

## **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/2022/0068, Land at Burns Farm Caravan and Campsite, St Johns in the Vale, Keswick, CA12 4RR

Alleged creation of residential unit

In 2018 (7/2018/2168) we granted full planning permission to convert the west end of the large agricultural building at Burns Farm into a shower/toilet block with the existing toilet/shower block being converted into a reception space. A residential dwelling has been created above the shower and toilet facilities in breach of planning control.

The creation of an unfettered dwelling is contrary to Policy 15 of the Local Plan. The dwelling is also in a nutrient neutrality catchment area, and it is not possible to rule out a likely significant effect of the Habitats site. An enforcement notice was issued on 24 September 2025.

E/2022/0197, Land at Field at Stair, Newlands, Keswick, CA12 5UF

Alleged use of land for storage and the installation of a hard standing

This agricultural land has been used as a temporary recreational campsite for a number of years. The use of the land has been permitted development, but operational development consisting of the installation of an area of hardstanding and an underground tank has taken place to facilitate the temporary use in breach of planning control. Items used as part of the temporary use are also stored on the land year round. This has resulted in an unauthorised material change of use to a mixed use of agriculture and storage. The use and the physical changes to the land are harmful to the character and appearance of the area.

Two enforcement notices were issued on 2 October 2025. One requires the removal of the area of hardstanding and underground tank, and the other requires the use of the land for storage to cease.

## **PLANNING CONTRAVANTION NOTICES ISSUED**

E/2025/0241, Land at Eskdale Vicarage, Boot, Holmrook, CA19 1TF

Alleged change of use of dwelling to holiday letting accommodation

This property is 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.

## **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 advertisement.

E/2025/0032, The Grasmere Hotel, Broadgate, Grasmere, LA22 9TA

Alleged installation of illuminated moving sign

A new advertisement display has been installed at the entrance to The Grasmere Hotel. The advertisement has a screen showing a reel of video images. Section 225A provides powers to issue a notice to require the removal of structures used for unauthorised display. We issued such a notice on 17 September 2025. The notice requires the display structure to be removed within 45 days. There is a right of appeal to the magistrates' court and if the display structure is not removed, we can remove the structure and recover the expenses.

E/2025/0232, Adverts for Octoberfest, various locations

Alleged display of advertisement

Octoberfest is a temporary event held in Great Langdale in early October. Placards were displayed in various locations in contravention of the Advertisement Regulations. We wrote to the operator to confirm that we would remove placards if they were not removed voluntarily. The majority of the placards were removed by the operator, but we did remove three which appeared to have been missed.

## **INVESTIGATIONS CLOSED**

E/2022/0002, Low Greendale, Wasdale Head, Seascale, CA20 1EU

Alleged sub-division of dwelling to form two dwellings and change of use of agricultural land to domestic garden

Reason for closure: Breach - Resolved

The lean-to byre to the east of Low Greendale was converted and used as short term holiday letting accommodation. The use was in breach of planning control. A planning application for the change of use was submitted and approved. A fence has been erected enclosing an area of land that appeared to be used for domestic purposes. This was a material change of use of the land. The owner has agreed to

open the gate in the fence to allow sheep to graze the enclosed area therefore reinstating the agricultural use. The breaches have been resolved.

E/2022/0026, Land adjacent to Hawkshead Old Hall & Hawkshead Court House, Hawkshead

Alleged stationing of static caravan

Reason for closure: No Breach - Permitted development

A static caravan has been sited within a paddock adjacent to Hawkshead Old Hall. Hawkshead Old Hall is currently undergoing extensive repairs and renovation works. The caravan is being used by the owner when he visits the site to project manage and coordinate the works. It is not being used for permanent residential occupation separate of the ongoing works. To this effect, the siting and use of the caravan falls within permitted development. No breach of planning control has occurred.

E/2022/0212, Hard Crag, High Brow Edge, Backbarrow, LA12 8QY

Alleged unauthorised works

Reason for closure: Other

Hard Crag has been on the Buildings at Risk Register since it was first listed in 1987. Since then, the property had continued to deteriorate to a point where its condition was of considerable concern to the Authority. The property now has new owners who have subsequently implemented the extant planning permission and converted the house, bank barn and outbuilding into a single dwelling. Works to preserve the building have been completed. The building is no longer at risk.

E/2023/0149, Lothlorien, Lower Gale, Ambleside, LA22 0BD

Alleged development not in accordance with planning permission (7/2019/5321)

Reason for closure: Breach - Retrospective permission

We received concerns about some building works that were not being carried out in accordance with previously approved plans. Our investigation found that there were some minor variations, and these were regularised by an application (7/2024/5328). A recent site visit has found that the development has been carried out in accordance with the amended plans and the breach of planning control has been resolved.

E/2024/0222, 1, St John's Gate, Threlkeld, Keswick, CA12 4TZ

Alleged unauthorised building works

Reason for closure: Breach - Not expedient to enforce

Building operations have taken place to erect a retaining wall and to install an area of hardstanding to create an additional parking space. This would normally be permitted development, however, permitted development rights were removed as part of planning permission for the dwellings. The development is in breach of planning control.

