

PLANNING ENFORCEMENT FORMAL ACTION STATUS REPORT (July 2019)

HEADLINES

1. Since the last update (April 19); a total of 7 notices have been served. Of these, 2 were appealed and one remains capable of being appealed. Further information on these cases can be found at the bottom of this report.
2. Of particular reference is E/17/00487 which is detailed at number 44 below. The enforcement notice served in relation to this complex breach of planning controls was appealed. Extensive negotiation continued with the landowner and the landowner ceased the commercial use of the buildings and the land to comply with the change of use elements of the notice. This led the Council to withdraw the notice and the appellant to withdraw their appeal. This case has now been closed and a satisfactory outcome has been reached in an extremely expeditious manner.

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
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, however mobile home remains on site and no land reinstatement has taken place. p/p granted for new dwelling with compliance of EN to follow.

<u>2</u>	E/07/00257	Gable End, Threefields, Sheethanger Lane, Felden	Construction of new dwelling and hardstanding; construction of boundary wall more than 2m high; MCU of land from agriculture to garden	26 Feb 10	09 Apr 10	09 Apr 11	Yes, appeal dismissed 01 Oct 10	01 Oct 11	Not complied	None of the requirements have been met. Mr & Mrs Pitblado prosecuted and fined for non-compliance, but have appealed to Crown Court. *Awaiting judgement from Crown Court*
3	E/07/00257	Birch Cottage, Threefields, Sheethanger Lane, Felden	Construction of new dwelling and hardstanding; MCU of land from agriculture to garden	26 Feb 10	09 Apr 10	09 Apr 11	Yes, appeal dismissed 01 Oct 10	01 Oct 11	Partly complied	The dwelling has been demolished and the garden use ceased. However, the hardstanding remains. Action dependent on the result of that at Gable End.
<u>4</u>	E/09/00128	The Granary, 49 New Road, Wilstone	The installation of uPVC windows and doors	11 Jan 11	18 Feb 11	18 Feb 13	Yes, appeal dismissed 17 Jun 11	17 Jun 13	Not complied	Further action has not yet been taken due to health of occupiers. Property now for sale. Compliance will be sought from new owners. *Property was not sold and owners still reside in property. Invited in for meeting to discuss compliance*

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<u>5</u>	E/08/00390	Land at Pouchen End Hall, Pouchen End Lane, Hemel Hempstead	Construction of wooden external staircase	04 Apr 11	13 May 11	10 Jun 11	Yes, appeal dismissed 28 Oct 11	28 Jan 12	Not complied	No further action taken yet – legal opinions received. *case being reviewed. Staircase was removed – further investigation required*
6	E/11/00228	342a High Street, Berkhamsted	Construction of rear dormer	19 Mar 12	26 Apr 12	26 Oct 12	No	N/A	Not complied	Latest application to regularise matters (646/17) refused 09 May 17. No appeal submitted – still no compliance.
7	E/12/00354	Meadow View, Threefields, Sheethanger Lane, Felden	Construction of first floor extension, dormer windows and hardstanding. MCOU of agricultural land to residential garden.	30 Jan 13	11 Mar 13	11 Mar 14	Yes, appeal dismissed	20 Jan 15	Not complied	Enforcing the works required to the building are dependent on action at Gable End. Review of other breaches needs to take place.
8	E/12/00354	April Cottage, Threefields, Sheethanger Lane, Felden	Construction of first floor extension, dormer windows and hardstanding. MCOU of agricultural land to residential garden.	30 Jan 13	11 Mar 13	11 Mar 14	Yes, appeal dismissed	20 Jan 15	Partly complied	Enforcing the works required to the building dependant on action at Gable End. Review of other breaches needs to take place.
9	E/12/00354	Woodside, Threefields, Sheethanger Lane, Felden	Construction of first floor extension, dormer windows and hardstanding. MCOU of agricultural land to residential garden.	30 Jan 13	11 Mar 13	11 Mar 14	Yes, appeal dismissed	20 Jan 15	Not complied	Enforcing the works required to the building are dependant on action at Gable End. Review of other breaches needs to take place.

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10	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.
11	E/14/00505	99 High Street, Markyate	Insertion of uPVC window and door to Listed Building.	11 Mar 16	11 Apr 16	11 Apr 21	No	N/A	Not complied	Still within compliance period.
13	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	<u>Partly complied</u>	Compliance period has passed. Most vehicles removed from the land. *Compliance visit undertaken and confirmed that hard surfaced area has been removed, bund of material arising still on site awaiting removal. Need to consider Offence*.
14	E/14/00053	Land at Ten Acres Field, Upper Bourne End Lane, Hemel Hempstead	Breach of condition (failure to remove gate and reinstate grass bank).	30 Aug 16	30 Aug 16	01 Dec 16 (for all steps)	N/A	N/A	Partly complied	Gate has been taken down but not removed. Bank needs proper reinstatement. Case ultimately not taken to Court.
15	E/14/00453	Land at Barnes Croft, Barnes Lane, Kings Langley	Construction of brick garage, brick link extension, and rear sun room.	17 Nov 16	19 Dec 16	19 Dec 17 (for all steps)	Yes, appeal dismissed	19 Jan 19 (for all steps)	N/A	Rear sun room has been demolished. *P/P refused for alterations to and retention of detached garage block (3177/18/FHA).*

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16	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. Need to ensure implementation.
17	E/16/00052	Land at Hill&Coles Farm, London Road, Flamstead	MCOU of land to commercial compound/storage of materials and plant, & creation of earth bund.	08 Mar 17	07 Apr 17	07 Oct 17	No	N/A	<u>Partially Complied</u>	EN has been broadly complied with. *Land has now been restored, but some elements of material storage have returned*
18	E/17/00103	55 St.John's Road, Hemel Hempstead	The insertion of uPVC windows and doors in a Listed Building.	05 July 17	05 Aug 17	05 Nov 17	No	N/A	Not complied	DBC owned property.
19	E/17/00104	59 St.John's Road, Hemel Hempstead	The insertion of uPVC windows and doors in a Listed Building.	05 July 17	05 Aug 17	05 Nov 17	No	N/A	Not complied	DBC owned property.
20	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)	<u>Not complied</u>	Requirements not met in full *following the re-introduction of weddings at the site (summer months) the issue of items not being removed between weddings has arisen again. Further site visits required to confirm and consider further action*
21	E/17/00296	68 Oak Street, Hemel Hempstead	Construction of raised concrete parking platform.	28 July 17	29 Aug 17	29 Nov 17	Yes, appeal dismissed	28 Nov 18	Not complied	Appeal dismissed. Planning application seeking smaller raised platform expected.

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22	E/17/00382	Markyate Cell Park, Dunstable Road, Markyate	Excavation / landscaping works at Historic Park. Storage of tyres and cement mixers.	21 Sep 17	21 Sep 17	N/A	N/A	N/A	N/A	Temporary Stop Notice period expired. Final bund clearance and filling in of holes expected by end of March 2019.
23	E/16/00423	Land adj. 1 Gregorys Field, Astrope, Tring	MCOU to mixed agriculture / commercial / residential. Construction of metal storage areas and concrete pad.	11 Oct 17	09 Nov 17	09 May 18 (for all steps)	Yes, appeal split decision	N/A	Complied	Requirements to remove storage areas has been met. Requires one further site visit to ensure compliance with cessation of change of use.
24	E/17/00266	Land at Red Lion Lane (Sappi), Nash Mills, Hemel Hempstead	Untidy land, left over from building works.	24 Nov 17	24 Dec 17	24 Jan 18	N/A	N/A	Partly complied	Site cleared. Some grass seeding work required. Also need to seek removal of Heras fencing.
25	E/17/00407	Land at The Hoo, Ledgemore Lane, Great Gaddesden	Construction of new road, turning area and bund.	29 Nov 17	29 Dec 17	29 Jun 18 (for all steps)	Yes, appeal dismissed	29 Apr 19 (for all steps)	<u>Partly complied</u>	Bund removed. Period of compliance for track has passed, but no compliance. *p/p sought for retention of smaller track (373/19/FUL) – Refused. Appeal to be submitted*
26	E/17/00290	Land adj. Two Bays, Long Lane, Bovingdon	MCOU to a commercial yard, siting of shipping container and portacabin, and construction of open-fronted building.	14 Dec 17	12 Jan 18	12 May 18	Yes, but withdrawn	28 Feb 19 (for all steps)	<u>Partly complied</u>	Buildings, vehicles and materials nearly all removed from EN site, but relocated (in part) to land to rear. *Law Dev't Certificate for land to the rear refused. Issues remain re; land restoration*.

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<u>27</u>	E/17/00220	17 Langley Avenue, Hemel Hempstead	Construction of raised decking, timber steps and associated fencing and supports.	17 Jan 18	17 Feb 18	17 Apr 18	Yes <u>Appeal allowed (ground g) notice upheld subject to variations</u>	<u>03 July 19</u>	N/A	Appeal against Enforcement Notice submitted on 15 Feb 18. *Appeal allowed in respect of ground (g) (time limits) Notice upheld subject to the variations. Planning application 01117/19 Granted for re-configuration*
28	E/16/00104	40 Tower Hill Chipperfield	MCOU of land from residential garden to commercial car parking/storage and associated laying of hardstanding.	06 Mar 18	05 Apr 18	05 Apr 18 (for all steps)	No	N/A	N/A	Enforcement Notice compliance period has passed. Cars have been removed from the site. Hardstanding not removed. In discussions with executor of estate.
<u>29</u>	E/18/00151	14 The Coppins, Markyate	Construction of raised parking pad.	26 Apr 18	26 May 18	26 Aug 18	Yes	N/A	N/A	Appeal against EN submitted on 17 May 18. *Unaccompanied site visit undertaken, awaiting decision*
<u>30</u>	E/18/00031	26 Park Street, Tring	Construction of conservatory and other works to this Listed Building.	27 Apr 18	27 May 18	27 Sep 18	Yes <u>Appeal dismissed</u>	<u>08 Aug 19</u>	N/A	Appeal against Listed Building Enforcement Notice submitted on 18 May 18. *Appeal dismissed*
<u>32</u>	E/18/00160	Garage No.12 Stevenage Rise, Hemel Hempstead	Untidy condition of garage.	22 Jun 18	22 Jul 18	22 Oct 18	No	N/A	N/A	S.215 Notice needs to be re-served. *case to be reviewed to assess the necessity of re-serving the notice*

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<u>33</u>	E/11/00153	Field adj. New Lodge, London Road, Berkhamsted	Untidy condition of land.	14 Sep18	14.10.18	14.12.18	<u>Yes</u>	N/A	N/A	S.215 Notice served requiring various elements to be removed from the land. Notice was challenged at Magistrates Court. *Court outcome was that the 215 notice was quashed, but a court order was handed down to the defendant for them to comply with. Some items could remain on the site, but needed to be re-positioned. This has not been complied with. Further action to be considered.*
35	E/18/00297	The Old Oak, Hogsbottom, Flaunden	Construction of raised terraces at front of site.	05 Oct 18	05.11.18	05.01.19	Yes	N/A	N/A	Enforcement Notice, requiring restoration of land, has been appealed. Awaiting appeal start letter.
<u>36</u>	E/17/00524	Cow Roast Inn, Tring Road, Tring	Works to Listed Building – removal of chimney stack.	13 Dec 18	12 Jan 19	13 Jun 19	No	N/A	<u>Partially complied</u>	*The chimney stack has been re-built. Final checks to ensure lime rendering has been undertaken in accordance with the requirements of the notice*
37	E/18/00341	55 High Street, Markyate, AL3 8PJ	Installation of an external ACU (air conditioning unit) to the rear.	12 Feb 19	14 Mar 19	14 Sep 19	Yes	N/A	N/A	This notice has been appealed. Awaiting start letter from PINS.

