

**From:** [REDACTED]  
**To:** [Planning Comments \(Shared Mailbox\)](#)  
**Cc:** [REDACTED]  
**Subject:** Objection to Application Ref: 6/2023/2089/HOUSE - Freny Cottage 41 Northaw Road East Cuffley, EN6 4LU  
**Date:** 01 November 2023 09:37:01  
**Importance:** High

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FAO: Mr. Chris Carter  
Assistant Director (Planning)  
And Mrs Natalie McIver  
And Ms Kirsty Shirley  
Planning Support  
Welwyn Hatfield Borough Council,  
Hertfordshire AL8 6AE

31 October 2023

Dear Mr Carter and Mrs McIver and Ms Shirley

**Re: Second Application. Reference: 6/2023/2089/HOUSE  
Proposed Development at: Freny Cottage 41 Northaw Road East, Cuffley, Potters Bar EN6 4LU (the "Application")**

Thank you for your letter dated 17/10/ 2023, which we received on the 23/10/2023. As suggested, we have considered the Application and the proposed plans for the proposed development of the above existing Bungalow.

Our comments for your immediate consideration are:

1. The ridge height would result in (i) a loss of privacy; and (ii) it will not blend at all with nearby housing;
2. The significant expansion of the roof;
3. Loss of privacy caused by dormers;
4. The Application lacks sufficient detail to be properly assessed;
5. We do not believe that the application is in accordance with Levelling-Up and Regeneration Act;
6. We do not believe that the application is in accordance with the Cuffley Neighbourhood Plan;
7. We believe that there are anomalies in the 'application form' for the Application;
8. We are concerned with the potential to create a large roof terrace;
9. We are concerned by the lack of a Construction Management Plan;
10. Application Scope Creep concerns; and
11. We would be grateful for a summary of the pre-application advice received by the Application.

## **1. The Ridge Height**

- A. The additional ridge height will render this building a sore thumb, and it will not

blend with neighbouring properties.

- B. **Privacy.** The additional height will allow dormer windows to look down into neighbouring properties.

Please also note that the dormers should not have windows as per No.3 and No.4 below.

We **OBJECT** on the basis of this increased ridge height.

## **2. Significant expansion of Roof**

Our right to light will be lost if the roof is allowed to be extended to near the boundary with No.43.

It appears that the 45 degree of the Cuffley Neighbourhood Plan D1( c ) (see No.6 below), has been contravened. This will result in loss of light to our principal bedroom, as well as other habitable rooms.

We **OBJECT** on the basis of this loss of light to our principal bedroom.

## **3. Loss of Privacy - Dormers**

The dormers facing No.43 will be very close to the boundary line. Further, they have openable and unobscured windows. This contravenes D1 ( b ) of the Cuffley Neighbourhood Plan.

## **4. The Application Lacks Sufficient Detail. Is Ridge Height Correct?**

Has the change in ridge height been measured off the same point in both the 'Existing' and the 'Proposed' submitted drawings? It is hard to judge, but there appears to be a different point of measuring in each drawing.

Further, the lack of detail in the drawing makes it difficult to understand from the Application how the adjoining properties will be protected from overlooking, loss of privacy and also the potential loss of light.

We **OBJECT** on the basis that the plans are insufficiently detailed.

## **5. Levelling-Up and Regeneration Act**

The Levelling-Up and Regeneration Act came into force on 26 October, and we question if this Application is in accordance with it. Please can the Planning Authority confirm.

Particularly, given the added weight that must be given when assessing any planning application against the Local Neighbourhood Plan.

## **6. Cuffley Neighbourhood Plan Contravention**

We believe that there are multiple contraventions of the following parts of the Cuffley Neighbourhood Plan:

- D1 ( b ) *Discourage side elevation glazing which overlooks adjacent properties, but where unavoidable this should be obscured glazed windows.*
- D1 ( c ) *The 45-degree rule (see Figures 3.1, 3.2 and 3.3) must be integrated into designs to ensure that development will not lead to increased overshadowing or a significant reduction in levels of daylight or sunlight;*
- D1 ( e ) *Ridge heights will be required to be in conformity with the adjacent properties to retain a continuous frontage.*
- D1 ( i ) *Car parking should be provided on-site in accordance with the most up to date standards set by the County Council*

The Application contains side elevation glazing, which overlooks adjacent properties. This glazing is avoidable. No glazing should be allowed. The Application contravenes D1 ( b ).

We believe that the expansion of the roof over the side extension to the boundary with No.43 as well as the additional ridge height, both result in increased overshadowing and would significantly reduce the light to our main bedroom in contravention of D1 ( c ).

We believe that the ridge height proposed entirely contravenes D1 ( e ).

We note our concerns in relation to vehicle parking below.

Given the Levelling-Up and Regeneration Act, and the contravention of the Cuffley Neighbourhood Plan as set out above, we believe the Planning Authority should reject this application and **OBJECT** on that basis.

## 7. Anomalies in the Application

The Application contains the following:

Q: *“Will any trees or hedges need to be removed or pruned in order to carry out your proposal?”*

A: *“No”*

The 5.2metre ground floor extension, will be built on the boundary line with No.43 and require multiple mature hedges and to be removed to accommodate.

The Application contains the following:

Q: *“Can the site be seen from a public road, public footpath...”*

A: *“No”*

Given the elevated road and footpath to the front of the property, this is plainly wrong. Any passer-by can easily look into the site.

## 8. Creation of a Roof Terrace

One of the many grey areas of the Application is the creation of a roof terrace. The single storey extension lines up with openable windows, in front of which there is currently a balcony. The flat roof area must not be able to be used as a balcony, as this would result in a significant loss of privacy and overshadowing.

## **9. Lack of a Construction Management Plan**

We had numerous concerns regarding the Construction Management Plan and note that no such plan has been filed with this application. We therefore assume that the old plan remains. The CMP states: *“During the construction Phase delivery vehicles will also park on Northaw Road East immediately to the front of the proposed site”*.

School Children are either taken to and from Cuffley School on this road. The pavement cannot be blocked to pedestrians and parents walking their children to and from school. Northaw Road East is a busy road and forcing pedestrians to walk into the road is not acceptable. This is a safety issue.

All vehicles should be parked within the front driveway of the site (No.41) and alterations to the front garden should be made to allow this.

Further, deliveries should be made outside of peak times.

We **OBJECT** on the basis that the previous CMP in relation to parking planning being unsafe and timing of deliveries.

## **10. Application Scope Creep**

We believe that the owners of no.41 are also the owners of no.45 Northaw Road East. Mrs K Anklesaria is noted as the Applicant in respect of both this Application in respect of No.41 and for previous applications for No.45.

Please note that the works to No.45 had a tendency for scope creep from the original plan to the finished design – as clearly evidenced by the applications and numerous Parish Council decisions.

To avoid this scope creep reoccurring, and save our own as well as the Council’s time, we politely request that the Council Planning in their response to this application set out stringent rules on any future applications in relation to additional, or changes to currently specified windows.

This should specifically pre-empt any future applications in relation to this site in relation to side-windows.

Please note Cuffley Neighbourhood Plan D1 ( b ) *Discourage side elevation glazing which overlooks adjacent properties, but where unavoidable this should be obscured glazed windows.*

We have previously had to bring to the attention of the Council breaches of planning regulation by the owners of No. 45 and do not wish to be involved with further breach of building regulations / disputes with the same owner of No. 45, who also owns No.41.

We request that the Council please specify that no side-elevation windows will be permitted on this development.

## **11. Pre-application advice received by the Application.**

We would be grateful for a summary of the pre-application advice received by the Application.

## **12.New Party Wall on Boundary**

The Application seems to request a new party wall astride the property boundary. We do not agree to this. Nor do we agree to any foundations being built astride the boundary or on our property at No.43. The current Party Walls are in good order.

The new 5.2 metre extension, will require excavations within the parameters of s.6 of the Party Wall Act which we do not agree to.


We also do not agree to any access to our property to conduct any of the works under the Application. The Application is the overdevelopment of the site. Access to our property for domestic works is wholly unnecessary. Further the side passage of our house is in frequent use.

All works to existing or new structures should be carried out within the confines of their property at No.41. Beyond that is unnecessary and demonstrates overdevelopment.

We **OBJECT** on the basis that the current application unnecessarily requires access to neighbouring properties and in particular No.43.

Thank you for reviewing our concerns and objections.

Yours faithfully

  
43 Northaw Road East  
Cuffley EN6 4LU