

APPLICATION TO MODIFY OR DISCHARGE A SECTION 106 PLANNING OBLIGATION



PLEASE COMPLETE IN BLOCK CAPITALS USING BLACK INK

Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL Tel: 01233 331111; Email: planning.help@ashford.gov.uk; Website: www.ashford.gov.uk

1 TYPE OF APPLICATION	
Are you applying to modify a planning obligation? <input checked="" type="checkbox"/>	
Are you applying to discharge a planning obligation? <input checked="" type="checkbox"/>	
2 APPLICANT NAME AND ADDRESS	3 AGENT NAME AND ADDRESS
Title <input type="text"/> First name <input type="text"/>	Title <input type="text" value="Mr"/> First name <input type="text" value="Robin"/>
Last name <input type="text" value="Please see attached Form"/>	Last name <input type="text" value="Blay"/>
Address <input type="text"/>	Address <input type="text" value="North Star Law Ltd"/>
<input type="text"/>	<input type="text" value="24 Old Queen Street"/>
<input type="text"/>	<input type="text" value="Westminster"/>
<input type="text"/>	<input type="text" value="London"/>
Postcode <input type="text"/>	Postcode <input type="text" value="SW1H 9HP"/>
4 FULL ADDRESS OF THE SITE TO WHICH THE OBLIGATION RELATES	
Land at Chilmington Green, Ashford Road, Great Chart, Ashford, Kent shown in "Plan A" annexed to the enclosed Application No.2 : Second Application to modify or discharge a section 106 planning obligation dated 20 October 2022. The extent of the land to which the Applicant retains freehold title within that land is shown in "Plan B".	
5 NATURE OF THE APPLICANT'S INTEREST IN THE LAND	
Owners of the freehold interests in the retained land shown in "Plan B".	
6 REASON(S) FOR APPLYING TO MODIFY/DISCHARGE OBLIGATION	
These are set out in detail in the letter covering this Application No.2, the attached Annex A to this Application No.2 and its Appendices A1 and A2 and the report of Quod Planning and Development Consultants dated 18 October 2022 and its appendices including the Viability Report at Appendix 3. The Applicant also refers to and relies upon the terms of Application No.1 and its supporting documentation served upon Ashford Borough Council on 4 May 2022 which are repeated herein without prejudice to the validity of that application when made.	

7 NOTIFICATION TO INTERESTED PARTIES – please complete one certificate only

Certificate A

I certify that on the day 21 days before the date of this application the planning obligation to which the application relates was enforceable against nobody other than the applicant.

Signed

*On behalf of Date

OR

Certificate B

I certify that the applicant has given notice to everyone else against whom, on the day 21 days before the date of this accompanying application, the planning obligation to which the application relates was enforceable, as listed below.

*Person on whom
notice was served*

*Address at which
notice was served*

*Date on which
notice served*

Please see the completed and signed Certificate B in the attached Form.

Signed

*On behalf of Date

*Delete as appropriate

OR

Certificate C

I certify that:

- the applicant cannot issue a Certificate A or B in respect of this application;
- *the applicant has given notice to the persons listed below, being persons against whom, on the day 21 days before the date of the application, the planning obligation to which the application relates was enforceable.

*Person on whom
notice was served*

*Address at which
notice was served*

*Date on which
notice served*

- The applicant has taken reasonable steps to ascertain the name and address of every person against whom, on the day 21 days before the date of the application, the planning obligation to which the application relates was enforceable and who has not been given notice of the application but has been unable to do. These steps were as follows – (a)
- Notice of the application, as attached to this certificate, has been published in the (b)
On (c).

Signed

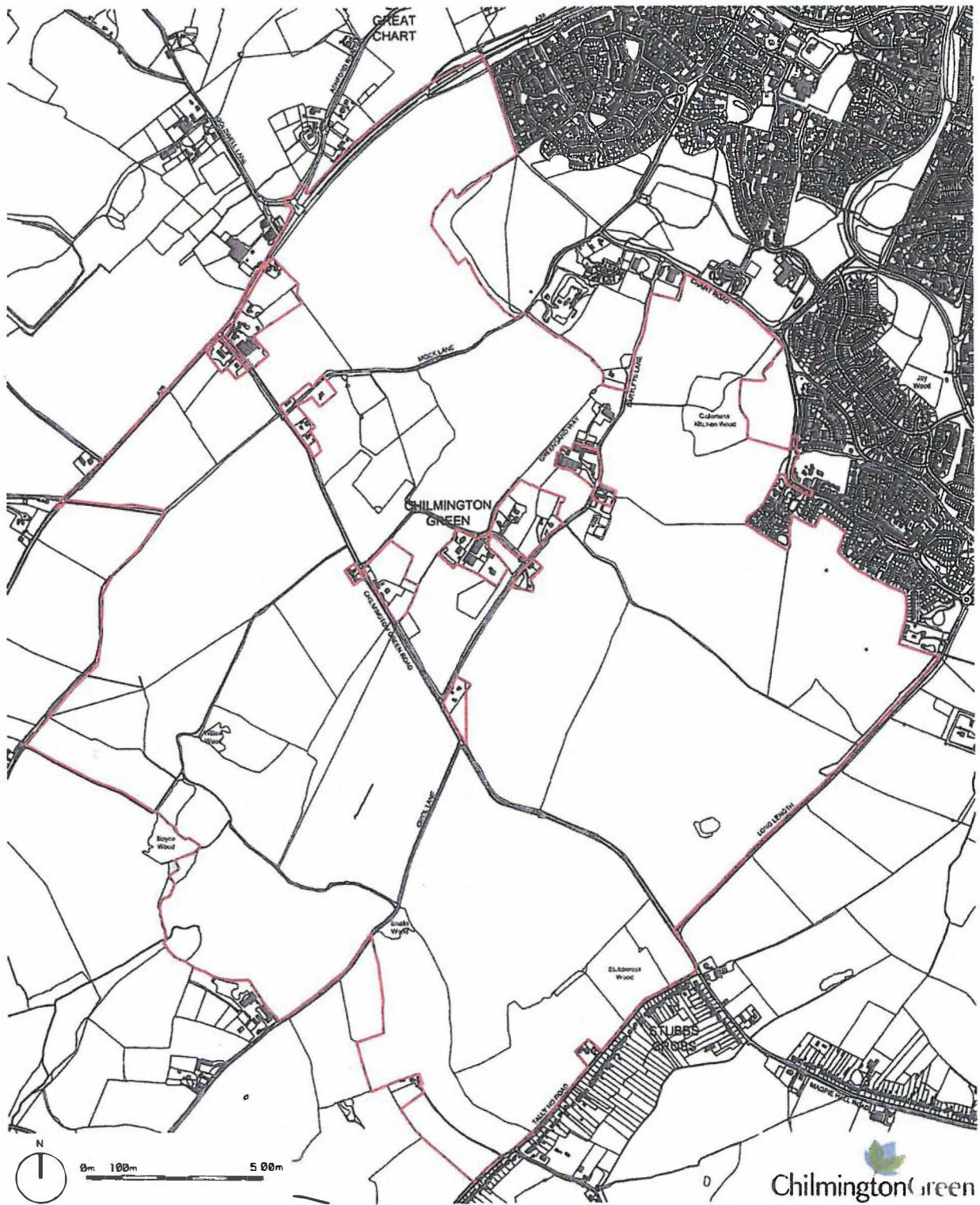
*On behalf of Date

(a) Being the steps taken (b) The name of the publication (c) The date of publication

8 Applicant contact details	
Tel	<input type="text"/>
Mobile	<input type="text"/>
Fax	<input type="text" value="n/a"/>
Email	<input type="text" value="s.com"/>

9 Agent contact details	
Tel	<input type="text"/>
Mobile	<input type="text"/>
Fax	<input type="text" value="n/a"/>
Email	<input type="text"/>

PLAN A TO APPLICATION



NOTES

DO NOT SCALE FROM THIS DRAWING.
ALL CONSTRUCTION MUST BE IN ACCORDANCE WITH THE SITE AND BE RESPONSIBLE FOR TAKING AND CHECKING DIMENSIONS.
ALL CONSTRUCTION INFORMATION SHOULD BE TAKEN FROM PROVIDED DIMENSIONS ONLY.
ANY DISCREPANCIES BETWEEN DIMENSIONS, SPECIFICATIONS AND SITE CONDITIONS MUST BE BROUGHT TO THE ATTENTION OF THE SUPERVISING OFFICER.
THIS DRAWING AND THE WORKS DEPICTED ARE THE COPYRIGHT OF JTP & PARTNERS.

