



Appeal Decisions

Site visit made on 30 July 2025

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2025

Appeal A Ref: APP/Q5300/W/25/3362233

18 Waggon Road, Enfield EN4 0HL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Mo Abbassi against the Council of the London Borough of Enfield.
 - The application Ref 22/03207/RM sought approval of details pursuant to condition No 1 of a planning permission Ref 18/01591/OUT granted on 9 October 2019.
 - The development proposed is the principle of sub-division of residential use on site; formation of vehicular access to the rear and landscaping (all matters reserved).
 - The details for which approval is sought are all the reserved matters: appearance, access, landscaping, layout, and scale.
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Appeal B Ref: APP/Q5300/W/25/3362234

18 Waggon Road, Enfield EN4 0HL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Mo Abbassi against the Council of the London Borough of Enfield.
 - The application Ref 22/03208/CND sought approval of details pursuant to conditions Nos 3,5,6,7,9,10 and 11 of planning permission Ref 18/01519/OUT granted on 9 October 2019.
 - The development proposed is the principle of sub-division of residential use on site; formation of vehicular access to the rear and landscaping (all matters reserved).
 - The details for which approval is sought are: condition 3- design of building and existing and proposed levels; condition 5- surfacing materials; condition 6 – planting; condition 7 – enclosure details; condition 9 -refuse storage facilities; condition 10 - cycle parking arrangements; and condition 11- surface water drainage (SuDs).
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Decisions

Appeal A

1. The appeal is dismissed and the reserved matters: appearance, access, landscaping, layout, and scale, pursuant to condition 1 of planning permission ref. 18/01591/OUT are not approved.

Appeal B

2. The appeal is dismissed and the details submitted in respect of condition no's 3,5,6,7,9,10 and 11 of planning permission ref. 18/01591/OUT are not approved.

Applications for costs

3. An application for costs has been made by Mr Mo Abbassi against the Council of the London Borough of Enfield in respect of both Appeal A and Appeal B, this is the subject of a separate decision.

Preliminary Matters

4. Both the appeals have been submitted on the basis of the failure of the Council to determine the respective applications within the prescribed period. Appeal A is a reserved matters application seeking approval of all matters, the Council has provided a statement setting out how they would have determined that application and said the details for all the reserved matters are acceptable. Appeal B relates to an application for approval of details required by other conditions on the same outline planning permission¹ (OP), and the Council has said that the details for all the conditions the subject of that application are satisfactory. Notwithstanding this, and noting the comments of interested parties, it is still necessary for me to firstly assess whether these details pursuant to both appeals are consistent with the OP.
5. The OP is subject to condition 1 which requires the submission of all reserved matters, including access, within 3 years of that decision. The Council confirmed that the application for the reserved matters (Appeal A), which was made on 15 September 2022, was within 3 years of the OP and consistent with Condition 1.
6. It is also noted that the application for the OP requested access to be considered at outline stage, as set out on the outline application form, and the Council in its report were clear that access was to be considered at outline stage. The Council also imposed condition 2 on the OP that required adherence to 3 no. approved plans, including the access details. Notwithstanding condition 1 of the OP, the main parties have been asked for their comments regarding whether access has already been considered at outline stage. The appellant has said they are not aware access was withdrawn from the outline application, the Council did not respond. Condition 1 would therefore appear to have been imposed in error requiring access details to be a reserved matter. Nevertheless, as I am not aware of any appeal against that decision, or any variation to it, the OP stands.
7. The approved plans referred to in Condition 2 of the OP relate not only to access, but also to amongst other things, the layout of the proposed development; its parking and turning areas; its landscaping; and sections through the site and a roof plan for the proposed new dwelling. The proposed plans for Appeal A are not consistent with those approved plans as set out within condition 2, and there are some significant differences between them and those proposed as part of the reserved matters application. Notably, a change to the access (crossover position and width), the width of the internal access road, gate positions, and the parking and turning areas. Neither is the proposed dwelling's shape and roof plan consistent with all the approved details, there are also differences with the approved plans and proposed landscaping details. Again, and in the interests of fairness, both main parties have been asked for their comments on this issue. Whilst there has been no response from the Council, the appellant has responded, and their comments have been taken into account in my decision. However, as ultimately Appeal A is not consistent with the terms of the OP, as set out within condition 2, there is no possibility that Appeal A could be allowed. On this basis, I have not needed to consider the planning merits of Appeal A any further.
8. In terms of Appeal B, the details submitted for condition no's 3,5,6,7,9,10 and 11 are also not consistent with the approved layout and roof plans approved under condition no.2 of the OP. Notably, there are inconsistencies with, the design and

¹ Ref 18/01591/OUT granted on 9 October 2019

appearance of its proposed roof; the proposed ground levels and finished floor level of the new house would differ (shown to be some 2 metres different); the position of the landscaping; the position of the boundary treatment for the entrance to both the retained property and the new property; and the position of the proposed cycle and bin stores would be inconsistent with the approved layout plan. In respect of condition 5, even if I were to find the submitted details acceptable, they are shown on the proposed plans that are inconsistent with the approved plans, therefore requiring adherence to those details would be in conflict with the already approved plans. For the same reasons given above for Appeal A, it is also not possible for the details submitted in regard to Appeal B relating to condition no's 3,5, 6,7, 9,10 and 11 to be approved as they are not consistent with the OP. Consequently, there is no possibility the Appeal B could be allowed, and it is not necessary to consider the merits of that appeal any further.

9. I acknowledge the appellant's comments in respect of the processing of the application, and the comments made in support of the proposed development, along with the range of objections raised by interested parties beyond the above procedural points. However, given the irregularities set out above between both appeals and the OP, it has also not been necessary for me to consider the comments further.

Conclusion

10. For the reasons given above, I conclude that Appeal A and Appeal B should be dismissed.

A Hunter

INSPECTOR