



Appeal Decision

Site visit made on 7 January 2025

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 January 2025

Appeal Ref: APP/Q5300/W/24/3351415

1 Old Park Grove, Enfield EN2 6PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Mustafa Savash against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/01578/FUL.
 - The development proposed is sub-division of site and erection of a detached 2-storey single family dwelling at side/rear accessed via Old Park Grove involving associated parking, refuse storage.
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Decision

1. The appeal is allowed and planning permission is granted for sub-division of site and erection of a detached 2-storey single family dwelling at side/rear accessed via Old Park Grove involving associated parking, refuse storage at 1 Old Park Grove, Enfield EN2 6PW in accordance with the terms of the application, Ref 24/01578/FUL, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is whether there is an adequate sustainable drainage strategy that demonstrates how the risk of flooding would be managed and utilises Sustainable Urban Drainage Systems.

Reasons

3. The appellant provided a SuDS report with the application which the Council consider provided inaccurate information with regard to some of the calculations. I have reviewed the report and can see that the runoff attenuation was calculated having regard to the demolition of existing hard surfaced areas. In regard to the information provided within the report on runoff attenuation I am satisfied that while there is a minor difference, this is now less than originally indicated and as such is acceptable.
4. The Council consider that the greenfield run off rate should be calculated for the whole site area, based on the size of the proposed development. However, the appeal proposes the removal of an existing shed and outbuilding which would result in a change. The SuDS report has taken account of the removal of these hardscaped areas and therefore represents an accurate calculation for the greenfield run off rate.

5. The SuDS system needs to store runoff from a 1 in 100-year event plus climate change and discharge as close to greenfield rates as possible. The amount of storage required has again been calculated on the basis of the removal of some hardscaped areas and proposes a stone rubble rain garden which has a storage volume in excess of the volume required. I am therefore satisfied that the amount of storage proposed would be adequate to store runoff from a 1 in 100-year event plus climate change.
6. I therefore conclude that the proposed drainage strategy would be adequate and the risk of flooding would be managed utilising Sustainable Urban Drainage Systems. I find no conflict with Policy SI 13 of the London Plan, Policies CP21 and CP28 of the Enfield Council Core Strategy Adoption November 2010, Policies DMD59, DMD60, DMD61 and DMD62 of the Enfield Development Management Document Adopted November 2014 and the Enfield Strategic Flood Risk Assessment 2008. Amongst other things, these seek to ensure that sustainable drainage measures are incorporated within new developments, direct developments to the lowest areas of flood risk and not increase flood risks elsewhere.

Conditions

7. I have considered the Council's suggested conditions in the event I were to allow the appeal. Where necessary, and in the interests of clarity and precision, I have slightly altered them to more closely reflect the advice in the Framework and the Planning Practice Guidance.
8. Condition 1 is the standard condition which relates to the commencement of development and condition 2 specifies the approved plans for the avoidance of doubt.
9. Condition 3 is necessary in order to ensure a landscaping scheme and management plan is submitted. While I note that a landscaping site block plan has been provided with the appeal, the submitted plans are lacking some details and there is no information on management.
10. Condition 4 is required in order to ensure that a construction management plan is submitted to protect the living conditions of neighbouring occupiers. Condition 5 is required in order to ensure that details of the external materials and hard surfaced areas are submitted to and approved by the Council to ensure a satisfactory appearance.
11. Condition 6 is required in order to secure cycle parking to encourage the use of sustainable modes of transport for future occupiers. Condition 7 is required in order to demonstrate reduced water consumption and condition 8 requires details of waste and refuse storage to ensure future occupiers have adequate provision.
12. Condition 9 seeks to ensure that no structures are erected to restrict the visibility of vulnerable users. Condition 10 is required in order to ensure that the machinery uses meets emission standards and condition 11 requires an energy statement to ensure emission targets are met.