The development is acceptable as it causes no material harm or adverse impact on the amenity of the site or the surrounding area. It is not in the public interest to take further action.

E/2025/0002, Little Chef, Greystones East, Witherslack, Grange-over-sands, LA11 6RJ

Alleged storage of fairground, circus & HGV vehicles  
Reason for closure: Breach - Resolved

This site was being used for the storage/parking of fairground vehicles. However the site has been monitored and has not been used for this purpose since July 2025. The breach of planning control has been resolved.

E/2025/0007, Sparket Mill Barn, Hutton John, Penrith, CA11 0LZ

Alleged use of property as a holiday let and creation of a car park in adjoining field  
Reason for closure: Breach - Resolved

The concern related to the use of the ancillary accommodation at Sparket Mill Barn as a self-contained holiday let and the creation of a car park in an agricultural field. We found that the ancillary accommodation was being used in association with the residential use of Sparket Mill Barn and was not being used as separate holiday accommodation. An area of hard standing and a new access onto a classified road had been created within an agricultural field for use for private parking in breach in planning control. The hardstanding and access have been removed and the land restored to its former appearance and use. The breach in planning control has been resolved.

E/2025/0069, Land to southeast of Bog House, Braithwaite

Alleged siting of a pod in field  
Reason for closure: No Breach - Not development

A pod had been sited in an agricultural field. The land owner has told us it is used for the storage of animal feed and materials used in association with the maintenance of the land. The siting of a pod is not operational development, and, in this instance, its current use does not constitute a change of use of the land. No breach of planning control has been identified.

E/2025/0164, The Lodge, Windermere Road, Kendal, Cumbria, LA9 5SA

Alleged works not in accordance with the approved plans  
Reason for closure: Breach - Resolved

The garage approved under planning permission 7/2023/5707 was not being constructed in accordance with the approved plans. The owner submitted an amended application to vary the approved plans (ref: 7/2025/5450). The application has been approved so the breach of planning control has been regularised.

E/2025/0188, Property formerly known as Levens Reach, Newby Bridge, Ulverston, LA12 8NL

Alleged unauthorised large advertising signs

Reason for closure: Breach - Not expedient to enforce

Four large advertisement boards were being displayed on a building site in contravention of the advertisement regulations. Following our advice the two larger advertisements were removed. One of the remaining advertisements benefits from deemed consent and the other is still displayed in contravention of the advertisement regulations. The advertisement does not cause harm to the surrounding amenity or pose a danger to public safety. It is therefore not in the public interest to pursue further enforcement action in respect of it.

E/2025/0229, Field at Borrans Road - (Tor Place), Ambleside

Alleged creation of additional entrance to development

Reason for closure: No Breach - Permitted development

A section of hedge has been removed in preparation for the connection of the new housing development to the foul water drainage system. The connection is detailed within the planning permission. The development to install the connection will be permitted development. Trees within the hedge line are protected by TPO 376. A protected tree has been felled, but the felling is exempt as it has been carried out by or on behalf of a statutory undertaker. No breach in planning control has been identified.

E/2025/0246, Land near Gilpin Cottage, Lyth, Kendal, LA8 8DQ

Alleged development in field consisting of hardcore surfacing, fencing and sheds

Reason for closure: Other

This concern has already been investigated under E/2025/0155. A breach of planning control was identified in relation to the erection of a stable building, but it was determined that it was not in the public interest to take any further action.

E/2025/0249, Land near Nook End Farm, Nook Lane, Ambleside, LA22 9BH

Alleged diversion of footpath, construction of new footpath, new post and wire fence

Reason for closure: No Breach - Permitted development

A new post and wire fence less than two metres in height has been erected in an agricultural field. The fence is permitted development so there is no breach of planning control.

E/2025/0252, Armaside Farm, Lorton, Cockermouth, CA13 9TL

Alleged unauthorised flagpoles

Reason for closure: Other

Several flagstaffs displaying the English national flag and Union Jack have been erected on private land adjacent the B5292 road. The flags are exempt from control under the Advertisement Regulations and are displayed in compliance with the Regulations.

E/2025/0253, 7 Cross Street, Keswick, CA12 4DE

Property been used as commercial holiday let, which is not in accordance with planning permission 7/1983/2212.

Reason for closure: No Breach - Not development

No 7 Cross Street is an unfettered dwellinghouse approved and built under permission 7/2001/2171. It is currently being used for short term holiday accommodation sleeping up to seven guests. This use is not materially different to its use as a single dwellinghouse. No breach of planning control has occurred.

E/2025/0256, Crook Road Bridge over the A591 (Staveley bypass), Staveley

Display of advertisement

Reason for closure: Breach - Resolved

A banner for a firework event in Windermere was being displayed in contravention of the Advertisement Regulations, as land owner consent to display the advertisement had not been sought. As the banner caused a distraction to drivers, we served notice under Section 225 that we would remove it. The people responsible promptly removed the banner.