

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. Report of the Head of Planning, Transportation and Regeneration**Address** 29 BARNHILL LANE HAYES**Development:** 10 no. Solar Panels on top of flat roof.**LBH Ref Nos:** 18069/APP/2021/2342**Drawing Nos:** Location Plan 1-1250
Roof Plan for solar panels
Location Plan
SUK/2021/PP/01
SUK/2018/BC/02**Date Plans Received:** 09/06/2021**Date(s) of Amendment(s):****Date Application Valid:** 21/10/2021**1. CONSIDERATIONS****1.1 Site and Locality**

The application property comprises of a two storey semi-detached house located on the southern side of Barnhill Lane which lies within the Barnhill Estate ASLC as identified within the Hillingdon Local Plan/ The property has been previously substantially extended by way of part two storey, part single storey side and rear extensions. 10 x raised solar panels have been erected on the flat roof of the existing dormer at the rear.

1.2 Proposed Scheme

The application seeks retrospective planning permission for the 10 no. Solar Panels on top of flat roof. Each Panel is 600mm x 1800mm and the flat roof area is 3.6m x 4.5, equating to 16.20 sq.m.

1.3 Relevant Planning History

18069/APP/2004/3426 29 Barnhill Lane Hayes

ERECTION OF TWO STOREY SIDE, PART TWO STOREY REAR, PART SINGLE STOREY REAR EXTENSION, USE OF EXISTING AND PROPOSED ROOFSPACE AS HABITABLE ACCOMMODATION, INCORPORATING INSTALLATION OF REAR DORMER WINDOWS AND ERECTION OF SINGLE STOREY DETACHED OUTBUILDING/GAMESROOM AT THE BOTTOM OF THE REAR GARDEN

Decision Date: 04-02-2005 WD

18069/APP/2005/1142 29 Barnhill Lane Hayes

ERECTION OF TWO STOREY SIDE AND REAR, PART SINGLE STOREY REAR AND SIDE EXTENSIONS AND USE OF EXISTING AND PROPOSED ROOFSPACE AS HABITABLE ACCOMMODATION INCORPORATING INSTALLATION OF REAR DORMER WINDOW AND 2 FRONT ROOFLIGHTS

Decision Date: 10-06-2005 Refused

18069/APP/2005/2245 29 Barnhill Lane Hayes

ERECTION OF TWO STOREY SIDE, PART SINGLE STOREY REAR AND PART TWO STOREY REAR EXTENSIONS AND USE OF EXISTING AND PROPOSED ROOFSPACE AS A HABITABLE ACCOMMODATION, INCORPORATING INSTALLATION OF REAR DORMER

WINDOW AND 2 FRONT ROOFLIGHTS

Decision Date: 29-09-2005 Refused

18069/APP/2005/3199 29 Barnhill Lane Hayes

ERECTION OF A TWO-STOREY SIDE & PART SINGLE-STOREY, PART TWO-STOREY REAR EXTENSION & INSTALLATION OF REAR DORMER & FRONT ROOFLIGHTS IN CONNECTION WITH USE OF EXISTING & PROPOSED ROOFSpace AS HABITABLE ACCOMMODATION

Decision Date: 10-01-2006 Approved

18069/APP/2019/845 29 Barnhill Lane Hayes

Single storey rear extension

Decision Date: 30-04-2019 Refused

18069/APP/2020/950 29 Barnhill Lane Hayes

Single storey rear extension

Decision Date: 13-05-2020 Refused

Comment on Planning History

The relevant planning history is listed above.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

13 neighbouring properties were consulted by letter dated 4.1.22.

5 letters of objection have been received raising concerns about:

- visual impact - eyesore
- Concerns about safety of the structure supporting the solar panels

Hayes Conservation Area Advisory Panel - The solar panels are just the last of a series of alterations to this property that have been carried out without the relevant planning permission. Permission was obtained for a rear dormer on 2005 but the dormer that was constructed at some time after May 2018 (information from aerial photos) was far larger and has no permission. The solar panels have been erected on top of the illegal dormer, adding considerably to the height of the house. They are clearly visible from the street and strike a discordant note in this area of special local character. We oppose the granting of retrospective planning permission for the solar panels and recommend enforcement action to remove both them and the dormer.

4. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 5	Areas of Special Local Character
DMHD 1	Alterations and Extensions to Residential Dwellings
LPP D4	(2021) Delivering good design
LPP D8	(2021) Public realm
DMEI 2	Reducing Carbon Emissions
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area and ASLC, the impact on neighbouring residential amenity and the provision of acceptable residential amenity for the application property. The environmental benefits of the proposal also carry significant weight in this decision.

Policy context:

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHB 5 states A) Within Areas of Special Local Character, new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area. B) Extensions to dwellings should be subservient to, and respect the architectural style of the original buildings and allow sufficient space for appropriate landscaping, particularly between, and in front of, buildings. C) The replacement of buildings which positively contribute to the character and local i

Policy DMHD 1 requires that alterations and extensions of dwellings should not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also requires that there is no unacceptable loss of outlook to neighbouring occupiers. This sets out the design criteria including external dimensions by which proposals are assessed with the general aim of ensuring that these are subordinate to the original building.

With respect to solar panels the Local Plan specifically references these in paragraph

A1.29 and states:

"Planning permission may be required for the installation of solar panels. While the Council acknowledges the environmental benefits of solar panels, their size and placement should be carefully located to ensure there is no adverse visual impact on the building or surrounding area. Solar panels should not be placed in a position where they can be seen over a great distance or from a public place. Planning permission will be required for solar panels on properties situated within or affecting a Conservation Area, Area or Special Local Character and on Listed Buildings; a proposal considered to impact detrimentally on a heritage asset or its setting will not be supported. Solar panels should be removed when no longer in use".

Analysis:

The environmental benefits carry weight in this decision however, the solar panel would be harmful to the character and appearance of the building, streetscene and wider ASLC.

The solar panels have been erected on a raised wooden frame to enable the correct angle to be achieved for maximum solar efficiency of the solar panels. Again, whilst the Council supports the principle of sustainable energy choices and solar panels, significant concerns are raised in terms of the visual impact of the proposal.

The proposed panels are highly visible from all directions, in multiple public and private views. The panels as designed are seen to break the consistent ridge line and alter the shape of the roof on which it sits. The proposal has a seriously detrimental visual impact which harms the architectural integrity of the host dwelling and the wider area which lies within the Barnhill Estate ASLC. Given the level of harm identified, the benefits of securing sustainable energy choices are not considered to outweigh the visual harm.

The solar panels do not harm the amenities of neighbours or impact the residential amenities of those residing at no.29. However, this again does not outweigh the concerns relating to character and appearance.

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed solar panels by reason of their raised siting, scale, design and appearance would be harmful to the character and appearance of the existing dwelling, the streetscene, and the wider area which lies within the Barnhill Estate ASLC. The development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) , Policies DMHB5, DMHB 11, DMHB12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies D4 and D8 of the London Plan (2021).

INFORMATIVES

- 1** In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as

well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Standard Informatives

- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The spatial development strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 5	Areas of Special Local Character
DMHD 1	Alterations and Extensions to Residential Dwellings
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DMEI 2	Reducing Carbon Emissions
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development

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