



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Joint Meeting of the Environment and Rural and Communities Overview and Scrutiny Committee

Wednesday, 10 December 2025

Councillor Phil Dilks - Cabinet Member
for Planning

Planning Enforcement Update

Report Author

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Purpose of Report

To provide the Environment and Rural and Communities Overview and Scrutiny Committee with an overview of the Planning Enforcement function in the period 1 January 2024 – 31 December 2024, as well as a review of the current year

Recommendations

The Committee is asked to note the contents of this report

Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

Connecting communities
Sustainable South Kesteven
Enabling economic opportunities
Housing
Effective council

Which wards are impacted?

(All Wards);

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no financial implications arising from this report.

Completed by: David Scott – Assistant Director of Finance

Legal and Governance

- 1.2 The report is for noting and there are no governance matters for consideration. There are delegations in the Council's constitution that allow planning enforcement activities to be carried out by the planning team.

Completed by: James Welbourn, Democratic Services Manager

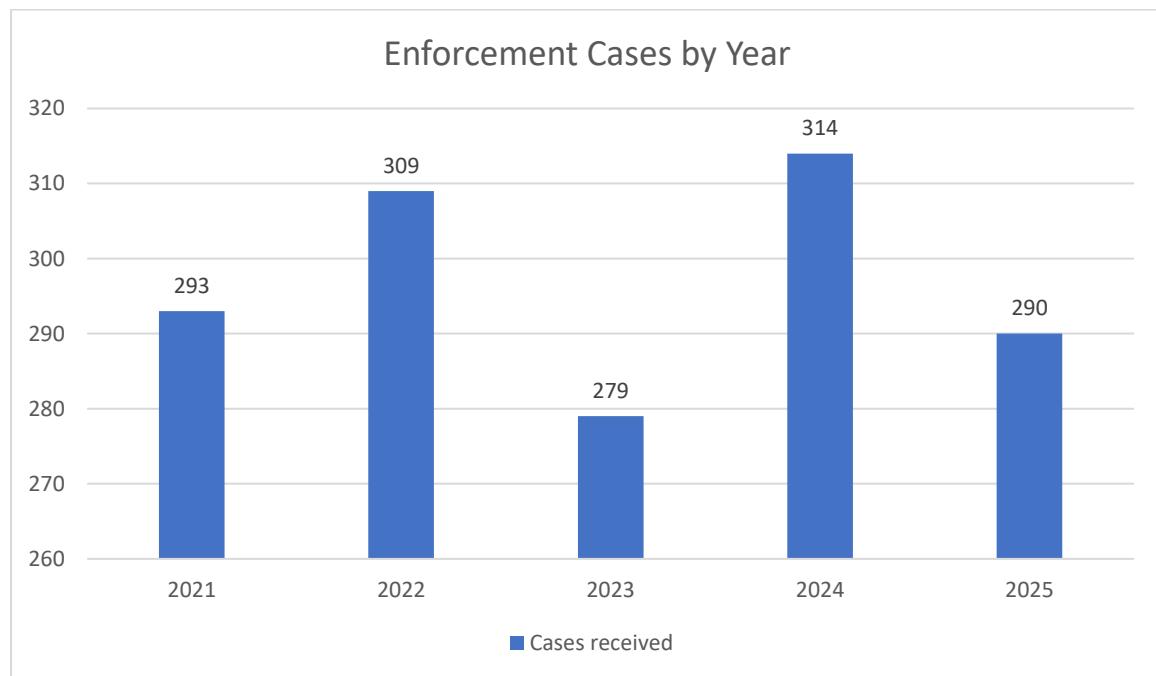
2. Background to the Report

- 2.1 The planning process supports the delivery of the Council's economic growth and sustainable neighbourhood ambitions as identified in the Corporate Plan (2024-2027). Effective planning enforcement is important to tackle breaches of planning control that would otherwise have an unacceptable impact on the amenity of the area. It is also important to maintain the integrity of the wider planning system.
- 2.2 The Council has a duty to investigate enquiries relating to unauthorised developments, this includes building and engineering works and changes of uses, that may have been carried out with or without consent.
- 2.3 There are a range of enforcement powers that are available to the Council, however whether the Council takes any formal enforcement action is a discretionary matter. When considering taking any formal action the Council must consider if it is expedient to do so having had regard to the Development Plan and any other material considerations. It is also necessary to weigh up whether or not taking Enforcement Action is in the public interest.
- 2.4 Taking Enforcement action should be regarded as a last resort and many breaches of planning control can be resolved without formal action being taken. For example, retrospective planning permission can be obtained, the breach ceases or is remedied through negotiation.

- 2.5. Often the Council will receive complaints regarding alleged breaches of planning control that involve other services within the Council or other organisations. Where this happens the Planning Enforcement team will work with the other officers or organisations. This may mean that the Planning Enforcement team take the lead on a matter, or they may assist in the process. It can often be the case that different legislation and associated enforcement powers may be more effective than Planning Enforcement powers.
- 2.6. Councillors are often the public face of the Council and Member involvement in planning matters is crucial in maintaining an effective enforcement service. This report has been prepared to provide an overview of the enforcement function since January 2025, including a review of the previous year.
- 2.7. It should be noted that whilst serving Enforcement Notices can be high profile, what often gets overlooked is the amount of work involved in resolving other issues where informal action has resulted in the breach ceasing or being regularised. It is important that Members understand the overall number of service requests and how these are dealt with.

New Enforcement Cases

- 2.8. Once an enforcement enquiry has been received, a case will be entered into the enforcement database and an acknowledgement letter sent to the enquirer. Officers will carry out a site inspection and make an initial assessment of the situation before providing the enquirer with a further update and idea of the proposed course of action.



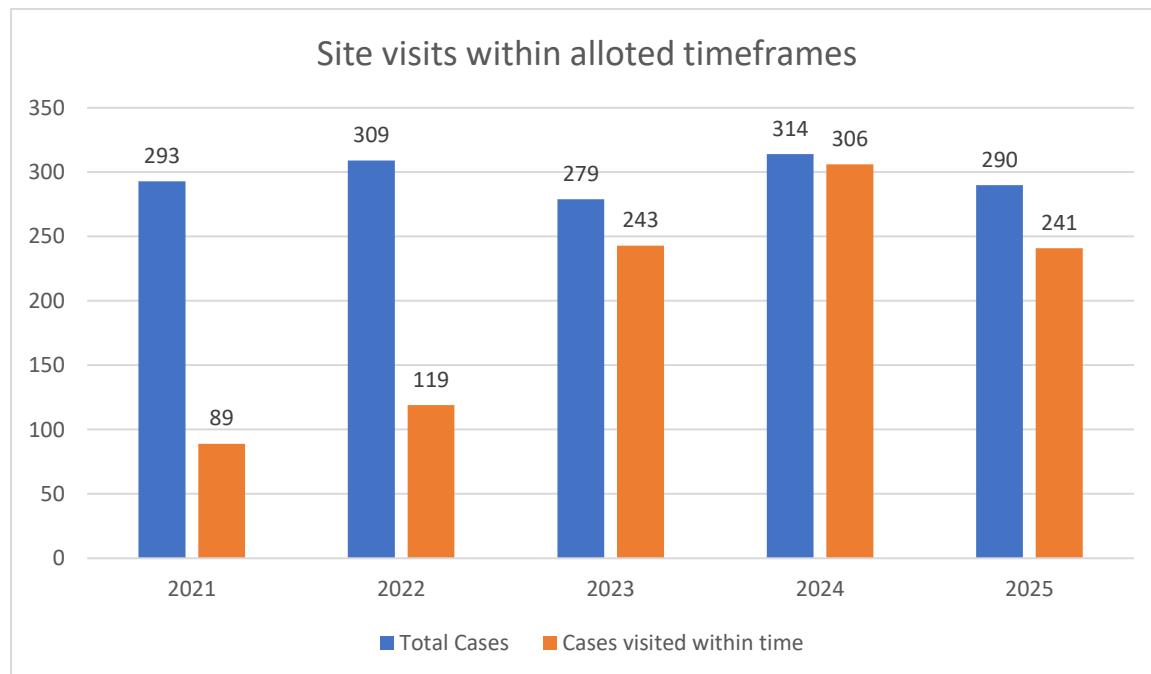
2.10 At the time of this report (10 November), 290 cases have been received in 2025, which is slightly higher than the previous year.

