

**Building Plot
Rutland Drive
Harrogate
HG1 2NX**



Arguably one of the last and best building plots in the Duchy area.

A fantastic opportunity to purchase an exceptional building plot with planning permission granted to develop a substantial detached property extending to over 7,100 sqft (660 sqm). The site extends to about ½ an acre and occupies a lovely setting in this highly sought after residential neighbourhood in the prime Duchy area.

Guide Price £1.2 million

T: 01423 523423

Regent House, 13-15 Albert Street, Harrogate HG1 1JX
E: harrogate@carterjonas.co.uk

carterjonas.co.uk

GENERAL COMMENTS

This is a unique opportunity to acquire a ½ acre plot of land in a prime residential area – it is believed to be one of the last undeveloped parcels of land in the Duchy area.

This excellent level site is accessed off Rutland Drive and has planning consent granted to develop a substantial detached property extending to over 7,100 sqft (660 sqm) – the house extends to 5,600 sqft (520 sqm) and the garage 1,550 sqft (144 sqm) over two floors. The decision notice number is ZC24/03590/FUL. Documents relating to the planning permission can be viewed online on the North Yorkshire County Council planning portal.

The site occupies an enviable position in the prime Duchy residential area, close to the Valley Gardens and Pine Woods and within about ½ a mile of the town centre which offers a wide variety of shops, restaurants and recreational facilities. A number of highly regarded schools are within walking distance including Harrogate Ladies College, Highfield Prep School and Brackenfield School. For the commuter, there is easy access to the business centres of Leeds, Bradford and York, the national motorway network and Leeds/Bradford International Airport.

For more detailed information relating to this potential development opportunity, please contact Tony Wright at Carter Jonas.

Tel: 01423 523423

Email: Tony.Wright@carterjonas.co.uk

Mr Simon Shaw
c/o Townscape Architects Ltd
Mr Nick Silcock
Temple House
Raglan St
Harrogate
HG1 1LE
United Kingdom
Your Ref: PP-13493163

NOTICE OF DECISION ON PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

PROPOSAL: Construction of detached dwelling and garage.
LOCATION: Land To The East Of 43 Rutland Drive Harrogate North Yorkshire
APPLICANT: Mr Simon Shaw

North Yorkshire Council being the Local Planning Authority for the purposes of the application received on 24 October 2024 for Full Planning Permission, as described above, have resolved to
GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS.

The conditions to which the permission is subject are as follows:

- 1 The development hereby permitted shall be begun on or before three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in strict accordance with the following drawings:

Existing and Proposed Site Plan - Drawing no. Y-24119-P002. Received 21.10.2024.

Proposed Plans and Elevations - Drawing no. Y-24119-P003. Received 21.10.2024.

Garage Plans and Elevations - Drawing no. Y-24119-P004. Received 21.10.2024.

Site Section - Drawing no. Y-24119-P005. Received 21.10.2024.

- 3 The Biodiversity Gain Plan shall be prepared in accordance with the StatutoryMetric completed by Hugh Roberts dated 16th October 2024 and the Biodiversity Net Gain Report (Pinfold Ecology and Design) dated January 2025.
- 4 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan, has been submitted to, and approved in writing, by the Local Planning Authority.
- 5 Development may not be begun unless:
 - (a) A biodiversity gain plan has been submitted to the planning authority; and
 - (b) The planning authority has approved the plan
- 6 The removal of woody vegetation shall be undertaken outside of the birds nesting season (March-August inclusively) unless a pre-commencement check by a suitably qualified ecologist demonstrates that no actively nesting birds are present.
- 7 One 'integrated' swift brick and one 'integrated' bat brick must be provided at height (>4m) and away from sources of artificial light, prior to first use of the new building and shall be retained for the lifetime of the development thereafter.
- 8 No phase of the development, including demolition or enabling works, is to commence until a detailed Arboricultural Method Statement (AMS) including a Root Protection Area (RPA) has been submitted to and approved in writing by the Local Planning Authority. This must include a specification of tree protection measures and an auditable system of arboricultural supervision and monitoring requirements. The AMS will be implemented in full prior to any works taking place and during the development and tree protection measures must remain in place until completion is agreed with the Local Planning Authority. A pre commencement meeting including the LPA Arboricultural Officer, Site Manager and appointed Arboricultural Specialist must take place on site to ensure all tree protection measures have been installed in accordance with the approved details. No retained tree(s) will be felled, pruned or otherwise impacted without the written approval of the LPA. The development shall thereafter be carried out in accordance with the approved details or any variation as may be subsequently agreed in writing by the LPA.
- 9 A detailed scheme for landscaping, including the planting of trees and or shrubs and the use of surface materials shall be submitted to the Local Planning Authority (LPA) and no development shall take place until the LPA have approved such a scheme: such a scheme shall specify materials, species, tree and plant sizes, number and planting densities and the timing of the implementation of the scheme, including any earthworks required.
- 10 The development must not be brought into use until the access to the site Land to the East of 43 Rutland Drive has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number E50 and the following requirements.

- o Any gates or barriers must be erected a minimum distance of 5 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- o That part of the access extending 5 metres into the site from the carriageway of the existing highway must be at a gradient not exceeding 1:40.
- o Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed in accordance with the approved details shown on drawing E50 and maintained thereafter to prevent such discharges.
- o The final surfacing of any private access within 2 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- o Measures to enable vehicles to enter and leave the site in a forward gear.

All works must accord with the approved details.

- 11 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Land to the East of 43 Rutland Drive have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.
- 13 If contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the local planning authority or (b) 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 Verification Report shall be submitted to the local planning authority. No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the local planning authority.

- 14 Except in case of emergency no demolition and construction works or ancillary operations, including deliveries to and dispatch from the site which are audible beyond the boundary of the site shall take place on site other than between the hours of 08:00-18:00 Monday to Friday and between 08:00-13:00 on Saturdays.

The Local Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

- 15 An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the dwelling hereby permitted. The plan shall contain details of the number and location of all electric vehicle charging points which shall be of Mode 3 type (specific socket on a dedicated circuit with a minimum current rating of 16 Amp). Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with approved details and are operational. The charging points installed shall be retained thereafter.
- 16 Samples of the materials it is intended to be used externally in the construction of the roof and walls of the development hereby approved, shall be submitted for the written approval of the Local Planning Authority and the development shall not be started before any such approval. Development shall take place in accordance with the agreed details.
- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and reenacting that Order with or without modification), no extensions, outbuildings, garages, roof or dormer windows other than any expressly authorised by this permission shall be erected without the grant of further specific planning permission from the local planning authority.
- 18 In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to survive for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced by the developer with such live specimens of such species in such number as may be approved by the Local Planning Authority.

The reasons for the conditions are shown below:-

- 1 To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To provide clarity in relation to mandatory Biodiversity Net Gain.
- 4 In the interests of preserving and enhancing biodiversity in relation to mandatory BNG and Local Plan Policy NE3.

- 5 In the interests of preserving and enhancing biodiversity in relation to mandatory BNG and Local Plan Policy NE3.
- 6 To safeguard retained habitats and protected and priority species.
- 7 To safeguard retained habitats and protected and priority species.
- 8 In the interests of good arboricultural practice.
- 9 To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 10 To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.
- 11 To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
- 12 In accordance with policy and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.
- 13 In the interests of public safety and environmental health.
- 14 In the interests of neighbouring amenity.
- 15 In the interest of encouraging sustainable travel in line with policy CC4.
- 16 In order to ensure that the materials used conform to the amenity requirements of the locality.
- 17 In order to protect the visual amenities of the surrounding area in view of the prominence of this site.
- 18 To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

INFORMATIVES:

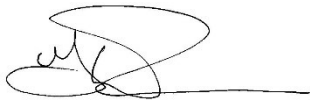
- 1 Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The information is available on the Council's web site:
www.northyorks.gov.uk/roads-parking-and-travel/roads-and-pavements/pavements-and-kerbs
The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

- 2 If any topsoil is taken onto site for the formation of a domestic garden it should be certified as suitable for a domestic garden.

You can see the officer's report on the application at www.northyorks.gov.uk/planning. Alternatively, you can contact Customer Services Tel No: 0300 131 2 131 or e-mail customerservices.har@northyorks.gov.uk.

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

In dealing with this planning application North Yorkshire Council as the Local Planning Authority has adopted a positive and proactive manner. The Council offers a pre-application service for planning proposals and applicants are encouraged to undertake this. Proposals are assessed against the National Planning Policy Framework, the documents that form the Development Plan, and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption, and are referred to in this notice of decision. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed through seeking solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary.



Trevor Watson
Assistant Director – Planning

Date of Decision: 24 January 2025

Date of Issue: 24 January 2025

NOTE: No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the Council in whose area the proposed development is situated, or of obtaining approval under any other bye-laws, local acts, orders, regulations and statutory provisions in force, and no part of the proposed development should be commenced until such further approval has been obtained.

Discharging Conditions – A fee is payable for the discharge of conditions attached to planning and other applications. Applications must be made in writing clearly identifying the application number and the conditions. The standard application form can be used but is not mandatory. The scale of fees can be found on the planning website www.northyorks.gov.uk/planning. Please note a fee is payable for each separate request and applications should be determined within 8 weeks of a valid request being received.

NOTE TO APPLICANT/AGENT: The Council posted a site notice publicising this application. If it is still on display, please remove it.

Community Infrastructure Levy (CIL) Note Accompanying Planning Decision

1. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), a development which has been granted planning permission becomes a CIL chargeable development if it proposes one or more new dwellings, or more than 100sqm of new build floorspace.
2. North Yorkshire Council is the CIL Collecting Authority for developments in North Yorkshire.
3. The Council will use the CIL Form 1 : Additional Information submitted with the planning application, alongside other application documents, to determine whether the application is CIL chargeable and to calculate the CIL charge.
4. If your application is deemed to be CIL liable, the charges will be calculated in accordance with the Community Infrastructure Regulations 2010 (as amended) and the applicable CIL rates from the Charging Schedule
5. The CIL is charged in pounds per square metre and is calculated by multiplying the applicable CIL rate by the proposed gross internal area (GIA) proposed by the development. The floorspace of existing buildings to be retained or demolished as part of the development will be deducted from the CIL chargeable area if part of the existing building has been in its lawful use for at least six months in the three years prior to permission being granted.
6. After permission is granted, the Council will issue a **CIL Liability Notice** if CIL liability has been triggered, which will set out the CIL charge payable on commencement of the development. The CIL charge will also be registered as a Local Land Charge against the relevant land.
7. **One (or more) of the development parties must assume liability to pay CIL for a CIL chargeable development by submitting an Assumption of Liability Form .** In the absence of this form, liability will default to site owner(s).
8. A development may be eligible for relief or exemption from CIL if it includes affordable housing, is owned by a charity and will be used wholly or mainly for charitable purposes, or is a self-build project. Relief or exemption must be claimed prior to commencement by submitting the appropriate claim form. Further information can be found on the GOV.UK website at www.gov.uk/guidance/community-infrastructure-levy#relief-and-exemptions.
9. North Yorkshire Council do not have a policy for granting discretionary charitable relief or exceptional circumstances relief and will not accept claims made on this basis.
10. **You must inform the Council when the development is going to start by submitting a Commencement Form or a Notice of Chargeable Development (for permitted development)**
11. Once the Council has been notified that development works have commenced, a **CIL Demand Notice** will be issued setting out the total amount payable, how to pay, and when payment is due.

- 12.** Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed, and you will not benefit from the instalments policy.
- 13.** Late payment interest and surcharges will be imposed if payment is not received by the due date.
- 14.** Continued failure to pay CIL liabilities due will result in the Council initiating enforcement action, including serving a CIL stop notice prohibiting further development on the site, and applying to a magistrates' court for a Liability Order to recover the debt through the seizure of assets.
- 15.** Further information on CIL and all CIL forms are available on the Planning Portal at https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy Guidance on the Community Infrastructure Levy can be found on the Gov.uk website at <https://www.gov.uk/guidance/community-infrastructure-levy>
- 16.** For further information on CIL please contact the S106 and CIL Delivery Officer at Planningobligations.har@northyorks.gov.uk

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.

Where this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

Otherwise, 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: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission or prior approval 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 a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

Otherwise, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

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://acp.planninginspectorate.gov.uk>

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 the Secretary of State 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on [GOV.uk](https://www.gov.uk).



