

Report to Planning: 6 August 2026
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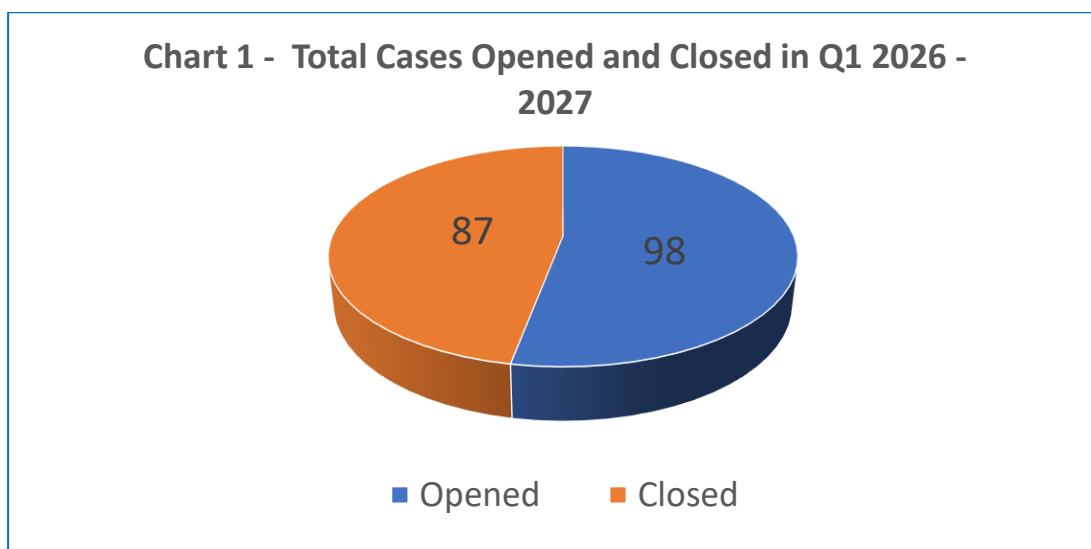
Report Summary	
Report Title	Quarterly planning enforcement activity update report
Purpose of Report	To update Members as to the activity and performance of the planning enforcement function over the fourth quarter of the current financial year. To provide Members with examples of cases that have been 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.
Period covered	Q1 2026/2027 – 1 st April 2026 to 30 th June 2026
Recommendation	For noting. The service assists in the delivery of Community Plan Objectives: • Protect and enhance the district’s natural environment and green spaces. • Be a top performing, modern and accessible Council.

1.0 BACKGROUND

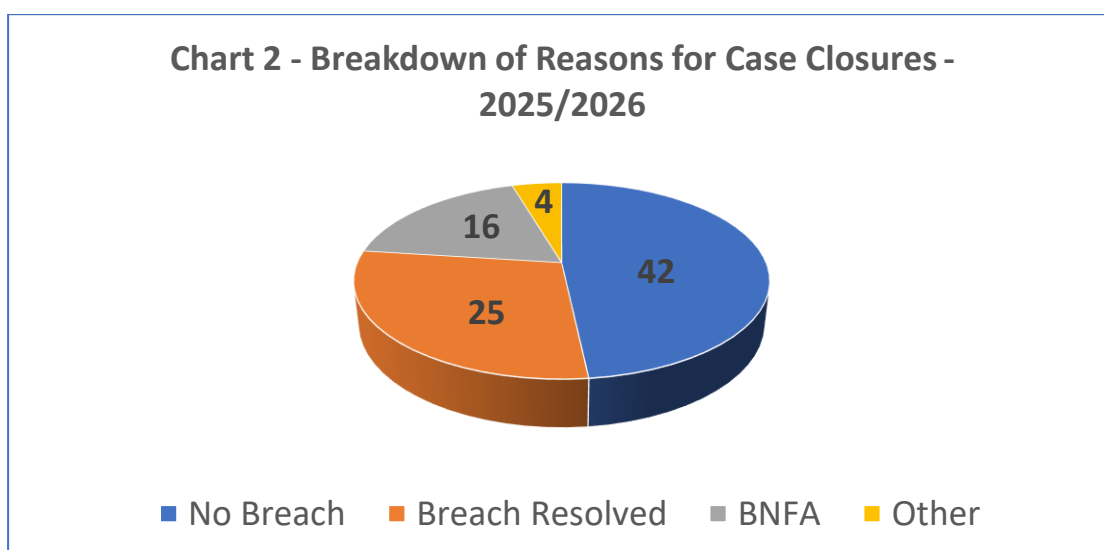
- 1.1 This report relates to the fourth quarter (Q1) of 2026 – 2027 from 1st April 2026 – 30th June 2026 providing an update on enforcement activity during this period.
- 1.2 Schedule A outlines the enforcement activity for Q1 in terms of numbers of cases received, the reasons for cases being closed 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 the quarter.
- 1.4 Schedule C provides examples of cases 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

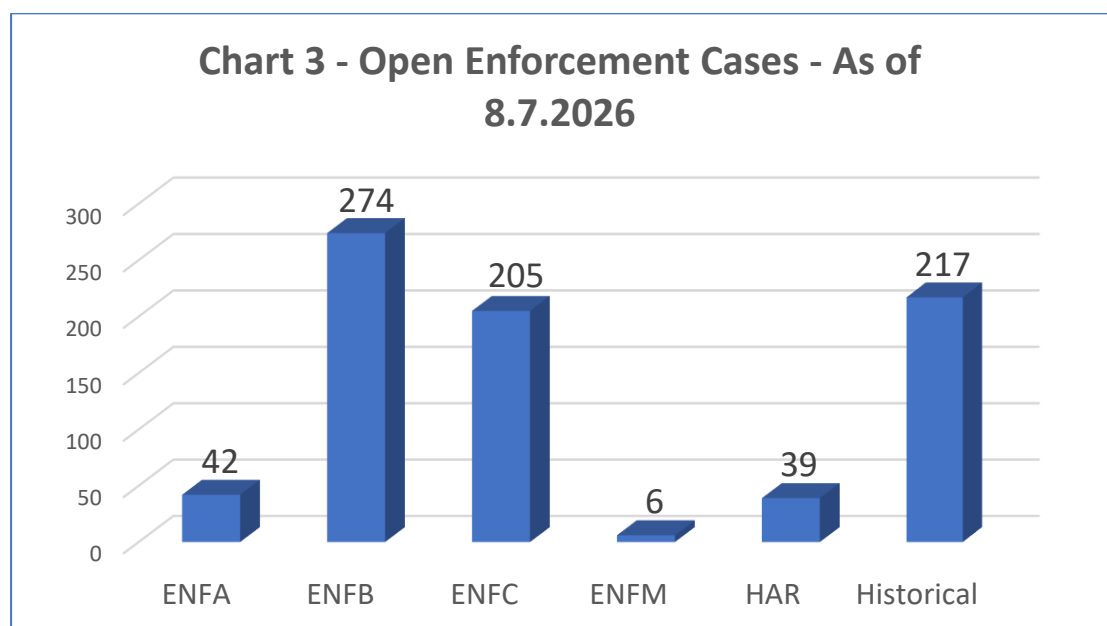
- 2.1 **Chart 1** sets out the number of new enforcement cases that were received and closed during Q1. Members will note that the number of new cases opened (98) remains relatively consistent quarter to quarter and almost identical when compared with the same period (Q1) in 2025/26, which totalled 97 new cases. Cases closed are also near identical when comparing Q1 with Q1 of 2025/2026 – 87 versus 88.



- 2.2 **Chart 2** sets out the reasons why cases have been resolved in Q1. The chart shows that, as is always the case, the majority of cases (42%) 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 each quarter. To reinforce this, since January 2022, the overall percentage of 'No Breach' sits at 47%.
- 2.3 We continue to assert the importance of investigating these cases 'No Breach' cases so there is a record of the complaint and any associated action.

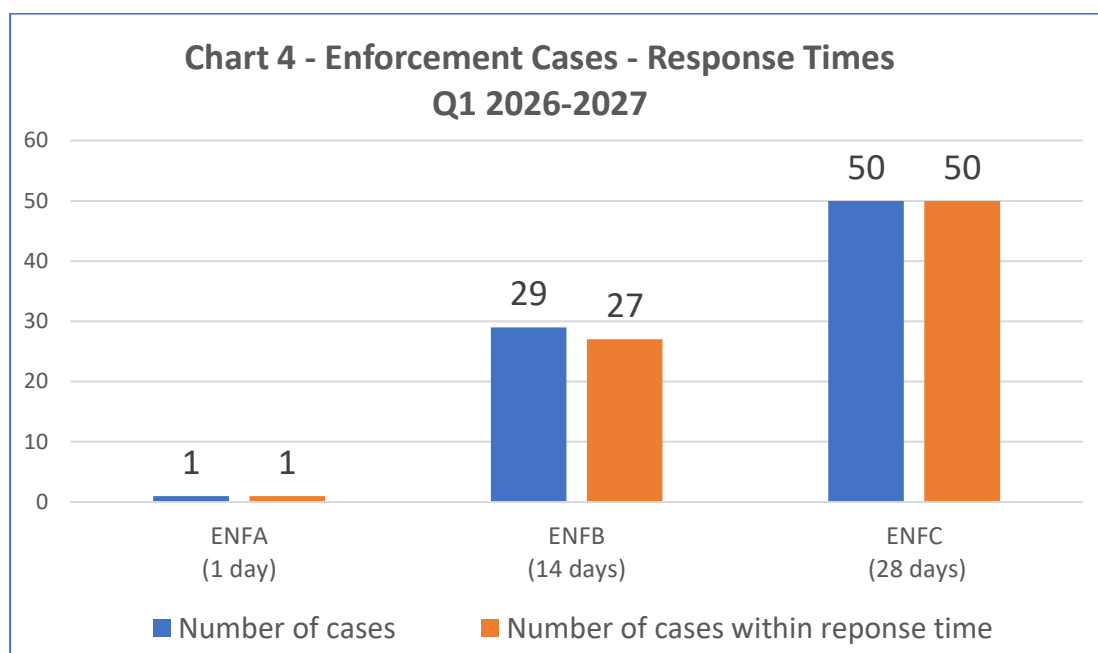


- 2.4 **Chart 3** aims to provide some context to the workload of the planning enforcement team by giving an illustration of the number of open cases.
- 2.5 The total number of cases open as of this 'snapshot' taken from 8th July 2026 is **783**. Firstly, it must be noted that concerted efforts have been made over the last year to reduce this overall number with resource being allocated to focus on some of the 'historical' cases. For context, the total number of open cases in September 2025 was **889**. An overall reduction in 106 in this time.
- 2.6 The categories shown below in Chart 3 are as follows (with a reminder of reason for the A, B & C categorisation including in brackets):
- a) ENFA – High Priority Case (where there is an immediate risk or irreparable damage resulting from unauthorised works)
 - b) ENFB – Medium Priority Case (will not normally require immediate action to prevent serious harm)
 - c) ENFC – Low Priority Case (minor breaches of planning control)
 - d) ENFM – Enforcement Monitoring Cases. Generally used to monitor a development – such as a new large-scale housing development.
 - e) HAR – Heritage at Risk. These cases are a combined effort between the NSDC Conservation Team and Enforcement.
 - f) Historical – These are cases that were opened prior to the ENFA, ENFB and ENFC system. A majority of these were cases that were transferred into the current system and left 'open' even though in many cases the investigations were completed many years ago. There is an ongoing project is to double-check these 'open' cases to close wherever possible.



- 2.7 We will provide this data and information on a quarterly basis going forward within the Planning Enforcement update committee reports.

- 2.8 **Chart 4** 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 98% of enforcement cases have been actioned during Q1 within the target period that is set out within the PEP.



- 2.9 **Table 1** sets out the number of Notices issued and appeal activity during Q1 of 2026 – 2027.

	APRIL 2026	MAY 2026	JUNE 2026
Notices Issued	1	2	3
Notices Complied With	0	0	0
Appeals Lodged	0	0	2
Appeals Determined	1	0	0

3.0 SCHEDULE B – EXAMPLES OF FORMAL ACTION TAKEN DURING QUARTER

3.1 EXAMPLE 1

Enforcement Ref: 24/00024/ENFB
Site Address: Flaggs Farm, Norwell
Alleged Breach: Unauthorised use of agricultural buildings for use as commercial storage of white goods
Action To Date: PCN; Enforcement Notice Issued

Background:

- 3.1.1 Flaggs Farm has an extensive recent planning history including consents for the erection of agricultural buildings and changes of use and has previously been investigated by the planning enforcement team.
- 3.1.2 The first occasions was in 2024 when it was noted that 2 of the agricultural buildings (buildings 1 & 2) were being used for Use Class B8 (Storage and Distribution). The enforcement investigation resulted in the submission of an application for planning permission (24/01810/FUL) which was initially recommended for approval by officers and then subsequently refused by Planning Committee. The decision was the subject of an appeal which was subsequently upheld by the Planning Inspectorate who granted consent the change of use from agriculture to B8 Storage and distribution.
- 3.1.3 During the course of this application, it became apparent that in addition to buildings 1 & 2, buildings 3 & 4 were also being used for Class B8 storage. Investigations were undertaken, including issuing a PCN, which resulted in the submission of a retrospective application to retain the use for Class B8. The application, 25/02031/FUL, was subsequently refused in April 2026.
- 3.1.4 The application was refused as it was considered that due to its rural location, the site is served by a highway that is not suitable to accommodate the increase in traffic movements associated with the additional storage and distribution warehousing.
- 3.1.5 Due to the application being refused, a planning enforcement notice was issued concurrently. The notice requires the use of the site for Use Class B8 to cease.
- 3.1.6 Both the planning enforcement notice, and refusal of planning permission are now the subject of an appeal to the planning inspectorate.

Site Visit Photo



3.2 EXAMPLE 2

Enforcement Ref: 25/00286/ENFC
Site Address: Lodge Farm, Gunthorpe
Alleged Breach: Alleged conversion of building to form two new dwellings
Action To Date: Enforcement Notice Issued

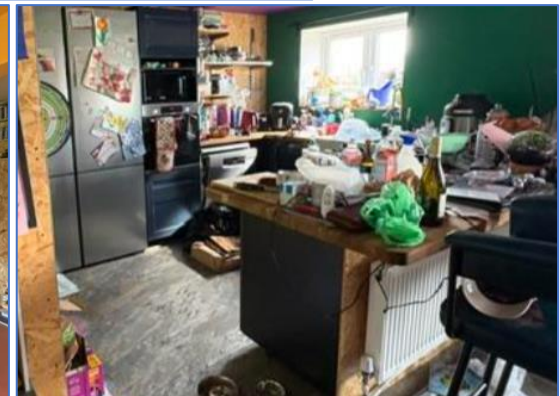
Background:

- 3.2.1 This case arose during 24/00336/ENFC which investigated two unauthorised dwellinghouses; both of which were identified as immune to enforcement action through the passage of time under Section 171B of the TCPA (1990).
- 3.2.2 However, whilst investigating these matters, it was also identified that two more dwellings had been formed within a large building (containing three unauthorised dwellings in total; one of which was investigated within 24/00336/ENFC and as discussed had become immune as per 25/01177/LDCE).
- 3.2.3 The owners sought to retain the two outstanding unauthorised dwellings within 25/01539/FUL - Conversion of barn to two dwellings (retrospective) – which was refused due to flood risk 12.12.2025. Following this refusal the owners sought a further application after discussions with the Environment Agency led to considerations that the development may be acceptable subject to condition.
- 3.2.4 A further application was sought under 26/00400/FUL - Conversion of barn to two dwellings – which was again refused owing to flood risk on 12.06.2026; whilst the

Environment Agency considered conditions may make the development acceptable, these conditions were not identified to be reasonable or enforceable.

- 3.2.5 On 22.06.2026 an Enforcement Notice was issued to both respective properties. Both Enforcement Notices have been appealed to the Planning Inspectorate.

Site Visit Photos



3.3 EXAMPLE 3

Enforcement Ref: 25/00335/ENFC
Site Address: Land at Lowdham Road, Lowdham
Alleged Breach: Alleged expansion of caravan sales yard and bund
Action To Date: Enforcement Notice Issued

Background:

- 3.3.1 In November 2025, development was identified within the paddock immediately north of Rove Motorhomes, Lowdham Road. The works comprised the creation of a bund and the use of agricultural land for staff parking and temporary motorhome storage associated with the existing business. It should be noted that the land sits with flood zone 3.
- 3.3.2 Two retrospective planning applications were submitted: one for alterations to the soil bund and one for the change of use from agriculture to mixed agricultural, parking and storage use. Both applications were refused on 22 June 2026 due to flood risk and wider impact concerns.
- 3.3.3 An Enforcement Notice was issued on 22 June 2026. The notice requires the use of the land for parking and storage to cease, all associated materials to be removed, the land to be restored to its former condition, and the bund and imported construction materials to be removed in full. The EN comes into effect 22nd July 2026, unless the notice is appealed, which they had not at the time of writing this report (22nd July).

Site Visit Photos





3.4 **EXAMPLE 4**

Enforcement Ref: 25/00349/ENFB
Site Address: The Cottage, Lincoln Road, Newark
Alleged Breach: Alleged development without permission
Action To Date: Injunction gained to stop any potential GRT development

Background:

- 3.4.1 This matter was included within the Q4 (2025/26) report. However, we wanted to provide a brief update to members.
- 3.4.2 As a brief summary, following works being carried on site, officers had reasonable concerns that there were intentions to re-develop as an unauthorised caravan site, potentially occurring over the spring Bank Holiday weekends.
- 3.4.3 Give these concerns, the council obtained an interim injunction on 2nd April 2026 (ahead of the bank holiday) 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.
- 3.4.4 Whether the landowner's intention was to develop the site for this purpose or not, it is difficult to say with any certainty. However, we are pleased to report no further activity has been reported and there has been no breach of the injunction.

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

4.1 EXAMPLE 1

Enforcement Ref: 24/00288/ENFB
Site Address: Holly House, Edwinstowe
Alleged Breach: Alleged building works not being carried out in accordance with 21/00238/FUL
Action To Date: Negotiation to remedy with new application; Case Closed.
Ongoing compliance checks being carried out.

Background:

- 4.1.1 This case concerns a large unauthorised outbuilding. Planning permission was granted in December 2021, but the garage was not built in accordance with the approved plans under Condition 2 of 21/00238/FUL, and other conditions.
- 4.1.2 To regularise the unauthorised garage, the owner was invited to submit a pre-application. This concluded in December 2024, advising that the changes were unacceptable. A full application then followed; although recommended for refusal, it was granted permission at committee, subject to certain conditions.
- 4.1.3 The conditions required the garage door, all doors and window frames to be painted black; the eastern French doors to be replaced with a small first-floor window; and the brickwork to be painted off-white to match 1 East Lane. These measures address visual amenity.
- 4.1.4 An April 2026 site visit found progress towards compliance, with evidence that Condition 05 has been met and Condition 02 appears to have been met.
- 4.1.5 As the development now has planning permission and the relevant conditions are being addressed, the breach is considered resolved.
- 4.1.6 The case is now closed. However, the enforcement case officer will continue to monitor to ensure the committees conditions are adhered to.

Initial Photos



After Compliance Photos



4.2 EXAMPLE 2

Enforcement Ref: 25/00025/ENFB
Site Address: Plum Tree Cottage, Farnsfield
Alleged Breach: Alleged breach of conditions attached to 24/01199/HOUSE
Action To Date: Breach resolved via negotiation; Case Closed.

Background:

- 4.2.1 This investigation concerns an alleged breach of conditions with the main issue was being the use of unauthorised thick insulated render, together with other detailing matters including rainwater goods, window details and black tiles at damp-proof course level.
- 4.2.2 Following enforcement involvement, the owner submitted details through a discharge of conditions application and carried out key remedial works.
- 4.2.3 The unauthorised render was removed and replaced with an approved render, window and sill changes were made, and downpipes were amended. Although some elements remain non-compliant, including the guttering and black tiles, Conservation advice confirmed that these are incidental and do not materially harm the character or appearance of the Farnsfield Conservation Area.
- 4.2.4 It is therefore concluded that the principal harm has been remedied and the remaining breach is trivial or technical, causing no material planning harm. Formal enforcement action would not be expedient and would only serve to regularise the development. The case is recommended for closure with no further action.

Before Photo – With external Insulation



After Photo – Insulation Removed



4.3 EXAMPLE 3

Enforcement Ref: 26/00002/ENFC
Site Address: Cauntton Beck Public House
Alleged Breach: Alleged unauthorised fenced area/bin store
Action To Date: No Breach but completed structure amended through negotiation and compromise.
Breach Resolved – Case Closed

Background:

- 4.3.1 Case dates to January 2026 and is regarding a fenced area to the rear of the PH that has undergone a substantial renovation.
- 4.3.2 Following the report from a local a resident, there was some confusion regarding which structure the complaint related to following an initial site visit. Initial correspondence with the new owners of the PH were unsuccessful. A further site visit was then carried out in April, where the new owners were met on site and the correct area linked to this report was ascertained.
- 4.3.3 The resident's concern was due to the increased size of this 'compound' area that was located on the 'Church side' of the PH.
- 4.3.4 The structure was deemed to benefit from permitted development rights. However, as is often the case in such matters, efforts are made by the officer to find an improved outcome for all parties if a compromise can be found.

- 4.3.5 In this instance, although the owners were not obliged to do so, agreement was reached to reduce the overall size and impact of this 'excessively large' fenced area by a 3rd. This was completed to the satisfaction of all involved.

Initial Photo – Taken prior to any recent works



Site Visit Photo – Newly



Photos - After works to reduce scale and impact



5.0 SCHEDULE D – NOTICES COMPLIED WITH DURING QUARTER

5.1 EXAMPLE 1

Enforcement Ref: 23/00149/ENFB
Site Address: Downside Cottage, Great North Road, Bathley
Alleged Breach: Alleged siting of storage containers
Action To Date: Enforcement Notice; Appeal Dismissed
Breach Resolved – Case Closed

Background:

- 5.1.1 A complaint was received in 2023 alleging a B8 self-storage business had begun operating from a remote site near Bathley/North Muskham. The site had a chequered history but was only authorised to be a taxi hire depot.
- 5.1.2 A retrospective application was submitted and subsequently refused with an Enforcement Notice then being issued in May 2024. The Notice was appealed by the owners, but this was dismissed by the inspectorate, requiring the use to cease and for the storage containers to be removed.
- 5.1.3 Following a short delay, all containers were found to have been removed and therefore compliance was achieved, allowing the case to be closed in. It should be noted that some months prior to this compliance the business ceased operating.

Initial Photos



Compliance Photo



5.2 EXAMPLE 2

Enforcement Ref: 23/00022/ENFB
Site Address: The Linhay, Egmonton
Alleged Breach: Alleged running of commercial (log) business from residential property
Action To Date: PCN; Enforcement Notice
Breach Resolved – Case Closed

Background:

- 5.2.1 This case commenced January 2023. An initial site inspection shortly afterwards confirmed the owner was operating the business from a large outbuilding. The owner claimed deemed consent through agricultural, and forestry permitted development rights and licence exemptions; however, the LPA did not agree and identified a breach and a PCN (issued April 2024) confirmed this position.
- 5.2.2 The owner sought to retain the use through a planning application for the retention of a wood drying kiln and associated plant. The application was withdrawn in July 2024 and, as no further application was submitted, an enforcement notice was issued September 2024 that required the owner to cease the unauthorised log drying business as well as the removal of equipment and structures linked to the operation.
- 5.2.3 The owner complied with the cessation of the use but required longer to remove associated items due to personal circumstances. The Council monitored progress and suitable extensions were agreed under section 173A of the Town and Country Planning Act 1990.
- 5.2.4 A site visit in May 2026 confirmed the removal of the required items. There were some waste items remaining on site but it was deemed that the removals that had taken place – and continuation of the cessation of activities – that there had been compliance with the notice.

Initial Photo



Compliance Photo



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.