

20th January 2021

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Dear Lisette

By email

Princes Parade: Advance Ecological and Ground Investigation Works

Further to our recent meeting, I'm writing to outline the advance ecological and ground investigation works that our clients Folkestone and Hythe District Council Strategic Development Projects intend to undertake this year in connection with the Princes Parade planning permission (ref Y17/1042/SH). The purpose of this letter is to seek confirmation from you on how these works relate to the timing of the discharge of the various pre-commencement conditions attached to the planning permission.

I have attached a programme prepared by Lloyd Bore which sets out the anticipated timing and sequencing of the ecological works and the discharge of the pre-commencement conditions related to ecology.

The points discussed at our meeting that we are seeking to confirm are set out below.

Condition 17 in relation to off-site habitat clearance / enhancement works

The programme requires some off-site habitat clearance and enhancement works to be undertaken in February 2021. These involve the removal of scrub and ruderal vegetation north of the Royal Military Canal to create enhanced habitat which will in due course receive reptiles translocated from the development site.

These works cannot be undertaken later than the end of February, due to: A) the timeframe required for subsequent reptile habitat establishment, and B) the likely extensive presence of nesting birds from March onwards - which would limit scrub clearance and the project's ability to deliver sufficient additional reptile habitat in time.

We discussed the timing of these works in relation to the discharge of Condition 17, which states:

"Prior to the commencement of any habitat clearance works in relation to the development hereby permitted, a habitat creation plan shall be submitted to and have been approved in writing by the Local Planning Authority. The habitat creation plan shall clearly set out the habitats which will be created within any relevant phase or sub-phase of the development hereby permitted. The approved plan shall inform the

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overarching Ecological Method Statement that is required to address Condition 16 of the planning permission and shall be incorporated into that document. Any habitat clearance works within any relevant phase or sub-phase shall only occur in accordance with the approved details.”

At our meeting we agreed that Condition 17 relates to on-site habitat clearance works and therefore it does not need to be discharged prior to carrying out the works to the north of the Royal Military Canal, as they are off-site and outside the redline boundary of the planning application.

Conditions 15, 16 and 17 in relation to on-site ecological works

You will note from the anticipated programme that a series of on-site ecological works, including installation of a reptile exclusion fence, reptile translocation, badger sett closure and final site clearance are to be carried out from June to December 2021. These works will trigger Condition 15 (Preliminary Ecological Appraisal), Condition 16 (Ecological Method Statement) and Condition 17 (habitat clearance) and as such our clients intend to submit material to discharge these conditions in May.

Pre-commencement conditions in relation to ground investigations

Intrusive ground investigations are required across the site (within the redline) to better understand the existing ground conditions and to inform the response to Condition 25. This will include trial holes, boreholes, gas monitoring and soakaways and require existing vegetation and scrub to be removed to facilitate access for the machinery that will carry out the work.

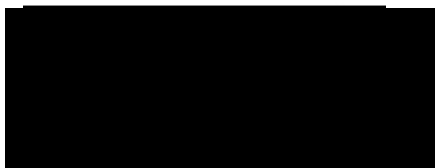
This clearance work will be carried out under the watching brief of a suitably qualified ecologist and final locations for the ground investigations will be amended to avoid any sensitive ecology, such as nesting birds, reptiles and badgers. These works are planned for March and April 2021.

At our meeting we agreed that neither the ground investigation works nor the ecological works constitute “commencement of development” under Section 56 of the Town and Country Planning Act 1990 and therefore they do not trigger the need to discharge the other (non-ecological) pre-commencement conditions attached to the planning permission.

I hope that the above and attached provide sufficient information for you to confirm the points discussed at our meeting and look forward to hearing from you. In the meantime, should you require anything further please don't hesitate to contact me.

Yours sincerely

For Tibbalds Planning and Urban Design



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Enc Princes Parade Ecology Programme

cc

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