

Report to Planning Committee: 7 August 2025  
 Business Manager Lead: Oliver Scott - Planning Development  
 Lead Officer: Richard Marshall - Senior Planner (Enforcement)  
[Richard.marshall@newark-sherwooddc.gov.uk](mailto:Richard.marshall@newark-sherwooddc.gov.uk)

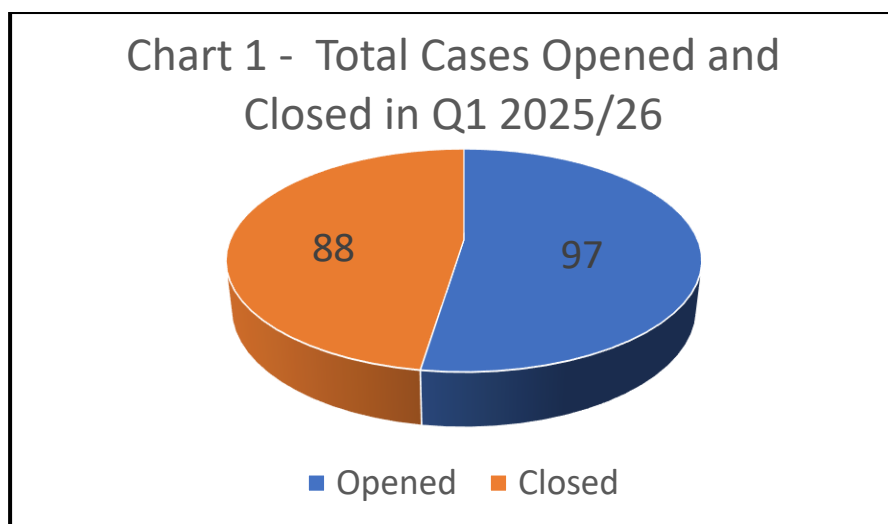
| Report Summary           |   |
|--------------------------|---|
| <b>Report Title</b>      | Quarterly planning enforcement activity update report.  |
| <b>Purpose of Report</b> | <p>To update Members as to the activity and performance of the planning enforcement function over the fourth quarter of the current financial year.</p> <p>To provide Members with examples of cases that have been resolved (both through negotiation and via the service of notices) and to provide details and explanations of notices that have been issued during that period.</p> |
| <b>Period covered</b>    | 2025/26 Q1 – 1 <sup>st</sup> April 2025 – 30 <sup>th</sup> June 2025  |
| <b>Recommendation</b>    | <p>For noting.</p> <p>The service assists in the delivery of Community Plan Objectives:</p> <ul style="list-style-type: none"> <li>• Protect and enhance the district’s natural environment and green spaces.</li> <li>• Be a top performing, modern and accessible Council.</li> </ul>   |

## **1.0 BACKGROUND**

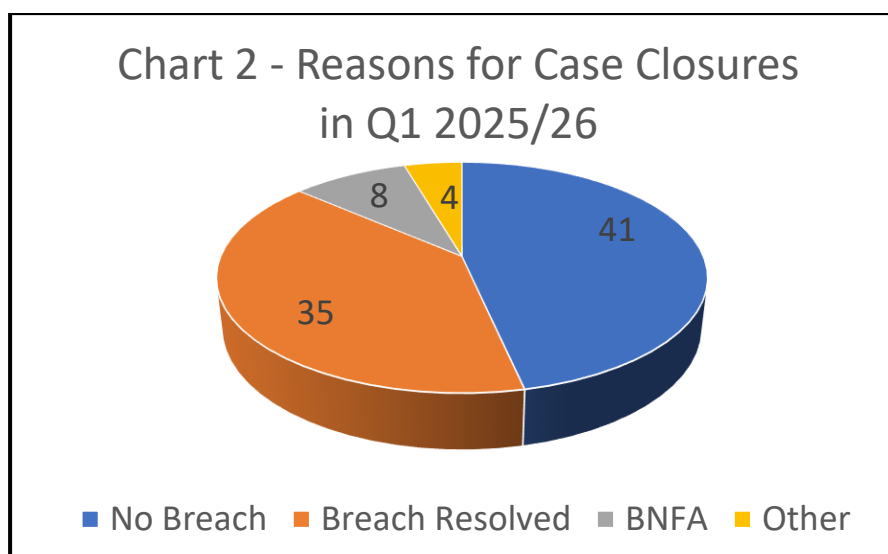
- 1.1 This report relates to the first quarter of 2025/26 from 1<sup>st</sup> April 2025 – 30<sup>th</sup> June 2025 providing an update on enforcement activity during this period.
- 1.2 Schedule A outlines the enforcement activity for Q1 in terms of numbers of cases received, response times and the reasons for cases being closed.
- 1.3 Schedule B includes a small number of examples of where formal planning enforcement action has been taken (such as a notice being issued).
- 1.4 Schedule C provides an example of a case where officers have managed to resolve the breaches through dialogue and negotiation during the quarter.
- 1.5 Schedule D provides examples of Notices having been complied with. The examples within the report shows considerable success that has been achieved by the enforcement team.

## 2.0 SCHEDULE A – OUTLINE OF ENFORCEMENT ACTIVITY

- 2.1 **Chart 1** sets out the number of new enforcement cases that were received and closed during Q1. Members will note that the number of new cases opened holds at a steady rate. However, the number of cases closed was lower than usual, compared with a high in the previous year of 122 in Q3 of 2024/25 and a low of 92 in Q2 of 2024/25.
- 2.2 The Enforcement team have faced some significant challenges during this 1<sup>st</sup> quarter with a small number of controversial and intricate cases that officers are continuing to be involved with.

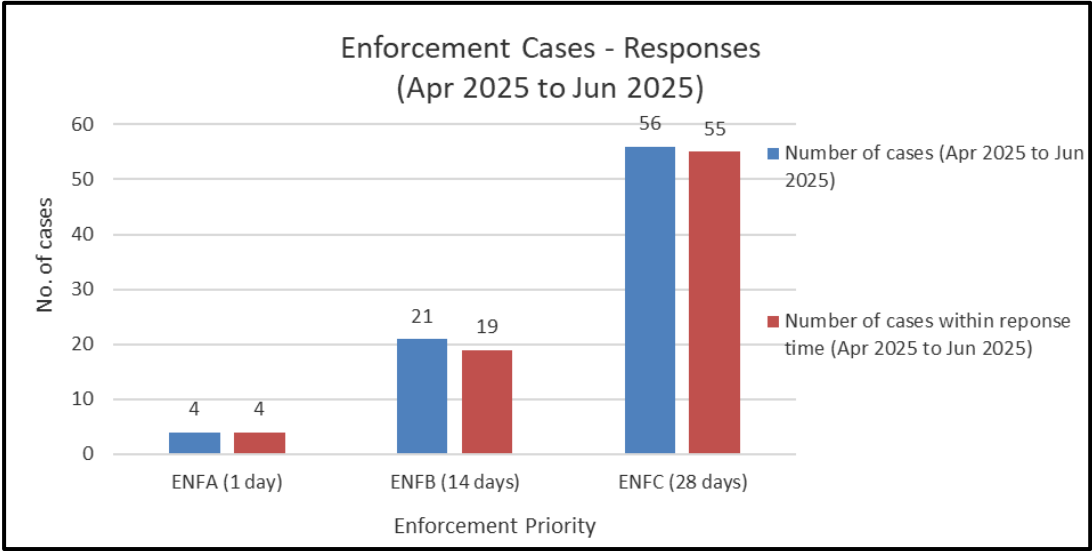


- 2.3 **Chart 2** sets out the reasons why cases have been resolved in Q1. The chart shows that, as ever, the majority of cases that have been closed are due to them not relating to an identified breach of planning control (and thus falling outside of the planning enforcement team's remit). These 'No Breach' cases generally represent around 50% of cases. We continue to assert the importance of investigating these cases so there is a record of the complaint and any associated action.



2.4 **Chart 3** sets out the response time of Officers in relation to the targets set out in the Newark and Sherwood District Council’s Planning Enforcement Plan (PEP) - (adopted September 2020). Members will note that over 96% of enforcement cases have been actioned within the target period that is set out within the PEP and yet again this demonstrates the continuing efforts by the team to meet all targets and objectives that have been set.

**Chart 3 – Response to Case Priority Targets in Q1 of 2025/26**



2.5 **Table 1** sets out the number of Notices issued and appeal activity during Q1 of 2025/26

| Table 1 – Details of Planning Enforcement Action (Enforcement Notices) and appeals during Q1 of 2025/26 |       |     |      |
|---|-------|-----|------|
|   | APRIL | MAY | JUNE |
| Notices Issued  | 3     | 2   | 2    |
| Notices Complied With   | 2     | 5   | 4    |
| Appeals Lodged  | 1     | 1   | 1    |
| Appeals Determined  | 0     | 1   | 2    |

### **3.0 SCHEDULE B – EXAMPLES OF FORMAL ACTION TAKEN DURING QUARTER 1**

#### **3.1 EXAMPLE 1**

**Enforcement Ref:** 25/00121/ENFA  
**Site Address:** Land to the East of Moorhouse Road, Weston/Egmanton  
**Alleged Breach:** Unauthorised GRT site and associated works  
**Action To Date:** Injunction Order secured, and Enforcement Notice Issued.

#### **Background:**

- 3.1.1 On 18 April 2025 (Good Friday) the Council was notified of potential unauthorised development on the Land. I was shown photographs of excavations on the Land, land banking, removal of part of a hedge and various plant and machinery including diggers.
- 3.1.2 The site was subsequently inspected by Council Officers who noted that there was around 30 caravans and/or mobile homes on the land, with pitches enclosed by post and rail fences to create approximately 40 plots. In addition, significant quantities of hard core/ road plainings had been imported onto the site to create roadways and areas of hard standing for caravans.
- 3.1.3 The Council had had no prior notice of these works, nor of the persons on site intentions.
- 3.1.4 The lawful use of the land is for agriculture and therefore the use of the land for residential purposes, and the associated operational development (including the hard standing and means of enclosure) was unauthorised and a breach of planning control.
- 3.1.5 It is understood that the plots have been sold, and occupied, by persons from outside of the district, from as far as Essex.
- 3.1.6 On 24<sup>th</sup> April 2025 the Council issued a Planning Enforcement Notice (PEN). The Notice requires the owner and occupiers of the land to:
- a) Cease the use of the land for residential purposes.
  - b) Remove from the land any operational development that facilitates the material change of use of the land (including but not limited to all hard standing, means of enclosure, structures, buildings and ground works) and all domestic paraphernalia, so as to restore the land to its condition before the development took place.

- 3.1.7 A number of reasons were given for the PEN being served, including that the size and scale of the site is incongruous in this location and that the site and scale of the site could dominate the closest settled communities.
- 3.1.8 In addition, on 25<sup>th</sup> April 2025 an injunction order without notice was issued by Nottinghamshire County Court following a hearing on the same day. The Order, came into force until the 25<sup>th</sup> of July 2025 and prohibited activity including:
- a) The Defendants must not materially change the use of the Land or undertake any engineering operation, erect any building/ structure, bring on to the Land any further caravans/ mobile homes, import or deposit any material or excavate the Land without the grant of planning permission.
  - b) Any person who is not living on the Land at the time of the service of this order may not live on the Land after service of the order.
  - c) No caravan or mobile home shall be stationed on the Land which was not there at the time of the service of the order.
  - d) If a caravan/ mobile home is removed from the Land, it may not be replaced with another caravan/ mobile home and nor may it be returned to the Land.
- 3.1.9 On 7<sup>th</sup> May 2025, a full Injunction Order was issued by the Court. This Order, which remains in place until 7<sup>th</sup> December 2026 (unless revoked earlier by the Court), reiterated some of the requirements of the previous, interim Order, and also placed further restrictions:
- a) The Defendants must not materially change the use of the Land or undertake any engineering operation, erect any building/structure, bring on to the Land any further caravans/mobile homes, import or deposit any material or excavate the Land without the grant of planning permission or the written consent of the claimant's solicitor.
  - b) Any person who is not living on the Land at the time of the service of this order may not live on the Land after service of this order.
  - c) No caravan or mobile home may be stationed on the Land which was not there at the time of the service of this order (the maximum is 42 caravans).
  - d) If a static mobile home is removed from the Land, it may not be replaced with another caravan/mobile home and nor may it be returned to the Land (albeit it is permitted for a tourer caravan to leave and return to the Land).
- 3.1.10 In addition, the Defendants Solicitor was required to provide the Council with the following information:
- a) A list of the full names of every occupant of the Land.

- b) Provide a copy of this order to the prospective purchaser/tenant before the Land (or any part therein) is transferred or contracts exchanged; and
- c) Provide the full name and contact details of the new owner/tenant to the Claimant's solicitor within 48 hours of the transfer / exchange of contracts.

3.1.11 In response to the planning enforcement action taken by the Council, the landowners have subsequently submitted an appeal against the PEN. The appeal will be in the form of a Inquiry. The site owners and seeking planning permission retrospectively through the appeal process and the current date for the Inquiry is 4<sup>th</sup> November 2025. Officers will ensure that Members and interested parties are kept up to date on the appeal as it progresses.



**Aerial photo of site before works**





**Site after development commenced (May 2025)**



**Example of works on site.**



### **3.2 EXAMPLE 2**

**Enforcement Ref:** 25/00143/ENFA  
**Site Address:** Land to the South-East of Bullpit Road, Balderton  
**Alleged Breach:** Alleged GRT Activity  
**Action To Date:** Planning Enforcement Warning Notice issued, Planning application - (25/00805/FULM) received.

#### **Background:**

- 3.2.1 On 2<sup>nd</sup> May (again, a bank holiday weekend) the Council was notified of potential unauthorised development on the Land. Officers were informed that numerous caravans had been brought onto the land, along with excavations taking place and the importation of road plainings.
- 3.2.2 The site was subsequently inspected by Council Officers who noted that there was around 11 caravans and/or mobile homes on the Land, with pitches enclosed by post and rail fences to create approximately 10 plots.
- 3.2.3 The Council had had no prior notice of these works, nor of the persons on site intentions.
- 3.2.4 The lawful use of the land is for agriculture and therefore the use of the land for residential purposes, and the associated operational development (including the hard standing and means of enclosure) was unauthorised and a breach of planning control.
- 3.2.5 Subsequent investigations and assessments were undertaken regarding the suitability of the site, including consultation with statutory bodies.
- 3.2.6 The result of these investigations was the issue of a Planning Enforcement Warning Notice (PEWN) on the site owners and occupiers on 9<sup>th</sup> May 2025. The PEWN required those issued with the Notice to submit an application for planning permission for the development that had been undertaken without consent (the change of use of the land and the operational development).
- 3.2.7 As a result of the PEWN an application for planning permission was submitted on 14<sup>th</sup> May 2025. The application, 25/00805/FULM - Change of use of land to a traveller site including ancillary hardstanding – is currently pending consideration.



**Aerial photo of site before works**



**Site after development commenced (May 2025)**

## **4.0 SCHEDULE C – EXAMPLES OF BREACHES RESOLVED WITHOUT FORMAL ACTION DURING QUARTER 1**

### **4.1 EXAMPLE 1**

**Enforcement Ref:** 25/00085/ENFC  
**Site Address:** Rufford Road, Rufford  
**Alleged Breach:** Alleged Fence  
**Action To Date:** Case Investigated and Breach Resolved via negotiation

#### **Background:**

- 4.1.1 A fence panel had been added that increased the height of the panel in question from 1m to 1.8m in height, as it was adjacent to the highway, did not benefit from 'Permitted Development'.
- 4.1.2 The complainant outlined that the fence was impacting their ability to exit their driveway safely. A review of the fence agreed with this risk to current and future users owing to the angle of the bend and lack of pavement; and considered it to be contrary to DM5, DM6 (DPD), and SP7 (ACS) as well as the Householder SPD and NPPF.
- 4.1.3 It was considered that should the breach not be resolved by means of negotiation that an enforcement notice would likely be required to remedy the breach.
- 4.1.4 Following a letter explaining the issue to the property owners, they shortly afterwards reduced the fence panel back to 1m in height and in doing so, resolved the breach.

#### **Before Photos**





## After Photos



### 4.2 EXAMPLE 2

**Enforcement Ref:** 24/00285/ENFB  
**Site Address:** Haywood Oaks Lane, Blidworth  
**Alleged Breach:** Alleged business use  
**Action To Date:** Case investigated and Breach Resolved via Negotiation

#### **Background:**

- 4.2.1 The case is regarding alleged business use at the residential property. A site visit identified the owner was using an attached garage which had been altered to a room via 'Permitted Development' to be used as a nail salon.
- 4.2.2 The owner was asked of the details of the business, and it was strongly suspected there was a breach of planning control owing to a Material Change of Use from C3 to Class E.
- 4.2.3 The owner was invited to remedy the breach by submitting a planning application to ensure control of working hours and visitor numbers. An application was not forthcoming.
- 4.2.4 The owner then set out that they would cease the business use at the address and move to a new premises.
- 4.2.5 Whilst this was subject to a delay during the early part of 2025, the owner did eventually finalise the move to a nearby business park and confirmation of this was gained via a site visit in May 2025 showing that the business use had ceased.

**Before Photo**



**After Photo**



### **4.3 EXAMPLE 3**

**Enforcement Ref:** 24/00319/ENFC  
**Site Address:** Main Street, Blidworth  
**Alleged Breach:** Alleged untidy land  
**Action To Date:** Case investigated and Breach Resolved via Negotiation

#### **Background:**

- 4.3.1 A case was raised following concerns and a complaint regarding alleged untidy land at this property. The land was confirmed to be untidy during a site inspection in October 2024.
- 4.3.2 The case was delayed for a variety of reasons but a visit in May 2025 found that the frontage of the property had been completely tidied along with the area to



the left of the property. In additions, there had been some works carried out at the rear attempting to also clear that area.

- 4.3.3 The land overall is now much improved with the areas that can be viewed by the public now it much better order.

#### Before Photos



#### After Photos





#### 4.4 EXAMPLE 4

**Enforcement Ref:** 25/00044/ENFC  
**Site Address:** Co-op, Sutton on Trent  
**Alleged Breach:** Alleged in-post parcel locker  
**Action To Date:** Case investigated. Breach Resolved

##### **Background:**

- 4.4.1 An "In-Post" parcel locker was installed on the frontage of The Co-Op, High Street, Sutton on Trent. Although a modern building, it is in the middle of the Conservation Area, and the locker featured prominently on the front elevation.
- 4.4.2 They were advised that such an 'InPost locker' was unacceptable and asked them to explore alternative positionings at the premises, to see if an application could be submitted for it being repositioned. They surveyed the area surrounding the store found no suitable alternative location. Following this, the unauthorised locker was removed to avoid enforcement action.

**Before**



**After**



## 5.0 SCHEDULE D – NOTICES COMPLIED WITH DURING QUARTER 1

### 5.1 EXAMPLE 1

**Enforcement Ref:** 22/00051/ENFB  
**Site Address:** Cross Lane, Blidworth  
**Alleged Breach:** Alleged unauthorised stable  
**Action To Date:** Enforcement Notice Issued & Complied With. Breach Resolved

#### **Background:**

- 5.1.1 The case forms part of a wider enforcement investigation into the areas surrounding Blidworth which feature a material change of use from agricultural land to keeping of horses/equestrian with associated operational development within the Notts-Derby green belt.
- 5.1.2 Within this case a stable building and material change of use had occurred.
- 5.1.3 Following the PCN an enforcement notice was issued as no application was forthcoming to seek to retain the use of the land and or operational development.
- 5.1.4 The enforcement notice was issued 21.07.2022 requiring the use of the land as equestrian to cease and for the operational development consisting of timber stables to be removed due to harm identified to the green belt.
- 5.1.5 Following the removal of the stables, the requirements of the notice were accorded to within the timeframe given and the case was closed with the breach being resolved.

#### **Before**



**After**



## **5.2 EXAMPLE 2**

**Enforcement Ref:** 22/00195/ENFB  
**Site Address:** Low Meadow, Caythorpe  
**Alleged Breach:** Erection of garage to front of dwelling  
**Action To Date:** Enforcement Notice. Breach Resolved

### **Background:**

- 5.2.1 The case is regarding an outbuilding ('garage') built forward of the principle elevation. The main issue within this case is that the site is washed over by the green belt thereby finding the unauthorised development to be harmful.
- 5.2.2 The owner initially sought to retain the development by means of application (despite advice that it was unlikely to be viewed favourably) as the owner wished to have additional storage for their sports vehicles.
- 5.2.3 Following refusal of the initial planning application an enforcement notice was issued 13.04.2023 requiring full demolition of the outbuilding including the base.
- 5.2.4 The owner demolished the outbuilding but did not wish to remove the concrete base. Following consideration, it was agreed that the LPA would verbally vary the requirements of the notice and take no further action against the concrete base which could have been developed under The Town and Country Planning (General Permitted Development) (England) Order 2015 or redeveloped following removal.

**Before**



**After**



## **6.0    IMPLICATIONS**

- 6.1    In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have referred to these implications and added suitable expert comment where appropriate.

## **7.0    RECOMMENDATIONS**

- 7.1    The report is noted.

## **8.0    BACKGROUND PAPERS**

- 8.1    None.

**END OF REPORT**