



Delegated Report

Non-Material Amendment Application

Planning Application No: 20240806

Location: Former Ascot Arms Ascot Road Gravesend Kent

Description: Application for a non-material amendment to planning permission reference number 20220207 to substitute the arboricultural report with an updated report and tree works proposal to facilitate the development.

Applicant: Avery Healthcare Group

Submitted Documents/Plans

Application Form
AL(9)901 Rev E – Proposed Site Plan
Arboriculturalist's Report dated 16th July 2024
Tree Schedule dated 16th July 2024
Tree Assessment
Emails with Planning Agent, including Tree comparison table with queries answered

Relevant Planning History

Reference	Description	Decision	Decision Date
20220207	Demolition of the existing former public house building and redevelopment to provide a new 62 bed care home (Use Class C2) in a three-storey building together with associated access, car and cycle parking, structural landscaping and amenity space provision.	Permitted	15.07.2022

Consultations, Publicity and Representations

As an application to make a non-material amendment is not an application for planning permission, the existing Town and Country Planning (Development Management Procedure) (England) Order 2015 provisions relating to statutory consultation and publicity do not apply, and consultations/publicity are therefore at the discretion of the local planning authority. They are not considered necessary in this instance.

Officer's Analysis

This is an application for a non-material amendment to planning permission reference 20240097 to allow an amendment to the application description to remove the housing mix.

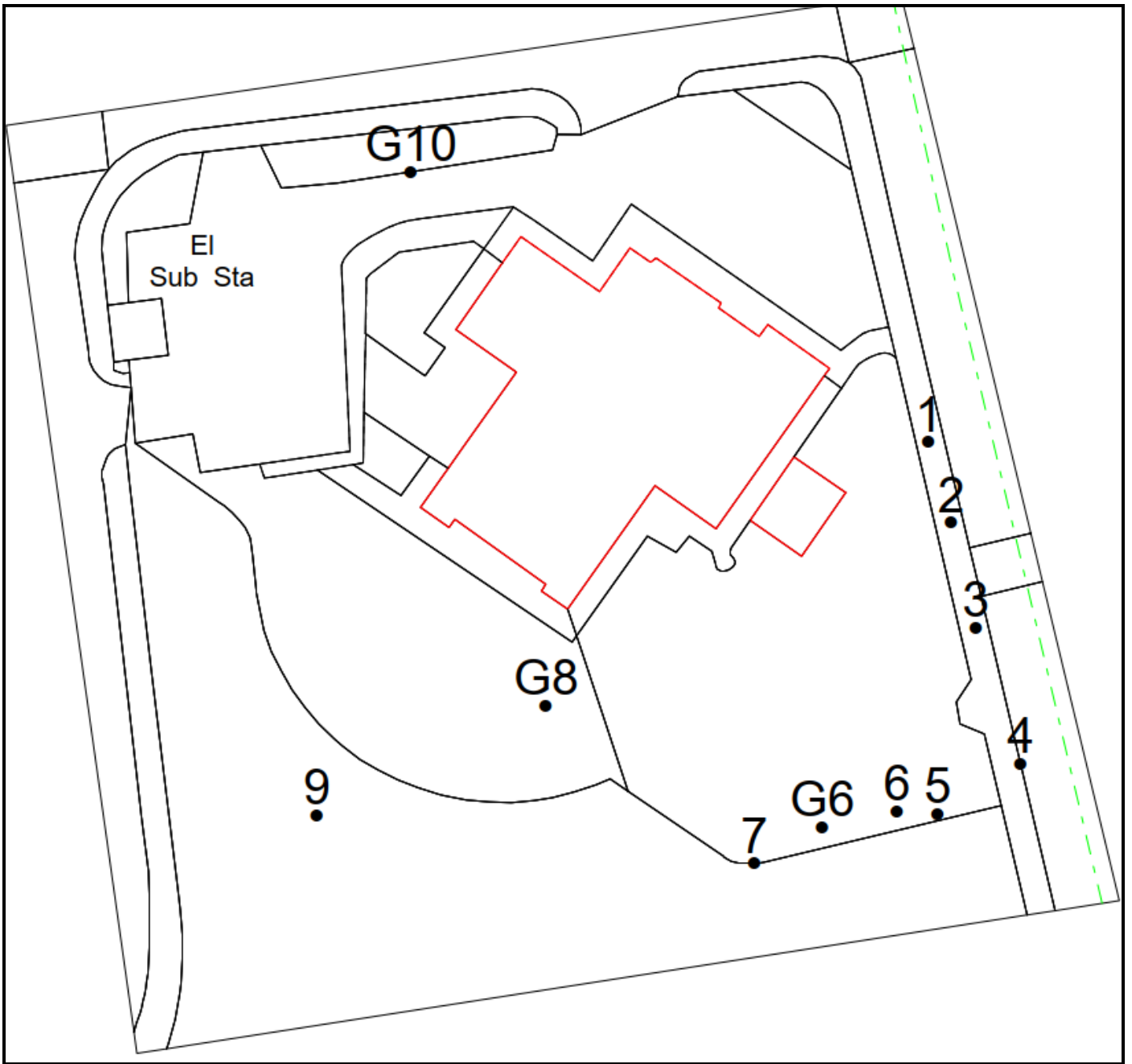
As set out in in paragraph 002 of Flexible Options for Planning Permissions (Options for amending proposals that have planning permission), in determining a non-material amendment, the Local Planning Authority (LPA) must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990. In this regard the Council's attention is drawn to the Town and Country Planning Act 1990 where it provides LPAs with the power to 'remove or alter exiting conditions' (s96A(3)(b)) under a non-material change to planning approval.

This application seeks to replace the approved arboricultural report and tree works proposals. As a number of trees are involved, the below table collates the information obtained from the approved tree documents, the proposed and written clarifications provided by the planning agent and arborist. is used to indicate the changes presented in the updated information from the previous. The tree tags have also been altered and so are confirmed for comparison purposes.

Old Tree Tag	New Tree Tag	Change to original recommendation	Original Recommendation	Reason for change	Notes
T1	N/A	Removed as agreed	Remove.	No change	
T2	G10	To remove basal suckers, remove elder climbers up to height of 2.5m and re-pollard every three years.	Monitor Pollard Points for decay.	Recent pollarding exposed extensive epicormic growth in crown and on lower step. Elder and climbers growing around trees.	
T3	G10	To remove basal suckers, remove elder climbers up to height of 2.5m and re-pollard every three years.	Monitor Pollard Points for decay.	Recent pollarding exposed extensive epicormic growth in crown and on lower step. Elder and climbers growing around trees.	
T4	G10	To remove basal suckers, remove elder climbers up to height of 2.5m and re-pollard every three years.	Monitor Pollard Points for decay.	Recent pollarding exposed extensive epicormic growth in crown and on lower step. Elder and climbers growing around trees.	
T5	N/A	Removed as agreed	Remove.	No change	
T6	N/A	Removed.	Remove deadwood from crown. Approved Tree Plan confirms removal	No Change	
T7	N/A	No Changes Proposed - To remain in situ. Not included on new plan.	In poor condition. Consider removal.	No change	Agent confirmed works to remain as per original approval.
T8	N/A	No Changes Proposed - To remain in situ. Not included on new plan.	No works required at present.	No change	Agent confirmed works to remain as per original approval.
T9	N/A	No Changes Proposed - To remain in situ. Not included on new plan.	Remove ivy from lower stem and inspect further.	No change	Agent confirmed works to remain as per original approval.

T10	N/A	Removed as agreed	Consider removal	No change	
T11	T4	To remove and replace.	Clear the ivy and creeper from the crown and cut back the overhang over the road by 4m. Cut back to free phone lines also. Re-inspect tree after works.	No chance of survival.	Current tree is a Prunus avium (Wild Cherry) . Arborist confirmed replacement species Tilia cordata (size 14/16)
T12	T3	To remove creeper from crown, remove all lower branch stuns, crown raise to 3m, remove debris from inner crown. Crown reduce by 1m in all directions.	Remove creeper from the crown. Remove deadwood. Compression fork at 4m. Monitor.	To tide up the tree from its overgrowth and shape.	
T13	T2	To prune back to original pollard heads. Removed epicormic growth up to 3m.	Clear sucker growth and cut back shrubs to aid inspection. Monitor pollard points for decay.	Would cause excessive shading to care home.	
T14	T1	Prune back to original pollard heads.	Clear sucker growth and cut back shrubs to aid inspection. Monitor pollard points for decay.	Will cause excessive shading to new care home.	Agent confirmed works to remain as per original approval.
T15	N/A	No Changes Proposed - To remain in situ. Not included on new plan.	No works required at present.	No change	Agent confirmed works to remain as per original approval.
G2	G8	Note: Part removal was agreed	Sever ivy to aid future inspections. Approved Tree Plan confirms part removal.	No change	
G1	T5	Remove suckers. Crown raise to 4m by removal of lower secondary branches. Prune to clear building by 1m-1.5m. Crown reduce by 1.5m in all directions.	No works required at present. Approved Tree Plan confirms removal.	In contact with building.	Part of original G1. Original approval to remove

G1	T6	Remove suckers. Crown raise to 4m by removal of lower secondary branches. Prune to clear building by 1m-1.5m. Crown reduce by 1.5m in all directions.	No works required at present. Approved Tree Plan confirms removal.	In contact with building.	Part of original G1. Original approval to remove
G2	G6	Remove all secondary growth up to 4m. Prune to clear building by 2m.	Sever ivy to aid future inspections.	In contact with building.	Part of original G2. Original approval to part remove
G2	T7	Remove small cherry growing out of base. Crown raise to 4m. Remove deadwood.	Sever ivy to aid future inspections. Approved Tree Plan confirms part removal.	Cherry will interfere with Beech's growth habitat. Low branches causing nuisance.	Part of original G2. Original approval to part remove. No reason given for change
N/A	T9	Remove basal sucker. Remove wooden frame. Crown raise to 1.6m by removal of lower secondary growth.	Not included in original schedule.	Alleviate nuisance	Arborist confirmed, not included in original schedule



Proposed Tree Plan



Approved Tree Protection Plan

As the table above shows, the main changes presented by the submitted information would relate to the addition of a tree not previously surveyed (New tree tag T9). A number of trees previously agreed to be removed have now been removed and so are not included in this document, but are confirmed in the table above for completeness (Originally Tree tags G1, T1, T5, T6, T10 and part G2). Original Tree tags T6, T7 and T8 are not included on the new tree documents but the planning agent has confirmed that the proposals to those trees would remain unchanged and as per the original approval. Original Tree tag T11 (now T4) would be removed as the arborist confirms that it has no chance of survival. This tree is a *Prunus avium* (Wild Cherry). The arborist has confirmed that the replacement species would be a *Tilia cordata* (size 14/16). This is a tree native to the UK suitable for urban environments. The nursery std of 14-16cm is also considered appropriate for this tree. This would therefore be a suitable replacement. Other changes proposed to recommended works on the trees relate to proper tree maintenance and care and are considered reasonably necessary and unlikely to result in significant deterioration of the tree structures or rooting areas.

Overall, the changes proposed would not result in any significant alteration to the proposed scheme.

Conclusion

It is considered that the above changes are non-material in relation to the scale and nature of the development and the application can be supported.

Recommendation

Approval of non-material amendment.

See draft Decision

Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	17th October 2024	Dated:	17th October 2024