



Appeal Decision

Site visit made on 15 September 2022

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2022.

Appeal Ref: APP/Q5300/D/22/3297144

16 Melville Gardens, Southgate, London N13 6ET

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Leena Jugnarain against the decision of the London Borough of Enfield.
 - The application Ref 21/04372/HOU dated 22 November 2021, was refused by notice dated 6 April 2022.
 - The development proposed is retention of outbuilding and rear boundary wall.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit, the development was in place. The application form made clear that the scheme had been submitted retrospectively and I have dealt with the appeal on that basis.

Main Issue

3. The main issue in this appeal is the effect the proposed development would have on the risk of flooding.

Reasons

4. The appeal site is located within a predominately residential area, within Flood Zone 2. The National Planning Policy Framework (in footnote 55) states that site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3.
5. Planning Practice Guidance¹ confirms that minor development, such as that proposed, are unlikely to raise significant flood risk issues unless they would have an adverse effect on a watercourse, floodplain or its flood defences; they would impede access to flood defence and management facilities; or where the cumulative impact of such developments would have a significant effect on local flood storage capacity or flood flows.
6. Even minor developments can affect flood risk within the site or beyond. The proposal is for minor development and as such a pragmatic approach should be taken to the scope and level of detail provided in the required flood risk assessment. However, as a minimum, the assessment needs to demonstrate

¹ Paragraph: 051 Reference ID: 7-051-20220825

that the development will be safe for its users for the intended lifetime of the development, without increasing flood risk elsewhere, and be sufficiently flood resistant and resilient to the level and nature of the flood risk.

7. Whilst the appellant submitted a flood risk assessment with the planning application I find that it does not provide details to demonstrate that the proposal would not represent an unacceptable risk to flooding. For instance, by providing a plan showing the finished floor levels and estimated flood levels and any flood resistance and resilience measures necessary.
8. There is conflict with Policy CP28 of the Enfield Plan Core Strategy 2010-2025 (2010), Policies DMD59, DMD60 and DMD62 of the Enfield Development Management Document (2014) which amongst other things seek to ensure that the developments avoid and reduces the risk of flooding and does not increase the risks elsewhere. There is also conflict with the Framework, which echoes these policies concerning flooding and flood risk.

Conclusion

9. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR