



## Committee Report

**Planning Committee South – 22 March 2022**

**Application no** DC/21/5183/FUL

**Location**

10 Haughley Drive  
Rushmere St Andrew  
Ipswich  
Suffolk  
IP4 5QU

**Expiry date** 8 February 2022

**Application type** Full Application

**Applicant** Mrs Valerie Vertigans

**Parish** Rushmere St Andrew

**Proposal** Remove existing fence along the west boundary. Erect new fence one metre from path leaving a space for the replanting of hedges and vegetation.

**Case Officer** Jamie Behling  
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### 1. Summary

- 1.1. The proposed development is to replace a boundary wall with a fence closer to the pavement with a one metre gap for planting, enlarging the residential curtilage of the site.
- 1.2. The officer recommendation to approve is contrary to the recommendation of the Town Council and Ward Member. The application was subject to consideration by the Referral Panel on 15.02.22 with a recommendation that the application be determined under delegated powers. The Panel recommended that the application be referred to Planning Committee (North) for determination.

### 2. Site Description

- 2.1. 10 Haughley Drive is a detached, two-storey residential dwelling located within the settlement boundary of Rushmere St Andrew. The site forms a corner plot where the road

splits into two cul-de-sacs with the plot being on the east side of the road junction. Along the west boundary of the property is a verge outside the current residential curtilage divided by a brick wall, planted with a mixture of hedges.

### **3. Proposal**

- 3.1. The proposal seeks to replace the brick wall with a close boarded timber fence positioned closer to the path, leaving a one metre gap for new planting.

### **4. Consultees**

#### **Third Party Representations**

- 4.1. No third-party representations received.

#### **Parish/Town Council**

Consultee	Date consulted	Date reply received
Rushmere St Andrew Parish Council	4 January 2022	17 January 2022
Summary of comments: Rushmere St Andrew Parish Council "Rushmere St Andrew Parish Council recommends REFUSAL. The reason for the refusal is that at present this site provides a pleasant green border to the developed area as was envisaged as part of the original planning application. The application would harden the soft landscaping of this area and the proposal would have a detrimental impact on the amenity of the area and the open character of the area."		

#### **Statutory consultees**

Consultee	Date consulted	Date reply received
SCC Highways Department	4 January 2022	7 January 2022
Summary of comments: No objection.		

#### **Publicity**

##### **Site notices**

General Site Notice

Reason for site notice: General Site Notice

Date posted: 7 January 2022

Expiry date: 28 January 2022

### **5. Planning policy**

National Planning Policy Framework 2021

SCLP5.14 - Extensions to Residential Curtilages (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

## **6. Planning Considerations**

- 6.1. The proposal is effectively seeking a change of use from land falling into a *suis generis* use class to residential curtilage. This is an acceptable form of development so long as it meets the criteria set out under policy SCLP5.14. Extensions to residential curtilages will be permitted where:
- 6.2. "a) The resulting size of the curtilage reflects the scale and location of the dwelling;  
b) They do not result in the removal of an existing hedgerow of native species unless replaced by a similar hedgerow;  
c) They do not have a harmful impact on the historic environment, landscape or character of the area, including as a result of developments ancillary to the residential use; and  
d) The proposed boundary feature of the extended curtilage is of a form which reflects its location and the character of the area."
- 6.3. The proposed extension to the curtilage is relatively minor and would not make the new curtilage disproportionately larger than surrounding properties. The removal of the existing hedgerow is unfortunate however it is to be replaced with one of equal amenity value and would be more manageable for the owner, especially considering it currently overhangs a pavement. The additional curtilage would not have a substantially harmful impact on the character of the area nor the landscape and being in a built up, urban area, the new boundary feature would not be out of character for its location. Other properties in the area have also had similar schemes approved under reference numbers DC/17/3412/FUL at No.15 opposite the site and DC/20/1940/FUL at No.28 in the corner of the opposite cul-de-sac.
- 6.4. The extension of the curtilage would remove some depth of the vegetation separating the path with the new fence however this would be offset by the new *Griselinia littoralis* planted between the fence and path. This particular plant will be conditioned to the application to ensure a strong screening of the fence as it grows quickly, is easy to maintain and looks good all year round. It can grow up to three to four metres tall completely screening the fence from the footpath and ensuring a natural sense is maintained within the area. Whilst given time the proposed planting would mature to a height that would screen the proposed fencing, it is recommended that the fence is conditioned to be stained a dark colour in the interests of amenity.
- 6.5. The proposal will conserve the character of the area through the provision of a new more manageable planting scheme that will have only a minor impact to the overall visual amenity of the area through a soft, green planting scheme being replaced with a slightly harder but similar natural scheme that will be under the responsibility of the owner due to

the vegetation still being on their land. The proposal therefore complies with SCLP11.1 in that it will retain the character of the area. There will be minimal public amenity lost once the hedges have grown to their full size, with the green verge being retained as such.

