

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.

ENFORCEMENT NOTICES ISSUED

E/2023/0194. Land at Hills Garage, Coniston, LA21 8EN

Alleged operational development consisting of the installation of a metal extraction flue

An extraction flue has been installed on the rear of this building. A retrospective application was made but refused due to the adverse impact of the extraction flue on the neighbouring property and the visual impact on the character and appearance of the area. An enforcement notice was issued on 7 August 2025. We have been told that the flue has been removed.

REMOVAL OF UNAUTHORISED ADVERTISEMENTS

Unauthorised display of adverts is a criminal offence. Section 225 of the Town and Country Planning Act allows us to remove or obliterate posters and placards displayed in contravention of the Advertisement Regulations. In some cases advertisements are removed voluntarily, but in the following cases we used our powers to remove an illegal advertisements.

E/2025/0150, Adverts for Coniston Vintage Shop, various locations

Alleged display of advertisement

During the summer months a popup shop operates from Coniston Institute. We wrote to the operator to provide advice and later wrote to confirm that we would remove placards if they were not removed voluntarily. We have removed placards being displayed by on the road around Coniston, Torver, Hawkshead and Ambleside.

E/2025/0151, Adverts for Himalayan Craft Fair, various locations

Alleged display of advertisement

During the summer months a popup shop operates from Hawkshead Village Hall. We wrote to the operator to provide advice and later wrote to confirm that we would remove placards if they were not removed voluntarily. We have removed placards being displayed by on the road around Hawkshead and Ambleside.

E/2025/0153, Adverts for estate agents, various locations

Alleged display of advertisement

We have received an increasing number of concerns about estate agent for sale boards being displayed in advance of the property for sale. We wrote to all the local estate

agents to provide advice and confirm that we would remove any placards displayed in contravention of the Advertisement Regulations. Many for sale boards were removed voluntarily but we have removed some boards.

INVESTIGATIONS CLOSED

E/2016/0254, Land behind Brunt How, Skelwith

Alleged use of land for stationing of caravans and motor homes

Reason for closure: No Breach - Immune (S171B)

We received concerns about how land was being used. Our investigation revealed that the land had been used for the storage of a small number of non-agricultural vehicles for in excess of 13 years. The site has been monitored and there is no evidence that any of the vehicles are being occupied as residential accommodation. It is considered that the storage use is immune from action.

E/2020/0016, Land near Black Beck Mire, north of Haverthwaite

Alleged unauthorised caravan and siting of two shipping containers

Reason for closure: Other

We received concerns about a touring caravan and shipping containers located on agricultural land. Our investigations concluded all of the items were used in connection with the lawful agricultural use of land. The shipping containers have been on land since at least 2009. Due to their permanence the containers are considered to be buildings and as they have been on site for 16 years they are immune from enforcement action. The caravan is used in connection with the agricultural use of the land so there is no material change of use of the land and no development has occurred.

E/2020/0191, Field near Spring Hagg Wood, Staveley

Alleged yurts and mobile caravan

Reason for closure: No Breach - Immune (S171B)

We received concerns about development above the woodland at Spring Hagg Wood. There is a building, a touring caravan and a yurt on the land and they are all used in association with the lawful agricultural use. The touring caravan is not in breach of planning control. The yurt and building were sited in breach of planning control but they have been on the land since before 2012 and so are immune from enforcement action.

E/2020/0219, Field east of Willy Scrow, Coniston (Low Grassings and Level Field)

Alleged formation of hardstanding

Reason for closure: Breach - Notice complied with

We had concerns raised about an agricultural field that had been used for public car parking. We served an enforcement notice. An appeal was submitted but dismissed. The notice has now been complied with and the breach has been resolved.

E/2021/0048, Bankend Farm, Torver, Coniston, LA21 8BT

Alleged creation of new road and access to new caravan

Reason for closure: Breach - Retrospective permission

We received concerns about a new access being created. The access was installed in breach of planning control. Retrospective permission was refused and an enforcement

notice was issued for highway safety and landscape reasons. The appeal against the refusal of planning permission was allowed so the access now has planning permission. The enforcement notice was withdrawn. The breach of planning control has been regularised.

E/2021/0190, The Giggling Goose, North Road, Ambleside, LA22 9DT

Alleged unauthorised works

Reason for closure: Breach - Retrospective permission

We received concerns about works to and within the grounds of a listed building. We have received planning and listed building applications that have regularised the breaches of planning control.

E/2021/0245, Land to rear of 2 Barbara Cottages, Threlkeld, Keswick, CA12 4SH

Alleged erection of a shed

Reason for closure: No Breach - Immune (S171B)

We received concerns about a new shed that had been erected in the rear garden of a domestic property. From our initial visit it was considered that the building was permitted development under Part 1 Class E, but measurements were needed to confirm this. This case was not prioritised so the measurements have not been checked.

