
From: Thomas Howe
Sent: 22 September 2026 08:33
To: Neighbour Representations
Subject: FW: Planning objection - unable to access planning portal - case 26/01998/FPH

Kind regards,



**North
Herts**
Council

Thomas Howe
Senior Planning Officer | Development Management



www.north-herts.gov.uk

From: Heather Royles [REDACTED]
Sent: 21 September 2026 18:35
To: Thomas Howe [REDACTED]
Cc: Martyn Beer [REDACTED]
Subject: Planning objection - unable to access planning portal - case 26/01998/FPH

Good evening Mr Howe, and please accept my apologies for submitting this data like this.

I have, over the last 3 days, attempted to log in to the North Herts Planning Portal multiple times on each of those days to register my comments, but while the site has allowed me variously to re-register and change my password, it isn't allowing me to actually log in, and I have to date been unable to lodge my comments on planning case 26/01998/FPH.

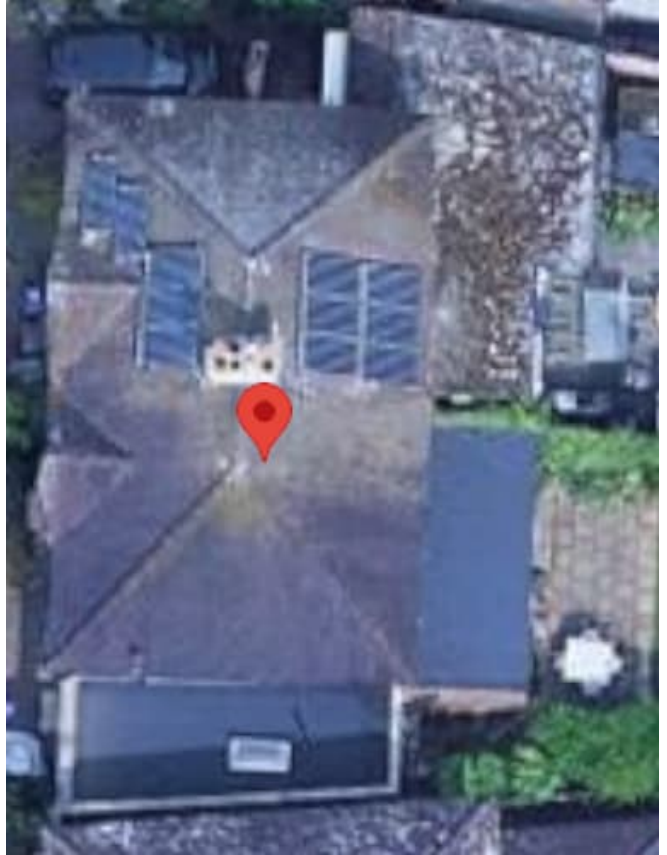
Since the date for submission of views is this Friday, 25.09.26, I am attaching a document with the information here. Would you be so kind as to confirm both receipt, and that the comments will be lodged against the relevant case?

Comments follow.

I wish to object, on behalf of myself and my partner Martyn Beer, re: the proposed development at 69 Bearton Green, the adjoining neighbour [26/01998/FPH].

The proposed development has been designed in a way that includes a dormer style extension to the eastern elevation of the roof slope.

69 Bearton Green is to the south of 67 Bearton Green. The practice responsible for presenting drawing no. 1546-211 has manipulated the image to remove any sight of the solar panels on the adjoining roof at 67 Bearton Green, clearly visible on Google maps, as below.

	
Drawing 1546-211	Google maps screenshot 21.09.2026 Red point shows 69 Bearton Green to the bottom of the picture. 67 Bearton Green is at the top of the image. Solar panels are clearly visible.

This is relevant because if a significant part of any single panel in the bank of 6 on the east-facing roof slope is shaded, the conversion of solar energy to electrical power is halted for the entire easterly panel array. The proposed dormer would substantially shade the panels - in situ since 2011 and installed both to protect domestic energy sovereignty and to support climate change mitigation - for the entire year, including sufficiently to have an impact even in mid summer, while the sun is at its highest.

This would result in “*overshadowing*” [of our existing solar panels], in parallel with the case of McLennan v Medway Council:

Climate change policy and legislation meant a council could not ignore the effect of a new development on existing solar panels. Robin Green explains a recent High Court ruling.

In McLennan, R (on the application of) v Medway Council & Anor [2019] EWHC 1738 Mr Justice Lane quashed the decision of Medway Council to grant planning permission for the installation of dormer windows and a rear extension on a house in Rochford.

In granting permission, the council had mistakenly believed that there would be no overshadowing of solar panels on a neighbouring property owned by the claimant, not realising that the orientation of the properties shown on a site location plan was wrong.

In the proceedings, the council accepted that it had made a mistake but sought to defend the claim on the basis that overshadowing of solar panels was not a material planning consideration. It also relied on the subsequent grant of planning permission for a second, very similar application to demonstrate that its error made no difference to the outcome.

After analysing legislation on the need to plan for climate change mitigation, and national and local policy on climate change, Mr Justice Lane concluded that the council could not rationally ignore the effect of overshadowing on solar panels. Mitigation of climate change is a legitimate planning consideration and there was unanswerable force in the claimant's submission that, particularly given what is now said at national level about climate change in relation to new development, the council was not entitled to reject as immaterial, in planning terms, the effect that another development proposal may have upon a renewable energy system, such as the claimant's solar panels.

Citation: <https://www.localgovernmentlawyer.co.uk/planning/318-planning-features/40990-solar-panels-and-planning-permissions>

A secondary objection is based on the overlooking resulting from the inclusion of a juliet-style balcony in the dormer; this would result in increased overlooking of the garden at 67 Bearton Green. We enjoy seating towards both the northerly and southerly sides of the garden at 67 Bearton Green, but the northerly boundary in particular is in greater use most of the year, offering as it does opportunities for sitting sheltered from the wind in such sunlight as is available both during the winter, and also in the lengthening and shortening days of spring and autumn. A floor-to-ceiling door in a juliet-style balcony such as proposed in this proposal would reduce privacy and increase the overlooking of these established seating areas, reducing the amenity of the garden.

A site visit for Planning Committee members and officers can be arranged and is welcomed.

End of comments

Thanks in advance for your assistance.

Kind regards,

Heather Royles