



Hayley Nixon
Planning Department
Sevenoaks District Council
Council Offices,
Argyle Road,
Sevenoaks,
TN13 1HG

Our ref: TH/30155
Planning portal ref: PP-12924080

09 April 2024

Dear Ms Nixon,

APPLICATION FOR A NON-MATERIAL AMENDMENT TO VARY CONDITIONS 2 & 20 OF PLANNING PERMISSION 23/01621/FUL (*DEMOLITION OF EXISTING SCHOOL BUILDINGS AND ERECTION OF REPLACEMENT SCHOOL BUILDINGS WITH ASSOCIATED PARKING AND LANDSCAPING TO INCLUDE SITING OF TWO TEMPORARY CLASSROOM BUILDINGS DURING CONSTRUCTION*) AT ORCHARDS ACADEMY, ST MARY'S ROAD, SWANLEY, KENT, BR8 7TE.

Please find enclosed an application for a Non-Material Amendment ('NMA') to the above permission on behalf of The Kemnal Academies Trust, in relation to Conditions 2 (approved plans) and 20 (Tree Protection Plan).

The application comprises the following documents:

- Application Form;
- Cover Letter;
- Tree Planting Plan (SRP1072-BHL-XX-XX-D-O-0002-Tree Planting Plan (No. A));
- Tree Protection Plan (SRP1072-BHL-XX-XX-D-O-0003-Tree Protection Plan (No. A));
- Tree Survey (SRP1072-BHL-XX-XX-D-O-0004-Tree Survey Plan (No. A)).

Condition 20: Tree Protection Plan

Condition 20 stated:

'No demolition, site clearance or building operations shall commence on site until tree protection measures have been installed in full accordance with the details shown on the Tree Protection Plan produced by Barry Holdsworth Ltd dated May

2023 (reference SRP1072-BHL-XX-XX-D-O-0003-Tree Protection Plan). Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris. The protection measures shall remain in situ throughout the duration of the demolition and construction processes.

To ensure adequate protection of the trees to be retained and to comply with policy EN1 of the Sevenoaks Allocations and Development Management Plan.'

The original Tree Planting Plan (SRP1072-BHL-XX-XX-D-O-0002-Tree Planting Plan) and Tree Protection Plan (SRP1072-BHL-XX-XX-D-O-0003-Tree Protection Plan) were submitted as part of application 23/01621/FUL. These plans conflict with the approved drainage strategy. The proposed drainage strategy runs through the Construction Exclusion Zone (CEZ) of Tree 59 (T59), which would need to be removed in order to carry out the drainage strategy. However, T59 is erroneously shown as present on the original Tree Planting Plan and Tree Protection Plan, despite being clearly shown for removal on the approved landscaping plan (see screenshot below with T59 shown for removal and circled), leading to a conflict between plans. The NMA seeks to amend the original Tree Planting Plan and Tree Protection Plan to show that T59 has been removed from said plans.



The removal of T59 would not materially affect the development in any way, including the urban green factor for the proposals, given it was already shown for removal and is considered a very minimal change to correct a small conflict with the approved plans only and to allow implementation of the approved Drainage Strategy. Plans showing the tree removed have already been approved and in approving the drainage strategy, it is inherent that the Council have accepted the need for the tree to be removed and accordingly, we



do not consider that any party would be prejudiced by formalising this clarification. We therefore consider the change falls well within the scope of an NMA having regard to the advice contained within the PPG and it is requested that Condition 20 be amended to:

'No demolition, site clearance or building operations shall commence on site until tree protection measures have been installed in full accordance with the details shown on the Tree Protection Plan produced by Barry Holdsworth Ltd dated May 2023 (reference SRP1072-BHL-XX-XX-D-O-0003-Tree Protection Plan (No. A)). Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris. The protection measures shall remain in situ throughout the duration of the demolition and construction processes.

To ensure adequate protection of the trees to be retained and to comply with policy EN1 of the Sevenoaks Allocations and Development Management Plan.'

