

## **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/2026/0069, Land at Pelter Bridge, Rydal, Grasmere**

A material change of use of an area of land from agriculture to a mixed use of the selling of food and refreshments facilitated by a mobile catering vehicle, vehicle parking and agriculture has occurred in breach of planning control. An area of hardstanding has also been installed in breach of planning control. The new use and area of hardstanding change the function and appearance of the land and harms the character landscape. Two enforcement notices were served on 5 August 2026, one relating to the use of the land and the other to the installation of the area of hardstanding.

### **Planning Contravention Notices Issued**

#### **E/2026/0183, Stag Lodge, High Stott Park, Ulverston, LA12 8AY**

Alleged use as a wedding venue and holiday letting accommodation

We have issued a planning contravention notice to gather information about how this property is occupied and the frequency of weddings and other events. The information will help us to confirm if a breach of planning control has occurred.

### **Investigations closed**

#### **E/2021/0170, Land at Lofshaw Hill, Troutbeck, Penrith, CA11 0SH**

Alleged construction of track

Reason for closure: No Breach - Immune (S171B)

Operational development to install a track has occurred in breach of planning control. The track is not prominent in public views so this case was not prioritised. The development is now immune from enforcement action. No further action can be taken.

**E/2021/0225, The Woolley farm Ltd., The Friths, Santon Bridge, CA191UY**

Alleged unauthorised tourism use, siting of static caravan. Car park and use of field for camping

Reason for closure: Breach - Resolved

This site was operating as a farm tourism business in breach of planning control. We intended to take formal action but the use ceased and the land was marketed for sale. The land is again in agricultural use. The breaches of planning control have been resolved.

**E/2021/0311, Land to the south of Larchways, Troutbeck, Windermere, LA23 1PJ**

Siting of caravan

Reason for closure: Breach - Resolved

A touring caravan was parked on this land within Troutbeck Conservation Area for a number of years and its condition was deteriorating. The condition of land harmed the amenity of the area as a result of the appearance of the caravan. Following our request the touring caravan has been removed from the site. The condition of the land no longer considered to have a detrimental visual impact on the amenity of the area.

**E/2021/0346, Louper Weir, Newby Bridge Road, Windermere, Cumbria, LA23 3LL**

Alleged erection of retaining wall structure on lake shore

Reason for closure: No Breach - Immune (S171B)

A chalet building has been demolished and then operational development to erect a retaining wall and create terraces has occurred. There has been a breach of planning control but the breach has acquired immunity, having been substantially complete more than four years ago.

**E/2023/0074, Meathop Hall, Meathop, Grange-over-sands, Cumbria, LA11 6RE**

Alleged unauthorised works to a listed building

Reason for closure: Breach - Resolved

Meathop Hall and Cottage is a Grade II listed building. Significant works have taken place both internally and externally at Meathop Hall Cottage without the necessary listed building consent. A listed building application was submitted and subsequently approved, subject to conditions. The breach has been regularised.

**E/2023/0086, Ghyll Head Outdoor Education Centre, Ghyll Head, Bowness-On-Windermere, Windermere, LA23 3LN**

Alleged change of use of pod accommodation to use as holiday letting accommodation

Reason for closure: No Breach - Not development

Camping pods at the Ghyll Head outdoor education and activity centre are being advertised as overnight accommodation and can be booked and occupied without the need to take part in other activities at the centre. The site is large and provides outdoor education, activities and overnight accommodation. The pods account for only a small amount of activity on this large site. The occupation of the pod accommodation by those not associated with the wider use of the site does not amount to a material change of use of the planning unit (the whole activity centre). No development has occurred so there is no breach of planning control.

#### **E/2025/0242, Entrance to Copper Mines Road, Coniston, LA21 8BH**

Alleged - sign has been illegally erected at the entrance to the Copper Mines road

Reason for closure:

A concern was received regarding the erection of signs and their content. Whilst the content of the sign is not a planning matter the advertisements were found to exceed the deemed consent allowances give under The Control of Advertisement Regulations 2007. The owner was contacted and the signs were removed and replaced with smaller signs that benefit from deemed consent. The breach has been resolved.

