

PLANNING ENFORCEMENT FORMAL ACTION STATUS REPORT (July 2020)

HEADLINES

1. Since the last update (April 2020) a total of 7 notices have been served. A total of 2 cases have been removed from this list since the last update.
2. During July, the team has been involved in Dacorum's first virtual planning hearing (Smallgrove Farm).

	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. Part II report to be heard in this DMC.

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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	The new owner has *confirmed the new windows will be installed from 29.06.20 onwards and will send photos of compliance when complete*
5	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.
6	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.

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7	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.
8	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.
9	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.
10	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	Compliance period has passed. Most vehicles removed from the land. Compliance 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 needed to check material removed and to check compliance with conditions of permission.

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<u>11</u>	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. *Owners given final deadline of end of September to comply*.
12	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.
<u>13</u>	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. *site visit required to confirm compliance and to continue investigation at other locations within site*
14	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.

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15	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.
16	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.
17	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. Correspondence sent to owner 20.01.20 to request application/ compliance. Application received Feb 2020, invalid at the moment.
18	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.

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19	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>20</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 & appeal dismissed. *Site visit arranged for 16.07.20 to discuss compliance with the EN*.
<u>21</u>	E/17/00290	Land adj. Two Bays, Long Lane, Bovington	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 all removed from EN site. Consideration given to requirement to restore the land as per the notice. Evidence to show the condition prior to the notice was considered in conjunction with expediency assessment. *officers are satisfied that the notice has been complied with to such a degree that this will be removed from the list – all parties updated*

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<u>22</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 Appeal allowed (ground g) notice upheld subject to variations	03 July 19	N/A	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 delayed due to COVID 19 restrictions*.
23	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	*Partly Complied*	Enforcement Notice compliance period has passed. Cars have been removed from the site. Hardstanding not removed. In discussions with executor of estate.
24	E/18/00151	14 The Coppins, Markyate	Construction of raised parking pad.	26 Apr 18	26 May 18	26 Aug 18	Yes Appeal dismissed	06 Nov 19	N/A	Appeal dismissed-application 19/02822/FHA received and granted for different scheme. Additional compliance period has now passed, however this is due to COVID – 19 lockdown. Progress has been made and witnessed by officers. Continued liaison - likely to result in successful implementation of the new permission.

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25	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.
26	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 - withdrawn	N/A	*Partly complied*	Enforcement Notice Appeal withdrawn following extensive discussions and compliance with the enforcement notice under supervision of the Council. *The occupier has complied with the enforcement notice to a degree to which it would not be expedient to pursue. Case closed and will be removed from the list*.

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<u>27</u>	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 - withdrawn	02 Apr 20	N/A	Planning application (20/00415) submitted to reposition and retain ACU. *Now granted – with 6 months to implement the change (in position)*
<u>28</u>	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	<u>27 Aug 20</u>	N/A	This notice was appealed – PINS issued their decision on 27.05.20 and upheld the enforcement notice (subject to variations).
29	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.
30	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 - withdrawn	29 May 20	N/A	This notice was appealed, but appeal withdrawn. Application 20/00141 submitted in order to retain terracing with changes to design and new landscaping proposal.
31	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 - withdrawn	29 May 20	N/A	Variation application 19/02721/ROC submitted.

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32	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 was complied with following direct action by DBC. Property fallen into disrepair again. Final deadline given to tidy up the site.
33	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	23 Jun 20	N/A	Retrospective planning permission was refused – Enforcement notice served and notice appealed. Appeal dismissed. Further planning application refused. *No compliance – further action bring considered. Planning application refusal has been appealed*
34	E/19/00010	Boxmoor Lodge Hotel, London Road, Hemel Hempstead	Erection of a marquee	25 Jun 19	06 Aug 19	06 Aug 20	Yes	31 Mar 21	N/A	Appeal dismissed – new compliance date 31 March 2021.
35	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	N/A	EN served following dismissal of planning appeal regarding same development. Appeal dismissed – new compliance date 30 July 2020.

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36	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. *Council's statement of case submitted to PINS 26.06.20 – awaiting Inquiry date*
37	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	No	12 Apr 20		EN served following unsuccessful negotiation. No appeal made following discussions and re-issuing of the EN. *Compliance delayed due to owner's ill health – short, informal extension granted. New planning application granted for large barn on the site*
38	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. *statement submitted to PINS. Awaiting PINS decision*.