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38	E/18/00206	19 High Street, Kings Langley, WD4 8AB	Installation of an illuminated sign.	12 Feb 19	14 Mar 19	14 Apr 19	No	N/A	<u>Fully complied</u>	*This notice has been fully complied with. Case to be removed from the list*
39	E/16/00007	Land lying to the northwest of Hill Farm, Markyate, AL3 8AU (known as Swaddling Wood)	Parking of vehicles, siting of mobile home and erection of gate in woodland.	15 Feb 19	18 Mar 19	18 Jun 19	<u>Yes</u>	N/A	N/A	*This notice has been appealed. Awaiting start letter*
40	E/18/00385	Site of Smallgrove Farm, Windmill Road, Pepperstock	Creation of a large bund using imported material.	11 Mar 19	11 Apr 19	11 Apr 20	<u>Yes</u>	N/A	N/A	*This notice has been appealed. Awaiting start letter*
41	E/17/00112	28 Silverthorn Drive, Hemel Hempstead, HP3 8BU	Erection of a large barbeque structure, with 3 x flues.	22 Mar 19	23 Apr 19	23 June 19	<u>No</u>	N/A	N/A	*Notice was not appealed, amended scheme submitted: 4/00755/19 (not yet determined*
42	E/18/00166	Honeybrook, St Margarets, Great Gaddesden, HP1 3BZ	Formation of level terraces and construction of brick and stone retaining walls in rear garden.	22 Mar 19	22 Apr 19	22 Oct 19	<u>Yes</u>	N/A	N/A	*This notice has been appealed. Awaiting start letter*
43	E/18/00166	Honeybrook, St Margarets, Great Gaddesden, HP1 3BZ	Non-compliance with condition 12 p/p 4/02874/15/FUL.	22 Mar 19	22 Apr 19	22 Oct 19	<u>Yes</u>	N/A	N/A	*This notice has been appealed. Awaiting start letter*

THE FOLLOWING CASES HAVE BEEN ENTERED ONTO THE LIST FOR THE FIRST TIME

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
44	E/17/00487	Land at Lower Farm End, Luton Road, Markyate	Change of use to commercial vehicle repair and storage; siting of caravan and portaloo; laying of a hard surface; erection of fencing; formation of entrance and construction of two buildings.	28 Mar 19	28 Apr 19	28 Oct 19	Yes	N/A	Complied	*Enforcement Notice served in relation to the identified breaches and notice was appealed. Effort was made to comply with the elements of the notice related to the changes of use and as such, the appeal was withdrawn by the appellant and the Council withdrew the enforcement notice. File closed*
45	E/19/00146	Field adj Church Meadow, Pipers Hill, Great Gaddesden	The construction a hard surfaced road way within the site.	12 Apr 19	12 Apr 19	N/A	N/A	N/A	Complied	*Temporary Stop Notice served to stop works on site. Retrospective application to be submitted to retain the road way and fencing (not yet submitted) TSN expired 10 th May 19*
46	E/18/00087	Silk Mill Industrial Estate, Brook Street, Tring	Untidy land	30 Apr 19	30 May 19	11 Jul 19	No	N/A	N/A	*S215 served in relation to untidy land. Compliance check required*

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47	E/15/00238	6 Sarum Place, Hemel Hempstead	Untidy land	21 May 19	21 Jun 19	21 Dec 19	No	N/A	N/A	*S215 untidy land notice served in relation to the garden, windows, gate and shed at this property. Previous S215 considered complied with following direct action by DBC. Property fallen into disrepair again*
48	E/18/00436	68 Tring Road, Wilstone	Erection of a fence in excess of 1m adjacent to a highway.	11 Jun 19	09 Jul 19	09 Oct 19	Yes	N/A	N/A	*Retrospective planning permission was refused – Enforcement notice served and notice appealed. Awaiting start letter from PINS*
49	E/19/00010	Boxmoor Lodge Hotel, London Road, Hemel Hempstead	Erection of a marquee	25 Jun 19	06 Aug 19	06 Aug 20	N/A	N/A	N/A	*Notice not in effect yet*
50	E/19/00265	Garage Site, Spring Lane, Hemel Hempstead	Clearance/ excavation works and piling (without discharging relevant conditions)	01 Jul 19	01 Jul 19	N/A	N/A	N/A	Complied	*Temporary Stop Notice served in relation to unauthorised works – notice in effect till 28 th July 2019*