DO NOT SCALE OFF THIS DRAWING

41a Rutland Drive

Proposed Plot

43 and 43a Rutland Drive

45 Rutland Drive

SITE SECTION A
SCALE: 1:100

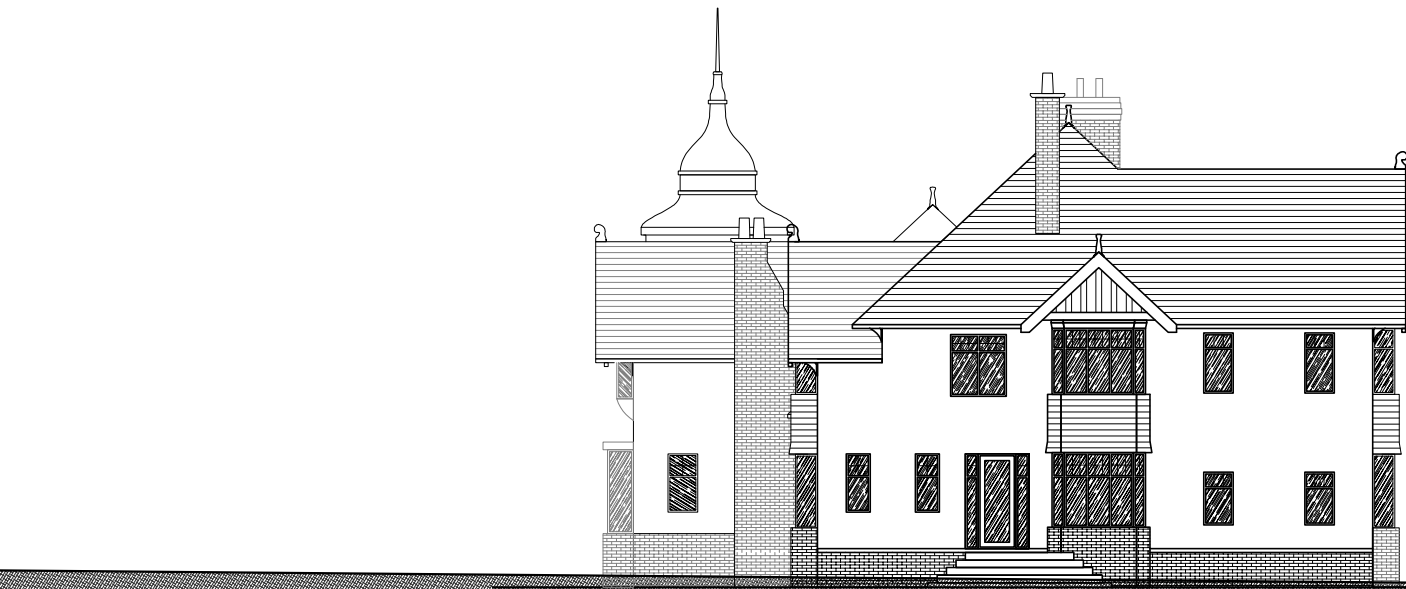
41a Rutland Drive

Proposed Plot

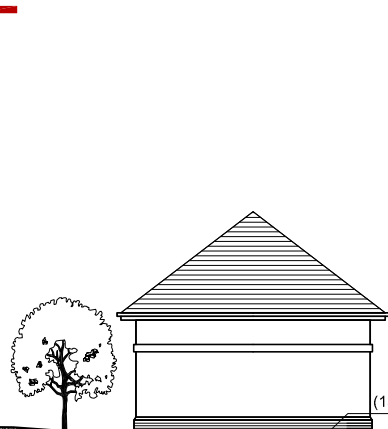
43 and 43a Rutland Drive

45 Rutland Drive

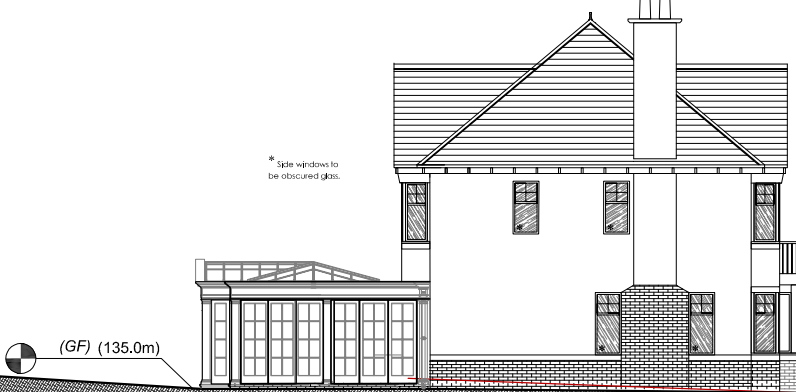
NORTH ELEVATION FROM RUTLAND DRIVE (FRONT)
SCALE: 1:100



'Pineheath'



