



Appeal Decision

Site visit carried out on 11 November 2025

by **Jennifer Vyse DipTP DipPBM MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 November 2025

Appeal Ref: APP/Y2003/D/25/3373796

2 Crispin Way, Bottesford, Scunthorpe, North Lincolnshire DN16 3ST

- 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 Mr and Mrs J Addison against the decision of North Lincolnshire Council.
 - The application No is PA/2025/452.
 - The development proposed comprises an extension and alterations to provide additional accommodation and new boundary walling with new vehicular access to the highway.
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Decision

1. For the reasons that follow, the appeal is dismissed insofar as it relates to the construction of a new vehicular access onto the highway and the related low boundary walling as shown on the submitted plans.
2. However, the appeal is allowed in relation to the remainder of the development and planning permission is granted for the erection of an extension and alterations to provide additional accommodation and the erection of 2/2.075m high boundary walling at 2 Crispin Way, Bottesford, Scunthorpe, in accordance with the terms of the application, No PA/2025/452, and the plans submitted with it (so far as they are relevant to that part of the development hereby permitted) subject to the conditions set out in the attached schedule.

Preliminary Matters

3. The submitted plans show the proposed vehicular access exiting directly onto the curved radius splay at the junction of Crispin Way with Valley View Drive. However, at the time of my visit, the area to the side of the property adjacent to Valley View Drive had been gravelled, with low boundary walling constructed along the back of the footway and with a vehicular access exiting onto Crispin Way at a point further to the east. The grounds of appeal indicate that this has been done with the agreement of the Council. However, the nature of the appeal means that I can only consider the proposal on the basis of the plans that were before the Council when it determined the application. It is open to the appellants to submit a new application to the Council in the first instance, for formal consideration of the access arrangement that currently exists on site.
4. The grounds of appeal indicate a willingness to reduce the proposed overall height of the wall and timber infill panels to 1.9m. Again however, I can only deal with the appeal on the basis of the same plans that were before the Planning Authority.

Main Issues

5. The appeal property comprises a detached, two-storey dwelling within a wider residential estate. It occupies a corner plot at the junction of Crispin Way with

Valley View Drive – the dwelling fronts onto Crispin Way, presenting a gable end to Valley View Drive. The house backs onto the side of No 81 Valley View Drive, sitting adjacent to No 4 Crispin Way, separated from that property by a single detached garage within the appeal site. As a consequence, the appeal property has no rear garden, the main amenity space being to the side and front of the property.

6. The Council takes no issue with the proposed single-storey extension to the side, between the house and the detached garage. I have no reason to disagree – it would be finished in brickwork to match the host property and would not impose itself on the street scene, its single-storey, flat-roofed design also minimising any potential impact on the living conditions of adjoining occupiers.
7. The scheme also includes new boundary walling and the formation of a double width footpath crossing onto Crispin Way in conjunction with a new area of hard standing (sufficient to park two cars). As confirmed in writing for the appellants, the walling comprises two elements – low brick walling 0.9m in height with 0.975m high piers set to the side and front of the dwelling, around the hardstanding area to the west of the property, and brick walling with timber infill panels to the front and side of the garden area to the north/east of the property, 2m in height¹ with intermediate pillars at a height of 2.075m.
8. It is the proposed higher walling and the access arrangement to which the Council objects. With that in mind, the main issues for this appeal relate to the effect of the proposed 2/2.075m high boundary wall on the character and appearance of the area and the effect of that walling and the proposed vehicular access on highway safety.

Planning History

9. In 2018, the Council issued an Enforcement Notice requiring that fence panels that had been erected on top of the existing 1m high boundary wall be removed. The subsequent appeal was unsuccessful.² I note in this regard, that the appeal did not include a deemed planning application and the planning merits of the development were not assessed by the Inspector.
10. A planning application was then submitted in 2020 for the addition of a fence and artificial leaf trellis on top of the original 1 metre high boundary wall (PA/2020/22). Although permission was refused, there is no indication that that decision was the subject of a subsequent appeal.

Reasons for the Decision

Character and Appearance

11. At present, whilst part of the site is enclosed by a leaf trellis atop a lower brick wall, with an overall height of roughly 2m, it would seem that it is an unauthorised structure at its current height. It is proposed to replace that with brick walling with timber infill panels above, between brick piers, on the same alignment as the existing structure, running alongside the existing drive at the eastern end of the site, returning along the back of the footway on Crispin Way, returning again alongside the short path leading to the front door to the property. As noted earlier,

¹ Overall height of the wall plus timber infill panels above

² Enforcement Notice Ref COMP/2017/411. Appeal Ref APP/Y2003/C/18/3203523 & APP/Y2003/C/18/3203524

the relationship of the appeal property with its neighbours does not provide for any private garden space. The walling would enclose part of the garden to provide an area of private amenity space.

12. In support of the appeal, the appellants draw attention to numerous properties in the vicinity, many of which I saw during my visit, where walls with timber infill panels above, of roughly the same height as proposed here, are an existing feature of the estate along the back of footways. Some were corner properties, but not all and whilst some were similar, none appeared to be directly comparable to the appeal site. I have no way of knowing either, whether all the properties referred to were originally built like that, or if the walling was added later. Either way, such structures are clearly a common, established feature of the street scene around the estate. Indeed, my attention was also drawn to tall fencing along the back of the footway at 16 Crispin Way and to a recent permission for the erection of a similar structure along the back of the footway around the curtilage to No 84 Valley View Drive, which property lies on the opposite side of Valley View Drive to the appeal site, a short distance to the south (PA/2024/2).
13. Given that overall context, I consider that the development would not introduce an incongruous or overly dominant feature, with the design, scale and siting of the wall being sympathetic to the local environment and appropriate in its context. I am content, in this regard, that there would be no material harm to the established character and appearance of the area. As such, there would be no conflict with the provisions of policies DS1 and DS5 of the North Lincolnshire Local Plan (May 2003) and CS5 of the adopted Core Strategy (June 2011), which together and among other things seek to protect such interests.

Highway Safety

14. Concern is raised about the proposed 2/2.075m boundary walling and its effect on pedestrian visibility to the west of the driveway to the front of the existing garage. However, the new wall would follow the alignment of the existing wall, which has a splayed corner at the junction of the drive with the footway. Based on the planning history set out above, it would appear that a structure of around the height of the proposed boundary walling has been on the site in this position for a number of years. Whilst I appreciate that it is unauthorised, no substantiated evidence is before me to demonstrate that the arrangement has had any adverse impact in terms of pedestrian safety over the years. Whilst not ideal, I am content that this element of the appeal scheme would not result in material harm to highway safety.
15. However, as noted at the outset, the double width vehicular access shown on the submitted plans exits directly onto the radius curve of the junction of Crispin Way with Valley View Drive. In such a location, manoeuvring in and out of the site, particularly if drivers were to reverse off the site, would present an additional hazard for road users in a location where there are already competing demands for their attention, including the adjacent junction with Valley View Drive and the access drives to Nos 77 and 79 Valley View Drive, which exit onto the corner of junction, directly opposite the access as proposed.
16. Whilst the arrangement of the drives opposite appears to be historic, it does not justify the arrangement now proposed which would encourage additional, potentially dangerous vehicle manoeuvres onto this junction. Although I have no reason to suppose that, with a maximum overall height of between 0.9m and

0.975m, the low boundary walling around this part of the site would materially impede visibility for drivers, I share the concerns of the Highway Authority that the siting of the new vehicular access as shown on the submitted plans, would pose an unacceptable risk to highway safety. That brings this element of the appeal scheme into conflict with policies T2 and T19 of the North Lincolnshire Local Plan, which together and among other things seek to secure safe and satisfactory access arrangements. The arrangement would not be acceptable either in terms of paragraph 116 of the Framework, which seeks to resist development that would have an unacceptable impact on highway safety.

Conclusion

17. For the reasons set out above, I find the 2/2.075m high walling proposed to be acceptable in terms of both the character and appearance of the area and highway safety. I conclude, therefore, that the appeal should succeed in relation to this element of the proposal.
18. However, the new vehicular access in the position shown on the submitted plans would be likely to result in material harm to highway safety. I therefore conclude that the appeal should not succeed in relation to this aspect of the scheme. Whilst the low boundary walling around this part of the site would be sufficiently low, in my view, to allow for adequate visibility, with no issue taken by the Council in terms of its character and appearance, its alignment relates to the siting of the access. Since that is not approved, the appeal also fails in relation to the low wall.
19. In terms of conditions in relation to that part of the appeal that is allowed, in addition to the standard condition on commencement of development, and the clarification of plans, which is necessary in order to create certainty for all, it is necessary to control the external materials to be used in the interest of visual amenity.

Jennifer A Vyse
INSPECTOR

SCHEDULE OF CONDITIONS

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- 1) The development hereby permitted, namely a single-storey side extension and alterations to provide additional accommodation, and 2m high boundary walling with timber infill panels (with 2.075m piers), shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the details shown on plan Nos 1560.02 (Proposed Floor Plan), 1560.04 (Proposed Elevations), 1560.06 (Proposed Site Layout), 1560.07 (Site Location) and an undated document clarifying fence heights (which superseded an earlier email dated 20 June 2025), but only insofar as they relate to the development referred to in Condition 1) above. No consent is either granted or implied for the formation of a new vehicular access or the 0.9m high boundary walling also shown on those plans.
- 3) Prior to the commencement of development of the boundary walling hereby permitted, samples of the bricks to be used shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved materials.
- 4) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used on the existing building.

-----*End of Conditions Schedule*-----