

Due to the COVID-19 outbreak it is unlikely the Enforcement Team will be able to keep within the timescales as set out below. However, we are working extremely hard to progress planning enforcement investigations and thank you in advance for your patience and understanding.

Enforcement investigation process

Step 1

Report Received

The best way to report a matter to us is through our website at www.cornwall.gov.uk/reportbreach
Please remember to include your telephone number.

Step 2

Triage

A member of the team will contact you, by phone wherever possible, if mandatory information is missing, or to discuss the matter to get a better understanding of the issues and to advise you whether we are able to assist. If further investigations are not necessary you will be advised of this and no further action will be taken.
If not, go to step 3.

Step 3

Case required

Further investigations are necessary. A case will be created and an acknowledgement letter will be sent to you providing the reference number of the case.

2 weeks*

Step 4

Investigations underway

such as:

- Check planning history
- Check any approved plans
- Site visit
- Meeting with owner/occupier
- Consider legislation and guidance
- Gather own evidence
- Consider third party evidence
- Discuss with other council teams or other agencies
- Land registry searches
- Obtaining information via formal notices (Planning Contravention Notice, Requisition for Information or Interview Under Caution)

Step 5

Breach identified

Yes - continue to step 6

No - Case will be closed and you will be provided with a summary of our findings

9 weeks*

Step 6

Working to find appropriate outcome

such as:

- Regularise with application
- Negotiate remedial works
- Negotiate removal of unauthorised works

Step 7

Negotiations successful

No - Continue to Step 8

Yes - Case will be closed and you will be provided with a summary of our findings

16 weeks*

Step 8

Consider expediency of formal action

- Assess against local and national policy
- Consider the harm caused and the material planning considerations
- Consultee comments
- Consider relevant appeal decisions/case law
- Consider personal circumstances and Human Rights
- Consult divisional member

16 weeks*

Step 9

Commence formal action

such as:

- Draft notice and prepare appendices/report
- Discuss with owner/occupier
- Discuss implications with other teams within the Council
- Inform the local councillor
- Liaising with contractors
- Checking land registry details
- Site visit

30 weeks*