Condition 2: Plans and Details

Condition 2 states:

'The development hereby permitted shall be carried out in accordance with the following approved plans and details: Drawing No. 115 23 01 (Rev S-1), 115 23 02 (Rev S-1), SRP1072- BBA-ZZ-00-D-L-1001 (Rev P02), SRP1072-BBA-01-00-D-A-1001 (Rev P01), SRP1072-BBA- ZZ-00-D-L-1003 (Rev P08), SRP1072-BBA-ZZ-00-D-L-1007 (Rev P04), SRP1072-BBA-ZZ-00- D-L-1010 (Rev P03), SRP1072-BBA-01-00-D-A-1015 (Rev P01), SRP1072-BBA-01-00-D-A- 1016 (Rev P01), SRP1072-BBA-01-00-D-A-1017 (Rev P01), SRP1072-BBA-01-00-D-A-1101 (Rev P01), SRP1072-BBA-01-01-D-A-1102 (Rev P01), SRP1072-BBA-01-02-D-A-1103 (Rev P01), SRP1072-BBA-01-03-D-A-1104 (Rev P01), SRP1072-BBA-01-ZZ-D-A-1202 (Rev P01), SRP1072-BBA-01-ZZ-D-A-1203 (Rev P01), SRP1072-BBA-01-ZZ-D-A-1204 (Rev P01), SRP1072-BBA-01-ZZ-D-A-1205 (Rev P01), SRP1072-BBA-01 ZZ-D-A-1206 (Rev P01), SRP1072-BBA-01-ZZ-D-A-1301 (Rev P01), SRP1072-BBA-01- ZZ-D-A-1302 (Rev P01), SRP1072-BBA-01-ZZ-D-A-1501 (Rev P01), SRP1072-BBA-ZZ-00-D-L-4001 (Rev P04), SRP1072-BBA-ZZ-00-D-L-1004 (Rev P12), SRP1072 BBA ZZ 00 D L 1006 (Rev P15), SRP1072 BBA ZZ ZZ D L 1009 (Rev P09), SRP1072-BBA-ZZ-00-D-L-2001 (P09), SRP1072-BBA-ZZ-ZZ-D-L-1012 (P07), SRP1072-CTP-XX-00-D-C-1810 (Rev C01), SRP1072-CTP-XX- 00-D-C-1551 (Rev C02), SRP1072-CTP-XX-00-D-C-1500 (Rev C02), SRP1072-CTP-XX-00- D-C-1501 (Rev C02), SRP1072-CTP-XX-00-D-C-1800 (Rev C01), SRP1072-CTP-XX-00-D-C-1710 (Rev C02), SRP1072-BHL-XX-XX-D-O-0003-Tree Protection Plan, SRP1072-BHL-XX-XX-D-O-0002-Tree Planting Plan, SRP1072-BH L-XX-XX-D-O-0004-Tree Survey Plan, SRP1072-CTP-XX-00-D-C-1550 (Rev P04).



For the avoidance of doubt and in the interests of proper planning.'

As a result of the proposed NMA to Condition 20, Condition 2 will also need to be amended to substitute the new Tree Planting Plan, Tree Protection Plan and Tree Survey for those currently listed. Consequently, SRP1072-BHL-XX-XX-D-O-0003-Tree Protection Plan, SRP1072-BHL-XX-XX-D-O-0002-Tree Planting Plan and SRP1072-BH L-XX-XX-D-O-0004-Tree Survey Plan will be amended to show the updated Tree Protection Plan and Tree Planting Plan, showing T59 as removed. This would not materially affect the development and ensures that there is no conflict between plans.

It is proposed that the following plans within Condition 2 are amended:

- *SRP1072-BHL-XX-XX-D-O-0002-Tree Planting Plan* is amended to *SRP1072-BHL-XX-XX-D-O-0002-Tree Planting Plan (No. A)*;
- *SRP1072-BH L-XX-XX-D-O-0004-Tree Survey Plan* is amended to *SRP1072-BHL-XX-XX-D-O-0004-Tree Survey Plan (No. A)*.
- *SRP1072-BHL-XX-XX-D-O-0003-Tree Protection Plan* is amended to *SRP1072-BHL-XX-XX-D-O-0003-Tree Protection Plan (No. A)*.

I trust that the submitted information, plans and details are sufficient and respectfully request that the NMA is approved. If you require any further information or have any queries, please do not hesitate to contact me.

Yours sincerely,

Oonagh Kerrigan
Senior Planner

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