



Appeal Decision

Site visit made on 4 November 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 18 December 2025

Appeal Ref: APP/T1410/W/25/3370906

Willowfield Studios, 67A Willowfield Road, Eastbourne BN22 8AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by RCCG House of Favour, Eastbourne.
 - The application Ref is 240542.
 - The development proposed is change of use of ground floor spaces from martial art studio (formerly D2 use), garages, workshop and ancillary spaces to part F1 (f) and Part E (f) use. First floor offices remain unchanged.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of ground floor spaces from martial art studio (formerly D2 use), garages, workshop and ancillary spaces to part F1 (f) and Part E (f) use. First floor offices remain unchanged at Willowfield Studios, 67A Willowfield Road, Eastbourne BN22 8AP in accordance with the terms of the application, Ref: 240542, subject to the conditions set out in the schedule attached to this decision letter.

Application for costs

2. An application for costs was made by RCCG House of Favour against Eastbourne Borough Council and this is the subject of a separate Decision.

Preliminary Matters

3. The appeal is against the non-determination of the application within the prescribed period of a decision on an application for planning permission. The Applicants have provided with their appeal a copy of the Officer's report to the Council's Planning Committee for the meeting on 11 February 2025 with a recommendation for permission to be granted subject to conditions. From the limited information before me, it would appear that the recommendation was overturned by the members with a resolution to refuse planning permission. However, the decision notice refusing permission has never been issued, and the Council has not provided any information during the appeal process, beyond returning the appeal questionnaire and providing copies of representations submitted at the application stage.
4. The application forms indicate that the proposal has not yet commenced although several of the representations refer to activities taking place on the site. The Appellants have since confirmed that the position as stated on the application forms was correct as of the time of the application submission. I am required to consider the proposal on the basis of the submitted application material.

5. There is reference by the Appellant in their final comments to the removal of the nursery / creche use but I have not seen any formal amendment to the application or description of development to address this. I am therefore required to consider the appeal on the basis of the submitted application. There is also a set of plans submitted and under the appeal folder 'Plans Submitted after LPA decision'. The plans are dated 30 July 2025. I am not clear as to the status of these plans and whether they were formally submitted to the Council and consulted upon but given the date of the plans this would appear unlikely. For the avoidance of doubt, I have referred to the plans submitted with the application.
6. I have not been provided by the Council with copies of the relevant development plan policies, and my decision is necessarily based on government guidance, together with such information as is before me as provided by the Appellant in respect of development plan policies.
7. I understand that at the time of consideration of the application, the County Highway Authority had not responded to the consultation, but they have submitted a response at the appeal stage. I have taken their representations into account alongside all the representations received from local residents and the local community at the application and appeal stages, including from the MP for Eastbourne.

Main Issues

8. From the information provided by the Appellant and the representations received, as well as my site visit, I consider that the main issues raised in this appeal are:
 - Whether the proposed change of use is appropriate, particularly in terms of location and accessibility,
 - The effect of the proposed change of use on the amenities of adjoining neighbouring residents, with particular regard to noise and disturbance, and
 - Whether the access and parking arrangements would be satisfactory, in terms of highway and pedestrian safety.

Reasons

Principle of development

9. The appeal site comprises non-residential buildings and a parking area with a vehicular access from Willowfield Road between two residential properties, Nos 67 and 67A Willowfield Road. The vehicular access leads to a parking yard with existing commercial and community use buildings along the western and southern boundaries. The surrounding area is predominantly residential but with some commercial uses. There are residential dwellings fronting onto Belmore Road, which have rear elevations facing towards the appeal site. There is a wall along the northern boundary of the site and the properties in Belmore Road. There are residential properties to the west fronting Melbourne Road with commercial premises bounding to the south, and the rear of residential dwellings in Willowfield Road to the east of the site.
10. The information provided together with the existing plans indicate that the premises have been in use on the ground floor for a martial art studio, garages and workshops with offices above. The proposal seeks a change of use of the ground

floor to part F1 (f) use and part E (f) use. I understand that there are existing offices at first floor and these would be retained. There would be no loss of any residential uses within the site and the history of uses indicates that there have been a mix of commercial and community uses operating at the site.

11. The proposed uses would introduce alternative community uses to the site which would in principle be supported, subject to being satisfactory in all other respects. The site is within the urban area of Eastbourne with a range of facilities and services and generally good accessibility by a variety of transport modes.
12. I am satisfied that the proposed development would be appropriate for the site, given the history of uses, particularly in terms of its general location and accessibility. It would therefore comply with Policies LCF21 of the Eastbourne Borough Plan 2001 – 2011 (Borough Plan) and the National Planning Policy Framework (Framework) and in particular paragraphs 98, all of which seek to ensure, amongst other things, a range of community facilities to meet the needs of the local community.

Living Conditions

13. I have no information before me regarding the previous uses on the site in terms of hours of operation and numbers attending and whether there were any planning conditions in terms of the use and operation of the activities. The proposed use of the site and in particular the proposed F1 use would introduce concentrations of people at specific times for church services and I have had full regard to the concerns of neighbouring residents in respect of noise and disturbance. It is my view that if uncontrolled, the F1 use would have the potential to materially disturb surrounding residents, particularly from noise and disturbance, given the potential concentration of attendees at specific times.
14. However, the proposal is accompanied by a number of reports, information and proposed measures to address such concerns and to seek to ensure that the living conditions of surrounding residents would not be materially affected. First the proposal is accompanied by an Acoustics Assessment undertaken by an established acoustic consultancy and by report authors who are both acoustic professionals. The report is based on current policy guidance and on noise surveys undertaken to assess, on a computer calculation model based on recognised standards and procedures, noise emissions from the proposed venue and to make recommendations for a suitable sound mitigation scheme. The report assesses that the most noise sensitive residential receptors would be the rear facades of the residential dwellings at Nos 13-19 Belmore Road. The report identifies the principal noise sources to be the use of the church during services, the nursery garden and mechanical plant locations within the external courtyard. It is noted that not all the plant referenced in the assessment is shown on all the application plans. The assessment demonstrates that subject to specified works, such as the replacement of the current windows with specific sound reducing index, and subject to specified operations, such as the external doors and windows being shut during services, the noise disturbance from the site should not be detrimental to the amenity of any nearby receptors.
15. I have also taken into account that there will be the comings and goings associated with people coming to the site and in particular for the church services. It is a matter I also return to under my consideration of access and parking. Given the

constrained nature of the site, there will need to be on site management for the main events to ensure safe access and egress and that the management plan to be submitted and approved by the Council before the use of the site operates, should also address the management of people arriving and leaving the site to minimise noise and disturbance to surrounding residents.

16. The application also included proposed hours of operation for the various elements of the proposal together with a proposed order of service for the main Sunday Worship service. These times can be controlled by condition to further safeguard the amenities of the neighbouring residents. Overall, and with the one exception I address below, I consider that the proposed hours would be reasonable and would, taken together with the other measures considered, not materially disturb the living conditions of local residents.
17. However, the proposed activities together with hours of operation do include for very late-night vigils every last Friday of the month and on New Year's Eve to take place between 22.00 and 01.00. It is not clear of the numbers that might be attending these events but there would clearly be some comings and goings associated with such uses even if any noise within the building were controlled under the recommendations of the Acoustics report. The use of the site at these times for gatherings would potentially involve disturbance from light from the buildings and cars, noise from car doors opening and shutting as well as from people arriving and leaving the site. It is likely that some of the surrounding dwellings would have bedrooms facing towards the appeal site. I am not persuaded on the limited information available that such activities at these proposed times could be undertaken without unacceptable noise and disturbance to surrounding residents.
18. There is no information before me to indicate that the residential use of one part for the ancillary guest lounge would disturb surrounding residents and it would be for the Appellant to ensure that the various activities could successfully operate on site where there would be an overlap of activities at the same time.
19. I have noted the concerns expressed by local residents but so far as I am aware the recommendations in the submitted Acoustic report as well as the other measures have not yet been undertaken.
20. Subject to the imposition of conditions as set out above and subject to excluding the proposed late night activities as indicated within the proposals, I consider that there would be no material harm to the living conditions of surrounding residents, with particular regard to noise and disturbance. There would be no conflict with Policy B2 of the Eastbourne Core Strategy 2013 (Core Strategy), Policy HO20 of the Borough Plan and the Framework and in particular Paragraph 135 all of which amongst other things seek a high standard of amenity for existing and future occupants.

