



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 11 JANUARY 2024 AT 7.00 PM
COUNCIL CHAMBER, THE FORUM**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor Guest	Councillor Cox
Councillor C Wyatt-Lowe	Councillor Link
Councillor Durrant	Councillor Mottershead
Councillor Hobson (Vice-Chairman)	Councillor Patterson
Councillor Maddern	Councillor Riddick
Councillor Stevens (Chairman)	Councillor Silwal
Councillor Bristow	Councillor Mitchell

For further information, please contact Corporate and Democratic Support or 01442 228209

AGENDA

- 7. QUARTERLY PLANNING ENFORCEMENT REPORT (Pages 2 - 13)**

CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

PLANNING ENFORCEMENT FORMAL ACTION STATUS REPORT (Jan 2024)

Page 2	1	E/06/00470	Land at Hatches Croft, Bradden Lane, Gaddesden Row	Stationing of a mobile home for residential purposes on the land.	12 Sep 08	20 Oct 09	20 Apr 10	No	N/A	Not complied	Successful prosecution. 2019 planning permission implemented though approved replacement dwelling not yet built and mobile home remains. Case review required to decide if further action necessary.
	2	E/14/00494	Land at Hamberlins Farm, Hamberlins Lane, Northchurch	MCOU of land from agriculture to construction / vehicle / storage yard.	11 May15	11 Jun 15	11 Dec 15 (for all steps)	Yes, appeal dismissed	17 Dec 16	Partly complied	All vehicles, materials, machinery have been removed. Works now taken place to remove bund. Need to consider Offence.
	3	E/15/00301	Land at Piggery Farm, Two Ponds Lane, Northchurch	MCOU of land from agriculture to non-agricultural storage yard; MCOU of building to private motor vehicle storage; construction of raised hardsurface	15 Jul 16	15 Aug 16	15 Feb 17 (for all steps)	Yes, appeal dismissed (other than use of building)	25 Nov 17	Partly complied	Most vehicles removed from the land. Visit confirmed that hard surfaced area has been removed, bund of material arising still on site awaiting removal. Planning granted: 1937/19. Further site visit

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
--	-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

										needed to check material removed and to check compliance with conditions of permission.
4	E/16/00449	Farfield House, Chesham Road, Wigginton	Construction of side and rear extension and detached double garage.	23 Jan 17	22 Feb 17	22 Aug 17	No	N/A	Not complied	Planning permission for amended scheme (844/17/FHA) granted. Changes almost entirely completed and remaining deviations insignificant harm. Case review needed with a view to closure.
5	E/16/00161	Lila's Wood, Wick Lane, Tring	MCOU – use of woodland for wedding ceremonies; creation of tracks; erection of various structures.	27 July 17	25 Aug 17	25 Nov 17 (for all steps)	Yes, appeal dismissed	12 July 18 (for all steps)	Not complied	Requirements not met in full. Permitted development rights being used as 'fall-back' position but items not being removed between events. Planning application 19/02588/MFA refused and dismissed at appeal 13 July 2022. *following soil on tracks tidied, removal of the timber fence/gate entrance and removal of the direction pole that the case can be

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
--	-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

										considered for closure*
6	E/18/00408	28 Boxwell Road, Berkhamsted	Demolition of wall and creation of parking area	09 Sep 19	09 Oct 19	09 Dec 19	Yes	30 Jul 20	Not complied	EN served following dismissal of planning appeal regarding same development. Appeal dismissed – Successful prosecution in Crown court 3 months given for compliance due December *considering second prosecution for non compliance*
Page 4	E/20/00023/ MULTI	Haresfoot Farm, Chesham Road, Berkhamsted	Construction of unauthorised buildings, hard surfaces and importation and processing of waste materials.	19 Feb 20	20 Mar 20		Yes / split decision	18 Dec 21	Not complied	Appeal decision split, planning permission granted for a number of buildings and uses on the site, enforcement notice upheld in relation to some matters. Planning permission granted March 2022 for storage, salvage, re-cycling under 21/04629/FUL subject to condition. Case review carried out and found enforcement notice where upheld at appeal has not been complied with. Discussions underway with new owners as to how to

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
--	-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

										secure compliance but also guide new appropriate development.
8	E/20/00163/ NAP	The Walled Garden, Stocks Road, Aldbury	Breach of condition 17 of permission 4/02488/16/FUL.	27 May 20	27 May 20	27 Aug 20	N/A	N/A	Not complied	Breach of condition notice issued. The garage at this site had not been built in accordance with the approved scheme - loss of features such as bug hotels and flint elevations. Amended scheme approved under 20/01656/ROC in April 2022. Case review to take place.* application was submitted for the as built design and subsequently granted, see 20/01656/ROC. Case to be removed from list*
9	E/20/00249/ LBG	57 St Johns Road, Hemel Hempstead	Installation of UPVC windows in listed building.	25 Sep 20	27 Oct 20	27 Oct 23	Yes / dismissed	26 May 24	n/a	Appeal submitted – appeal dismissed, notice upheld. Homeowner now has until 26 May 2024 to comply.
10	E/20/00101/ NPP	121 High Street, Markyate	Installation of extraction system and flue on listed building.	05 Oct 20	02 Nov 20	02 March 21	Yes / dismissed	10 Sep 21	Not complied	Appeal submitted – appeal dismissed – new compliance date 10 September 2021.

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
--	-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

										No compliance – need to consider next steps.in discussions with Legal for potential action
11	E/19/00513/ NPP	Berkhamsted Golf Club, The Common, Berkhamsted	Creation of a new vehicle parking area.	19 Nov 20	21 Dec 20	N/A	Yes Part allowed 29.10.21	29.02.21	Part complied	21/02829/FUL granted, allowing compromise scheme. Appeal decision part allowed for compromise scheme. Case re allocated to review compliance.
12	E/21/00043/ LBG	121 High Street, Markyate	Internal works to create flats following refusal of listed building consents	23 Jun 21	21 Jul 21	21 Oct 21	No		Partly complied	Listed building EN issued in relation to the works carried out inside the premises. Notice was not appealed and compliance required by 21 Oct 21. Works commenced have now ceased officers in discussions with Legal for potential action
13	E/19/00395	26 Morefields, Tring, HP23 5EU	Construction of a raised platform above a stream/ditch and the possibility of damage to adjacent trees, part of a woodland TPO 337	28 Jul 21	30 Aug 21	30 Aug 22	No		Partly complied	Enforcement notice issued following refusal of 19/02948/RET. Notice requires removal of decking and hard landscaping. Partial compliance by Aug

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
--	-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

										22 deadline. *planning application being considered for alternative scheme 22/02684/FHA *
14	E/21/00041/ NPP	The Old Oak, Hogpits Bottom, Flaunden	Change of use of the land to a mixed use of wood chopping/fire wood business and the siting of a mobile home/caravan for residential purposes	09 Dec 21	13 Jan 22	13 Jan 23	Yes		Not complied	Appeal to be dealt with by public inquiry. Date to be set by Planning Inspectorate. Discussions ongoing with Parish Council.*LDP to be submitted – new date for inquiry 23 rd April 2023*
15	E/22/00168/ COL	Cupid Green Lane, South of Gaddesden Lane.	Storage of cars	14 June	15 Jul 22	15 Aug 22	No		Not complied	Witness Statements written. Legal options being pursued. Interviews under caution were not attended invited for further interview following legal advice. the further interview was not attended-to have follow up meeting with legal
16	E/18/00096	Land at Flint Cottage, Barnes Lane, Kings Langley WD4 9LB	Commercial and domestic storage	7 Oct 22	8 Nov 22	8 Sept 23	No		n/a	Still within compliance period *Notice complied with case closed- to be removed from list*
17	E/21/00302/ NPP	45 Lawn Lane, Hemel Hempstead HP3 9HL	Use of outbuilding as independent dwelling	25 Oct 22	25 Nov 22	25 Aug 23	Yes			appeal dismissed awaiting compliance

