



Appeal Decision

Site visit made on 13 January 2026

by **L Francis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21st January 2026

Appeal Ref: APP/T1410/W/25/3375538

31 Willingdon Park Drive, Eastbourne, East Sussex BN22 0BT

- 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 Mr Ademar Rey against Eastbourne Borough Council.
 - The application Ref is PC/250203.
 - The development proposed is the erection of single storey side/rear extension, single storey front extension, erection of outbuilding, relocation of existing shed & removal of 2no. chimney stacks.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of single storey side/rear extension, single storey front extension, erection of outbuilding, relocation of existing shed & removal of 2no. chimney stacks at 31 Willingdon Park Drive, Eastbourne, East Sussex BN22 0BT in accordance with the terms of the application, Ref PC/250203, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was made by Mr Ademar Rey against Eastbourne Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. This appeal relates to the failure of the Council to give notice of its decision on the application for proposed development within the prescribed period. However, since the submission of the appeal the Council has provided a statement setting out its position on the proposed development, concluding that it would have granted planning permission subject to conditions.
4. Accordingly, there is no dispute between the two main parties, such that there are no main issues for consideration.

Other Matters

5. The side and rear extension would be subservient to the dwelling and would be sympathetic to the character of the area. Whilst the front porch would be of a contemporary addition of substantial scale, there are numerous examples of other large porches within the street scene and the proposal would be in keeping with the pattern of development in the area.
6. Due to its single storey and ground level relative to the neighbouring property, the extension would not unduly harm the privacy, daylight, sunlight or outlook of the neighbouring dwelling at No. 33.

7. I note the representation from the interested party regarding the conifers at the rear of the garden. There are already conifers adjacent to the rear fence which provide a degree of boundary screening. There is no substantive evidence before me that there would otherwise be any undue impact from additional planting upon the daylight received by the side window to 27A Woodland Avenue which is located close to the boundary fence of the appeal site.
8. There is no compelling evidence before me that additional planting within the appeal site would lead to damage to nearby drainage and sewerage systems; this is not a matter which would lead me to conclude that permission should be withheld.
9. In conclusion, I have no substantive basis to disagree with the view of the Council in respect of the matters raised by the neighbour. The proposed development would not have an adverse effect on the living conditions of neighbouring properties. It would be of an appropriate design and would not be harmful to the character and appearance of the surrounding area. Whilst the Council has not referred me to any specific development plan policies, the appeal proposal would be in line with the guidance contained in the National Planning Policy Framework (the Framework) to ensure development is well designed and with a high standard of amenity for existing and future users.

Conditions

10. The Council have provided some suggested conditions which I have considered against advice in the Framework and Planning Practice Guidance. Consequently, I have amended or omitted some of the suggested wording. I have attached the standard time limit condition (1) and a plans condition (2) as this provides certainty. Condition 3, requiring the external finishes to be as stated on the approved drawings is necessary in the interests of ensuring an appropriate appearance. In prohibiting the use of the roof for sitting out, condition 4 is necessary in the interests of protecting the privacy of neighbouring occupiers. Conditions 5 and 6 are necessary in the interests of the management of surface water within the appeal site.
11. The Council's suggested condition requiring the extension to be ancillary to the main residential use of the building is not necessary as the application was not made on the basis that the extension would form a separate dwelling and there is no substantive evidence before me that the extension would be used for this purpose.

Conclusion

12. Having no reasons to dispute the position of the Council, I conclude that the appeal should be allowed.

L Francis

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with drawing Nos: 1155/os1, 1155/P1, 1155/P2, 1155/P3, 1155/P4.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated on the approved drawings and planning application form.
4. The flat roof of the single storey ground floor side/rear extension hereby permitted shall not be used for sitting out or for any other purpose other than that of an emergency or for maintenance.
5. All water run-off from the roof of the extension shall be dealt with using rainwater goods installed at the host property and no surface water shall be discharged onto any adjoining property.
6. All ground surfaces of the development hereby permitted shall be constructed in porous materials or shall discharge surface water onto porous areas within the site for as long as the development remains in place. No surface water shall be discharged onto the public highway or adjoining land.