



Appeal Decision

Site visit made on 11 August 2025

by Elaine Benson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2025

Appeal Ref: APP/J0540/D/25/3368553

8 Hollingworth Place, Hampton Water, Peterborough PE7 8SE

- 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 Roei Sharf against the decision of Peterborough City Council.
 - The application Ref is 25/00088/HHFUL.
 - The development proposed is described as 'height to boundary fencing raised'.
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Preliminary Matter

1. The 'hit and miss' horizontal fencing for which planning permission is sought has already been erected above the boundary wall and fences which enclose the appeal property (No 8). The appeal has been determined on this basis.

Decision

2. The appeal is dismissed.

Main Issues

3. These are the effect of the appeal proposal on the character and appearance of the surrounding area, and its effect on the living conditions of neighbouring occupiers.

Reasons

4. No 8 stands in a recently constructed and extensive housing estate which was incomplete at the time of the site visit. There is a broad consistency of design within the area. The original boundary wall and the timber fencing between No 8 and the neighbouring dwellings are some 1.8m high. This height is consistent with other boundary treatments within the wider estate. The heights of the wall and fences have been increased by 1m through the addition of a 'hit and miss' style timber fence.
5. Although timber fences are common within the locality, this material is not found above boundary walls as in the appeal proposal. The addition of fencing above the walls and above the original close board fencing has an incongruous appearance. In respect of the fencing, this is exacerbated by the design differences of the two fence types. The works have also resulted in a poor visual relationship with No 8's garage wall which is lower.
6. The altered boundary treatments are visually dominant and appear out of scale with other fences and walls in the locality. They are visible in a number of public views, including the approach from Banbury Drive and from Hollingworth Place. They can

also be seen from the surrounding residential properties and their gardens, and from the adjacent parking area. Although buildings form the backdrop to the appeal fencing in some views, this does not reduce its harmful visual impact.

7. The height of the boundary treatment between No 8 and 34 Banbury Drive (No 34) results in an overly dominant and oppressive appearance. It harms the living conditions of the neighbouring occupiers when they are using their outside spaces. Having regard to the orientation of the buildings, I am satisfied that there is no loss of light to the neighbouring properties or harmful overshadowing. This conclusion does not however outweigh the other harms I have identified.
8. The reasons given for increasing the height of the boundaries include protecting the privacy of the occupiers of No 8 from perceived overlooking, including from windows in a taller apartment block which has been constructed nearby. Having regard to the relationship between No 8 and the apartment block, including the distance between them and the location of the windows which face towards the appeal property, I am satisfied that this distance and the offsetting of the windows ensures that there would be no unacceptable overlooking. Furthermore, this is not a good justification for the increased height between the lower scale homes around the other boundaries of No 8.
9. Moreover, it is reasonable to assume that the interrelationship between No 8 and the surrounding buildings was assessed when the relevant planning permissions were granted. These considerations would have also included the location and height of the apartment block's bin store and potential disturbance arising from its use and that of its parking area. Furthermore, they would have been apparent prior to the purchase of No 8. These are therefore insufficient reasons for allowing the appeal.
10. Overall, the reasons identified in support of the proposal do not justify or outweigh the visual harm and the harm to the living conditions of adjoining occupiers caused by the erection of the additional fencing. Moreover, if required, there are other means by which privacy could be achieved from within the appellant's garden which could avoid the harms I have identified.
11. For the foregoing reasons, I conclude that the proposal conflicts with the objectives of paragraphs a), d) and f) of Policy LP16 of the Peterborough Local Plan (LP) which can be summarised as seeking to secure high quality design which respects its distinctive surroundings and with the similar design requirements set out in the National Planning Policy Framework (the Framework). There is further conflict with paragraph e) of LP Policy LP17 which states that development should not result in an overbearing impact on any nearby property, and with the similar aim of the Framework to protect living conditions.
12. Accordingly, for the reasons set out above, and having regard to all other matters raised, the appeal is dismissed.

Elaine Benson

INSPECTOR