

PLANNING ENFORCEMENT FORMAL ACTION STATUS REPORT (January 2021)

HEADLINES

1. Since the last update (October 2020) a total of 4 Enforcement Notices have been served. A total of 8 cases have been removed from this list since the last update.
2. The enforcement team have almost completed the geographic area focus which has taken them through the almost 600 open cases across the Borough.
3. The appeal against the telecoms mast on the Leighton Buzzard Road (adj Water Gardens car park) succeeded and the enforcement notice was quashed. The mast has temporary planning permission until 02nd December 2021.

	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. Part II report heard. *Amended planning application submitted (21/00090/RET)*.

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
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.
4	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.
5	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.
6	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.
7	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.
	CASE REF.	LOCATION	BREACH	DATE	EFFECTIVE	COMPLIANCE	APPEAL	NEW	RESULT	NOTES / FURTHER

				ISSUED	DATE	DATE		COMPLIANCE DATE		ACTION
8	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.
9	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 needed to check material removed and to check compliance with conditions of permission.
<u>10</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. *New app. received (20/02400/FHA)*
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								DATE		
11	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.
12	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.
<u>13</u>	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 in discussion with the Conservation Officer to confirm final details of replacement fenestration. *Installation due January/February 2021*
<u>14</u>	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 in discussion with the Conservation Officer to confirm final details of replacement fenestration. *Installation due January/February 2021*
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE	RESULT	NOTES / FURTHER ACTION

								DATE		
15	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 – weddings not taking place at the moment due to COVID 19 – compliance check in relation to the structures etc required*
16	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.
17	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.
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION

18	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. Application for smaller track (373/19/FUL) – refused & appeal dismissed. *Application for twin tracks submitted 20/03945/FUL – works already undertaken to remove a lot of material*
19	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.
20	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.
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION

21	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.
22	E/11/00153	Field adj. New Lodge, London Road, Berkhamsted	Untidy condition of land.	14 Sep 18	14 Oct 18	14 Dec 18	Yes	N/A	N/A	S.215 Notice served. 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.
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
23	E/16/00007	Land lying to the	Parking of vehicles,	15 Feb 19	18 Mar 19	18 Jun 19	Yes	27 Aug 20	N/A	This notice was

		northwest of Hill Farm, Markyate, AL3 8AU (known as Swaddling Wood)	siting of mobile home and erection of gate in woodland.							appealed – PINS issued their decision on 27.05.20 and upheld the Enf notice (subject to variations). High Court appeal dismissed. *Final compliance date 28 Feb 21 requested due to COVID 19 and other factors*
24	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/ dismissed	01 Oct 21	N/A	New compliance deadline 01 October 2021
25	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 granted – retention of terracing with changes to design and new landscaping proposal. Final compliance check required.
26	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 granted. Final compliance check required.
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
27	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 & shed at this property. Property fallen into disrepair again. *Legal challenge lodged against Notice – to be heard 17/03/21*
28	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 refused – EN served and notice appealed. Appeal dismissed. Further planning application refused. Second planning application refusal dismissed.
29	E/19/00010	Boxmoor Lodge Hotel, London Road, Hemel Hempstead	Erection of a marquee	25 Jun 19	06 Aug 19	06 Aug 20	Yes/ dismissed	31 Mar 21	N/A	New compliance date 31 March 2021.
30	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. *Compliance check undertaken and application 20/03416/FHA not dealt with under s70(c). Next steps being considered*
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
31	E/19/00321	Land at Featherbed Lane, Hemel Hempstead	Change of use to residential, siting of mobile homes and	11 Sep 19	09 Oct 19	09 Jan 19	Yes	N/A		Status quo injunction sought and granted 23 Aug 2019 (made

			operational development including laying hard standing and erection of fencing							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.
32	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	Part compliance	Compliance partially obtained. Retaining wall remaining. Public interest test to be applied to requiring full compliance.
<u>33</u>	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/ dismissed	N/A		*Compliance required by 03 Feb 2021*
<u>34</u>	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. *LBEN decision issued – notice upheld and wall considered part of the Listing. Next steps in relation to compliance being considered post 03 Feb 2021*
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
35	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.
36	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.
37	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		*Start letter issued and statements exchanged. Virtual Hearing to take place 24 March 2021*
38	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.
39	E/19/00439/ LBG	NCP Car Park, Marlowes, Hemel Hempstead	Condition of building	13 Mar 20			No	N/A		*Works completed to paint, clean and tidy the building, incl. the listed mosaic. S.215 Notice complied with. To be removed from list*.
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
40	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	29 Apr 20	24 Jun 20	N/A	Yes/ Allowed	N/A	<u>Notice Quashed</u>	*Ground (b) appeal succeeded. It is open to the Council to issue a fresh EN

			research with associated development.							in relation to the operational development. To be removed from the list*
41	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		Breach of condition notice issued: approved plans. 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. Variation application 20/01656/ROC not yet determined.
42	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	N/A	N/A		Breach of condition notice related to the breach of conditions 1 and 2 of the permission (market layout and parking).
<u>43</u>	E/20/00104/ NPP	The Water Gardens Telecoms Mast, Leighton Buzzard	Installation of telecommunications mast.	04 Jun 20	30 Jul 20	N/A	Yes/ Allowed	N/A	<u>Notice Quashed</u>	*Temporary planning permission granted for the mast. Permission expires December 2021. Case to be removed from this list*
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
<u>44</u>	E/20/00088/ NPP	Land east of Watling Garth, Old Watling Street, Flamstead	Construction of a building, gabion walls, widening of an existing access, formation of two	17 Jul 20	28 Aug 20		Yes			*Appeal started, statement due by 27 Jan 21. Appeal has been conjoined with 3 x planning appeals

			vehicular access points and roadways within the site.							for refusals of numerous developments at this site*
45	E/19/00398	Land at Berry Farm, Upper Bourne End Lane, Hemel Hempstead	Pig breeding enterprise with associated development.	17 Jul 20	14 Aug 20		Yes			*Appeal submitted – statements exchanged; awaiting PINS decision*
46	E/19/00359	Land adj. The Willows, Potten End Hill, Water End	Installation of 2 x solar panel arrays.	12 Aug 20	10 Sep 20	10 May 21	No			*Agent has recently contacted to advise they are unlikely to comply in time (May 2021) due to delays with a planning application which seeks to relocate the arrays*
47	E/20/00311/ NAP	13 Chambersbury Lane, Hemel Hempstead	Construction of raised patio and garden store to rear of dwelling.	10 Sep 20	10 Sep 20	N/A	<u>Yes</u>			*Enforcement notice issued following refusal of 20/03101/FHA. Both the refusal of the application and the EN have been appealed. Appeal not started*
48	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	<u>Yes</u>			*Appeal submitted – statements exchanged; awaiting PINS decision*
49	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	<u>Yes</u>			*Appeal submitted – statements exchanged; awaiting PINS decision*

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
50	E/19/00290	Land to the West of The Hive, Featherbed Lane,	Construction of a chicken coup and run, consisting of	20 Oct 20	18 Nov 20	N/A	Yes			Refusal of 19/02959/FUL – EN issued in respect of

		Felden	metal container and post and wire fencing, with corrugated roof; and extensions to an existing shelter on the Land							the developments. The stable/shelter extensions were 'under-enforced' (i.e. described as a breach on the notice, but not required to be removed) due to officer report for 19/02959/FUL identifying that they were not harmful.
51	E/20/00421/ COL	Bovingdon Airfield, Chesham Road, Bovingdon	Material change of use of the land from agriculture, to use as a car park associated with the adjacent market site; with associated operational development forming the laying of hard core on the land	06 Nov 20	07 Dec 20	N/A	Yes			Further to the use of the land for parking vehicles associated with the market (over flow parking) and associated development – EN issued.
52	E/19/00378	199 High Street, Berkhamsted	Installation of a traffic control barrier to the side of the building.	19 Nov 20	21 Dec 20	N/A	Yes			Further to failed negotiations, enforcement notice issued. Application submitted post notice; 20/03873/FUL
53	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			Further to refusal of retrospective app. 20/00274/RET – the enforcement notice was issued.