

17 NOV 2025

Robert Allan (Planning Officer),  
Planning Department.  
Folkestone & Hythe District Council,  
Civic Centre,  
Castle Hill Avenue,  
Folkestone,  
CT20 2QY

Denis Conti,



14th November 2025

Dear Mr Allan,

The following comments are in response to a post (copy attached) submitted by Helen Forster Biodiversity Officer of the Ecological Advice Service dated 7<sup>th</sup> November 2025 to Robert Allan Planning Officer.

I would be grateful if you would forward the comments below along with the 4 attached past history photographs dated 1<sup>st</sup> May 2015 to Helen Forster with regard to Land Adjoining 14 The Corniche Sandgate 25/1905/FH.

The enclosed photographs show works carried out prior to the date of this current application which may be of some assistance with the ongoing investigation.

These major works indicated in the attached photographs of 1<sup>st</sup> May 2015 may have had a negative effect on the Protected/Notable Species.

Yours

Denis Conti



## ECOLOGICAL ADVICE SERVICE

**TO:** Robert Allan  
**FROM:** Helen Forster  
**DATE:** 07 November 2025  
**SUBJECT:** Land Adjoining 14, Sandgate 25/1905/FH

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*The following is provided by Kent County Council's Ecological Advice Service (KCC EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the county council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application and if sufficient/appropriate ecological information has been provided.*

*Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the planning officer, who will seek input from the EAS where appropriate and necessary.*

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We advise that additional information is required prior to determination of the planning application.

### **Protected/Notable Species**

The site plan has confirmed the presence of a badger sett on site but no ecology report has been submitted providing an understanding of the ecological interest of the site and clarifying if the proposal will impact the badger sett and if any mitigation is required.

Therefore, we advise that an Ecological Impact Assessment (EclA) should be undertaken by a suitably qualified ecologist<sup>1</sup>, in accordance with good practice guidelines. As a first step, a Preliminary Ecological Appraisal (PEA) should assess the habitats and features within and around the site and identify if there is a need for further ecological surveys to assess ecological value and/or confirm protected species presence/likely absence. This will also help ensure that no offences are committed under the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992.

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<sup>1</sup> Suitably qualified ecologists can be found using either the: [CIEEM Registered Practice Directory](#) or the [Environmental Data Services Directory](#).

The results of the survey(s), along with mitigation, compensation and enhancement measures (as necessary), presented within an EclA, should be submitted prior to determination of the application. Our comments will be available for revision upon receipt of this information.

### **Biodiversity Net Gain**

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications<sup>58</sup> for development (unless exempt<sup>59,60</sup>), must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Significant on-site gains, and all off-site gains will need to be secured for at least 30 years. Having reviewed submitted information<sup>61</sup>, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum<sup>2</sup>:

- **confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;**
- **the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);**
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- **the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;**
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have:
  - a statement to the effect that these activities have been carried out;
  - the date immediately before these activities were carried out;
  - the pre-development biodiversity value of the onsite habitat on this date;
  - the completed metric calculation tool showing the calculations, and
  - any available supporting evidence of this;
- **a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and**
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

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<sup>2</sup> <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

We advise that insufficient information has been provided to meet the requirements for mandatory BNG as only the points highlighted in bold has been provided and limited information has been provided to satisfy us that the information within the metric is correct. The metric details that the site comprises of mixed scrub and other woodland (mixed) and due to the enhancement of the retained woodland and scrub within the redline boundary a BNG of over 10% can be achieved.

However no information, relating to the points detailed below, has been provided to enable us to consider if we agree with the conclusions of the metric:

- Baseline habitat plan
- Proposed habitat plan
- Condition assessment for the scrub and mixed woodland (scrub)
- Description of habitats within the site.

We advise that a Biodiversity Net Gain Assessment is submitted to address the above points prior to determination.

We acknowledge that details of the post development habitat is not required as part of mandatory BNG however as the BNG metric provides details of how a BNG will be achieved it is our view that the proposed habitat plan can be provided.

If you have any queries regarding our comments, please do not hesitate to get in touch.

**Helen Forster MCIEEM**  
**Biodiversity Officer**

This response was submitted following consideration of the following documents:

- Statutory Metric
- Site Plan Plan; Loveay; January 2025

The KCC Ecological Advice Service is the ecological advisory body for [Kent County Council](#). It provides independent and professional advice to local planning authorities on the potential ecological impacts of planning applications. Any queries or comments from applicants should be directed to the relevant planning officer, who will then consult with the service if necessary.

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