



Appeal Decision

Site visit made on 16 December 2025

by **P Burley BA (Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal Ref: APP/Q5300/W/25/3374922

24 Gloucester Road, London N18 1HL

- 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 Mrs Sonia Douglas against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 25/02040/FUL.
 - The development proposed is the erection of single storey rear extension and conversion of dwelling into two self-contained flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the appeal form differs from that on the planning application form, albeit the appeal form indicates that the description of development has not changed. I have therefore used the description on the planning application form.
3. The appellant's name as noted in its Statement of Case is different to the name on the planning application and appeal forms. I have used the name on the planning application form given that only the original applicant may make an appeal¹.

Main Issue

4. The main issue is flood risk.

Reasons

5. On my site visit I saw that various internal works had been undertaken at the appeal site. However, as the proposed rear extension had not been constructed it was not possible to gauge in person the relationship between its finished floor level (FFL) and the adjoining land. Therefore, I have based this decision on the measurements and other information in the appellant's submissions.
6. The appellant submitted a revised Flood Risk Assessment (v1.2, dated 9 September 2025) (FRA) to address comments from the Council relating to its initial submissions. The FRA includes proposals for the use of sustainable drainage systems (SuDS) measures to improve surface water run-off.

¹ <https://www.gov.uk/government/publications/planning-appeals-how-to-complete-your-appeal-form/making-your-appeal-how-to-complete-your-planning-appeal-form>

7. Based on the Environment Agency's Surface Water Flood Risk Maps, the appellant's Statement of Case (SoC) states that the only theoretical source of flood risk is surface-water ponding in a 1 in 1,000-year event which is classed as a very low probability and that this would not affect the building footprint.
8. However, based on the Council's Surface Water flood maps, the FRA acknowledges that there is a risk from a 1 in 100-year plus 17% climate change event and that the flood level at this location is 14.50m above ordnance datum (AOD).
9. The appellant's SoC states that the proposed FFL in the FRA is 14.60mAOD but that even if, based on Council data, the FFL was 14.40mAOD, the difference would be marginal and would not materially affect the FRA's conclusions. Furthermore, it argues that the proposal would maintain a nominal 150mm to 200mm threshold or 'freeboard' above adjacent ground.
10. However, based on a topographic survey the FRA states that the FFL of the lower ground floor would range from 14.25mAOD to 14.37mAOD. It then concludes that in a 1 in 100-year plus 17% climate change event, the lower ground floor would flood to a depth of between 0.13m to 0.25m and, according to the Council, flooding of 0.25m is classed as 'Danger for Most'. The FRA states that flood boards and a range of other flood-proofing measures would be deployed.
11. Thus, the appellant's SoC and FRA present materially different information in respect of the FFL and the resultant risk. I note, however, that the SoC refers to a version of the FRA dated June 2024 but, as noted above, a revised version dated 9 September 2025 has been submitted as part of this appeal. I have not been provided with a copy of the June 2024 version to enable me to see whether that is the source of the different information.
12. Nevertheless, the submitted sectional drawing 06/19 dated October 2024 states that the floor of the proposed lower ground kitchen / living room would be at the existing FFL and the rear extension is illustrated as being at the same level. The submitted level survey (drawing TP-P-S0) indicates that the existing FFL of the lower ground kitchen / living room is between 14.25mAOD and 14.37mAOD.
13. Looking at all of the information in the round, it appears that the information in the 9 September 2025 FRA is consistent with the submitted drawings and, therefore, can be relied upon in reaching a conclusion on this matter.
14. The London Borough of Enfield's Level 1 Strategic Flood Risk Assessment (December 2021) states that for surface water flooding, FFL should be set at least 150mm above the 1 in 100-year plus climate change flood level. It notes that if this level of safety cannot be achieved, habitable rooms used for sleeping (such as bedrooms) should not be located at ground floor level as the onset of flooding can pose a risk to life.
15. On the basis of the submitted information, I am unable to conclude that the aforementioned level of safety would be achieved. Therefore, sleeping accommodation should not be located in the lower ground floor of the appeal site because flooding of that area could pose a risk to life.
16. Thus, whilst the appeal scheme would be capable of complying with Policy CP21 of the Enfield Core Strategy (2010) (CS), Policy DMD 61 of the Enfield

Development Management Document (2014) (DMD) and Policy SI 13 of the London Plan (2021) (LP) which relate to the use of SuDS, it would conflict with CS Policy CP28, DMD Policy 60 and LP Policy SI 12 which together say that developments which are proposed in areas identified as being at risk from surface water flooding should be safe.

Other Matters

17. Although it has been noted that the Council does not have a five-year supply of deliverable housing sites, the risk of flooding provides a strong reason for refusing the development proposed and, as such, the presumption in favour of sustainable development at paragraph 11 d) of the Framework does not apply in this case.
18. Furthermore, whilst the appellant has noted that the Council has not raised issue in respect of the principle of the development, design and character, or residential amenity, compliance with relevant policies in this regard does not outweigh the conflict with the development plan as identified above.
19. The appellant has also made comments in respect of the Council's handling of the appeal application. However, this is beyond the matters which I may take into account in the determination of this appeal which are constrained by the relevant legislation.
20. The proposal would entail new residential dwellings within the recreational zone of influence of the Epping Forest Special Area of Conservation which is afforded protection under the Conservation of Habitats and Species Regulations 2017. However, Regulation 63(1) indicates that an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposal. As the appeal is dismissed on another ground it is not necessary to address this in any further detail.

Conclusion

21. The appeal scheme conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be made other than in accordance with the development plan. Therefore, for the reasons given above the appeal should be dismissed.

P Burley

INSPECTOR