# LONDON BOROUGH OF ENFIELD

# PLANNING COMMITTEE

Date: 13 September 2016

Report of

Assistant Director, Planning, Highways & Transportation

Contact Officer: Andy Higham Sharon Davidson Ms Eloise Kiernan Ward: Jubilee

**Ref:** 16/02840/FUL **Category**: Full Application

LOCATION: 22 Lumina Way, EN1 1FT, ,

**PROPOSAL:** Change of use from Use Classes B1, B2, B8 to Use Class D2 for use as a Trampoline Park with ancillary cafe, alterations to service yard and assoicated plant works.

**Applicant Name & Address:** 

c/o agent

**Agent Name & Address:** 

Mr Chris Hicks 140 London Wall London EC2Y 5DN

#### **RECOMMENDATION:**

The planning permission be **REFUSED** for reasons.

#### Note for Members:

The application is reported to Planning Committee at the request of Councillor Simon due to strategic policy issue raised by this application.



### 1.0 Site and Surroundings

- 1.1 The site contains a warehouse building which fronts Lumina Way, located off Lincoln Road. The Great Cambridge Road (A10) is located to the west.
- 1.2 The site is located within the Great Cambridge and Martinbridge Estate, which comprises industrial and distribution uses. There is a hotel and car dealerships fronting the Great Cambridge Road (A10).
- 1.3 The application premises is a newly constructed premises, built pursuant to the planning permission for the redevelopment of the site under planning permission reference TP/08/1077 (described below). It has a floor area of approximately 2,939 sq.m and is presently vacant.
- 1.4 The site is designated as Strategic Industrial Land (SIL).

# 2.0 Proposal

- 2.1 The application proposes the change of use of the premises from Use Classes B1, B2, B8 (industrial/warehousing) to Use Class D2 for use as a Trampoline Park with ancillary cafe, together with alterations to the service yard and associated plant works.
- 2.2 The proposed opening hours are 10:00 21:00 (Monday to Friday), 09:00 22:00 (Saturday) and 09:00 21:00 (Sundays and Bank Holidays). The proposed use would create 40 jobs (full time).
- 2.3 The applicant has submitted a Planning Statement, which outlines that the site at Lumina Way was the most suitable out of a total of 150 sites within the area, including those outside of the London Borough of Enfield.
- 2.4 The applicant advises that the site was selected for various reasons including price, proximity to transport connections, parking availability and location near to residential areas and schools. Additionally, it was noted that there are no facilities within the London Borough of Enfield with the nearest facility approximately 10 miles away in Acton (London Borough of Ealing) or Romford (London Borough of Havering).

#### 3.0 Relevant Planning Decisions

- 3.2 TP/08/1077 Redevelopment of the site through the erection of 20 units (2-storey) for office, light and general industrial use and storage/ distribution with ancillary trade counters (B1, B2 & B8 use) as well as a 5-storey self-storage unit (B8), (combined total floor space of the 20 units and self-storage building 19,249 sq.m.), together with a 2-storey building including roof deck parking for use as a car dealership with workshop (sui generis), as well as a 5-storey (132 bed) hotel (C1use), with associated access from Lincoln Road and egress via Progress Way, car parking, landscaping, lighting, security building, plant and equipment and associated works granted with conditions.
- 3.3 The application premises comprise one of the units constructed under this permission.

#### 4.0 Consultations

# 4.1 Statutory and non-statutory consultees

# 4.1.1 Traffic and Transport

No objections raised subject to conditions.

### 4.1.5 Environmental Health

No objections raised.

### 4.1.6 Thames Water

No objections raised.

# 4.2 Public response

4.2.1 Letters were sent to 39 adjoining and nearby residents and expired on 21 July 2016. Three responses have been received, all in support of the proposal, including one from Cllr Dines.

### 5.0 Relevant Policy

### 5.1 The London Plan

Policy 2.17	Strategic industrial locations
Policy 4.4	Managing industrial land and premises
Policy 5.3	Sustainable design and construction
Policy 5.13	Sustainable drainage
Policy 5.18	Construction, excavation and demolition waste
Policy 6.1	Transport
Policy 6.2	Public Transport Capacity
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.7	Better streets and surface transport
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.12	Road network capacity
Policy 6.13	Parking
Policy 7.1	Building London's neighbourhoods and communities
Policy 7.2	An inclusive environment
Policy 7 4	Local character

### 5.2 Core Strategy

- CP14: Safeguarding strategic industrial locations
- CP20 Sustainable energy use and energy infrastructure
- CP21: Delivering sustainable water supply, drainage and sewerage infrastructure
- CP24: The road network
- CP25: Pedestrians and cyclists
- CP26: Public Transport
- CP30: Maintaining and improving the built environment
- CP32: Pollution

# 5.3 <u>Development Management Document</u>

DMD19 Strategic Industrial Locations

DMD37 Achieving High Quality and Design-Led Development

DMD38 Design Process

DMD45 Parking Standards and Layout

#### 5.4 North East Enfield Area Action Plan

Policy 4.2 Improving the quality of the pedestrian and cycle environment Policy 6.2 Improving the Great Cambridge Road and Martinbridge Trading Estate

# 5.5 Other relevant policy/guidance

NPPF NPPG

#### 6.0 Analysis

#### **Principle**

- 6.1 The site is located in a Strategic Industrial Site (SIL) wherein there is a presumption aginst non B1, B2 & B8 uses. Due to Enfield's location within the London-Stansted-Cambridge growth corridor and its location close to road links like the M25 and A406, Strategic Industrial Land (SIL) in the borough is valuable to London. This is recognised by the London Plan with the objective of Policy 2.17 to resist the loss of industrial land unless part of a planned and evidenced based release strategy. This is because designated Strategic Industrial Land is important to London as it provides the main reservoir of such land for the capital. London has seen a significantly high release of its non-designated industrial land with 16% of its industrial stock being lost from 2001 to 2015, mainly due to industrial businesses being displaced for higher value uses such as housing. As a result, the retention of Enfield's SIL for industrial activities both regionally and nationally is important and needs to be given significant weight.
- 6.2 Locally, the importance of SIL in Enfield is reflected in the Council's policies. Core Policy 14 clearly states that the Council will safeguard a number of sites. including the Great Cambridge Road Industrial Business Park, as Strategic Industrial Locations (SIL). DMD 19 states that any changes of use from industrial uses in the Great Cambridge Industrial Business Park will be refused if they are inappropriate and result in a significant loss of industrial capacity. In addition, the recently adopted North East Enfield Area Action Plan (NEEAAP) at Policy 6.2 also stresses that any redevelopment of the Estate is required to support and encourage the high quality employment uses that fit with its role as an Industrial Business Park. In terms of the Council's Core Strategy evidence base, the latest Employment Land Review recommends that the Great Cambridge Road and Martinbridge Trading Estate be retained for industrial uses due to it being the Borough's main employment area away from the Lee Valley extending to 40ha. If we are to release SIL then it needs to be planned and justified by evidence rather than on an adhoc basis. If it isn't justified then these sites are considered important to retain.

