



Appeal Decision

Site visit made on 13 November 2025

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th December 2025

Appeal Ref: APP/J2210/W/25/3372220

25 Reculver Drive, Beltinge, Herne Bay, Kent, CT6 6QF

- 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 Ms Louise Williams against the decision of Canterbury City Council.
 - The application Ref is CA/24/02070.
 - The development proposed is the erection of a chalet style bungalow with associated car port and drainage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The reason for refusal refers to Policy C35 of the adopted Local Plan. However, the Council has confirmed that this is an error, and the correct reference is Policy CC10 of the Canterbury District Local Plan 2017 (LP). I have considered the appeal on this basis.

Main Issue

3. The main issue in this appeal is whether the location of the site would be suitable for the proposed use, with particular regard to the risk of coastal erosion.

Reasons

4. The appeal site comprises an overgrown piece of land to the north of Reculver Drive. There was previously a house on the site, but this was demolished and only the foundations and some hardstanding remain. There are some dwellings on this side of the road, but these are interspersed with areas of undeveloped land. The site and properties on this side of Reculver Drive lie at the edge of a steep slope which descends towards the coastal path, seawall and sea.
5. The site is within the East Cliff Slopes Coastal Protection Zone (CPZ) defined on the Council's Proposals Map. This encompasses land and properties close to the cliff top. Policy CC10 of the LP indicates that planning permission for new development in the CPZ will normally be refused. The supporting text outlines that in certain areas the cliffs and coastal slopes are not entirely stable due to erosion and that new building would exacerbate the present situation and prejudice future remedial works. It cites public safety reasons for not generally permitting development in CPZs.
6. There is reference to emerging Policy DS20 in the Draft Canterbury District Local Plan to 2040 which sets out the Council's proposed approach on Flood Risk and

Sustainable Drainage and on which there is at least one objection. As the new Local Plan remains at an early stage of preparation, I accord it limited weight.

7. The National Planning Policy Framework (the Framework) outlines an approach towards development in Coastal Change Management Areas (CCMA). It states that this will only be appropriate where it is demonstrated that it will be safe over its planned lifetime and not have an unacceptable impact on coastal change, amongst other things. The Planning Practice Guidance (PPG) indicates that when applying this policy, residential development can be assumed to have a lifetime of at least 100 years¹.
8. The appellant's Site Investigation Report and Updated Slope Stability Report (the reports) indicate that the slope has a history of landslips and that it has been successfully stabilised following the implementation of measures in the 1980s. These measures require ongoing maintenance to retain their effectiveness. The reports outline the results of a site investigation, comprising a review of desk study data, three boreholes and laboratory and in-situ testing carried out in December 2023 and June 2024.
9. It is indicated that there is no sign of slip features on the site, and no radon protection measures are necessary. The reports conclude that the slope would be stable in its existing state and stable with the modelled load of a new property with the short term and long term factors of safety exceeding the adopted minimum acceptable. It is outlined that a low rise new development would not affect the stability of the site and adjoining land, properties or utilities. Due to the high volume change potential of the underlying London clay and to minimise loadings on the stabilised slope, the reports recommend piled foundations for the proposed development. In certain conditions, the reports find that a piled deck would improve the long term stability of the slope compared to the current situation.
10. Notwithstanding these conclusions relating to the potential impact of the proposal on the stability of the slope, it remains the case that the site is within the CPZ, a CCMA. Whilst not commenting on the current scheme, the Council's engineer has previously stated that this area will always be at risk from the forces of nature and sea and can only be maintained for as long as it can be justified that it is financially viable to do so.
11. It has not been adequately demonstrated that the appeal site would not be harmfully affected by coastal erosion for at least 100 years. As such, I cannot be certain that the proposed residential development would be safe for future occupiers over its planned lifetime as required by the Framework and the PPG.
12. In an appeal in 2017 relating to a proposed residential caravan or mobile home on the site², the Inspector considered that a static home could be sited on the existing foundations without affecting the site's stability. However, as there was no evidence on the stability of the rest of the site, the Inspector could not be certain that the area between the foundations and the site's northern boundary would always be stable and thus found an unacceptable safety risk for future occupiers. Whilst the submitted reports for the current scheme address its impact on slope stability, I am not satisfied that the site would avoid coastal erosion for at least 100

¹ Planning Practice Guidance Paragraph: 006 Reference ID: 7-006-20220825

² Appeal ref: APP/J2210/W/17/3181311

years and that the proposed development would be safe for its occupiers throughout this period.

13. An adjacent house at 27 Reculver Drive has suffered severe damage due to subsidence from moisture abstraction. Information included with an outstanding planning application³ for a replacement dwelling on that site indicates that piled foundations outside the slip zone and below any slip surface would ensure that the building would not affect the current condition or stability of the slope. It is indicated that this would be an improvement over the current construction. However, it is unclear if the Council accepts this as an appropriate method of construction in the CPZ. In any event, that proposal is to replace a damaged dwelling, whereas the appeal scheme would introduce a new house on a site within the CPZ, placing more people at risk, and thus the two proposed developments are not comparable.
14. Consequently, I conclude that the location of the site would not be suitable for the proposed use, with particular regard to the risk of coastal erosion. This would be contrary to Policy CC10 of the LP which seeks to resist new development in the CPZ. The proposal would also conflict with the Framework where it requires demonstration that development in a CCMA will be safe over its planned lifetime.

Other Matters

15. The Council did not find harm or development plan conflict in relation to several other matters, including character and appearance, living conditions, parking, highway safety, contamination, drainage, biodiversity and carbon reduction. Nevertheless, even if I were to agree with the Council on these points, the absence of harm would be a neutral matter which would not carry weight in favour of the proposed development.
16. The proposal would be likely to have a significant effect, either alone or in combination, on the Thanet Coast Site of Special Scientific Interest and the Thanet Coast and Sandwich Bay Special Protection Area due to its proximity to them. However, notwithstanding the unilateral undertaking to pay a contribution towards the delivery of mitigation measures, given my conclusion there is no need to consider the implications of the proposal on the protected sites because the scheme is unacceptable for other reasons.

Conclusion

17. For the reasons given above, the proposal conflicts with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

A Wright

INSPECTOR

³ Planning application ref: CA/25/00999