Access and Parking

21. I have no information on the access and parking requirements for the previous uses on the site. There is an existing narrow access road leading off Willowfield Road into the site and the submitted plan shows 10 parking spaces, including a disabled parking space and space for two minibuses, as well as cycle parking. It is quite probable that the site would not be able to provide parking to serve the proposed

use, taking into account the potential number of seats in the church and therefore the number of attendees at specific times.

22. The information from the Appellant refers to the general accessibility of the site being within the built up area of Eastbourne, and also refers to the provision of several initiatives to address parking and accessibility. These include running a minibus to pick up and drop off people attending the church from designated points around the town centre, as well as arrangements with the neighbouring site at No 55 Willowfield Road / and possibly a nearby school to use their parking spaces when not required by the industrial occupiers or educational establishment. There is also reference to parking vouchers being made available for nearby public car parks and encouragement to walk and to cycle. These initiatives are all welcome although not all of them could be addressed by condition as they would involve arrangements with private organisations and companies who are not directly involved with the application and the identified locations fall outside of the red line site area.
23. I consider that given the general accessibility of the site together with the various initiatives proposed by the Appellant, accessibility to the site could be appropriately addressed and managed, notwithstanding the limited parking on site. Although there is no technical assessment in front of me, I have no reason to dispute the concerns of local residents regarding the limited availability of on street parking in the immediate vicinity. The County Council has noted that the mini bus spaces within the site would not meet the required standards but I consider that a condition could be imposed to require a revised plan to be submitted to prioritise the provision of mini bus parking, disabled parking and cycle parking, and to allow for access by emergency vehicles, even if that were to reduce the number of standard spaces, given the general accessibility of the site.
24. In terms of the access way, there is limited width although there is good visibility from the entrance into the site and in the opposite direction. Uncontrolled access into the site at key times for services would potentially not be safe given the potential numbers of people seeking to enter or leave the site. However, the Appellant has offered a management plan for managing the access and car park area. Given the limited number of vehicles that could be accommodated on the site, as well as the good visibility along the access road, and subject to a satisfactory management plan being approved and then followed, I consider that the site would provide safe access for the proposed uses.
25. Subject to the imposition of conditions as discussed above I conclude that the proposal would provide appropriate parking and safe access for the proposed uses. There would be no conflict with Policy D8 of the Core Strategy, Policies TR7 and UHT1 of the Borough Plan and the Framework and in particular paragraph 115, all of which amongst other matters seek safe and suitable access for developments.

Other Considerations

26. Local residents have raised a number of concerns, all of which I have considered but I can only take into account concerns which are directly related to planning matters; most of these I have already addressed under my main issues.
27. The Appellant has expressed concerns with the way that the application was processed by the Council, but my decision is necessarily based on its planning merits.

Conditions

28. The Council has not submitted a list of conditions to be imposed if permission is to be granted, although the Appellant has provided a copy of the Officer's report to Committee which included proposed conditions.
29. The Framework is clear at paragraph 56 that conditions should be considered in order to make acceptable otherwise unacceptable development. My assessment under my main issues concludes that conditions are necessary and meet the tests set out at paragraph 57 of the Framework, including for further and amended details to ensure a satisfactory development which will respect the living conditions of surrounding residents as well as ensure safe access. A number of these conditions reflect the further provisions that the Appellant has already offered and promoted and which I consider are reasonable and necessary to ensure a satisfactory development.
30. The approved plans should be listed for the avoidance of doubt and in the interests of good planning. However, the site plan requires to be revised for the reasons set out to prioritise car parking for minibuses and the disabled as well as cycle parking to reflect the constrained nature of the site and to ensure a safe access for all users. It should also provide for EV charging. The approved parking layout should be in place before the church services operate to ensure a safe arrangement. Both a travel and a site management plan are required to ensure that the site can be safely accessed during use.
31. Hours of operation for the various component uses are required to safeguard the living conditions of surrounding residents. Similarly, all the recommendations from the Acoustic Report require to be implemented for the same reason. For the avoidance of doubt, I have separately specified that all doors and windows of the community meeting space for worship shall be kept shut during any service or when amplified music is being played and that no amplified music or speaking shall be played outside of the building.
32. The ancillary flat shall be used in the ancillary form proposed to comply with the terms of the proposal and to safeguard the living conditions of future occupants. The finishes for the external works to the building shall match the existing building or as specified to ensure a satisfactory appearance to the development.
33. As the conditions follow on, albeit with modified wording, from those set out in the Officer's report or reflect the further provisions and offers set out by the Appellant in their submissions, I do not consider it necessary to go back to the parties prior to determination.