THIS DRAWING IS FOR PLANNING PURPOSES ONLY. IT IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES. WHILE ALL REASONABLE EFFORTS ARE USED TO ENSURE DRAWINGS ARE ACCURATE, JTP & PARTNERS ACCEPT NO RESPONSIBILITY OR LIABILITY FOR ANY RELIANCE PLACED ON OR USE MADE OF THIS PLAN BY ANYONE FOR PURPOSES OTHER THAN THOSE STATED ABOVE.

Site boundary

Chilmington Green Consortium

Chilmington Green



13-15 Great Sutton Street, London, EC1V 0DN T: +44 (0)20 7017 1780 F: +44 (0)20 7017 1781 W: www.jtp.co.uk			
Project			
Chilmington Green, Ashford		JOHN THOMPSON & PARTNERS	
Drawing No.		00122 PLH.CC ECC	
Scale		1:10,000	
Drawing No.		03/11/2015	
Boundary Plan		P1	

Notes:
Do not state from this drawing.
All contractors must visit the site and be responsible for taking and checking dimensions.
All construction information should be taken from signed drawings only.
Any discrepancies between drawings, specifications and site conditions must be brought to the attention of the supervising officer.
This drawing is for planning purposes only. It is not intended to be used for construction purposes. Whilst it is intended to be used for construction purposes, it is not intended to be used for construction purposes. It is not intended to be used for construction purposes. It is not intended to be used for construction purposes.

- Key
- Radline boundary
 - Hodson Developments (Ashford) Ltd
 - Chilmington Green Developments Ltd
 - Hodson Developments (CG One) Ltd
 - Hodson Developments (CG Two) Ltd
 - Chelmden Ltd
 - Hodson Developments (CG One) Ltd
 - Hodson Developments (CG Three) Ltd
 - Malcom Jarvis Homes Ltd
 - Mr & Mrs Jarvis
 - BDW Trading Ltd
 - Adopted Highway
 - Brookworth Homes (holdings) Ltd
 - The Kent County Council
 - Man Group
 - Hodson Developments (CG Five) Ltd
 - Southern Water Services Limited

14.12.16	Issue for comment	ICC	CGM
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14.12.16	Issue for comment	ICC	CGM
14.12.16	Issue for comment	ICC	CGM

Rev | Date | Description | Drawn | Check

DRAFT

Client
Chilmington Green Consortium

ChilmingtonGreen

itp
23-25 Great Sutton Street
London, EC1V 6BN
t 020 7611 1760
www.itp.co.uk

Project
Chilmington Green

Drawing Title
Post Completion Ownership Plan

Scale 1:5000
Drawing No. 00122_SK56
Revision D7
Scale Bar
0 50 100 150 200 250m

FORM – Attached to Ashford Borough Council standard form

APPLICATION TO MODIFY OR DISCHARGE A

SECTION 106 PLANNING OBLIGATION

Application No.2: Second Application to modify or discharge a section 106 planning obligation

Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL Tel 01233 331111

Email: planning.help@ashford.gov.uk Website: www.ashford.gov.uk

1. TYPE OF APPLICATION

Are you applying to **modify** a planning obligation ? YES

Are you applying to **discharge** a planning obligation ? YES

2. APPLICANT NAME AND ADDRESS:

Hodson Developments (Ashford) Limited
Chilmington Green Developments Limited
Hodson Developments (CG ONE) Limited
Hodson Developments (CG TWO) Limited
Hodson Developments (CG THREE) Limited
Hodson Developments (CG FIVE) Limited
All of Office Suite 9, 55 Park Lane London W1K 1NA

3. AGENT NAME AND ADDRESS

North Star Law Ltd Solicitors
24 Old Queen Street London SW1 9HP

4. FULL ADDRESS OF THE SITE TO WHICH THE OBLIGATION RELATES

Land at Chilmington Green Ashford Road Great Chart Ashford Kent defined in "Plan A" and retained land "Plan B" annexed to this Application.