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
--	-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

										date 9 month after appeal
18	E/19/00444/ NAP	Land east side Cupid Green Lane, Hemel Hempstead	Without planning permission erection of buildings on land	18 Nov 22	20 Dec 22	20 Jul 23	Yes			Statement written; awaiting appeal decision
19	E/19/00444/ NAP	Land east side Cupid Green Lane, Hemel Hempstead	Without planning permission the change of use of the land from agricultural to a mixed use of agriculture, domestic, and commercial uses not reasonably associated with agriculture	18 Nov 22	20 Dec 22	8 Apr 23	Yes			Statement written; awaiting appeal decision
20	E/22/00349/ NPP	Berry Farm, Upper Bourne End Lane, Hemel Hempstead	Without Planning permission the siting of 3 steel clad containers and the erection of post and wire fencing	16 Dec 22	30 Jan 23	30 Jul 23	Yes		Waiting appeal result	Statement in waiting decision
21	E/19/00221	37 West Valley Road, Hemel Hempstead, HP3 0AN	Without planning permission, the erection of high fencing, a covered storage area, installation of a retaining wall and steps, also changes to land levels in the rear garden associated works.	4 Jan 23	3 Feb 23	3 Aug 23	No		N/A	New compromise scheme submitted 23/02186/FUL pending consideration
22	E/22/00293/ NAP	Martlets, The Common, Chipperfield	. Without planning permission, the construction of a detached structure to provide two semi detached outbuildings	16 Jan 23	20 Feb 23	20 Aug 23	Yes		Waiting appeal result	Statement in waiting decision

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
--	-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

23	E/17/00254	Zeera, 49 High Street, Bovingdon	Condition 2,3,7 and 8 of 4/00714/14/FUL	16 Jan 23	16 Jan 23	16 Jul 23	N/A		N/A	outside compliance but submitted DRC
24	E/19/00229	85-87 High Street, Berkhamsted	Without planning permission, the replacement of a ground floor bay window, ground floor window and entrance door on the principle elevation	16 Jan 23	20 Feb 23	20 Nov 23	Yes		Waiting appeal result	Statement in waiting decision
25	E/22/00143/COB	60 Thumpers, HH	Without planning permission The conversion of one dwelling into two separate residential units.	26 Jan 23	9 Mar 23	9 May 23	No		N/A	Still within compliance period
26	E/20/00157/NAP	Land Lying South East of Cupid Green Lane 'Plot G'	Without planning permission, unauthorised change of use from agriculture to carpentry business and unauthorised erection of miscellaneous outbuildings within the Green Belt	16 Feb 23	30 Mar 23	30 Oct 23	Yes		Waiting appeal result	Statement in waiting decision
27	E/20/00157/NAP	Land Lying South East of Cupid Green Lane 'Plot G'	Without planning permission, unauthorised change of use from agriculture to carpentry business and unauthorised erection of miscellaneous outbuildings within the Green Belt	16 Feb 23	30 Mar 23	30 Oct 23	Yes		Waiting appeal result	Statement in waiting decision

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
--	-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

28	E/22/00130/ NAP	Land Adjacent to 22 Brook Street, Tring	Breach of condition attached to appeal decision on 10 th September 2018	19/04/202 3	19/04/2023	19/07/2023	No		N/A	*application 23/02194/FUL refused – appeal valid 23/00069/REFU*
29	E/22/00280/ NPP	Land at Abilea Meadows, Friendless Lane	Without Planning Permission, the siting a Shipping Container	19/04/202 3	31/05/23	30/11/2023	Yes		Waiting appeal result	Statement in waiting decision
30	E/22/00368/ COL	25 Crossways, Hemel Hempstead, HP3 8PU	Without Planning Permission, the change of use of the land for the parking and storing of commercial vehicles	27/04/202 03	08/06/2023	08/07/2023	Yes		Waiting appeal result	*inspectorate decision made - notice quashed. Parking considered not to be a MCOU from Dwelling house – case closed and to be removed from list *
31	E/22/00315/ COB	86 Chipperfield Road, Kings Langley, WD4 9JD	Without Planning Permission, the change of use of a building to a standalone dwelling	27/04/202 3	08/06/2023	08/01/2024	Yes		Waiting appeal result	Statement in waiting decision
32	E/23/00123/ NPP	Land at Church Road, Little Gaddesden, Berkhamsted, Herts	Without planning permission, unauthorised erection of field shelter/building	27/04/202 3	09/06/2023	09/10/2023	Yes		Waiting appeal result	*Statement in waiting decision - pending Legal negotiation decisions*
33	E/23/00123/ NPP	Land at Church Road, Little Gaddesden, Berkhamsted, Herts	The condition and appearance of the land with the disused vehicles and miscellaneous materials not associated with the agricultural use	28/04/202 3	08/06/2023	08/10/2023	Yes		Waiting appeal result	*Court adjourned to 25 th October- pending Legal negotiation decisions*
34	E/20/00462/ S215	72 Grove Gardens, Tring	The condition of the property, in particular	11/05/202 03	22/06/2023	22/12/2023			N/A	Still within compliance period

CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

			the first floor dormer window and the ground floor window on the principle elevation has a detrimental impact on the amenity of the neighbouring properties and the general streetscene. The front garden is continually left to over grow and go to weeds						
35	E/23/00096/ NPP	2 Bulstrode Close, Chipperfield, Kings Langley, Hertfordshire, WD4 9LT	Without planning permission, unauthorised insertion of a window on the first floor side elevation (western elevation).	20.06.2023	01.08.2023	12/09/2023	Yes	N/A	*Appeal Statement Submitted waiting decision*
36	E/23/00134/ S215	land situated 4 Wheelers Yard, Tring Road, Long Marston, Tring, HP23 4FL	S215 The condition and the amount of materials within the land does impact the amenity of this area and does not seek to preserve the conservation area	20.06.23	01.08.23	01/02/2024		N/A	Still within compliance period
37	E/22/00334/ BOC	Keymers Chapel Croft Chipperfield WD4 9EQ	Breach of conditions 7 and 8	14.07.23	14.07.23	14/01/2024		N/A	Still within compliance period
38	E/23/00006/ BOC	The Crystal Palace Station Road Berkhamsted Hertfordshire HP4 2EZ	Breach of conditions 5,9,10 and 11	31.07.23	31.07.23	31/09/2023			Non compliance-delayed carrying out necessary acoustics survey

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
--	-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

39	E/22/00042/ NPP	The Stores, St Pauls Road, Hemel Hempstead, HP2 5DB	Use of the premise for vehicle repairs, servicing and maintenance and the fitting and repairs of tyres MCOU notice	31.07.23	11.09.2023	11/01/2024				Still within compliance period
40	E/22/00340/ NPP	17 Thistle Close, Hemel Hempstead, Hertfordshire, HP1 2DE	Without Planning Permission, the erection of a timber framed extension forward of the principle elevation	31.07.23	11.09.23	11/01/2024				Still within compliance period
41	E/22/00179/ COB	Hillside View, Old Watling Street, Flamstead, St Albans, Hertfordshire, AL3 8HL	Without planning permission, the change of use of a residential outbuilding to a commercial dog grooming business	04.09.23	16.10.23	16/12/2023	Yes			*appeal in – questionnaire completed*
43	E/22/00382/ ENG	Land adj to Beechwood cottages	Relating to the material change of use Without Planning Permission, the change of use of the land for the display and sale of vehicles and the siting of a shipping container for use as an office. Relating to the Operational Development Facilitating the change of use Without Planning Permission, the installation of gates,	21.09.23	02.11.23	02/09/2024	Yes			*Appeal Statement Submitted waiting decision*

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
--	-----------	----------	--------	-------------	----------------	-----------------	--------	---------------------	--------	------------------------

			fencing and the laying of hardstanding which facilitates this use.							
43	E23/00139/B OC	Runways Farm Drift Limits	The following condition of planning permission APP/A1910/W/20/32 57756 has not been complied with: (1) <u>Condition 11</u> :	12.10.2023	12.10.2023	12.11.2023				*condition has now been discharged, notice complied with this will be removed from the next list*

The Following Cases are being added to the list for the first time

44	E/23/00082/LBG	Saffron Old Town Ltd, 69-71 High Street, Hemel Hempstead, HP1 3AF	Condition 3 of 22/02790/FUL not complied with	13.10.2023	13.10.2023	13.11.2023				*non compliance*
45	E/23/00159/COB	Land at 15 Yeomans Ride, Hemel Hempstead, HP2 6LG	Without Planning Permission, the change of use of a building to a stand alone dwelling.	19.10.2023	30.11.2023	30.07.2024				*Still within compliance period*
46	E/20/00480/CONSRV	307 High Street, Hemel Hempstead	Without planning permission, the replacement of the first floor windows	27.11.2023	08.01.2024	08.07.2024				*Still within period before effective date*