

Our ref: MB/JE/25173



Date: 22 February 2024

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London Borough of Bromley  
Development Management  
Civic Centre  
Stockwell Close  
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Dear Sir/Madam,

**APPLICATION TO FULLY DISCHARGE CONDITION 13 OF PLANNING PERMISSION DC/21/05812/FULL1 AT CAPEL MANOR COLLEGE, MOTTINGHAM LANE, SE12 9AW.**

On behalf of our client, Capel Manor College, please find enclosed an application to fully discharge condition 13 attached to planning permission DC/21/05812/FULL1, which has been submitted via the Planning Portal under reference PP-12818059. The full planning permission was granted subject to 29 conditions on 19 May 2023 for the following:

*“Partial redevelopment of site including the demolition of seven existing buildings; erection of two new College buildings; landscaping and associated works.”*

**Scope of Application Submission**

Please find enclosed the following documents in support of the application:

- Application Form;
- Covering Letter;
- Planning Derogation\_CMC\_PRP\_ZZ\_ZZ\_RP\_L\_2510 (which includes Landscape General Arrangement\_CMC-PRP-ZZ-00-DR-L-2500\_REVB (OVERHEAD PLAN));
- Phase 2 Soil Inspection and Testing Report\_S356 23;
- Proposed Landscape Sections 1 of 2\_CMC-PRP-ZZ-ZZ-DR-L-2505;
- Proposed Landscape Sections 2 of 2\_CMC-PRP-ZZ-ZZ-DR-L-2506; and
- Application fee of £209.

This application seeks to discharge Condition 13 which comprises a ‘prior to the commencement of above-ground works’ condition.

**Condition 13**

Condition 13 of planning permission reference DC/21/05812/FULL1 relates to the submission of landscaping details and states:

*“(i) Prior to commencement of above-ground works details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The landscaping should accord with the Urban Greening Factor of 0.34 indicated within the Urban Greening Factor Report (ref: ECO02702 B September 2022). Details shall include:*

- 1) *A scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock (where possible) and no invasive species.*

2) location, type and materials to be used for hard landscaping including specifications, where applicable for:

- a) permeable paving
- b) tree pit design
- c) underground modular systems
- d) Sustainable urban drainage integration
- e) use within tree Root Protection Areas (RPAs)

3) A schedule detailing sizes and numbers/densities of all proposed trees/plants

4) CAVAT Assessment for 15-20 years to demonstrate adequate replacement.

5) Specifications for operations associated with plant establishment and maintenance that are compliant with best practice and;

6) Full details of retained and proposed boundary treatments

(ii) There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

(iii) Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting.

(iv) Any new tree(s) planted, as a requirement of this condition, that, within 5 years of planting, are/is removed, die(s) or become(s) non-viable shall be immediately replaced like for like.”

Under the original permission (ref: DC/21/05812/FULL1) 3 landscaping drawings were approved:

- Landscape General Arrangement Sections 1 of 2\_CMC-MOT-L102 (SECTION)
- Landscape General Arrangement Sections 2 of 2\_CMC-MOT-L103 (SECTION)
- Landscape General Arrangement\_CMC-MOT-L101\_R2 (OVERHEAD PLAN)

However, since the full planning permission was issued, extensive quantities of asbestos were discovered at the site during enabling demolition works. As detailed within the Phase 2 Soil Inspection and Testing Report\_S356 23 document, submitted in support of this application, the asbestos has necessitated significant levels of soil removal and safe removal of asbestos debris from the wider site.

Furthermore, during demolition works, a live High Pressure Gas main (owned by SGN) was discovered, which runs through the site. On this basis, SGN's engineer advised that any resurfacing over gas mains should be avoided. The engineer also clarified that that he should be made aware of any tree planting within 10m of the pipe and any tree removal within 3m.

For these collective reasons, as well the additional cost implications of the extensive asbestos removal from site which has impacted viability, some minor pragmatic amendments to the approved landscaping scheme have been necessary. This has resulted in some differences between the drawings submitted in support of this application, compared with the landscaping drawings approved under permission DC/21/05812/FULL1, but the principles of the hard and soft landscaping strategy remain as permitted.

As such, the following drawings are submitted to discharge this application:

- **Landscape General Arrangement\_CMC-PRP-ZZ-00-DR-L-2500\_REVB (OVERHEAD PLAN)** [contained within Planning Derogation\_CMC\_PRP\_ZZ\_ZZ\_RP\_L\_2510] – seeks to supersede approved Landscape General Arrangement\_CMC-MOT-L101\_R2 (OVERHEAD PLAN)
- **Proposed Landscape Sections 1 of 2\_CMC-PRP-ZZ-ZZ-DR-L-2505** – seeks to supersede Landscape General Arrangement Sections 1 of 2\_CMC-MOT-L102 (SECTION)
- **Proposed Landscape Sections 2 of 2\_CMC-PRP-ZZ-ZZ-DR-L-2506** – Landscape General Arrangement Sections 2 of 2\_CMC-MOT-L103 (SECTION)

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Once approved, the development shall be completed in accordance with the remaining compliance requirements of Condition 13.

## **Conclusion**

We trust that you have all the information necessary to register and validate this application. It is contended that the information provided above and in the referenced documents is sufficient to enable the discharge of the conditions referenced, and we would therefore appreciate prompt confirmation to this effect.

If you have any related queries on the application submission, please do not hesitate to contact either Mark Buxton or myself. We look forward to your formal acknowledgement of the application.

Yours faithfully,  
for RPS Consulting Services Ltd

**James Ellis**  
Assistant Planner