



Appeal Decision

Site visit made on 18 March 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st April 2025

Appeal Ref: APP/A3010/D/25/3358548

Freshfields, West Moor Road, Walkeringham, Nottinghamshire DN10 4LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Bernadette Blaevoet against the decision of Bassetlaw District Council.
 - The application ref is 24/01238/FUL.
 - The development proposed is described as the replacement of 3 metre conifer hedge boundary to the front of the site facing West Moor Road, with a 1.6 metre high wall and four 2.1 metre support pillars.
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Decision

1. The appeal is allowed and planning permission is granted for replacement of 3 metre conifer hedge boundary to the front of the site facing West Moor Road, with a 1.6 metre high wall and four 2.1 metre support pillars at Freshfields, West Moor Road, Walkeringham, Nottinghamshire DN10 4LR, in accordance with the terms of the application, ref 24/01238/FUL, and the original plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The external materials of the development hereby permitted shall match those used in the existing gate pillars.

Preliminary Matters

2. During the appeal proceedings the appellant has provided a set of revised plans and drawings offering a reduced amount of development as an alternative to the appeal proposal. In this case, the revisions would represent a substantial difference to the proposal, no longer in line with the proposed description of development which refers specifically to the height of the wall. The appeal must be determined based on the plans as originally submitted to the Council and upon which it based its decision, and which have been subject to consultation. To do otherwise would prejudice the interests of the Council, interested third parties and consultees, who have not been consulted on the revised scheme and who may have observations to make. I have therefore proceeded to determine the appeal based on the plans as originally submitted.
3. The Framework was published and corrected on 7 February 2025. There is no need to invite further comments from the Council or the appellant on the revisions as there are no fundamental changes relevant to the appeal before me.

Main Issues

4. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring occupants, with particular reference to outlook.

Reasons

Character and appearance

5. The appeal site comprises a two-storey detached dwelling with a brick finish. The dwelling is set back within the site some distance from the highway, albeit it has a detached double garage which sits to the front of the dwelling, closer to the highway. As existing, the front boundary treatment is relatively open with the hedge referred to in the evidence and description of development having already been removed. The driveway is bound by brick pillars with an access gate between.
6. The surrounding area is rural in nature with open countryside on the opposite side of the road, bound by a narrow grass verge and hedgerow. Whilst the appeal site forms part of a broadly linear strip of residential properties to the west of West Moor Road, set within relatively spacious plots, there is a general consistency through the scale of the dwellings and the frequent use of brick materials. Indeed, the development form varies in terms of set back from the highway, including dwellings which abut the pavement. Boundary treatments along the pavement are a mix of hedges and brick walls with varying heights, some with railings and timber fencing incorporated.
7. The proposal seeks to erect a brick wall along the front boundary separated by four pillars. Notwithstanding the concerns of Walkeringham Parish Council, while the pillars would be higher than the main stretches of the wall, they would still be similar to the height of the boundary walls at neighbouring properties. The dwellings either side of the appeal site both have brick wall boundaries which already contribute to the character and appearance of the immediate street scene. The presence of brick is further substantiated by the two storey developments abutting the pavement a short distance from the appeal site. The additional brick proposed through the appeal scheme would assimilate well with this character.
8. Nonetheless, Policy 2 of the Walkeringham Neighbourhood Plan (WNP) states that development in Walkeringham Village should present a soft boundary to the open countryside. However, in this specific location, the boundary to the open countryside is established by the hedgerow on the opposite side of the road which would be unaffected by the proposed development. Given the limited extent of the proposed development, and noting the context of the boundary treatment of neighbouring properties, the effect of the proposed brick wall on the character and appearance of the area would be neutral.
9. I conclude therefore, that the appeal proposal would be sympathetic to the local character and landscape setting, and accord with Policy 2 of the WNP as a whole, and Policy ST33 of Bassetlaw Local Plan (BLP) (2024) which requires, amongst other matters, for development to respect the local context.

Living conditions

10. The height of the wall would be comparable to the boundary treatments established along the pavement. Additionally, the adjacent neighbours to the proposed development are both set back from the highway such that the height of the proposal would be experienced transiently, predominantly through use of driveways. Moreover, the outlook for the occupiers of the property known as The Gables already features the existing garage within the appeal site, which would partially block visibility of the appeal proposal.
11. Consequently, the brick wall development would not be an overbearing addition to the built form when viewed from neighbouring properties.
12. Accordingly, given the proposal is relatively small scale, I conclude that the proposal would have a very limited effect on the living conditions of neighbouring occupants. It follows then that the development would comply with Policy 46 of the BLP, which seeks to minimise impacts on the amenity of existing and future users.

Conditions

13. I have not included a separate condition referencing the plans given that the original plans do not have a specific reference or date stamp to which I can refer.
14. As well as the standard condition for the commencement of development, a condition is necessary for materials to match those used for the existing brick gate pillars to maintain the character and appearance of the area.

Conclusion

15. For the reasons given above, having regard to the development plan and all relevant material considerations, I conclude that the appeal should be allowed, subject to the conditions set out above.

L Gardner

INSPECTOR