



Appeal Decision

Site visit made on 22 May 2025

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal Ref: APP/W5780/W/25/3358860

Shepherd House, 143 Shepherds Close, Chadwell Heath, Romford RM6 5AJ

- 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 Jinyun Yang of Hongeran Properties Limited against the decision of the Council of the London Borough of Redbridge.
- The application reference is 3716/23.
- The development proposed is a roof extension and three-storey rear extension to enlarge existing flats; creation of three additional flats (3x1 bedroom) with associated waste/refuse and cycle store.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 12 December 2024 the Government published a revised National Planning Policy Framework ("the Framework"), replacing the December 2023 version extant when the planning application was determined. The appeal submissions were made in the light of the revised Framework so there has been no requirement for me to seek separate comments on the changes.

Main Issues

3. The main issues are the effects of the proposed development on:
 - The character and appearance of the area; and
 - Living conditions for neighbouring residents of Nos 24 and 26 Fields Park Crescent, with particular regard to outlook, and whether the extensions would be unacceptably overbearing.

Reasons

Character and appearance

4. Shepherd House is a block of seven flats set in a small private courtyard entered from Shepherds Close. The front part of the building facing the site entrance is three storeys high, while a rear projection towards the back and sides of neighbouring dwellings on Fields Park Crescent has two storeys. It is a modern development on an infill or backland site formerly occupied by garage blocks¹, in a predominantly residential area. Shepherds Close dates from the second half of the 20th century and mostly comprises two-storey terraces, with some three-storey blocks of flats near to the appeal site including on either side of the road leading to the site entrance. The wider area is mostly characterised by two-storey housing,

¹ Planning permission granted in 2013; LPA ref: 1548/13; side extension subsequently added under planning permission 3921/21

either semi-detached or in short terraces, from the Edwardian period or the inter-war years.

5. The proposed development would see an extra floor added to all parts of the building, with the existing two-storey rear projection also being increased in depth. Three additional flats would be created – a one-bedroom flat on the second floor, and two one-bedroom flats on the third floor. There would also be consequential changes to existing Flats 2 (ground floor) and 4 (first floor), which would gain extra floorspace in the enlarged rear projection, and existing Flat 6 (second floor) which would lose floorspace and be reduced from two bedrooms to one. Ground floor bin and cycle stores would be extended to provide facilities for the additional dwellings.
6. The Council's 2019 *Housing Design* Supplementary Planning Document advises that infill development should “reflect the prevailing building height within the area, particularly the scale of adjacent properties”, and that development on backland sites should “ensure the scale of proposals remain subservient in nature to the prevailing pattern of development”. The proposed development would add around 2.4m in height to the existing building which, at four storeys, would be taller than any of its immediate neighbours. The proposed extension would neither reflect, nor remain subservient to, the prevailing scale or pattern of development in the area.
7. From the wedge-shaped public green on Fields Park Crescent, the rear of Shepherd House can be clearly seen. It appears to fill the gap between the houses at No 24 and No 26, and is therefore already somewhat incongruous and intrusive in that streetscene. The three-storey extension to the back of the appeal property would make the existing rear projection both taller and deeper than at present – the gap to the common boundary with No 24 Fields Park Crescent would be reduced from around 2.8m to only 1m – and it would be a bulky and dominating feature. From ground level, the fourth floor on the main part of the building would emphasise the fact that Shepherd House had exceeded, rather than reflected, the scale of its neighbours. Furthermore, the plain brick back wall of the rear projection – a little over 7m tall – would present a harsh, unsympathetic and overwhelming backdrop for the modestly-proportioned dwellings on Fields Park Crescent.
8. At the front of Shepherd House, when seen from the site entrance the visual impact of the development would be somewhat moderated by the distance the building is set behind the two nearest neighbouring blocks of flats (Nos 119-130 and Nos 131-142 Shepherds Close), and by the way the front elevation of the new third floor would be broken up by orderly fenestration and detailing matching that of the existing building. However, this would not mitigate the very harmful impacts at the rear.
9. I therefore conclude that the development would cause significant harm to the character and appearance of the area; it would conflict with Policy LP26 of the 2018 Redbridge Local Plan (“the RLP”), and with Policy D3 of the London Plan 2021. Together, and among other things, those policies seek to ensure that development displays high-quality design, including by respecting local character and being well-integrated in terms of form, style, massing, density and design.

Living conditions

10. Nos 24 and 26 Fields Park Crescent are at the eastern corner of the public green on that street. They are laid out at right angles to one another; both dwellings have

a flank wall facing the appeal site, and neither has windows serving habitable rooms on that side. However, both have habitable rooms with windows on the rear elevation, very close to their boundaries with the appeal site.

11. In respect of No 24, the blank three-storey high back wall of the enlarged rear projection of Shepherd House would be 1m away from the boundary, as described in the preceding section. The increased height and closer proximity of the rear extension would be likely to lead to some loss of outlook from the rear rooms of No 24. Viewed from the rear garden of that property it would be an overbearing, dominant and oppressive neighbour.
12. In respect of No 26, the existing blank north-facing gable elevation would be increased to a little over 9m in height, at a distance between 0.6 and 1.5m from the angled boundary. The slightly different relationship between the buildings means that, based on everything I have seen (including my observations during my site visit) it is less clear that there would be any harmful loss of outlook from the rooms at the rear of No 26. However, the increased height of the gable flank wall of Shepherd House would again be likely to make it overbearing, dominant and oppressive when seen from the rear garden of No 26.
13. The appellant addressed matters of daylight, sunlight and overshadowing in their appeal statement. The evidence before me satisfactorily demonstrates that no unacceptable harm would be caused in respect of these matters. However, this is a neutral factor which does not outweigh the other harm I have found on this issue.
14. I conclude that, because of the loss of outlook in respect of No 24 Fields Park Crescent, and because of being overbearing in respect of both No 24 and No 26 Fields Park Crescent, the proposed development would cause unacceptable harm to neighbours' living conditions. It would therefore conflict with Policy LP26 of the RLP, and with Policy D3 of the London Plan 2021, which among other things seek to ensure that development does not have an adverse impact upon the amenity of neighbouring occupiers.

Planning Balance and Conclusion

15. Section 38(6) of the Planning & Compulsory Purchase Act 1990 and the Framework state that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration.
16. The Council's evidence explained that in the three-years to 2022 (the most recent period for which figures are before me) it met approximately only 50% of its housing delivery requirements, representing a significant shortfall. I therefore consider that the most important development plan policies for determining the appeal should be considered out of date, and the presumption in favour of sustainable development set out in Paragraph 11 d) of the Framework applies. As such, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
17. The Government's objective is to significantly boost the supply of housing. The development would provide three new dwellings, which would help to meet local housing need. Given the scale of the development, the economic, social and environmental benefits arising from the scheme would be relatively modest. I give

these considerations moderate weight in favour of the proposal in the overall balance.

18. I have found that the development would harm the character and appearance of the area, and would harm neighbouring residents' living conditions. It would conflict with the provisions of Paragraph 135 of the Framework which require development to add to the overall quality of the area, to be visually attractive, and sympathetic to local character, and to create places with a high standard of amenity for existing and future users. Harm caused today in these respects would be likely to endure for many years into the future, and probably for the lifetime of the proposed developments. I therefore give these harms substantial weight in the overall balance.
19. Overall, I consider that the harm from the development would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole. The proposal would not therefore amount to sustainable development in the terms set out in the Framework.
20. The proposed development conflicts with the development plan taken as a whole. There are no material considerations, including those of the Framework, that indicate the proposal should be determined other than in accordance with the development plan.
21. I therefore conclude that the appeal should be dismissed.

M Cryan

Inspector