Due to the passage of time, if the building was erected in breach of planning control, it will be immune from action. It does however appear that the building was permitted development.

E/2021/0248, 20, Ellerthwaite Road, Windermere, LA23 2AH

Alleged use of self-contained annex as a holiday let

Reason for closure: No Breach - Immune (S171B)

We received concerns about the use of an annexe as self-contained holiday accommodation. Our investigation found that a new dwelling has been created in breach of planning control, but given the amount of time since the dwelling has first occupied it is now immune from enforcement action.

E/2021/0271, Braithwaite Common, next to High Bridge

Alleged levelling ground to enable car parking

Reason for closure: No Breach - Not development

We received concerns about the parking of a vehicle on the common. To facilitate this a small area of ground had been cleared and a small amount gravel had been laid onto the ground which has since been covered by surrounding vegetation. The works as carried out are not considered to amount to operational development. There is no breach of planning control.

E/2021/0312, Derwentwater Landings, Derwentwater

Erection of wall on lakeshore

Reason for closure: No Breach - Has permission/consent

We received concerns about works being done near Derwentwater landings in Keswick. Our investigations found that the development has planning permission and that the development is being carried out in accordance with the planning permissions.

E/2023/0153, Devonshire House, Rothay Road, Ambleside, LA22 0EE

Alleged breach - conversion to flats

Reason for closure: Breach - Resolved

We received concerns that a building had been converted to flats without the required permissions. Our investigation revealed this was the case. The owner submitted an application which was approved (7/2025/5192). The breach of planning control has been regularised.

E/2023/0232, Willow Beck, Crosthwaite, Kendal, LA8 8HX

Alleged use of property as AirBnB

Reason for closure: Breach - Retrospective permission

We received concerns that a former annexe was being used as holiday let without the required permission. Our investigation revealed this to be the case. An application was submitted to regularise the breach of planning control (7/2024/5158) which was approved with conditions. The breach of planning control has been regularised.

E/2024/0118, Brackenrigg Inn, Watermillock, Penrith, CA11 0LP

Alleged installation of hard surface to create a path and formation of access onto the highway

Reason for closure: Breach - Not expedient to enforce

We received concerns about a new gated access and pedestrian link on land to the east of the Brackenrigg Inn. The operational development has been carried out in breach of planning control. We considered that it was not expedient to take any further action. The work is visually acceptable and no highway safety issues have been identified.

E/2024/0198, Brysons of Keswick, 38-42, Main Street, Keswick, CA12 5JD

Alleged - extension of granted seating area

Reason for closure: No Breach - Not planning matter

We received concerns that an approved outdoor seating area in Keswick had become larger than the area approved in 2012. Since then The Levelling Up and Regeneration Act 2023 made permanent the provisions set out in the Business and Planning Act (BPA) 2020 that streamlined the process to allow businesses to secure pavement licences quickly and without the need to apply for planning permission. Cumberland Council confirm that they have issued a recent pavement licence. There is no breach of planning control.

E/2024/0241, White Gates, Middle Entrance Drive, Bowness-On-Windermere, Windermere, LA23 3JZ

Alleged unauthorised building works

Reason for closure: Breach - Retrospective permission

We received concerns about landscaping works within the rear garden. Operational development has taken place to change ground level in breach of planning control. A planning application for alteration to the house has recently been approved. Details of landscaping of the site are secured within that application.

E/2025/0005, Broad Oak, Crosthwaite, Kendal, LA8 8JL

Alleged - Conversion of barn has been undertaken, agricultural buildings which should have been removed still remain

Reason for closure: No Breach - Has permission/consent

We received concerns about non-compliance with a 2019 permission which required modern agricultural buildings to be demolished as part of the permission. Our investigation revealed that an amended permission had been granted, but this does not include the condition that requires the building to be removed. It is this later permission which is being implemented so there is no breach of planning control.

E/2025/0009, Kellbank Pub, Gosforth, Seascale, CA20 1JA

Alleged new opening into upstairs room on the front of the property

Reason for closure: Breach - Not expedient to enforce

We received a complaint that new window opening was being created in the front of the property at the Kellbank Pub. We found that there were two new window openings, and all other windows on the north elevation had been replaced with grey upvc top opening and fixed over awning window frames. A breach of planning control has therefore taken place; however, the development is of a small scale and is not considered to harm the character and appearance of the building nor the wider area. It is therefore not in the public interest to take further enforcement action in this case.

E/2025/0072, Land to north of Cross Dormont Farm, Howtown Road, Pooley Bridge, Cumbria, CA10 2NA

Alleged use of land for parking of cars and ancillary staff accommodation

Reason for closure: Breach - Resolved

We received concerns about the use of a field and a sign that been erected on the lakeshore for public parking. Our investigations revealed that the land was subject to an article 4 direction which prevented any use of the land for parking (temporary use rights removed). We informed the new owner who agreed to stop the use and remove the sign. We have monitored the site and have not seen any further parking and the sign has been removed.