2.11 In the year of 2024 The Council had a total of 314 enforcement cases.

2.12 Following the initial investigation steps, enforcement cases can take varying amounts of time to resolve. In some instances, retrospective planning applications may be requested, or the developer may agree to remedy any breach of planning control voluntarily. In addition, where further, formal action may be warranted, there can be many legal stages that we need to go through which can take some time.

Response to Cases and Action Times

2.13 When a request to investigate an alleged breach of planning control is received, officers will prioritise the case in accordance with the Council's Enforcement Policy. For example, an allegation about ongoing works to a Listed Building or protected tree are treated as High Priority cases and a site visit will be carried out as soon as possible. For other cases the initial site visit will be carried out within the ten working days set out in the Council's Enforcement Policy.

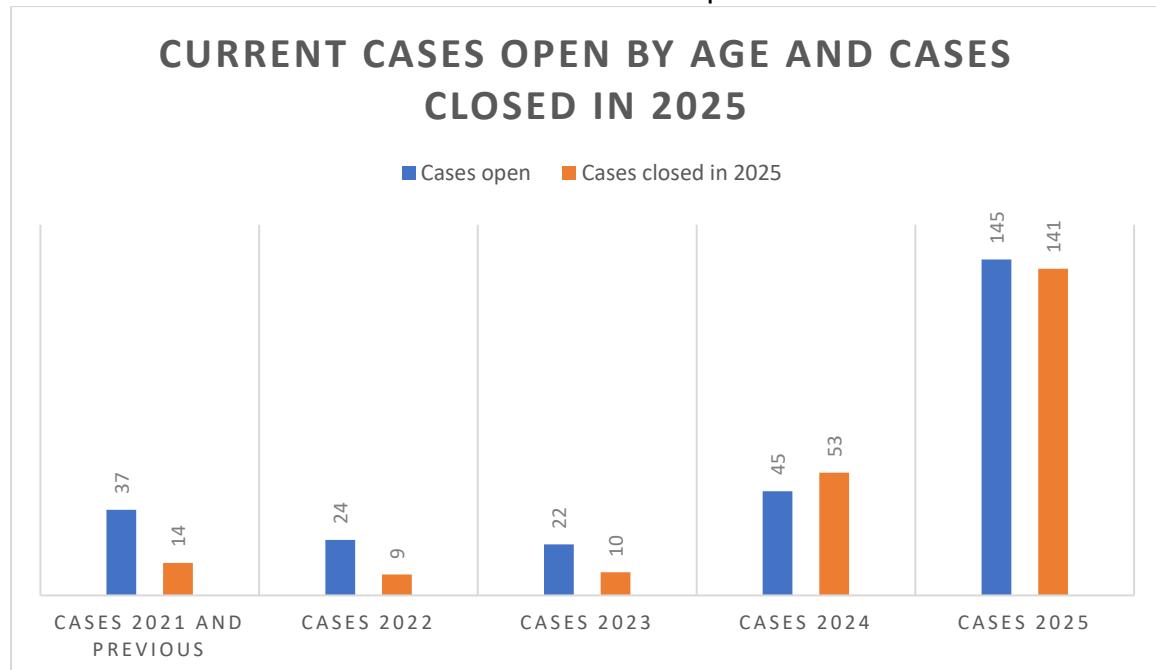


2.14 Once the enforcement team reached full staffing capacity in September 2023, the Enforcement team achieved 99% of site visits within time for the last four months of 2023 and achieved 97.5% of site visits within time for 2024.

2.15 The Enforcement Team has experienced some staffing pressures in 2025, with an officer leaving in March as well as a period of prolonged staff sickness between

June and August. During this period, only 28% of site visits within time were completed, with only one officer working. Temporary measurements have since been put in place and a more permanent solution agreed, which is now subject to a formal recruitment process.

2.16 From September, (with three working officers) visits have improved again and 95% of the initial site visits have been completed within time.

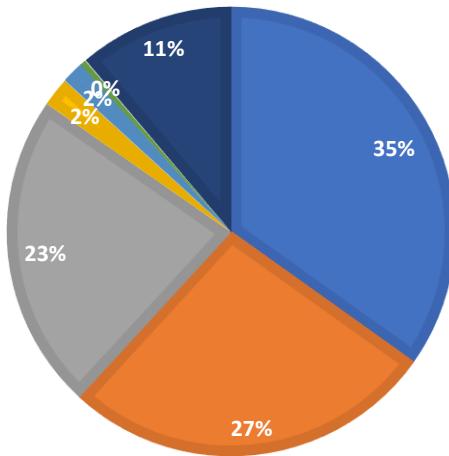


2.17 Once the initial investigation has been completed, officers will decide how to progress the case and inform the enquirer of the intended next steps. Cases are closed for a variety of reasons and the graph and table below shows those cases that have been closed between the 1 January 2025 and 10 November 2025 and the reason for them being closed. In this time 290 cases have been received and 227 have been closed.

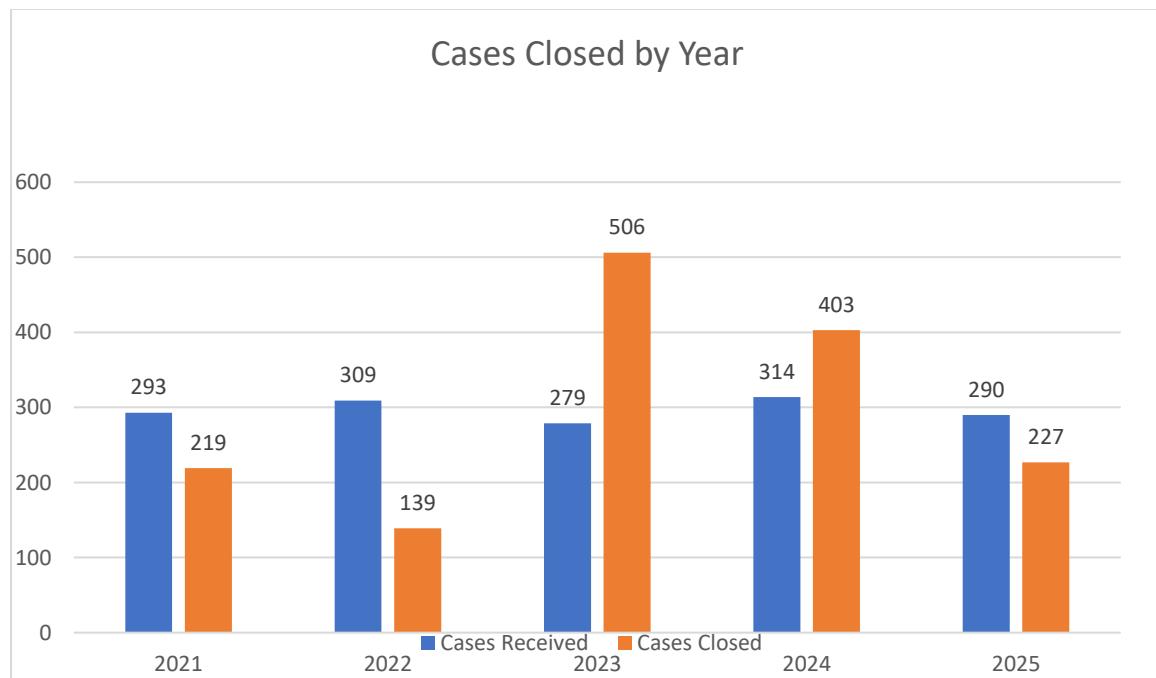
2.18 In the previous year more cases were closed than opened. In 2025 the Enforcement Team has been operating with 3 officers for around 4 months, 2 officers around 4 months and 1 officer for 3 months. These periods when there were pressures on resources is the likely cause for the reduction in case closures this year.

CASES CLOSED BY REASON JANUARY 2025- NOVEMBER 2025

- No breach
- Remedied voluntarily
- Not expedient
- Other
- Planning permission granted
- Immune from enforcement action
- Complied with Notice



2.19 The graph below shows the total number of cases received each year, as well as the number of cases closed from that year (Up to 10 November 2025 in 2025).



2.20 For 2025, the Enforcement Team has opened more cases than have been closed and the overall number of outstanding cases has been decreasing.

- January 2023, there were 545 active enforcement cases,
- 1 June 2023, there were 419 active enforcement cases,
- 8 April 2024 there were 267 active enforcement cases,
- October 2024, there were 235 active enforcement cases,
- 11 February 2025, there were 216 active enforcement cases,
- 10 November 2025, there were 273 active enforcement cases.

2.21 For a full team of three officers, there is a current average case load of around 91 cases at this time. This is a high case load and illustrates the pressures on the Council's Planning Enforcement function. The currently desired case load for each officer would be around 50 cases, which for a team of three would mean a total case load of 150 cases.

Formal Enforcement Action

2.22 There are a range of formal enforcement options open to the Council when considering enforcement action including the following:

Enforcement Notice
Breach of Condition Notice
Planning Enforcement Order
Stop Notice
Temporary Stop Notice
Injunction
Section 215 Notice (Untidy Land)
Listed Building Enforcement Notices

2.23 Formal action including the service of an Enforcement Notice should only be taken where the Council is satisfied that there appears to be a breach of planning control and it is expedient to do so. In deciding whether to issue the Council has to take into account the provisions of the Development Plan and any other material considerations. Generally taking such action should be treated as a last resort where negotiations to remedy the issue have failed. There will of course be instances where negotiation is not appropriate.

2.24 Whilst Enforcement Notices are a powerful tool, the fact that an Authority may not have served a large number of notices doesn't mean that it is failing to manage or deal with unauthorised development or works within its area.

2.25 In the year of 2025 to date (10 November 2025), the Council has served the following:

Enforcement Notice:

ENF20/0044 – Carlby Hawes Wood, Stamford Road, Witham On The Hill – An Enforcement Notice was served on the land to prevent the material change of use of woodland and buildings to a residential use in the open countryside. The notice

comes into effect in January 2026 and has resulted in a planning application which seeks to address the current breach.

Enforcement Cases of Note, Enforcement Appeals and Prosecutions

2.25 **ENF23/0083** – Valley Lane Long Bennington – The owner of the Land was prosecuted for non-compliance with the Enforcement Notice in January 2025.

2.26 **ENF20/0143** - Land Adjacent To 34 Haddon Road, Stamford – The owner of the Land was prosecuted for non-compliance with the Enforcement Notice in January 2025. Following this the Enforcement Team has worked with the owner to secure compliance with the Notice.



Before



After (Land seeded for Grass)

ENF22/00079 – 15 Vine Street, Grantham – A Section 215 Notice was served on the property due to its poor condition having a negative effect on the amenity of the surrounding area. The property is now occupied and the Notice has been complied with. Further informal action is being taken with regards to the adverts on the Listed Building.



April 2023



August 2024



September 2025

High Hedge Notice:

ENF23/0009 - 27 Swallow Hill, Thurlby– A high hedge notice was served requiring a hedge to be lowered which was complied with by the owner within time, but an appeal has been received and is currently being reviewed by the Planning

Inspectorate. The Planning Inspectorate varied the Notice to further reduce the hedges height to 6 metres. This has now been complied with.

3. Key Considerations

- 3.1. The report is for noting and highlights the work that the planning enforcement team has carried out since 2025.

4. Other Options Considered

- 4.1 The report is for noting therefore there are no other options considered.

5. Reasons for the Recommendations

- 5.1. It is important that work of the enforcement team are monitored and reported to the Committee for scrutiny.

6. Background Papers

SKDC Development Management Enforcement Policy: [Microsoft Word - AMENDED PLANNING ENFORCEMENT POLICY - FINAL VERSION FEB 2017.doc](#)