

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/2023/0049, Land at 127 Craig Walk, Bowness on Windermere

This dwelling has been sub-divided into five units of short-term holiday letting accommodation, comprising three studio units and two en-suite bedroom units. The use results in the loss of a residential dwelling and it has not been demonstrated that the property is not suitable for providing local need housing. An enforcement notice was issued on 1 July 2026.

E/2026/0078, Land to the south west of Tanglewood, Brown Howe, Coniston

An unauthorised track has been installed through a woodland protected by a Tree Preservation Order. The track fails to reflect the local character and distinctiveness and harms the natural woodland setting. An enforcement notice was issued on 28 July 2026. A Stop Notice was also served due to the risk of development continuing within the protected woodland.

E/2026/0160, Land at Littlewood Barn, Staveley

Permission was granted for the conversion of Littlewood Barn into a dwelling in 2017. Condition 10 limits occupation of the dwelling to a Person with a Local Connection. In 2022 the dwelling was occupied as a holiday let in breach of the condition, so we issued a Breach of Condition Notice. The holiday letting use ceased. We recently became aware that the use as a holiday let had started again. The ownership of the property has changed so we issued another Breach of Condition Notice (BCN) and an Enforcement Notice on 12 August 2026. The BCN requires the breach of condition to cease within one month. The enforcement notice runs with the land and will continue to apply if ownership changes again. The enforcement notice is subject to a right of appeal so it cannot stop a use as quickly as a BCN.

E/2026/0109, Land at Hartbarrow Cottage, Cartmel Fell

A material change of use of an area of land to domestic garden has occurred in breach of planning control. Land levels have been altered, a pond created and steps and paths installed. The domestic use of the land changes the function and appearance of the land and harms the character of the landscape. An enforcement notice was served on 5 August 2026.

Breach of Condition Notices served

E/2021/0255, Land at Poole Bank Farm, Troutbeck, Windermere

In December 2019 planning permission was granted for the demolition of existing garage, erection of 2 local occupancy dwellings/holiday lets and installation of 5 camping pods, under planning application reference 7/2019/5557. Condition 5 on the permission required improvements to be made to the existing site access. Visibility splays have been created in accordance with the condition but the required bound surface has not been installed. Loose material is spreading from the access onto the highway, so a Breach of Condition Notice was issued on 12 August 2026 which requires a tarmacadam finish to be installed within four months.

Planning Contravention Notices Issued

E/2025/0159, Helton Campsite, Helton, Penrith

Alleged use of recreational campsite not in accordance with submitted notification

We have issued a planning contravention notice to gather information about the dates the land has been used as a campsite. The information will help us to confirm if a breach of planning control has occurred.

E/2025/0268, 6 Fairfield, Bowness on Windermere

Alleged material change of use from a dwellinghouse to two dwellinghouses

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

Investigations closed

E/2017/0206, The Inn at Grasmere, Red Lion Square, Grasmere, LA22 9SS

Alleged change of windows from timber to uPVC

Reason for closure: No Breach - Immune (S171B)

The majority of the building is not listed, and explicitly excluded from the listing so it is not curtilage listed. The window frames were changed from timber construction to UPVC, some of the same design and others with a change to the fenestrations. It is considered that the changes as a whole did material change the external appearance of the building and so did amount to development that required planning permission. However the development is now immune from further action. A separate investigation case has been opened in relation to the alterations made to the listed part of the building.

E/2019/0032, Merethwaite, Old Hall Road, Troutbeck Bridge, Windermere, LA23 1JA

Alleged works not in accordance with condition 6 (tree protection plan) on application 7/2017/5859

Reason for closure: Breach - Resolved

Condition 6 on 7/2017/5859 required tree protection measures to be put in place in accordance with the details in the approved Arboricultural Report prior to the demolition of the building on site. The approved measures were not in place so there is a breach of condition 6. However, the protected tree on the site has been protected by fencing and no damage to trees has been seen when we have visited the site. Works are ongoing but given the current circumstances it is not in the public interest to take further action.

E/2019/0203, Fallen Yew, Underbarrow, Kendal, LA8 8HQ

Creation of new access from highway and track

Reason for closure: Breach - Not expedient to enforce

A new access and track have been installed in breach of planning control. The creation of the access track and new access to the highway is acceptable with respect to highway safety and landscape impact. Even if that were not the case the time limit to take enforcement action has now expired.

E/2021/0331, Crown & Mitre Hotel, Bampton Grange, Penrith, CA10 2QR

Alleged change of use from a pub to holiday let

Reason for closure: Breach - Notice complied with

An enforcement notice was served to remedy a breach of planning control consisting of the change of use to a large holiday let. An appeal against the notice was dismissed in November 2024 with a compliance period of three months. The enforcement notice appears to have been complied with and the breach has ceased.

E/2021/0344, Brown Howe, Glenridding, Penrith, CA11 0PG

Alleged erection of retaining wall structure

Reason for closure: Breach - Resolved

The erection of the retaining wall represented a breach of planning control through operational development. The breach has been resolved by the submission and subsequent approval of application 7/2022/3107.

E/2023/0169, Salutation Hotel, Ambleside

Alleged breach of Conservation Area legislation - Pruning and felling of trees

Reason for closure: Breach - Not expedient to enforce

An elm tree has been felled and three trees on the edge of the car park have been pruned. It appears the elm tree likely died due to Dutch elm disease and the pruning has not harmed the amenity of the conservation area. The tree works are acceptable tree management and would have been approved if an application had been made. It is not in the public interest to take further action.

E/2023/0170, 6, Wynlass Park, Windermere, LA23 1ET

Breach of TPO legislation -Pollarding of tree

Reason for closure: Breach - Not expedient to enforce

A cherry tree within a protected group has been pollarded without the necessary consent. The tree has canker so the management is considered reasonable. It is not considered to be in the public interest to pursue legal action in this case.

E/2025/0204, Braithwaite New Farm, Braithwaite, Keswick, CA12 5RY

Alleged breach of planning permission 7/2024/2259

Reason for closure: Breach - Resolved

Our investigation found that six motorhome pitches had been formed in an area shown on the approved plans for four motorhome pitches and two motorhomes were parked in an area shown on the approved plans for tents. A breach of planning control has occurred. Following advice, the owners submitted a retrospective

planning application under reference 7/2026/2050 which was approved with conditions on 10 July 2026. Therefore, the breach of planning control has been regularised..

E/2025/0281, Kentmere Hall, Kentmere, Kendal, LA8 9JL

Alleged unauthorised use of Bank Barn as separate dwelling (holiday let)

Reason for closure: Other

Our investigation found that the ground floor of the barn with permission for use as ancillary domestic accommodation, under planning permission 7/2016/5539, was being used as a holiday let. A material change of use from ancillary accommodation to a dwelling house has occurred in breach of planning control. An application for a certificate of lawfulness was submitted, 7/2026/5219, which provided evidence that the material change of use to a dwelling had occurred more than four years ago. The certificate was approved and establishes that the use is lawful as it is immune from any enforcement action.

E/2026/0007, Bridleway 544005 Loughrigg, Ambleside

Alleged erection of warning signs along the side of the bridleway

Reason for closure: No Breach - Not development

Our investigation found that signage had been erected temporarily along the bridleway relating to the maintenance of several culverts. The signage has been removed and the maintenance of culverts does not amount to development. There is no breach of planning control.

E/2026/0071, Cockshott Wood, Glebe Road, Bowness-on-Windermere, Cumbria, LA23 3HE

Alleged - Van called 'Stables Coffee' selling food and drink from site

Reason for closure: No Breach - Not development

The trailer was originally trading from the site up to four times a week, but this had recently reduced to only trading once a fortnight. The trailer does not remain on the land when it is not trading. Given the size of the planning unit and the low level of

trading it is considered that no material change of use of land has occurred and therefore there is no breach in planning control.

E/2026/0150, A592 near Holehird Gardens entrance from Cooks Corner, Windermere

Alleged residential caravan in lay-by

Reason for closure: No Breach - Not development

Our investigation found that a caravan had been sited in the lay-by awaiting collection. The temporary parking of the touring caravan in the highway lay-by is not a material change of use of the land. Therefore, there is no breach in planning control. In any case, the caravan has now been removed from the land.

E/2026/0158, Red Bank Road, Grasmere

Alleged breach - Damage to veteran tree

Reason for closure: No Breach - Not planning matter

A temporary highway sign had been nailed to a tree. The tree is not protected with a Tree Preservation Order and is not within a conservation area. The concern was raised with the Highway Authority and they provided guidance to their contractors. The sign was removed. There is no ongoing risk to the tree so it is not expedient to serve a Tree Preservation Order.

E/2026/0180, Catbells Car Park, Portinscale, CA12 5UE

Alleged - temporary car park gone over 28 day limit

Reason for closure: Other

This matter is already being investigated under case E/2025/0227. This case has been closed as a duplicate.

E/2026/0185, Solitude Barn, Low Hollows, Threlkeld, CA12 4SZ

Alleged - local occupancy property converted into 2 holiday lets

Reason for closure: Other

This matter is already being investigated under E/2022/0166. This case has been closed as a duplicate.