

DELEGATED

AGENDA NO .

PLANNING COMMITTEE  
25<sup>th</sup> October 2006

REPORT OF CORPORATE DIRECTOR  
OF DEVELOPMENT AND  
NEIGHBOURHOOD SERVICES.

06/2763/FUL

Roseville House, Yarm Back Lane, Stockton-on-Tees  
Application to raise ground level to highway verge.

Expiry date: 30<sup>th</sup> October 2006

**Summary:**

The application site was previously known as the former weather station and is located on Yarm Back Lane. Permission was granted in June 2002 for the conversion of the property to residential use and for the erection of a garage block.

The applicant seeks permission for the levelling of the land adjacent to the highway verge. Two objections have been received.

It is considered that the proposal accords with adopted local plan policy and recommended that planning permission be granted.

An application of this scale and nature would normally be determined under delegated powers however; it is presented here at the request of Local Ward Members.

**RECOMMENDATION**

***It is recommended that the application is approved with the following conditions:***

1. ***The development hereby approved shall be carried out in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.  
Drawing Number(s):- MAK002***

***Reason: To define the consent.***

2. ***Notwithstanding the submitted plans, work shall not commence until details of the materials to be used to level the highway verge, hereby permitted have been submitted to and approved in writing by the local planning authority and development shall be carried out in accordance with the approved details. The materials to be used shall be a clay mixture with a minimum of 100mm of topsoil above. No rubble shall be used to level the highway verge***

**Reason: To enable the Local Planning Authority to control details of the proposed development.**

- 3. The land subject of this application shall be seeded with grass during the first planting and seeding season following completion of the works.**

**Reason: To improve the appearance of the site in the interests of visual amenity.**

The decision to grant planning permission has been taken having regard to the policies and proposals in the Structure Plan and Stockton on Tees Local Plan Policy/Policies: GP1

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Anne Mealing on direct line 526046.

## **THE PROPOSAL**

1. The applicant seeks permission for the levelling of the land adjacent to the highway verge and proposes to use materials from the rear garden area of Roseville House, which comprise of topsoil rubble and clay to bring the land, which is approximately 230mm lower than the highway verge up to the existing road level. The area will then be seeded and restored back to its original state.

## **PUBLICITY**

2. The neighbours have been notified individually. The neighbour consultation period expired on the 27<sup>th</sup> September 2006. Two letters of representation have been received to the proposed development and the objections are summarised below;

R Shepherdson (Hazlett60@aol.com)

3. I strongly object to the raising of ground level to highway verge. On the grounds that they are always adding to this property making a mess out side and to the surrounding area, rubbish is always on the road the building it's self is unsightly.  
They have already put 3 loads of rubble on the verge which will not be able to grow any grass due this so it look's an eye sore.

Peter Hughes, 'Holmfield', Yarm Back Lane

4. What is the point of raising the level of the verge, apart from providing somewhere to deposit the spoils of foundation excavations being carried out at the rear of the laboratory (now called Roseville house). The materials being tipped are pieces of concrete surrounded by clay. Your own parks superintendent has indicated that the ground will never recover from this dumping. If permission is granted I believe that the clay should be removed and replaced with topsoil and seeded as soon as possible to allow germination of the seeds before the onset of autumn.  
Finally I would warn the council that I myself intent to do extensive work to my house in the near future and will be taking full advantage of the fact that the

verges 'need ' levelling with foundation dig spoils. I look forward to the council making an unbiased decision on this

## **CONSULTATIONS**

5. The following consultees were notified and any comments made are set out below.

The Head of Integrated Transport and Environmental Policy – Highways and Transportation Strategy

6. I have no adverse comments to make.

The Head of Integrated Transport and Environmental Policy – Network Management

7. No objections to the works, however rubble is not suitable to level the highway verge.

Councillors

8. No comments made

Direct Services

9. The proposed materials are acceptable and I have no objection to the proposal.

## **PLANNING POLICY CONSIDERATIONS**

10. Where an adopted or approved development plan contains relevant policies, Section 54A of the Town and Country Planning Act 1990 (as amended) requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans are the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).

11. The following planning policies are considered to be relevant to the consideration of this application:

Adopted Stockton-on-Tees Local Plan  
Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;

- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

## **MATERIAL PLANNING CONSIDERATIONS**

- 12 The main planning consideration in respect of this proposal is the impact on the surrounding area.
- 13 The applicant seeks permission for the levelling of the land adjacent to the highway verge and proposes to use materials from the rear garden area of Roseville House, which comprise of topsoil rubble and clay to bring the land, which is approximately 230mm lower than the highway verge up to the existing road level. The area will then be seeded and restored back to its original state.
- 14 The proposed area to be levelled is to the front of the dwelling adjacent to Yarm Back Lane and it is considered that the principle of levelling the land is acceptable subject to the appropriate materials being used.
- 15 The objectors mainly question the use of the materials and other objections relate to the ongoing work at the property. The Highways Division of the local authority (Direct Services) who has responsibility for the maintenance of the highway verges in the Borough has confirmed that the proposed materials to be used for levelling the site are acceptable.
- 16 The land thereafter will be maintained by the local authority, as the area is part of an adopted highway verge.

## **CONCLUSION**

- 17 In conclusion the proposed development is considered to be visually acceptable and would not be detrimental to the amenity of the neighbouring properties or the surrounding area.

### **Corporate Director of Development & Neighbourhood Services**

**Contact Officer: Elaine Atkinson**

**01642 526062**

### **Financial Implications**

As report.

### **Environmental Implications**

As Report

### **Community Safety Implications**

N/A

### **Human Rights Implications**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

**Background Papers**

Stockton-on-Tees Local Plan  
Planning Application 06/2763/FUL

**Ward and Ward Councillors**

Hartburn  
Councillor Laing and Councillor K.A. Lupton MCIEH