- 6.3 Specifically, Policy DMD19 of the Development Management Document refers to SIL and with respect to Great Cambridge Road, states :
  - a. Proposals for industrial activities that require a better quality surrounding, including research and development, light industrial and small scale distribution, will be permitted within the Great Cambridge Road Industrial Business Park (IBP).
  - b. A change of use from industrial uses in the Great Cambridge Road Industrial Business Park will be refused, unless all of the following criteria are met:
    - The proposed use would not compromise: the function and operation of the industrial area as a whole;
    - The operating conditions of the other remaining industrial uses, or the potential future use of neighbouring sites for appropriate industrial uses;
    - The proposed use does not have a significant adverse impact on surrounding residents in terms of pollution, noise and traffic;
    - There is no significant net loss of industrial capacity;
    - The proposed use generates significant additional employment;
  - The proposed development makes a significant contribution to the public realm.
  - c. Other employment generating uses such as car show rooms, hotel and conferencing facilities may be permitted on the main road frontages and gateways of the Great Cambridge Road IBP, provided that there is no adverse impact to highway safety and the proposed use does not prejudice the efficient and effective operation of the industrial area. Car showrooms will only be permitted provided there is an associated vehicle servicing/repair activity in conjunction with the showroom.
- Policy 6.2 of the NEEAAP states "The Great Cambridge Road and Martinbridge Trading Estate is the only Industrial Business Park in NEE. Proposals falling within the IBP will need to demonstrate compliance with the relevant London Plan and Enfield's Local Plan policies. Other uses will only be permitted in accordance with specific policies within the AAP, or where they would be ancillary and complementary to the overall operation of the IBP".
- 6.5 As stated in paragraph 2.3, the applicant has submitted a Planning Statement to support their case, which outlines that the site at Lumina Way was the most suitable out of a total of 150 sites within the area, including those outside of the London Borough of Enfield.
- 6.6 This site was selected for various reasons including price, proximity to transport connections, parking availability and location near to residential areas and schools. Additionally, it was noted that there are no facilities within the London Borough of Enfield with the nearest facility approximately 10 miles away in Acton (London Borough of Ealing) or Romford (London Borough of Havering). Officers however note there are also facilities in Boreham Wood (10miles) and St Albans (15 miles) which are closer than those indicated.
- 6.7 The Planning Statement and accompanying appendices refer to details outlining the unsuccessful marketing of the site by CBRE since 2015 and

limited number of viewings, including reasons for discounting the site. It is noted that the premises have been marketed for a total period of a year with little interest since the site was constructed and secured until 2015, however there is no information relating to the market value and little evidence to support the site being unsuitable. It is questionable why a newly constructed, large and accessible premises within an employment area would not generate a significant level of interest.

In response to the grounds for making an exception to SIL policy and to demonstrate compliance with policy DMD19, the applicant advises:

"Firstly, because of the nature of the use, a trampoline park can only operate from a warehouse. This is demonstrated by the fact that 97% are located on industrial parks.

Secondly, there is no compromise for other industrial users or loss of potential industrial capacity. The Transport Statement demonstrates that there is adequate on-site car parking, even at peak times. AM peak hour flows are predicted to be less in the morning compared to the authorised use, but more in the evening peak.

Very limited physical changes are required to the building, which could thus revert to a B Class use quickly (in a physical sense). The freeholder of this property does not want to lose the B1,B2,B8 permission that currently exists and this is provided for via the application for a personal permission.

Thirdly, there is no adverse impact on surrounding residents in terms of pollution, noise and traffic. Indeed this facility would bring positive benefit to local residents and schools in terms of health, sport and social interaction.

Fourthly, there would be a very significant increase in employment.... Broadly, though this scheme will provide between 35 and 45 full time equivalent jobs (depending on the time of year); compared to a typical B8 user which would at best be in the 20s. Further most of the jobs would be suitable for young people — a particular consideration given Enfield's youth unemployment of 12%.

Fifthly, whilst not public realm in the normal physical sense, my client will be engaging with over 100 schools and five leisure centres as well as local charities, nurseries and sports clubs to generate maximum access to the facility which clearly has sport, leisure and community benefits."

- 6.9 The applicant's justification as set out above in support of their proposal and a relaxation of SIL policy is noted especially in term of public health. However, it is considered these are not sufficient to outweigh the clear and strong policy position regarding the safeguarding of strategic industrial land. For Enfield this is important consideration and needs to be given significant weight because to support housing growth for Meridian Water, Strategic Indutrial Land has been released on the basis that remaining land is retained to meet the strategic regional and local industrial land objectives.
- 6.10 The proposal would result in the loss of new purpose built industrial unit and it is telling to note that the freeholder does not wish to lose the industrial use designation, suggesting that it remains viable for industrial use. The loss of the industrial space per se, together with the potential impact of a family

based activity, with the attendant vehicle and pedestrian movements associated with that in an industrial and business environment, could have a detrimental impact on the functioning of the remainder of the estate and thus undermine the ability of the estate to continue to attract industrial/warehouse uses. Furthermore, the proposed use as a trampoline centre with ancillary café would involve a greater proportion of customers coming to and from the site, particularly children and families and this could cause conflict with the heavier traffic more commonly associated with industrial units, undermining their ability to function.

- 6.11 In relation to bullet point 3, there are concerns about the level of traffic that might be generated by the proposed use in this low PTAL location and the ability of the site to accommodate the level of car parking that may be generated. These are set out below. Whilst there are mechanisms, such as the requirement for a travel plan, that would seek to manage the traffic impacts, the level of traffic and parking generated by the proposed use, could have an impact on the functioning of the estate and adjacent premises at least at the outset.
- 6.12 In regards to bullet point 5, the proposed use would create between 35 and 45 jobs. This is welcomed. However, the creation of jobs per-se is not justification for the loss of strategic employment land as a similar argument could be presented for any other higher employment generating use such as retail which would not be acceptable.
- 6.13 In regards to the final bullet point, the proposed use makes minimal visual changes and its retained visual appearance is characteristic of the industrial area and surrounding units.
- 6.14 Having regard to all of the above, it is considered that the designation of the site as Strategic Industrial Land recognises its importance in a strategic sense and the important role it fulfils in providing for industrial capacity within Enfield and London as a whole. Whilst release of SIL needs to be considered to support other strategic obligations, not least to meet housing targets, this needs to be done in a planned and considered way. The release of SIL to meet other policy obligations will reduce the pool of land available, meaning that sites such as this, which have recently been the subject of redevelopment to provide purpose built new industrial units, are all the more important. It is therefore considered that circumstances and benefits put forward by the applicant are not sufficient to outweigh the strong policy presumption in favour of safeguarding the site for B1,B2 or B8 purposes appropriate to its SIL designation. The proposed use would compromise the primary function of the SIL, the operating conditions of other remaining industrial uses and the potential future use of neighbouring sites for industrial uses and result in the loss of key industrial floorspace, contrary to Policies CP14 of The Core Strategy; Policy DMD19 of the Development Management Document and Policies 2.17 and 4.4 of the London Plan, as well as the aims and objectives outlined within the NPPF.

#### Character and appearance

6.15 There would be minimal external changes to the overall appearance of the existing building with the exception of new pedestrian footway, cycle stands and new cooling plant with security fencing and thus it is not considered that

the proposals would detract from the existing character of the building, or visual amenities of the Industrial Estate as a whole.

# Residential amenity

6.16 The estate is an established industrial/employment location which is adequately located away from sensitive land uses, including residential properties. The nearest residential occupiers are sited at least 200m away at Woodgrange Avenue to the south, Great Cambridge Road to the west and Lincoln Road to the north. The existing building is well embedded within the industrial site with other industrial units and intervening highways providing a separation from residential units. It is therefore considered that the proposed change of use and associated plant works would not be detrimental to amenities of the occupiers of residential properties. Additionally, Environmental Health have raised no objections in regards to noise disturbance, air quality or land contamination.

# Traffic and Transportation

6.17 Lumina Way is an unclassified road with a PTAL of 1b, which indicates a very poor accessibility to public transport.

Site access

6.18 The site would be accessed from Lumina Way, which connects to Lincoln Road and Progress Way by priority junction arrangements. These access arrangements are considered acceptable and would not be detrimental to highway safety.

**Parking** 

- 6.19 The applicant submitted a Transport Assessment to accompany the planning application.
- 6.20 The site has a low PTAL of 1b indicating that it has very poor access to public transport services and therefore sufficient parking would be required for staff and potential users.
- 6.21 The Transport Assessment states that the proposed development is located within a highly accessible area with frequent public transport services; however this is contrary to the identified PTAL of the area.
- 6.22 The site contains a total of 31 parking spaces, including two disabled bays at the front of the site.
- 6.23 Given the nature of the proposed development, it would not be possible to determine the likely traffic generation using the TRICS database.
- 6.24 The Transport Assessment states that a first principles approach has been undertaken using an accepted methodology based on information from the United States and other UK sites, including the applicants existing site in Slough and the recently approved development in Leamington Spa. However, in order to determine the likely future traffic generation, it is important to determine the likely footfall over the period of a week.

- 6.25. The proposed trampoline park is likely to attract around 104,450 visitors per year equating to around 1,936 visitors per week. During the school holidays, visitor numbers would increase and the recorded visitor numbers from the Slough site shows that during the October half term holiday there was an average of 1,000 visitors. This is based on a maximum of 170 jumpers. The proposed site is a smaller unit size to that of the Slough site with 100 jumpers, and therefore it is anticipated that the site would attract an average of 600 visitors per week during the school holidays.
- 6.26 In order to assess the likely number of hourly vehicular trips on a given day, it is anticipated that the majority of vehicular trips would involve on average two children with one or two parents, resulting in a vehicle occupancy rate of three visitors per vehicle. This is also an established practice at other trampoline sites in the UK and has previously been agreed with other Highway Authorities.
- 6.27 A table contained within the Transport Statement demonstrates that the maximum visitor car parking demand is 13 spaces for a Friday (term time), 30 spaces for a Friday (school holidays) and 29 spaces during the weekend. This indicates there is sufficient car parking provision on site to cater for the demand. By reviewing the Transport Statement, it is evident that the numbers and figures used to predict the trip prediction for the newly proposed site were based on similar sites which are situated in various different parts of the country or another country. However, it is noted that these example sites could have different or better public transport accessibility level than the proposed sites and therefore the trips produced by cars to those areas could be lower. It is therefore considered that the low PTAL of the site means much more consideration must be given to the parking arrangements, out of the 31 parking spaces proposed, only 2 are designated disabled bays. 10% of the parking allocations must be made for disabled users and therefore 3 bays must be allocated to mobility impaired users. Also, 10% of all spaces must be for electric vehicles with an additional 10 per cent passive provision for electric vehicles in the future. Therefore a minimum of 3 bays must have access to electric charging points. However conditions relating to both disabled parking provision and electric vehicle charging provision could both be secured by condition, should the scheme be granted.
- 6.28 On this basis, the proposed 31 car parking spaces appear to be a low provision given the amount of users and proposed staff and lack of consideration of the use of the ancillary café within the Transport Assessment. It is considered that a café/ancillary use would increase dwell times before and after jump sessions and add further to the parking accumulation and demand. The surrounding residential streets around the area are already saturated and the fact that they are not within a CPZ could lead to overspill parking. Given this, if planning permission were to be granted there would be a requirement for a Travel Plan and this would need to be secured by S106 Agreement.
- 6.29 The London Plan specifies cycle parking standards at 1 space per 100sq.m for long stay and 1 space per 8 staff short stay. A total of 26 cycle parking spaces would be provided within a dedicated cycle parking area that would be secure and covered, which is considered acceptable. However considering the PTAL of the site and the physically active nature of the proposed use, it likely that more people would cycle and therefore the applicant should consider providing more spaces if possible. On that basis, given that the

proposed D2 use would generate more trip rates and activity than a B1, B2 or B8 use, it is considered that to encourage cycling and reduce reliance on the car, to address the concerns raised about the level of car parking proposed to support the use, a contribution of £25,000 would be required to improve links from the site to a proposed cycle Greenway on Lincoln Road, were planning permission to be granted and this would also need to be secured by S106 Agreement.

#### Refuse

6.30 Details relating to refuse and recycling storage have not been provided, however there is capacity on site, and these could be secured by an appropriate condition, should the scheme be granted.

#### Crossovers

- 6.31 Policy DMD46 of the DMD specifically relates to vehicle crossovers and dropped kerbs. This is further suported by the Council's published guidance (available from the website, ref. "Vehicle Crossover (A Dropped Kerb To Allow Vehicle Access) ESSP328).
- 6.32 The site has an existing crossover to the front of the site and it is noted that the proposals would facilitate alterations to the crossovers and access to the site. Any works on the public highway should therefore be undertaken by council contractors and an appropriate directive could be attached, should the scheme be granted.

## <u>CIL</u>

- 6.33 CIL Regulations 2010 (as amended) allow 'charging authorities' in England and Wales to apportion a levy on net additional floorspace for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development. Since April 2012 the Mayor of London has been charging CIL in Enfield at the rate of £20 per sum.
- 6.5.2 Given the applicants evidence which confirms the lawful use of the building was never implemented, the building has therefore been vacant since its construction and thus would be liable for CIL as it has not been used for a period of 6 months within the last 3 years.
- 6.5.3 Based on the proposed floorspace the CIL contribution would be 2,939 sq.m x £20 x 271/223 = £71,432.
- 6.5.4 On 1 April 2016, the Council introduced its own CIL. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water. The applicable CIL rate is be £120 per square metre together with a monthly indexation figure.
- 6.5.5 In this instance the development would not be liable for Enfield CIL as it is for the creation of D2 floorspace.

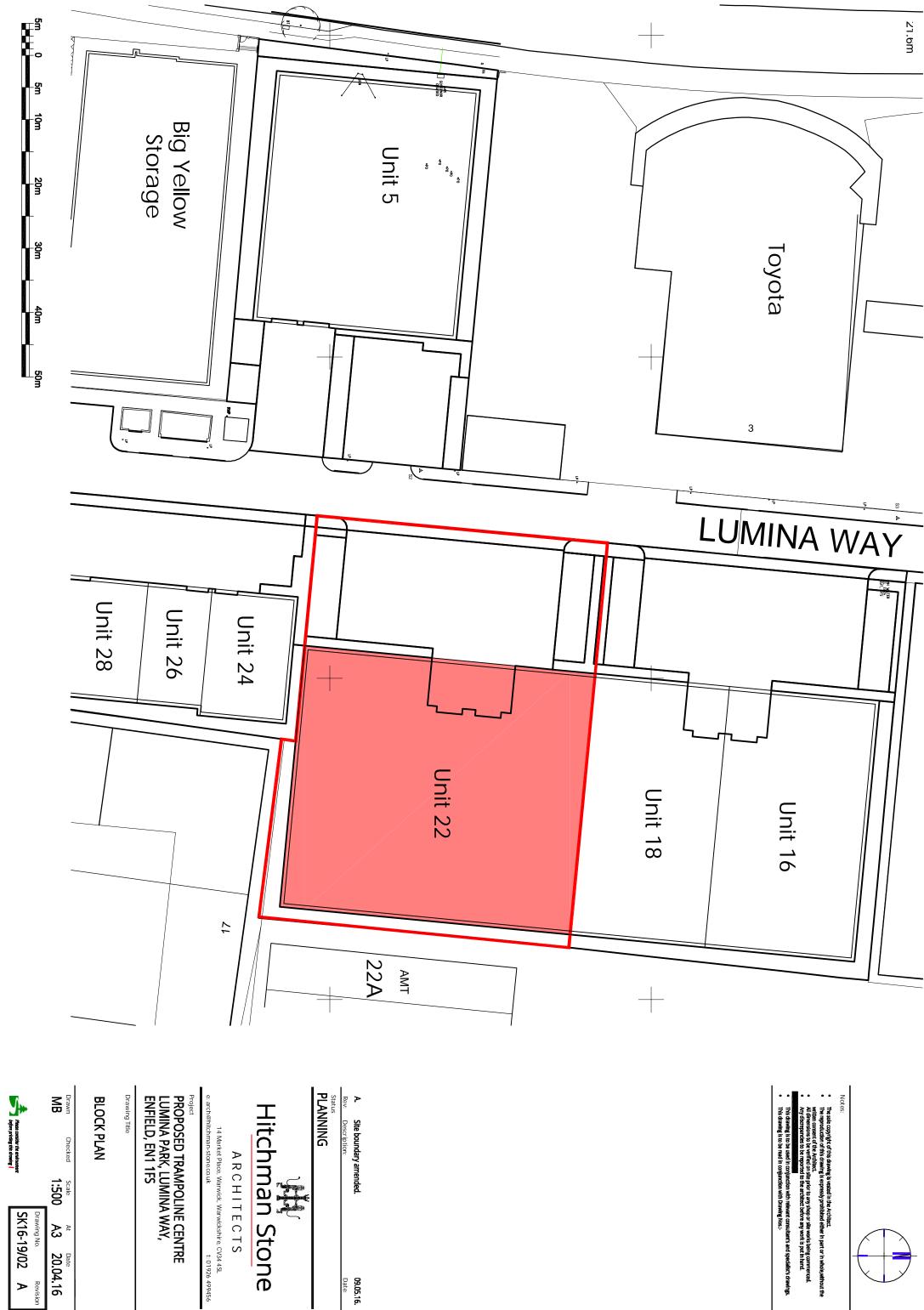
#### 7.0 Conclusion

7.1 The proposed use would compromise the primary function of the Strategic Industrial Land (SIL), the operating conditions of other remaining industrial

uses and the potential future use of neighbouring sites for industrial uses and result in the loss of key industrial floorspace, contrary to Policies CP14 of the Core Strategy, DMD19 of the Development Management Document, Policy 6.2 of the North East Enfield Area Action Plan and 2.17 and 4.4 of the London Plan, as well as the aims and objectives outlined within the National Planning Policy Framework.

#### 8.0 Recommendation

- 8.1 The planning permission be REFUSED for the following reason:
- 1. The proposed change of use to a trampoline park (D2) would result in the loss of industrial floorspace within the Great Cambridge and Martinbridge Strategic Industrial Location (SIL), compromise the primary function and operating conditions of other remaining industrial uses and the potential future use of neighbouring sites for industrial uses. The proposal is thereby contrary to Policies CP14 of the Core Strategy, DMD19 of the Development Management Document, Policy 6.2 of the North East Enfield Area Action Plan and 2.17 and 4.4 of the London Plan, as well as the aims and objectives outlined within the National Planning Policy Framework.



Site boundary amended.

Description:

09.05.16.

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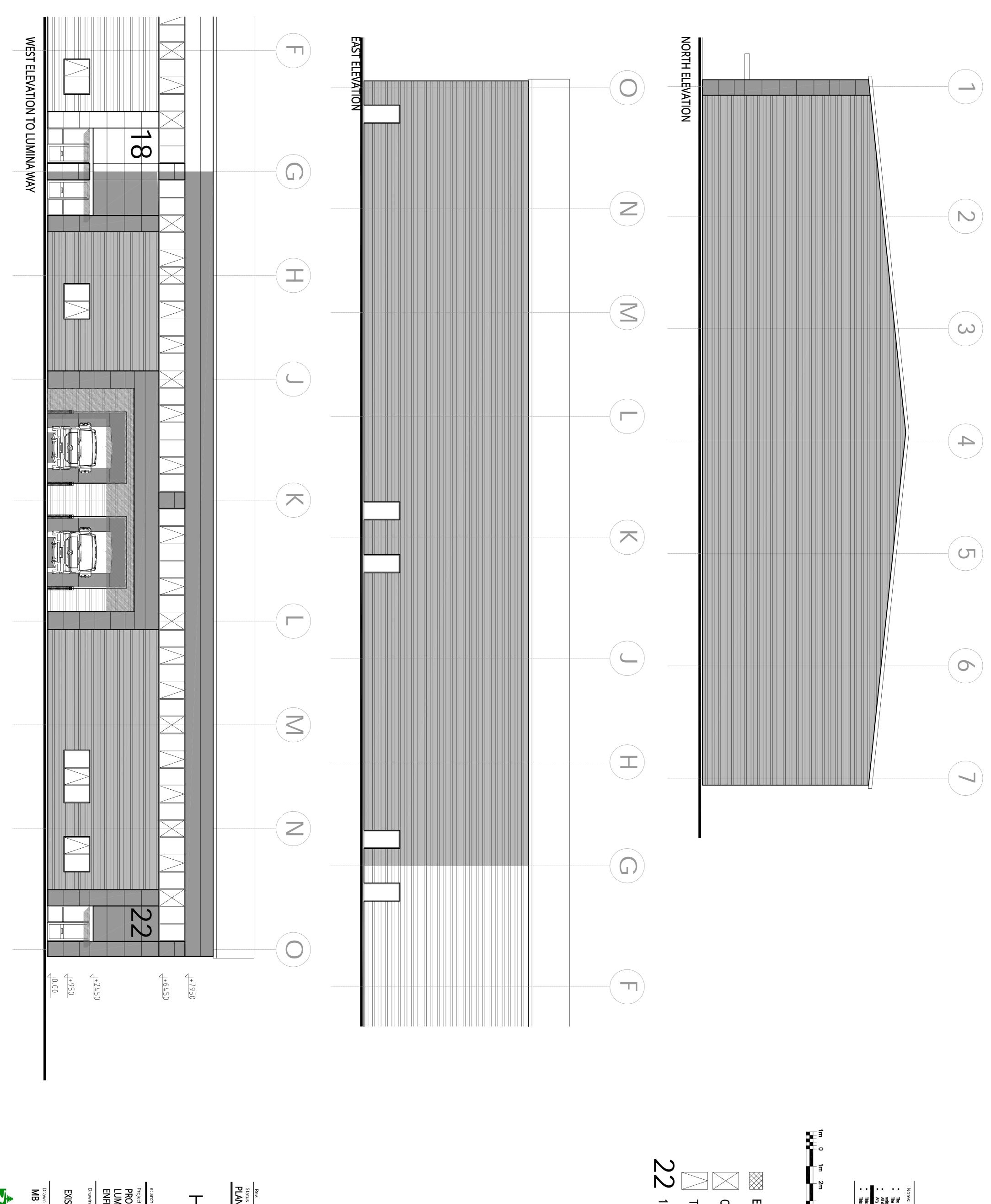
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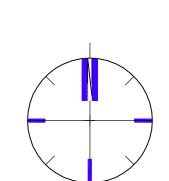
**BLOCK PLAN** 

