

# PLANNING ENFORCEMENT FORMAL ACTION STATUS REPORT (January 2020)

## HEADLINES

1. Since the last update (October 2019) a total of 2 notices have been served – both of which were in respect of breaches at Bovingdon Market. Further information on these cases can be found towards the bottom of this report (Items 45 and 46). A total of 9 cases have been removed from this list since the last update.
2. Items 26, 40, 43 and 44 have all now been complied with and will be removed from the next report.
3. Since the last update (October 2019) the Planning Inspectorate has issued Start Letter for a number of appeals against the serving of Enforcement Notices (Items 28, 30, 31, 35, 36 and 37).

	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.
2	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	Crown Court appeal partly successful. Mr Pitblado convicted on one count, Mrs Pitblado discharged. Need to consider next steps in conjunction with Legal.

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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. *Owner advised he would comply before end of Sep 19 and sought comments from Conservation on the type of window to be used – however, he then sold the property and the new owner has now been in contact with us regarding compliance*
<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	*Partly complied*	Case reviewed. Staircase was removed, but platform remains – *planning application granted 4/02218/19 for external alterations and conversion into dwellings, as such this file has been closed and will be removed from this list*

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<u>6</u>	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. *Inspection to take place to understand current position*
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 dependent on action at Gable End. Review of other breaches needs to take place.
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.

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11	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 <u>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. Planning application submitted: 4/01937/19. Further site visit needed to check material removed.
<b>12</b>	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). *Appeal also dismissed. Need to consider how to secure compliance*
13	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.

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	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	Partially Complied	EN has been broadly complied with. Land has now been restored, but some elements of material storage have returned.
<b>15</b>	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. *Contractors are in discussion with the Conservation Officer to confirm final details of replacement fenestration*.
<b>16</b>	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. *Contractors are in discussion with the Conservation Officer to confirm final details of replacement fenestration*.
<b>17</b>	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. Following the re-introduction of weddings at the site (summer months) the issue of items not being removed between weddings arose again. *Planning application 19/02588/MFA received 06 Oct 2019*

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<u>18</u>	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. *No application received, correspondence sent to owner 20.01.20 to request application/ compliance*
19	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.
20	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.
<u>21</u>	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)	Partly complied	Bund removed. Period of compliance for track has passed, but no compliance. p/p sought for retention of smaller track (373/19/FUL) – Refused. *Planning appeal submitted*
22	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)	Partly complied	Buildings, vehicles and materials nearly all removed from EN site. Law Dev't Certificate for land to the rear refused. Issues remain in respect of land restoration

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23	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 Appeal allowed (ground g) notice upheld subject to variations	03 July 19	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. Site visit required to check compliance with permission.
24	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.
<b><u>25</u></b>	E/18/00151	14 The Coppins, Markyate	Construction of raised parking pad.	26 Apr 18	26 May 18	26 Aug 18	Yes Appeal dismissed	<u>06 Nov 19</u>	N/A	Appeal against EN submitted on 17 May 18. *Appeal dismissed, application 19/02822/FHA received and granted for different scheme. Will check compliance post 18.03.20 (three months post permission)*

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<u>26</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 Appeal dismissed	23 Oct 19	Fully <u>complied</u>	Appeal against Listed Building Enforcement Notice submitted on 18 May 18. Appeal dismissed. *Site inspection confirmed that notice has been fully complied with. To be removed from this list*
27	E/11/00153	Field adj. New Lodge, London Road, Berkhamsted	Untidy condition of land.	14 Sep18	14.10.18	14.12.18	Yes	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.
<u>28</u>	E/18/00297	The Old Oak, Hoggpits Bottom, Flaunden	Construction of raised terraces at front of site.	05 Oct 18	05.11.18	05.01.19	Yes	N/A	*Partly complied*	Enforcement Notice, requiring restoration of land, has been appealed. *Appeal now commenced, but also the breaking up of the concrete bases has taken place*.



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29	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	<u>02 Apr 20</u>	N/A	This notice was appealed but subsequently withdrawn on 2 Oct 19. Compliance required by 02 April 20.
<b>30</b>	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	Yes	N/A	N/A	This notice has been appealed.*Start letter issued and statements exchanged.*
<b>31</b>	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	Yes	N/A	N/A	This notice has been appealed. *Start letter issued and statements exchanged*
<b>32</b>	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	Yes	<u>29 May 20</u>	N/A	This notice was appealed. *Application to be submitted in order to retain terracing with changes to design and new landscaping proposal. Appeal withdrawn*
<b>33</b>	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	Yes	<u>29 May 20</u>	N/A	This notice was appealed. *Variation application 19/02721/ROC submitted. Appeal withdrawn*

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<b>34</b>	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. *Final deadline given to tidy up the site*.
<b>35</b>	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. New planning application submitted. *Start letter for appeal issued and statements exchanged*
<b>36</b>	E/19/00010	Boxmoor Lodge Hotel, London Road, Hemel Hempstead	Erection of a marquee	25 Jun 19	06 Aug 19	06 Aug 20	<u>Yes</u>	N/A	N/A	*Notice appealed & statements exchanged*
<b>37</b>	E/18/00408	28 Boxwell Road, Berkhamsted	Demolition of wall and creation of parking area	09 Sep 19	09 Oct 19	09 Dec 19	<u>Yes</u>	N/A	N/A	EN served following dismissal of planning appeal regarding same development. *EN appealed, statements exchanged*

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38	E/19/00321	Land at Featherbed Lane, Hemel Hempstead	Change of use to residential, siting of mobile homes and operational development including laying hard standing and erection of fencing	11 Sep 19	09 Oct 19	09 Jan 19	Yes	N/A		Status quo injunction sought and granted 23 Aug 2019 (made final 20 Sep 2019). EN served following refusal of planning permission on 11 Sep 19. Refusal and EN appealed and likely to be linked inquiry.
<b>39</b>	E/17/00442	Land north of Home Farm, Flaunden Bottom	Extension to building and construction of new building	12 Sep 19	12 Oct 19	12 Dec 19	<u>No</u>	12 Apr 20		EN served following unsuccessful negotiation. *No appeal made following discussions and re-issuing of the EN. Compliance required by 12.04.20*
<b>40</b>	E/19/00336	Land on the west side of 6 Haynes Mead, Berkhamsted	Change of use of amenity land to residential garden and erection of fence	13 Sep 19	12 Oct 19	12 Dec 19	N/A	N/A	<u>Complied</u>	EN served & complied. *To be removed from this list*
41	E/19/00302	Lock Cottage, Ravens Lane, Berkhamsted	LBEN: Demolition of wall within curtilage of listed building	13 Sep 19	12 Oct 19	12 Jan 20	Yes	N/A		LBEN served – notice appealed on basis that wall was not listed and that permission was previously granted under 4/01580/15/LBC
42	E/19/00302	Lock Cottage, Ravens Lane, Berkhamsted	EN: Demolition of a wall in a conservation area and creation of a raised parking area	13 Sep 19	12 Oct 19	12 Jan 20	N/A	N/A		*EN served – not appealed. Required to comply with the notice by 12.01.20 – site visit to check compliance*

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<u>43</u>	E/19/00403	Former Civic Centre Site, Dacorum Way, Hemel Hempstead	Use of piling and penetrative foundation works within discharging conditions attached to 4/03624/14	19 Sep 19	19 Sep 19	N/A	N/A	N/A	<u>Complied</u>	Temporary Stop Notice issued in relation to the work to require cessation of those works. *Notice expired 17 Oct 19 and compliance was achieved with the discharge of condition prior to this. To be removed from this list*
<u>44</u>	E/19/00398	Land off Upper Bourne End Lane, Hemel Hempstead	Erection of hardstanding and laying of hard materials.	04 Oct 19	04 Oct 19	N/A	N/A	N/A	<u>Complied</u>	Temporary Stop Notice issued in relation to the work to require cessation of those works. *Notice expired 01 Nov 19 and planning application submitted to regularise works (19/02741/FUL). Insofar as the TSN is concerned, the site has complied with those requirements. To be removed from this list*
<b>THE FOLLOWING CASES HAVE BEEN ENTERED ONTO THE LIST FOR THE FIRST TIME</b>										
<u>45</u>	E/19/00492 BOC	Bovingdon Market, Chesham Road, Bovingdon	Breach of conditions 4, 5 and 19 of planning permission 4/01889/14/MFA	05 Dec 19	05 Dec 19	02 Jan 20	N/A	N/A		*Breach of condition notice issued in respect of breaches pertaining to vehicular access points and approved plans*

<u>46</u>	E/19/00492/ BOC	Bovingdon Market, Chesham Road, Bovingdon	Use of vehicular access on Molyneaux Avenue	13 Dec 19	13 Dec 19	N/A	N/A	N/A		*Temporary Stop Notice issued in connection with the use of a vehicular access from Molyneaux Avenue (for market customers)*
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