

# PLANNING ENFORCEMENT FORMAL ACTION STATUS REPORT (August 2021)

## HEADLINES

1. Since the last update (April 2021) a total of 12 Notices have been served. A total of 11 cases have been removed from this list since the last update.

	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	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. *Hardstanding has been modified across terrace. Can be removed from list*

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<u>3</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. *Prosecution not expedient provided finishing materials are agreed with Conservation Officer*.
4	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.
5	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.
	CASE REF.	LOCATION	BREACH	DATE	EFFECTIVE	COMPLIANCE	APPEAL	NEW	RESULT	NOTES / FURTHER

				ISSUED	DATE	DATE		COMPLIANCE DATE		ACTION
<u>6</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)	Partially complied	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. (20/02400/FHA) granted – need to check compliance*
7	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.
8	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.
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								DATE		
<u>9</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 later in August 21 – windows currently in manufacturing stage*
<u>10</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 w/c *9 <sup>th</sup> August 21 – delays due to COVID*
<u>11</u>	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 – *appeal outstanding / weddings have recommenced*.
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<b>12</b>	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 21/02858/FUL – awaiting decision*
13	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	Application for twin tracks approved 20/03945/FUL – works already undertaken to remove a lot of material. Final compliance check required and then removed from this list.
14	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.
15	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.
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16	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.
<u>17</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	27 Aug 20	Complied	This notice was appealed – PINS issued their decision on 27.05.20 and upheld the EN (subject to variations). High Court appeal dismissed. Final compliance date 28 Feb 21 requested due to COVID 19 and other factors. *Compliance check completed and all works to comply with the notice have been carried out. This case can be removed from the list*
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18	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
<u>19</u>	E/15/00238	6 Sarum Place, Hemel Hempstead	Untidy land	21 May 19	21 Jun 19	21 Dec 19	No	N/A	<u>Complied</u>	S215 untidy land notice served in relation to the garden, windows, gate & shed at this property. Property fallen into disrepair again. *Direct Action undertaken – site cleared and tidied. This case will be removed from the list*
<u>20</u>	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. *Homeowner engaging with enforcement regarding compliance – check required*
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21	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.
<u>22</u>	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. Public Inquiry took place in May 2021. *Permanent planning permission refused – 5 year temporary permission granted, limited to one pitch (two caravans)*
23	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.
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<u>24</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		LBEN decision issued – notice upheld and wall considered part of the Listing. *Next steps in relation to compliance being considered with quotes for direct action obtained. Homeowner showing signs of engagement, but no compliance achieved yet*
<u>25</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	Complied	Breach of condition notice issued in respect of breaches pertaining to vehicular access points and approved plans. Application 20/00339 refused – *further to the planning appeal, the plans have been approved to show a larger market area. The notice has been complied with in relation to the vehicle access points and the plans (by virtue of the appeal decision) therefore, this case can be removed from the list*
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26	E/18/00558	123 George Street,	Breach of condition	31 Jan 20	31 Jan 20	30 April 20	N/A	N/A		Breach of condition

		Berkhamsted	in relation to approved drawings 4/01759/16/FHA.							notice issued following unsuccessful negotiations. Additional roof lights causing negative impact.
<b>27</b>	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		Start letter issued and statements exchanged. Virtual Hearing to take place 25 March 2021. *Appeal decision split, planning permission granted for a number of buildings and uses on the site, enforcement notice upheld in relation to some matters. New compliance date 18 Dec 21. Further notice to be issued in relation to other matters*
<b>28</b>	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. *notice still in effect further to appeal decision*
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29	E/20/00163/	The Walled	Breach of condition	27 May	27 May 20	27 Aug 20	N/A	N/A		Breach of condition

	NAP	Garden, Stocks Road, Aldbury	17 of permission 4/02488/16/FUL.	20						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.
<u>30</u>	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	Complied	Breach of condition notice related to the breach of conditions 1 and 2 of the permission (market layout and parking). –*further to the planning appeal, the plans have been approved to show a larger market area. The notice has been complied with in relation to the approved plans (by virtue of the appeal decision) therefore, this case can be removed from the list*
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31	E/20/00088/NPP	Land east of Watling Garth, Old	Construction of a building, gabion	17 Jul 20	28 Aug 20		Yes			Appeal conjoined with 3 x planning

		Watling Street, Flamstead	walls, widening of an existing access, formation of two vehicular access points and roadways within the site.							appeals for refusals of numerous developments at this site. Statements submitted and awaiting PINS decision(s)
32	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.
<b>33</b>	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			*Second extension to compliance period denied. Compliance required by 30 <sup>th</sup> September*
<b>34</b>	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	Yes			Enforcement notice issued following refusal of 20/03101/FHA. Both the refusal of the application and the EN have been appealed – *appeal site visit completed. Awaiting PINS decision*
<b>35</b>	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		Appeal submitted – *appeal dismissed, notice upheld. Homeowner now has until 26 May 2024 to comply*
<b>36</b>	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		Appeal submitted – *appeal dismissed – new compliance date 10 September 2021*
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<b>37</b>	E/20/00421/ COL	Bovingdon Airfield, Chesham Road, Bovingdon	Material change of use of the land from agriculture, to	06 Nov 20	07 Dec 20	N/A	Yes / notice quashed			EN issued. *Appeal decision resulted in notice being