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Date **20.04.16** 

SK16-19/02 A Revision





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Existing walls

Obscure glazed panel

Top hung windows

1.2m high unit numbering sign

Rev: Descriptic
Status
PLANNING Hitchman Stone

Project
PROPOSED TRAMPOLINE CENTRE
LUMINA PARK, LUMINA WAY,
ENFIELD, EN1 1FS

ARCHITECTS

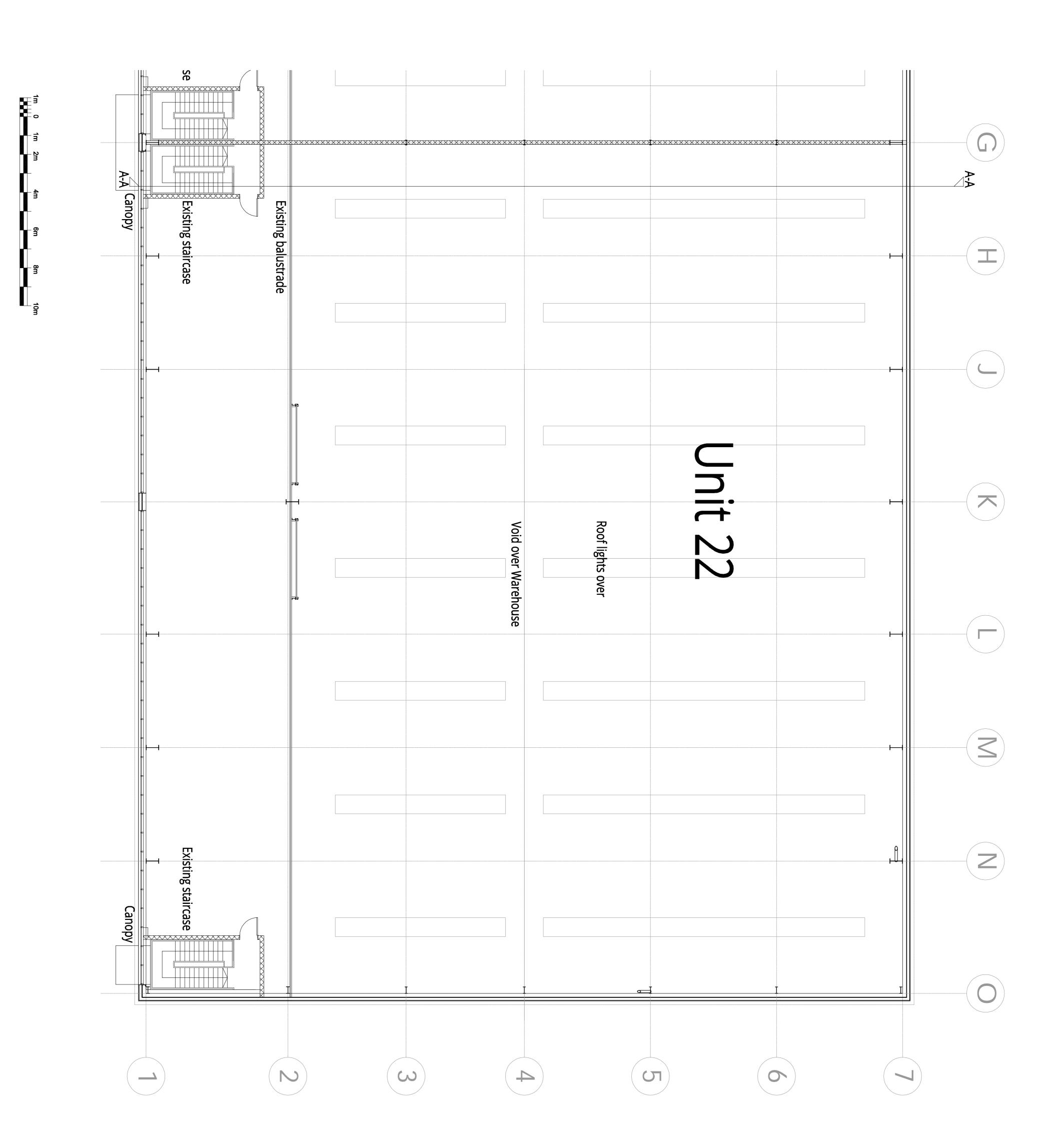
**EXISTING ELEVATIONS** 

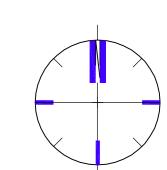
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SK16-19/07





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Existing walls

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PLANNING Hitchman Stone ARCHITECTS