5. NATURE OF THE APPLICANTS' INTEREST IN THE LAND

Owners of the freehold interests in the retained land shown in "Plan B".

6. REASONS FOR APPLYING TO MODIFY / DISCHARGE OBLIGATION

These are set out in detail in the letter covering this Application No.2, the attached Annex "A" and its Appendices A1 and A2 and the report of Quod Planning and Development Consultants dated 18 October 2022 and its appendices including the Viability Report at Appendix 3. The Applicants also refer to and rely upon the terms of Application No.1 and its supporting documentation served upon Ashford Borough Council on 4 May 2022 and repeated herein without prejudice to the validity of that application when made.

7. NOTIFICATION TO INTERESTED PARTIES - please complete **one certificate only**

Certificate B

I certify that the applicants have given notice to everyone else against whom, on the day 21 days before the date of this accompanying application, the planning obligation to which the application relates was enforceable as listed below.

- | | | |
|----|--|--|
| 1. | Person 1 on whom notice was served:
Address at which notice was served:

Date on which notice served: | BDW trading Limited
Barratt House, Cartwright Way, Forest
Business Park, Bardon Hill, Coalville,
Leicestershire LE67 1UF
20 October 2022. |
| 2. | Person 2 on whom notice was served:
Address at which notice was served:

Date on which notice served: | Malcolm Jarvis Homes Limited
Great Chilmington Farmhouse, Great Chart,
Ashford, Kent TN23 3DP
20 October 2022. |
| 3. | Person 3 on whom notice was served:
Address at which notice was served:

Date on which notice served: | Malcolm Colin John Jarvis and Beverley June
Jarvis (t/as The Jarvis Partnership)
Great Chilmington Farmhouse, Great Chart,
Ashford, Kent TN23 3DP
20 October 2022. |
| 4. | Person 4 on whom notice was served:
Address at which notice was served:

Date on which notice served: | Jarvis (Great Chilmington) Limited
Great Chilmington Farmhouse, Great Chart,
Ashford, Kent TN23 3DP
20 October 2022. |
| 5. | Person 5 on whom notice was served:
Address at which notice was served:

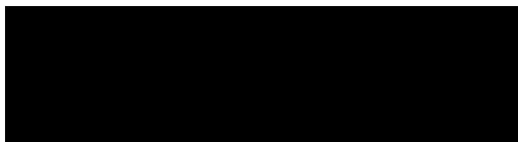
Date on which notice served: | Chelmden Limited
Baythorne Park House Baythorne End,
Halstead, Birdbrook, Essex, England, CO9
4AG
20 October 2022 |
| 6. | Person 6 on whom notice was served:
Address at which notice was served:
Date on which notice was served: | Brookworth Homes (Holdings) Limited
99 Bell Street, Reigate, Surrey RH12 7AN
20 October 2022 |
| 7. | Person 7 on whom notice as served:
Address at which notice was served:
Date on which notice was served: | Habitare Homes Limited
3 Bunhill Row, London EC1Y 8YZ
20 October 2022 |
| 8. | Person 8 on whom notice as served:
Address at which notice was served:
Date on which notice was served: | In Place (CG) Limited
11 th Floor, 200 Aldersgate Street, London
EC1A 4HD
20 October 2022 |

9. Person 9 on whom notice as served: In Place (CG) LP
Address at which notice was served: 11th Floor, 200 Aldersgate Street, London
EC1A 4HD
Date on which notice was served: 20 October 2022

Signed: [REDACTED] Date: 20 October 2022
Robin Blay Solicitor North Star Law Ltd
On behalf of the Applicants

8. Applicant contact details (Thomas Hodson)

Tel:
Mobile:
Fax:
Email:



9 Agent contact details (Robin Blay)

Tel
Mobile:
Fax:
Email:

