DATED 31 JANUARY 2024

**(1) Hodson developments (Ashford) limited**

**(2) Chilmington green developments limited**

**-(3) Hodson developments (CG One) limited**

**(4) Hodson developments (CG Two) limited**

**(5) Hodson developments (CG Three) limited**

**THE APPELLANTS**

**-and-**

**(1) Ashford Borough Council**

**-and**

**(2) KENT COUNTY COUNCIL**

**THE RESPONDENTS**

**Requests for Modifications concerning the CMO and Rentcharge Deed Withdrawn by Appe****llants**

The following proposed modifications are withdrawn.

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| --- | --- | --- |
| **(1)** | **(2)** | **(3)** |
| **Item no in Table appended as Annex A to applications** | **The planning obligation which was proposed to be modified or discharged** | **S106 Agreement Reference (Schedule/Clause/Para)** |
| 2 | The Definition of 'CMO’ | Clause 1.1 (p.12) |
| 18 | The provision of Rentcharge Deeds in respect of each freehold Dwelling | Schedule 4 Paragraph 8 and Schedule 31 |
| 26 ( part only) | The conditions attaching to occupation in each Main Phase. The only element withdrawn is the reference to a Man Co in the alternative proposal for amendment to paragraphs 1.1.9 | Schedule 6. Paras 1.1.5 to 1.1.10 |
| 29 (part only) | Chilmington Hamlet facilities to be provided by 1400 occupations. The only elements withdrawn are the references to a Man Co in the proposed amendments to paragraphs 1.3.5 and 1.3.6 | Schedule 7 Para 1.3 and Sch 29D Item 12 |
| 37 (part only) | The conditions attaching to occupation in relation to each ‘PS[Number]’ in each Main Phase. The only elements withdrawn are the references to a Man Co in the proposed amendments to paragraphs 1.2.5-6 | Schedule 8 Paras 1.2.1 to 1.2.6 |
| 44 (part only) | The conditions attached to the provision of the Allotments in each Main Phase. The only elements withdrawn are the references to a Man Co in the proposed amendments to paragraphs 1.1.4 to 1.1.6 | Schedule 9 Paragraphs 1.1.1 to 1.1.6, |
| 54 (part only) | The various conditions attaching to the delivery of each of the first and second phases of the Sports Facilities and the DP3. The only elements withdrawn are the references to a Man Co in the proposed new paragraphs 2.2.4-5, 2.3.4-5 and 2.6.8-9. | Schedule 10 Paragraphs 2.2.1, 2.2.4, 2.2.6, 2.3.1, 2.3.4, 2.3.6, 2.6.5, 2.6.8 and 2.6.10 |
| 58 (part only) | The obligation to provide a multi-purpose community leisure building and other facilities (the Community Hub Building) by 1,800 Dwellings. The only elements withdrawn are the references to a Man Co in the proposed amendments to paragraphs 1.2 and the proposed new paragraph 1.2A | Schedule 12 Para 1.2 and Sch 29D |
| 121 | Articles of Association of the CMO and the CMO Business Plan | Schedules 39 and 40 |