

*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 43 – Breach of planning control: Enforcement warning notice

166. This section inserts section 173ZA into the TCPA 1990.
167. Section 173ZA introduces enforcement warning notices. Local planning authorities are able to serve an enforcement warning notice where it appears to them that there has been a breach of planning control and there is a reasonable prospect that planning permission would be granted if an application were to be submitted. Copies of the notice must be served on the owner, occupier and any other person having an interest in the land. Notices must identify the breach of planning control and state that further enforcement action may be taken if a planning application for the breach is not submitted within a specified time.
168. Enforcement warning notices constitute the taking of enforcement action and therefore have the effect of providing local planning authorities with a period of 4 years to take further enforcement action in respect of the breach, by virtue of section 171B(4) of the TCPA 1990.