			use as a car park associated with the adjacent market site; with associated operational development forming the laying of hard core on the land							quashed, Inspector found that there had been no material change of use. Hard core removed*
38	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	21 Jan 21	Yes/ withdrawn			This EN was appealed, but prior to the submission of statements, the appeal with withdrawn by the appellant. An application for a revised scheme 20/03873/FUL (retractable bollard) which was approved. Compliance check required prior to removal from this list.
39	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			This EN was appealed and statements have been submitted to PINs – awaiting decision.
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40	E/21/00045/ NPP	17 Polehanger Lane, Hemel Hempstead	Construction of a building/structure to the front of the	03 Mar 21	01 Apr 21	01 May 21	No			Further to the issuing of a Temporary Stop Notice, an EN was

			property.							issued in order to remedy the breach of planning control and to ensure removal of the part built structure to the front of the property. This notice has not been appealed and compliance is required by 01 May 21.
41	E/20/00148/ NPP	23 The Lawns, Hemel Hempstead	Installation of a fence/enclosure to front of property	20 Mar 21	28 Apr 21	28 Jun 21				Further to unsuccessful negotiations and refusal of application 20/02662/RET, an EN was issued in respect of the fencing and change of use of land in this case. The notice remains capable of being appealed until 28 Apr 21.
42	E/19/00444/ NAP	Plot 1, Cupid Green Lane, Hemel Hempstead	Construction of two timber buildings and installation of fencing and septic tank system	14 Apr 21	12 May 21	12 Sep 21				Further to the upheld appeal and quashed EN (material change of use), the Council has issued a further notice relating to the operational development at this site, including a new, large timber building.

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

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43	E/21/00181/ BOC	Land r/o 76-78 Belswains Lane, Hemel Hempstead	Failure to discharge conditions 2, 3 and 5 of relevant permission	19 May 21	19 May 21		N/A			Temporary stop notice issued in connection with the works taking place at the site. Notice now expired, can be removed from the list.
44	E/19/00268	Silver Birches, Nettleden Road North, Little Gaddesden	Alterations and building works to an outbuilding in order to facilitate its material change of use to an independent dwellinghouse	09 Jun 21	07 Jul 21		Yes			Enforcement notice issued in respect of the development, following refusal of application 4/02148/19/RET. The enforcement notice has been appealed. Start letter issued.
45	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		No			Listed building enforcement notice issued in relation to the works carried out inside the premises. Notice was not appealed and compliance required by 21 Oct 21.
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46	E/20/00388/ CONSRV	28 George Street, Berkhamsted	Installation of cladding to external facade of property	23 Jun 21	21 Jul 21		No			There was an attempt to appeal the notice but this was

										rejected as out of time. The homeowner has appealed the refusal of 21/01313/RET for the same development. They have until 21 Oct 21 to comply with the enforcement notice, but this could be superseded by a successful planning appeal.
47	E/20/00395/ NPP	21 Howards Drive, Hemel Hempstead	Materials and other items stored in the garden	30 Jun 21	30 Jul 21		N/A			S215 notice issued in connection with the condition of the front garden of this property.
48	E/20/00347/ NAP	2 North Road, Berkhamsted	Development not in accordance with 4/01142/17/FHA	30 Jun 21	30 Jul 21		No			Enforcement notice issued in relation to dormer windows built not in accordance with approval. EN requires removal of dormers by 30 <sup>th</sup> Jan 2022 – planning app 21/02727/ROC pending.
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49	E/21/00261/ NPP	10 Bunkers Lane, Hemel Hempstead	Importation of building and waste material to the site	06 Jul 21	06 Jul 21		N/A			Temporary stop notice issued in connection with importation of



										builders waste to the rear garden of this property. The activity has since ceased – this can be removed from the list.
50	E/21/00301/ NPP	Entrance to field, Cupid Green Lane, Hemel Hempstead	Installation of double gates adjacent to highway	26 Jul 21	23 Aug 21		No			Enforcement notice issued in relation to the installation of metal gates adjacent the highway at this plot of land. This notice was complied with prior to the notice taking effect and it was not appealed. This case can be removed from this list.
51	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					Enforcement notice issued following refusal of 19/02948/RET. Notice requires removal of decking and hard landscaping.
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52	E/21/00312/ NPP	Land at Church Road, Little Gaddesden	Erection of fencing, contrary to Art 4 Direction	02 Aug 21	02 Aug 21		N/A			Temporary stop notice issued in connection with fencing being erected at this plot of

										land – contrary to Article 4 Direction. This notice has been superseded by the issuing on a stop notice on 12 Aug 21, this can be removed from the list.
53	E/21/00312/ NPP	Land at Church Road, Little Gaddesden	Construction of sheds/structures, creation of new access, erection of gates and fencing	12 Aug 21	12 Sep 21					Enforcement notice issued in relation to fencing erected, new access and gate installed and erection of 3 x sheds on the land.
54	E/21/00312/ NPP	Land at Church Road, Little Gaddesden	Construction of sheds/structures, creation of new access, erection of gates and fencing	12 Aug 21	12 Sep 21					Stop notice issued in connection with the un-finished fencing on this land (previously subject to a temporary stop notice).