#### **E/2025/0244, Woodlands, Roger Ground, Ambleside, LA22 0QG**

Alleged construction of a fence & gate, taller than 1m and adjacent to a highway and engineering operation to construct access and parking area, and removal of slate shard fence

Reason for closure: No Breach - Immune (S171B)

A concern was raised regarding the demolition of a shard fence, the erection of timber gates, the erection of a timber fence and the provision of a hardstanding and change of use of land without planning permission. Our investigation found that the removal of the shard fence is statutorily excluded from the definition of development; there is no evidence of a change of use within the last ten years; the provision of an area of hardstanding is permitted development and the hardstanding was completed in 2020 so would be lawful in any event. The gate and fence were erected in breach of planning control, but the development took place in 2020 and is therefore immune from any enforcement action. There is no breach against which further action could be taken.

#### **E/2025/0308, Moss Ghyll, Troutbeck Bridge, Windermere, LA23 1HF**

Alleged construction of large outbuilding

Reason for closure: Breach - Retrospective permission

Our investigation found that a large timber building had been erected to the south of the dwelling house. The building did not benefit from permitted development rights, and no planning permission had been granted. A breach of planning control had occurred. Following advice, the owner submitted a retrospective planning application

for the building (ref: 7/2026/5105) which was approved with conditions on 31 July 2026. The breach of planning control has therefore been regularised.

**E/2026/0062, Land at Bleacrag Road, Witherslack**

Alleged holiday letting facility

Reason for closure: Breach - Resolved

A concern was raised regarding the siting of a shepherd's hut on land near Bleacot Farm, Witherslack. Our investigation found that a shepherd's hut had been sited on agricultural land for the purposes of being used as a unit of self-contained residential accommodation for holiday letting purposes. No planning permission had been granted for a change of use of land and therefore a breach of planning control had occurred. Following advice, the shepherd's hut was removed, and the breach has been resolved.

**E/2026/0080, Land to the north of The Cabin, Low Stott Park, Newby Bridge, Ulverston, LA12 8AX**

Alleged engineering operations to watercourse

Reason for closure: Breach - Not expedient to enforce

Our investigation found that engineering operations had taken place to widen a drainage ditch on the land. There is no planning permission approved for the engineering operations and therefore a breach of planning control has occurred. However, it is not considered expedient to take action as the development is acceptable on its planning merits.

**E/2026/0108, Howekeld, 5-7 The Heads, Keswick, CA12 5ES**

Alleged - no staff members on site as stipulated in planning permission

Reason for closure: No Breach - Not development

This property was formally operated as a traditional hotel. In 2021 a proposed Lawful Development Certificate (LDC) was submitted to establish if the use of the building as seven self-contained, short-term, holiday letting accommodation suites (Use Class C1) would be lawful in planning terms. We approved the certificate as it was considered that the proposed use would still fall within Use Class C1. Although the concern regarded the absence of a live in staff member, we widened the investigation to also consider whether the current use still falls within Use Class C1. We served a Planning Contravention Notice to gather further information about the current use. We concluded that the use still falls within Use Class C1 and therefore no material change of use has occurred.

The concern refers to a planning permission and a planning condition that dictates a manager must live on site. This is factually incorrect. An LDC is not a grant of planning permission and conditions cannot be attached. We have concluded that although the staff member lives off site, when considered as a whole, the use of the property is not distinctly different in character and function to its previous use as a guesthouse. No development has taken place.

**E/2026/0116, Silver Birches, Haverthwaite, Cumbria, LA12 8AF**

Alleged unauthorised works - removal of slate roof, replaced by concrete tiled roof

Reason for closure: No Breach - Permitted development

The original slate roof has been replaced with a modern tiled roof. The alteration is permitted development. There is no breach of planning control.

**E/2026/0119, Stanley Arms Hotel, Calderbridge, Seascale, CA20 1DN**

Alleged - Conversion of former public house into self-contained residential units

Reason for closure: No Breach - Not development

A concern was raised that the pub use was to cease and the building converted to self contained residential units. At present the property is not operational and is under refurbishment. We have discussed the proposed use with the owners and they have indicated that the bar open to the public will remain. The kitchen and function room have become bedrooms. None of the works at this point indicate a change to the character of the use, being a pub with rooms, that would indicate a material change of use will occur. We have been advised that the pub will remain, with guests relying on the pub to provide drinks, snacks and breakfast. No material change of use has occurred at this time.

**E/2026/0144, 8, Barratt Croft, Coniston, LA21 8DT**

Alleged breach of S106, Conclusion - property occupied lawfully

Reason for closure: Other

It has been alleged that the relevant S106 Agreement was not observed when 8 Barratt Croft, Coniston was last let. We have undertaken a complete and thorough investigation. We have been supplied with information in strict confidence; an assessment of this information satisfies us that the tenant is occupying the property lawfully. No further action is required.

Due to the sensitive nature of the circumstances, we are unable to disclose the information on which our decision has been made.

**E/2026/0165, 19, Southey Street, Keswick, CA12 4EF**

Alleged change to rear boundary creating a driveway and use of dwelling as holiday let

Reason for closure: No Breach - Immune (S171B)

We received concerns about a domestic property that was being used as a holiday and works to the rear that taken place to create an enlarged parking area. The house is not subject to an occupancy condition and the use of a three-bedroomed house as three bedroomed holiday letting accommodation did not result in a material change of use. The works to the rear are immune as they were completed more than four years ago.

**E/2026/0184, Peacock Farm, Ashes Lane, Staveley, Kendal, LA8 9JS**

Alleged - video surveillance camera mounted on tall 4m high pole

Reason for closure: No Breach - Not development

Our investigation found that four solar powered CCTV cameras had been screwed to wooden posts on the land. The fixing of CCTV cameras to wooden posts and the

screwing of those posts to existing fence posts is not an act of development and therefore, there is no breach of planning control.

**E/2026/0189, 49, High Portinscale, Portinscale, Keswick, CA12 5RN**

Alleged breach - untidy land

Reason for closure: No Breach - Has permission/consent

A concern was raised regarding the progress of proposed alteration and extension works to 49 High Portinscale, Keswick, as part of planning permission 7/2022/2020. Our investigation found that there were ongoing building works to the property. Whilst the site is internally untidy, the appearance of the site is attributable to normal operations being undertaken on the land in connection with the planning permission, the effect of which has been exacerbated due to inactivity. Also the condition of the land does not adversely affect the amenity of the wider area as the boundary hedges screen public views of the property. The development has planning permission, and it is not considered appropriate to issue a section 215 notice in this instance.

**E/2026/0196, Bank Road, Windermere, LA23 2JW**

Alleged stone wall not replaced

Reason for closure: Other

This matter is already being investigated under reference E/2026/0023. This case has been closed as a duplicate.

**E/2026/0201, Land next to Toddle Cottage, Askham, Penrith, CA10 2QJ**

Alleged - metal fence around the field

Reason for closure: Other

This matter is already being investigated under reference E/2026/0195. This case has been closed as a duplicate.

**E/2026/0205, Field in Glenridding, Glenridding, Cumbria**

Alleged - removal of topsoil and installation of hardcore base and potential change of use of site

Reason for closure: Other

This matter is already being investigated under reference E/2026/0199. This case has been closed as a duplicate.

**E/2026/0211, Lakeland Cafe, Grasmere, Cumbria**

Alleged - use of premises as a takeaway

Reason for closure: Other

This case has been opened in error. This matter is already being investigated under E/2026/0192.