- 6.6. The proposal would not harm the residential amenity of neighbours with this boundary only being shared with the pavement and road. The removal of the existing planting would not provide any new views in or out of the site and therefore the residential amenity of the site itself and the neighbours would remain intact. The scheme therefore complies with policy SCLP11.2.

## **7. Conclusion**

- 7.1. In conclusion, the adoption of part of this parcel of land into the curtilage of the adjacent residential dwelling would not cause significant harm to the amenity of the area nor would it drastically alter the character of the locality so long as measures are put in place to reinstate the greenery along the boundary. This will be done through the proposed conditions set out below.

## **8. Recommendation**

- 8.1. Approve subject to the conditions listed in section 9 of this report.

## **9. Conditions:**

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with Block Plan, Fence Details received 16/12/2021 and site plan received 16/11/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The western site boundary (adjacent the hereby approved new fence) shall be planted as a *Griselinia littoralis* not later than the first planting season following the commencement of the development; and any plants which die during the first three years shall be replaced in the next planting season.

Reason: In the interests of amenity and the appearance of the locality.

4. Within 3 months of the fence being erected, the timber sections of the hereby approved fence shall be stained in a dark colour and be retained in that colour thereafter.

Reason: In the interest of visual amenity.

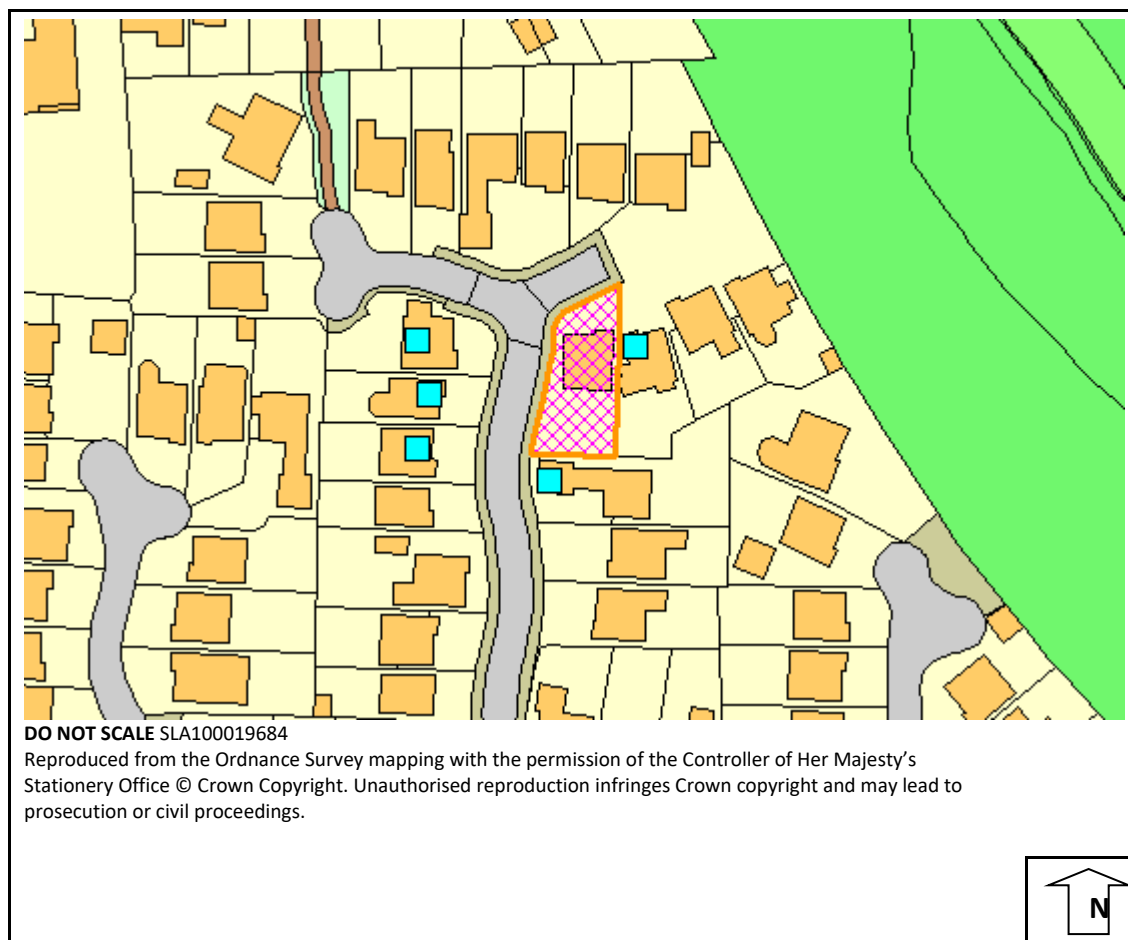
**Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

**Background information**

See application reference DC/21/5183/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support