

Delegated decisions on enforcement matters by the Head of Development Management acting under delegated authority

In 2025/26 we received 302 complaints of alleged breaches of planning control. 44% of complaints related to matters that were not in breach. 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 served

E/2021/0278B, Land west of Halfway House, Clappersgate

In November 2022 we issued an enforcement notice in relation to the unauthorised formation of a vehicular access, the installation of timber gates, the formation of areas of concrete hardstanding, the importation of earth and rubble used to raise the ground levels, a concrete ramp, the formation of an area of gravel hardstanding and the construction of a timber jetty. The Notice was not complied with. After numerous unsuccessful attempts to contact the landowner we commenced prosecution proceedings. During this process our legal team raised concerns that the notice may not have been served fully in compliance with the legislation. Due to the risk that the prosecution may fail, we decided to withdraw the original notice and re-issue a new notice. The new notice was issued on 8 April 2026.

E/2023/0223, Land at Exchange House, Lake Road, Bowness on Windermere

An enclosed external seating terrace has been erected to the side of Exchange House in breach of planning control. The building is of a poor design and harms the significance of Bowness Conservation Area. We issued an enforcement notice on 1 April 2026.

E/2025/0279, The Old Post Office House, Backbarrow

The old Post Office House is a single dwellinghouse which has been sub-divided into two dwellinghouses in breach of planning control. The new unfettered dwelling which has been created is contrary to the housing policy of our Local Plan, which requires new homes to meet a local need. The new dwelling is currently occupied as a holiday let. An enforcement notice was issued on 15 April 2026

Investigations closed

E/2019/0125, 4, Havelock Road, Windermere, LA23 1EH

Alleged erection of single storey rear extension with roof terrace

Reason for closure: Breach - Notice complied with

We received concerns about a new first floor terrace that had been created on a flat roof to the rear of a domestic property in Windermere Conservation Area. We served an Enforcement Notice in March 2022 which required the removal of the balustrade which had been erected. The appeal against the notice was dismissed in 2023. The enforcement notice was not complied with. We started prosecution proceedings. Prior to the first court date the balustrade was removed. The enforcement notice has been complied with. The breach of planning control has been resolved.

E/2019/0296, North Barn, Millbeck Stock Barn, Bowness on Windermere, LA23 3PS

Non compliance with local occupancy conditions

Reason for closure: No Breach - Has permission/consent

We received an allegation that a local occupancy home was being occupied in breach of planning control. We contacted the owner who explained her circumstances met the condition requirements. The property was subsequently sold to persons with employment connections to the area. There is no evidence of a breach of planning control.

E/2021/0169, St. Andrews, Lake Road, Bowness-On-Windermere, Windermere, LA23 3DE

Alleged erection of bar structure

Reason for closure: Breach - Notice complied with

An elevated, timber structure was constructed within grounds at the front of St Andrews, an Italianate style villa within Bowness Conservation Area. The structure was an act of development (a building operation) requiring planning permission but constructed without. A breach of planning control occurred. Due to the harm caused to the character and appearance of the area, and the significance of heritage assets (including the villa, world heritage site and conservation area) an enforcement notice was served 19 August 2021. The notice was complied with, resolving the breach of planning control.

E/2023/0199, Herdwick Lodge, Bassenthwaite, Keswick, CA12 4RD

Alleged building of dog kennels and new fencing

Reason for closure: Breach - Not expedient to enforce

A building has been extended in breach of planning control to create a dog kennel. The extension does not result in unacceptable harm or material adverse impact on the amenity of the site or the surrounding area, or neighbouring residents. The development is considered to be acceptable on its planning merits and formal enforcement action would solely be to regularise the development. It is not considered expedient in the public interest to take formal action.

E/2026/0004, Old Smithy, Caldbeck, Wigton, CA7 8EL

Alleged non-compliance with condition 4 on planning permission 7/2023/2196 - parking provision

Reason for closure: Breach - Resolved

We received concerns about whether a condition about parking provision had been met. The requirement to provide a new parking area had not been completed prior to occupation, so there was a breach of condition 4 on 7/2023/2196. The parking area has now been completed and is available for use. The breach of planning control has been resolved.

E/2026/0008, Lakefield, Watermillock, Penrith, CA11 0JS

Alleged breach - non-compliance with condition 1 on 7/2023/3080 - site activity not in accordance with Construction Method Statement

Reason for closure: Breach - Resolved

We received concerns about whether works adjacent to Ullswater for a replacement house were been done in accordance with a submitted Construction Method Statement (CMS). Two site visits did not identify any visible breaches of the CMS. The works are now complete. Any breach of the condition which did occur is no longer happening.

E/2026/0026, 60, Summer Hill, Bootle, Cumbria, LA19 5UA

Alleged erection of 6ft tall wooden fence

Reason for closure: No Breach - Permitted development

Concerns were received about the erection of a 1.8m high fence around a garden. A site visit confirmed the height and location of the fence. Class A, Part 2 of the General Permitted Development Order permits a fence of up to 2m without needing an application for planning permission, provided it is not adjacent to a highway used by vehicular traffic. In this case there is a pavement, grass verge, fence and strip of grass between the new fence and the highway, and it is therefore not considered to be 'adjacent' to the highway. The fence is permitted development and there is no breach of planning control.

E/2026/0034, Behind 22 Station Street, Keswick, CA12 5HJ

Alleged - erection of two large wooden sheds, at least one is constructed on a concrete base

Reason for closure: No Breach - Immune (S171B)

We received concerns that sheds had been erected without planning permission. From the information provided by the informant they had been in situ since 2021. From our own research it is likely they could have been there earlier. The sheds were erected in breach of planning control but they are now immune from enforcement action as they have been in situ for over four years. No further action can be taken.

E/2026/0036, 16, St. Marys Park, Windermere, LA23 1AZ

Alleged conversion of garage to create additional dwelling

Reason for closure: No Breach - Not development

Our investigation found that the conversion was to provide ancillary accommodation to the main dwellinghouse. The dwelling is being used as an Airbnb for part of the year and the converted garage is not being used independently. The dwelling can sleep up to six persons, and the associated activities are similar to how it would be used if occupied by a single household. Therefore, it appears there is no material change of use of the garage, or dwellinghouse, and no breach of planning control has occurred.

E/2026/0038, 1, Scotgate Bungalows, Braithwaite, Keswick, CA12 5TJ

Alleged - large wooden structure with windows, doors, flat roof erected at the back of the house in the garden

Reason for closure: No Breach - Permitted development

We received concerns about a new outbuilding to the rear of a domestic property. We visited and our measurements confirmed that the building is permitted development. There is no breach of planning control.

E/2026/0039, Outside Borrowdale Hotel, Borrowdale, Keswick, CA12 5UY

Alleged display of advertisement

Reason for closure: Breach - Resolved

We received concerns about an advertisement being displayed in breach of advertisement control. We wrote to the owner. They removed the advert. The breach has been resolved.

E/2026/0042, Aragon, Naddle Gate, Burnbanks, Haweswater, CA10 2RL

Alleged floodlights installed along the north bank of the Hawewater Beck from the old packhorse bridge to Thornthwaite Force

Reason for closure: No Breach - Not development

We received concerns about four lights that have been installed in the open countryside near the old Packhorse Bridge at Naddle. The lights have been appended to existing features including a tree. The installation of the lights does not amount to development. There is no breach of planning control.

E/2026/0043, Oldwater View, Patterdale, Penrith, CA11 0NW

Alleged siting of 3no. shepherd's huts

Reason for closure: No Breach - Not development

We received concerns about shepherd's huts that had been sited within the grounds of a guest house. We considered that the siting and the use of the huts, as extra sleeping accommodation is ancillary to the guest house use and therefore no breach of planning control had taken place.

E/2026/0046, Fellfield, Outgate, Ambleside, LA22 0PY

Alleged unauthorised works

Reason for closure: No Breach - Permitted development

A concern was raised regarding works to Fellfield, Outgate not being in accordance with approved plans. Planning permission was granted for alterations and extension

works (ref: 7/2024/5618) to the dwelling house. A non-material amendment was also approved (ref: 7/2026/5012) to level the ground to the south of the dwelling and the addition of 1 metre high wall to the southern boundary. On investigation, ongoing works appeared to be in accordance with the plans. However, an additional 1 metre high wall has been erected along the western boundary. The wall is permitted development. No breach in planning control has occurred. Advice was given relating to the septic tank installation.

E/2026/0049, Green Bank Farm, Broughton Mills, Broughton In Furness, LA20 6AY

Alleged - new wood process business at Greenbank Farm

Reason for closure: No Breach - Not development

A concern was raised regarding a new wood processing business at Greenbank Farm, Broughton Mills. Our investigation found that timber, mainly from the woodland on the farm, was occasionally being processed to make gates and fence posts for use on the farm and firewood for mostly personal use. Given the size of the planning unit (the farm holding) that the majority of the timber is from the holding and the products are being used on the farm the processing of timber does not amount to a material change of use of the unit. Therefore, there is no breach in planning control.

E/2026/0050, Parrock Field, Finsthwaite, Ulverston, LA12 8BN

Alleged - abandoned caravan and shipping containers and rubbish

Reason for closure: No Breach - Not development

A concern was raised regarding the appearance of land at Parrock Field, Finsthwaite. Our investigation found that two shipping containers and a caravan had been sited on the land. A previous enforcement case (ref: E/2020/0016) concluded that the shipping containers were immune from action and the siting of the caravan was not development. The circumstance have not changed since our previous investigation.

An assessment was made relating to the condition of the land under Section 215 of the Town and Country Planning Act 1990; the power to require proper maintenance

of land. However, it was concluded that the condition of the land does not cause harm to the amenity of the area and therefore, serving a Section 215 notice would not be appropriate.

E/2026/0051, Tetherend, High Gale, Ambleside, LA22 0BG

Alleged erection of balconies - non-compliance with 7/2024/5096

Reason for closure: No Breach - Has permission/consent

A concern was raised regarding the erection of balconies at Tetherend, High Gale, Ambleside not being in accordance the approved plans under permission 7/2024/5096. Our investigation found that the balconies are in accordance with the plans. There is no breach in planning control.

E/2026/0066, Land off Low Lane, Brigsteer, Kendal, LA8 8AT

Alleged unauthorised works

Reason for closure: Other

This matter is already being investigated under E/2025/0261. This case has been closed as a duplicant.

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Enforcement notices served

E/2023/0022, Tip Log, Skelwith Bridge, Ambleside, LA22 9NP

A material change of use of agricultural land adjacent to the garden of Tip Log has taken place. Operational development has occurred to create a driveway and a parking area. A retrospective application for the development was refused in March 2026 due to the harm to the character and appearance of the area. An enforcement notice was issued on 22 April 2026

Prosecutions

E/2021/0209, Land at Green Hows, Dale Park, Satterthwaite

In March 2022 we issued an enforcement in relation to the alleged material change of use of this land to a leisure caravan site and associated operational development of building operations consisting of the erection of a timber building. The notice was not complied so in July 2025 we commenced prosecution proceeding against the offence.

This matter was heard in Barrow Court on 27 March 2026. The landowner did not attend, was found guilty in their absence and fined £2000 and a £800 victim surcharge. They also has to pay costs of £1250. The landowner has now indicated that the notice will be complied with.

Investigations closed

E/2025/0206, Fisherbeck Park, Ambleside, LA22 0AJ

Alleged construction of parking space

Reason for closure: Breach - Not expedient to enforce

The creation of a car parking space without the relevant planning permission is in breach of planning control. Having assessed the development against the relevant policies in the Lake District Local Plan and the National Planning Policy Framework, we consider the development causes no material harm or adverse effect on the local amenity or the surrounding area. We have consulted with the relevant statutory consultees and concluded the development is acceptable on its planning merits, as such it is not considered necessary to take formal enforcement action against the breach of planning control.

E/2026/0061, Ambleside Opticians, The Old Mill, North Road, Ambleside, LA22 9DT

Alleged change of use to residential

Reason for closure: No Breach - Not development

A concern was raised regarding the use of the second floor of Ambleside Opticians for residential purposes. Our investigation found no evidence of residential use and therefore there has been no breach of planning control.

E/2026/0065, Land near Stony Dale, Field Broughton, Grange-Over-Sands, LA11 6HN

Alleged erection of banner

Reason for closure: Breach - Resolved

A concern was raised regarding a banner advertisement that had been placed on a fence adjacent to a highway, in relation to a commercial business in Cartmel. The advert was being displayed in contravention of the Advertisement Regulations. Following advice, the advertisement was quickly removed and the breach resolved.

E/2026/0073, Little Braithwaite Farm, Braithwaite, Keswick, CA12 5SR

Alleged tipping of waste material from A66 housing development on land at Little Braithwaite farmyard (east side of Newlands Beck) estimated 100 tons to date.

Reason for closure: Other

This matter is being investigated under reference E/2026/0098. This case has been closed as a duplicate.

E/2026/0077, South View, High Newton, Grange over Sands, LA11 6JP

Alleged conversion of South View to Airbnb

Reason for closure: No Breach - Not development

This property is an unfettered dwelling which is not subject to any occupancy condition. We have investigated the concern in detail including considering recent case law 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. No breach in planning control has occurred.

E/2026/0084, J D Wetherspoons, Bank Street, Keswick, Cumbria, CA12

Alleged - Beer garden open until 10 pm

Reason for closure: No Breach - Has permission/consent

We received concerns about the use of the beer garden up until 10pm. Until recently the beer garden was subject to a condition that required the use by customers to cease after 8pm. However, a recent appeal decision extended that time until 10pm.

The use of the beer garden until 10pm is permitted and there is no breach of planning control.

E/2026/0087, Hill Rising, Smithy Lane, Bowness-On-Windermere, LA23 3HR

Alleged - breach of conditions on 7/2022/5715 and works being undertaken without planning decision on 7/2025/5645

Reason for closure: Other

This matter is already being investigation under reference E/2025/0282. This case has been closed as a duplicate.

E/2026/0090, Camping & Caravan Club Ltd, Crow Park Road, Keswick, CA12 5EP

Alleged changes to pricing and booking policy

Reason for closure: No Breach - Not planning matter

The complaint was that the site had changed their booking policy and increased prices for tented stays over two nights. Who the landowner permits to access their land, the terms on which they do so, and the prices they charge are not planning matters.

E/2026/0094, Hilltop Farm, St. Johns-in-the-vale, Keswick, CA12 4TS

Alleged unauthorised operations to form caravan and glamping site

Reason for closure: Other

This matter is being investigated under reference E/2026/0097. This case has been closed as a duplicate.

E/2026/0101, Brook Cottage, 1 Woodland Grove, Ellerthwaite Road, Windermere, Cumbria, LA23 2BT

Alleged breach - Change of use of dwelling to holiday letting accommodation

Reason for closure: No Breach - Not development

This property is an unfettered dwelling which is not subject to any occupancy condition. We have investigated the concern in detail including considering recent case law 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. No breach in planning control has occurred.