

# PLANNING ENFORCEMENT FORMAL ACTION STATUS REPORT (October 2022)

	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. 2019 planning permission implemented though approved replacement dwelling not yet built and mobile home remains. Case review required to decide if further action necessary.
2	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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<u>3</u>	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*.
4	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. Changes almost entirely completed and remaining deviations insignificant harm. Case review needed with a view to closure.
5	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 and case has been closed Nov 2020. Site now replaced with approved portal framed agricultural building. Wider investigations ongoing for Hill and Coles Site under E/19/00064.

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6	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 was due in Jan – Feb 2022. Conservation Officer still in discussions
7	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 was due in Jan – Feb 2022. Conservation Officer still in discussions
<u>8</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. PD rights being used as 'fall-back' position but items not being removed between events. Application 19/02588/MFA refused and dismissed at appeal 13 July 2022. *Owner declined to attend Interview Under Caution Sep 22*.

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<u>9</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. Application 21/02858/FUL – granted. *Approved scheme requires additional timber fence, but not considered sufficient harm without it. Case closed to be removed from list*.
10	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.
<u>11</u>	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 reduced to 4-5 in number but hardcore surface not removed. Insufficient compliance to close, case to be reviewed*.
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<u>12</u>	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. *Review has taken place and considered insufficient harm and evidence to warrant returning to Court. Justification also weakened by lapse of time. Case closed to be removed from list*.
<u>13</u>	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	*Complied *	*Compliance check completed. Enforcement Notice complied with. Case closed, to be removed from list*.
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<u>14</u>	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	Not complied	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). *Legal options to secure compliance being pursued*.
<u>15</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	Complied	Status quo injunction sought and granted 23 Aug 2019 (made final 20 Sep 2019). Public Inquiry took place in May 2021. Permanent planning permission refused – 5 year temporary permission granted, limited to one pitch (two caravans). *Site visited Sept 22 number of caravans in accordance with planning permission. Case closed to be removed from list*
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<b>16</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	Not complied	Appeal decision split, planning permission granted for a number of buildings and uses on the site, enforcement notice upheld in relation to some matters. Planning permission granted March 2022 for storage, salvage, re-cycling under 21/04629/FUL subject to condition. *Case review carried out and found enforcement notice where upheld at appeal has not been complied with. Discussions underway with new owners as to how to secure compliance but also guide new appropriate development*.
17	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	Not complied	BOCN issued. 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. Amended scheme approved under 20/01656/ROC in April 2022. Case review to take place.
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<b>18</b>	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 vehicular access points and roadways within the site.	17 Jul 20	28 Aug 20	17 Jul 21	Yes *dismissed 28.02.22*	28 Feb 23	Partly complied	Appeal conjoined with 3 x planning appeals for refusals of numerous developments at this site. All 4 appeals dismissed. *Enforcement notice almost entirely complied with, owner declined to attend Interview Under Caution Sept 22. Review to take place if further action required*.
19	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	n/a	Appeal submitted – appeal dismissed, notice upheld. Homeowner now has until 26 May 2024 to comply.
20	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	Not complied	Appeal submitted – appeal dismissed – new compliance date 10 September 2021. No compliance – need to consider next steps.
21	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 Part allowed 29.10.21	*29.02.21*	Part complied	21/02829/FUL granted, allowing compromise scheme. Appeal decision part allowed for compromise scheme. Case to be reviewed.
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22	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	21 Oct 21	No		Partly complied	Listed building EN issued in relation to the works carried out inside the premises. Notice was not appealed and compliance required by 21 Oct 21. Works have commenced – need compliance check.
<b>23</b>	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	30 Aug 22	No		*Partly complied*	Enforcement notice issued following refusal of 19/02948/RET. Notice requires removal of decking and hard landscaping. *Partial compliance by Aug 22 deadline. Case being reviewed.*
<b>24</b>	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	N/A	*Yes*		Not complied	Stop notices and Enforcement notices issued in relation to fencing erected, new access and gate installed and erection of 3xsheds on the land. Injunction secured to prevent further works. Enf notice appeal dismissed, Appellant now seeking Judicial Review (JR) of PINS decision. Extension to Injunction granted by Courts, pending JR decision.
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<b>25</b>	E/21/00041/ NPP	The Old Oak, Hogpits Bottom, Flauden	Change of use of the land to a mixed use of wood chopping/fire wood business and the siting of a mobile home/caravan for residential purposes	09 Dec 21	13 Jan 22	13 Jan 23	Yes		Not complied	*Appeal to be dealt with by public inquiry. Date to be set by Planning Inspectorate. Discussions ongoing with Parish Council*.
<b>26</b>	E/19/00146	Land at Pipers Hill/ Church Meadow, Great Gaddesden	Erection of fencing	09 Dec 21	13 Jan 22	13 Apr 22	No		Complied	Enforcement notice complied with, remaining fencing and development outside scope of EN. *Case has been closed due to limited harm and impact on historic setting and for reason that this fence was excluded from enforcement notice. Case closed to be removed from list*.
27	E/22/00073/ LBG	Cow Roast Inn Cow Roast	Building in very poor condition.	30 Mar 22	7 Apr 22	14 April 22	No		Partly Complied	Listed Bdg Urgent Repairs Notice issued. Building now secure / boarded up. Owner in discussions with Conservation Officer and Historic England about recent external site works.
<b>28</b>	E/21/00430/ NPP	1 The Orchard, Kings Langley	Erection of a fence	5 July 22	5 Aug 22	16 Aug 22	yes		Not complied	*Appeal statements submitted to Planning Inspectorate*
<b>29</b>	E/22/00168/ COL	Cupid Green Lane, South of Gaddesden Lane.	Storage of cars	14 June	15 Jul 22	15 Aug 22	no		Not complied	Witness Statements written. Legal options being pursued.

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

30	E/20/00217/ NPP	82 Seaton Road, Hemel Hempstead, HP3 9HU	Erection of a shed	22 Aug 22	21 Sept 22	21 Dec 22	no		n/a	Notice compliance period not yet expired.
31	E/21/00126/ NAP	The Moorings, 13 Anglefield Road, Berkhamsted, HP4 3JA	Erection of fencing and gates	22 Sept 22	24 Oct 22	24 Jan 23	Within time to appeal		n/a	
32	E/18/00096	Land at Flint Cottage, Barnes Lane, Kings Langley WD4 9LB	Commercial and domestic storage	7 Oct 22	8 Nov 22	8 Sept 23	Within time to appeal		n/a	