



# Deddf Cynllunio (Cymru) 2015

2015 dccc 4

## RHAN 7

GORFODI, APELAU ETC

### *Gorfodi*

#### **43 Torri rheolaeth gynllunio: hysbysiad rhybudd gorfodi**

- (1) Mae DCGTh 1990 wedi ei diwygio fel a ganlyn.
- (2) Ar ôl adran 173 mewnosoder—

#### **“173ZA Enforcement warning notice: Wales**

- (1) This section applies where it appears to the local planning authority that—
  - (a) there has been a breach of planning control in respect of any land in Wales, and
  - (b) there is a reasonable prospect that, if an application for planning permission in respect of the development concerned were made, planning permission would be granted.
- (2) The authority may issue a notice under this section (an “enforcement warning notice”).
- (3) A copy of an enforcement warning notice is to be served—
  - (a) on the owner and the occupier of the land to which the notice relates, and
  - (b) on any other person having an interest in the land, being an interest that, in the opinion of the authority, would be materially affected by the taking of any further enforcement action.
- (4) The notice must—

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*Statws* This is the original version (as it was originally enacted).

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- (a) state the matters that appear to the authority to constitute the breach of planning control, and
  - (b) state that, unless an application for planning permission is made within a period specified in the notice, further enforcement action may be taken.
- (5) The issue of an enforcement warning notice does not affect any other power exercisable in respect of any breach of planning control.”
- (3) Yn adran 171A, yn is-adran (2) (camau sy’n gyfystyr â chymryd camau gorfodi), cyn “or” mewnosoder—
- “(aa) the issue of an enforcement warning notice (defined in section 173ZA);”.
- (4) Yn adran 188 (cofrestr hysbysiadau gorfodi ac atal etc)—
- (a) yn is-adran (1), ar ôl paragraff (a) mewnosoder—
    - “(aa) to enforcement warning notices;”;
  - (b) yn is-adran (2), ym mharagraff (a), ar ôl “enforcement notice” mewnosoder”, enforcement warning notice,”.

#### **44 Apelio yn erbyn hysbysiad gorfodi: cais tybiedig am ganiatâd cynllunio**

- (1) Mae adran 177 o DCGTh 1990 (rhoi neu addasu caniatâd cynllunio mewn apelau yn erbyn hysbysiadau gorfodi) wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (1C), yn lle’r geiriau o’r dechrau hyd at “subsection” rhodder “Subsection”.
- (3) Yn is-adran (5), yn lle’r geiriau o’r dechrau hyd at “in England and” rhodder “Where—
  - (a) an appeal against an enforcement notice is brought under section 174, and
  - (b)”.