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Mr D Plumstead
Shepway Environment and Community Network
The Spout House
Lympne
Kent
CT21 4LQ

16 March 2010

Dear Sir

Planning Application Y09/0627/SH - Sainsbury's Superstore, Military Road, Hythe

We act for Sainsbury's Supermarkets Limited and your letter of 10 March 2010 addressed to the Company Secretary has been passed to us.

Our clients do not believe there is any merit in your assertion that the grant of planning permission on 12 February 2010 is legally flawed. In those circumstances, our clients will not be providing the written confirmation referred to in your letter of 10 March 2010 that no demolition or other work be commenced or carried out on the site.

We note in your letter of 10 March 2010 addressed to Shepway District Council that you comment that

"Should such an undertaking not be received within five working days of receipt of this notice we will apply to the Court for an interim injunction prohibiting the commencement of work".

Any such application will be strongly resisted by our clients, and they will ask the Court to require a cross-undertaking from yourself and/or members of your organisation to undertake to pay our client's damages for their losses incurred, should commencement of development and therefore trading of the proposed store be delayed by the granting of any such injunction.

Please ensure that you serve notice of any judicial review or injunction application on ourselves – we confirm we have authority to accept service on behalf of Sainsbury's Supermarkets Limited.

The contents of this letter is without prejudice to our client's formal response should you initiate proceedings.

Yours faithfully


LAWRENCE GRAHAM LLP

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