

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 16/02806/FULL1

Ward:
Orpington

Address : Orpington College Of Further Education
The Walnuts Orpington BR6 0TE

OS Grid Ref: E: 546394 N: 166195

Applicant : Mrs Sam Parrett

Objections : YES

Description of Development:

Proposed alterations to internal layout to include first floor kitchen and pastry kitchen at ground floor, insertion of extraction flues, elevational alterations, new cafe and shop, ancillary accommodation, outside seating area, extension to railings, landscaping, canopy and ramp.

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 29

Proposal

This application forms Phase 2 of a wider scheme of improvement works to Orpington College to enhance their facilities in line with the provision of educational courses in hospitality, food and enterprise. Phase 1 was approved at planning committee on the 5th June 2014 (ref: 14/00747/FULL1).

Planning permission is sought for the following works:

- Additional training kitchen at first floor level
- Café with barista style bar at ground floor level opening out onto Market Square
- A shop area within the ground floor of the college
- External works to provide an outdoor dining area accessible from the new café and existing training restaurant including extension of railings, insertion of extraction flues, elevational alterations to curtain walling, retractable canopy and new access ramp.
- Landscaping works inclusive of new hardstanding.

The following internal alterations are proposed:

- Provision of a new pastry kitchen
- Conversion of existing storage area to purpose built male and female changing rooms;

- Conversion of existing changing rooms to deliveries store and wash up area, crockery store, laundry and linen store;
- Conversion of existing foyer into deliveries office.

The hours of operation of the previously permitted restaurant are also proposed to be extended from 8:30-23:00.

Location

The application site extends to an area of approximately 0.66ha sited on a corner plot. The college is bounded by Lych Gate Road to the east and Homefield Rise to the south. The site is bordered by Walnuts Shopping Centre and Market Square to the north/west. The site incorporates college buildings and parking/access/servicing areas.

The site is classified as a secondary shopping frontage being within Orpington Town Centre and within an area of archaeological significance.

Consultations

Nearby owner/occupiers were notified of the application however no comments have been forthcoming.

Consultee Comments

Highways - Assuming all the new students are over 16 and have the potential to drive, and if they follow the 95% using public transport, it would only equate to about 3 driving. The numbers are quite low and given the majority of roads in the vicinity have controlled parking there is not a sustainable objection to the application. No objections are raised subject to conditions.

Environmental Health (Pollution) - No objection to the scheme subject to conditions requiring the submission of extraction equipment specification and noise level compliance.

Historic England (Archaeology) - The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No objections are made and no conditions are sought.

Planning Considerations

The main policies that are relevant for this application are as follows:

- Policy BE1 - Design of New Development
- Policy C7 - Educational & Pre-School Facilities
- Policy ER9 - Ventilation
- Policy S2- Secondary Frontages
- Policy S9 - Food & Drink Premises
- Policy S10 - Non-Retail uses in Shopping Areas
- Policy T3 - Parking

- Policy T18 - Road Safety

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

London Plan (2015)

- 5.3 Sustainable Design and Construction.
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 6.5 Education
- 6.6 Educational Facilities
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture
- 8.3 Community infrastructure levy
- 10.6 Noise Pollution
- 10.7 Air Quality
- 10.9 Light Pollution

Planning History

The most recent planning history at the site is summarised as follows;

- 14/00747/FULL1 - Planning permission granted for a single storey extension, internal and elevational alterations and ventilation ductwork to provide facilities for catering/hospitality courses including a training restaurant (Class A3/D1) - PHASE 1
- 11/03311- Advertisement consent granted for two non-illuminated 2.4m high freestanding directional signs, one fronting Homefield Rise, and one adjacent to north-facing wall of tower
- 10/00479- Planning permission granted for vehicular and pedestrian gates and associated fencing at Lychgate Road entrance and pedestrian gate at courtyard entrance off Market Square
- 10/00478- Retrospective planning permission granted for roof-top mounted kitchen extract plant to communal block
- 09/02871- Advertisement consent granted for a LED fascia display screen on western elevation of tower block
- 09/02866- Advertisement consent granted for an externally illuminated fascia sign and 2 non-illuminated fascia signs
- 07/04633- Planning permission granted for one temporary covered walkway, one temporary 2 storey modular building and 2 one storey modular buildings for temporary classroom, office and amenity accommodation during construction of new facilities
- 07/00560- Planning permission granted for partial demolition of building and rebuild to form new entrance and student refectory and breakout space

- 05/01534 Four storey building with landscaped external courtyard and relocation of existing service/access road and associated car parking
- 05/01534- Planning permission granted in May 2008 four storey building with landscaped external courtyard and relocation of existing service/access road and associated car parking
- 03/01977- Outline planning granted for construction of reception hall for main tower, erection of 2 five storey buildings for educational and ancillary purposes, enlargement of car park (Renewal ref. 00/0113)

Conclusions

The main issues to be considered in this case are the impact of the proposal on the town centre, amenities of adjoining neighbours, the impact of the extensions on the host building and wider street scene.

Policy 3.18 of the London Plan states that the Mayor will support provision of childcare, primary and secondary school, and further and higher education facilities adequate to meet the demands of a growing and changing population and to enable greater educational choice, including in parts of London with poor educational performance. The policy also states that development proposals which maximize the extended or multiple use of educational facilities for community or recreational use should be encouraged.

In terms of Policy C7, the Council will permit extensions to existing educational establishments provided that they are located so as to maximise access by means of transport other than the car. The site is located within Orpington Town Centre and is PTAL 4 (moderate) and is considered a suitable site to extend. There will be an increase in both pupil and staff numbers by 52 and 4 respectively, however no objections have been made by the Highways Officer with regard to this given that there is sufficient parking within the wider locality.

In relation to the Town Centre policies (Policies S2 and S10) the frontage of the proposed café and outside seating area is classed as a secondary frontage and opens out onto Market Square. Development will be allowed provided that it does not harm the existing retail function of the wider area and does not impact upon residential amenity. Policy S9 only permits additional restaurants/cafes (Class A3) where: the proposal would have no adverse impact on residential amenity; the proposal would not cause undue traffic congestion or be detrimental to the safety of road users; the proposal would not result in an over concentration of food and drink establishments.

The proposed cafe is to be used to train students at the college and to enhance the learning/training value at the facility. The cafe will be fully functional in that it is open to members of the public and open to times commensurate with nearby restaurants/cafes. The use of part of the building as a café and shop, open to members of the public, is considered to enhance the retail function of the wider area, providing a supporting function to the A1 retail units along the High Street. Whilst there are other restaurant/café uses within the wider locality, it is not considered that there is an over-concentration of similar uses to be considered

harmful to the wider retail function, further supported by the college's location set back away from the main High Street and out of the Walnuts Shopping Centre.

In terms of the principle of the change of use to a mixed A1/A3/D1 use, the proposed café and shop, when compared to the size and percentage of the building, would only represent a small percentage of the overall floor space of the college. Whilst this would be open to members of the public, subject to conditions controlling hours of operation; it is considered that this would represent an ancillary form of development in relation to the wider educational use and would be in line with the town centre policies as outlined above. Several alterations are made to the internal layout of the college. These changes are to support the café/restaurant function of the ground floor of the college and ancillary to the D1 education use of the college and considered acceptable subject to conditions tying the use to the education establishment.

The primary elevation of the building (western) faces Market Square, an area of Orpington Town Centre currently undergoing major regeneration works to increase pedestrian footfall and make the wider locality a more attractive and desirable location to visit. The works to Orpington College including the opening up of the outside seating area form part of these wider public realm works. It is considered that the opening up of this elevation onto Market Square would result in an active frontage which Members may consider to be a benefit to the area and enhance the viability and vitality of the wider town centre. It should be noted that some of the works proposed within this application do not adhere to those agreed by stakeholders when considering the regeneration of the area, however given that the public realm improvement works are not currently set out in a specific development plan document, in terms of planning these considerations can only have minimal weight within the decision making process.

Impact on residential amenities

London Plan policy 7.6 and Policy BE1, S9 and S2 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

In terms of impact upon residential amenity, the site is located off Market Square within close proximity of other retail, restaurant and leisure uses including Bella Italia and the Odeon Cinema, all of which open until at least 11pm. The café's opening hours are commensurate with the college opening hours until 5pm in the winter and 11pm in the summer, whereas the restaurant, which does not have access to the outside seating area, is to open until 11pm. Given the location of the college within a town centre location and the closest residential properties being over 70m away, the impact on residential amenity as a result of the application is considered minimal.

The development proposes a 1m high extension to the upper terrace area for 3.5m in length. Given the absence of nearby residential properties, this is not considered to adversely impact residential amenity.

Ventilation

When considering proposals for cafes/restaurants policy ER9 states that the Council will require submission of details of a ventilation system where such a system would be necessary in order that the smell, noise and visual impact of the system on its surroundings can be properly considered.

Ventilation ductwork is also proposed in connection with the proposed kitchen at first floor level, pastry kitchen at ground floor and new cafe. Additional louvres are located within the western elevation with new ventilation equipment on the north-west elevation in a similar high-level position to the existing which is considered acceptable. Concerns were raised by the Environmental Health Officer as to the specification of the odour abatement equipment however this can satisfactorily be covered by condition.

Refuse

Additional refuse from the cafe can be dealt with sufficiently through the existing refuse store within the car park and adjacent to the plant room.

Design of Development

Policy BE1 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

External alterations to the site are predominantly constrained to the north-west elevation, facing onto Market Square. An outdoor seating area is proposed at two levels leading directly from the main café with a ramped and stair access from Market Square. The upper terrace projects 3.5m from the front elevation at 1m in height and is to cater for 29 covers utilising a timber decking as the primary floor treatment with red stock facing brick facing onto Market Square matching the existing elevational treatment. The lower terrace caters for 48 covers and utilises clay pavers in line with the wider public realm improvement material palette. The existing railings to the front of the raised terrace are to be replaced with a steel handrail with glass infill which is considered a betterment to the existing black, metal boundary treatment and extended by approximately 12m along the front of the site. Whilst the extension to the railings do not form part of the agreed wider public realm improvement works, the minor extension to the railings which are to be constructed of glass allowing views to be retained through to the building are considered acceptable from a planning perspective with sufficient breaks to allow access into the café area.

The canopy to the café is considered acceptable in principle, however further details as to the design of this will be conditioned to be submitted at a later date should Members be minded to grant permission. The location of the signage is also considered acceptable, however a further advertisement consent application will be required prior to the erection of the illuminated fascia. On balance Members may consider that the proposal is well designed and complies with Policy BE1 of the Unitary Development Plan.

It is noted that no concerns have been raised regarding the proposal from the Council's Highways Officer given the location of the college within a town centre location and the provision of sufficient parking within the locality and the low level of students driving to the site.

On the basis of the information above, given that the proposal seeks to enhance the existing educational facilities at the site, it is considered that the application acceptable.

Background papers referred to during production of this report comprise all correspondence on the file and that set out in the Planning History section above including ref: ref. 14/00747, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

Reason: Section 91, Town and Country Planning Act 1990.

- 2 Details and samples of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any above ground works are commenced. A schedule for applying the approved render shall be submitted including the type of render and manufacturer and the procedure for application. The development shall be carried out in accordance with the approved details.**

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 3 Customers of the restaurant shall not be admitted to the premises before 08:30; on any day, and all customers shall have left the premises by 23:00. Customers of the cafe shall not be admitted to the premises before 08:00; on any day, and all customers shall have left the premises by 17:00 between 1st October and 31st March and**

23:00 between 1st April and 30th September. At no point will the outdoor seating area be used by customers after 23:00 and before 08:00.

Reason: In order to comply with Policy of the Unitary Development Plan and in the interest of the amenities of the area.

- 4 The proposed cafe and shop shall operate and accept paying customers only in connection with training courses run by Orpington College (Under Class D1 of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**

Reason: In order to comply with Policy S9 of the Unitary Development Plan and in the interest of the amenities of the area.

- 5 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 6 At any time the plant noise Rating level from the kitchen extraction and supply air plant shall not exceed the measured typical background L90 level at any noise sensitive location. For the purposes of this condition the Rating and background levels shall be calculated fully in accordance with the methodology of BS4142:2014. Furthermore, at any time the measured or calculated absolute plant noise level shall not exceed 10dB below the typical background noise level (LA90 15 minute) in this location.**

In the interest of protecting surrounding amenity in compliance with policy BE1.

- 7 Detailed plans of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate fumes and odours (and incorporating activated carbon filters where necessary) shall be submitted to the Local Planning Authority for approval; after the system has been approved in writing by the Authority, it shall be implemented in accordance with the approved details before the use hereby permitted first commences and shall thereafter be permanently retained in an efficient working manner.**

Reason: In order to comply with Policies S9 and ER9 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 8 Further details of the canopy hereby approved including drawings at a scale of 1:20 shall be submitted to and improved in writing by the Local Planning Authority prior to the use of the building as the use hereby approved.**

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 9 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.**

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 10 Prior to the commencement of the use hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include measures to promote and encourage the use of alternative modes of transport to the car. It shall also include a timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating. The Travel Plan shall be implemented in accordance with the agreed timescale and details.**

Reason: In order to ensure appropriate management of transport implications of the development and to accord with Policy T2 of the Unitary Development Plan.