E/2025/0108, Low Hollows, Threlkeld, Keswick, CA12 4SZ

Alleged camping at Low Hollows campsite 2-4 May and Low Hollows lower field at Guardhouse 2-6 May

Reason for closure: Breach - Resolved

A concern was raised regarding alleged use of fields at Low Hollows for a running event between 2 May and 6 May 2025. It appears the use was in breach of planning control, but the use has stopped and the land returned to an agricultural use. The breach has been resolved.

Further camping use of the fields at Low Hollows has been reported which is being investigated under enforcement case E/2025/0137.

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

Alleged change of use of dwelling to holiday let accommodation

Reason for closure: No Breach - Not development

We have investigated the concern in detail including issuing a Planning Contravention Notice and have concluded that no material change of use of the property has taken place due to its use as short-term holiday letting accommodation. The property is being used as a dwelling as approved by planning permission 7/2020/5233 and 7/2022/5380. No breach of planning control has occurred.

E/2025/0127, 11, Church Street, Ambleside, LA22 0BU

Alleged removal of historic roof timbers within listed building

Reason for closure: No Breach - Not development

A concern was raised regarding the alleged removal of historic roof timbers from a grade II listed building. Our investigation found that roof timbers from the 1970s had been replaced as they were no-longer structural sound. The original roofing slate has been returned to the roof. It is not considered that the repairs affect the building's special architectural or historic interest and so there is no breach of listed building control.

E/2025/0161, Land west of Crosthwaite

Alleged erection of advertisements not in accordance with advertisement regulations

Reason for closure: Breach - Resolved

Our investigation found that advertisements had been erected on the junction of the A5074 and C5048 west of Crosthwaite and on private land at Fell Foot. The advertisements were not displayed on the land to which they related and so were in breach of advertisement control. Following advice the advertisements have now been removed, and the breach has been resolved.

E/2025/0166, Low Farm, Lyth, Kendal, LA8 8DJ

Alleged siting of large caravan on agricultural land, hidden behind wall of black bales and lived in by owner.

Reason for closure: No Breach - Not development

We received concerns about a static caravan that had been sited on agricultural that was thought to be used for residential accommodation. Our investigations revealed that the caravan was not being used for residential use but being used in connection with the lawful use of the land and therefore there was no material change of use of the land. There is no breach of planning control.

E/2025/0169, The Square, Glenridding, Cumbria, CA11 0PF

Alleged - cut down mature trees and removed hedges

Reason for closure: No Breach - Not development

Works to trees and hedges have taken place in a garden area to the eastern side of the A592. The trees are not covered by a Tree Protection Order and are not within a Conservation Area, so their removal does not require consent. No breach of planning control has occurred.

E/2025/0179, Hillside, The Square, Broughton-in-Furness, LA20 6JA

Alleged removal of outside stairs

Reason for closure: Breach - Not expedient to enforce

The external appearance of Hillside Barn has been altered through the removal of an external stone-built staircase. The removal of the staircase materially affects the external

appearance of the building and so amounts to development that requires planning permission. We have concluded that although the removal of the external staircase has resulted in a modest degree of harm to the historic significance of the building, the building still contributes to the significance of the Conservation Area and it is not considered to be in the public interest to take formal action.

E/2025/0180, The Bungalow, Friar Row, Caldbeck, Cumbria, CA7 8DS

Alleged unauthorised works

Reason for closure: Other

This property lies outside of the National Park Boundary.

E/2025/0192, Castle Howe, Rosthwaite, Keswick, CA12 5XB

Alleged non-compliance with condition - slates

Reason for closure: No Breach - Permitted development

The slates to the roof of the dwellinghouse had been removed and replaced with an alternative roofing product. It is likely an act of development has occurred; however, the development is permitted development. No breach of planning control has occurred.

E/2025/0200, Old Travellers Rest, Ulpha, Cumbria, LA20 6DX

Alleged - Installation of pipework on land above property

Reason for closure: No Breach - Has permission/consent

The land to the north east of the property, adjacent to Crosby Gill, was granted planning permission under reference 7/2018/4111 for the installation of a micro hydro electric scheme and part of these works included the installation of buried pipework. There is no breach in planning control.

E/2025/0208, Willan Living Newlands Estate, Braithwaite, Keswick, CA12 5RY

Alleged - issues re slate used

Reason for closure: No Breach - Has permission/consent

15 new housing are under construction as approved by 7/2021/2355. Condition 11 requires the roofs to be covered with reclaimed Welsh slates and did therefore comply with the planning condition. There is no breach in planning control.

No breach - has permission.