

Agenda 7a)

COUNCIL

TO THE TOWN COUNCIL

18/04/24

**Milly Southworth**

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**From:** Chris Cooper-Young <Chris.Cooper-Young@cornwall.gov.uk>  
**Sent:** 09 April 2024 16:25  
**To:** clerk@torpointtowncouncil.gov.uk  
**Cc:** MyEmails DMS  
**Subject:** EN23/00336 - Land At Fisgard Way

Information Classification: CONTROLLED

Dear Mrs Camilla Southworth,

**Compliance check for Breach of Condition Notice dated 11.05.2022 served under reference EN21/01553; namely conditions 6 (hours of operation), 7 (UHP hours of operation) and 10 (landscaping) of PA20/02211 not being complied with.**

Further to previous correspondence I have now had legal advice regarding bringing prosecution proceedings for the above continued breach of planning control.

Whilst the prima facie evidence would normally be sufficient to merit such action, there are technical reasons why proceedings in the courts cannot be brought, in this instance in the public interest. I realise that this will be disappointing. I will ask for a new case to be set up to review the planning history and assess the planning harm arising from the issues on the land.

However, the above referenced prosecution file will now be closed.

With kind regards

Chris

**Chris Cooper-Young MSc AssocRTPI | Principal Development Officer  
Cornwall Council | Regulatory Services | Development Management | Enforcement**  
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TR1 3AY**

**I work compressed hours, please note my working days are Monday, Tuesday, Thursday & Friday.**

Important Notice that may affect your planning application: From 1 January 2019, Cornwall Council will be a Community Infrastructure Levy (CIL) Charging Authority, and any new development could be liable to pay a CIL. Visit [www.cornwall.gov.uk/cil](http://www.cornwall.gov.uk/cil) now to find out how CIL may affect your development.

