

Further information about us is available on the Welsh Government website at <https://gov.wales/appeal-planning-decision>

ENFORCEMENT APPEAL

If you need this document in large print, on audio tape, in Braille or in another language, please contact on 0300 0604400. **To help you fill in this form correctly please refer our Procedural guide for Wales.**

WARNING: Your appeal must be received by Planning and Environment Decisions Wales before the effective date of the Local Planning Authority's Enforcement Notice.

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT - The name of the person(s) making the appeal **must** be a person who has been served with the Enforcement Notice. **If this is not the case the appeal cannot be registered.**

Name	
Organisation Name (if applicable)	

B. AGENT (if any) FOR THE APPEAL

Name	
Organisation Name (if applicable)	
Reference	

C. LOCAL PLANNING AUTHORITY (LPA)

Name of the LPA	
Date of issue of the Enforcement Notice	
Effective date of the Enforcement Notice	
Reference number on the Enforcement Notice	

D. APPEAL SITE ADDRESS

Land affected (please give full address)	
Postcode	

	YES*	NO
Are there any health and safety issues at, or near the site which the Inspector would need to take into account when visiting the site? <i>*If yes, please explain</i>		

	Owner	Tenant	Mortgagee
What is your/the appellant's interest in the land?			

	YES	NO
If none of these apply did you/the appellant occupy the land under a written or oral licence BOTH on the date the Enforcement Notice was issued AND on the date of making the appeal?		
If "NO", what is your/the appellant's involvement in the land?		

	YES	NO
Does the works affect the setting of a listed building?		
Is the appeal site within an Area of Outstanding Natural Beauty?		
Does the site lie within a conservation area?		
Does the site lie within a green belt/green wedge?		

E. GROUND AND FACTS

Please tick which of the following grounds of appeal apply to your case and give facts in support of each ground chosen. Refer to



a **That planning permission should be granted for what is alleged in the notice**

Section 174 (2)(a) of the Town and Country Planning Act says “that in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged”.



b **That the breach of control alleged in the enforcement notice has not occurred as a matter of fact**

Section 174(2)(b) says “that those matters have not occurred”.

E. GROUNDS AND FACTS (continued)

		<input checked="" type="checkbox"/>
c	That there has not been a breach of planning control (<i>for example, because permission has already been granted or it is “permitted development”</i>)	
Section 174(2)(c) says “that those matters (if they occurred) do not constitute a breach of planning control”.		
		<input checked="" type="checkbox"/>
d	That, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice	
Section 174(2)(d) says “that at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters”		
NOTE: if you choose ground (d) an inquiry will normally be necessary to test the evidence		

E. GROUNDS AND FACTS (continued)

		<input checked="" type="checkbox"/>
e	The notice was not properly served on everyone with an interest in the land	
Section 174(2)(e) says “that copies of the enforcement notice were not served as required by section 172”.		
		<input checked="" type="checkbox"/>
f	The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections <i>Please state how you think the requirements should be varied</i>	
Section 174(2)(f) says “that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach”.		
		<input checked="" type="checkbox"/>
g	That the time given to comply with the notice is too short. <i>Please state what you consider to be a reasonable compliance period and why.</i>	
Section 174(2)(g) say “that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed”		

F. PROCEDURE (see guidance for further information)

Appeals dealt with under Part 4 of The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 can be considered on the basis of written representation, a hearing, an inquiry or combined proceedings. In accordance with the Town and Country Planning (Determination of Procedure) (Wales) Order 2017, the Planning and Environment Decisions Wales will make a determination as to the most appropriate procedure and will review it throughout the process.

Please tick one box only

I consider the written representations procedure is appropriate.	<input type="checkbox"/>
I do not consider that the written representations procedure is appropriate for the reasons given in the box below. I accept that it will be the Planning and Environment Decisions Wales decision as to whether a hearing, inquiry or combination will take place.	<input type="checkbox"/>

If you feel that a hearing or inquiry is needed please provide your full reasons below, including the likely number of days you feel that the event will last and how many witnesses you intend to call.

G. COSTS (see guidance for further information)

	YES	NO
Do you intend to submit a costs application with this appeal? <i>If yes, please provide your case below</i>	<input type="checkbox"/>	<input type="checkbox"/>

Please continue on a separate sheet if necessary

H. FEE FOR THE DEEMED PLANNING APPLICATION

		YES	NO
Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice?			
If YES please state:			
a	The date of the relevant application		
b	The date of the LPA's decision (if any)		
		YES	NO
Are there any planning reasons why a fee should not be paid for this appeal? If YES , please explain below			
If NO , and you have pleaded ground (a) to have the deemed planning application considered as part of your appeal, you must pay the fee , shown in the explanatory note which accompanied your enforcement notice.			

I. OTHER APPEALS / APPLICATIONS

		YES	NO															
Have you sent other appeals for this or nearby sites to us, for example against a refusal of planning permission or a lawful development certificate, which have not been decided?																		
If YES please give details and our reference numbers.																		
A	P	P	/						/	/			/					
A	P	P	/						/	/			/					
A	P	P	/						/	/			/					
A	P	P	/						/	/			/					
A	P	P	/						/	/			/					

CHECK, SIGN AND DATE

		YES	NO
I have filled in all parts of the form			
I have attached a copy of the Enforcement Notice and plan to this form			
I have sent a copy of this form and documents to the LPA			
I understand that you may use the information I have given for official purposes in connection with the Town and Country Planning Act 1990 and details including my name, the site description and my grounds of appeal will appear on the Appeals Casework Portal. By submitting this form I am agreeing to the use of the information I provide in this way.			
Name (in capitals)			
Signature		Date	
On behalf of (if applicable)			

SEND

1 COPY to us at:

Planning and Environment Decisions Wales
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

E-mail: PEDW.Casework@gov.wales
PEDW.GwaithAchos@llyw.cymru

Helpline: 0300 0604400

Please keep a copy for your records

1 COPY to the LPA

Send a copy of the appeal form to the address from which the Enforcement Notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

Any enquiries regarding this document/publication should be sent to us at the address above or e-mail: PEDW.Casework@gov.wales/ PEDW.GwaithAchos@llyw.cymru

Personal Details (these will not be made publicly available)

1. APPELLANT PERSONAL DETAILS

Address	
Postcode	
Daytime Telephone	
E-mail	

	English	Welsh
Language Preference		

	E-mail	Post
I prefer to be contacted by		

2. AGENT PERSONAL DETAILS (if any)

Address	
Postcode	
Daytime Telephone	
E-mail	

	English	Welsh
Language Preference		

	E-mail	Post
I prefer to be contacted by		



The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection Policy can be found at <https://gov.wales/welsh-government-privacy-notice>