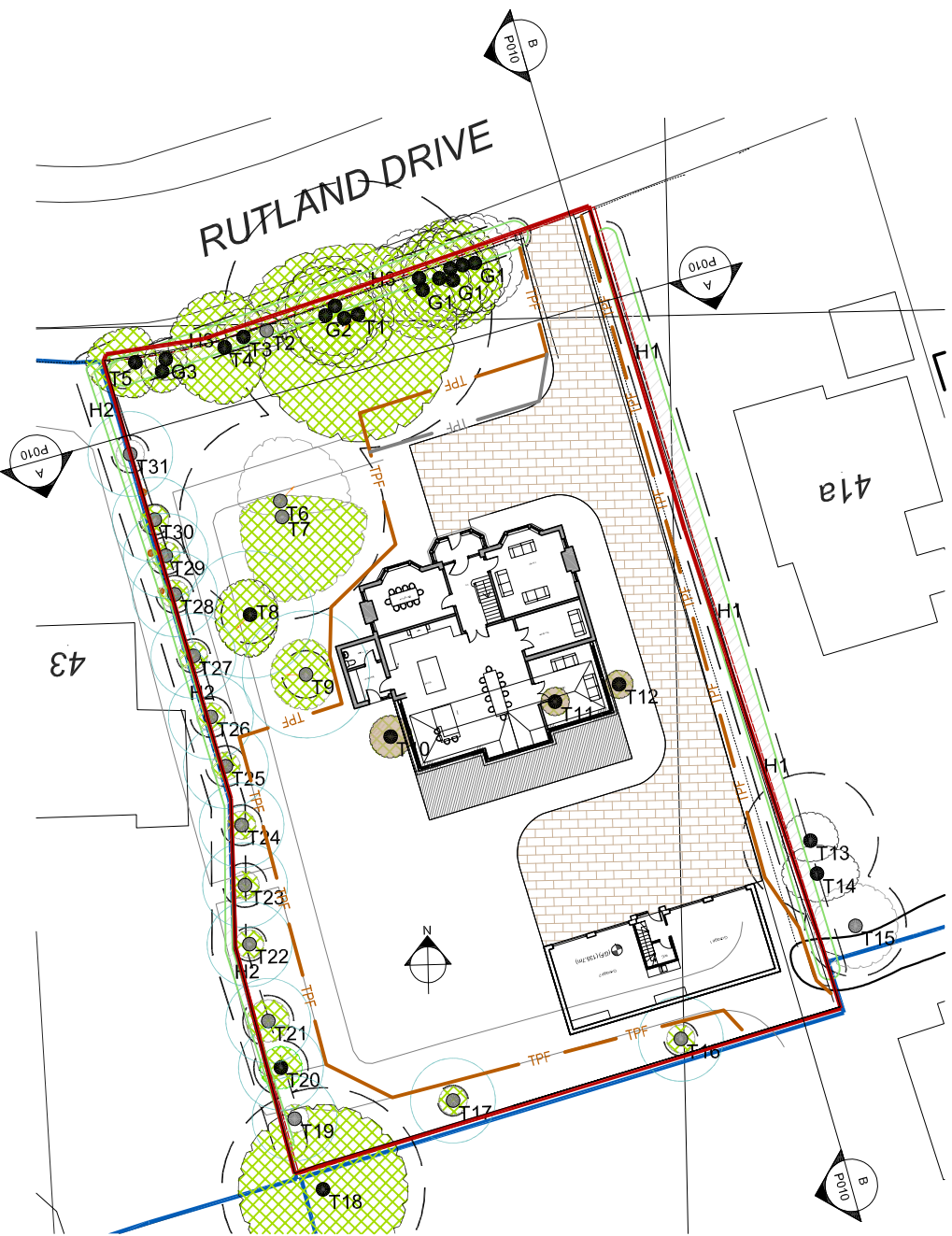
Garages



Proposed Plot



Rutland Drive



SITE PLAN
SCALE: 1:500

Note:
This drawing has been prepared for planning purposes only. A detailed building survey and site checks will be required for construction information. Any discrepancies to be reported to the architect.

A	Site levels added	02.01.18
No.	Description	Date
Drawn by	NS	
Checked by	NS	
Client	Mr Shaw	
Project name	Rutland Drive	
Project number	Y-24119	
Date	17.10.2024	
Scale	1:100 AND 1:200 @ A1	

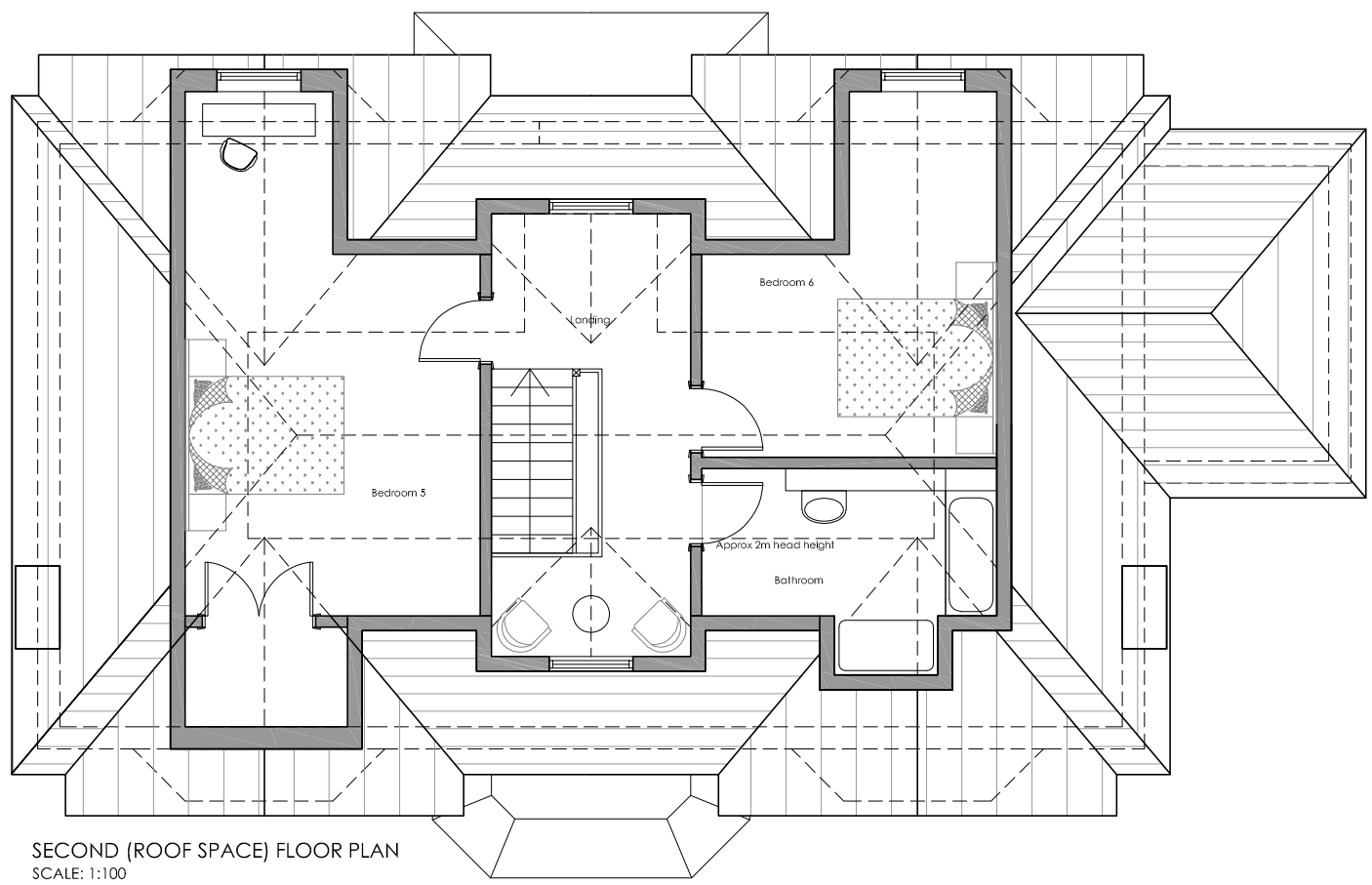
P005

PROPOSED SITE SECTIONS

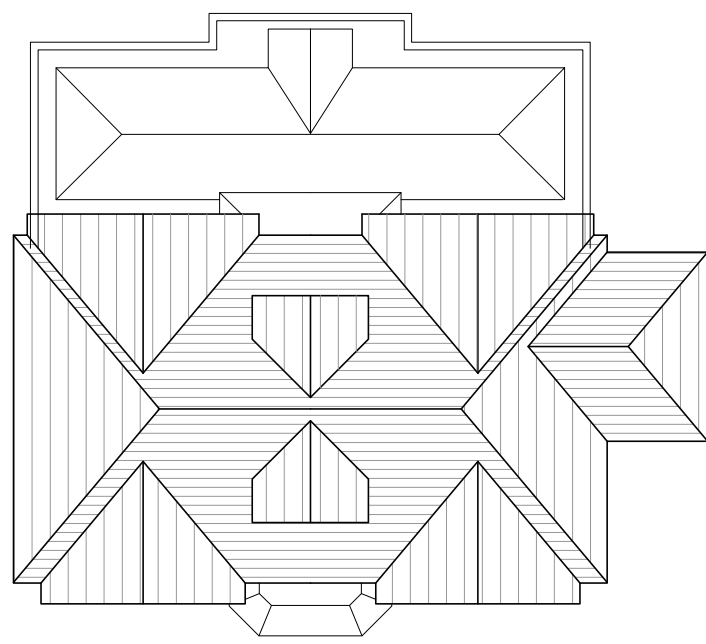
PRELIMINARY	PLANNING	BUILDING REGS.	TENDER	CONTRACT DOCS	CONSTRUCTION	'AS BUILT'
○	●	○	○	○	○	○
DRAWING STAGE						

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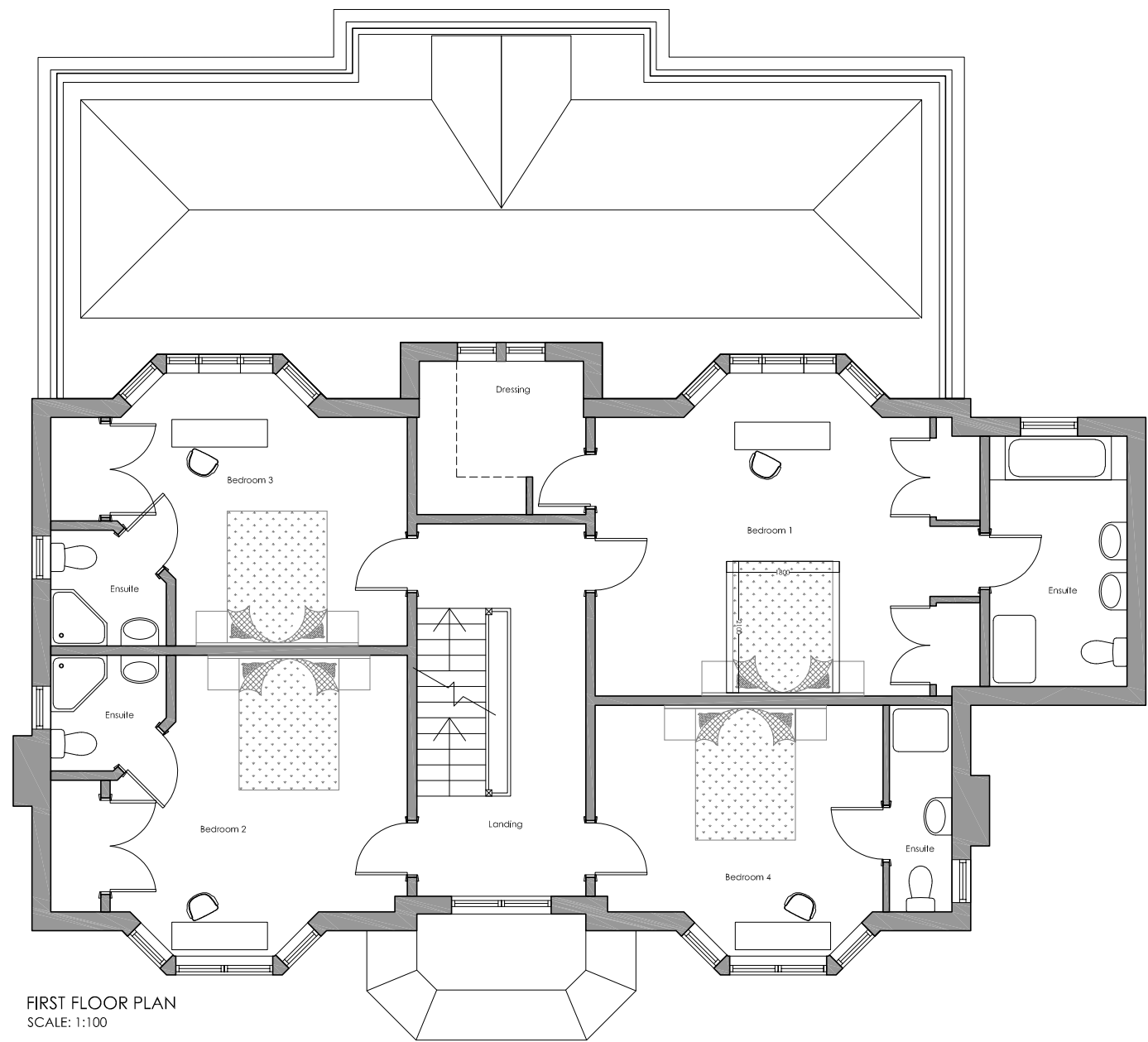
SECOND (ROOF SPACE) FLOOR PLAN
SCALE: 1:100



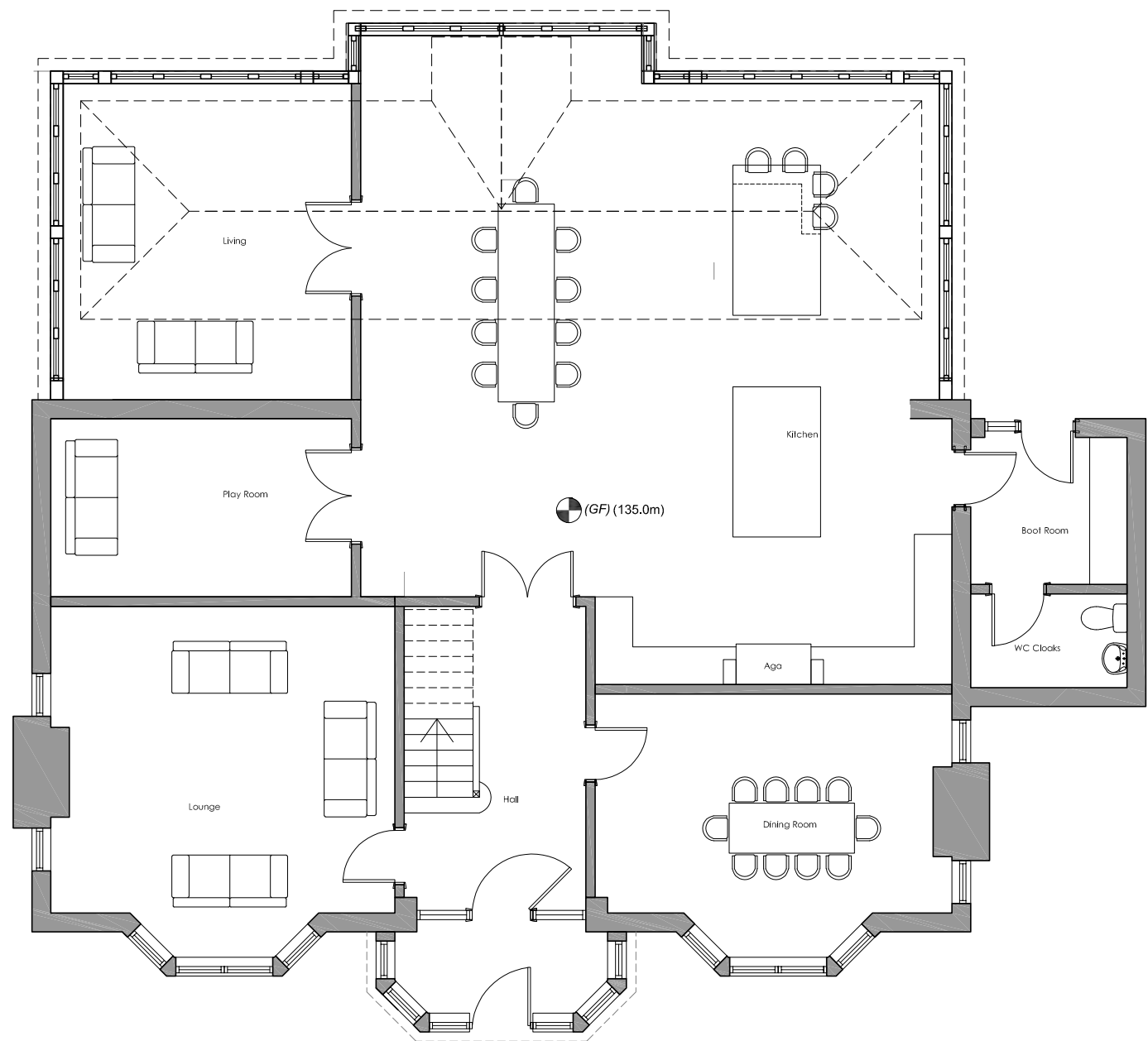
ROOF PLAN
SCALE: 1:200



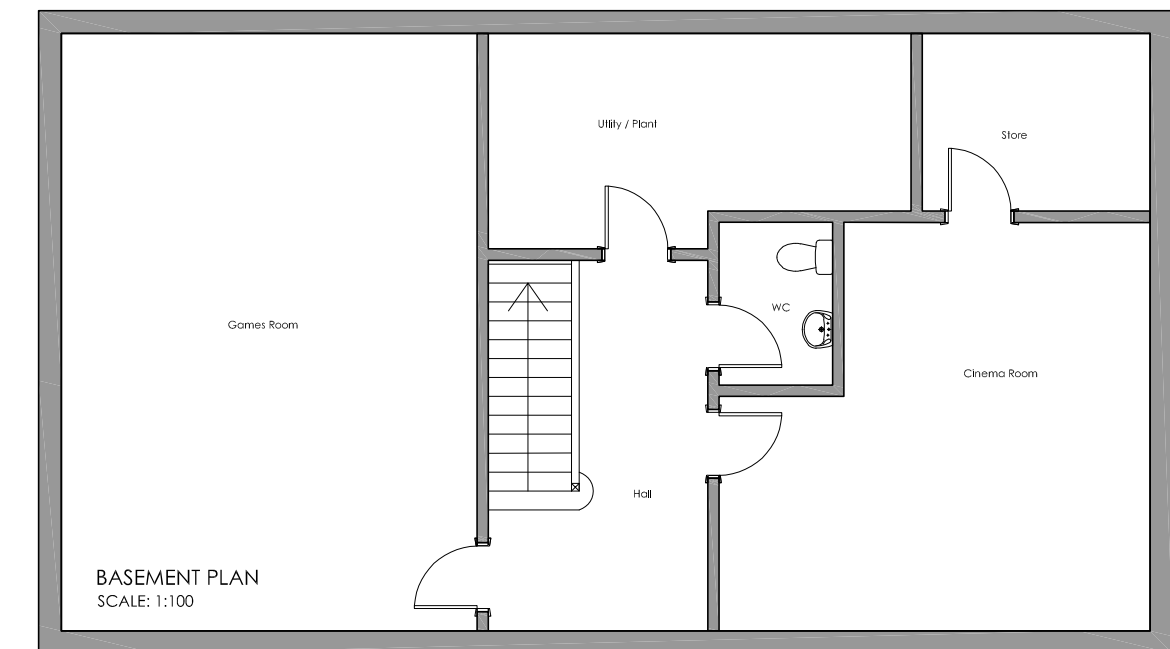
FRONT ELEVATION (NORTH)
SCALE: 1:100



FIRST FLOOR PLAN
SCALE: 1:100



GROUND FLOOR PLAN
SCALE: 1:100



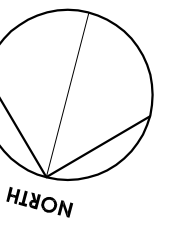
BASEMENT PLAN
SCALE: 1:100



SIDE ELEVATION (WEST)
SCALE: 1:100



SIDE ELEVATION (EAST)
SCALE: 1:100



1:100 0 1 2 3 4 5

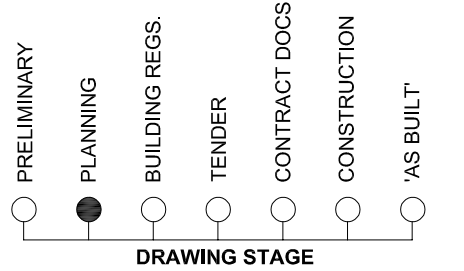
- Render
- Brickwork (Splash course and bays)
- Clay Rosemary Tiles to Roof
- Decorative Half Timber Boarding

