



SANDGATE PARISH COUNCIL
Minutes of a
PLANNING COMMITTEE MEETING
Held on Monday 10th November 2025
At Sandgate Parish Council
Offices/Library James Morris Court,
Sandgate High Street

These Minutes will only be deemed to be a correct record of the meeting when approved and signed at the next meeting.

Present:

Chair Councillor Guy Valentine-Neale

Councillors Hazel Barrett, Susan Claris, Michael Fitch, Simon Horton, Nicola South & Guy Valentine-Neale

Clerk: Gaye Thomas

1. **Apologies for absence:**
2. **Declarations of interest:** Cllr Simon Horton as a direct neighbour of this proposed development, declared a pecuniary interest, and he therefore recused himself from the meeting at the point that it was discussed.
3. **Minutes of the last meeting** – the minutes of the meeting held on 27th October 2025 were circulated ahead of the meeting. They were accepted as a correct record of the meeting.
Proposed: Cllr Susan Claris
Seconded: Cllr Hazel Barrett
Approved by all present
4. **Planning applications for discussion:**

25/1905/FH	LAND ADJOINING 14 THE CORNICHE	Outline planning application (with all matters reserved) for the erection of a 4 bedroom detached dwelling comprising of a ground floor with car parking, formation of access, and two residential levels above	Comments and observations before 13/11/2025 Objection For: 6 Against:0 Int dcl'd:1
Sandgate Parish Council Planning Committee – Formal Objection Application: 25/1905/FH Sandgate Parish Council Planning Committee objects strongly to application 25/1905/FH. The proposal is contrary to the adopted development plan, the Sandgate Design Statement (2020), national policy on land stability, and the Council's statutory duties relating to protected trees. The Committee considers the application unsafe, incomplete, and unacceptable in its current form. 1. Planning history and loss of the original justification for development Planning permission granted in 2011 was exceptional and depended solely on the building 'nestling in the			

trees' so as to remain visually unobtrusive within the woodland escarpment. That permission has expired, and the conditions that justified it no longer exist.

Since purchase, the present owner has removed the majority of the TPO-protected trees. The wooded setting that formed the primary basis of the 2011 decision has been destroyed, totally altering the visual, ecological, and geotechnical context.

2. Extensive unauthorised removal of TPO-protected trees

The site originally contained more than 50 protected trees, crucial for slope stability and visual screening. Over 30 of these were removed without consent, and without fulfilment of later informal agreements.

These actions have led to:

- severe slope destabilisation;
- loss of essential root reinforcement;
- immediate visual prominence of the land;
- ecological and biodiversity degradation;
- destruction of the context that previously allowed development to be considered.

The Committee notes the LPA's statutory duties under the Town and Country Planning Act 1990 and Tree Preservation Regulations to protect TPO trees and enforce breaches.

3. Slope instability and public safety concerns

The site is now dangerously unstable. Land has already begun to move downslope, affecting neighbours below. The garden of the property above is sliding towards the application land. Temporary stabilisation measures do not address the underlying failure mechanisms.

Earlier assessments—including the 2014 desktop review—are no longer reliable because the physical integrity of the slope has been profoundly altered.

A full geotechnical investigation is now necessary, including boreholes, slope-modelling, drainage analysis, and engineered stabilisation proposals. It is not safe or reasonable to determine the application without such information.

4. Sandgate Design Statement (2020) – directly relevant

The Sandgate Design Statement (SDS) 2020 is an adopted Supplementary Planning Document and therefore a mandatory 'material consideration'.

Page 17 of the SDS requires that:

'Massing and orientation should ensure that physical barriers closing views to the sea or the wooded escarpments are not created, and any opportunity to undo such barriers that have been erected in the past is given appropriate consideration'.

The site now forms a highly visible landmark on the escarpment due to the loss of screening vegetation. The application makes no reference to the SDS despite its direct relevance.

5. Policy NE6 – Trees, Woodland, Biodiversity and Landscape Protection

The proposal directly conflicts with Policy NE6 of the Places and Policies Local Plan, which requires:

- retention and protection of trees and woodland that contribute to landscape and ecological character;
- avoidance of development that results in the loss or deterioration of important vegetative features;
- demonstrable and enforceable mitigation securing long-term management and biodiversity enhancement.

The unauthorised loss of more than 30 TPO-protected trees is fundamentally incompatible with the objectives of NE6. New planting cannot replicate the ecological, landscape, or stabilising functions of mature woodland for decades. On a steep, unstable slope, the likelihood of early failure of new planting is high.

The application therefore fails to meet the requirements of NE6, both in substance and in evidence.

6. Expanded assessment of slope-instability risks and legal responsibilities

The Committee emphasises that this is not a speculative or theoretical concern. The slope shows active movement, destabilised by the removal of deep-rooted vegetation. The original tree network provided:

- soil reinforcement
- shear strength
- erosion control
- moisture regulation
- restraint against rotational and translational landslip

Their removal has produced:

- observable downslope creep
- ground movement affecting adjacent land
- worsening erosion
- increased surface water runoff
- a slope now vulnerable to heavy-rainfall failure events

The NPPF (Land Stability sections) is clear that development must be safe, and that planning authorities should not permit development on unstable land without adequate assessments. Approving development without evidence of safety would be inconsistent with national policy and possible exposure to legal challenge.

The Council also has responsibilities under the Building Act 1984, case law on risk assessment and decision rationality and the common-law duty of care when assessing known geotechnical hazards.

Only a full geotechnical investigation can establish whether the site can be safely developed or even safely restored. It is not acceptable to rely on indicative assertions or proposed landscaping in the application.

7. Landscape and visual impact

With roughly 60% of the original tree cover removed, the building—although marginally narrower—is equally high and now fully exposed. Its visual impact is fundamentally different from the 2011 proposal that relied on the surrounding trees for screening.

The 2016 application was refused because the site had become open space whose woodland character had been lost. Those circumstances have further deteriorated since.

8. Absence of a required remediation and stability plan

No meaningful information is provided on:

- how the slope will be stabilised
- how neighbouring properties will be protected
- how replacement woodland will be established on unstable ground
- how long-term management will be secured (particularly if the site is, as expected, sold on)

Any approval must be supported by enforceable conditions or a Section 106 agreement, binding on future owners, specifying stabilisation works, monitoring, and woodland restoration.

In the absence of these, any approval would be inappropriate.

Conclusions

The entire rationale for the 2011 approval was the existence of a stable, mature woodland into which the dwelling would settle unobtrusively. That rationale is now void. The site is unstable, visually exposed, ecologically degraded, and the proposed scheme fails to confront or remedy the harms caused by previous unauthorised works, in particular the large scale removal of trees protected by TPOs.

The present application is premised on assumptions and intentions, not evidence or engineered solutions. It is incomplete.

The Committee finds that the application:

- Conflicts with the Sandgate Design Statement (SPD, 2020)
- Conflicts with Policy NE6
- Conflicts with landscape and environmental policies of the Places and Policies Local Plan (2020)
- Fails to meet the statutory requirement of section 38(6) of the 2004 Act
- Fails to address serious TPO breaches
- Presents major public safety risks through slope instability
- Lacks the necessary engineering evidence to assess or permit development

Sandgate Parish Council Planning Committee therefore objects to application 25/1905/FH and recommends REFUSAL.

25/1866/FH	40 ENBROOK ROAD	Single storey wrap around extension with roof lights.	comments and observations before 04/11/2025 extension until 11.11.25 No Objection For:7 Against:0 Int dcl:0 Abs:0
It was noted with disappointment that no reference to the Sandgate Design Statement was made as part of this application			

5. Update on previous planning applications:

25/1798/FH	WESTON VILLA,	47 RADNOR CLIFF	Approve with Conditions
25/1245/FH	23 MILITARY ROAD,		Approve with Conditions
25/1589/FH	CHIPCHASE LODGE, ST STEPHENS WAY,		Not Lawful
25/1606/FH	1 HILLSIDE, SANDGATE,		Approve with Conditions
25/1692/FH	26-30 Sandgate High Street,		Approve with Conditions

6. Correspondence: Email received from Folkstone and Hythe Planning relating to the withdrawal of planning application 25/1410/FH, 62-68 Sandgate High Street, from the district Planning and Licensing agenda. The planning application has been rejected by officers under delegated authority.

7. Information: There was none

8. Date of the next Planning Committee meeting –TBC

Signed by the Planning Committee Chairman Date.....
Chairman's initial & date ...

