

*These notes refer to the Planning (Wales) Act 2015
(c.4) which received Royal Assent on 6 July 2015*

PLANNING (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 7 Enforcement Appeals etc

Section 45 – Restrictions on right to appeal against planning decisions

171. **Section 45** amends section 78 of the TCPA 1990 by inserting new subsections (4AA) and (4AB).
172. The effect is to prevent consecutive appeals in respect of an unauthorised development. Subsection (4AA) prevents an appeal against the refusal of planning permission for development where that development has been the subject of an enforcement notice and planning permission for that development was not granted in an appeal against the enforcement notice. Subsection (4AB) has a similar effect by preventing appeals against the refusal of planning permission subject to conditions, where a condition was not previously discharged in an appeal.