



Delegated Report

Schedule 2, Part M, Class T Prior Approval Application

Planning Application No: 20250293

Location: St James House 6 - 8 Overcliffe Gravesend Kent

Description: Application to determine if prior approval is required for a proposed; Change of use from Commercial/Business/Service (Class E), Hotels (Class C1), Residential Institutions (Class 2A/C2A), to State-Funded School(Class F1 (A)) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class T.

Applicant: Tower Group Developments Ltd

Site Visit Date: 10 April 2025

Procedural Issues

In determining a prior approval application, the Local Planning Authority (LPA) is not granting a planning application; it is simply deciding whether its prior approval is required in respect of the specified matters only. Consequently, the LPA is not able to take into account other considerations that it would be able to consider were it determining a planning application e.g., amenity space.

Proposal

This application is for determination as to whether prior approval for the change of the use of the building from Class E (offices) to Class F1(A) (a state funded school) is required and whether it is approved or refused. The determination is made in relation to the provisions of Schedule 2, Part 3, Class T of the Town and Country Planning (General Permitted Development) Order (as amended).

Submitted Documents./Plans

- Application form;
- Drawing no. PL-01/6-8OC/SD104 Rev. A – Existing and Proposed Parking/Garden Plan;
- Drawing no. PL-01/6-8OC/SD103 – Proposed Elevations;
- Drawing no. PL-02/6-8OC/SD102 – Proposed Plans;
- Drawing no. PL-01/6-8OC/SD101 – Existing Elevations;
- Drawing no. PL-02/6-8OC/SD100 – Existing Plans;
- Acoustic Assessment to Building Bulletin 93 by MRL Acoustics, Report No. MRL/100/2153.1v1 March 2025;
- Planning Statement;
- Asbestos Management Survey by Asbestos 247 Environmental Ltd, Ref. J-2986; and
- Transport Statement, June 2025 by Crosby Transport Planning.

Relevant Planning History

Reference	Description	Decision	Decision Date
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20240978	Change of use from office building (E Class) to 13x one bedroom self-contained flats with associated landscaping, boundary treatments, 13 x car parking spaces and refuse and cycle stores.	Refused	13.02.2025
19800705	Use of premises as offices and formation of car park at rear.	Permitted	30.10.1980
19800462	Use of former teachers centre as intermediate treatment centre.	No objection.	01.08.1980

Consultations

GBC Environmental Protection

There is no objection to this application. The submitted Acoustic Assessment by MRL dated March 2025 (Report Ref: MRL/100/2153.1v1) has been reviewed. This looks at both the suitability of the building/site for a school and also the potential impact the use as a school could have on the area. In terms of suitability for use as a school, it is predicted that internal noise levels will be compliant with the appropriate criteria for different rooms in a school.

The report advises that no information has been provided regarding proposed plant/equipment. Noise levels from any mechanical plant to be installed must be 10dB below existing background noise levels. It's noted that a science laboratory is proposed on the ground floor – this type of room usually has some form of fume extraction.

A dining room and kitchen are proposed on the lower ground floor. No details have been provided as to whether meals are to be prepared on site. Depending on this, a kitchen extract system may be needed. Conditions have been suggested if cooking is to take place on the premises.

As there is no external playground, the use as a school is unlikely to be detrimental in terms of impact to surrounding premises.

There are no contamination concerns with this proposal/site.

Noise Control

The rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014.

Any kitchen extract system must be designed and installed in accordance with the "EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update

Kitchen Extract – Odour

Prior to any works commencing on site, the applicant shall:

- 1) Submit a scheme in writing to the Local Planning Authority for approval in relation to cooking odour/fume control. The extraction system must be designed and installed in accordance with the "EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)". Full details of proposed extraction system to deal with grease and odour control should include:
 - a) Plans and details of all duct work (internal and external) and equipment.
 - b) Plans showing the location/position of the external flue/discharge stack, including its position in relation to neighbouring properties and window openings.
 - c) Details of all grease filtration and odour control including the manufacturer's specification/data sheets. This includes the canopy.
 - d) Details, including manufacturer's specification/data sheets of the fan.
 - e) Details of proposed routine cleaning and maintenance of the system, and the service requirements of the installed odour control system, including details of system access panels and confirmation that they will be grease tight.
 - f) Details of the type of food to be cooked, the cooking time per day; and the type of cooking

appliances to be used. Where the end user is not yet known, the extraction system shall be designed for a 'very high' grease content, a 'very high' level of odour potential and a 'very high' smoke content (EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)).

2) Install and commission the extract system using a competent ventilation engineer in accordance with approved details. Provide a commissioning report to the LPA to verify the installation, ensuring minimum discharge rates are included. The extraction and odour/fume control equipment shall be maintained and operated in compliance with the approved scheme. After installation of the approved plant, no new plant or ducting system shall be used without the written consent of the Local Planning Authority.

Reason: In the interests of protecting the amenity of adjoining/nearby residential properties and safeguarding the amenities of the surrounding area

KCC Highways – 14/04/2025 (original comment)

A detailed Transport Statement providing staff and pupil numbers, parking demand and dropping off facilities should be provided in order that a full assessment of transport impact may be made. Whilst some information is provided in the Planning Statement, this is lacking in the necessary detail to fully assess the proposal in terms of transport and highway impact. Also a Travel Plan should be submitted and approved to encourage travel by sustainable means to the site.

KCC Highways – 24/06/2025 (following submission of the Transport Statement)

Further to my previous response dated 14th April 2025, a Transport Statement dated 12th June 2025 covering the issues raised in my response has been submitted.

It has been demonstrated that the site is in a very sustainable location close to Gravesend town centre, many bus services including FastTrack, and the railway station. There is therefore not a reliance for both staff and pupils to use the private car.

Car parking provision of 20 spaces for staff / visitors is more than adequate and exceeds the Kent Parking Standards (Jan 2025). Drop-off provision for pupils is provided at the front of the building. Cycle parking for 2 cycles is proposed and considered to be adequate for the proposed staff.

It has been shown in the TS that traffic generation from the proposal is expected to be slightly higher than the existing office use but not at peak times. This is acceptable and does not justify any objection. I note that the pupil and staff numbers are expected to increase within 5 years of opening to a maximum of 30 pupils and 12 staff. Since the TS is based on these numbers I would recommend that any consent granted includes a **Condition** to limit the school staff and pupil numbers to those levels without the prior written consent of the LPA.

I therefore raise no objection to this application provide the following conditions are applied to any consent granted in addition to one relating to pupil/staff numbers indicated above:

1. Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing
2. Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
3. The development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

Neighbouring properties

The application was advertised by way of site notice – the overall consultation expiry date was 22.04.2025 – no responses received.

Officer's Analysis

Class T – Commercial, business and service, hotels etc. to state-funded schools

T. Development consisting of a change of use of a building and any land within its curtilage from a use falling within one of the following provisions of the Use Classes Order—

- (a) Class C1 (hotels) of Schedule 1;
- (b) Class C2 (residential institutions) of Schedule 1;
- (c) Class C2A (secure residential institutions) of Schedule 1; or
- (d) Class E (commercial, business or service) of Schedule 2, to use as a state-funded school falling within Class F.1(a) of Schedule 2 to that Order

Development not permitted

T1. Development is not permitted by Class T if -		
a)	The site is or forms part of a military explosives storage area	N
b)	The site is, or forms part of, a safety hazard area	N
c)	The building is a listed building or a scheduled monument	

Conditions

T.2—(1) Development is permitted by Class T subject to the following conditions—

- (a) the site is to be used as a state-funded school falling within Class F.1(a) of Schedule 2 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use of the site as such a state-funded school;
- (b) before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the local planning authority will be required as to— (i) transport and highways impacts of the development; (ii) noise impacts of the development; and (iii) contamination risks on the site, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.
- (2) Subject to sub-paragraph (3), development under Class T must begin within a period of 3 years starting with the prior approval date.
- (3) Where, in relation to a particular development under Class T, planning permission is granted on an application in respect of associated operational development before the end of the period referred to in sub-paragraph (2), then development under Class T must begin within the period of 3 years starting with the date that planning permission is granted.
- (4) For the purposes of sub-paragraph (3), “associated operational development” means building or other operations in relation to the same building or land which are reasonably necessary to use the building or land for the use proposed under Class T.

The following paragraphs will assess the relevant prior approval matters.

It is noted that according to paragraph W(10) of the GPDO (2015), when determining a prior approval application, the Local Planning Authority must have regard to the National Planning Policy Framework (NPPF) (2024) so far as it is relevant to the subject matter of the prior approval, as if the application were a planning application. Therefore, the following discussion will refer to the NPPF (2024) and not refer to local development plan policies.

- a) the site is to be used as a state-funded school falling within Class F.1(a) of Schedule 2 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use of the site as such a state-funded school;**

It is stated on the application form that the proposal is to use the building as a state funded school (Class F.1(a). The Planning Statement states how the proposed development is a state funded school, that the

proposed school will accommodate the specific needs of students with Special Educational Needs (SEN) and would be used by Pierview Academy. It advises they are a well-established independent SEN school located in Gravesend which provides specialist education to students aged 11 to 25 who hold Education Health Care Plans (EHCP). The school was founded to cater to students with complex learning needs who have experienced challenges in mainstream educational settings. Pierview Academy is registered with Ofsted and operates under the management of the ALP (Alternative Learning Provision) Education Group. It is stated that Pierview Academy is an independent school which receives state funding through Local Authority placements.

It is clear from the submission that the site is proposed to be used as a state-funded school. Therefore, it is considered that prior approval is not required in relation to the use of the site.

(b) (i) transport and highways impacts of the development

Paragraph 116 of the NPPF (2024) sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

As originally submitted no Transport Statement had been submitted with the application. Details relating to the transport and highway impacts were given in the Planning Statement. This set out that the proposed change of use to a state-funded school was not expected to create any significant transport or highway impacts. It sets out that:

The site has an existing car park at the rear which will remain unchanged as part of the proposal and will meet the parking demands of the school;

On-street parking along Overcliffe is restricted during the day through double yellow lines;

In terms of public transport, the site benefits from excellent connectivity with Gravesend Railway Station is approximately 850 metres from the site and provides regular services to London St Pancras in as little as 24 minutes via the Southeastern High-Speed Rail network. The station also offers connections to Medway, Canterbury, and the Kent coast, ensuring convenient access for staff and visitors.

Bus services are also highly accessible with multiple bus routes serving the Overcliffe, with stops located a few metres from the site. These routes provide frequent services to nearby towns, including Dartford, Bluewater Shopping Centre, and Ebbsfleet International. The site is further supported by the Fastrack rapid bus service, which links Gravesend town centre with key regional destinations and employment hubs, thereby reducing reliance on private vehicle use;

Walking and cycling infrastructure in the surrounding area is well-developed. Footways are present along both sides of Overcliffe, and the site is within easy walking distance of Gravesend town centre and local amenities. The site's proximity to National Cycle Route 1 and National Cycle Route 177 provides cycling connections to wider destinations across Kent, including Canterbury and Dover. This makes sustainable travel a practical option for staff and visitors;

The proposed change of use will retain the existing transport and parking arrangements without introducing additional strain on local infrastructure;

Established off-street parking provision, combined with excellent access to public transport and cycling facilities, ensures that the development will support sustainable transport patterns and avoid any adverse impact on the local road network.

KCC Highways were consulted on the application and they advised that further information was needed before a full assessment of the transport impact of the proposal could be made. They specifically requested that a Transport Statement should be submitted which provides information on staff and pupil numbers and parking demand and dropping off facilities; they also state that a Travel Plan should be submitted. The agent was asked to submit this information and it has now been submitted

The Transport Statement sets out that in terms of staff and pupil numbers, the school will start off with 5-10 pupils only and 6-8 staff members. Within 5 years of first occupation the expectancy is that the site will accommodate its capacity of 30 pupils and 12 staff members. School hours will be 08:30 – 15:30 Monday to Friday. The rear, gated parking area presently has capacity for circa 20 cars. This area will remain

unchanged and will be more than sufficient to accommodate the anticipated parking demands of staff and occasional visitors. In terms of dropping off, the area of hardstanding to the front of the building will be used for dropping off and picking up of pupils as well as accommodating typical daily delivery vehicles such as 3.5 ton vans.

KCC Highways have been re-consulted and raise no objections. They state that the report demonstrates that the site is in a very sustainable location close to Gravesend town centre, many bus services including FastTrack, and the railway station. There is therefore not a reliance for staff or pupils to use a private car. It states that the 20 parking spaces on the site for staff and visitors is more than adequate and exceeds the Kent Parking Standards (2025) and the drop off provision for pupils at the front of the building is acceptable. The two cycle spaces for staff is also considered to be adequate. KCC Highways find it acceptable that the Transport Statement shows that traffic generation from the proposal is expected to be slightly higher than the existing office use but not at peak times and therefore does not justify any objection. KCC Highways advise that conditions would need to be attached. The provision and permanent retention of the vehicle parking standards shown on the submitted plans prior to the use of the site commencing. The provision and permanent retention of secure, covered cycle parking facilities prior to first use of the site in accordance with details to be submitted and approved. The agent did not submit a Travel Plan but KCC Highways state that a condition should be attached stating that the development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted and approved. Therefore, subject to these conditions the proposed development would therefore be acceptable in respect of parking and highway safety and the development would be compliant with section 9 of the NPPF (2024) and Policy CS11 (LPCS).

(b) (ii) noise impacts of the development

GBC Environmental Protection (EP) have advised that the Noise Impact Assessment looks at both the suitability of the building as a school and the potential impact of the school on the area. In terms of suitability, it states the noise levels internally would be compliant with the appropriate criteria for different rooms in a school. GBC EP note how the report advises that no information has been provided regarding proposed plant equipment, no details, that the science laboratory may require some fume extraction, no details have been provided as to whether meals would be prepared on site and whether kitchen extraction would be needed. They advise that as there is to be no external playground the school would unlikely impact on surrounding properties. GBC EP recommend a noise condition to state that plant/mechanical equipment shall be at least 10dB below the existing LA90 background level at the nearest dwellings. noise and odour conditions. A condition on a kitchen extract system in relation to cooking odour is recommended if meals are to be prepared on site. The agent was asked to clarify this and they have confirmed that meals are not to be prepared on site. They confirm that only cold food will be served on the premises. The kitchen area will be used solely for the storage and preparation of items such as sandwiches and similar cold food. No hot food will be served. Should the need arise in future to provide hot food, we would submit relevant applications accordingly. As such the condition for a kitchen extract system would not be required.

Overall, it is considered that prior approval is not required in relation to noise impacts of the development.

(b) (iii) contamination risks on the site

GBC EP advise that there are no contamination concerns with this proposal/site.

Therefore, it is considered that prior approval is not required in relation to contamination risks.

Conclusion

The application meets the criteria as set out in Part 3 (Class T) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). In considering that criteria the proposal is considered acceptable (subject to the conditions set out above) with regard to transport and highway impacts, noise impact and contamination risks. On this basis, prior approval can be granted.

Paragraph W.13 of the GPDO states that prior approvals may be granted subject to conditions reasonably related to the subject matter of the prior approval. The following conditions are required:

- Retention of the vehicle parking spaces
- Details and provision of cycle parking
- Travel Plan
- Noise Control

Recommendation

Prior Approval is Required and Approved

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	22 July 2025	Dated:	23rd July 2025