



## Appeal Decision

Site visit made on 23 April 2025 by S Jamieson

### Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 June 2025

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#### Appeal Ref: APP/E5330/D/24/3354996

#### 23 Glenhouse Road, Eltham SE9 1JH

- 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 Viet Will Trinh against the decision of Royal Borough of Greenwich.
  - The application Ref is 24/1987/HD.
  - The development proposed is a ground floor extension and internal alterations with proposed side access and windows.
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### Decision

1. The appeal is allowed and planning permission is granted for a ground floor extension and internal alterations with proposed side access and windows at 23 Glenhouse Road, Eltham SE9 1JH in accordance with the terms of the application, Ref 24/1987/HD and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 23GLENHOUSE/P/A/001 and 23GLENHOUSE/P/B/001.
  - 3) The external materials of the development hereby permitted shall match those used on the existing dwelling.

### Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary Matters

3. There is a discrepancy in the appeal documents with regard to the appellant's first name and the name that was given on the application form which was 'Mr Will Trinh'. The appellant has confirmed their legal name to be Mr Viet Will Trinh and this has therefore been used in the appeal banner heading.

### Main Issue

4. The main issue is the effect of the development on the living conditions of occupiers of 25 Glenhouse Road, with particular regard to outlook and light.

## Reasons for the Recommendation

5. The appeal site is an end-terrace in a terraced row of four properties. It is attached on one side to the neighbouring dwelling at 21 Glenhouse Road and shares the other boundary with 25 Glenhouse Road (No 25), which is also an end-terrace. The dwelling at No 25 has ground floor openings in its rear façade, including a pair of French doors located close to but set away from the boundary with the appeal site, and these face on to a wide rear garden.
6. The host dwelling occupies a slightly elevated position in relation to No 25 but is set away from the boundary and there is an intervening brick boundary wall. The side elevation of the host dwelling's existing single storey rear projection is visible from the rear garden of No 25 and in oblique views from the French doors serving this neighbouring dwelling. There are also windows serving a ground floor rear projection at No 25 facing towards, albeit set well away, from the shared boundary.
7. The proposal would slightly increase the mass of the side elevation of the host dwelling closest to No 25 when compared with the existing situation. Even so, the intervening space between the extension and the French doors at No 25 would ensure that it would similarly only be appreciated in oblique views when seen from the room served by these nearest, ground floor windows. Moreover, even when the differential levels are accounted for, the modest increase in built form would not have an unacceptable enclosing effect. This is particularly so given its position set in from the boundary and the spacious aspect which would be retained both internally and externally for occupiers of this neighbouring property onto their rear garden.
8. Given the aspect onto the wide rear garden, acceptable levels of internal and external daylight would be retained for occupiers of No 25 and no detailed contrary evidence is before me to suggest otherwise. Given the relative orientation of the two properties and the sun's path, there is the potential that the increase in built form resulting from the extension could lead to a marginal increase in overshadowing to part of the rear garden at No 25 when compared with the existing situation. That said, in the context of this large garden and the levels of sunlight as the sun moves around, this would not be materially harmful. Taken together with my observations on daylight acceptable levels of light would therefore be retained overall for occupiers of No 25.
9. I accept that the extension would exceed the 3.6m projection from the main façade which is typically seen as appropriate for single storey rear extensions in the Royal Greenwich Urban Design Guide (2023). However, this guidance document also confirms that projections beyond this can be considered where neighbouring amenity is not compromised, as I have found would be the case in this instance.
10. I conclude, the proposed development would have an acceptable effect on the living conditions of occupiers of No 25 with particular regard to outlook and light. Thus, it would comply with Policy DH(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) which, amongst other things, seeks to ensure developments do not lead to an unacceptable loss of amenity with regards to daylight, sunlight or unneighbourly sense of enclosure.
11. For the same reasons, the proposal also complies with the high standard of amenity requirements at paragraph 135(f) of the National Planning Policy Framework.

## **Conditions**

12. A standard timescale for implementation condition (1) is required, along with a condition (2) listing the approved plans to provide certainty over what has been approved. In addition, a condition (3) is also necessary requiring the external materials to harmonise with the character and appearance of the host dwelling.
13. The Council has suggested a condition to restrict the use of the flat roof and access to it, which is asserted would prevent loss of privacy to neighbouring occupiers. I have considered this against the tests set out in the Framework and Planning Practice Guidance and there are no compelling reasons to suggest the roof would be used as a balcony. In any event, planning permission would be required for the provision of a balcony. Therefore, it would be neither reasonable or necessary to impose the condition.

## **Conclusion and Recommendation**

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

*S Jamieson*

APPEAL PLANNING OFFICER

## **Inspector's Decision**

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

*M Russell*

INSPECTOR