Project
PROPOSED TRAMPOLINE CENTRE
LUMINA PARK, LUMINA WAY,
ENFIELD, EN1 1FS

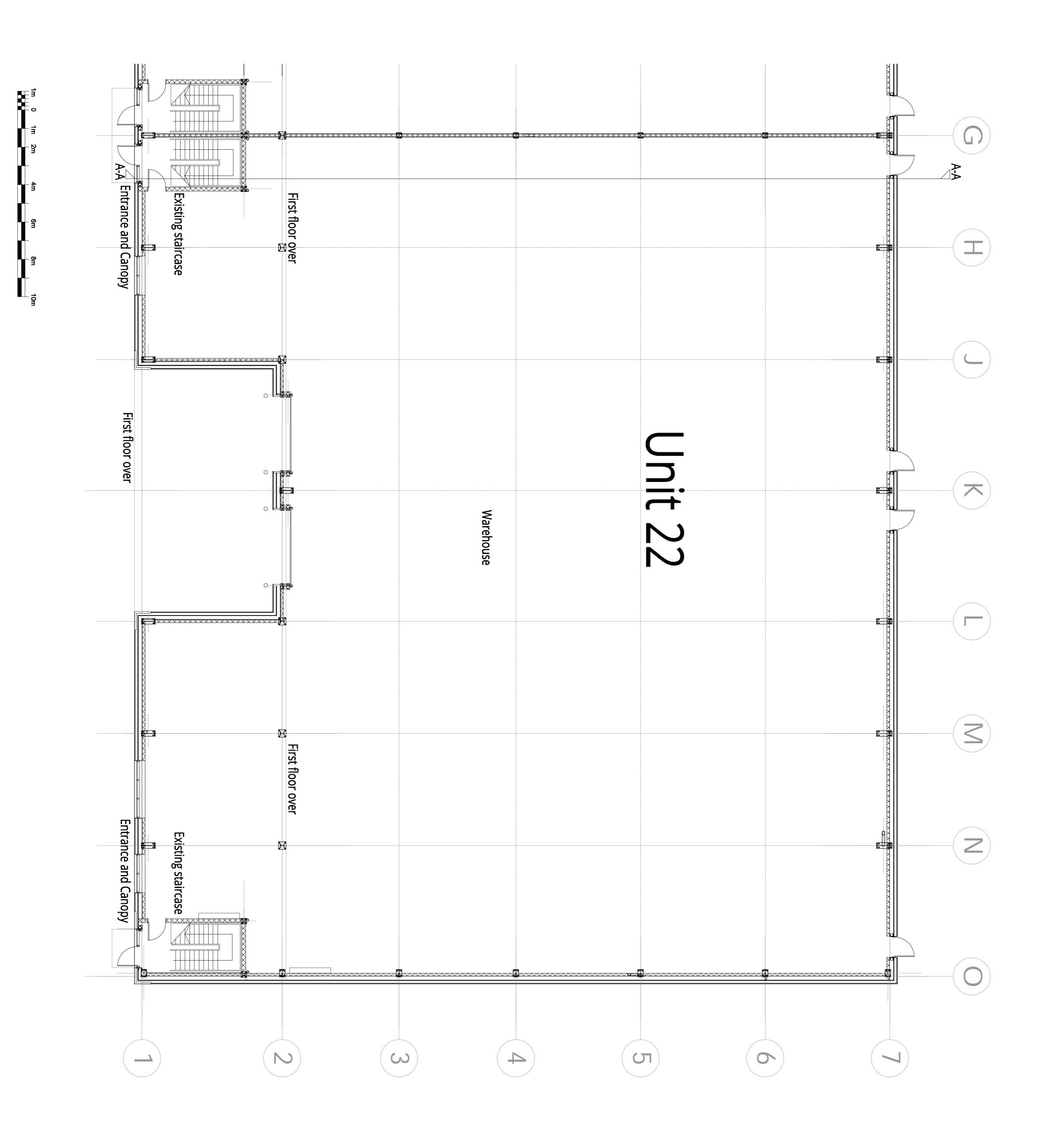
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Drawing No.

SK16-19/05 #



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Existing walls

Project
PROPOSED TRAMPOLINE CENTRE
LUMINA PARK, LUMINA WAY,
ENFIELD, EN1 1FS

Status PLANNING

Hitchman Stone

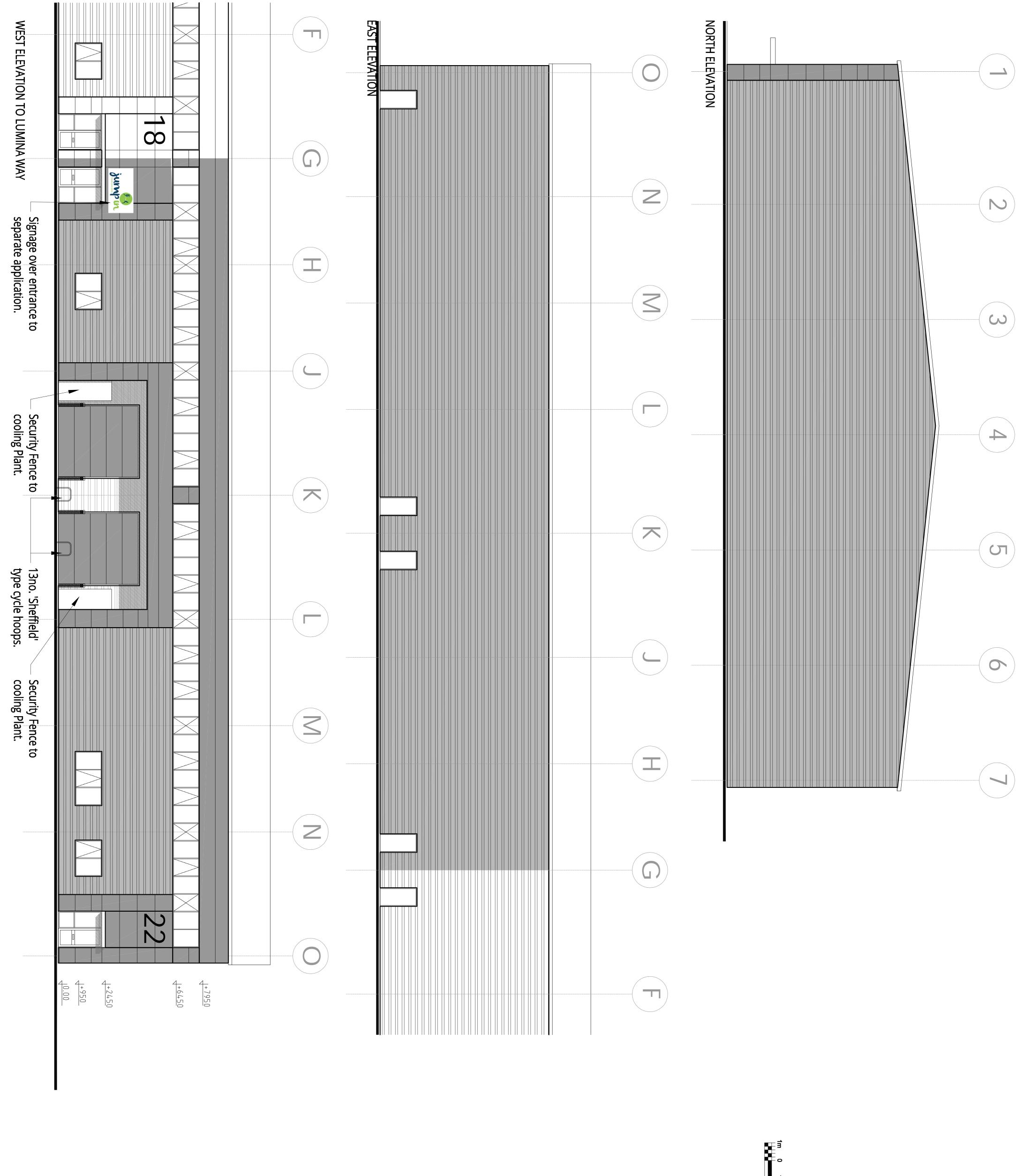
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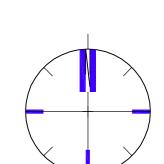
EXISTING GROUND FLOOR PLAN