Conclusion

34. For the reasons given above and having regard to all other matters raised, including in representations at the application and appeal stage, I conclude that the 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: PA174 PL01 – Site Location Plan & Block Plan; PA174 PL02 – Existing Ground Floor Plan; PA174 PL03 – Existing First Floor Plan; PA174 PL04 – Existing Roof Plan; PL PA174 PL05 – Proposed Ground Floor Plan; PA174 PL06 – Proposed First Floor Plan; PA174 PL07 – Proposed Roof Plan; PA174 PL08 – Existing Elevations; PA174 PL09 – Proposed Elevations.
- 3) Use of the community meeting space for worship (Class F1(f)) hereby permitted shall not operate outside of the hours of:
 - 08.00 to 14.00 Sundays
 - Wednesday midweek service – 18.00 to 20.00
- 4) The day centre or creche use hereby permitted shall not be open to customers/members except between the hours of 08.00 –18.00 on Mondays to Fridays and not at all on Saturdays, Sundays, Bank or Public Holidays.
- 5) The office or administration use associated with the F1 (f) use hereby permitted shall not operate outside of the hours of 08.00 to 18.00 Mondays to Saturdays and 08.00 to 16.00 Sundays.
- 6) The community meeting space for worship (Class F1(f)) hereby permitted shall not operate until all the measures (including the stated assumptions as well as proposed mitigation measures) in the Acoustic Report by ACA Acoustics Ref: 240910-R001 dated 19 September 2024, have been implemented and a verification report submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be retained and maintained.
- 7) All doors and windows at the community meeting space for worship (Class F1(f)) shall be kept shut during any service and at all times when any amplified music is being played. No amplified music or speaking shall be played outside of the building at any time.
- 8) The community meeting space for worship (Class F1(f)) hereby permitted shall not operate until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be undertaken as approved and in accordance with an agreed timescale with the Local Planning Authority. The Travel Plan shall set out the details of the initiatives to be undertaken to encourage people to access the premises using means other than the private car.
- 9) The community meeting space for worship (Class F1(f)) hereby permitted shall not operate until a management plan has been submitted to and approved in writing by the Local Planning Authority to set out the arrangements for traffic marshals at the site to ensure safe pedestrian access to the building along the access road, including times that the marshals shall be managing the site access arrangements. The management plan, as approved shall be followed in respect of all uses at the community meeting space for worship.

- 10) Notwithstanding the approved plans, the community meeting space for worship (Class F1(f)) hereby permitted shall not operate until a revised site plan has been submitted to and approved in writing by the Local Planning Authority to include:
- Parking bays for a minimum of two minibuses,
 - Secure and covered parking facilities for a minimum of 12 no cycles,
 - Disabled parking spaces; the number to be agreed with the Local Planning Authority,
 - EV charging points including their number, specification and location,
 - Refuse and recycling facilities,
 - Access and turning space for emergency vehicles,
 - Any external plant required to meet the requirements of the Acoustic Report under Condition 6, and
 - Appropriate signage to request that noise is kept to a minimum in the courtyard.

The approved arrangements shall be laid out prior to the use of the community meeting space for worship (Class F1(f)) and shall thereafter be retained and maintained for the designated uses.

- 11) The external finishes of the development, hereby permitted, shall match in material, colour, style, bonding and texture those of the existing building and otherwise as specified on the submitted application form.
- 12) The use of the flat, hereby approved, shall only be ancillary to the main part F1(f) use and at no time shall it be used for separate residential accommodation.

End of Schedule.