

**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](mailto:planning.help@ashford.gov.uk) Website: [www.ashford.gov.uk](http://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 APPLICANT’S INTEREST IN THE LAND**

Owner of freehold interest in the retained land defined at “Plan B”.

**6. REASONS FOR APPLYING TO MODIFY / DISCHARGE OBLIGATION**

These are set out in detail in the letter covering the Application, 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 Applicant also relies upon Application No.1 and its supporting documentation served upon Ashford Borough Council on 4 May 2022.

**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:<br>Address at which notice was served:<br><br>Date on which notice served:    | BDW trading Limited<br>Barratt House, Cartwright Way, Forest<br>Business Park, Bardon Hill, Coalville,<br>Leicestershire LE67 1UF<br>20 October 2022.                          |
| 2. | Person 2 on whom notice was served:<br>Address at which notice was served:<br><br>Date on which notice served:    | Malcolm Jarvis Homes Limited<br>Great Chilmington Farmhouse, Great Chart,<br>Ashford, Kent TN23 3DP<br>20 October 2022.  |
| 3. | Person 3 on whom notice was served:<br>Address at which notice was served:<br><br>Date on which notice served:    | Malcolm Colin John Jarvis and Beverley June<br>Jarvis (t/as The Jarvis Partnership)<br>Great Chilmington Farmhouse, Great Chart,<br>Ashford, Kent TN23 3DP<br>20 October 2022. |
| 4. | Person 4 on whom notice was served:<br>Address at which notice was served:<br><br>Date on which notice served:    | Jarvis (Great Chilmington) Limited<br>Great Chilmington Farmhouse, Great Chart,<br>Ashford, Kent TN23 3DP<br>20 October 2022.  |
| 5. | Person 5 on whom notice was served:<br>Address at which notice was served:<br><br>Date on which notice served:    | Chelmden Limited<br>Baythorne Park House Baythorne End,<br>Halstead, Birdbrook, Essex, England, CO9<br>4AG<br>20 October 2022  |
| 6. | Person 6 on whom notice was served:<br>Address at which notice was served:<br>Date on which notice was served:    | Brookworth Homes (Holdings) Limited<br>99 Bell Street, Reigate, Surrey RH12 7AN<br>20 October 2022   |
| 7. | Person 7 on whom notice as served:<br>Address at which notice was served:<br>Date on which notice was served:     | Habitare Homes Limited<br>3 Bunhill Row, London EC1Y 8YZ<br>20 October 2022  |
| 8. | Person 8 on whom notice as served:<br>Address at which notice was served:<br><br>Date on which notice was served: | In Place (CG) Limited<br>11 <sup>th</sup> Floor, 200 Aldersgate Street, London<br>EC1A 4HD<br>20 October 2022  |

9. Person 9 on whom notice as served: In Place (CG) LP  
Address at which notice was served: 11<sup>th</sup> Floor, 200 Aldersgate Street, London EC1A 4HD  
Date on which notice was served: 20 October 2022
10. Person 10 on whom notice was served: Pentland Homes Limited  
The Estate Office Canterbury Road,  
Etchinghill Folkestone Kent CT18 8FA  
Date on which notice was served: 23 January 2024

Signed: ...[REDACTED]..... Date: 31 January 2024  
Robin Blay Solicitor North Star Law Ltd  
On behalf of the Applicants

**8. Applicant contact details (Thomas Hodson)**

Tel:  
Mobile:  
Fax:  
Email:

[REDACTED]

**9 Agent contact details (Robin Blay)**

Tel  
Mobile:  
Fax:  
Email:

[REDACTED]