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39	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	No	N/A		EN served – not appealed. Required to comply with the notice by 12.01.20. No compliance – next steps to be considered in line with LBEN appeal.
40	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. *Application 20/00339 refused – further action being considered, COVID 19 restrictions meant that the market was closed for a number of weeks and that site inspections have not been carried out in all cases*.
41	E/18/00558	123 George Street, Berkhamsted	Breach of condition in relation to approved drawings 4/01759/16/FHA.	31 Jan 20	31 Jan 20	30 April 20	N/A	N/A		Breach of condition notice issued following unsuccessful negotiations. Additional roof lights causing negative impact.

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<u>42</u>	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	N/A		EN issued in relation to the construction of 7 unauthorised buildings, construction of hard surfacing, change of use of buildings and change of use of land for waste importation and processing. *Notice appealed – awaiting start letter from PINS*
43	E/20/00023/ MULTI	Haresfoot Farm, Chesham Road, Berkhamsted	Construction of buildings and provision of hardstanding, operation of waste transfer/recycling and importation of waste.	19 Feb 20	19 Feb 20		YES	N/A		Stop notice issued with enforcement notice in order to cease the continued building work and importation and processing of waste materials at this site.
<u>44</u>	E/20/00101/ NPP	121 High Street, Markyate	Construction of an unauthorised structure to the rear of this Listed Building.	04 Mar 20	04 Mar 20		N/A	N/A		Temporary stop notice issued in relation to the building work. PCN issued to obtain further information on the works. PCN not responded to. *structure subject to TSN removed - planning application submitted for other works, including re-build of structure in a different location, (not the flue or surfacing of yard) – enforcement action to be taken*

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45	E/19/00439/ LBG	NCP Car Park, Marlowes, Hemel Hempstead	Condition of building	13 Mar 20				N/A		S215 notice issued in relation to the condition of this car park building (external condition).
46	E/20/00088/ NPP	Land East Of Watling Girth, Old Watling Street, Flamstead	Construction of unauthorised structure, hardstanding, internal access road.	31 Mar 20	31 Mar 20		N/A	N/A		Temporary stop notice issued in relation to construction of unauthorised structure on this land. PCN issued and responded to. *planning application submitted prior to expiration of TSN – Refused*.

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

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47	E/20/00147/ NAP	35 Parr Crescent, Hemel Hempstead	Breach of condition 3 of planning permission 19/03084/FHA (contamination)	29 Apr 20	29 Apr 20		N/A	N/A		Temporary stop notice issued in respect of external works to the extension at this property. A contamination condition had not yet been discharged which related to this property specifically due to the previous land use.

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48	E/19/00444/ NAP	Plot 1, Cupid Green Lane, Great Gaddesden	Material change of the use of the land from agricultural to use for agricultural research with associated development.	29 Apr 20	24 Jun 20	N/A	YES			Enforcement notice issued. Tents and fencing erected on this sensitive site which lies in the Green Belt. Residential and non-agricultural paraphernalia has been stored on the land.
49	E/20/00136/ NPP	Trout Lake, Station Footpath, Kings Langley	Importation and deposition of soil and other materials.	07 May 20	07 May 20		N/A	N/A		Temporary stop notice issued in respect of the unauthorised importation of large quantities of soil to this site (deposited in/stored adjacent to the lake). Commercial plant and machinery and other materials are being stored on the soil.
50	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				Breach of condition notice issued which related to approved plans. The garage at this site had not been built in accordance with the approved scheme, such as the loss of features such as bug hotels and flint elevations.

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51	E/19/00492/ BOC	Bovingdon Market, Chesham Road, Bovingdon	Breach of conditions 1 & 2 of planning permission 4/01889/14/MFA	27 May 20	27 May 20	24 June 20				Breach of condition notice related to the breach of conditions 1 and 2 of the permission (market layout and parking).
52	E/20/00104/ NPP	The Water Gardens Telecoms Mast, Leighton Buzzard	Installation of telecommunications mast.	04 Jun 20	30 Jul 20					Enforcement notice issued in respect of unauthorised telecommunications mast near Water Gardens Car Park. Mast had been erected under emergency telecoms PD rights – this 18- month period has passed and the mast was not removed.
53	E/20/00214/ CONSRV	307-309 High Street, Berkhamsted	Construction of decking area to the front of the premises.	17 Jun 20	17 Jun 20		N/A	N/A		Temporary stop notice issued in relation to decking being built to the front of the 2 x premises. Intention was to create an outdoor seating area for customers. Planning application 20/01795/FUL submitted following TSN.