



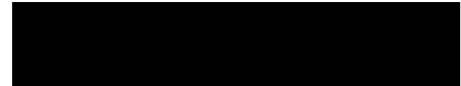
Pinsent Masons

BY E-MAIL

FOR THE ATTENTION OF HELEN SKINNER

Inquiries & Major Casework
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: 152450352.1\KE0592.07033



12 November 2024

Dear Ms Skinner

**TOWN AND COUNTRY PLANNING ACT 1990
APPEALS: APP/W2275/Q/23/3333923 & APP/E2205/Q/23/3334094
LAND AT CHILMINGTON GREEN ASHFORD ROAD GREAT CHART ASHFORD KENT**

I am instructed on behalf of Kent County Council (“KCC”) in relation to the above appeals.

I write further to the letter from Ashford Borough Council (“ABC”) to the Planning Inspectorate on the 11 November 2024 (“Letter”) and confirm that KCC agrees with the position and approach set out therein in relation to consultation and viability.

In addition to the Letter KCC notes the following:

1. **COMPOSITE EXISTING SECTION 106 AGREEMENT**
 - 1.1 In respect of the composite version of the existing s106 it is noted that:
 - 1.1.1 as referenced in the Letter a number of errors were identified in the version issued by the Appellant on the 29 July 2024; and
 - 1.1.2 the Appellants indicated in their email to the Planning Inspectorate on the 25 October 2024 that a number of changes had been made to the 29 July 2024 version.
 - 1.2 Accordingly, it is requested that the Appellants provide a copy of the composite existing s106 that was used to produce the clean and comparison draft of the updated s106 submitted to the Planning Inspectorate on the 25 October 2024 so that the changes that have been made since the 29 July 2024 can be understood. This is required as a matter of urgency to ensure that the version of the updated s106 that is consulted on is correct.

Pinsent Masons LLP

3 Hardman Street Manchester M3 3AU

T +44 (0)161 234 8234 F +44 (0)161 234 8235 DX 14490 Manchester 2

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2. HIGHWAYS & EDUCATION EVIDENCE

- 2.1 As with the viability evidence it was discussed at the Exploratory Meeting that the Transport Impact Assessment and Education Needs Assessment were no longer reflective of what the Appellants are seeking in the updated s106. Whilst not explicitly referenced in the post-Exploratory Meeting Letter of 8 October 2024 it is noted that the Inspector states it is for the Appellants to determine what supporting evidence is submitted. It is therefore assumed that it is envisaged that any updated transport and education evidence would be submitted with the Appellants' proofs of evidence.
- 2.2 However, without such updated evidence being provided by the Appellants at the outset of the matter KCC, ABC and the public will be required to respond to the appeals without the evidential basis. This will severely prejudice both KCC's and ABC's ability to respond adequately to the appeals in their Statement of Case, proofs of evidence and at the appeals themselves.
- 2.3 Accordingly, we request that if any updated transport or education evidence is going to be relied upon by the Appellants it is submitted no later than two clear working days before the CMC for the reasons set out in the Letter.

Yours sincerely

Elizabeth Nuttall
Senior Associate
for Pinsent Masons LLP

This letter is sent electronically and so is unsigned

Copy to: Jeremy Baker, Ashford Borough Council
Mark Harnett, Fladgates