

11. MONITORING & ENFORCEMENT ANNUAL REVIEW – APRIL 2025 (A.1533/AJC)

Introduction

1. This report provides a summary of the work carried out over the last year (April 2024 – March 2025) as well as information about the breaches of planning control we have resolved in the latest quarter (January – March 2025).
2. Most breaches of planning control are resolved through negotiation without resorting to formal enforcement action. Where formal action is considered necessary, this can be authorised under delegated powers.
3. The Authority has a duty to investigate alleged breaches of planning control, but formal enforcement action is discretionary and must only be taken where it is 'expedient' to do so, having regard to policies in the development plan and any other material considerations. This means that the breach must be causing unacceptable harm to the appearance of the landscape, conservation interests, public amenity or highway safety, for example.

RECOMMENDATION:

That the report be noted.

Legislative Changes

4. A number of planning enforcement changes were included in the Levelling Up and Regeneration Act 2023 ("LURA") and came into force in April 2024. The most significant of these was the change in the periods after which enforcement action could not be taken, commonly referred to as the immunity periods. Previously, there were two periods - 4 years, for operational development and change of use of a building to a single dwellinghouse, and 10 years, for all other changes of use and breaches of conditions. From April 2024 the period for all breaches is 10 years.
5. Other changes include:
 - Enforcement Warning Notices, which can be issued where there has been a breach of planning control and there is a reasonable prospect that planning permission would be granted.
 - An increase from 28 days to 56 days for Temporary Stop Notices to be in effect.
 - Temporary Stop Notices can now be used for listed building breaches.
 - Less scope for appeals against Enforcement Notices on ground (a) – that planning permission should be granted

Summary of Activity 2024-25

6. Notices issued

20/0061 Bank House Bar and Restaurant Main Road Hathersage	Building operations comprising construction of a timber structure inserted into metal post holders which are bolted into concrete pads.	EN issued 25 April 2024 – appeal dismissed and EN came into effect on 17 January 2025 – compliance period ends on 17 April 2025
20/0089 Manor House Little Hucklow	Installation of three air source heat pumps	EN issued 30 April 2024 – appeal allowed and EN quashed 21 January 2025

21/0065 Johnsons Cottage Main Street Taddington	Building operations, being the construction of an extension to create a covered seating area	EN issued 19 July 2024 – came into effect 2 September 2024 – 3-month compliance period expired 2 December 2024 – development almost entirely removed – correspondence ongoing in respect of removal of remaining section
24/0132 Land off Oldfields Farm Lane Grindon	Excavations, laying of imported material and alterations to access	Temporary Stop Notice issued on 1 October 2024 – works ceased – planning permission granted on 12 February 2025 for erection of stable with condition requiring remediation works within 3 months
21/0002 4 Greenhead Park Bamford Hope Valley	Erection of fence	EN issued 2 October 2024 – appeal submitted – awaiting decision
21/0054 Hallfield Farm Strawberry Lee Lane Sheffield	Erection of implements store and horse training building and laying of a hard-surfaced track	EN issued 3 December 2024 – appeal submitted but subsequently withdrawn on 25 February 2025 – EN came into effect on that date – compliance period ends on 25 August 2025
24/0148 Cornfield Barn Lyme Handley Whaley Bridge	Building or other operations comprising the installation of a steel container and construction of a timber building	EN issued 19 March 2025 – due to come into effect 30 April 2025
18/0112 Land on SW side of B6054 Owler Bar Holmesfield	Siting of former mobile library and use for residential purposes, construction of compost toilet, construction of field shelter and construction of building	EN issued 28 March 2025 – due to come into effect 9 May 2025

7. Appeals determined

22/0057 Rocking Stone Farm, Rowtor Lane, Birchover	Building operations comprising installation of a holiday let cabin and associated structures; and material change of use to independent residential use/use as holiday accommodation.	EN issued 14 December 2023 – appeal allowed and enforcement notice quashed 24 October 2024
20/0061 Bank House Bar and Restaurant Main Road Hathersage	Building operations comprising construction of a timber structure inserted into metal post holders which are bolted into concrete pads.	EN issued 25 April 2024 – appeal dismissed and EN came into effect on 17 January 2025 – compliance period ends on 17 April 2025
20/0089 Manor House Little Hucklow	Installation of three air source heat pumps	Enforcement Notice issued 30 April 2024 – appeal allowed and EN quashed 21 January 2025

Workload and performance

8. This section of the report summarises our performance over the last year. We have resolved 181 breaches in the past year, which is a significant improvement on the figure of 103 for the previous year – and well in excess of our target of 150 in the Service Delivery Plan.
9. We have also continued to address the backlog of enforcement cases which had built up over the last four years or so, including a number of cases where enforcement notices had been issued but had not been complied with. As a result of this, the overall number of outstanding cases has been reduced from 528 (at the end of March 2024) to 414. In March 2023 this figure was 640, so the number of outstanding cases has been reduced by 35% in the last two years.
10. At the Planning Committee in October 2024 it was resolved that at least once per year officers report to the Planning Committee on the length of time that enforcement cases have been outstanding. It is intended that this information be included in the annual report. Of the 414 current cases just over 300 have been outstanding for less than 5 years. Of the remaining 100 or so cases, approximately half are between 5 and 10 years old and the remainder have been outstanding for more than 10 years.
11. The number of enquiries received has fallen slightly compared to the previous year (339 compared to 350). The number investigated/resolved has increased markedly from 353 to 477 resulting in the number of enquiries outstanding at the end of the year being reduced from 244 to 113. The focus on investigating enquiries has revealed far more breaches – 173 in total over the past year compared to only 63 in the previous year.
12. The table below summarises the position at year end (31 March 2025). The figures in brackets are for the previous year (2023/24).

	Received	Investigated/Resolved	Outstanding At Year End
Enquiries	339 (350)	477 (353)	113 (244)
Breaches	173 (63)	181 (103)	414 (528)

13. Breaches resolved in the latest quarter (January – March 2025)

17/0049 The Long Rake Spar Company Limited Long Rake Middleton-By- Youlgrave	Enlargement of storage area.	Storage use ceased
24/0075 Hollow Farm Mawstone Lane Youlgrave	Siting of caravan	Caravan removed
24/0048 Quiet Woman Inn Main Road Earl Sterndale	Breach of condition 2 (to be carried out in accordance with submitted plans) on NP/DDD/0823/0949	Section 73 application granted
14/0225 Hall Hill Newtown Longnor	LISTED BUILDING – satellite dish	satellite dish removed
22/0004 Unit 1 (Store And Premises) Horsecroft Court Matlock Street Bakewell	Alterations to shop front	Not expedient to pursue enforcement action
24/0091 Nields Farm Swythamley Rushton Spencer	Breach of condition 2 on NP/SM/0821/0876 - Side extension not in accordance with approved plans and log store erected	Not expedient to pursue enforcement action
24/0098 Land adjacent to Waterloo Hotel Taddington	change of use of agricultural land to equestrian including erection of stable	Planning permission granted

20/0120 Mossy Mere Barn Bank Top Winster	Conversion of barn to dwelling, extension of garden and erection of sheds/polytunnel	Conversion granted on appeal. Other breaches immune from enforcement action.
21/0046 Land adjacent Stafford Close How Lane Castleton	Change of use from agricultural to log storage business, widening of vehicular access and laying of track	Planning permission granted on appeal.
24/0170 Camp Site Old Lane Crowden	Erection of two 'tent' structures/buildings	Structures/buildings removed
24/0079 Barn Close Farm Cross Lane Monyash	Portacabin used as farm shop	Planning permission granted
23/0035 Newhaven Caravan & Camping Park Newhaven	Breach of conditions 5, 7 & 9 of NP/DDD/0819/0924	Section 73 application approved – varied conditions complied with
24/0045 Druid Inn Main Street Birchover	Erection of gazebos and siting of tables/chairs	Developments removed
19/0048 4 Rutland Terrace Buxton Road Bakewell	Listed building – replacement of rainwater goods	No breach of listed building control
24/0033 25 North Church Street Bakewell	Erection of outbuilding	Planning permission granted
20/0089 Manor House Main Road Little Hucklow	Listed building – three air source heat pumps and erection of fencing	Enforcement Notice issued - planning permission granted on appeal

24/0172 17 Main Street Birchover	Replacement windows	No breach of planning control
24/0054 Bibury Riddings Lane Curbar	Dwelling largely demolished in breach of NP/DDD/0823/0907	Planning permission granted
24/0049 Sycamore Farm Mill Lane Hulme End	Breaches of condition on NP/SM/0520/0407 and NP/SM/0623/0700 and erection of building	Planning permission granted – conditions discharged – building removed
21/0030 Land At Haggside Snake Road Bamford	Breach of condition on NP/HPK/0217/0118	Condition complied with
24/0141 Highfield Farm Main Road Flagg	Alterations to barn	Works in accordance with existing planning permission
19/0148 Church Farm Creamery Lane Parwich	Listed building – demolition of wall	Wall rebuilt
14/0418 and 21/0083 Booth Farm Kinder Road Hayfield	Listed building – various alterations including installation of rooflights and replacement windows and doors	LBC granted
24/0158 Land adjacent A5012 East of Pikehall	Display of advertisement	Advertisement removed
24/0159 Mompesson Cottage The Square Eyam	Listed building – satellite dish	Not expedient to pursue action

23/0014 Oak Moor Farm Parsons Lane Grindon	Creation of vehicular access, laying of track and hardstanding	Access closed, surfacing removed
24/0062 Torgate Farm Old Buxton Road Macclesfield Forest	Erection of building and residential 'chalet' with decking	Planning permission granted for building – 'chalet' approved for 18 month temporary period – decking to be removed
24/0104 Land off Blakelow Lane Bonsall	Siting of former horsebox and use for residential purposes	Former horsebox removed – use ceased
25/0011 Earles Sidings Bowden Lane Hope	Siting of former shipping containers and use in connection with railway	Use confirmed as pd – no breach
23/0005 Barton Hill Old Chapel Main Street Birchover	Extension to garage and use of ground floor in breach of condition on NP/DDD/0211/0075	Extension to garage approved on appeal – use of ground floor in compliance with condition
22/0080 Land at The Junction of Whitelow Lane and Shorts Lane Sheffield	Change of use of land to wildlife garden and erection of various structures	Use ceased – structures removed
24/0112 1 Hall Bank Hartington	Erection of wall and gates	Not expedient to pursue enforcement action
20/0083 Trickett Gate House Mill Bridge Castleton	Change of use of dwelling to 'party venue'	Use ceased
14/0554 Greencroft Farm Middleton-by-Youlgrave	Breach of condition 5 on NP/DDD/0513/0433 (landscaping scheme)	Condition discharged but superseded by later planning permission – not expedient to pursue enforcement action

14/0174 Beeley Old Hall School Road Beeley	Listed building – satellite dish	Satellite dish removed
20/0098 Ecton Lee House Back Of Ecton	Conversion of building to holiday unit and siting of two shepherds huts	Immune from enforcement action
14/0327 Flatts Stile Parwich	Listed building – satellite dish	Satellite dish removed
24/0028 1 Station Cottage Tissington	Erection of shed	Immune from enforcement action
25/0020 Lilac Cottage Lees Road Stanton In Peak	Addition of chimney to stone outbuilding	Not expedient to pursue enforcement action
18/0168 Toll Bar Fish and Chip Shop The Dale Stoney Middleton	Listed building – External lights, canopy and replacement door	Lights and canopy removed – door replaced with approved design
21/0066 Crag Inn Clough Road Wildboardclough	Levelling of yard, creation of ramp and erection of fence	Planning permission granted

14. **Current High Priority Cases**

15/0057 Land at Mickleden Edge, Midhope Moor, Bradfield	Laying of geotextile matting and wooden log ‘rafts’ to form a track	EN in effect – initial compliance period expired – Natural England granted SSSI consent for works 30 May 2023 – appeal pending against NE consent
--	---	---

17/0044 Woodseats Farm, Windy Bank, Bradfield Dale	External and internal alterations and extension to listed building, erection of lighting and CCTV columns and engineering works (including construction of hardstandings and tracks)	EN in effect with regard to engineering works, extension and erection of lighting and CCTV columns – applications seeking regularization of other works refused – officers considering further enforcement action
18/0062 Land at Cartledge Flat, Bradfield Moors	Creation of a track	EN in effect – compliance period expired - officers seeking compliance
19/0064 Alstonefield Hall, Church Street, Alstonefield	External and internal alterations to grade II* listed building	PP and LBC granted on 9 November 2023 for works to regularize and remediate breaches – conditions relating to submission of details etc not complied with
21/0060 Home Farm Main Street Sheldon	Various developments, including construction of track and hardstanding, erection of building, construction of timber sheds/structures, siting of caravans and conversion of building to residential dwellings	High Court injunction granted and court order issued and served December 2023 – Planning application refused May 2024 – court order not complied with by 15 February 2025 – evidence has been collected and is currently being analysed by the Legal Team with a view to enforcement, and a more detailed update will be provided in due course when it is appropriate to do so.

15. **Outstanding Enforcement Notices**

The following is a list of cases where compliance with enforcement notices has been outstanding for more than three months. Some of the notices have been complied with in whole or part but must remain in place, for example in the event of a use re-commencing. Where enforcement notices are not complied with we continue to contact owners, carry out further site visits to collect evidence and where appropriate pursue appropriate legal action.

Case Reference Location	Description
-------------------------	-------------

04/0098	Land west of Crossgates Farm Wheston Tideswell Buxton	Hardstanding on agricultural land EN issued 2008 - took effect 2009
05/0003	Land at Riverdale Main Road Grindleford	Use of land and buildings for the storage of vehicles and other items. EN issued/took effect 2008 – land mostly cleared
05/0102	Land at the Forge, Damflask, Bradfield,	Use of land for the storage of vehicles. EN issued 2003 - took effect 31 October 2003
05/0113	Higher Heys Farm, Highgate Road, Hayfield, High Peak,	Siting of portacabin (within agricultural building) and its use for the storage and operation of computer equipment and associated items for business purposes. EN issued 2000 - took effect 2001
05/0126	Tor Farm Middleton by Youlgreave	Removal of two timber windows and section of stonework and replacement with UPVC window and UPVC window and door LBEN issued/took effect 2003
06/0012	Midfield Macclesfield Road Kettleshulme	Siting and storage of a residential caravan and use of land for storage purposes, including the storage of building materials and equipment, vehicles and vehicle parts. EN issued/took effect 1996 - land mostly cleared
07/0042	Hurdlow Grange Farm Hurdlow Buxton	1. Erection of portal framed agricultural building; 2. Erection of a lean-to building and timber car port; 3. Change of Use of land for storage and the siting and residential use of a static caravan EN issued re item 1 2011 - took effect 2012 EN issued/took effect re items 2 and 3 2015
07/0084	Five Acres Farm, Narrowgate Lane, Wardlow	Change of use of land/buildings to parking and maintenance of lorries and trailers EN issued/took effect 2013
08/0021	Land off Smith Lane, Rainow (Corner of Smith Lane & B5470)	Erection of building. EN issued/took effect 2013 Building largely removed
08/0063	Beech Croft Sheldon	Chimney on converted barn. EN issued/took effect 2010
08/0069	Bent Farm Tissington	Siting and residential use of static caravan EN issued/took effect 2017

08/0072	Land at Gun Quarry Farm Heaton Rushton Spencer	Erection of a building EN (variation) issued/took effect 2013
08/0104	Fernhill Cottage Ronksley Lane Hollow Meadows	Engineering operations and partial erection of building EN issued 2009 – took effect 2010
09/0066	Land north of Home Farm Little Hucklow Derbyshire	Erection of buildings EN issued/took effect 2012
10/0177	Hurstnook Farm Cottage Derbyshire Level Glossop	Erection of two-storey and single-storey extensions (not built in accordance with NP/HPK/0602/085) EN (Variation) issued/took effect 2016
09/0074	Land and buildings east of Lane End Farm Abney	Breach of holiday occupancy condition. EN issued 2009 – took effect 2010
10/0189	Foxholes Farm Top of Mill Lee Road Low Bradfield	Use of premises for wedding events EN issued 2017 – took effect 2019
11/0154	Land north of Lapwing Hall Farm Meerbrook	Change of use of agricultural land to domestic use, siting of caravan and erection of extension to caravan EN issued/took effect 2014 Planning permission granted for dwelling 2015
11/0119	Shop Farm Brandside Buxton Derbyshire	Change of use of the land from agriculture to use for storage of caravans, derelict vehicles, scrap and refuse and siting and residential use of a caravan. EN issued 1984 - took effect 1985 – land cleared following direct action – use subsequently recommenced
11/0222	Land off Stanedge Road Bakewell	Erection of building and use of building and land for storage of building materials. EN issued/took effect 2014
12/0040	Wigtwizzle Barn Bolsterstone Sheffield	Erection of unauthorised building EN issued/took effect 2015
12/0113	The Barn Mixon Mines Onecote	1.Cladding existing building and extension to existing building to create new building; and 2.Erection of a portal framed building Two ENs issued/took effect 2016
13/0051	Land north east of Holly House Farm Flagg	COU siting of static caravan on the land to provide residential accommodation EN issued/took effect 2016

14/0098	Pilough Farm Pilhough Rowsley Matlock	Various alterations including timber panelling EN issued/took effect 2007 but agreement to defer until property sold
15/0028	The Stone Yard Stanedge Road Bakewell	Material Change of Use of the Land from a B8 Storage to B2 Industrial EN issued 2021 - took effect 2022
15/0036	Field opposite Grayling Hope Road Edale Hope Valley	Residential caravan EN issued/took effect 2019 EN complied with but caravan returned September 2020
15/0057	Midhope Moor/ Cutgate/ Lost Lad	Creation of track EN issued 2018 - took effect 2021
15/0083	Maynestone Farm Hayfield Road Chinley	Erection of extension EN issued 2015 - took effect 2016 PP granted for amended scheme Jan 2023
16/0118	Brackenburn Riddings Lane Curbar Calver Hope Valley	Erection of gates and gate posts in breach of conditions on NP/DDD/0913/0809 (construction of replacement dwelling) EN issued May 2020 - took effect October 2020 - gates removed - application for retention of gate posts and installation of gates refused 13 August 2024
16/0163	Five Acres Fields Edge Top Road Longnor	Unauthorised building used for storage, workshop and welfare EN and s215 Notice issued/took effect 2020
17/0044	Woodseats Farm Windy Bank Bradfield Dale Sheffield	Unauthorised works to Listed Building and engineering works in the setting and wider farmstead EN issued/took effect 2019
17/0095	Blues Trust Farm Marnshaw Head Longnor	Erection of a building and the siting and residential use of a touring caravan. Construction of an access track EN issued/took effect 2019 EN partially complied with
18/0062	Cartledge/Rushy Flat Bradfield Moors Grid ref: 2113 9238	Creation of track EN issued/took effect May 2019
19/0189	Land adjacent to Black Harry House Main Road Wardlow	Erection of dwelling (not in accordance with planning permission ref: NP/DDD/0217/0130) EN issued/took effect 2020 - permission granted for amended scheme 9 July 2024

19/0218	Home Farm Main Street Sheldon	Excavations and building operations to rear of guest house EN issued 2020 - took effect 2021
21/0060	Home Farm Main Street Sheldon	Construction of track and widening of gateway onto road EN issued 2008 - took effect 2009 - complied with but track subsequently reinstated
21/0065	Johnsons Cottage Taddington	Building operations, being the construction of an extension to create a covered seating area EN issued 19 July 2024 – came into effect 2 September 2024 – development almost entirely removed
21/0085	New Vincent Farm Parsley Hay	Camping pods EN issued/took effect 2022

Report Author: Andrew Cook, Principal Enforcement Planner