

BY E-MAIL

FAO: Helen Skinner
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref APP/W2275/Q/23/3333923 &
APP/E2205/Q/23/3334094
Our Ref: . \ .

4 February 2025

Dear Sirs

APPEALS BY: HODSON DEVELOPMENTS (ASHFORD) LIMITED; CHILMINGTON GREEN DEVELOPMENTS LIMITED; HODSON DEVELOPMENTS (CG ONE) LIMITED; HODSON DEVELOPMENTS (CG TWO) LIMITED; AND HODSON DEVELOPMENTS (CG THREE) LIMITED

REFERENCES: APP/W2275/Q/23/3333923 & APP/E2205/Q/23/3334094

I write on behalf of Kent County Council in respect of the above matter.

Both Kent County Council and Ashford Borough Council (“LPAs”) are extremely concerned about the failure of the Appellants’ viability expert to provide the requested information regarding financial matters in respect of the above appeals.

The LPAs jointly instructed viability expert requested relevant financial information from the Appellants’ viability expert on 20 January 2025 following the issue of the Appellants’ Financial Viability Review on the 8 January 2025. Unfortunately, despite chasing, via both our viability expert and Ashford Borough Council’s solicitor, much of the information remains outstanding.

The key information that remains outstanding is:

- i) Land purchase details - including cost, timing and terms that may affect the viability of the scheme.
- ii) Land sale agreements - including value, timing and terms that may affect the viability of the scheme.
- iii) Infrastructure expenditure to date - by area and item, inclusive of professional fees, and prelims.
- iv) Evidence justifying the use of an 11.2% interest rate in relation to master developer funding.
- v) Details of sales of affordable housing that have taken place to date (10No. units).

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Failure of the Appellants' viability expert to provide the above information is having a serious effect on the ability of our viability expert to finalise his Proof of Evidence and prepare for the Inquiry which is due to open on 19 February 2025. Accordingly, the LPAs viability Proof of Evidence that will be submitted tomorrow will be heavily caveated. In the event that the Appellant's viability expert provides the requested information then a viability Addendum Proof of Evidence will be submitted.

To account for the failure of the Appellants' to provide the above information Kent County Council would suggest that the viability sessions in the Inquiry timetable are moved to the additional Inquiry days which are currently being arranged between the parties. This would allow for the Appellants' viability expert to provide the outstanding information and allow the LPAs to review and address it within a viability Addendum Proof of Evidence. We would be grateful if you can consider this suggested change to the Inquiry timetable with the Inspector and confirm whether he is agreeable.

If the Appellants' failure to provide the requested information necessitates an adjournment of the Inquiry then this will be at the cost of the Appellants.

We look forward to hearing from you.

Yours faithfully

Pinsent Masons LLP

This letter is sent electronically and so is unsigned