
Appeal Decision

Site visit made on 18 August 2025

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th August 2025

Appeal Ref: APP/Q5300/W/25/3361390

87 St Marks Road, Enfield, London EN1 1BJ

- 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 Mesut Aksu against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 24/03708/FUL.
 - The development proposed is a single storey side and rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether it has been demonstrated that the appeal site is suitable for the proposed development having regard to flood risk.

Reasons

3. The appellant's submitted plan shows that a culvert runs immediately adjacent to the northern appeal site boundary. This area of land is outside of the appeal site and comprises an access and parking area for the adjacent properties. The proposed extension would be within 8m of the culvert. Development within 8m of a culvert may affect its structural integrity, consequently increasing flood risk to nearby properties.
4. The appellant has suggested that a cantilever foundation system could be used to redistribute the load of the extension, mitigating the risk of damage or obstruction. Whilst this evidence is noted, no structural calculations or other relevant technical evidence has been provided with regards to whether the structural integrity of the culvert would be affected by the proposed development. As such, insufficient information has been provided to demonstrate that the proposal would not have an adverse impact on the culvert, thereby increasing the risk of flooding.
5. The Council's Watercourses Team engineer advises that the site is at risk of surface water flooding. They have specified measures which are required to be addressed in a site specific Flood Risk Assessment (FRA). They clearly outlined what information should be provided to address this matter.
6. The Procedural Guide for Planning appeals (April 2025) states that the appeal process should not be used to evolve a scheme and there are no provisions for amendments or further documents to be submitted. It is important that what is

considered at appeal is essentially the same scheme that was considered by the Council and by interested parties at the application stage.

7. However, the appellant's statement of case sets out various measures. It is proposed to raise finished floor levels by 300mm. Although this would reduce the potential for water ingress, it is not clear that this would not reduce the flood storage on the site. Nor has a flood management or evacuation plan been provided.
8. The evidence suggests permeable surfacing materials and sustainable drainage systems such as soakaways and attenuation tanks would be introduced. However, I am unable to ascertain where these would be located or whether they would be of a suitable capacity, design or location to be effective. Limited details on the flood resilience strategy, including flood barriers and non-return valves on drainage systems have been provided and it is not definite whether they would be effective at reducing flood risk to the site or neighbouring properties.
9. As such, I do not have detailed evidence before me that addresses the requirements of the specialist evidence from the Council's Watercourse Team. There is also no evidence that the Environment Agency has been consulted and would be satisfied with the proposals. Therefore the Council's position that the proposed development has not provided satisfactory evidence has not been countered by the information provided with the appeal.
10. I conclude that it has not been demonstrated that the appeal site is suitable for the proposed development having regard to flood risk. The proposal would not comply with Policies CP21 and CP28 of the Enfield Plan Core Strategy 2010-2025, adopted November 2010. Policies DMD59, DMD60 and DMD61 of the Enfield Development Management Document, adopted November 2014. The proposal would also conflict with Policies S112 and S113 of the London Plan, The Spatial Development Strategy for Greater London, March 2021. Together and insofar as these are relevant to the appeal, these seek, amongst other matters, to minimise and mitigate flood risk, ensure satisfactory FRA's are provided and that proposals do not result in a net loss of flood storage and manage surface water run-off.
11. Furthermore the proposal would not align with the requirements of paragraphs 170 and 181 of the National Planning Policy Framework 2024. The Framework similarly seeks to ensure that flood risk is not increased elsewhere, and where appropriate, applications are supported by a site-specific flood-risk assessment.

Other Matters

12. I note the Council has not objected to the proposed design of the development or the effect on the occupiers of neighbouring buildings. These are neutral matters. The proposal would also provide economic benefits during the course of construction and to the appellant for the business. However, the weight I attach to the harm arising from flood risk is substantial and overriding of any benefits. That there are other buildings in close proximity to the culvert does not justify new development not fully demonstrating that the proposal would not increase flood risk.

Conclusion

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal should be dismissed.

K Williams

INSPECTOR