Note:
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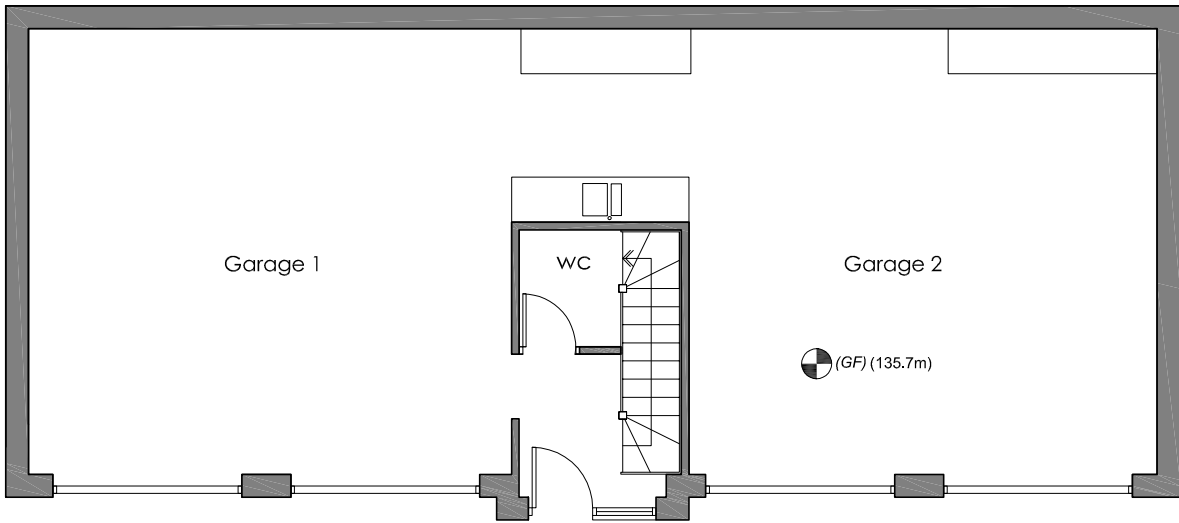
No.	Description	Date
Drawn by	NS	
Checked by	NS	
Client	Mr Shaw	
Project name	Rutland Drive	
Project number	Y-24119	
Date	17.10.2024	
Scale	1:100 @ A1	

P003

PROPOSED PLANS



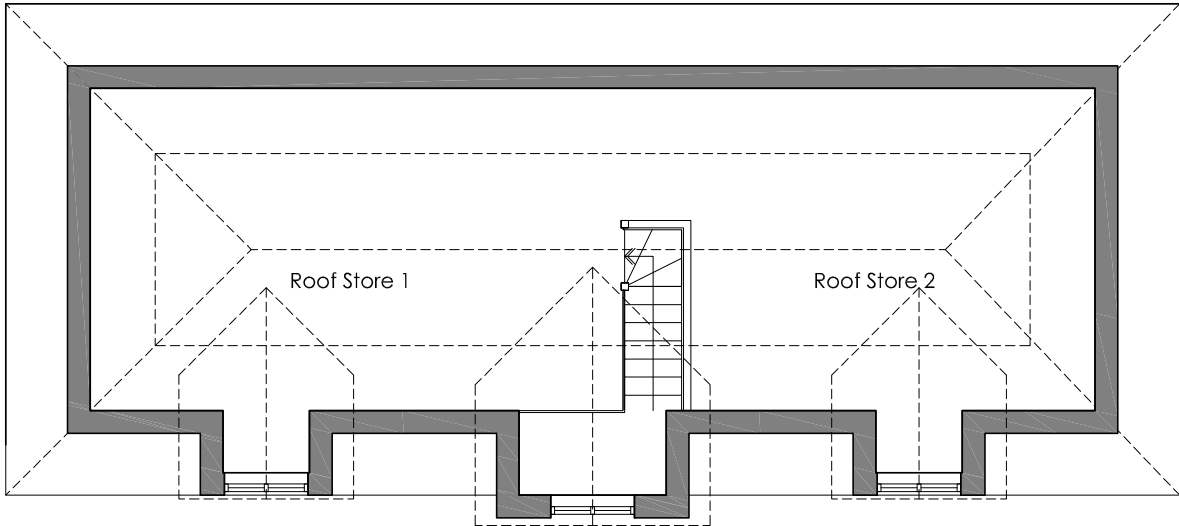
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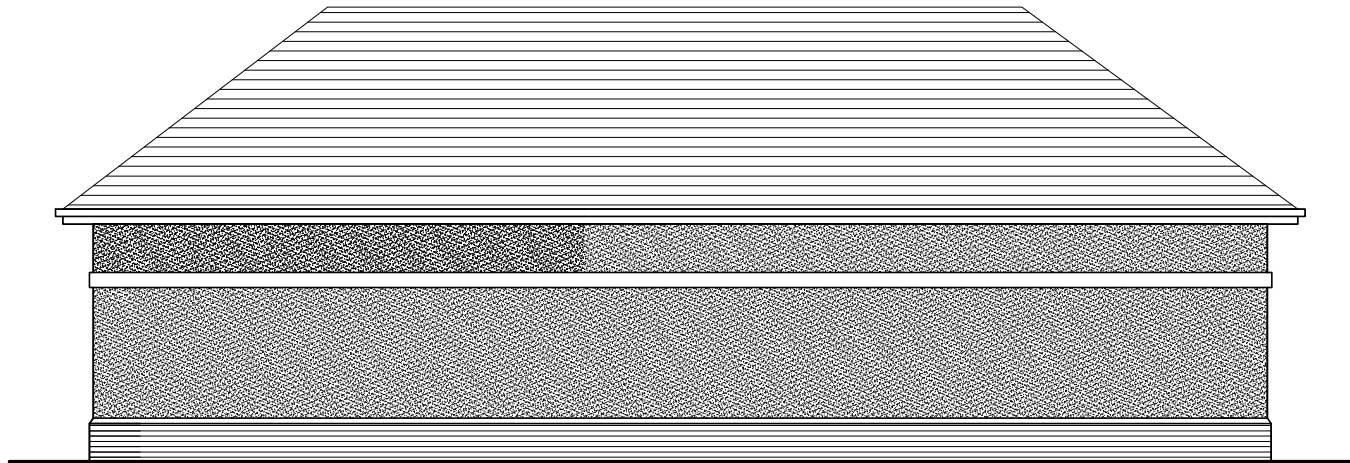
GARAGE GROUND FLOOR PLAN
SCALE: 1:100