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statutory requirements and approvals. Proposals subject to site survey, investigation, detailed design,

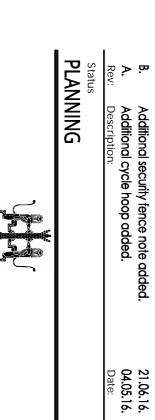


**Existing walls** 

New walls

Obscure glazed panel Top hung windows

1.2m high unit numbering sign



PROPOSED TRAMPOLINE CENTRE LUMINA PARK, LUMINA WAY, ENFIELD, EN1 1FS Hitchman Stone ARCHITECTS

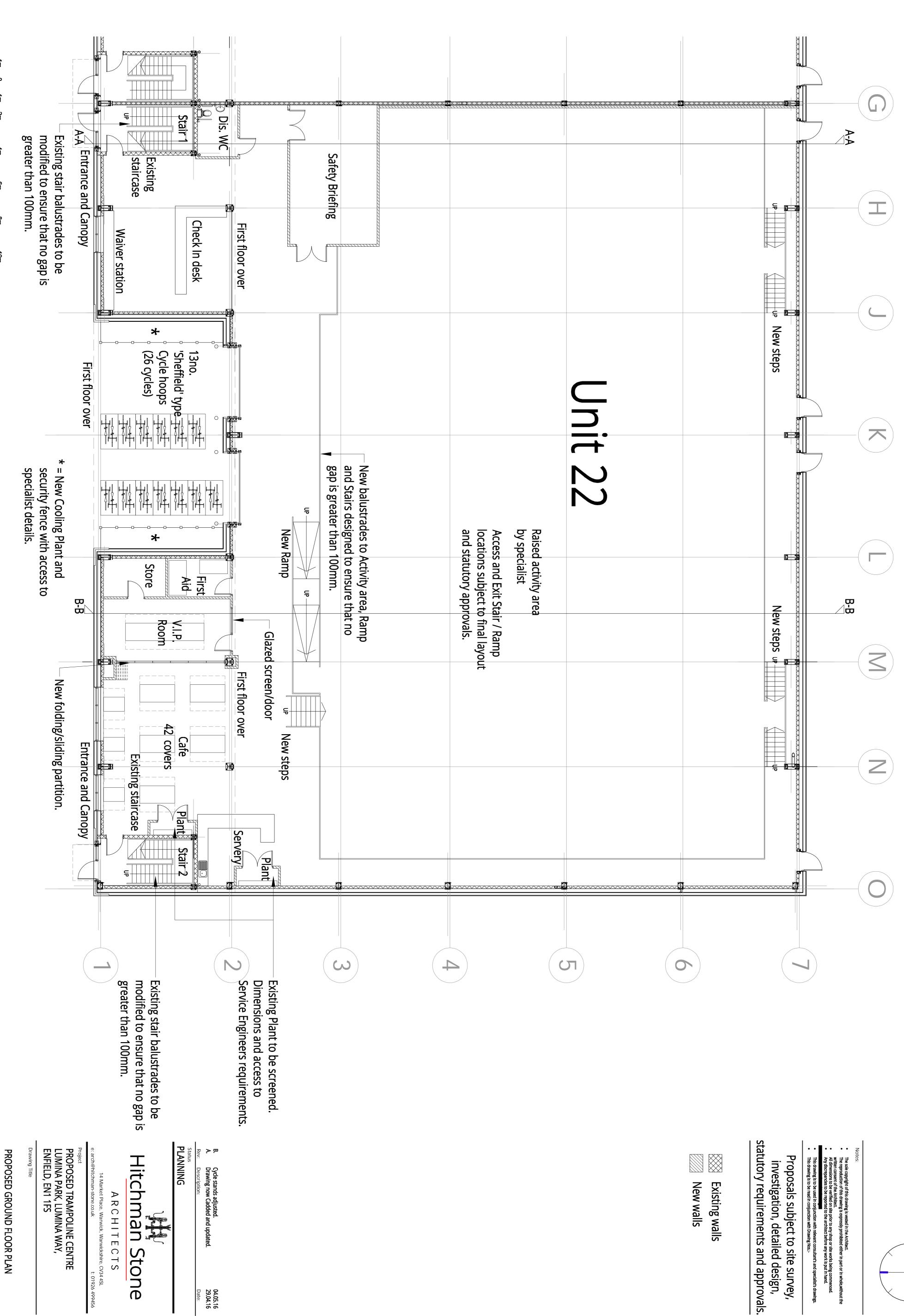
PROPOSED ELEVATIONS

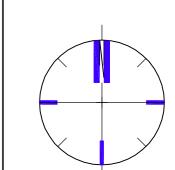
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Proposals subject to site survey, investigation, detailed design,

**Existing walls** 

New walls

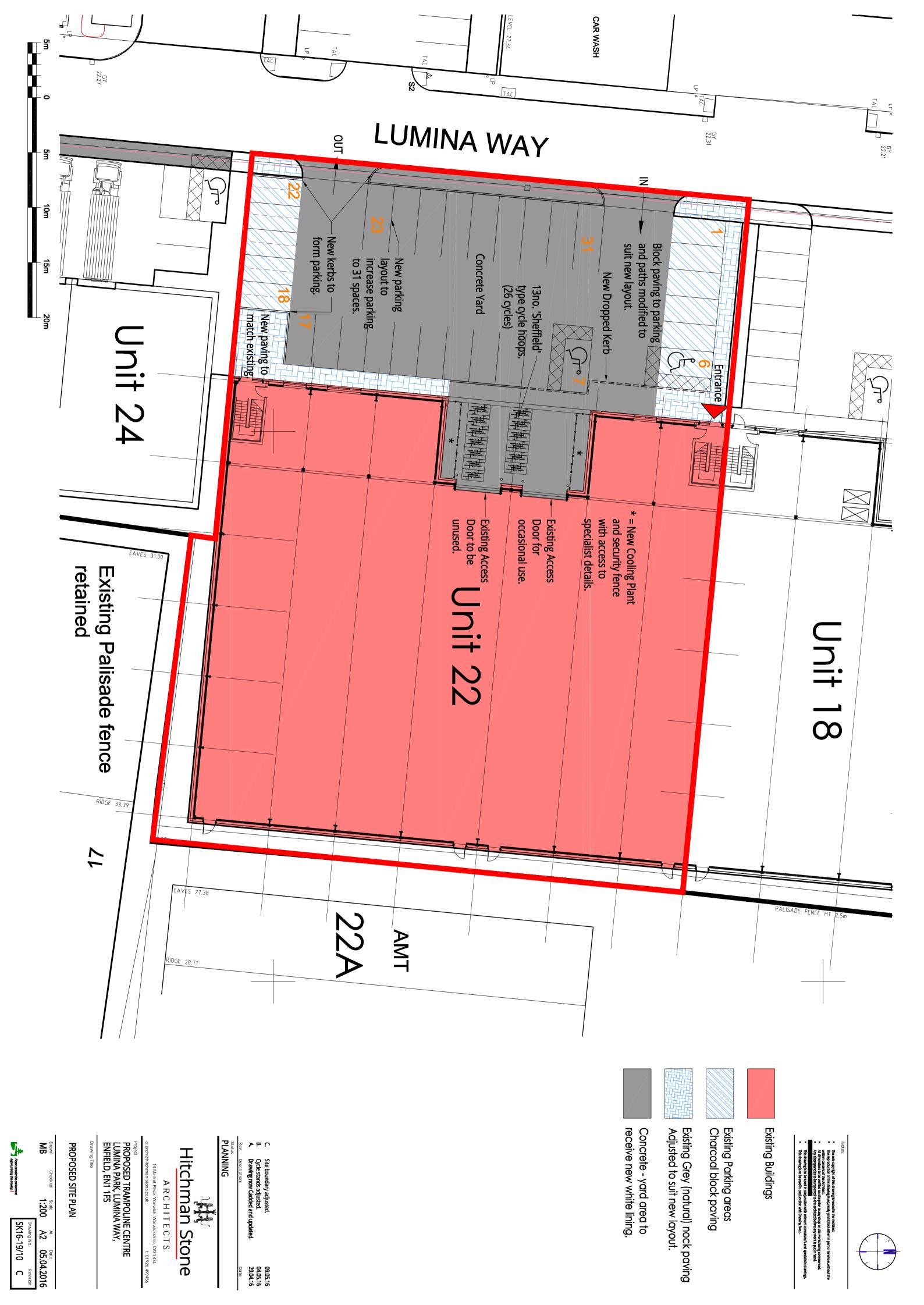
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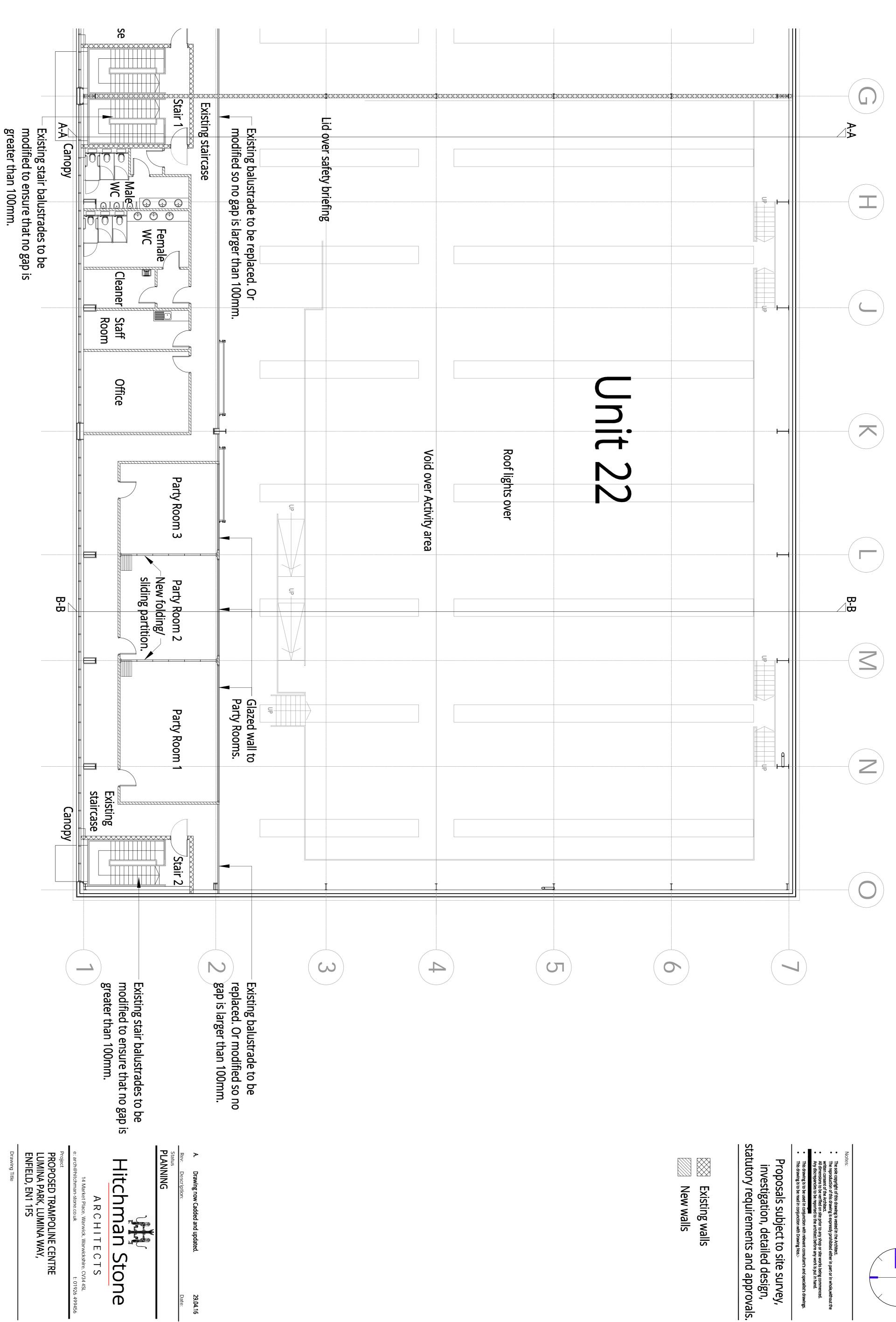
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PROPOSED GROUND FLOOR PLAN

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Please consider the environment before printing this drawing ! Drawn **MB** SK16-19/11 Date **05.04.2016**  $\boldsymbol{\varpi}$ 





written consent of the Architect.

All dimensions to be verified on site prior to any shop or site works being commenced.

Any discrepancies to be reported to the architect before any work is put in hand.

This drawing is to be used in conjunction with relevant consultant's and specialist's drawings.

This drawing is to be read in conjunction with Drawing Nos.:-

**Existing walls** 

New walls

ARCHITECTS

Stone

29.04.16

PROPOSED TRAMPOLINE CENTRE LUMINA PARK, LUMINA WAY, ENFIELD, EN1 1FS

PROPOSED FIRST FLOOR PLAN

1m 0

-**∄** 

1:100 **|**≥³ Date 05.04.2016

Drawn MB

Drawing No.
SK16-19/12  $\triangleright$