



Appeal Decision

Site visit made on 27 August 2025

by **N Armstrong BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 October 2025

Appeal Ref: APP/Q5300/W/25/3367221

76 Dartford Avenue, Edmonton, Enfield N9 8HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant subject to conditions of consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by Mr Ceyhan Arican against the decision of the Council of the London Borough of Enfield.
- The application Ref 25/01278/CND sought approval of details pursuant to condition Nos 4, 5, 7, 8, 9, 10, 11 and 14 of a planning permission Ref 22/02258/FUL granted on 22 August 2022.
- The development proposed is sub-division of site and erection of an end-of-terraced 2-storey dwelling house.
- The condition in dispute is No 7 which states that: *"Prior to the commencement of above ground works details of surface drainage works have been submitted and approved in writing by the Local Planning Authority. The details shall be based on an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles as set out in the Technical Guidance to the National Planning Policy Framework and shall be designed to a 1 in 100 year storm event allowing for climate change. The drainage system shall be installed/operational prior to the first occupation and a continuing management and maintenance plan put in place to ensure its continued function over the lifetime of the development. The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter"*.
- The reason given for the condition is: *"To ensure the sustainable management of water, minimise flood risk and to minimise discharge of surface water outside of the curtilage of the property in accordance with Policy CP28 of the Core Strategy, Policies SI 12 & SI 13 of the London Plan and the NPPF (2021)"*.

Decision

1. The appeal is allowed, and the details submitted pursuant to condition No 7 attached to planning permission 22/02258/FUL granted on 22 August 2022 in accordance with the application dated 3 April 2025 and the details submitted with it are approved.

Background and Main Issue

2. The grant of planning permission includes condition 7 requiring the submission and approval of surface water drainage works for the new development. The condition states this shall be based on an assessment of the potential for disposing of surface water by means of a sustainable drainage system.
3. The main issue is whether the submitted details are sufficient for the condition to be discharged to ensure the sustainable management of water.

Reasons

4. The new development would be constructed in the garden area to the side of the appeal property. The existing landscaping plan indicates that the side and rear garden area of the appeal site comprises grass and soft planting with an existing

permeable block paved driveway to the front. I observed a predominantly soft landscaped area to the side and rear garden with a section of hard surfaced pathway to the side of the existing dwelling and extending past the rear elevation, as well as a small, paved patio area to the rear of the dwelling. Trees are also situated within and to the boundaries of the site.

5. The appellant submitted a Sustainable Drainage Strategy Report SuDS (2024) (the SDSR) with the application seeking to discharge condition 7. The SDSR includes calculations and estimations based on the existing and proposed landscaping plans, as well as calculations to inform the size and depth of the proposed rain garden and its soakaway. Soakaways formed from plastic crates are also proposed to the front of the host and new property.
6. Based on the extract from the Council's validation requirements, proposals requiring a Sustainable Drainage Strategy should contain, amongst other things, geological information including borehole logs, depth to water table and/or infiltration test results. Whilst this wording includes 'and/or', this suggests that either or both may need to be provided to ensure there is sufficient information to demonstrate that the proposed scheme is appropriate for the site, but may not be required in all cases. The Council made the application valid on the basis of the submitted information, although the comments from SuDS Highway Services refer to the need for on site infiltration testing.
7. The appellant has provided detailed supporting information within the SDSR, including on geological information and infiltration rates based on site conditions, which indicate that the scheme would exceed the required storage. Their appeal submission further substantiates this assessment, including observations from constructing an extension to the dwelling. The Council has not provided any further information to indicate why this is insufficient and inadequate, or explained why on site infiltration testing is required in this instance in addition to the SDSR.
8. It is not clear if the existing areas of path and patio would materially affect the conclusions of the SDSR, although the drainage scheme has been designed to mitigate the loss of what is states to be a larger area of soft landscaping. Notwithstanding this, I consider there is sufficient information in respect of the geology of the site and likely infiltration rates to demonstrate that the proposed scheme is appropriate and that runoff will be able to drain away sufficiently.
9. I conclude that the submitted details adequately demonstrate they are sufficient for the condition to be discharged to ensure the sustainable management of water. This would be in accordance with Policy CP28 of The Enfield Plan Core Strategy 2010-2025, Policy 61 of the Improving Enfield Development Management Document (2014) and Policies SI 12 and SI 13 of The London Plan (2021). Amongst other things, these policies require sustainable drainage systems (SuDS) in all developments and to ensure that SuDS measure(s) are appropriate having regard to site conditions/context and geology.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed.

N Armstrong

INSPECTOR