



Appeal Decision

Site visit made on 27 August 2025

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal Ref: APP/T1410/D/25/3369957

188 Northbourne Road, Eastbourne, BN22 8RU

- 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 Witkowska-Szulc against the decision of Eastbourne Borough Council.
 - The application Ref is 250044
 - The development proposed is described as a 2 storey rear extension with raised patio, access steps, rooflights and internal alterations.
-

Decision

1. The appeal is allowed and planning permission is granted for a 2 storey rear extension with raised patio, access steps, rooflights and internal alterations at 188 Northbourne Road, Eastbourne, BN22 8RU in accordance with the terms of the application, Ref 250044, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) Finished floor levels within the extension hereby approved shall be set no lower than existing floor levels. In addition, the further flood resilience measures set out in the Flood risk Assessment dated 5 February 2025 shall be undertaken as recommended.
 - 4) Notwithstanding the plans hereby approved, all surface water run-off from the new roof shall only be collected in rainwater goods installed on the host property and located so as not to encroach on the neighbouring property, rainwater run-off shall not discharge onto the adjoining property. The rainwater system shall thereafter be retained in perpetuity.
 - 5) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: 2475/01 Existing and Proposed Plans and Elevations-dated Jan 2025, 2475/01 Existing and Proposed Plans and Elevations-dated April 2025 and 2475/01A Existing and Proposed Plans and Elevations-dated May 2025,

Procedural matters

2. The reason for refusal set out on the Council's decision notice refers to harm to the living conditions of the occupiers of number 184 Northbourne Road. However, it is clear from the Questionnaire and the evidence submitted at appeal that this was a typing error and the Council's concern in fact related to 190 Northbourne Road. I have proceeded to consider and determine the appeal on that basis.

Main Issue

3. I consider the main issue to be whether the proposed rear extension would appear either so dominant or overbearing as to cause harm to the living conditions of the occupiers of No 190 Northbourne Road

Reasons

4. The appeal property 188 Northbourne Road (No188) is a two-storey semi-detached house. The adjoining house being No190.
5. The appellants proposed the erection of a two-storey rear extension, raised patio, access steps and four new roof lights.
6. The rear addition would extend to the same depth as the existing single storey rear extension to No190. Although the neighbouring extension is single storey it has a mono pitch roof that abuts the original rear wall of the house just below the cill line of the first floor rear facing window.
7. The Council found that although the proposed rear extension would extend beyond the adjoining property's rear elevation it would not, due to orientation cause a significant loss of light to the neighbouring property. Further, although the proposed extension would encroach on a line drawn at 45 degrees from the centre line of the nearest adjoining first floor window the extension would not cause a loss of outlook. From what I have seen and read I would not disagree with these conclusions.
8. However, it did nevertheless consider that as it would breach the 45 degree line shown on the application drawings it would result in a dominant and overbearing structure and therefore cause harm to the living conditions of the occupiers of No190, contrary to the objectives of Policy HO20 of the Eastbourne Borough Plan 2001-2011 (Adopted 2003) - Addendum Saved Policies (27 September 2007).
9. Given the Council found no harm in terms of loss of light or outlook, as the roof of the extension would slope away from the flank wall of the extension and given the overall length of the rear garden I am not persuaded, on balance that in this case the extension would appear either so dominant or overbearing to the occupiers of No190 as to cause significant harm to their living conditions.
10. I therefore conclude in respect of the main issue that the proposal would not result in harm to the living conditions of the occupiers of No190 and therefore it would accord with the objectives of LP Policy HO20 as it relates to the requirement for development not cause unacceptable harm to residential living conditions.

Conditions

11. I have considered the conditions suggested by the Council in light of the advice in the Framework and the Planning Practice Guidance. In the interests of precision

and enforceability, I have amended the Council's suggested wording where appropriate.

12. To ensure a high quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the development.
13. In order to reduce potential exposure to flood hazard I will condition the finished floor levels in the extension along with other flood resilient measures as well as the discharge of rainwater from the proposed extension.
14. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

15. Accordingly, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR