

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 27th August 2019

Report of
Head of Planning

Contact Officer:
Andy Higham
Ms Kate Perry
Tel No: 020 8379 3853

Ward:
Turkey Street

Ref: 19/01183/RE4

Category: LBE - Dev by LA

LOCATION: Fern House School, Keswick Drive, EN3 6NY,

PROPOSAL: Demolition of existing school building, modular classroom buildings and caretakers house and replacement with a part 2-storey, part single storey school building, an enclosed all-weather MUGA with external lighting, hard play areas, revised and additional car parking and associated external works (revised plans).

Applicant Name & Address:
London Borough of Enfield
Silver Street

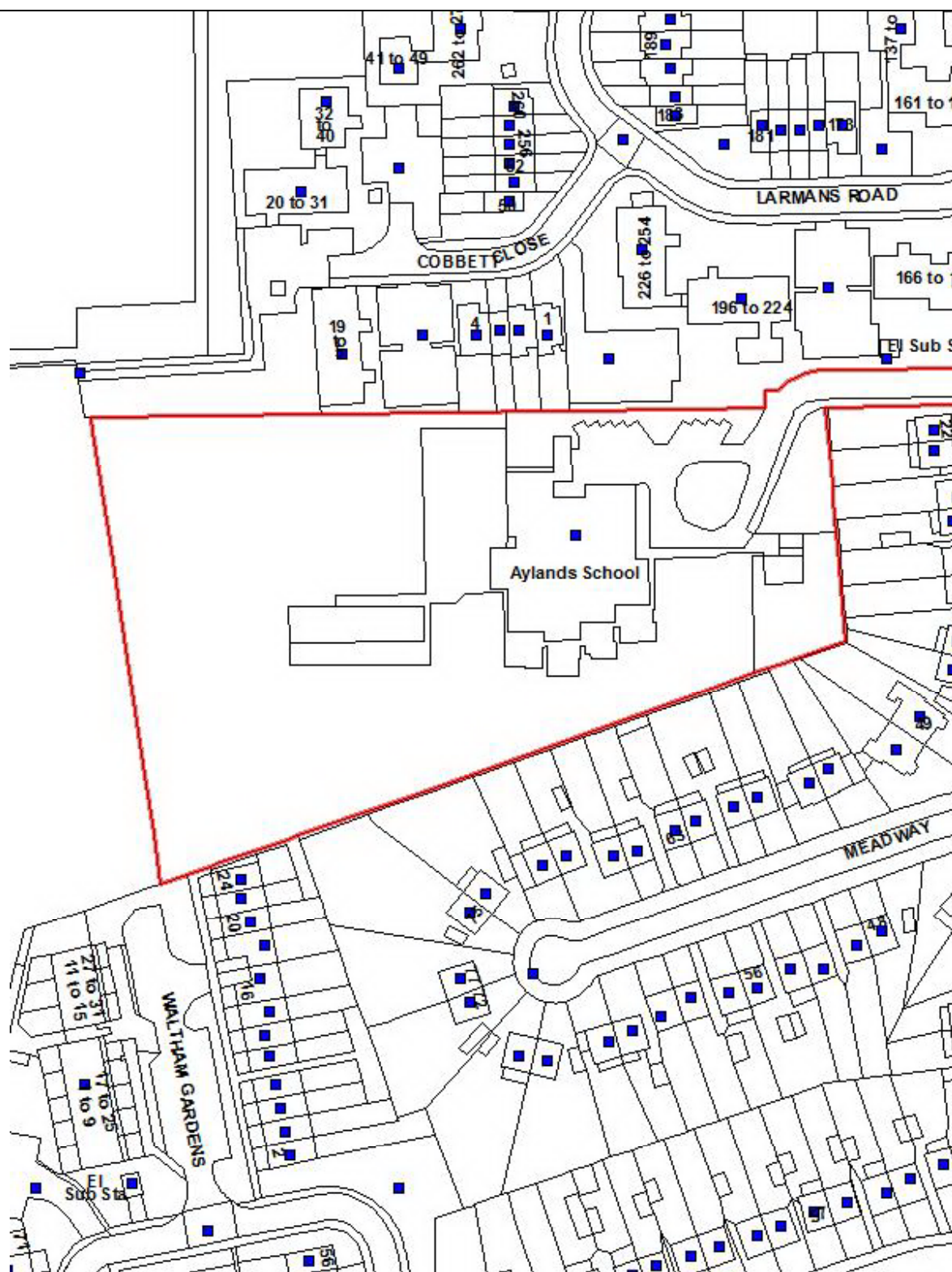
Agent Name & Address:
Mr Richard Bryant
Nicholas House
River Front
Enfield
EN13TF

ADDENDUM:

It is recommended that, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed to be **GRANTED** subject to the conditions contained within the original report to the committee dated 16 July 2019

Note for Members: This application is reported to the Planning Committee as a Council planning application and major development scheme

Ref: 19/01183/RE4 LOCATION: Fern House School, Keswick Drive, EN3 6NY,



1. Executive Summary

- 1.1 This application was considered by the planning committee on 16 July 2019. The application was deferred by Members in order to address two specific issues raised by the planning committee.
- The first issue related to the provision of a statement of community use to add weight to the 'special circumstances' argument put forward in relation to development on the Metropolitan Open Land (MOL); and,
 - The second issue related to a request to provide more information in relation to fire prevention and protection.
- 1.2 These are addressed in turn below. This addendum should be read in conjunction with the original report prepared for the planning committee on 16 July.

2. Community Use Statement

- 2.1 Further to the planning committee on 16th July 2019 a community use statement has been submitted to the Council. The document seeks to demonstrate how the facilities provided on the school site will be available to community groups outside of the usual opening hours of the school and how this will be promoted within the community. The submitted document states the following:
- Fern House School proposes to provide a variety of activities available to the wider community, ranging across the educational, economic and sporting spectrum. To include uniformed organisations for example:
 - a. Police Cadets
 - b. Brownies
 - c. Scouts
 - d. Guides
 - Other organisations for example:
 - a. Adult Yoga groups - for health improvement and development of their skills, particularly amongst low participant groups.
 - b. Karate
 - c. Judo
 - d. Faith meetings
 - e. Youth provision 13 to 16 years and mixed community provision depending on demand.
 - The school will market and promote the facilities for community use in accordance with the agreed aims and targets in the school. It will be marketed as a welcoming, safe, fun environment that encourages more people to participate in sport and physical activity and reviewed on an annual basis.
 - The use of the school for community use will help students to appreciate their wider responsibilities as part of the local community and the facilities will encourage the range, quality and number of school sports club links to stimulate competition and that is inclusive of young people and adults.
 - Such community use will help to place the school at the heart of the local community and strengthen the relationship between the school and its community. Increasing the number of people of all ages and abilities participating in sport and physical activity including people with disabilities.

- The Governing Body will be asked to investigate and promote the school's facilities offered to the Local Community:
 - a. Physical and group use of the school hall by Multi-agency support for children and families on the school site. Signposting to services and activities, for example, child care providers, health advice.
 - b. Floodlit Multi-Use Games Area (MUGA) for a variety of uses, to include local 5-a-side football, training pitch for local football teams, netball and tennis clubs for local children and adults. The MUGA facility would be made available from 4:30pm until 9pm, offering changing/shower/WC facilities and disabled shower/WC changing facilities.
 - c. Gym/Dance Studio
 - d. School Hall Use to include Badminton. Changing/Shower/WC facilities and Disabled Shower/WC Changing facilities
 - e. School Kitchen – catering, children's parties, celebrations
 - f. Car Parking for Community Use
- The building design has taken into account the use of the premises for community use, with a designated entrance into the building for community use, and an adjacent car parking area.
- The site offers:
 - a. Practical spaces that are clutter/equipment free, clean – (especially sports floors and outdoor surfaces, and well maintained (lighting and equipment)).
 - b. Clear community signage with safe and well lit routes for pedestrians, cyclists and cars.
 - c. Door widths to meet published guidance, making movement easier for people pushing buggies, manoeuvring sports chairs, carrying large sports bags.
 - d. The MUGA will be fob controlled, providing direct access into the MUGA.

2.2 The statement identifies that the scheme has been designed with access to the wider community in mind. Given the range of opportunities and facilities available it is considered the school site will provide a well-designed and functional space which will operate effectively for a number of uses that will benefit the wider community.

2.3 With specific regard to the site's Metropolitan Open Land (MOL) location, it is recognised that whilst the main school building, both as existing and a rebuilt, is not located on land designated as MOL, there is an existing large single storey building that presently projects significantly into the MOL that will be removed from the site as part of the redevelopment proposals, being replaced by the comparatively insubstantial MUGA. It is considered that the scheme would therefore have limited physical intrusion into the MOL and would improve the openness of the MOL. The range of community benefits described above provide a significant supporting factor.

2.4 The key impact on the MOL, having regard to relevant policy, is the floodlighting proposed for the proposed MUGA. Having regard to the 'very special circumstances' put forward in the main committee report dated 16th July 2019 and the additional information provided here, it is considered that the limited impact on the MOL is acceptable having regard to the wider community benefits proposed.

3. Fire Safety/ Protection

3.1 Since the planning committee on 16th July 2019, the Agent for the application has submitted additional information in relation to fire safety and protection. A swept path analysis for a fire tender has been submitted and a revised site plan has been submitted which shows a new fire hydrant added.

- 3.2 This additional information has been inspected by the London Fire Commissioner who has advised that the Commissioner is now satisfied with the proposals. They advise that consideration of BB100 (use of sprinkler systems) should be considered in the building control stage of this development not the Town and Country Planning stage as previously stated in their comments of July 2019.
- 3.3 The Fire Commissioner acknowledges that this is a matter to be considered as part of the building regulations process and does not form part of the planning process.

4.0 Conclusion

- 4.1 Having regard to the additional information provided, and the original report presented to the committee on 16th July 2019, it is considered that the proposals remain acceptable and planning permission should be granted subject to conditions.

1.0 Note for Members

This application is reported to Planning Committee because is categorised as a major application and is submitted on behalf of the Council. Under the scheme of delegation, the requires the proposal to be considered by the Planning Committee

2.0 Recommendation / Conditions

2.1 That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed to be GRANTED subject to the following conditions:

1. Time Limited Permission – 3 years
2. development in Accordance with Approved Plans
3. Details of Materials
4. Details of the Surfacing Materials
5. Details of Acoustic Report
6. Details of Construction Management Plan
7. Details of Retained Trees / Proposed Landscaping
8. Details of the proposed fencing
9. Details of a Community Use Scheme
10. Confirmation of Compliance with Secure by Design
11. Details of a STARS compliant travel plan
12. Details of a construction traffic management plan
13. Details of a revised pedestrian route realigned for people and exiting cars/ taxis
14. Details of a Construction Waste Management Plan
15. Details of the 'railing fence' to the southern side of the proposed terrace
16. MUGA Hours of Use – No Later than 21:00
17. Windows in the first floor north and south elevations serving the proposed corridor shall be fixed shut and in obscure glass
18. Demolition works undertaken under the supervision of an appropriately qualified ecologist
19. Bird Habitat / Nesting Protection
20. Scrub Clearance

21. Fox Habitat Safeguards
22. Bird / Bat Boxes
23. Details of Fire Safety Strategy
24. Details of Green / Brown Roof
25. Restricted Use of Flat Roofs
26. Confirmation of BREAM "VERY GOOD"
27. Details of the Sustainable Drainage Strategy
28. SuDS Verification Report
29. Tree Work in Accordance with Arboricultural Report
30. Details of a management Plan for the existing copse in the north western corner of the site
31. Details of an Employment and Skills Strategy

3.0 Executive Summary

- 3.1 The proposal is borne out of an established need to deliver more secondary school places and involves the construction of a part 2-storey, part single storey school building, an enclosed all-weather MUGA with external lighting, hard play areas, revised and additional car parking and associated external works.
- 3.2 The school teaches primary and secondary school children with social, emotional and mental health (SEMH) needs aged between 7 and 16 years and the development proposals will support an increase in the number of pupils from 48 to 64. This will be accompanied by an increase in full time equivalent (FTE) staff of 12, from 23 to 35
- 3.3 Although the proposal involves development on metropolitan open land, the disposition of buildings and development has been carefully considered to minimise visual impact on the open character and a "very special circumstances" case has been accepted in respect of the proposed MUGA element. Sport England also confirm no objection to the creation of the MUGA which involves the loss of some existing playing field given the overall benefits being delivered.
- 3.5 It is considered the development proposals respond to local context in terms of design and due to the relationship to neighbouring properties, will preserve the residential amenities of neighbouring occupiers. Moreover, careful consideration to the retention of trees, landscaping and biodiversity has been integrated into the proposals to address these matters with appropriate conditions recommended. Sustainable construction in terms of its approach to drainage and energy is also set out and subject to conditions, is acceptable
- 3.6 The level of parking is considered acceptable although a condition to encourage a STARS compliant travel plans will seek to reinforce the acceptability of the proposed development in terms of traffic generation and highway safety

- 3.7 Overall, the proposed scheme is considered to meet an established need for residents of the Borough and would appropriately integrate into the character and amenities of the surrounding area.

4.0 Site and Surroundings

- 4.1 The site is located within a residential area of north-eastern Enfield, within the Turkey Street ward. It comprises a largely back land, wedge-shaped site that is accessed by a driveway off the north western end of Keswick Drive: a residential cul-de-sac that is characterised predominantly by two storey semi-detached houses. The access drive runs alongside the end house and garden at No. 22 Keswick Drive.
- 4.2 To the north, the site is bounded mostly by modern three storey blocks of flats on Larmans Road and Cobbett Close plus a short terrace of two storey houses. To the south it is bounded by the rear gardens of the two storey semi-detached houses of Meadway and further east by the northern extent of Waltham Gardens, a cul-de-sac that has two storey terraced housing on its eastern side and four storey maisonette blocks on its western side. To the west, the site is separated by a fence from a plot of open space, which is crossed with established walking routes, beyond which lies a row of four storey blocks of flats fronting Teal Close.
- 4.3 The school comprises of a single storey building located on the front third of the site, served by a hard-surfaced area laid out for parking and circulation. A hard-surfaced area to the rear separates the main block from a rearward projecting single storey modular building, perpendicular to the main block. The rear half of the site is designated in the Council's Development Management Document 2014 Proposals Map as Metropolitan Open Land (MOL) and contains and surrounds the existing modular single storey building that forms part of the school.
- 4.4 The site is not located within a Conservation Area and does not contain a Listed Building. There are also no trees on the site which are subject to a Tree Preservation Order.

5.0 Proposal

- 5.1 Permission is sought for the demolition of existing school building, modular classroom buildings and caretakers house and their replacement with a part 2-storey, part single storey school building, an enclosed all-weather MUGA with external lighting, hard play areas, revised and additional car parking and associated external works.
- 5.2 The school teaches primary and secondary school children with social, emotional and mental health (SEMH) needs aged between 7 and 16 years and the development proposals will support an increase in the number of pupils from 48 to 64. This will be accompanied by an increase in full time equivalent (FTE) staff of 12, from 23 to 35.
- 5.3 The number of car parking spaces will increase from 16 to 30 spaces and new cycle parking will also be provided for 14 bicycles.

6.0 Relevant Planning History

- 6.1 In February 2017 pre-application advice was sought in respect of the proposed demolition of existing building and erection of a single storey school building,

provision of an enclosed MUGA, installation of temporary double classroom, new vehicular and pedestrian access (17/00847/PREAPP)

- 6.2 In September 2010, planning permission was granted for the erection of a detached temporary classroom with a wheelchair/disability access ramp to the north of previously existing buildings, near to the school's northern boundary. (TP/10/1035)
- 6.3 In November 2006 planning permission was granted for the installation of a temporary building to provide 1 classroom with ancillary facilities. (TP/06/1838)
- 6.4 In July 1997 planning permission was granted for the extension of the existing playground by the installation of additional hard landscape areas and removal of existing mound. (LBE/97/0014)
- 6.5 In September 1995 planning permission was granted for the installation of a temporary building to accommodate 2 additional classrooms and ancillary facilities, together with provision of an additional 4 car parking spaces. (LBE/95/0010)

7.0 Consultations

Statutory and non-statutory consultees

Internal

- 7.1 Traffic and Transportation: No objections – subject to conditions
- 7.2 Environmental Health: No objections subject to conditions
- 7.3 Tree Officer: No objections subject to conditions.
- 7.4 SUDs Officer: No objections to the SUDs strategy. Detailed design, cross sections and specifications are to be provided by condition.
- 7.5 Highway Maintenance: No objection to revised proposals subject to condition

External

- 7.6 Sports England: No objection as the development would not reduce the sporting capability of the site. Community use condition recommended.
- 7.7 Designing Out Crime Officer: No objection subject to a secure by design condition.
- 7.8 Thames Water: No objections.
- 7.9 London Fire Brigade: Advise that a fire strategy will be required by condition to ensure that the requirements of the LFB are met.

8.0 Public

- 8.1 Consultation letters were sent to 234 neighbouring residential. There have been 2 rounds of public consultation. The first between 4.4.2019 and 25.4.2019 and the second between 10.6.2019 and 1.7.2019. The second round of consultation was undertaken as amendments to the proposals were received. In particular additional details about external lighting, including security lighting and lighting for the proposed

MUGA, were provided. Two responses have been received at the time of writing this report. The following objections have been raised (in summary):

- Close to adjoining properties
- Development too high
- Increase of pollution
- Loss of light
- Loss of privacy
- Noise nuisance
- Concern re location of additional car parking – don't want it near gardens as could result in additional pollution
- Concern regarding potential for additional overlooking – additional tree planting may help.
- The 2 storey element may disrupt light.
- Concern re noise and security lighting at night.
- Concern re pupils climbing on to the roof of the 2 storey element
- Concern re lighting for the MUGA which will be used outside school hours – leading to extra noise and lighting up to 10 O'clock at night.

9.0 Relevant Planning Policies

9.1 London Plan (2016)

Policy 3.16 Protection and Enhancement of Social Infrastructure

Policy 3.18 Education Facilities

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self sufficiency

Policy 6.9 Cycling

Policy 6.13 Parking

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.17 Metropolitan Open Land

Policy 7.19 Biodiversity and Access to Nature

9.2 Local Plan - Core Strategy (2010)

CP8 Education

CP20 Sustainable Energy use and Energy Infrastructure

CP21 Delivering Sustainable Water Supply, Drainage and Sewerage Infrastructure

CP22 Delivering Sustainable Waste Management

CP30 Maintaining and Improving the Quality of the Built and Open Environment

CP33 Green Belt and Countryside

CP34 Parks, Playing Fields and Other Open Spaces

CP36 Biodiversity

9.3 Development Management Document (2014)

DMD16 Provision of New Community Facilities
DMD37 Achieving High Quality and Design-Led Development
DMD38 Design Process
DMD42 Design of Civic Buildings
DMD45 Parking Standards and Layout
DMD47 New Roads, Access and Servicing
DMD49 Sustainable Design and Construction Statements
DMD51 Energy Efficiency Standards
DMD53 Low and Zero Carbon Technology
DMD57 Responsible Sourcing of Materials, Waste Minimisation and Green Procurement
DMD58 Water Efficiency
DMD71 Protection and Enhancement of Open Space
DMD74 Playing Pitches
DMD78 Nature Conservation
DMD79 Ecological Enhancements
DMD80 Trees on Development Sites
DMD81 Landscaping

9.4 Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

10.0 **Analysis**

Principle of Development

Educational Need

10.1 Policy 3.18 (Education Facilities) of the London Plan 2016 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...Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Those which address the current and projected shortage of primary school places and the projected shortage of secondary school places will be particularly encouraged.”

10.2 The policy continues and states that:

“In particular, proposals for new schools, including free schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.”

10.3 Policy 3.18 also states that:

“Development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged.”

- 10.4 Strategic Objective 5 of the Local Plan Core Strategy 2010 (Education, health and wellbeing) seeks to ensure the capacity and quality of local social infrastructure provision, including schools, is sufficient to meet the needs of Enfield's existing population and new residents and address the inequalities in educational attainment between Enfield's residents particularly in areas such as Edmonton Green, Enfield Highway, Ponders End, Turkey Street and Upper Edmonton, where these issues are more prevalent.
- 10.5 The proposals need also to be considered against Policy 8 (Education) of the Core Strategy which seeks to contribute to improving the lives and prospects of children and young people by supporting and encouraging provision of appropriate public and private sector pre-school, school and community learning facilities to meet projected demand across Enfield. It states that new facilities should be provided on sites that offer safe and convenient access by pedestrians, cyclists and public transport users, and schools will be encouraged to allow the use of buildings for other community purposes in the evenings and at weekends.
- 10.6 Having regard to the above policies, it is clear that the principle of providing new or enhanced educational facilities is strongly supported by adopted policy and the strategic aims of the Council. In this case there is an existing school on-site and therefore no objections are raised to the principle of providing an enhanced educational establishment.
- 10.7 However, whilst the principle of providing an improved educational facility is supported, there are other in principle matters that must be addressed in this case. These include the principle of development on Metropolitan Open Land and the partial loss of a natural sports field. These are considered in turn below.

Metropolitan Open Land

- 10.8 The proposal involves development on land designated as Metropolitan Open Land. Policy 7.17 (Metropolitan Open Land) of the London Plan states that:
- "The Mayor strongly supports the current extent of Metropolitan Open Land (MOL), its extension in appropriate circumstances and its protection from development having an adverse impact on the openness of MOL."*
- 10.9 Policy 7.17 also confirms that the policy guidance of paragraphs 133-142 of the NPPF on Green Belts applies equally to Metropolitan Open Land and that inappropriate development should be refused, except in very special circumstances. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL. Education is not defined as an appropriate use within the MOL.
- 10.10 Core Policy 34 (Parks, Playing Fields and Other Open Spaces) of the Enfield Core Strategy 2010 states that the Council will protect and enhance existing open space and seek opportunities to improve the provision of good quality and accessible open space in the Borough by protecting Metropolitan Open Land (MOL) and extending its designation to include green chains that meet MOL designation criteria.
- 10.11 It also requires improvements to open space and allotment provision through increasing the access to, quantity and quality of publicly accessible open spaces and supporting the community use of non-public open spaces, with priority given to addressing areas of deficiency identified in the Enfield Open Space Study, particularly in the south and east of the Borough.

- 10.12 Policy DMD71 (Protection and Enhancement of Open Space) of the Enfield Development Management Document 2014 states that inappropriate development on land designated as Metropolitan Open Land will be refused except in very special circumstances. In addition, Policy DMD74 (Playing Pitches) states that:

“1. Development involving the loss of playing field land and sports pitches will not be permitted.

2. The preference for new playing field land and sports pitches is natural grass pitches. The Council will only permit artificial grass pitches if all of the following criteria are met:

- a. The location must have very good accessibility by public transport;*
- b. The site must have adequate road access and be able to accommodate car parking;*
- c. The site must be level and have suitable ground conditions;*
- d. The proposal must not harm the character or appearance of the area;*
- e. There is no harm to residential properties in terms of noise and light pollution;*
- f. There is no adverse impact on local flora and fauna.*

3. Applications for new artificial pitches must provide details of proposed landscaping, enclosure and lighting. Applicants must demonstrate how lighting has been designed to prevent loss of amenity to local residents or harm to biodiversity.

4. Applications for artificial pitches that incorporate flood lighting on Metropolitan Open Land and in the Green Belt will be refused unless justified through very special circumstances.”

- 10.13 Having regard to the above policies, it is noted that the new building has been sited on the eastern half of the site which does not fall within the MOL designation. However, the proposed MUGA, fencing and floodlights, playground and equipment, grass pitch, cricket nets and the new fencing to the existing copse would fall within the MOL boundary. There is an existing temporary classroom building currently sited on the MOL and this will be removed.
- 10.14 In relation to criterion 4 of DMD 71, the addition of the MUGA, which incorporates flood lighting, is perhaps the most significant issue here and requires justification through the submission of a case of ‘Very Special Circumstances’. This has been made as follows:

“The needs case for the MUGA is clear in that it is essential to meeting the sporting activity needs of the Fern House pupils. It will also bring significant recreational benefits to the wider community. The MUGA has been sited to minimise its impact on the school site and leave the maximum possible area available for traditional field sports that require a grass surface. The MUGA will complement and enhance this existing provision by enabling multiple sports to be played year-round on an all-weather surface. It will enable more varied and intensive sports use of the site, including longer hours facilitated by the proposed floodlighting. The proposal therefore clearly meets the policy test of providing better quality sports and recreation provision to off-set the loss of existing MOL. It is concluded that the replacement of part of the existing playing field with a MUGA is fully justified in the context of national, London and Enfield planning policies....The MUGA has been sited between the proposed new building and the existing copse in order to minimize its impact on the openness of the site. The MUGA will therefore ‘read’ as part of the prevailing

semi-urban character of the site while leaving the rest of the MOL completely open....In addition, every effort has been made to limit the footprint of the MUGA and height of the fencing to the minimum possible while ensuring the proper functioning of the facility.”

- 10.15 Having regard to the above, it is considered that an acceptable case of ‘Very Special Circumstances’ has been made. The MUGA with flood lighting will enhance the sporting facilities for pupils at the school and will also have a wider public benefit as it will be available for community uses outside of school hours. Lighting details have been provided to demonstrate that the type of flood lighting proposed will minimise light spillage and will concentrate light directly on to the MUGA.
- 10.16 Furthermore, in terms of the impact openness, the siting of the MUGA is such that it will be read against the existing school building to the east and three storey residential dwellings to the north. To the south and separated from the MUGA by the retained playing field are 2 storey residential dwellings. It is noted that the MOL contained within the school site is bounded to the north and south by residential properties which extend significantly further west than the existing school building. Therefore, it is considered that development within this area of MOL is less sensitive in terms of its impact on openness. Fencing has been designed to blend in with the landscape in terms of colour which will minimise the visual impact.
- 10.17 With regard to the other built development on the MOL, it is noted that the structures contribute and enhance the use of the land as a facility for outdoor sport and recreation in association with the primary use of the site as a school. Having regard to the siting of the development with existing buildings to the north, east and west, the developments will have very little impact on the openness of the wider MOL. The existing single storey classroom, which is built on the MOL, will be removed.
- 10.18 Having regard to the above assessment, it is considered that the proposals will be acceptable in terms of their impact on Metropolitan Open Land. A case of ‘very special circumstances’ has been put forward to justify the proposed MUGA floodlighting. The special circumstances put forward make a case which justify the development that outweighs the identified harm to the MOL by reason of its inappropriateness. This includes the provision of superior sporting facilities which meet the educational requirements of the school and also the provision of a community facility which will have a wider public benefit.

Loss of Natural Playing Field

- 10.19 Following on from the impact on the MOL, the impact on the existing natural playing field must also be considered. The proposed MUGA will be built on part of an existing grass playing field. Paragraph 97 of the NPPF is concerned with the loss of playing fields. It states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 10.20 The NPPF is supported by Policy DMD 74 which seeks to resist the loss of natural playing pitches unless it can be demonstrated that the loss is clearly outweighed.

10.21 In this case the proposed MUGA would be located on part of the existing school playing field to the western side of the existing school building. Whilst the development will result in the loss of part of the natural grass playing field, the proposal will re-provide an enhanced sports facility for the existing pupils which can be used for more of the year than the existing playing surface. Furthermore, a large area of grass playing field will be retained. In this regard it is considered that the proposed MUGA is acceptable in principle.

10.22 This view is supported by Sport England who have advised that they have had to consider the application against their exception policy E5. This states that:

The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

10.23 In consideration of this policy Sport England have advised that the MUGA would provide a year round sporting facility which would be of sufficient benefit to outweigh the loss of this area as playing field. In addition, the MUGA will be available to clubs after school, at weekends and during school holidays. These clubs are often run by outside organisations that cater for the wider community and not just children that attend the school. This is a welcome community benefit which weighs further in favour of the development. Sport England have recommended that a community use scheme be provided which sets out how the facilities will be used for wider community purposes. This will be required by condition.

10.24 In light of the above the principle of the development is accepted. However, it must be appraised in relation to other material considerations including, amongst others, achieving a development which is in keeping with the character of the area; maintains adequate amenity for nearby residential properties; and provides sufficient access, servicing and parking provision commensurate with the scale of new development and in accordance with adopted policy.

Conclusion

10.25 Overall, the principle of the educational development in terms of need, development on metropolitan open land and loss of open playing field, when weighed against policy, is considered acceptable.

Impact on the Character of the Area

Design

10.26 The NPPF (section 12) confirms that the Government attaches great importance to the design of the built environment, with good design being a key aspect of sustainable development. London Plan policies 7.4, 7.5 and 7.6 confirm the requirement for achieving the highest architectural quality, taking into consideration the local context and its contribution to that context. Design should respond to contributing towards “a positive relationship between urban structure and natural landscape features...”

10.27 Civic buildings are required by DMD42 to be of a high standard and prominence within their community. They need to communicate their importance and function through architectural cues; they should positively address the public realm; have entrances which are prominent; and be designed to accommodate alternative uses.

- 10.28 The site is accessed via a driveway off Keswick Drive. It is largely obscured from views from public vantage points and is surrounded by the side and rear of two and three storey residential dwellings to the north, east and south. To the west there is an area of MOL from which the site is perhaps most publicly visible. However, views are limited by the existing fencing and mature vegetation boundary. Furthermore, the built area of the site will be well separated from this boundary by the retained school playing field.
- 10.29 The new building has a maximum height of 2 storeys (maximum height 9.4m) with a flat roof. It would be constructed of brickwork which would be in keeping with the residential properties in the surrounding area. Glazing will be used to provide relief in the elevations and minimise the large expanses of brickwork. Details of materials will be required by condition to ensure an acceptable standard.
- 10.30 Whilst the building will not be prominent when viewed from the wider area, it is essential that the entrance of the building is clearly defined, and the building creates an attractive and welcoming environment for future staff and students. In this regard, the proposed building will have a projecting entrance lobby and canopy which clearly defines the entrance to the building and provides the prominence required.
- 10.31 Furthermore, the building has been designed to enable the dual use of it outside of school hours, with the ability to segregate the school hall, changing rooms and toilets for community use. A separate community entrance is proposed.
- 10.32 The overall design of the building is considered to be a sensitive response to the constraints of the site and will not detract from the character and appearance of the street scene or wider area.

Impact on Neighbouring Properties

Loss of Outlook / Light / Overlooking / Loss of Privacy / Distancing

- 10.33 North of the site, the nearest residential properties are approximately 18m distant and comprise the rear elevation of 2 storey terraced properties fronting Cobbett Close. The separation to these properties is provided by their rear gardens and external play areas for classrooms located towards the northern boundary. The first floor element would be set in a further 12m (approximately) from the boundary. There would be one window in the flank elevation at first floor level. This is not a primary window and will provide light for a corridor. In order to ensure privacy is maintained it is recommended that this window be obscure glazed and non-opening. This will be required by condition.
- 10.34 Having regard to this distancing, and subject to the imposition of a condition relating to obscure glazing, it is considered that the development will not lead to an unacceptable loss of outlook, light, overlooking and loss of privacy for the residential properties to the north having regard to Policy 7.6 of the London Plan, Core Policy 30, Policies DMD8 and DMD10 of the Development Management Document.
- 10.35 Turning to the southern site boundary, the new school building would be located a minimum of 25m from the nearest residential properties to the south of the site. Given this separation, the proposal does not raise concerns in relation to loss of light and outlook and nor would it appear overly dominant.

- 10.36 In relation to privacy and windows proposed in the southern elevation, only one first floor window is proposed. As with the northern elevation, this will provide light for a corridor and in order to ensure privacy is maintained it is recommended that it be obscure glazed and non-opening. In general, the first floor windows and doors have been concentrated to the east and west elevations to minimise any concerns relating to overlooking to the north and south which are closer to residential properties. There is glazing in the southern elevation of the proposed sports hall but as this is a double height room, the glazing in the upper portion of the elevation will not result in additional overlooking.
- 10.37 At first floor an external terrace is proposed which will be located towards the southern site boundary. This will be contained by the proposed school building to the east and west and by a 2.4m high metal 'railing fence' to the north and south. No concerns are raised in relation to overlooking to the north due to the separation to the boundary. However, due to the proximity to the southern boundary a condition is recommended that details of railing fence are provided. It is considered that the fence should be of solid construction with no visual permeability to prevent any overlooking (actual or perceived) of the residential properties to the south.
- 10.38 With regard to residential properties to the east, these will be separated from the new building by a minimum of approximately 50m and therefore no concern is raised in relation to privacy, loss of light or outlook or the development appearing overly dominant for these occupiers.

Noise and General Disturbance

- 10.39 Paragraph 180 of the NPPF considers noise impacts of development. It confirms that policies and decisions should aim to:
- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
 - mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
 - recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
 - identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.
- 10.40 London Plan policy 7.15 encourages development proposals to manage noise through appropriately locating noisy activity away from noise sensitive receptors or through mitigation where appropriate. Core Policy 32 recognises the noise pollution should be minimised and DMD68 provides the criteria upon which developments will be assessed.
- 10.41 The current proposal is for a replacement school on an existing school site. The proposal will involve a small increase in pupil and staffing numbers (see 'proposal' section of this report) but the limited level of increase is such that it will not result in unacceptable additional noise and disturbance given the existing context.

- 10.42 With regard to new plant and machinery, the Council's Environmental Health Officer has requested that an acoustic report be provided to demonstrate that proposed plant and machinery will not lead to unacceptable noise implications for nearby residential occupiers. This will be required by condition. The applicant is aware that, if the results of the acoustic report are not satisfactory, equipment may need to be moved or alternative machinery employed. The applicant has agreed to this approach.
- 10.43 The current proposal will involve external play space extending right up to the northern site boundary which adjoins the rear gardens of properties in Cobbett Close. The applicant has confirmed that in order to minimise any disruption new 2.5m high acoustic barrier fencing will be provided along this boundary to minimise any impacts.
- 10.44 The proposed MUGA will be located in relatively close proximity to residential properties to the north, set in a minimum of 6m from the northern site boundary. The three storey flats closest to the proposed MUGA are positioned at a perpendicular angle to the site and therefore they will not directly overlook the MUGA. It is likely that the provision of the MUGA will concentrate activity in this area which will be available later in to the evening (due to the lighting) and for more of the year. In order to ensure any noise and disturbance is minimised a condition is recommended that use of the MUGA shall cease at 9pm. This has been agreed by the applicant.
- 10.45 Access and car parking for the development will be provided to the east of the proposed school building. It is considered that any noise and disturbance generated will not be significantly different to the existing situation in terms of vehicle movements. A new staff car parking area is proposed in the position of the existing caretakers house to be demolished. This will be located a minimum of 6m from the rear boundary of properties fronting Keswick Drive and in excess of a minimum of 25m from the rear elevation of the nearest buildings. Given this separation and the mature boundary planting including established trees, the new parking area will not have an unacceptable impact on the residential amenities of these properties in terms of noise and general disturbance.
- 10.46 Having regard to the above, it is considered that the development will not unduly impact on the existing amenity of neighbouring occupiers with regard to noise and disturbance. The development is considered to comply with Policy 7.15 of the London Plan, Core Policy 32, Policy DMD68 of the Development Management Plan.

Lighting

- 10.47 The NPPF advises that through the encouragement of good design, policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The supporting text to London Plan policy 7.5 confirms the balance that must be struck between issues of safety / security and reducing light pollution. Core Policy 32 recognises the need to minimise light pollution and DMD69 confirms that development which results in light pollution that has a harmful impact on local amenity, nature conservation/wildlife and environment will not be permitted. Restrictions on the hours of operation may be imposed.
- 10.48 Given the sensitivities of the site, near to MOL and residential properties, an external lighting scheme should be designed to minimise the impact of light spillage / light trespass whilst obviously providing the necessary level of lighting for functional use.

- 10.49 It is noted that details of the lighting for the proposed MUGA have been provided and this has been accompanied by a lighting report which demonstrates that lighting for the MUGA has been designed to minimise light spillage and to concentrate lighting on the playing surface. As discussed previously, the use of the MUGA will be restricted so that it is only used until 9pm at which point the associated lighting will be switched off. This will be secured by an appropriately worded condition in order to minimise any impacts on nearby residential occupiers.
- 10.50 A lighting plan has also been submitted showing the other external lighting proposed on the school site. This has been minimised to reduce light spillage whilst also providing the required security for the site.
- 10.51 Having regard to the above and subject to the imposition of relevant conditions, the development should have sufficient regard to the impact of lighting on adjacent sensitive receptors, having regard to Core Policy 32 and Policy DMD69 of the Development Management Document.

Traffic and Highway Considerations

- 10.52 Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (6.12) and parking (Policy 6.13). Policies DMD45 and 47 provide the criteria upon which developments will be assessed with regard to parking standards / layout and access / servicing.

Trip generation

- 10.53 The proposed increase in staff and pupil numbers will lead to approximately 9 additional vehicles movements in the AM peak (3 for pupils by private car and 6 by staff in private cars). This is not a significant number to be accommodated on the local highway network and no concerns are raised.

Pedestrian access

- 10.54 Separate pedestrian access to the site and routes within it are being provided so this is acceptable.

Vehicular access

- 10.55 The plans have been revised to include separate car / taxi and minibus drop off routes. Traffic and Transportation have confirmed that this is acceptable in principle. However, it appears that the proposed design for cars / taxis will lead to people having to exit vehicles and cross the verge before reaching a footpath. It has been suggested the pedestrian route is realigned so it directly serves the drop off area. The applicant has agreed to this amendment and a revised plan will be required by condition.

Car Parking

- 10.56 In terms of car parking, the applicant's assessment of mode share for staff shows that 50% travel by car. If staff numbers increase to 35 (FTE) and they are all on site at one time, this would indicate a requirement for approximately 18 spaces. There should also be an up to 10% allowance for visitors so approximately 20 spaces are required. 30 spaces are proposed in this case. The applicant has explained that a

higher number of visitor car parking spaces are required as many of the staff are part time and therefore the actual number of staff on site at any given time may be significantly higher than the FTE suggests. The requirements of the children are such that on top of the full-time teachers a number of specialist staff members will attend the site for a limited time each week. Therefore, a higher number of visitor parking spaces are required. Having regard to this specific need, it is confirmed have confirmed that the 30 spaces proposed are acceptable. However, the applicant should commit to seeking to achieve STARS accreditation with a focus on reducing the use of private cars for staff. This will be required by condition.

- 10.56 Provision for disabled parking and electric vehicle charging points is identified on the submitted plan and is acceptable.

Cycle parking

- 10.57 The revised plans show that 14 long-stay cycle parking spaces and two short-stay spaces will be provided. This is in accordance with the pupil and staff travel patterns and is acceptable. The long stay provision is sheltered, and the secured cycle storage area is acceptable.

Refuse and recycling

- 10.58 The existing arrangements will continue which is an acceptable approach.

Travel plan

- 10.59 The school is in the process of developing a travel plan and becoming STARS accredited. A condition of the planning permission should be that they are required to submit a STARS compliant travel plan and that they will progress with accreditation so that they are to at least a bronze standard within 1 year of the new school being occupied. The travel plan should include the existing and proposed mitigation measures as set out in the submitted Transport Statement.

Construction traffic

- 10.60 The location of the development (at the end of a narrow no through road) means the provision of a separate Construction Traffic Management Plan is required. This will be required by condition.
- 10.61 Having regard to the above, the proposal is considered to make adequate provision for access and parking in accordance with Policies 45 and 47 of the DMD.

Sustainable Design and Construction

Biodiversity / Ecology

- 10.62 Policy 7.19 of the London Plan ("Biodiversity and access to nature") requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management of biodiversity. Core Policy 36 of the Core Strategy confirms that all developments should be seeking to protect, restore, and enhance sites. Policy DMD79 advises that on-site ecological enhancements should be made where a development proposes more than 100sqm of floor space, subject to viability and feasibility.
- 10.63 The proposal involves the demolition of existing buildings on the site. A Preliminary Ecological Survey and Bat Survey dated 30.11.16 has been submitted. This has

been followed by an addendum to the preliminary ecological appraisal dated 14.1.2019.

- 10.64 The proposed works are largely confined to the central section of the school which is dominated by buildings and hardstanding. The updated ecological appraisal has identified that the condition of buildings on the site has not changed since the original survey was undertaken. The buildings were subject to detailed inspection for the potential for roosting bats and evening emergence surveys for bats (undertaken in June 2017). No bats were noted emerging/ re-entering the buildings during these surveys. A condition is recommended that demolition should be undertaken under the supervision of an appropriately qualified ecologist and if any evidence of bat roosts is found works shall cease until a licence from the Statutory Nature Conservation Organisation for development works affecting bats has been obtained and a copy submitted to and approved in writing by the council.
- 10.65 The surveys identified evidence of common pipistrelle and Leisler's bats on site during the bat surveys in 2017. Potential foraging and commuting habitats on site include the woodland and treelines along the boundaries, which will be retained, as well as the adjacent habitats to the west of the site comprising the MOL. In order to ensure there is no adverse impact on these bats a sensitive lighting scheme is recommended. The submitted lighting scheme has been designed to minimise light spill is considered to be acceptable in this respect.
- 10.66 None of the trees identified as to be removed show evidence of potential to support roosting bats.
- 10.67 The area of woodland located on site, in the north-western corner will be retained within the proposed development. All scattered trees and the trees within the woodland area on site, to be retained within the proposals, should be protected in accordance with British Standard 5937:2012 Trees in Relation to Design, Demolition and Construction. General principles for tree protection have been outlined within the Arboricultural Impact Assessment and should be implemented to protect retained trees. This will be required by condition.
- 10.68 Evidence of foxes on site were also identified during the ecological assessments. Whilst foxes are not a protected species, they are subject to animal welfare laws. As such it is recommended that a pre-works checks for this species are completed by the site contractors, and an ecologist is contacted for further advice if they may be harmed during site works. Care should be taken if any areas of scrub along the western boundary of the site are to be removed. This will be required by condition.
- 10.69 Several widespread bird species were also noted on site during the ecological surveys. The woodland, scattered trees and areas of scattered scrub provide potential nesting habitats for breeding birds. The removal of any trees, scrub and nest boxes, should this be required, should be timed to avoid the main bird nesting season, and carried out September to February inclusive to avoid any potential offences relating to the disturbance of active nests. If this is not possible, removal works must be immediately preceded by a nesting bird check completed by a suitably qualified ecologist to confirm the absence of any active nests. If present, nests must be cordoned off by a buffer zone to protect them until the end of the nesting bird season or until the young have fledged.
- 10.70 The majority of the habitats on site, including the amenity grass and hardstanding have negligible potential to support widespread reptile species, but the areas of scrub on the western boundary of the site, and the deadwood piles within the woodland

area provide some potential refugia habitats for widespread reptiles. A reptile survey was carried out on the adjacent grass field to the west of the site in April 2017 to June 2017 and found that this adjacent site supported a good population of common lizards. The most recent record for common lizard is from June 2017 and located approximately 30m from the site. It is therefore likely that common lizards will be using the suitable habitats within the site boundary. As such, any areas of dense scrub or deadwood habitat piles to be removed from site must be removed under ecological supervision, following a fingertip search of the area for any reptiles by an ecologist. Any animals found must be caught and transported to an area away from potential harm (e.g. in adjacent rough grass field). This will be required by condition. This condition is also applicable to the protection of hedgehogs which have also been identified on the site.

- 10.71 Further enhancements to the ecological value of the site will be required by condition. These could include the provision of green roofs and/or the addition of bird and bat boxes to the building and surrounding trees. Each of the aforementioned can be secured by condition.
- 10.72 Having regard to the above, the proposed development will not unduly impact upon the existing ecological value of the site but through measures to be secured by condition, will serve to enhance the value of the site in accordance with policy 7.19 of the London Plan, CP36 of the Core Strategy and policy DMD79 of the Development Management Document.

Trees

- 10.73 An Arboricultural Impact Assessment has been provided. Trees were categorised in accordance with BS5837:2012 to establish their condition, age and quality. Category A trees are of high quality, contribute to local amenity, and should be retained if possible. Category B trees are of moderate quality with an estimated life expectancy of at least 20 years. Category C trees are considered to be of low quality, with either a limited life expectancy, or very young trees with a stem diameter of not more than 150mm, or very little contribution to local amenity. Category U trees are ones in such a poor condition that they cannot realistically be retained as living trees.
- 10.73 While the retention of many trees can be accommodated, some conflict is unavoidable. The submitted report identifies that 24 category B and C trees will need to be removed to allow for the proposed development. Given their categorisation this is considered acceptable particularly having regard to the wider benefits of the proposals.
- 10.74 The report identifies that the impact on retained trees can be minimised through the employment of specialised protection methods and construction techniques to root systems and allow the healthy retention of trees. The use of these specialist methods and compliance with the submitted AIA will be required by condition. In addition to the retention of the majority of the site's significant trees, new tree planting is proposed as part of the landscape strategy. Full details will be required by condition.
- 10.75 The submitted tree report recommends that the existing copse in the north western copse undergoes proactive management to improve the quality of the tree stock as well as structural and biodiversity. To this end it is recommended that a plan be prepared to establish the management aims and objectives based on potential use. Consideration should be given to access, use by students, improving tree quality and species diversity and the creation of wildlife habitat. Management operations would include selective thinning, new planting, management of regrowth and undesirable

species and the introduction of wildlife homes such as nest boxes, wood piles, bee and butterfly houses etc. This will be required by condition.

- 10.76 In light of the above, in the long-term, it is considered that the proposal provides opportunity to enhance the Arboricultural contribution the site makes to the character and appearance of the area, providing that appropriate construction and tree protection methods are adopted and adhered to and replacement planting and proactive management of the retained tree stock is undertaken. The proposal is therefore considered in accordance with DMD 80 and DMD 81 of the Council's Development Management Document.

Energy

- 10.77 Adopted policies require that new developments achieve the highest sustainable design and construction standards having regard to technical feasibility and economic viability. The submitted sustainability appraisal identifies that the scheme has been estimated to achieve a carbon emission reduction of 36.1% beyond Part L of the 2013 Building Regulations. Photovoltaic panels on the roof are to provide significant energy savings.
- 10.78 Evidence demonstrating that the proposal meets BREEAM 'very good' will be required by condition.

Drainage

- 10.79 London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively. Core Policy 28 ("Managing flood risk through development") confirms the Council's approach to flood risk, inclusive of the requirement for SuDS in all developments. Policy DMD59 ("Avoiding and reducing flood risk") confirms that new development must avoid and reduce the risk of flooding, and not increase the risks elsewhere and that Planning permission will only be granted for proposals which have addressed all sources of flood risk and would not be subject to, or result in unacceptable levels of flood risk on site or increase the level of flood risk to third parties.
- 10.80 DMD61 ("Managing surface water") requires the submission of a drainage strategy that incorporates an appropriate SuDS scheme and appropriate greenfield runoff rates.
- 10.81 A SuDS strategy has been submitted and the SuDS officer has confirmed that the use of infiltration as proposed is appropriate. A condition requiring details of the method of source control is though required (roof gardens or planters could be utilised). Detailed designs, including cross sections and specifications, of the SUDs features can be required by condition.

Employment and Skills

- 10.823 There is a requirement for an Employment and Skills Strategy in accordance with the provisions of the Enfield Section 106 SPD. The Council is committed to maximising the number and variety of jobs and apprenticeships available to residents of the borough and maintaining and encouraging the widest possible range of economic activity, including the availability of a skilled labour force. To this end, the Council will seek agreement with developers to secure appropriate planning obligations for employment and training initiatives as part of development proposals. The Council is committed to maximising the number and variety of jobs and apprenticeships

available to residents of the borough and maintaining and encouraging the widest possible range of economic activity, including the availability of a skilled labour force.

- 10.84 In the interest of being positive and pro-active, aiming to avoid any s106 agreement which might delay the development, the Local Planning Authority has agreed that Employment and Skills Strategy in accordance with the provisions of the Enfield Section 106 SPD, could be secured through a planning condition.

11. Community Infrastructure Levy (CIL)

- 11.1 The proposal would not be liable for either the Mayoral or Enfield CIL.

12.0 Conclusion

- 12.1 Having regard to the above assessment it is recommended that the proposed development is acceptable against adopted policy and should be approved. The proposal will provide an enlarged and enhanced educational facility for students with SEMH needs. It will respond to the local context in terms of design and will preserve the residential amenities of neighbouring occupiers. The proposals are considered acceptable in terms of their impacts on MOL, biodiversity and trees and make adequate provision for access and parking, sustainable urban drainage and energy saving.

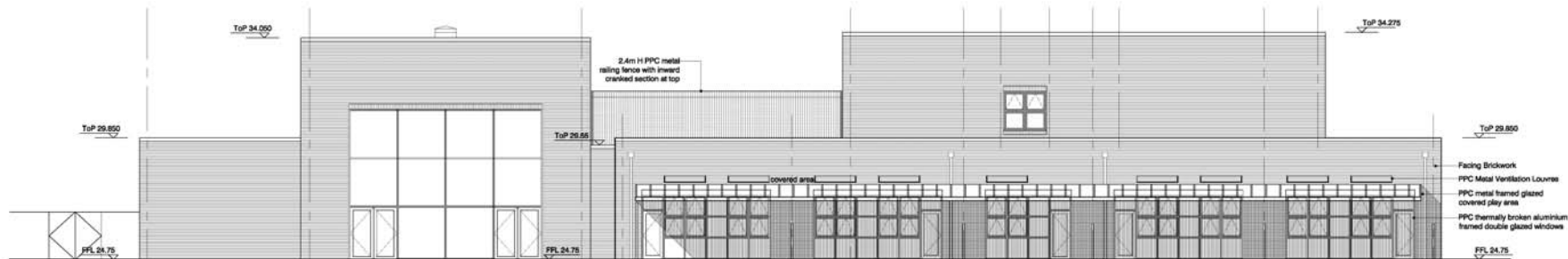


GENERAL NOTES:

1. No drawings are to be scaled from this drawing; all dimensions should be brought to the attention of the CA.
2. This drawing is to be read in conjunction with the Technical Impact Assessment.

Key:

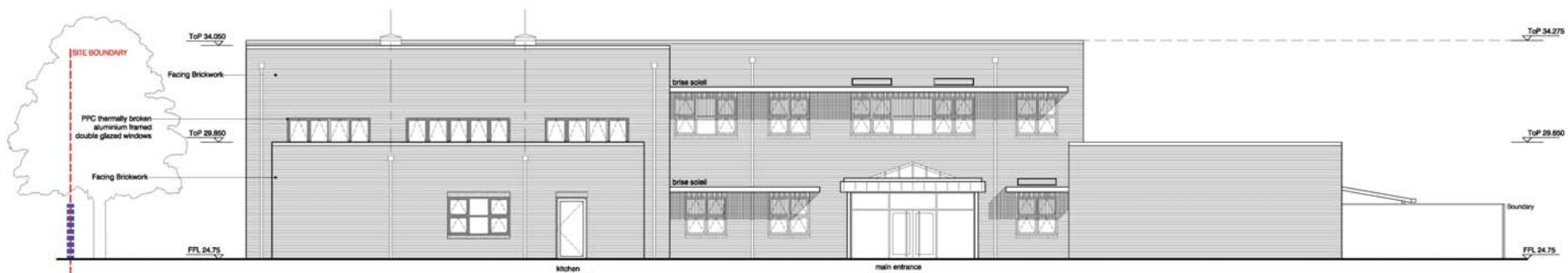




North Elevation



South Elevation



East Elevation



West Elevation

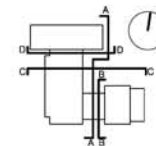


Notes:
1. No dimensions are to be scaled from this drawing

Key:

Site Boundary

New 2.4mH anti-climb weldmesh fence & gates



KEY PLAN

A 02.19 Planning application

Rev. Date Description Name

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FERN HOUSE SCHOOL
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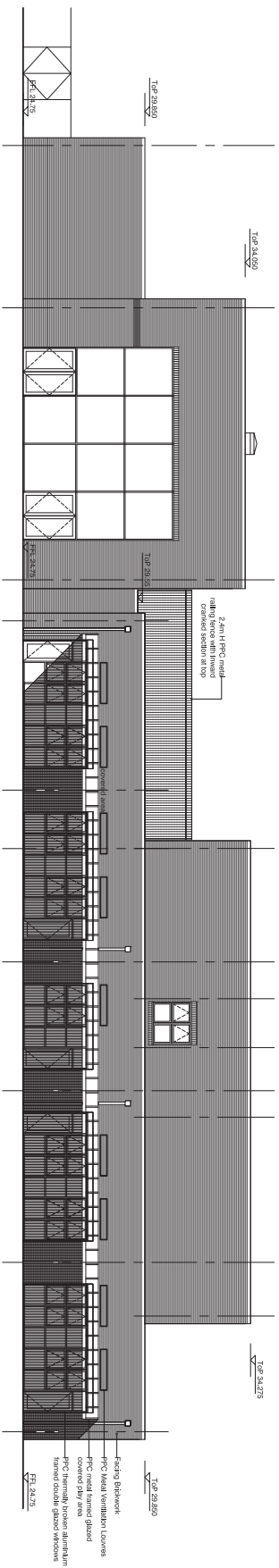
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date February 2019 scale @ A1 1:500

PROPOSED ELEVATIONS

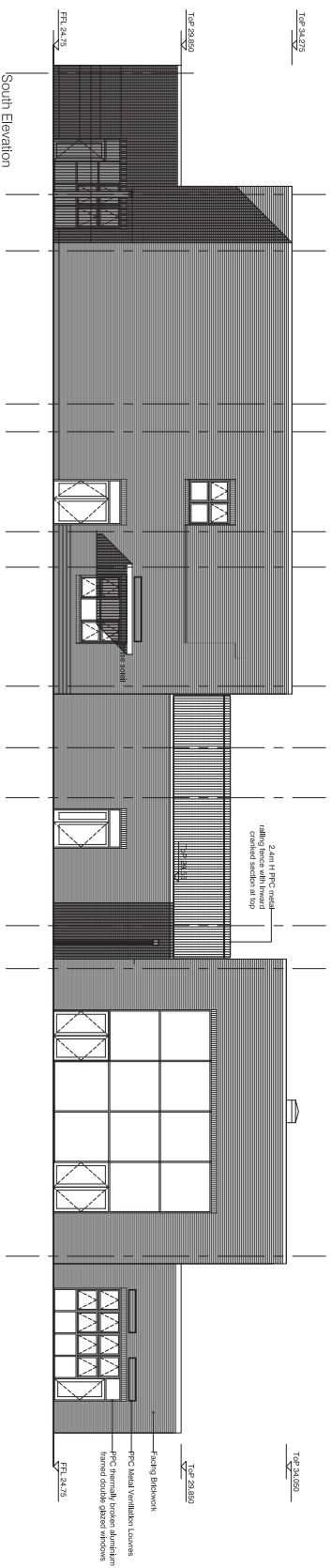
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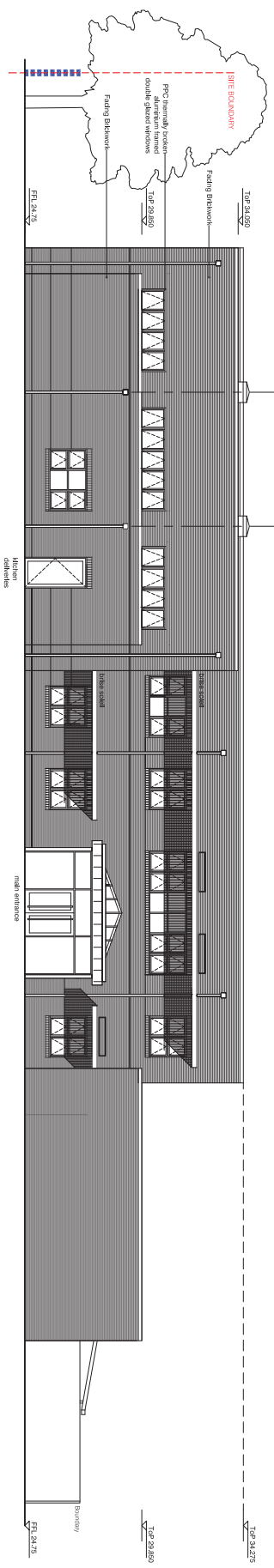
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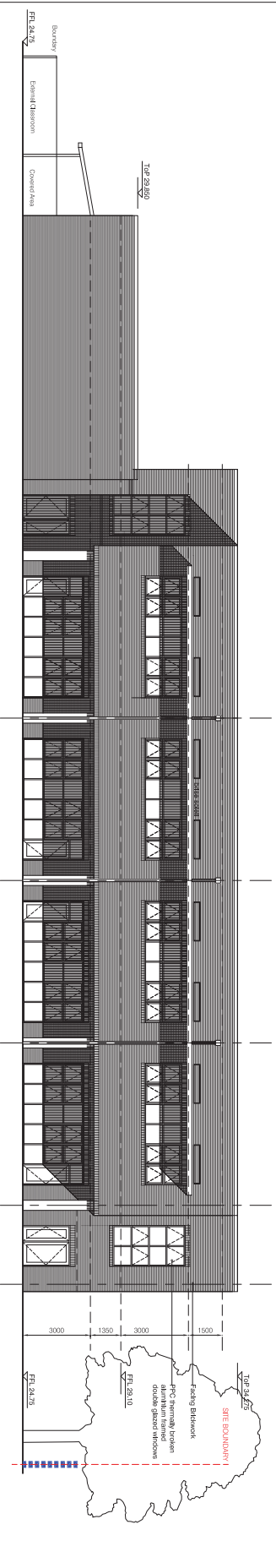
North Elevation



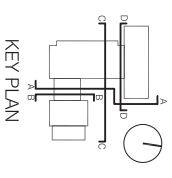
South Elevation



East Elevation



West Elevation



KEY PLAN

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Site Boundary

New 2.4mH anti-climb weldmesh fence & gates

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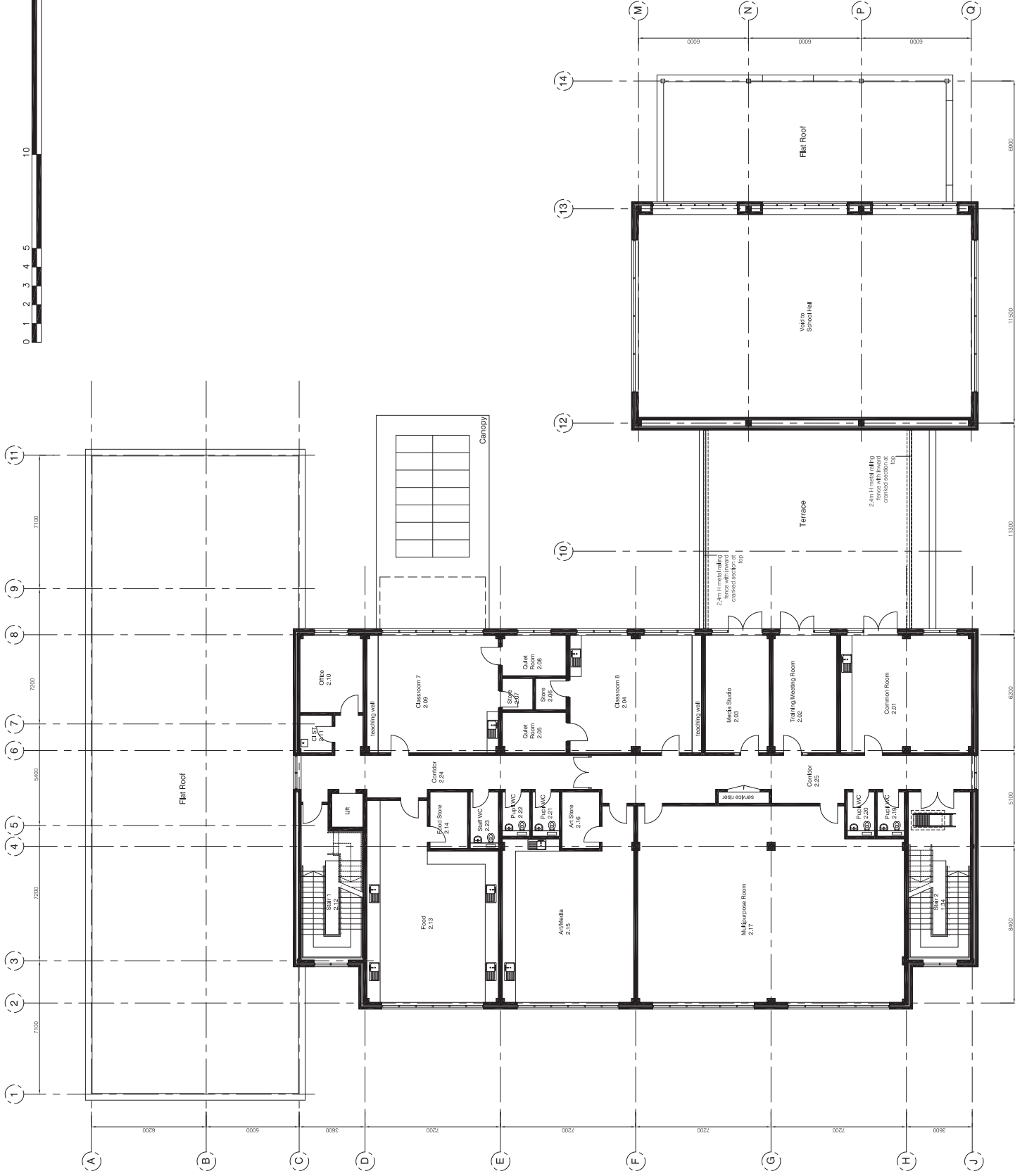
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PROPOSED ELEVATIONS

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PROPOSED FIRST FLOOR PLAN

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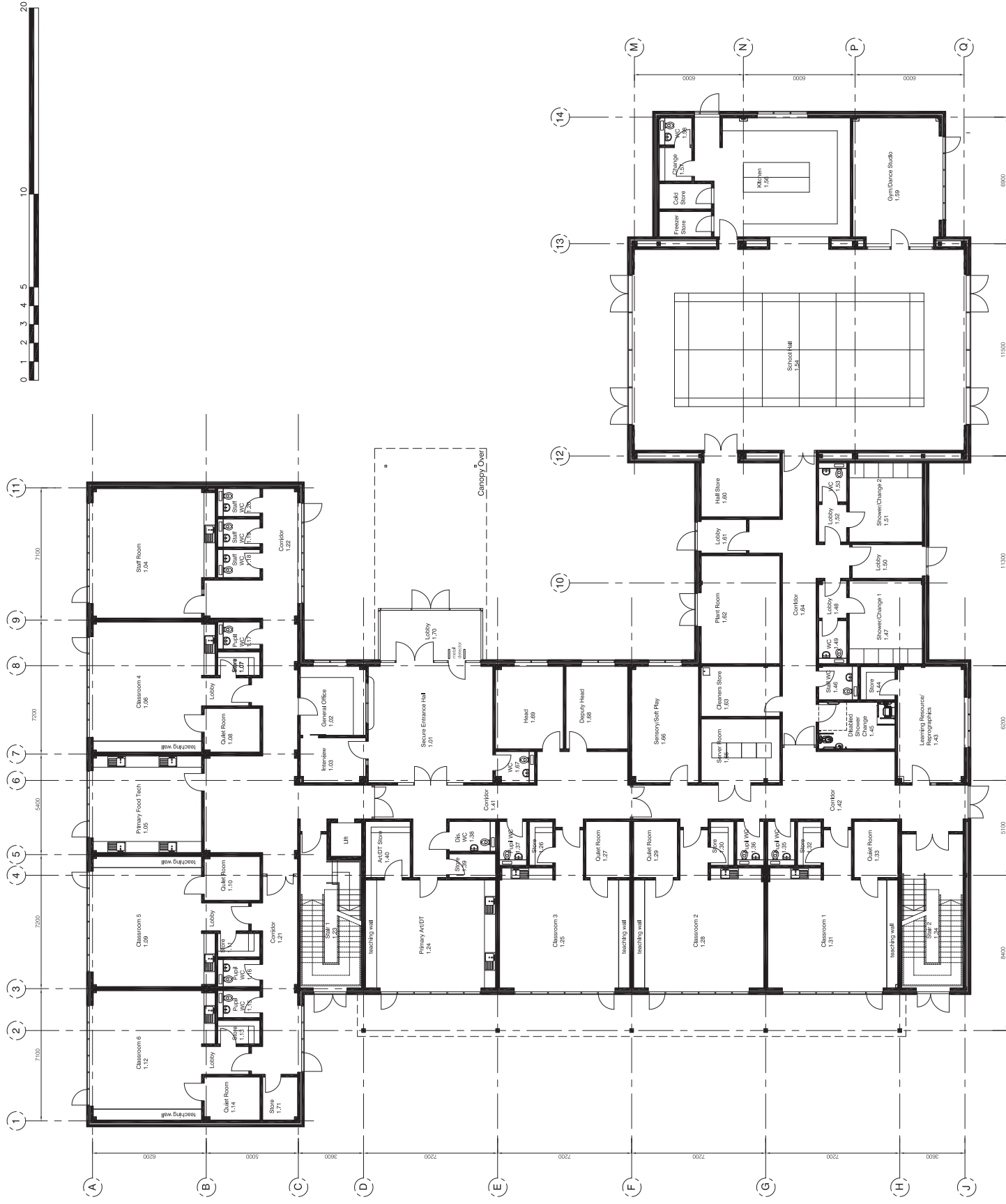
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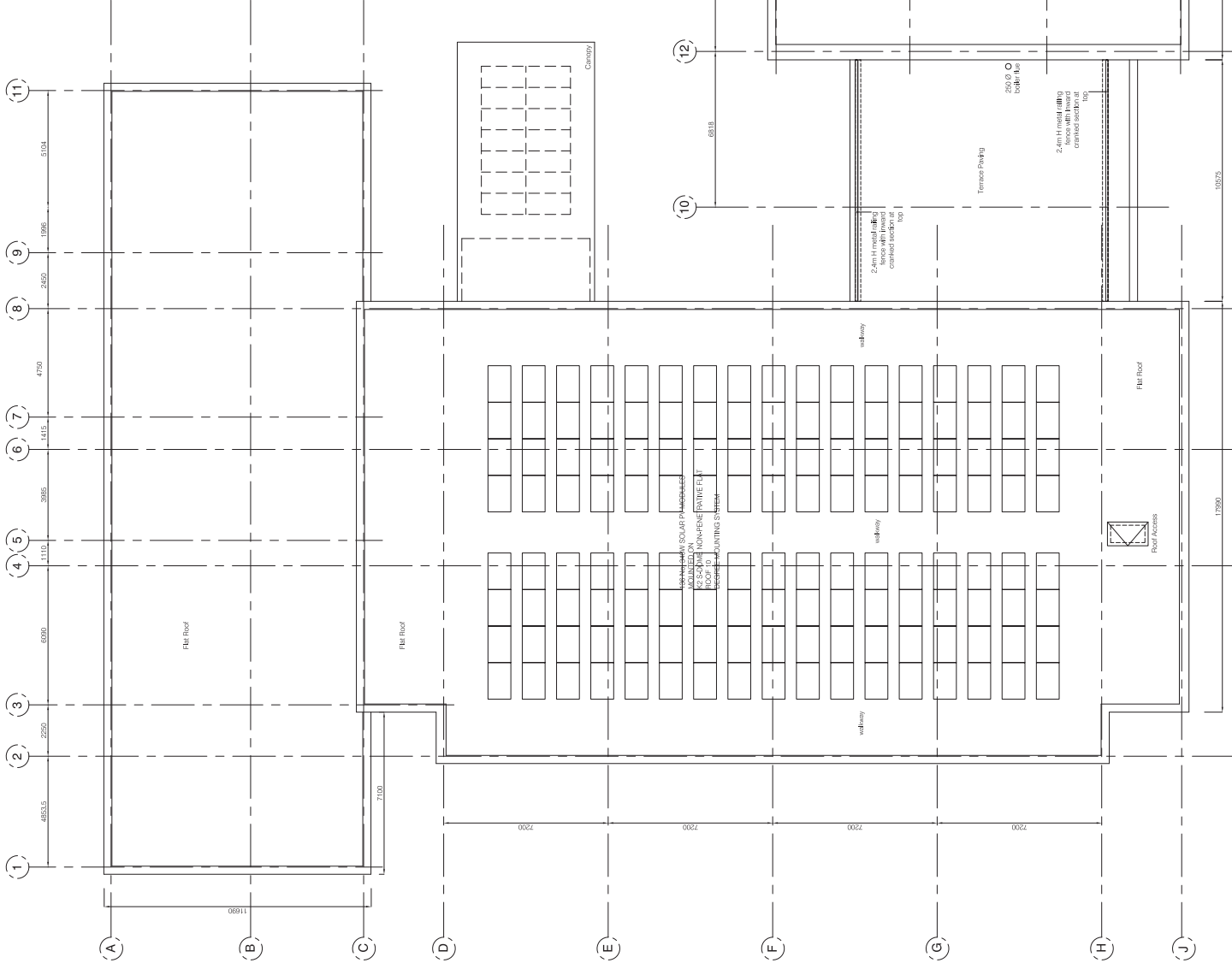
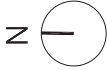
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PROPOSED GROUND FLOOR PLAN

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Fern House School
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drawn: FLW
scale: 1/20
date: February 2019

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PROPOSED ROOF PLAN

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