

**Building Plot
Castle Hill Farm
Whinney Lane
Harrogate
HG3 1QF**



A rare opportunity to acquire a building plot with full planning permission granted to develop 2 new build properties, occupying a lovely setting on the south western edge of Harrogate, in a popular and convenient location.

Fixed Price £500,000

T: 01423 523423

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

carterjonas.co.uk

GENERAL COMMENTS

New build opportunities of this nature in the Harrogate area are few and far between.

The sale offers an exciting opportunity to purchase a site with full planning permission to develop 2 properties. Full planning permission was granted by Harrogate Borough Council in August 2022. Each property extends to 1,561 sqft (145 sqm).

The proposed accommodation for each of the properties is as follows –

Hall • Cloakroom • Sitting room • Study/home office • Living kitchen • Landing • Principal bedroom with an en suite shower room • Two additional bedrooms • House bathroom

The planning application reference number is **22/01817/FUL**.

SPECIAL CONDITIONS

Access – It will be a purchasers obligation to tarmac the access drive from the entrance from Whinney Lane up to the end of the hammer head turning area. The drive will remain in the ownership of the vendor with appropriate rights of way granted for access to the new properties at all times. Ongoing maintenance of the drive will be on a shared basis.

Timescales – The vendor requires the development of the two properties to be finalised and ready for occupation within 24 months of legal completion of the sale. If this timeframe is not adhered to (for whatever reason – in whole or in part), then the seller will have the option to purchase all of the land back at the sale price plus any Stamp Duty Land Tax paid by the buyer on their purchase. It is therefore absolutely essential that any buyer is ready, willing and able to commence and expeditiously conclude this development.

For more detailed information, please refer to the planning portal or contact Tony Wright at Carter Jonas.

Tel: 01423 523423

Email: tony.wright@carterjonas.co.uk

Ms A Finney
c/o J C Robinson Ltd
Mr J Robinson
The Old Twine Mill
Low Laithe
HARROGATE
HG3 4BU

Our ref: 22/01817/FUL
Your ref:
Date: 10 August 2022

NOTICE OF DECISION ON PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

PROPOSAL: Erection of 2no detached dwellings - Revised Scheme.
LOCATION: Castle Hill Farm Whinney Lane Harrogate North Yorkshire HG3 1QF
APPLICANT: Ms A Finney

Harrogate Borough Council being the Local Planning Authority for the purposes of the application received on 19 May 2022 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 10.08.2025.
- 2 The works hereby permitted shall not be carried out otherwise than in strict accordance with the following drawings, as amended:

Location Plan, Proposed Site Plan and Landscaping Plan; Drwg No. 5033 Rev E, received 18.07.2022.
Proposed Floorplans and Elevations; Drwg No. Drwg No. 5033 Rev E, received 18.07.2022.
- 3 Before the first use of any materials in the external construction of the roof and walls of the development hereby approved, samples of those materials shall have been made available for inspection by, and the written approval of, the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved details.
- 4 If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective

works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing.

- 5 If any topsoil is taken onto site for the formation of a domestic garden it shall be certified as suitable for a domestic garden in accordance with the YALPAG guidance on Verification of Cover Systems. This should be validated through sampling on site and approved in writing by the Local Planning Authority. The development shall accord with the approved details thereafter.
- 6 Unless approved in writing by the Local Planning Authority, construction hours for the development hereby permitted shall be strictly limited to;
 - 08:00 until 18:00 on Mondays to Fridays
 - 08:00 until 13:00 on Saturdays
 - No work on Sundays or Bank Holidays
- 7 Prior to the first occupation of the dwelling hereby permitted, suitable and sufficient provision shall be made for:
 - i. the storage and containment of refuse prior to collection.
 - ii. access for the collection of refuse.
 - iii. no waste and associated containers used for the storage and containment of waste should be stored off the premises.
- 8 Before any materials are brought onto the site or any development is commenced, the developer shall implement the agreed specification for root protection area (RPA) and arboricultural method statement (AMS) (as per English Tree Care Arboricultural Report dated July 2022) fencing in line with the requirements of British Standard BS 5837: 2012 Trees in Relation to Construction - Recommendations, or any subsequent amendments to that document, around the trees or shrubs or planting to be retained, as indicated on the approved plan and for the entire area as specified in accordance with BS 5837:2012. The developer shall maintain such fences until all development the subject of this permission is completed.
- 9 No development shall take place until details of the proposed means of disposal of foul water drainage for the site, including details of the method of connection to the public sewer network, have been submitted to and approved by the Local Planning Authority in consultation with the statutory sewerage undertaker. Furthermore, unless otherwise approved in writing by the Local Planning Authority, the buildings within this development shall not be occupied or brought into use prior to completion of the approved foul drainage works.
- 10 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
- 11 Notwithstanding the provisions of The Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further openings shall be inserted in to the side elevations of the dwellings hereby approved, without the prior written approval of the Local Planning Authority.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, porches, roof or dormer windows other than any expressly authorised by this permission shall be erected to the development hereby permitted without the grant of further specific planning permission from the local planning authority.
- 13 The Landscaping scheme within Drwg No. 5033 Rev E, received 18.07.2022, shall be implemented within the first planting season from the commencement of development.
- 14 Should any planting within the Landscaping scheme within Drwg No. 5033 Rev E, received 18.07.2022, fail or otherwise be removed or destroyed within 5 years of its planting, the plant shall be replaced with the same species to the satisfaction of the Local Planning Authority.
- 15 Prior to the occupation of the first dwelling of the development hereby permitted, details of the number, siting and specification of the electric vehicle charging points are to be submitted and approved in writing by the Local Planning Authority. The charge points should be Mode 3 Charging with a minimum 16amp rating. Thereafter, the development will be carried out in accordance with the approved details.
- 16 The development must not be brought into use until the access to the site 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 footway must be constructed in accordance with the approved details and/or Standard Detail number E6 and the following requirements;
 - 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 Standard Detail E6 and maintained thereafter to prevent such discharges.
 - o The final surfacing of any private access within 4 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. All works must accord with the approved details.
- 17 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at 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 to the satisfaction of the Local Highway Authority.
- 18 Prior to the construction of the external walls to the development hereby permitted, details of the boundary treatment to the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved plans.

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 The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details.
- 3 In the interests of visual amenity.
- 4 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 5 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 6 In the interest of protection residential amenity in line with policy HP4 and the NPPF.
- 7 In the interest of protection residential amenity in line with policy HP4 and the NPPF.
- 8 In the interest of protecting the amenity of trees on site in line with policy NE7 and the NPPF.
- 9 In the interest of satisfactory and sustainable drainage in line with policy CC1 and the NPPF.
- 10 To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage in line with policy CC1 and the NPPF.
- 11 In the interests of visual amenity and to safeguard residential amenity.
- 12 In the interests of visual amenity and to safeguard residential amenity.
- 13 In the interests of visual amenity and to safeguard residential amenity.
- 14 In the interests of visual amenity and to safeguard residential amenity.
- 15 In the interest of supporting sustainable transport.
- 16 In the interests of highway safety.
- 17 To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
- 18 In the interest of visual amenity and residential amenity in line with policies HP3 and HP4 and the NPPF.

INFORMATIVES:

- 1 The applicant / developer is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. Furthermore, any soil or soil forming materials to be brought to site for use in garden areas or soft landscaping should be tested for contamination and suitability for use prior to importation to site. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

- 2 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 County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site: https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing___ind_est_roads___sreet_works_2nd_edition.pdf . The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

You can see the officer's report on the application at www.harrogate.gov.uk/publicaccess. Alternatively, you can contact Customer Services Tel No: 01423 500600 or e-mail customerservices@harrogate.gov.uk.

STATEMENT OF COMPLIANCE WITH ARTICLE 31 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

In dealing with this planning application Harrogate Borough 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.

Signed:



John Worthington
Chief Planner

Date of Decision: 10 August 2022

Date of Issue: 10 August 2022

NOTE: No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District 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.harrogate.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 Borough Council posted a site notice publicising this application. If it is still on display, please remove it.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES SET OUT OVERLEAF.

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

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 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.
- 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 subsequently 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.
- Appeals can be made online at <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- 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 an 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](#).

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. Harrogate Borough Council is the CIL Collecting Authority for developments in the Harrogate District
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 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. Harrogate Borough 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 Harrogate Council website at <https://www.harrogate.gov.uk/planning-policy-guidance/community-infrastructure-levy> and 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@harrogate.gov.uk

Ms A Finney
c/o J C Robinson Ltd
Mr J Robinson
The Old Twine Mill
Low Laithe
HARROGATE
HG3 4BU

Our ref: 22/01817/FUL
Your ref:
Date: 10 August 2022

Dear Applicant

APPLICATION REFERENCE: 22/01817/FUL

I am the Housing Delivery Account Manager at Harrogate Borough Council and the purpose of this letter is to introduce myself and to advise that I am responsible for taking a lead role in driving forward the delivery of housing across the district and for assisting in unlocking stalled or slow moving sites.

I also wanted to remind you that unless your permission says otherwise, you have three years from the date of your consent to commence building work and that the application cannot be extended. Once it has expired, the permission becomes unimplemented and you would therefore need to apply for permission again, submit the associated validation documentation and fees, and there is no guarantee of an approval.

There will be a number of planning conditions attached to the consent and some will require you to submit further information. An application seeking the Council's approval of these matters must be made, usually before commencing work.

If you require any guidance with progressing your application to the next stage or your circumstances have changed and you are now unable to progress the development, please do not hesitate to contact me as we may be able assist.

Kind regards

JANE FULFORD
Housing Delivery Account Manager
Jane.fulford@harrogate.gov.uk
01423 500600 (ext 58242)



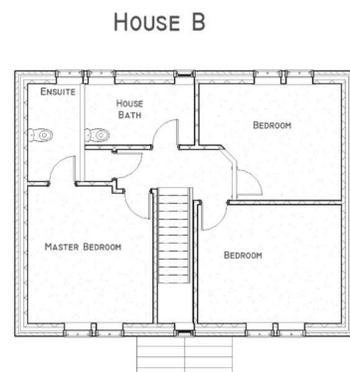
1 Front - North East Elevation
1 : 100



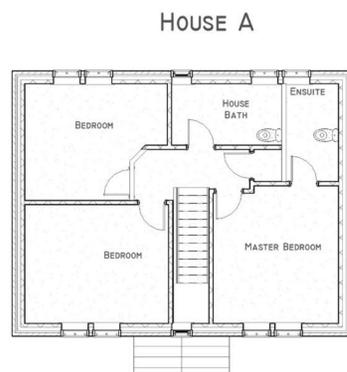
3 Rear - South West Elevation
1 : 100



9 Streetscene section
1 : 200



6 First Floor
1 : 100



6 First Floor
1 : 100



5 Ground Floor
1 : 100



5 Ground Floor
1 : 100



2 North West Elevation House A
1 : 100



4 South East Elevation House B
1 : 100



10 Streetscene Camera A - Existing



11 Streetscene Camera A - Proposed

Notes and Amendments:

1. No amendments without consulting Chris Robinson
2. Do not Scale
3. Party Wall Act, 1996 to be observed with written notices from adjoining owners
4. CDM Regs 2015 to be observed at all times
5. Building Control notified by contractor

Structural Engineer to check all aspects and confirm that they are acceptable.

J.C. ROBINSON
• Architectural Designers •
• Chartered Building Surveyers •

The Old Twine Mill, Low Laithe, Harrogate, HG3 4BU
01423 780 184 | 07912 612 948
info@jc-robinson.co.uk | www.jc-robinson.co.uk

CLIENT:

**Ms A Finney,
Castle Hill Farm,
Whinney Lane,
Harrogate,**

PROPOSED:

Erection of 2no dwellings

PAGE REF:

Proposed Drawings - Plans & Elevations

REFERENCE:

5033 Rev E

SCALE:

Stated

DRAWN BY:

James

DATE:

18 / 07 / 2022

CONSTRUCTION PHASE:

Planning Revised APP