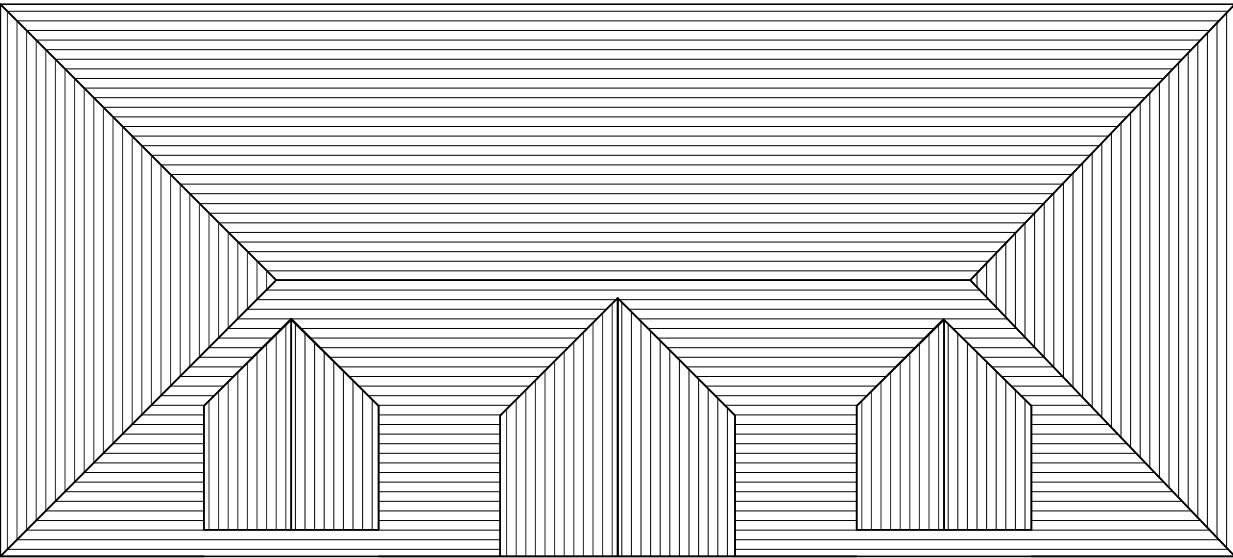
GARAGE NORTH ELEVATION
SCALE: 1:100



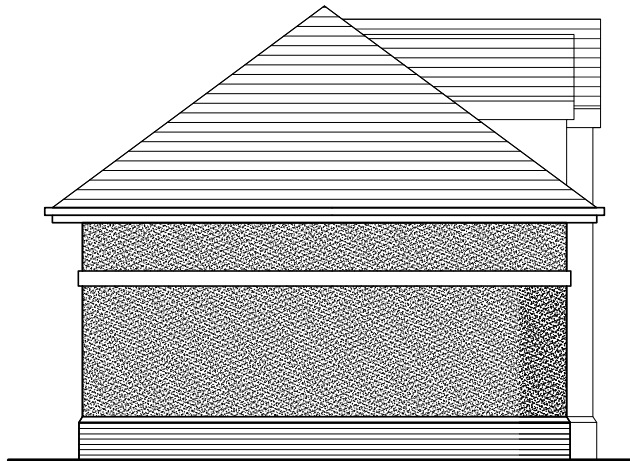
GARAGE LOFT FLOOR PLAN
SCALE: 1:100



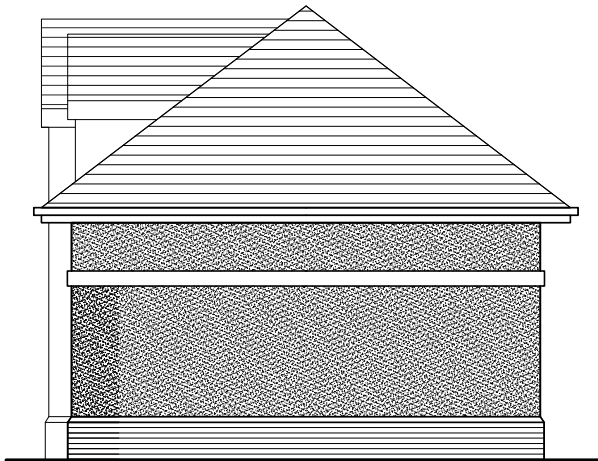
GARAGE SOUTH ELEVATION
SCALE: 1:100



GARAGE ROOF PLAN
SCALE: 1:100



GARAGE EAST ELEVATION
SCALE: 1:100



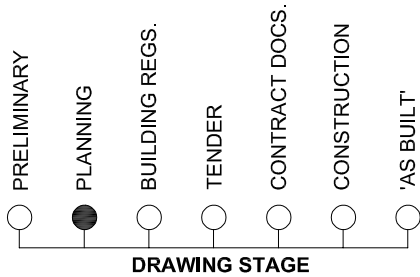
GARAGE WEST ELEVATION
SCALE: 1:100

Note:
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No.	Description	Date
Drawn by		NS
Checked by		NS
Client	Mr Shaw	
Project name	Rutland Drive	
Project number	Y-24119	
Date	17/10/2024	
Scale	1:100 @ A3	

P004

GARAGE PLANS AND ELEVATIONS



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