



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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/70/92261/W

To: Haroon Iqbal
32, Oastler Avenue
Springwood
Huddersfield
HD1 4EU

For: A Bismilla

**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:-**

VARIATION OF CONDITIONS 2 (PLANS) AND 3 (MATERIALS) OF PREVIOUS
PERMISSION 2024/91044 FOR ERECTION OF EXTENSIONS INCLUDING
ASSOCIATED ALTERATIONS

At: 35, CUMBERLAND AVENUE, FIXBY, HUDDERSFIELD, HD2 2JJ

**In accordance with the plan(s) and applications submitted to the Council on 11-
Aug-2025 together with those plans and application(s) submitted to the Council
on 15-Apr-2024 and incorporated into planning permission 2024/91044 granted on
24-Jul-2024 and subject to the condition(s) specified hereunder:-**

1. The development hereby permitted shall be begun by 24th July 2027.

Reason: Pursuant to the requirements of Section 51 of the Planning and Compulsory
Purchase Act 2004.

2. The development hereby permitted shall be carried out in 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, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, the aims of the Council's House Extensions and Alterations SPD and the National Planning Policy Framework.

3. The materials of construction shall be in accordance with those detailed within submitted drawings on submitted plans Drawing 015 proposed north elevation, Drawing 016 proposed west elevation, Drawing 017 proposed south elevation and Drawing 018 proposed east elevation. The materials of construction shall be retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. The windows within the first floor of the west and east side elevation upon submitted plans Drawing 016 proposed west elevation and Drawing 018 proposed east elevation shall be obscurely glazed and be non-opening.

Reason: In the interests of residential amenity and to accord with Policies LP24 of the Kirklees Local Plan, principle 3 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

NOTE: The Council's GIS system indicates that a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule: -

Plan Type as part of application 2025/92261	Drawing number	Version	Date Received
Location and block plan	100	-	11/08/2025
Existing Landscape Plan	000	-	13/08/2025
Existing ground floor plan	001	-	13/08/2025
Existing first floor plan	002	-	13/08/2025
Existing roof plan	003	-	13/08/2025
Existing west elevation	006	-	13/08/2025
Existing south elevation	007	-	13/08/2025
Existing north elevation	005	-	13/08/2025
Existing east elevation	008	-	13/08/2025
Proposed roof plan	013	-	13/08/2025
Proposed section plan	014	-	13/08/2025
Proposed landscape plan	010	-	13/08/2025
Proposed ground floor plan	011	-	13/08/2025
Proposed first floor plan	012	-	13/08/2025
Proposed north elevation	015	-	13/08/2025

Proposed east elevation	018	-	13/08/2025
Proposed south elevation	017	-	13/08/2025
Proposed west elevation	016	-	13/08/2025
Application form	-	-	11/08/2025
Plan Type as part of application 2024/91044	Reference	Version	Date Received
Site/block layout existing	ALA-045-001	A	15/04/2024
Ground floor plans existing	ALA-045-002	A	15/04/2024
First floor plans existing	ALA-045-003	A	15/04/2024
Roof plans existing	ALA-045-004	A	15/04/2024
North and south elevations existing	ALA-045-006	A	15/04/2024
East and west elevations existing	ALA-045-007	A	15/04/2024
Location plan	-	A	15/04/2024
Climate change statement	-	-	15/04/2024
Design and access statement	-	-	15/04/2024
Application form	-	-	15/04/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. No amendments were sought as it was considered that the proposal was acceptable as submitted.

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 Telephone: (01484) 221550 for more information.

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](https://www.mra.gov.uk/)

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 refuse permission for the proposed development or 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 or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:
 - i) 28 days from the date of this notice where the enforcement notice has been served,
 - ii) 28 days of the date of service of the enforcement notice or,
 - iii) the specified period starting from 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 so that we can work on continually improving our customer service. Thank you.

Dated: 13-Oct-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, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2025/70/92261/W .

If a paper copy of the decision notice or decided plans are required please email 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

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