13. The Council have proposed the removal of permitted development rights for buildings, extensions, windows and doors. However, the sites location which backs onto the railway and the windows and doors already proposed are either angled away from neighbouring properties or obscure glazed. I have therefore not found it exceptionally reasonable or necessary to remove these permitted development rights and I have therefore not imposed these conditions.

Conclusion

14. For the reasons given above the appeal should be allowed.

D Wilson

INSPECTOR

Schedule of conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the approved plans reference:

001 – Proposed Floor & Roof Plans
002 – Existing & Proposed Elevations
003 – Block Plan
004 – Location Plan
005 – Proposed Driveway
006 – Block Plan
SE/10PG/06 – Existing Cross Section
SE/10PG/04 – Front Garden Plan
SE/10PG/05 – Driveway Section Details
PM/10PG/01 – Site Location Plan
SE/O1PG/07 – Proposed Cross Section
Sustainable Drainage Strategy Report SuDS dated May 2024
SE/10PG/02 Rev C – Proposed Landscaping Site Block Plan
SE/10PG/03 – Rain Garden Construction Details
3. The development shall not commence until details of a landscaping plan detailing trees, shrubs and grass to be planted and the treatment of any hard surfaced amenity areas has been submitted to and approved in writing by the Local Planning Authority. The plan shall include a landscaping management plan and predicted growth detail so as to ensure the plantings are appropriately maintained. The site shall be landscaped in accordance with the approved details in the first planting season after completion or occupation of the development whichever is the sooner. Any trees or shrubs which die, becomes severely damaged or diseased within five years of planting shall be replaced with new planting in accordance with the approved details.
4. No development, including the demolition of the existing building, shall not commence until a Construction Management Plan has been submitted to and approved by the Local Planning Authority. The Construction Management Plan shall be written in accordance with London Best Practice Guidance and contain:
 - A photographic condition survey of the public roads, footways and verges leading to the site;

- Details of construction access and associated traffic management;
- Arrangements for the loading, unloading and turning of delivery, construction and service vehicles;
- Arrangements for the parking of contractors' vehicles;
- Arrangements for wheel cleaning;
- Arrangements for the storage of materials;
- Hours of work;
- The storage and removal of excavation material;
- Measures to reduce danger to cyclists;
- Dust mitigation measures;
- Membership of the Considerate Contractors Scheme.

The development shall be carried out in accordance with the approved Construction Management Plan unless otherwise agreed by the Local Planning Authority.

5. The development shall not commence until details of the external appearance of the development, including the materials to be used for external surfaces of buildings and other hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details before it is occupied.
6. Prior to occupation, cycle parking should be provided in compliance with the following criteria:
 - Provision of a minimum of 4 (2 for the existing dwelling and 2 for the proposed new dwelling) long stay cycle parking spaces
 - in an accessible location: the access route to the store should be a minimum of 1.2m wide to enable the bike to enter the store, should be step free and involve no more than 2 doors or gate (excluding the store door) which must also have a minimum opening width of 1.2m
 - secured: with a British Standard mortice lock or access fob
 - fully enclosed: 4 walls and a roof
7. Prior to occupation details of the internal consumption of potable water have been submitted to and approved in writing by the Local Planning Authority. Submitted details will demonstrate reduced water consumption through the use of water efficient fittings, appliances, and recycling systems to show consumption equal to or less than 105 litres per person per day. The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.
8. Prior to first occupation details of the design of refuse storage facilities including facilities for the recycling of waste to satisfy the future number of occupiers on site, shall be provided within the development, in accordance with the London Borough of Enfield - Waste and Recycling Planning Storage Guidance ENV 08/162. In particular, waste collection vehicles must be able to get within 25m of the refuse storage point. Residents should not have to carry waste further than 30m.

9. Prior to first occupation, no structure higher than 0.6m should be within 2m from either side of any vehicle access point.
10. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register.
11. Following practical completion of works a final Energy Performance Certificate with accompanying Building Regulations compliance report shall be submitted to and approved in writing by the Local Planning Authority. Where applicable, a Display Energy Certificate shall be submitted within 18 months following first occupation.