The surrounding area is residential with traditional style properties in varying sizes and styles. The property is within the Upper Hopton Conservation Area.

Description of Proposal

The applicant is seeking permission to erect a car port to the side.

The car port would have a width of 4m and a depth of 11.4m with a pitched roof at a height of 3.3m.

The car port would be supported on timber supports with a tiled roof.

Relevant Planning History

None

Representations

The application was advertised by site notice and press notice, public consultation expired on 22/10/2026.

As a result of the above publicity, no representations have been received.

Consultation Responses

None

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map. However, the property is sited within the Upper Hopton Conservation Area

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP 30** – Biodiversity
- **LP 35** - Historic Environment

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

The site is within Mirfield Neighbourhood Area. There is no made Neighbourhood Development Plan (NDP) within the Mirfield Neighbourhood Area at present. Furthermore there is no emerging NDP to be considered as a material consideration in assessment of this application. Further details on the progress of neighbourhood development plans in the district can be found at: https://www.kirklees.gov.uk/beta/planning-policy/neighbourhood-planning.aspx

However, the Mirfield Design Guide 2002 is still of relevance and requires development to be in keeping with the area.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF)

published August 2026, 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.

- Chapter 4 – Achieving sustainable development (S3: Presumption in favour of sustainable development)
- Chapter 5 – Meeting the challenge of climate change (CC2: mitigation of climate change & CC3: Adaption to climate change)
- Chapter 14 – Achieving well-designed places (DP3: Key principles for well-designed places & DP4: The design process)
- Chapter 17 – Pollution, public protection and security (P2: Ground conditions & P3: Living conditions and pollution)
- Chapter 20 – Conserving and enhancing the historic environment (HE5: Assessing effects on heritage assets, HE6: Proposals affecting designated heritage assets & HE7: Decisions on non-designated heritage assets)

Assessment

Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions & Alterations SPD and Chapter 14 of the NPPF, regarding design. 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.

Impact on Heritage:

In this instance, the property is located within the Upper Hopton Conservation Area which is a large village, where the stone built Conservation Area has retained a rural identity in a compact and attractive grouping including the sixteenth century half-timbered Hopton Hall, and St John's Church (1846) with a focal point tower. The buildings of Hopton Hall Farm, walls and trees give a sense of enclosure to Hopton Hall Lane. Mature trees abound, particularly in the churchyard and the grounds of the Hall. As such, consideration is to be given to the current proposals in terms of the relationship formed between the proposals and the Conservation Area with regards to policy LP35 of the Kirklees Local Plan and chapter 20 of the National Planning Policy Framework.

In accordance with Policy HE5(1) of the NPPF, development proposals affecting heritage assets should be accompanied by an assessment of their significance and the potential effects of the development upon that significance. Whilst no formal Heritage Statement has been submitted in support of the application, officers are satisfied that, given the limited nature and scale of the proposed works, sufficient information has been provided through the submitted plans, supporting documentation and observations made during the site visit to enable an assessment of the significance of the heritage asset and the likely effects of the development on its historic character. On this basis, it is considered that adequate information is available to determine the application and assess its impact on heritage significance.

The host property comprises a traditional double-fronted stone dwelling positioned perpendicular to the highway within a row of similar stone-built properties. The dwelling benefits from garden areas to the front and rear, with a driveway running along the side of the property providing access to a detached garage located to the rear. The proposal seeks the erection of a car port to the side of the dwelling, situated in front of the existing garage. The structure would be of a simple timber construction incorporating a tiled roof. By virtue of its siting, scale, design and use of traditional materials, the car port would appear as a subordinate addition that would maintain an appropriate relationship with the host dwelling and would be sympathetic to the prevailing character and appearance of the surrounding Conservation Area. As such, the proposal is not considered to result in harm to the significance of the designated heritage asset, in accordance with Policy LP35 of the Kirklees Local Plan and the relevant provisions of Chapter 20 of the NPPF.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the House Extensions & Alterations SPD goes onto state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

The proposed car port would be sited to the side of the dwelling within the existing driveway area and would be read in the context of the existing garage to the rear. Whilst visible from the public realm, the structure would respect the established spatial relationship between the property and the highway. The proposed timber frame and tiled roof would reflect traditional materials commonly found within the locality and would complement the stone construction of the host dwelling. Furthermore, the open-sided nature of the car port would reduce its visual presence when compared to a fully enclosed structure of a similar scale. As a result, the proposal would appear as a modest and subordinate addition that would not appear incongruous or overly prominent within the street scene. The development is therefore considered to

preserve the character and appearance of both the host property and the wider Conservation Are.

Having taken the above into account, the proposals would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of Chapter 14 of the National Planning Policy Framework.

Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

The proposed car port would not result in any adverse impacts upon the residential amenity of neighbouring occupiers. There are no neighbouring properties located to the front or rear of the site that would be affected by the development. The proposal would be positioned between the host dwelling and No. 67 Jackroyd Lane; however, there are no habitable room windows or areas of private amenity space within the immediate adjacent area that would be adversely affected by the structure. Given its open-sided design and modest scale, the car port would not give rise to unacceptable levels of overshadowing, overbearing impact, loss of outlook or loss of privacy. Accordingly, the proposal is considered to provide an acceptable relationship with neighbouring properties and to comply with the residential amenity objectives of the development plan.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions & Alterations SPD and Chapter 14 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will not result in any intensification of the domestic use. Bin storage for the dwelling would not be moved as part of the proposals. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions & Alterations SPD.

Other matters:

Biodiversity

The development is for a single storey open structure to the side of the dwelling. Whilst the property is sited in area, which is known to include bat habitats, in this instance, as the works proposed are single storey and include no work to the main roof, then it is considered unlikely to have an impact on the bat population.

Carbon Budget

The proposal is a small scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters for consideration.

Representations:

None

Negotiations:

None

Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Conclusion:

This application to erect a car port to the side of 65 Jackroyd Lane has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable.

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.

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation **Approve**

Decision Authorisation - Delegated Powers
Application Number: 2026/92573
Officer Recommendation: Approve
Conditions and Reasons

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.

2. 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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 and LP35 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays
08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.
Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Site Location plan	F400	1157540	11/09/2026
Existing Block plan	F401	1157539	11/09/2026
Existing Elevations	F200	1157545	11/09/2026

Plan Type	Reference	Web ID	Date Received
Proposed Floor Plan & Roof Plan	F100 A	1157546	11/09/2026
Proposed Elevations	F201 A	1157544	11/09/2026
Proposed Detailed Elevations	F202 A	1157542	11/09/2026

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 Planning 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.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated 22/10/2026