

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/2024/0082, Land at The Brown Horse Inn, Winster

Operational development consisting of the erection of a building in the form of a modified shipping container has occurred in the car park of the Brown Horse Inn. It appears as an incongruous feature in the area and harms the local landscape character. An enforcement notice was issued on 1 July 2026.

Permission was granted for 8 pods to form additional letting accommodation for the Inn in 2022. Condition 6 required details of any external lighting for the pods to be approved prior to installation. The pods have been sited and external lighting details were approved, however the lights installed on the pods are not in accordance with the approved details. A breach of condition notice was issued on 1 July 2026. The notice requires the external lights which have not been approved under condition 6 to be removed.

Planning Contravention Notices Issued

E/2022/0056, Broadwater Farm, Bootle Station, LA19 5XQ

Alleged change of use of a barn to domestic use

We have issued a planning contravention notice to gather information to confirm if any operational development or a material change of use have occurred. Our previous letters to the property have been unanswered. The information will help us to confirm if a breach of planning control has occurred.

E/2023/0158, Land at Brown Howe, Water Yeat

Alleged erection of buildings and change of use to residential and recreational use

An area of woodland has a number of timber buildings within it and their use is unclear as there is no planning history for the land. We have issued a planning contravention notice to gather information to confirm when the buildings were erected and how the land has and is used. The information will help us to confirm if a breach of planning control has occurred.

E/2026/0108, Howe Keld, 5-7 The Heads, Keswick, CA12 5ES

Alleged change of use from a guest house to self contained holiday apartments

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.

E/2020/0108, West Vale, Far Sawrey, LA22 0LQ

Alleged change of use from a guest house to dwelling

We have issued a planning contravention notice to gather information to confirm how the property is being occupied. Our previous letters to the property have been unanswered. The information will help us to confirm if a material change of use has occurred and if so when.

Investigations closed

E/2020/0179, Annex at The Old Forge, Coniston, Cumbria, LA21 8DJ

Alleged use of annex as a dwelling

Reason for closure: Breach - Retrospective permission

We have investigated the use of a detached annex as a separate dwellinghouse. Initially the type and level of occupation were not clear but following the response to a Planning Contravention Notice it became evidence that the annex had been occupied as a separate dwelling for some time. An application for a Lawful Development Certificate has now been submitted and approved. The use of the building as a dwellinghouse is immune from enforcement action and is therefore lawful.

E/2021/0256, Crafty Baa, 13 Bank Street, Keswick

Alleged noise from live music

Reason for closure: No Breach - Not planning matter

Permission was granted in 2020 to use this building as a café/restaurant. Condition 3 related to soundproofing. The development has been completed in accordance with the approved plans, including soundproofing. Environmental Health at Cumberland Council are dealing with the issue under their statutory obligations and powers.

E/2021/0304, Swan Hotel, Newby Bridge, LA12 8NB

Alleged installation of external lighting

Reason for closure: Breach - Resolved

External lighting was installed in the car park approved by planning permission 7/2019/5835, prior to the required details being agreed under condition 19 of the permission. The details of the external lights were submitted and approved. The lights on site are now in compliance with the agreed details. The breach of condition 19 has been resolved.

E/2021/0348, The Coniston Inn, Coniston, Cumbria, LA21 8AJ

Alleged erection of ten gazebo/huts within grounds of the hotel

Reason for closure: No Breach - Immune (S171B)

It was established that the 10 gazebo huts are buildings due to their size, and degree of permanence. Operational development has occurred in breach of planning control. However, due to the passage of time, over 4 years, the huts have become immune from formal enforcement action, under Section 171B of The Town and Country Planning Act 1990.

E/2022/0056, Broadwater Farm, Bootle Station, Millom, LA19 5XQ

Change of use of barn to domestic - extending house into barn

Reason for closure: No Breach - Immune (S171B)

We received a concern about works taking place to convert a barn into domestic use. We received no response to our initial letters, so a Planning Contravention Notice was issued. The reply confirms there are two dwellings on site, the original farmhouse and Low Barn which we have previously investigated and was found to be immune from action in 2011. The property was re-roofed in 2018 but no further works have been carried out. There is no evidence that a breach of planning control has occurred.

E/2022/0266, Lane End Cottage, Gawthwaite, Ulverston, LA12 8EU

Change of use of common green land to allotment and installation of fence

Reason for closure: Breach - Not expedient to enforce

We received concerns about a new fence that had been constructed around a domestic property and use of adjacent land as an allotment. Our investigations revealed that the fence required planning permission, but was in a similar position to a fence that we had previously granted permission. The approved fence was of a different (lower) height and construction. Given the site specific circumstances of the fence we considered it not expedient to take further action. The area of allotment has been reinstated as grass.

E/2024/0013, The Old Mill, Winster, LA23 3NN

Alleged engineering operations

Reason for closure: Breach - Not expedient to enforce

An area of trees near the Old Mill has been cleared, following wind damage. A digger has removed the tree stumps and roots resulting in ground disturbance. Due to the scale of the works, it is considered that operational development occurred in breach of planning control. The land levels have been restored, and the land is beginning to regenerate, therefore it is not in the public interest to take any further action.

E/2025/0157, Crag Farm House, Ennerdale, Cleator, CA23 3AS

Alleged excavations and retaining wall

Reason for closure: Breach - Retrospective permission

Excavations that amount to an engineering operation, the construction of a retaining wall which exceeds 2 meters, and the construction of a bridge had taken place in breach of planning control. After providing advice to the owners' planning agent, a retrospective planning application, ref: 7/2026/4010, was submitted and subsequently approved with conditions on 2 July 2026. The breach of planning control has been regularised.

E/2025/0214, South Barn, Ayside, Grange-Over-Sands, LA11 6HY

Alleged change of use of agricultural buildings and land (7/2019/5661) to use a sawmill, manufacture of sheds and furniture and store of classic cars and as distribution centre for roofing products and associated operations

Reason for closure: Appeal - Notice quashed

We identified a breach of planning control in the form of a material change of use from agriculture to a mixed use including agriculture, commercial timber processing and the fabrication of timber buildings and furniture. We served an enforcement notice which was subsequently appealed. A Public Inquiry was held. The Inspector found that the development did not result in harm to the character and appearance of the area, and neither did it harm local residential amenity or highway safety. The appeal was allowed, the enforcement notice quashed and planning permission

granted. The breach of planning control has been regularised.

A second enforcement notice was also issued in relation to a breach of condition 7 on 7/2019/5661, but this was withdrawn.

E/2025/0296, Roger Ground, Thornbarrow Road, Windermere, LA23 2DQ

Alleged breach - material change of use of dwelling to guest house (letting suites) and a holiday letting dwelling

Reason for closure: Breach - Retrospective permission

Our investigation found that Roger Ground was being used as a guesthouse with guest suites and owners' accommodation. No planning permission had been granted for the use. A breach of planning control had occurred. An application, reference 7/2025/5671, was submitted and approved with conditions in April 2026. Therefore, the breach in planning control has been regularised.

E/2026/0025, Kitty House, Troutbeck, Penrith, Cumbria, CA11 0SS

Alleged use of agricultural building for domestic purposes - in breach of condition under application 7/2012/3066

Reason for closure: Breach - Retrospective permission

Concerns were raised over the use of land and a building that were previously in agricultural use in connection with the domestic use of Kitty House. A material change of use of the land and building had occurred in breach of planning control. An application for the new use was submitted and approved. (7/2026/3044). The breach of planning control has been regularised.

E/2026/0089, 20, Ashcroft Close, Braithwaite, Keswick, CA12 5TB

Alleged planning breach - extension to porch

Reason for closure: Breach - Not expedient to enforce

We received concerns about whether a new porch extension had permission. Planning permission for an enclosed porch was granted in 2021, but the porch as built is not in full conformity with the approved plans. The variation include minor

height and width changes and associated minor design changes. The porch as built is acceptable on its planning merits. It is not expedient to take any further action.

E/2026/0102, Swallowholme, 52 Ellerthwaite Road, Windermere, LA23 2BS

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.

E/2026/0105, Glebe Park Golf & Tennis, Glebe Road, Bowness on Windermere, LA23 3HE

Alleged non-compliance with planning permission 7/2019/5640 market opening times

Reason for closure: Breach - Resolved

A concern was raised regarding the possible non-compliance with planning permission 7/2019/5640 for the holding of markets and community events. Condition 4 of planning permission 7/2019/5640 states that the site shall not be used for the holding of markets or community events for more than one day in any Monday to Sunday period. Our investigation found that markets were held on both May 2026 Bank Holiday weekends on both Sunday and Monday. Therefore, a breach of planning control has occurred. Following advice, the manager of the markets and events agreed to only use the site for markets and events on one day in each 7-day period moving forward. The breach of condition 4 has been resolved.

E/2026/0107, Blackthorn Close, Low Lorton, CA13 9UW

Alleged non-compliance with approved plans 7/2019/2230

Reason for closure: No Breach - Has permission/consent

We received concerns that five dwellinghouses approved under planning reference 7/2019/2230, had not been built in accordance with approved plans. We visited

and checked the plans and took measurements and photos. We consider that the development has been constructed in accordance with the approved plans. There is no breach of planning control.

E/2026/0112, Land east of All Saints Church, Satterthwaite, Ulverston, LA12 8LR

Alleged use of land as a public car park

Reason for closure: No Breach - Not development

Planning permission has recently been refused for the change of use of this land to a public car park. We received a concern that the land was being used for parking. The informant then confirmed utility vehicles parked on the land for a short period, but there has been no further use for parking. No material change of use has occurred.

E/2026/0113, Manor Crest, Manor Brow, Keswick, CA12 4AW

Alleged unauthorised works

Reason for closure: No Breach - Permitted development

We received concerns about works being undertaken to widen an existing access and the proposed installation of a vertical rise barrier and pillars. We visited the site and were shown plans of what is proposed (stone gateposts and a sliding gate) and concluded that the works as proposed would be permitted development under Schedule Two Part 2 Class A of the GPDO. There is no breach of planning control.

E/2026/0140, 1 North Cottage, Crosthwaite, Kendal, LA8 8HX

Alleged - Ground works for new house

Reason for closure: No Breach - Has permission/consent

A concern was raised regarding alleged ground works not being in accordance with the plans submitted under planning permission 7/2018/5506 on land at Cross Howe, Crosthwaite. On inspection at the site, groundworks had begun as part of the permission granted which appeared to be in accordance with the plans. Concerns raised over the removal of vegetation and impact on septic tanks are a private and

not a planning matter. Therefore, there is no breach of planning control.

E/2026/0145, Newton Lodge, Newton In Cartmel, Grange-Over-Sands, LA11 6JH

Alleged removal of slate roof. Replaced by manmade tiles

Reason for closure: No Breach - Permitted development

Our investigation found that the roof slates to the dwelling have been replaced but this is permitted development under Part 1 Class C of The Town and Country Planning (General Permitted Development) (England) Order 2015. Therefore, there is no breach in planning control.

E/2026/0149, 5 Birch Row, Threlkeld, Keswick, CA12 4RX

Alleged internal unauthorised side extension to domestic property

Reason for closure: Breach - Not expedient to enforce

We received concerns about a new side extension that had been constructed to a domestic property in Threlked. We visited and concluded that the side extension is acceptable due to its very limited public visibility and the domestic context it is within. It is not expedient to take further action.

E/2026/0159, Little House, Queens Drive, Windermere, LA23 2EL

Alleged occupation of garage building as a dwelling

Reason for closure: No Breach - Has permission/consent

We have investigated the allegation and determined the use of the building as a dwelling is lawful. Permission was granted for the use as a local occupancy dwelling in October 2015, and this has been implemented. No breach of planning control has occurred.

E/2026/0161, 18, Trinity Way, Keswick, CA12 4HZ

Alleged - property being used as Airbnb

Reason for closure: No Breach - Has permission/consent

18 Trinity Way is a mid-terraced freehold property in Keswick. The house is operated as a self-catered holiday let with two bedrooms. We investigated a similar allegation under E/2025/0301 and determined there was no breach of planning control. The house does not have an planning occupancy restriction and its use as a holiday let is not materially different to its use as a family home in this instance.

E/2026/0163, Mellfell Barn, Thackthwaite, Penrith, CA11 0ND

Alleged non-compliance with planning permission 7/2014/3038 and change of use of dwelling to holiday accommodation

Reason for closure: Other

This case has been closed as a duplicate, as this matter is already being investigated under E/2026/0126.