



Planning (Wales) Act 2015

2015 anaw 4

PART 7 **E+W**

ENFORCEMENT, APPEALS ETC

Appeals

45 **Restrictions on right to appeal against planning decisions** **E+W**

In section 78 of TCPA 1990 (right to appeal against planning decisions and failure to take such decisions), after subsection (4A) insert—

“(4AA) An appeal under this section may not be brought or continued against the refusal of an application for planning permission if—

- (a) the land to which the application relates is in Wales,
- (b) granting the application would involve granting planning permission in respect of matters specified in an enforcement notice as constituting a breach of planning control, and
- (c) on the determination of an appeal against that notice under section 174, planning permission for those matters was not granted under section 177.

(4AB) An appeal under this section may not be brought or continued against the grant of an application for planning permission subject to a condition, if—

- (a) the land to which the application relates is in Wales,
- (b) an appeal against an enforcement notice has been brought under section 174 on the ground that the condition ought to be discharged, and
- (c) on the determination of that appeal, the condition was not discharged under section 177.”

Commencement Information

II S. 45 partly in force; s. 45 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)

Changes to legislation: There are currently no known outstanding effects for the Planning (Wales) Act 2015, Section 45. (See end of Document for details)

I2 S. 45 in force at 16.3.2016 in so far as not already in force by S.I. 2016/52, **art. 5(c)** (with art. 15)

Changes to legislation:

There are currently no known outstanding effects for the Planning (Wales) Act 2015, Section 45.