



Appeal Decision

Site visit made on 23 September 2025

by **Nicola Davies BA DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 October 2025

Appeal Ref: APP/T1410/W/25/3367653

193 Seaside, Eastbourne, East Sussex BN22 7NP

- 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 Ed Rayner against the decision of Eastbourne Borough Council.
 - The application Ref is 240441.
 - The development proposed is the erection of a garage to side/rear elevation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues raised by this appeal are the effect of the proposed development on the character and appearance of the area and the living conditions of existing adjoining occupiers.

Reasons

Character and appearance

3. The proposed garage would be substantially taller than the existing boundary walls. This, along with its forward side siting to that of the host building, would result in a development that would be prominently visible within the Seaside street scene.
4. In general, I saw that along the west side of Seaside either the dwellings that front onto Seaside are set back behind front garden enclosures or the side elevations of dwellings are set behind boundary enclosures. A garage of the size proposed, along with its prominent and projected siting within the site, would appear conspicuously out of keeping within the existing pattern of development along the west side of Seaside. As such, the proposal would be visually harmful as it would not visually assimilate with either the character or appearance of the development within the area. I do not consider the use of timber as part of the proposal would overcome my concerns sufficiently that would allow for planning permission to be forthcoming.
5. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would, therefore conflict with Policy D10a of the Eastbourne Core Strategy Local Plan 2013 and saved Policies UHT1 and UHT4 of the Eastbourne Borough Plan 2007. These policies seek, amongst other matters, development to achieve high quality environments with development making a positive contribution to the appearance of the

townscape taking into account neighbouring buildings, as well as the surrounding area, and to ensure that new development makes a positive contribution to the overall appearance of the area.

6. It is suggested that many other corner properties in the area have developed their rear and side areas by building rear extensions and a planning reference has been provided relating to a planning permission. However, I have not been directed to any particular examples or the details of the planning permission referred to. Therefore, I have insufficient information before me to consider what similarity, if any, those potential examples would have to that of the proposal that is before me. As such, this information offers little support for this proposal that, in any event, can and should be considered on its own individual merits.

Living conditions

7. Taking into account the orientation of the sun, the proposed garage would cast a shadow over the ground floor bedroom window. Whilst some overshadowing of the window would take place this would only be for a relatively short period of the day and when the sun is low in the sky. I do not consider overshadowing would be so substantial as to cause harm to the living conditions of existing neighbouring occupiers. Furthermore, the proposal would not obstruct the window, therefore daylight would not be substantially impeded.
8. Harm from overlooking has been cited within the local planning authority's second reason for refusal. However, neither the reason for refusal nor the officer report explains clearly what harm may result in respect of overlooking that would result in loss of privacy. The proposal would create activity along the side of the existing property to access the garage. However, this area is available to be used by the occupiers at present where observation toward the rear bedroom could take place. There is no clear indication that a garage would intensify activity to such a level that would result in a harmful intrusion of privacy.
9. Although not mentioned within the second reason for refusal the officers report refers to harm arising from the dominance of the proposed garage. Whilst the garage would be clearly visible in the outlook from this existing habitable room, I do not consider that it would be so substantially dominant in the outlook to cause significant harm to the living conditions of the occupiers.
10. For these reasons, I conclude that the proposed development would not be harmful to the living conditions of existing adjoining occupiers. The proposal would, therefore comply with Policy B2 of the Eastbourne Core Strategy Local Plan 2013 that seeks, amongst other matters, development to protect the residential and environmental amenity of existing and future residents.

Conclusion

11. Whilst I have found in favour of the appellant in terms of the second main issue, this does not overcome the identified harm in relation to the first main issue.
12. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR