



**Town and Country Planning Act 1990**

**Town and Country Planning (Development Management Procedure) (England) Order  
2015**

**PLANNING PERMISSION FOR DEVELOPMENT**

---

**Application Number: 2025/62/91846/W**

---

**To:** Mohammed Abrar,  
PAD Architecture  
Suite 2  
Martin House 2, Martin Street  
Brighouse  
HD6 1DA

**For:** S RANA

**In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby permits:-**

ERECTION OF TWO STOREY SIDE EXTENSION TO FORM AN ADDITIONAL DWELLING (WITHIN A CONSERVATION AREA)

**At:** 85, BLACKER ROAD, BIRKBY, HUDDERSFIELD, HD1 5HQ

---

**In accordance with the plan(s) and applications submitted to the Council on 01-Aug-2025, subject to the condition(s) specified hereunder:-**

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

**Reason:** To ensure compliance with 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 Policies LP1, LP2, LP3, LP7, LP20, LP21, LP22, LP24, LP26, LP28, LP30, LP35, LP51, LP52 and LP53, of the Kirklees Local Plan, Chapters 2, 4, 5, 8, 9, 11, 12, 14, 15 and 16 of the National Planning Policy Framework, and Principles 2, 5, 6, 9, 12, 13, 14, 15, 16, 17, 18 and 19 of the Housebuilders Design Guide SPD.

3. The external facing and roofing materials shall be as specified in the submitted application and drawings, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interest of visual amenity and in accordance with Policy LP24 of the Kirklees Local Plan, the Kirklees Housebuilders Design Guide Supplementary Planning Document, and the aims of chapter 12 of the National Planning Policy Framework 2024.

4. Prior to first occupation, details of secure and covered cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed prior to occupation and retained thereafter.

**Reason:** To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with the Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework

5. Prior to first occupation of the dwelling hereby approved, details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall clearly identify the boundaries of the curtilage of the approved dwelling and the retained curtilage of No.85 Blacker Road. The approved boundary treatment shall be implemented prior to occupation and retained thereafter.

**Reason:** To secure appropriate boundary treatments and a clear definition of the curtilage of the new dwelling, in the interests of visual and neighbouring amenity, in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

6. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the Local Planning authority shall be notified in writing within 2 working days. Works on site shall not recommence until either:

- a) a Remediation Strategy has been submitted to and approved in writing by the the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

**Reason:** To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

**NOTE:** Please note that the granting of planning permission does not override any private rights of ownership, and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan			01/08/2025
Existing Floor Plans & Elevations	PAD.220.438		01/08/2025
Proposed Block Plan	PAD.220.618		08/12/2025
Proposed Floor Plans and Elevations	PAD.220.439		17/12/2025
Noise Mitigation Scheme			01/08/2025
Design & Access Statement			01/08/2025
Biodiversity Net Gain (BNG) Statement			01/08/2025
Climate Change			01/08/2025

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. Amended drawings were received during the course of the application to change the scheme from 3 flats to a single dwelling house and the assessment was based on the revised plans.

**Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Tel No: (01484) 221550 for more information.**

**It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.**

#### **Details Reserved by Condition**

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "*submitted to and approved in writing by the Local Planning Authority*".
- You can apply online for approval of these details at the Planning Portals website at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). Alternatively the forms and supporting guidance for submitting an application can be found online at [www.kirklees.gov.uk/planning](http://www.kirklees.gov.uk/planning).
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.

- **If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.**

### **Development within a Coal Mining Area**

**The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.**

**Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://www.mra.gov.uk)**

### **Digital Infrastructure: Fibre To The Property (FTTP)**

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- Economic prosperity – workforces that are digitally-literate enables business to thrive.
- Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.
- New services – digital delivery can lower costs and provide innovative public and health services more conveniently.

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speedier installation at a later date.

**Note:** The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

**Note:** Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost effective provision of fibre infrastructure in the future.

**Where the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area**

### **Appeals to the Secretary of State**

- **If you are aggrieved by the decision of your Local Planning Authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.**
- **If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
  - i) **28 days of the date of service of the enforcement notice, or**
  - ii) **within the specified period, starting on the date of this notice,****whichever period expires earlier.****
- **If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.**
- **The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.**
- **Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.**
- **You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.**
- **The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.**

- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

#### Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

Dated: 19-Dec-2025

Signed:



David Shepherd  
Executive Director for Place

## Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at [www.kirklees.gov.uk/planning](http://www.kirklees.gov.uk/planning), and by clicking on the 'search planning applications and decisions' and by searching for application number 2025/62/91846/W .

If a paper copy of the decision notice or decided plans are required please email [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk) or telephone 01484 414746 with the application number. There may be a charge for this service.

---

All communications should be sent to one of the following address:

E-mail: [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

Write to: Kirklees Council  
Planning and Development Service  
PO Box 1720  
Huddersfield  
HD1 9EL

---