

APPROVAL OF MATTERS RESERVED BY OUTLINE PLANNING PERMISSION

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

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THIS PERMISSION DOES **NOT** CONSTITUTE APPROVAL UNDER THE BUILDING REGULATIONS

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(Please see notes at end of this letter)

To  
Aurum Homes Ltd  
c/o Cassidy + Ashton Group Ltd  
FAO Miss Claire Parker  
7 East Cliff  
Preston  
PR1 3JE

This Council hereby grants approval for

**Residential development of 23 dwellings (Reserved matters pursuant to 20/00355/VAR)**

on land at

**Land At Junction Of Birkby Lane And  
Bradford Road  
Brighouse  
Calderdale**

in accordance with the plans approved by the Council on 02.09.2021

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	8678 - L01b		04.06.2021
Landscape Plan	LGD_20_01	D	04.06.2021
Site Plan	EAD_047_P_02	S1	04.06.2021
Floor Plan	EAD_047_WD_05		04.06.2021
Floor Plan	EAD_047_WD_08		04.06.2021
Elevations	EAD_047_WD_06	S4	04.06.2021
Elevations	EAD_047_WD_10	S4	04.06.2021
Floor Plan	EAD_047_WD_01	S1	20.08.2021
Elevations	EAD_047_WD_03	S5	20.08.2021
Street Scene	EAD_047_P_06	S2	04.06.2021

subject to the following conditions under Section 92 of the Act

The development to which this permission relates must be begun not later than the expiration of TWO years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved

and subject to the additional conditions specified below:

1. The development shall be carried out in accordance with the schedule of approved plans listed above in this decision notice, unless variation of the plans is required by any other condition of this permission.
2. Notwithstanding any details shown on the permitted plans the facing and roofing of the development shall not begin until details of the proposed facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Before the development hereby permitted is first brought into use, the development shall be constructed in accordance with the details so approved and shall be so retained thereafter.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that order) no development falling within classes A and B of Schedule 2 of the said order shall be carried out without the prior written permission of the Local Planning Authority.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the or the completion of the development, whichever is the sooner; and shall be so retained thereafter, unless any trees or plants within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased. These shall be replaced in the next planting season with others of similar size and species, (unless otherwise agreed in writing by the Local Planning Authority) and these replacements shall be so retained thereafter.

The reasons for the Council's decision to grant an approval for the development subject to the above additional conditions are:

1. For the avoidance of doubt as to what benefits from planning permission and to ensure compliance with the Development Plan and National Planning Policy Framework.
2. To ensure the use of appropriate materials in the interests of visual amenity and to ensure compliance with policies BE1 and BE15 of the Replacement Calderdale Unitary Development Plan.
3. In the interests of amenity and to ensure compliance with policies BE1, BE2 and BE15 of the Replacement Calderdale Unitary Development Plan.

4. In the interests of amenity and to help achieve a satisfactory standard of landscaping and to ensure compliance with policy BE3 of the Replacement Calderdale Unitary Development Plan.

**Informative(s)**

1. The Local Planning Authority has endeavoured to work with the applicant/agent in relation to this application, to secure a development that positively contributes to the economic, social and environmental well being of Calderdale in accordance with the National Planning Policy Framework.

**Please be aware that you will have to submit an application to have the details required by condition, approved. The fee is £34 for a Householder application and £116 for a Non-householder. There is no charge for discharging conditions on Listed Building Consents, TPO's or Conservation Area Consents**

**Please note the charges will be applied per application irrespective of how many conditions the application is for. ie If there are 20 conditions and you only apply for 1 -10 then the appropriate fee will apply and when you apply for conditions 11 -20 you will be charged again.**

DATED: 2 September 2021



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For and on behalf of  
Director of Regeneration and Strategy

TOWN AND COUNTRY PLANNING ACT 1990

**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 for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.

If this is a decision to refuse planning permission for a **householder application**, If you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a **minor commercial application**, If you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.

If this is **not a refusal of planning permission for a householder or minor commercial application** if you want to appeal then you must do so within six months of the date of this notice.

However, if an Enforcement notice has been served for the same or substantially the same land and development as in your application the time limit is:

**28 days from the date of the Local Planning Authority's decision** if the Enforcement Notice was served before the decision was made yet not longer than 2 years before the application was made or

**28 days from the date the Enforcement Notice** was served if served on or after the date the decision was made (unless this extends the appeal period beyond 12 weeks – where this relates to a householder application, or unless this extends the appeal period beyond 6 months, for the other applications).

You should use forms which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 4445000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). A copy of the completed appeal form should be sent to, Calderdale MBC Planning Services, C/O The Town Hall, Crossley Street, Halifax, HX1 1UJ.

The Secretary of State can allow a longer period for giving notice of an appeal, but 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 permission without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

The Planning Inspectorates online appeals service which you can use to make your appeal can be found through the Appeals area of the Planning Portal – see [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

### **Purchase Notice**

If either the Local Planning Authority or the Secretary of State for Communities and Local Government 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 can he render the land capable of a reasonably beneficial use by carrying out any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. 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.