

Report to Planning: 4 June 2026
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| Report Summary | |
|--------------------------|---|
| Report Title | Quarterly planning enforcement activity update report |
| Purpose of Report | <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> |
| Period covered | 2025/26 Q4 – 1 st January 2026 to 31 st March 2026 |
| Recommendation | <p>For noting.</p> <p>The service assists in the delivery of Community Plan Objectives:</p> <ul style="list-style-type: none"> • Protect and enhance the district’s natural environment and green spaces. • Be a top performing, modern and accessible Council. |

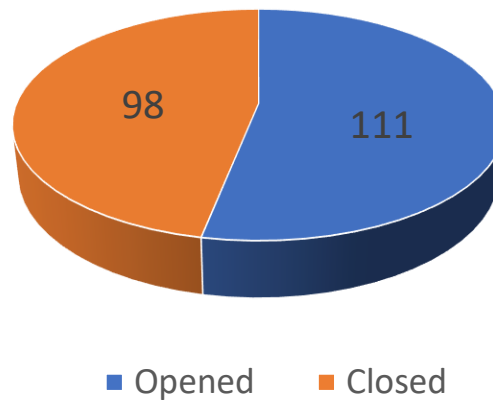
1.0 BACKGROUND

- 1.1 This report relates to the fourth quarter (Q4) of 2025/26 from 1st January 2026 – 31st March 2026 and provides an update on enforcement activity during this period. It also provides an insight into the performance across the entire 2025/26 year.
- 1.2 Schedule A outlines the enforcement activity for Q4 in terms of numbers of cases received, the reasons for cases being closed and response times.
- 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) in Q4.
- 1.4 Schedule C provides examples of cases where officers have managed to resolve the breaches through dialogue and negotiation during Q4.
- 1.5 Schedule D provides examples of Notices having been complied with during Q4.
- 1.6 Schedule E provides an insight into the performance of the Enforcement team throughout the 2025/2026 year.

2.0 SCHEDULE A – OUTLINE OF ENFORCEMENT ACTIVITY

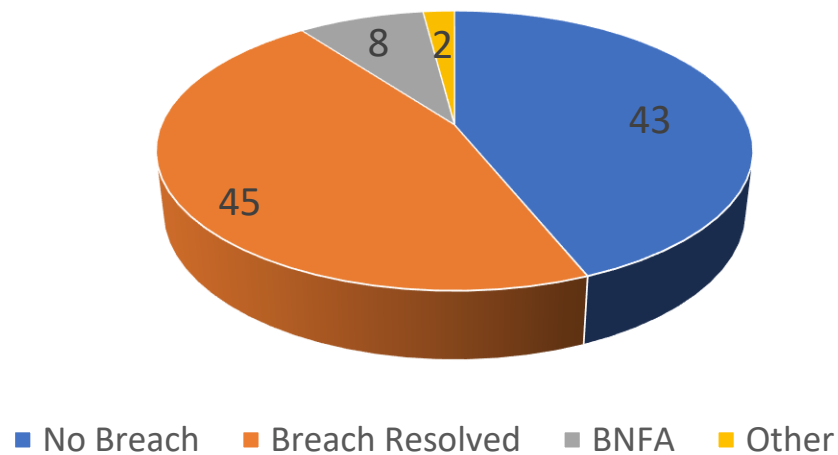
- 2.1 Schedule A will set out some interesting and relevant stats/data linked to the performance of the Planning Enforcement team in Q4 of 2025/26.
- 2.2 Please note, there will also be some further stats/data in Section 6.0 (Schedule E) that provides some insight into the Planning Enforcement team performance across the entirety of the 2025/2026 year.
- 2.3 **Chart 1** below sets out the number of new enforcement cases that were received and closed during Q4. Members will note an almost doubling of cases in Q4 when compared with Q3. However, overall, the numbers opened in Q4 are more in line with the expected quarterly totals. Case closures were lower than in the previous two quarters but, again, remains at an approximately 'average' number.

Chart 1 - Total Cases Opened and Closed in Q4 2025/26



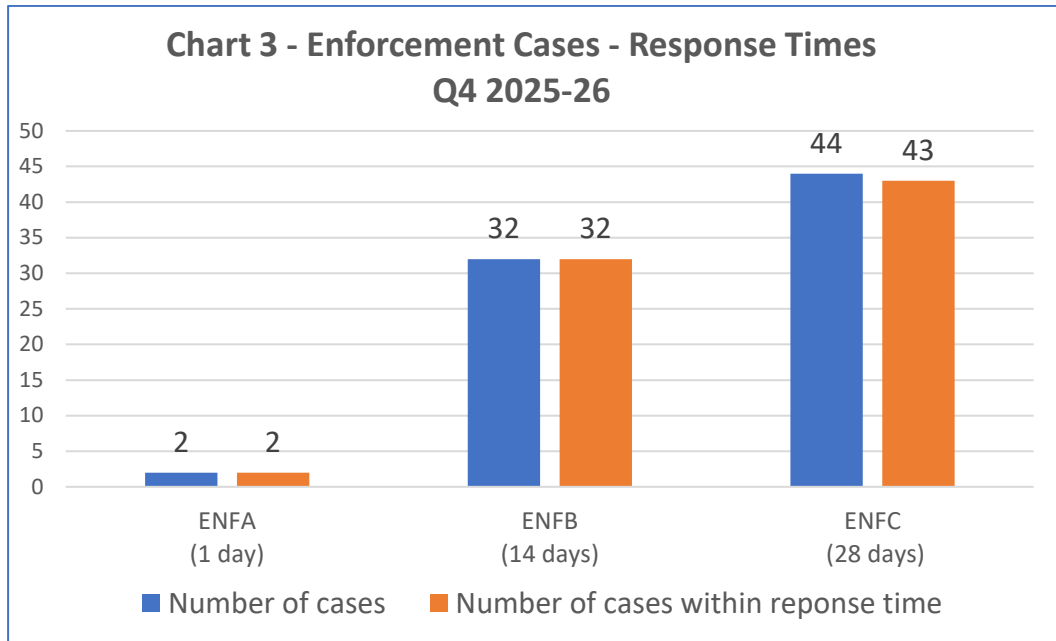
2.4 **Chart 2** sets out the reasons why cases have been resolved in Q4. The chart shows that, as is always the case, the majority of cases that have been closed are due to them not relating to an identified breach of planning control (and thus falling outside of the planning enforcement team’s remit). These ‘No Breach’ cases generally represent around 50% of cases and sit at 44% for this quarter. Overall, the number is 48% when viewing all data from the beginning of 2022.

Chart 2 - Reasons for Case Closures in Q4 2025/26



2.5 We continue to assert the importance of investigating these ‘No Breach’ cases so there is a record of the complaint and any associated action.

2.6 **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 Q4 showed 99% of enforcement cases have been actioned within the target period that is set out within the PEP.



2.7 Please note, any discrepancy between the combined total of cases in Chart 3 and the overall quarter figures for cases opened (in Chart 1) is due to (a) other case categories not being included. For example, ENFM (Enforcement Monitoring Cases) and CL (Certified Location Caravan Licence 'check'); and/or (b) the response time fell within this quarter whereas the case was opened in a prior quarter, for example.

2.8 **Table 1** sets out the number of Notices issued and appeal activity during Q4 of 2025/26

| | JANUARY 2026 | FEBRUARY 2026 | MARCH 2026 |
|------------------------------|--------------|---------------|------------|
| Notices Issued | 0 | 0 | 0 |
| Notices Complied With | 12 | 4 | 1 |
| Appeals Lodged | 1 | 0 | 0 |
| Appeals Determined | 0 | 0 | 0 |

