



Appeal Decision

Site visit made on 2 December 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 17 December 2025

Appeal Ref: APP/T1410/W/25/3372862

9 Framfield Way, Eastbourne BN21 2QY

- 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 Yasmin Salim against the decision of Eastbourne Borough Council.
 - The application Ref is 250395.
 - The development proposed is change of use to form an eight bedroom House in Multiple Occupancy.
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Decision

1. The appeal is allowed and planning permission is granted for change of use to form an eight bedroom House in Multiple Occupancy at 9 Framfield Way, Eastbourne BN21 2QY in accordance with the terms of the application, Ref: 250395, subject to the conditions set out in the schedule at the end of this decision letter.

Main Issues

2. The main issues in this appeal are:
 - a) The effect of the proposal on the living conditions of neighbouring residents, with particular regard to noise and disturbance, and parking pressures, and
 - b) Whether the proposal would provide satisfactory living conditions for future residents.

Reasons

Neighbouring residents

3. The appeal property is a two storey detached dwelling on the north east side of Framfield Way and within a predominantly residential area. The land slopes down from the street towards the appeal property.
4. The proposal seeks to convert the dwelling to an eight bedroom house in multiple occupation (HMO). A lawful development certificate was issued by the Council in March 2025 under the Ref: 250054 for the proposed use of the property as a six bedroom HMO (Class 4) and erection of rear dormer, conversion of existing garage, installation of 2 no roof lights to front roof slope with alterations to access and fenestrations. I understand that the extensions proposed would be undertaken in association with the proposed works, under permitted development rights, prior to the change of use being undertaken.

5. The use of the property as an eight bedroom HMO, given the larger number of residents, would be likely to lead to increased comings and goings, compared with the lawful proposed use for a six bedroom HMO or its use as a single dwelling. The residents would probably all be living independently which again would suggest a greater number of comings and goings than associated with a single family. However, this does not, by itself, provide demonstrable evidence that the greater number of occupants would result in greater levels of noise and disturbance to surrounding residents.
6. The property is detached with a passageway on either side. The main entrance door is centrally sited at the front of the property and therefore not immediately adjacent the neighbouring dwellings. There would be use of the side passageway to access the bike storage, but this would be unlikely to be by more than one person or at most a small number of residents at any one time, given the expectation of independent living. There would also be the standard requirement to bring the refuse bins to the front of the property for collection, but this would also be expected in relation to a lesser number of residents at the property. Similarly, there is no evidence to suggest that there would be a materially greater use of the rear garden, as a result of the proposal, taking into account the expectation that the residents would be living independently.
7. The proposal would result in the ability for more people to live at the site, compared with the lawful proposed use or the use of the property as a single dwelling. However, I am not persuaded on the basis of the information before me, as well as the layout of the dwelling, that this would result in demonstrable harm to the living conditions of neighbouring residents, particularly in terms of noise and disturbance.
8. A number of local residents have also raised concerns regarding pressures on on-street parking. The proposal would provide for 2 off-street parking spaces in front of the property. There are on-street parking restrictions in the vicinity of the site, particularly during the day but I have collected data before me regarding any local parking pressures at particular times of the day. The car ownership of individual occupants cannot be known, but the Council has referred to census information indicating a generally lower level of car ownership in HMOs. The property is in a reasonably sustainable location with access to local shops and there are a number of bus routes within easy walking distance, serving the town centre. The proposal also includes for cycle parking in the rear garden. There is no evidence before me to indicate that the living conditions of neighbours would be materially harmed in respect of concerns over parking and the Council raised no concerns in this particular regard.
9. I have noted that there may be no other HMOs within the local area. However, this indicates that there would not be an over concentration of such properties in the local area, and the proposed use would add to the mix of residential accommodation locally. It would retain in both its external appearance and its use, the character and appearance of a residential dwelling.
10. I am therefore satisfied, on the basis of the information before me, that the proposed development would not result in material harm to the living conditions of neighbouring residents, with particular regard to noise and disturbance and parking pressures. There would be no conflict with Policy B2 of the Eastbourne Core Strategy 2013 (Core Strategy), Policy HO20 of the Eastbourne Borough Plan (Borough Plan) and the National Planning Policy Framework (Framework) and in

particular paragraph 135, all of which amongst other matters seek a high standard of amenity for existing and future users.

Future Residents

11. The proposed rooms would all be of an acceptable size and regular shape, including en-suite bathroom facilities for each room, with an outlook and ventilation for each room. There would also be a communal area on the ground floor at the rear to provide kitchen and dining area and opening onto the rear garden, which would be of a reasonable size, including provision for secure and covered bike storage as well as refuse and recycling storage.
12. The Council has raised a particular concern over potential disturbance to those residents occupying the front ground floor bedrooms, if other residents arrived late or left early from the parking spaces on site. A number of different suggestions have been made including the use of black out blinds or restricting the car parking spaces to those occupying the front rooms on the ground floor. However, I consider that these would be internal management issues and would not, by themselves, be a reason to refuse planning permission.
13. The Council has indicated that it considers that the scheme for a 6 room HMO which benefits from a certificate of proposed use would provide a better layout, but my consideration relates to whether the proposal before me would provide satisfactory living conditions for future residents.
14. I am satisfied that the proposal would provide satisfactory living conditions for future occupiers. There would be no conflict with Policy B2 of the Core Strategy, Policy HO20 of the Borough Plan and the Framework and in particular paragraph 135, all of which amongst other matters seek a high standard of amenity for existing and future users.

Other Considerations

15. I have taken into account the representations received from local residents, most of which I have addressed above. A number of local residents have made reference to restrictive covenants on the land, but these would need to be addressed separately to planning considerations.

Conditions

16. Conditions are required to ensure the provision of car parking, secure cycle parking and refuse storage to ensure a satisfactory development to protect the amenities of existing and future residents and to respect the character and appearance of the local area. The approved plans should be listed for the avoidance of doubt and in the interests of good planning. I do not consider that additional conditions are required in respect of the future management of the property as this would fall to be addressed under HMO licensing requirements. However, a condition should be imposed to restrict the occupancy to eight residents at any one time for the avoidance of doubt and to accord with the terms of the application.

Conclusion

17. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be allowed.

L J Evans

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PG.1021.25.09 Rev A, PG.1021.25.08, PG.1021.25.01, PG1021.25.07, 1 (4 cycle storage shed).
- 3) Prior to first occupation of the development hereby permitted, secure and covered cycle parking shall be provided within the site in accordance with the approved plans. Thereafter the facilities shall be retained solely for the parking of cycles for use by occupiers of the property.
- 4) Prior to first occupation of the development hereby permitted, the enclosed refuse and recycling storage facilities shall be provided in accordance with the approved plans. Thereafter, the facilities shall be retained solely for the storage of refuse and recycling for use by occupiers of the property.
- 5) Prior to first occupation of the development hereby permitted, the two parking spaces shown on the approved plans shall be provided and thereafter retained for use by occupiers of the property.
- 6) The property shall not be occupied by more than eight (8) residents at any one time.