

Committee: PLANNING COMMITTEE

Date: 3 October 2023

Report: PLANNING ENFORCEMENT CLOSURES REPORT

Purpose of the report

1. To inform members of cases resolved under delegated powers since 26 June 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 26 June 2023.
3. NB The next report will be to the 19 December 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.

19 September 2023

ENFORCEMENT CLOSURES QUARTERLY REPORT

A - Cases closed as no breach or breach regularised

<u>File Reference</u>	<u>Date Received</u>	<u>Breach and Location</u>	<u>Date of Closure</u>	<u>Reason for Closure</u>	<u>No of Weeks</u>
Craven District					
EC/04/47A	09 August 2023	Creation of patio/paved areas in breach of planning conditions - White Sike Barn, Austwick, Lancaster, LA2 8DG	22 August 2023	No Breach	2
EC/06/10	30 November 2022	Siting of residential caravan on agricultural land - Land at Howgill, Howgill Lane, Barden	15 August 2023	Application Received	37
Reason for Delay: Awaiting the submission of an application, the application has now been submitted and the case can be closed.					
EC/14/26	27 June 2023	Alleged Re-surfacing of Rectory Lane (Church Lane), Burnshall - Church Lane, Burnshall, BD23 6BN	06 September 2023	No Breach	10
EC/20/9B	22 February 2023	Unauthorised change of use of Shooting Lodge to holiday let - New Laithe, Chapel House, Kilnsey, Skipton, BD23 5PR	15 August 2023	Application Received	25
Reason for Delay: This case was awaiting the submission of a new application to overcome the previous refusal, this has now been submitted and the case can be closed.					

<u>File Reference</u>	<u>Date Received</u>	<u>Breach and Location</u>	<u>Date of Closure</u>	<u>Reason for Closure</u>	<u>No of Weeks</u>
EC/44/103	08 August 2023	Alleged breach of conditions attached to C/44/181B/LDC Relating to Parking - Colt Park Barn, Chapel Le Dale, CARNFORTH, LA6 3JF	22 August 2023	No Breach	2
EC/46/113	01 December 2020	Change of use of land for residential purposes, erection of shed, creation of pathways - Parsons Barn, Kettlewell	28 June 2023	Application Received	134

Reason for Delay: This case was registered during the pandemic, but was not investigated until 2022. There have been delays getting the application submitted, but the case can now be closed as the Application is under consideration.

Craven District

EC/47/25	16 May 2023	Tipping of waste material on agricultural land - Church End Farm, Kirkby Malham, Skipton, BD23 4BU	28 June 2023	No Breach	6
EC/50/31A	13 April 2023	Alleged Breach of Occupancy Condition - Linton Beck Barn, Linton, Skipton, BD23 5HH	06 September 2023	No Breach	21
Reason for Delay: This case was waiting for information to be submitted before it could be considered if there was a breach of the occupancy condition.					
EC/50/32	22 August 2023	Non-compliance with the approved plans - Barn North of Grange Cottage, Linton, Skipton, BD23 5HH	06 September 2023	No Breach	2

<u>File Reference</u>	<u>Date Received</u>	<u>Breach and Location</u>	<u>Date of Closure</u>	<u>Reason for Closure</u>	<u>No of Weeks</u>
EC/51/17	20 December 2022	Alleged Unauthorised works – Installation of UPVC windows, Installation of solar panels and re-roofing of garage - Amerdale Garth, Litton, SKIPTON, BD23 5QJ	06 September 2023	No Breach	37
Reason for Delay: There were several issues raised regarding this property which needed to be investigated, once those were clarified and a site visit made it was found that there was no breach.					
EC/52/95	27 March 2023	Erection of Sheds and the installation of spikes on the boundary wall - 1 Moorfields, Long Preston, Skipton, BD23 4QD	22 August 2023	No Breach	21
Reason for Delay: This matter was resolved with all parties as no breach at the site meeting in March. Unfortunately, the closure report was not written until August.					
EC/54/20D	25 July 2023	Unauthorised use of land as a caravan site - Gordale Scar Campsite, Hawthorns Lane, Malham, Skipton, North Yorkshire, BD23 4DL	22 August 2023	No Breach	4
EC/54/50	21 February 2023	Non-compliance with conditions attached to planning permission C/54/35D - Cawden Barn, Malham Raikes, Finkle Street, Malham	28 June 2023	Rectified	18
EC/54/51	04 May 2023	Erection of structure over 2 metres in height - Holme Farm, Malham, Skipton, BD23 4DA	15 August 2023	Application Received	15
EC/64/38B	22 February 2023	Stationing of caravan for residential use - Sherwood Brow Farm, Stainforth, Settle	05 July 2023	Application Received	19

<u>File Reference</u>	<u>Date Received</u>	<u>Breach and Location</u>	<u>Date of Closure</u>	<u>Reason for Closure</u>	<u>No of Weeks</u>
EC/65/32A	08 March 2023	Alteration of field access - Field off Bog Lane, Stirton	05 July 2023	No Breach	17

Eden District

EE/03/12	01 March 2022	Unauthorised development and change of use to residential - Holesfoot, Maulds Meaburn, PENRITH, CA10 3HX	24 July 2023	Planning Application Received	73
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Reason for Delay: Additional issue added to investigation thereby extending process until application received.

EE/07/2	07 February 2019	masts not completed in accordance with approved plans S/2016/564 & S/2016/567 - Hazelgill & Castlethwaite	24 July 2023	Rectified	233
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Reason for Delay: The investigation involved two sites, a variety of issues and several contractors. The investigation was also prolonged by Covid.

EE/12/9	06 January 2020	unauthorised installation of 2 no. stables and erection of building - Peter House, Ravenstonedale	24 July 2023	No Breach	185
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Reason for Delay: Investigation into two of the three issues was delayed as a result of Covid. The case was reviewed in January 2023 with the outcome that the emerging picture shows a mixed use of the land indicating there is no breach of planning control.

Richmondshire District

ER/52/75	27 January 2022	Unauthorised development to a listed building - Old Silk Mill, Marsett	24 July 2023	Regularised	78
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<u>File Reference</u>	<u>Date Received</u>	<u>Breach and Location</u>	<u>Date of Closure</u>	<u>Reason for Closure</u>	<u>No of Weeks</u>
Reason for Delay: Submission of application delayed to allow owner and the Authority to progress the major planning proposal on adjacent land. This issue was minor in nature and had was subject to a planning enquiry response so no harm caused by delay.					
ER/54/67	04 July 2023	Breach of condition R/54/142D in respect of collapse and rebuilding of wall sections - East Routengill Farm, Walden, West Burton, LEYBURN, DL8 4LE	24 July 2023	No Breach	3
ER/56/168	06 July 2023	Alleged Unauthorised Works to a Field Barn - Barn at Town Foot, Hawes	22 August 2023	Application Received	7
ER/91/62	14 July 2022	Unauthorised creation of track - Land adjacent to High Lane, West Witton	24 July 2023	Planning Application Received	54
Reason for Delay: Delay in receipt of application caused by owners needing to engage consultant to submit plans after attempting to do so themselves					

South Lakeland District

ES/01/13C	30 April 2020	works not in accordance with approved plans of planning permission S/01/51A - Millbeck, Dent	24 July 2023	Rectified	169
Reason for Delay: Case involved extensive discussions with owner and complainant around resolution using enforcement and non enforcement issues. Late site visit required to assess landscaping work.					
ES/01/164	01 March 2022	Unauthorised change of use of former staff car park to public car park - Rise Hill Mill, Main Street, Dent, Sedbergh, LA10 5QL	24 July 2023	No Breach	73

<u>File Reference</u>	<u>Date Received</u>	<u>Breach and Location</u>	<u>Date of Closure</u>	<u>Reason for Closure</u>	<u>No of Weeks</u>
Reason for Delay: Case reviewed by Head of Development with outcome that use was considered to be minimal, caused little harm and did not represent a material change of use.					
ES/01/170	04 May 2023	Unauthorised works to a listed building in respect of window and internal lights - Rowell House, Main Street, Dent	24 July 2023	No Breach	12
ES/05/3B	20 December 2022	Unauthorised Works to create a car park on agricultural land - Sedbergh Preparatory School, Casterton School, Casterton, Carnforth, LA6 2SG	15 August 2023	Application Received	34
Reason for Delay: The school had a change in staff, therefore, this delayed the application being submitted. Now the application has been submitted the application can be closed, pending the outcome.					
ES/05/9	20 December 2022	Change of Use of Land for the Siting of a Residential Caravan. - Land Adjacent To Well Lane High Casterton	05 July 2023	Rectified	28
Reason for Delay: A timescale was agreed with the owner to remove the caravan by the end of June 2023, this has now been done and the case can be closed.					

B - Cases closed as being inexpedient to pursue

<u>File Reference</u>	<u>Date Received</u>	<u>Breach and Location</u>	<u>Date of Closure</u>	<u>Reason for Closure</u>	<u>No of Weeks</u>
Craven District					
EC/26/73	16 May 2023	Unauthorised erection of fence - 7, Tannery Lane, Embsay, Skipton, BD23 6NF	22 August 2023	Not Expedient	14

<u>File Reference</u>	<u>Date Received</u>	<u>Breach and Location</u>	<u>Date of Closure</u>	<u>Reason for Closure</u>	<u>No of Weeks</u>
EC/51/15	22 December 2022	Re-roofing of an Outbuilding - Queens Arms, Litton, Skipton, North Yorkshire, BD23 5QJ	06 September 2023	Not Expedient	37

Reason for Delay: This case was investigated and site visits carried out as well as evidence gathered as to when the works were carried out, this took longer than expected, but determined to be inexpedient.

Eden District

EE/12/15	16 March 2022	Unauthorised erection of hobbit house - Lark Meadow Farm, Newbiggin-on-lune, Kirkby Stephen, CA17 4ND	24 July 2023	Not Expedient	71
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Reason for Delay: Enforcement investigation extended as a result of planning enquiry and submission of planning application. Inexpedient outcome determined by Agenda meeting in May 2023.

Richmondshire District

ER/07/113	18 August 2022	Installation of flue pipe in breach of Condition 2 of planning permission R/07/3 - Long Barn, Fremington Hall, Fremington	24 July 2023	Not Expedient	49
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Reason for Delay: Initial considerations suggested that additional photos were required when there was minimal planting screening. The matter was reviewed in February 2023 with the outcome that it would be inexpedient to investigate the matter further.

ER/52/67	12 April 2018	removal of timber sash windows, and installation of white uPVC windows, in Grade - West End Farmhouse, Marsett	22 August 2023	Not Expedient	280
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Reason for Delay: See also ER/52/68 . Referred to Principal Planner (North team) by Head of Development for review. Review delayed by Covid and resource issues before being reviewed again by Head of Development and determined as inexpedient to pursue

ER/52/68	18 April 2018	replacement of timber sash windows with uPVC in Grade II listed building - West End Cottage, Marsett	22 August 2023	Not Expedient	279
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Reason for Delay: See also ER/52/67. Referred to Principal Planner (North team) by Head of Development for review. Review delayed by Covid and resource issues before being reviewed again by Head of Development and determined as inexpedient to pursue

South Lakeland District

ES/01/166A	26 May 2023	Breach of condition 2 of S/01/102k in respect of garage doors and flue pipe - Deeside House, Cowgill, Sedbergh, LA10 5RN	24 July 2023	Not Expedient	9
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