3.0 SCHEDULE B – EXAMPLES OF FORMAL ACTION TAKEN DURING QUARTER

3.1 EXAMPLE 1

Enforcement Ref: 23/00157/ENFB
Site Address: Priory Farm Mews, Thurgarton
Alleged Breach: Alleged non-compliance with Conditions 14, 15 & 16 imposed upon 19/00653/FUL
Action To Date: Breach of Condition Notice issued and subsequent prosecution in Magistrates Court

Background:

- 3.1.1 Planning permission was granted in July 2016 (ref. 16/00529/FUL) for refurbishment of a farmhouse, conversion of a barn into two dwellings and erection of three new dwellings (five new dwellings plus the farmhouse). Later amendments were approved. The key consent for this case is 19/00149/FUL, which amended an earlier condition and, when granted, superseded the previous permission as the overall consent for the residential development.
- 3.1.2 In April 2023 the Council was alerted by Nottinghamshire County Council Highways to a potential breach of conditions attached to 19/00149/FUL. Although the site was largely complete and occupied, the access driveway works, and the relocation of an interactive speed sign had not been carried out as approved.
- 3.1.3 Certain conditions required compliance with specified plans/documents in the interests of highway safety. Investigations found the drive width was largely correct, but the surfacing was unfinished, and the speed sign had not been relocated.
- 3.1.4 Engagement attempts failed, so the Council served a section 330 notice, issued a Planning Contravention Notice, and then a Breach of Condition Notice in March 2024 requiring compliance by 1 May 2024. Non-compliance led to prosecution.
- 3.1.5 Hearings in May and June 2025 were adjourned due to non-attendance; in September 2025 the court proceeded in the developer's absence, convicted them, and noted deliberate delay. The developer paid for the sign relocation in September 2025; VIA EM completed this in November 2025. Surfacing works began in February 2026.
- 3.1.6 In April 2026 the court dismissed an appeal and sentenced the defendants, citing highway safety risks and persistent delay: total fines of £3,000, a £1,200 victim surcharge and £4,000 prosecution costs (split equally), payable by 4 May 2026. The case is now concluded and can be closed with no further action.

Before Photo



Compliance Photo



3.2 EXAMPLE 2

Enforcement Ref: 25/00349/ENFB
Site Address: The Cottage, Lincoln Road, Newark
Alleged Breach: Alleged material change of use of land to GRT site
Action To Date: Injunction requested and received to stop any potential change of use of the land

Background:

- 3.2.1 Whilst the main activity occurred in Q1 of 2026/2027 and so falls outside of the remit of this report, we believed it would be appropriate to include details now rather than wait for the next quarterly report.
- 3.2.2 In November 2025, the Local Planning Authority received enquiries concerning land known as The Cottage off Lincoln Road, Newark. The large plot of land is occupied only by the shell of a derelict residential property. It has previously been considered for re-development, but this was refused on account of the unacceptable highway safety implications that would result.
- 3.2.3 Officers have monitored the site since that time and had concerns that the site may be intended to be developed as an unauthorised caravan site, potentially occurring over the spring Bank Holiday weekends.
- 3.2.4 Given the highway safety implications, the Council obtained an interim injunction on the 2nd of April 2026 prohibiting the developing of the plot as a caravan site unless planning permission was obtained. The injunction was extended for a further two years at a later hearing on the 13th of April 2026. This does not prevent the landowner from applying for permission to redevelop the plot.

Drone Visit Photographs





April 2026 – Photos taken ahead of Easter Bank Holiday



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

4.1 EXAMPLE 1

Enforcement Ref: 25/00330/ENFC
Site Address: Churchill Drive, Newark
Alleged Breach: Alleged outbuilding to frontage of property
Action To Date: Structure removed following negotiation with occupier. Case closed.

Background:

- 4.1.1 A number of complaints were received in late October 2025 concerning a particularly large and prominent outbuilding at a property on the corner of Churchill Drive and Pierson Street.
- 4.1.2 Contact with the occupier was attempted on numerous occasions. Following communication with the owner in January 2026, letters were forwarded to the occupiers who were responsible for the structure.
- 4.1.3 It was advised that an 'Enforcement Notice' would be issued if the structure was not dismantled and removed.
- 4.1.4 On a site visit in February 2026 to issue this notice, it was noted that the structure had been removed as requested, which resolved the breach and meant the issuing of the notice was no longer necessary.

Initial Photo



After Compliance Photos



4.2 EXAMPLE 2

Enforcement Ref: 25/00005/ENFC
Site Address: Long House, Chapel Lane, Epperstone
Alleged Breach: Alleged breach of conditions linked to 21/02533/FUL
Action To Date: Positive example of developer / contractor co-operation with the planning enforcement team during a large-scale new-build development.

Background:

- 4.2.1 The case was raised following the commencement of this multi-million-pound dwellinghouse development and concerns over the actions of the builders and their adherence with the approved plans, but mainly the contractors ongoing behaviour and what has become a 'sensitive site' with neighbours.
- 4.2.2 Enforcement Officers subsequently attended the site on numerous occasions to discuss the matter first the site manager and then the Project Manager. These ongoing conversations have resulted in an ongoing dialogue and much better behaviours from the developer, who has now gone on to implement several measures to improve relations between the site operatives and neighbours, such as employing a road sweeper (even though it appears that much of the mud on the land comes from local farms), contractor parking off site (to alleviate traffic) and ongoing letter drops to neighbours to warn when noisy or destructive

operations will be taking place (such as the delivery of a large crane that closed the lane one day). In addition, this line of communication has also enabled us to deal with minor issues (such as working outside of the hours specified within the CMP) quickly.

4.2.3 The development has resulted in some issues with residents but the proactive action of Enforcement Officers and the willingness of the developer to engage should be commended. This approach – with this and many other sites across the district - is one that the Enforcement team believes can be successfully followed.

4.2.4 The development is expected to be completed in late 2026.

Progress Photo – July 2025



Progress Photo - October 2025



Artist's impressions of finished development



5.0 SCHEDULE D – NOTICES COMPLIED WITH DURING QUARTER

5.1 EXAMPLE 1

Enforcement Ref: 23/00214/ENFB
Site Address: The Crossings, Newark
Alleged Breach: Alleged untidy land
Action To Date: Section 215 Notice Issued

Background:

- 5.1.1 The case followed from 21/00439/ENFB that related to untidy land north of Vernon Avenue, affecting the amenity of neighbouring properties. The land was identified as being in three separate ownerships. Two owners resolved matters amicably. Initial verbal requests were made to the occupier of 6 The Crossings to tidy their land. Despite time being allowed, no works were carried out.
- 5.1.2 This 'new' case was subsequently opened, where it was established that the occupier was a private renter and not the landowner. Ownership of the section of land in question was disputed by the letting agent, but title documents were provided. A new deadline for works was set but no compliance followed.
- 5.1.3 As a result, a Section 215 Notice was issued in October 2024 requiring the land to be cleared of detritus, vegetation, and litter, with a compliance date of 30.01.2025. Site inspections in May, November, and December 2025 confirmed non-compliance, despite partial works being undertaken by neighbouring residents due to ongoing impacts on their properties.
- 5.1.4 Legal proceedings were initiated. However, following renewed works by the owner in January 2026, a site visit at the end of January confirmed full compliance. The matter was then withdrawn from court as it was no longer in the public interest to pursue.
- 5.1.5 The breach has now been remedied, restoring amenity. As the land is currently going through a sale, the prospective purchaser has been made aware of future land maintenance responsibilities.

