

DELEGATED DECISIONS ON ENFORCEMENT MATTERS BY THE HEAD OF DEVELOPMENT MANAGEMENT ACTING UNDER DELEGATED AUTHORITY

In 2024/25 we received 278 complaints of alleged breaches of planning control. Often breaches of planning control are resolved without formal enforcement action - for example the owner or occupier may voluntarily remedy the breach. Sometimes it may be appropriate to regularise the breach with a retrospective permission. In some cases it may be necessary to take formal action. In other cases it may not be expedient to pursue formal action even though voluntary resolution or regularisation cannot be achieved.

PLANNING CONTRAVANTION NOTICES ISSUED

E/2024/0105, Thwaite Howe, Thornthwaite, Keswick, CA12 5SA

Alleged change of use of property to holiday letting accommodation

This property is now being occupied as a holiday letting property. We have issued a planning contravention notice to gather information about the holiday letting use. The information will help us to confirm if a material change of use has occurred.

E/2025/0095, Beech Rock, Helm Road, Bowness on Windermere, LA23 2HS

Alleged change of use of dwelling to holiday letting accommodation

This dwelling is now being occupied as a holiday letting property. We have issued a planning contravention notice to gather information about the holiday letting use. The information will help us to confirm if a material change of use has occurred.

E/2025/0125, Lily Bank, Kendal Road, Staveley, LA8 9LP

Alleged change of use of dwelling to holiday letting accommodation

This dwelling is now being occupied as a holiday letting property. We have issued a planning contravention notice to gather information about the holiday letting use. The information will help us to confirm if a material change of use has occurred.

INVESTIGATIONS CLOSED

E/2020/0325, Field next to Old Beckstones, Grizebeck, Kirkby-in-Furness, LA17 7XS

Alleged static caravan in field

Reason for closure: Breach - Resolved

A static caravan has been located on the site for around 4 years and was being used intermittently when stock required 24-hour watch. It was not removed when there was no agricultural need. The storage of the caravan constitutes a material change of use of land from agricultural to a mixed use of agriculture and the storage. A breach of planning control had occurred. An enforcement notice was served and an appeal lodged. The appeal was dismissed and the enforcement notice upheld. The caravan has been removed in compliance with the enforcement notice.

E/2021/0066, Ambleside Manor Guest House, Rothay Road, Ambleside, LA22 0EJ

Alleged unauthorised building works

Reason for closure: Breach - Not expedient to enforce

The original slate and glazed entrance canopy to the front of the building has largely been removed and replaced with a new extension with slate roof and rooflights to create an entrance and internal seating area in breach of planning control. An assessment of the planning merits of the development concluded there is minimal impact on the integrity of the conservation area and no material harm or adverse impact on the amenity of the site or the surrounding area. No formal action is considered necessary.

E/2021/0351, Upper Hawthwaite Farm, Hawthwaite, Broughton-in-furness, LA20 6AD

Alleged operation of agricultural engineering business including new service yard

Reason for closure: Breach - Retrospective permission

A material change of use of agricultural buildings and land occurred in breach of planning control. A retrospective planning application was submitted and approved by the Development Control Committee in May 2025. The breach has been regularised.

E/2022/0157, 133 & 133a Craig Walk, Bowness On Windermere, Cumbria, LA23 3AX

Alleged sub-division of two flats to form three holiday lets

Reason for closure: Breach - Notice complied with

133 Craig Walk has a lawful use as two residential flats. The larger flat was sub-divided to create an additional dwelling and all three units were occupied as holiday lets. The new unfettered dwelling was contrary to Local Plan policies so an enforcement notice was issued. The enforcement notice has been complied with as the property is only being occupied as two flats. The breach of planning control has been resolved.

E/2023/0059, Herons Croft, Storrs Park, Bowness-on-Windermere, LA23 3LT

Alleged engineering operations to create a platform

Reason for closure: No Breach - Has permission/consent

Unauthorised development occurred in breach of planning control in the root protection zone of an oak tree protected by Tree Preservation Order 229c. The owner of the site was successfully prosecuted for causing wilful damage to the tree. Subsequently planning permission has been approved for the development on the site, which includes detailed method statements to avoid further damage to the tree. The breach of planning control has been regularised.

E/2023/0274, Kendal Fell Quarry, Boundary Bank, Kendal, Cumbria, LA9 5RR

Alleged formation of new access to quarry; Breach of conditions 10 (access) and 19 (ground vibration)

Reason for closure: Breach - Resolved

Our investigations identified a new access that had been created into the quarry in breach of planning control. A retrospective planning application for the access was submitted and subsequently approved with conditions. This regularised the breach. An assessment of the blasting records show they were within the required limits, meaning no breach of condition 19 (ground vibrations) has occurred.

E/2024/0203, Grasmere Brewery, Lake View Drive, Grasmere, Cumbria, LA22 9TD

Alleged non-compliance with 7/2018/5407 and operational development to install hoppers and alter buildings

Reason for closure: Breach - Not expedient to enforce

Our investigation identified the development at the micro brewery is not in full conformity with the approved plans. Following an assessment of the planning merits of the variations, it is considered the development as amended causes no harm or adverse impact on the amenity of the site or the surrounding area and is acceptable. No formal action is necessary.

E/2025/0030, 10 St Martins Parade, Bowness on Windermere, LA23 3DY

Alleged installation of ventilation/extraction vent on outside wall and change of use to hot food takeaway

Reason for closure: No Breach - Not development

Our investigation found that the installation of a grill did not materially affect the external appearance of the building and so does not amount to development. However the grill has since been removed. There is also no material change of use of the building and therefore there is no breach of planning control.

E/2025/0082, Borrowdale Hotel, Borrowdale, Keswick, Cumbria, CA12 5UY

Alleged - Large advertising banners with content changing seasonally

Reason for closure: Breach - Resolved

Our investigation found that a large banner had been placed within an area of land opposite the hotel. The sign was 4m² in area and was displayed in contravention of the advertisement regulations. Therefore, a breach of advertising control had occurred. The hotel has since removed the sign and the breach of advertising control has been resolved.

E/2025/0092, Lands Field/Bluebird Car Park, Yewdale Road, Coniston, LA21 8DU

Alleged - The back of Lands Field covered in stone and being used for car parking

Reason for closure: No Breach - Permitted development

A concern was raised in relation to the alleged use of land to the rear of Lands Field for car parking. Our investigation found that the land had been levelled and covered in stone along with temporary parking bays marked out on the ground. There were also materials being stored in connection with operations under planning permission 7/2025/5032. The provision of hardstanding and the temporary use of the land for storage of materials in connection with planning permission 7/2025/5032 is permitted development whilst the works are ongoing. The use of the land for overflow parking is also permitted development for no more than 28 days in the year. There is no evidence that the use has occurred for more than 28 days. Therefore, there is no breach of planning control.

E/2025/0096, Low House, Ayside, Grange-Over-Sands, LA11 6HY

Alleged construction of large shed 55 cm from neighbouring property

Reason for closure: Breach - Not expedient to enforce

The building that has been erected, marginally exceeds the height limits within the permitted development rights and so is in breach of planning control. The building is considered to be acceptable, it is therefore not in the public interest to take enforcement action

E/2025/0100, Former St Johns Ambulance Halls, Stockghyll Lane, Ambleside, LA22 0QY

Alleged - Force cafe advertising board placed despite this being refused under planning reference 7/2023/5519

Reason for closure: Breach - Resolved

An advance advertisement for The Force Café was displayed on land off Stockghyll Lane in contravention of the advertisement regulations. Follow our request the advert has been removed. The breach of advertisement control has been resolved.

E/2025/0103, The Grove, Saltcoats, Holmrook, CA19 1YY

Alleged - block building

Reason for closure: No Breach - Permitted development

A site visit identified a new building was in the process of being erected within the grounds of The Grove. The owner confirmed it is to be used for incidental domestic purposes. Following further investigation, we have determined the building will benefit from deemed permission under the permitted development rights. There is no breach of planning control.

E/2025/0116, Deepdale Hall, Patterdale, Penrith, CA11 0NR

Alleged building work on glamping site

Reason for closure: No Breach - Has permission/consent

Our investigation found that the site has planning permission for six shepherd's huts under reference 7/2021/3053. Four of the shepherd's huts have been installed with a fifth being installed currently and the sixth later in 2025. There is no breach in planning control as the development has planning permission.

E/2025/0131, Bigland Hall Equestrian Centre, Haverthwaite, Cumbria, LA12 8PB

Alleged - new blockwork building constructed for purpose of Bio Mass generator using raw manure

Reason for closure: Breach - Not expedient to enforce

Our investigation found that two shipping containers had been sited on a newly constructed concrete hard surface which was bound on three sides by a low concrete block retaining wall. The containers were being used for the purposes of storing materials, and a backup generator, in association with the activities of the Equestrian Centre.

The shipping containers are not development, and are used in association with the existing business, so no material change of use of the land has occurred. The construction of the retaining wall is permitted development under Part 2 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015. There is no breach of planning control.

The provision of the area of hard standing is in breach of planning control. However, it is not considered expedient to take formal action as the development is acceptable on its planning merits and does not materially affect the character or amenity of the area.

E/2025/0136, Low Birker Farm, Boot, Holmrook, CA19 1TH

Alleged unauthorised works

Reason for closure: No Breach - Permitted development

A concern was raised regarding the alleged creation of a campsite at Low Birker Farm, Boot. Our investigation found that the use of the land as a 60-day temporary campsite is permitted development under Part 4 Class BC of The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2023. Prior notification of the dates of use were submitted under application RC/2025/0021. There is no breach in planning control.

E/2025/0140, Lion & Lamb, The Square, Gosforth, Seascale, CA20 1AL

Alleged obstruction to public access, construction of 1 metre high wall to create a beer garden

Reason for closure: Other

This matter has already been investigated under E/2021/0106. The wall is permitted development. This case has been closed as a duplicate.