YORKSHIRE DALES NATIONAL PARK AUTHORITY **ITEM 6**

Committee: **PLANNING COMMITTEE**
Date: **18 April 2023**

Report: **PLANNING ENFORCEMENT CLOSURES REPORT**

Purpose of the report

1. To inform members of cases resolved under delegated powers since 10 January 2023. NB Reports explaining the closure reasons for the cases considered inexpedient to pursue are available on request.

2. To inform members of enforcement notices issued under delegated powers since 10 January 2023.

3. NB The next report will be to the 11 July 2023 meeting.

RECOMMENDATION

4. That the information listed on the attached Annex be noted.

   A Cases closed as no breach or breach regularised
   B Cases closed as being inexpedient to pursue

Richard Graham
Head of Development Management

NB: If any member wishes to enquire about a specific case, would they please contact the Head of Development Management prior to the meeting.

31 March 2023

A - Cases closed as no breach or breach regularised

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
Craven District					
EC/06/6B	14 November 2022	Breach of Conditions relating to Operating Hours and Use - Brownie Barn, Howgill Farm, Barden, Skipton, North Yorkshire, BD23 6DJ	31 January 2023	Application Received	11
EC/20/9A	04 October 2022	Change of Use of Shooting Lodge to Mixed Use of Shooting Lodge and Holiday Let - Chapel House (New Laithe, Kilnsey), Kilnsey Shoot Lodge, Kilnsey	15 February 2023	Application Received	19
EC/27/11	12 January 2022	Unauthorised felling of protected trees - Land to the east of Eshton	31 January 2023	Rectified	55
Reason for Delay:	This case has had to wait until the 2022/2023 planting season for the replacement tree to be planted. This has now been done, and the breach is rectified.				
EC/33/136A	30 September 2022	Unauthorised display of advertisement sign - Manor Hill, 2 Garrs Lane, Grassington, Skipton, BD23 5AQ	18 January 2023	Application Received	16

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
EC/43/16A	09 August 2022	Unauthorised Works – lighting, Refrigeration Units and ASHPs - The Angel Inn, Hetton, Skipton, North Yorkshire, BD23 6LT	28 February 2023	Application Received	29
Reason for Delay:	This case was awaiting confirmation from the agents regarding the ASHPs and the submission of an application to discharge the lighting at the site. Confirmation has been received and an application submitted.				
EC/46/66A	08 April 2019	non-compliance with pre-commencent conditions possible partial demolition - Tug Gill Lathe, Starbotton	02 March 2023	Regularised	203
Reason for Delay:	Application to discharge conditions was submitted. Further details were required from Applicant and covid pandemic delayed the submission and ability to follow up investigation.				

Craven District

EC/52/94	02 December 2022	Installation of New flue in rear roof slope - 1 Cornmill Cottages, Main Street, Long Preston, BD23 4QY	15 February 2023	Application Received	11
EC/54/45	21 April 2017	non-compliance with Conditions 4, 5, 6, 10, 11, 12, 13 and 21 of planning permission C/54/153 - Cherry Tree Croft, Finkle Street, Malham	02 March 2023	Regularised	306
Reason for Delay:	Conditions discharged April 2018. The focus on closing historic cases revealed this one to be still open when the breach had already been regularised.				

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
Craven District					
EC/62/27B	10 August 2022	C/62/416C – Full planning permission for continued temporary siting of timber framed building for rural worker's living accommodation in association with aquaponics farm. Breach – condition 2 stipulates that the use of the land for the temporary siting of the building to be removed on or before 3 years from the date of the decision. The temporary permission expired on 11/6/22. Housing monitoring 2022 – update – the accommodation is still in situ. No consent in place. - Former Reservoir, Mitchell Lane, Settle	31 January 2023	Application Received	25
EC/65/32	30 May 2018	unauthorised siting of Container - Field off Bog Lane, Stirton	01 March 2023	Rectified	248
Reason for Delay:	This matter was investigated at the time of reporting, then the pandemic stopped all investigation. The matter was taken up again in November 2021, a Notice served in Feb 22, and its removal in Feb 23.				
EC/68/28A	08 October 2019	unauthorised siting of a garden room adjacent to Highway - Kirksteads, Westhouse	18 January 2023	Application Received	171
Reason for Delay:	This case was opened before the lockdown and limited investigation carried out. When officers were able the case was investigated. An application is awaiting validation. At a review of cases it was decided to close this case as an application is on hand.				
EC/71/52	30 May 2017	non-compliance with approved plans of planning permission C/71/105A relating to the timber staining and glazing of the dormer window - High Winds, Wharfeside Avenue, Threshfield	18 January 2023	Application Received	294

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
Reason for Delay:	This case has been kept open as there has been a live enforcement notice and prosecution proceedings. This case was the subject of a review of cases on hand over 6 months, a further application has been submitted with proposals to amend the design.				
Eden District					
EE/01/1A	06 January 2023	Untidy Land - Chapel Farm Caravan Site, Little Asby	18 January 2023	Rectified	2
EE/03/11A	06 January 2023	Unauthorised siting of third shepherds hut - Crake Trees, Crosby Ravensworth	18 January 2023	Rectified	2
EE/06/3	01 November 2022	Unauthorised installation of highway access onto A685 - Wiseber, Wiseber Brow, Kirkby Stephen, CA17 4LE	18 January 2023	Rectified	11
EE/12/16	06 January 2023	Unauthorised conversion of barn into dwelling house - Barn attached to Rigg End Farmhouse, Rigg End, Newbiggin on Lune, Ravenstonedale	14 March 2023	No Breach	10
Richmondshire District					
ER/04/17	11 November 2022	Unauthorised installation of shed on agricultural land - Field to rear of Park Lodge, Marrick	18 January 2023	Application Received	10

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
ER/06/60	07 May 2020	non-compliance with approved plans R/06/202A - Garage at Oxnop Ghyll, Gunnerside	15 March 2023	Regularised	149

Reason for Delay: Application to retain development refused and owner appealed the decision. Breach regularised after Appeal upheld.

Richmondshire District

ER/07/78D	11 November 2022	Unauthorised use of agricultural field for parking and breach of condition 16 of R/07/105E in respect of unauthorised lighting - Dales Bike Centre, Fremington	18 January 2023	Application Received	10
ER/27/13	04 November 2022	Breach of condition/plans - installation of structure outwith plans approved under R/27/140A - The Grove, Hudswell	18 January 2023	No Breach	11
ER/48/60	17 December 2022	Unauthorised works to agricultural buildings - 1 no. roadside barn and 1 no. field barn, Cotterdale	18 January 2023	No Breach	5
ER/52/77	21 July 2022	Unauthorised conversion of preserve production/storage/shop facility to dwellinghouse - Byre Cottage (Former Raydale Preserves Production facility), Stalling Busk	18 January 2023	Application Received	26

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
Reason for Delay:	Owner claimed not to have received enforcement emails. Another contact was identified during a site visit and an application was subsequently received.				
ER/54/66	06 December 2022	Breach of Condition 2 of R/54/155A in that the bujlding has been built larger than approved - Land off Eshington Lane, Thoralby	19 January 2023	No Breach	6
ER/55/20A	20 May 2021	Formation of hard standing to rear - Rear of The Wheatsheaf, Carperby	23 January 2023	Regularised	88
Reason for Delay:	Enforcement investigation delayed by Covid then held in abeyance pending the outcome of the planning application.				
ER/60/3D	22 March 2017	unauthorised building works - Bell Barn & Castle Folly, Forbidden Corner, Tupgill Park, Coverham	28 March 2023	Regularised	314
Reason for Delay:	Enforcement notice served and an appeal lodged. Appeal was dismissed. Further planning application submitted to amend the castle folly approved.				
ER/60/3E	20 January 2020	engineering works - Forbidden Corner, Tupgill Estate	16 March 2023	Regularised	164
Reason for Delay:	A planning application was initially submitted and withdrawn by the Applicant. A further application was submitted and approved.				

Richmondshire District

ER/67/21A	21 December 2021	Unauthorised internal and external works to a listed building - Seaton House, Carlton, Leyburn, North Yorkshire, DL8 4AY	23 January 2023	Regularised	57

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
Reason for Delay:	Initial investigation confirmed only minor external issues. Case held open pending outcome of listed building application and clarification that all issues covered.				
ER/91/80A	09 December 2022	Siting of wood-fired hot tub with flue adjacent to grade II listed Belvedere folly (aka Temple Folly), associated with previously approved B&B use (R/91/80 & R/91/80A) - The Temple Folly, Temple Farm, Swinithwaite, DL8 4UH	18 January 2023	No Breach	6

South Lakeland District

ES/01/114B	01 March 2022	Unauthorised works to a listed buiding regarding installation of lighting above external adverts - George & Dragon, Main Street, Dent, LA10 5QL	23 January 2023	Regularised	47
Reason for Delay:	Investigation and submission of application delayed by owner's slow response (partly due to injury) and protracted discussions to ensure the application was valid.				
ES/09/2	01 February 2019	unauthorised installation of a new generator - Kearstwick Grove, Kearstwick, Kirkby Lonsdale	23 January 2023	Rectified	208
Reason for Delay:	This matter was investigated at the time and mostly complied with at that time, the case was left open to ensure the diesel generator was relocated. This has now been done.				

		Date of Closure	Reason for Closure	No of Weeks

B. Cases Closed as being inexpedient to pursue

File Reference	Date Received	Breach and Location	Date of Closure	Reason for Closure	No of Weeks
ER/55/18D	21 June 2018	unauthorised use of agricultural building for residential purposes - Manor Grange Farm, Low Lane, Carperby	15 March 2023	Not Expedient	247

Reason for delay: Delayed decision due to sale of Yore Mill, Covid, and owners' personal circumstances