Initial photos



Compliance Photo



5.2 EXAMPLE 2

Enforcement Ref: 24/00127/ENFC
Site Address: Normanton Road, Newark
Alleged Breach: Alleged extension of residential curtilage
Action To Date: Enforcement Notice Issued February 2025

Background:

- 5.2.1 This case forms part of a series of cases where residents had extended their residential curtilage into the open countryside (onto open scrubland they backed on to) to provide themselves with a greater amenity space without seeking express consent.
- 5.2.2 Within this case the owners of this property had developed a patio area and demarcated the space as their own.
- 5.2.3 Following contact with the owners, they refused to remedy the breach of planning, so an Enforcement Notice was issued in February 2025 requiring them to (a) cease the use of the residential use of the land; (b) demolish all operational development on the land; and (c) remove any resultant waste from the land.
- 5.2.4 A site inspection was undertaken by drone in January 2026, which confirmed all requirements of the notice were found to have been completed and therefore remedying the breach.

Initial Photo



Compliance Drone Photo



5.3 EXAMPLE 3

Enforcement Ref: 25/00181/ENFB
Site Address: The Old Cottage, Kirklington Road, Bilsthorpe
Alleged Breach: Alleged window replacements following refusal of 25/00427/LBC
Action To Date: Listed Building Enforcement Notice (LB EN) issued June 2025

Background:

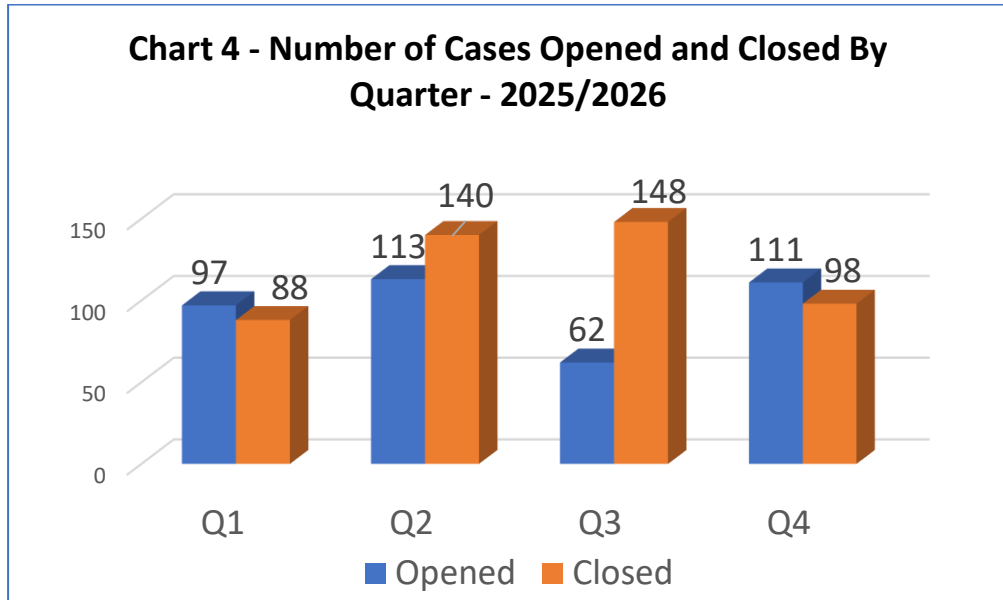
- 5.3.1 This case originated from the submission of an application for an LBC for the 'Replacement of 9 x 20th Century wooden single glazed window casements with wooden casement and double-glazed units' - 25/00427/LBC.
- 5.3.2 It was noted during the application that windows had already been replaced. Unfortunately, whilst the windows that had been replaced were timber, they were storm clad, and so the joinery details were not deemed to be acceptable.
- 5.3.3 Therefore, it was deemed expedient to issue a Listed Building Enforcement Notice (LB EN). The Notice requires that a number of windows should be changed in accordance with specifications as set out within the EN.
- 5.3.4 The owner of the property subsequently complied with the requirements of the LB EN, and the Cons Officer has confirmed that they are satisfied with the outcome of the notice.

Compliance Photos

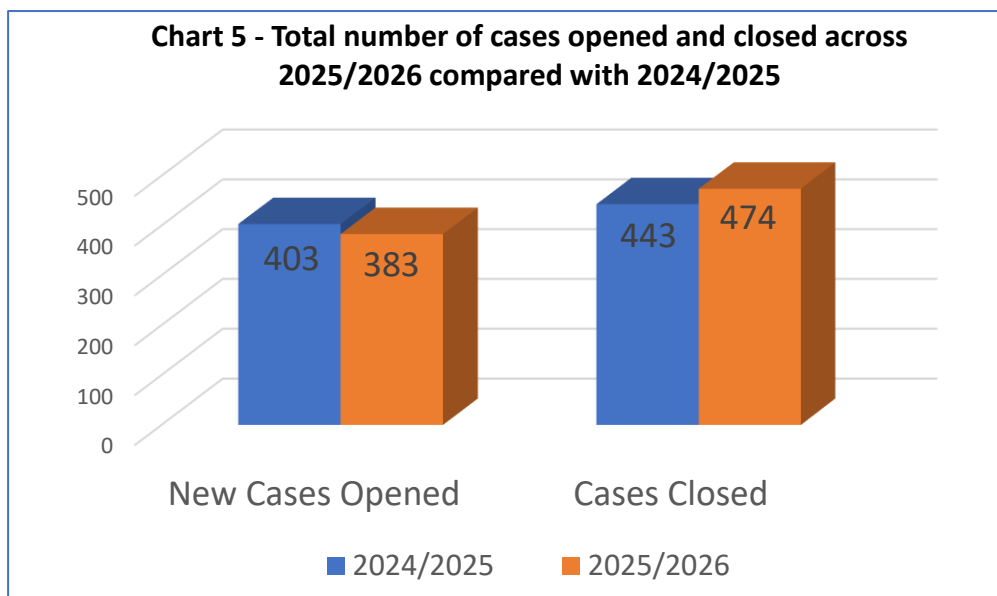


6.0 SCHEDULE E - YEAR END ENFORCEMENT TEAM STATS / DATA

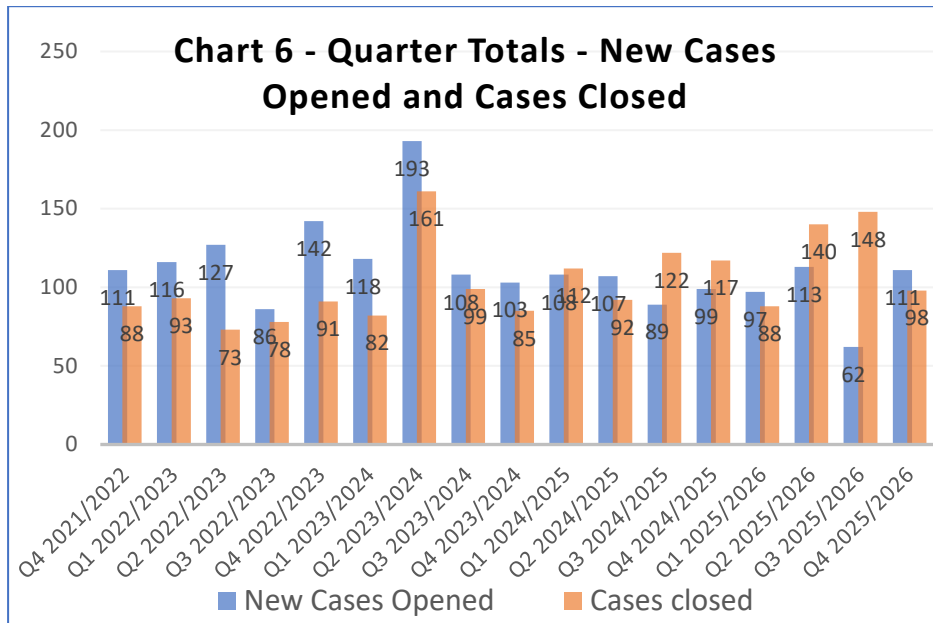
- 6.1 In addition to the quarterly stats and graphs presented in Schedule A of this report, it was decided to also provide a short insight into the activity and overall performance of the planning enforcement team across the 2024/2025 year.
- 6.2 **Chart 4** shows the total number of cases received (opened) and closed across the 2024/2025 year. This is a combination of the totals previously reported in the quarterly reports.



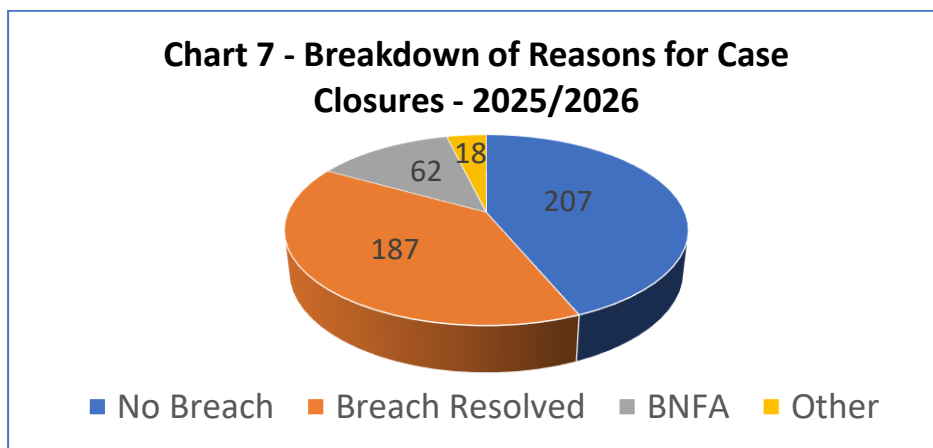
- 6.3 **Chart 5** gives context to the total numbers of cases opened and closed in 2025/2026 by providing a comparison with the totals from the previous year (2024/2025).



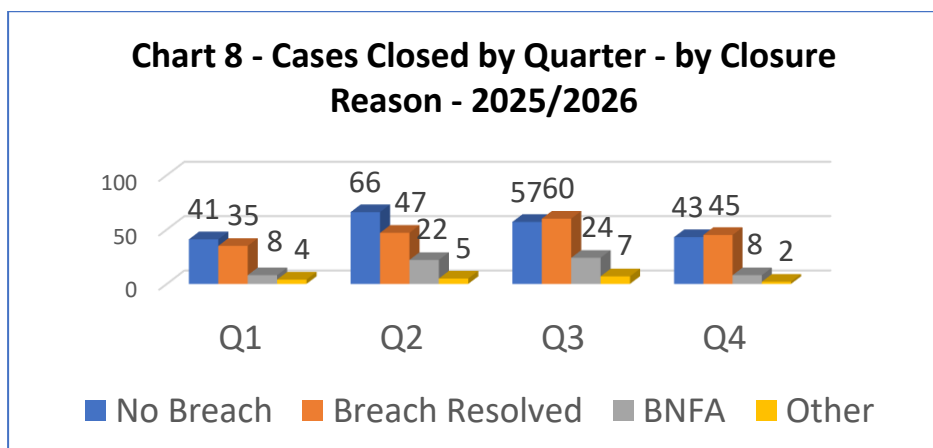
6.4 **Chart 6** provides a longer-term view on the quarterly totals of new cases opened and cases closed.



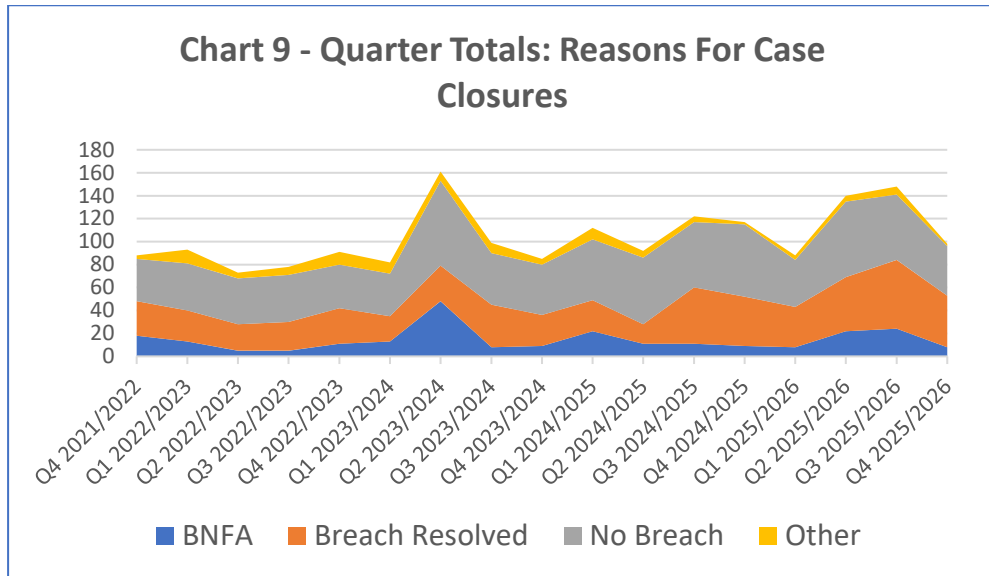
6.5 **Chart 7** shows the reasons for case closures across the entire 2025/2026 year. Members will note



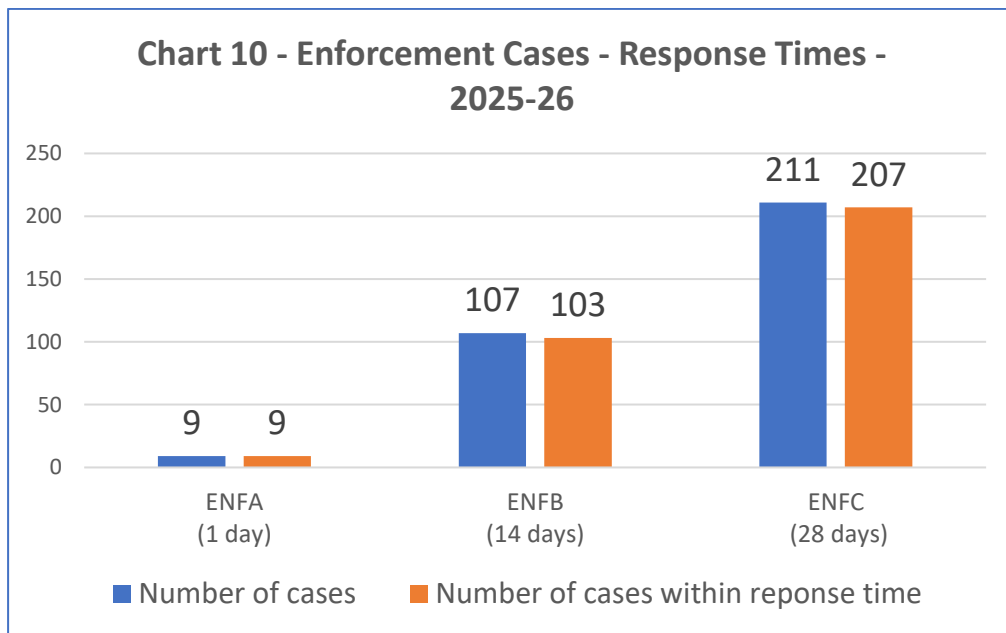
6.6 **Chart 8** expands on the above and provides a quarterly breakdown and comparison of the case closures reasons.



6.7 **Chart 9** shows another long-term view of performance, with the below giving context of the numbers per quarter for the reasons for case closures.



6.8 **Chart 10** – The final chart of this report – provides the response times from the entire 2025/2026 year. Overall performance sits at 98%. This is the same overall percentage as the performance in the previous year (2024/2025).



7.0 IMPLICATIONS

- 7.1 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.

8.0 RECOMMENDATIONS

- 8.1 The report is noted.

9.0 BACKGROUND PAPERS

- 9.1 None.