



Deddf Cynllunio (Cymru) 2015

2015 dccc 4

RHAN 7

GORFODI, APELAU ETC

Apelau

46 Cyfyngiadau ar hawl i apelio yn erbyn hysbysiad gorfodi

Yn adran 174 o DCGTh 1990 (apelio yn erbyn hysbysiad gorfodi), ar ôl is-adran (2C) mewnosoder—

“(2D) An appeal against an enforcement notice may not be brought on the ground that planning permission ought to be granted in respect of a breach of planning control constituted by a matter stated in the notice, as specified in subsection (2) (a), if—

- (a) the land to which the enforcement notice relates is in Wales, and
- (b) the enforcement notice was issued after a decision to refuse planning permission for a related development was upheld on an appeal under section 78 (and for this purpose development is “related” if granting planning permission for it would involve granting planning permission in respect of the matter concerned).

(2E) An appeal may not be brought on the ground that a condition or limitation ought to be discharged, as specified in subsection (2)(a), if—

- (a) the land to which the enforcement notice relates is in Wales, and
- (b) the enforcement notice was issued after a decision to grant planning permission subject to the condition or limitation was upheld on an appeal under section 78.

(2F) For the purposes of subsections (2D) and (2E), references to a decision that has been upheld on an appeal include references to a decision in respect of which—

- (a) the Welsh Ministers have, under section 79(6), declined to determine an appeal or to proceed with the determination of an appeal;

Statws This is the original version (as it was originally enacted).

(b) an appeal has been dismissed under section 79(6A).”