

Gorfodi Rheolau Cynllunio Planning Enforcement

Gary Glenister

Lle a Chynaliadwyedd - Y Gwasanaethau Cynllunio
Place and Sustainability - Planning Services

Adran Lle a Seilwaith / Department of Place and Infrastructure

Cyngor **Sir Gâr**
Carmarthenshire
County Council



Gorfodi Rheolau Cynllunio | Planning Enforcement

Cyflwyniad

Bydd y cyflwyniad hwn yn nodi beth yw Gorfodi Rheolau Cynllunio, y pwerau statudol sydd gennym, ein sefyllfa bresennol o gymharu â'n sefyllfa yn y gorffennol, y broses, ynghyd â chyflwyno'r tîm.

Ni allaf drafod achosion unigol oherwydd gallai hyn fod yn niweidiol i'r broses statudol

Introduction

This presentation will set out what Planning Enforcement is, the Statutory powers we hold, where we are compared with where we were, the process, and introduce the team.

I cannot discuss individual cases as this may be prejudicial to the statutory process.

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Yr hyn rydym yn ei wneud

Mae gorfodi yn un o rannau mwyaf cymhleth y system gynllunio ac mae'n fater sy'n peri pryder i lawer o aelodau'r cyhoedd, o gofio'r angen i sicrhau bod camau priodol yn cael eu cymryd yn erbyn achosion annerbyniol o dorri rheolaeth er budd ehangach y cyhoedd.

What we do

Enforcement is one of the most complex parts of the planning system and is an issue that concerns many members of the public, given the need to ensure that appropriate action is taken against unacceptable breaches of control in the wider public interest.

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Ymchwilir i bob cwyn ddilys bob amser, ond mae'r gwasanaeth yn ôl disgresiwn felly nid yw bob amser yn bosibl nac yn addas i'r Awdurdod gymryd camau yn erbyn datblygiadau anawdurdodedig.

Valid complaints will always be investigated, however the service is discretionary so it is not always possible or expedient for the Authority to take action against unauthorised development.

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Bydd y tîm gorfodi rheolau cynllunio 'n ymchwilio i gefndir pob achos ac yn cynnal ymweliad(au) safle os oes angen, ac yn dilyn hyn penderfynir a fydd camau pellach yn cael eu cymryd.

The planning enforcement team will research the background of every case and carry out a site visit/s where necessary, following this a decision will be made on whether further action will be taken.

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Gall ein tîm gorfodi rheolau cynllunio ymchwilio i achosion posibl o dorri rheolau cynllunio fel:

- Gwaith anawdurdodedig i adeiladau rhestredig;
- Dymchwel adeiladau neu strwythurau mewn ardal gadwraeth heb awdurdod;
- Gwaith Anawdurdodedig ar goed sy'n destun Gorchymyn Cadw Coed neu unrhyw goed mewn ardal gadwraeth;
- Adeiladau Anawdurdodedig (h.y. estyniadau, adeiladau allanol, ffensys, waliau);
- Newid Anawdurdodedig o ran defnydd adeiladau a/neu dir heb ganiatâd cynllunio (gan gynnwys isrannu tai yn fflatiau/Tai Amlfeddiannaeth neu garafanau preswyl) lle nad yw'r newid defnydd yn ddatblygiad a ganiateir*;
- Hysbysebion ac arwyddion anawdurdodedig;
- Peidio â chydymffurfio ag amodau sy'n gysylltiedig â chaniatâd cynllunio;
- Peidio ag adeiladu yn unol â'r cynlluniau a gymeradwywyd ar gyfer caniatâd cynllunio;
- Gwaith Peirianyddol Anawdurdodedig, megis codi lefelau tir neu fyndiau pridd;
- Cuddio adeiladau neu newid defnydd anawdurdodedig yn fwriadol
- Cloddio mwynau heb awdurdod
- Trin neu waredu gwastraff heb awdurdod

Our planning enforcement team can investigate possible breaches of planning control such as:

- Unauthorised works to listed buildings;
- Unauthorised Demolition of buildings or structures in a conservation area;
- Unauthorised Works to trees subject of a Tree Preservation Order (“TPO”) or any trees in a conservation area;
- Unauthorised Buildings (i.e. extensions, outbuildings, fences, walls);
- Unauthorised Change of use of buildings and/or land without planning permission (inc. sub-division of houses to flats / Houses in Multiple Occupation or residential caravans) where the change of use is not permitted development*;
- Unauthorised advertisements and signage;
- Non-compliance with conditions attached to planning permissions;
- Not building in accordance with the approved plans of planning permissions;
- Unauthorised Engineering operations, such as raising of ground levels or earth bunds;
- Deliberate concealment of unauthorised buildings or change of use
- Unauthorised mineral extraction
- Unauthorised treatment or disposal of waste

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Materion gorfodi nad ydynt yn ymwneud â chynllunio, na allwn ymchwilio iddynt:

- Gwaith mewnol i adeilad. Nid yw hyn yn cynnwys adeiladau rhestredig; (Rheoliadau Adeiladu o bosibl)
- Parcio cerbydau masnachol ar y briffordd neu ar ymylon glaswellt;
- Anghydfodau perchnogaeth tir/ffiniau neu faterion tresmasu; (Mater sifil)
- Torri cyfamodau mewn gweithredoedd eiddo; (Mater sifil)
- Strwythurau/ffensys dros dro sy'n gysylltiedig â gwaith adeiladu; (Adran Priffyrdd)
- Strwythurau peryglus neu faterion iechyd a diogelwch eraill; (Rheoliadau Adeiladu/yr Awdurdod Gweithredol Iechyd a Diogelwch)
- Rhedeg busnes o gartref lle nad yw'r gweithgareddau'n cynnwys gweithwyr ac mae'r prif ddefnydd yn dal i fod yn breswyl;
- Dibrisio eiddo; (Sifil)
- Materion yn ymwneud â waliau cydrannol (Sifil)
- Materion sy'n ymwneud â difrodi eiddo neu anaf (posibl) i bersonau (Tai/sifil)
- Planhigion anffrodorol ymledol (sifil oni bai bod y planhigion yn tarddu o dir Awdurdod Lleol)

Non-planning enforcement issues, which we cannot investigate:

- Internal works to a building. This does not include listed buildings; (possibly Building Regulations)
- Parking of commercial vehicles on the highway or on grass verges;
- Land ownership/boundary disputes or trespass issues; (Civil issue)
- Infringements of covenants in property deeds; (Civil issue)
- Temporary structures/fencing associated with building works; (Highways Section)
- Dangerous structures or other health and safety issues; (Building Regulations/HSE)
- Running a business from home where activities do not include employees and the main use is still residential;
- Devaluing of property; (Civil)
- Issues relating to party walls (Civil)
- Issues relating to damage of property or (potential) injury to persons (Housing/civil)
- Invasive non-native plants (civil unless the plants originate from Local Authority land)

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Pwerau Gorfodi

- Hysbysiad Gorfodi
- Hysbysiad Torri Amodau
- Hysbysiad Rhybudd Gorfodi
- Adran 215
- Hysbysiad Stop [Dros Dro]

Enforcement Powers

- Enforcement Notice
- Breach of Condition Notice
- Enforcement Warning Notice
- Section 215
- [Temporary] Stop Notice

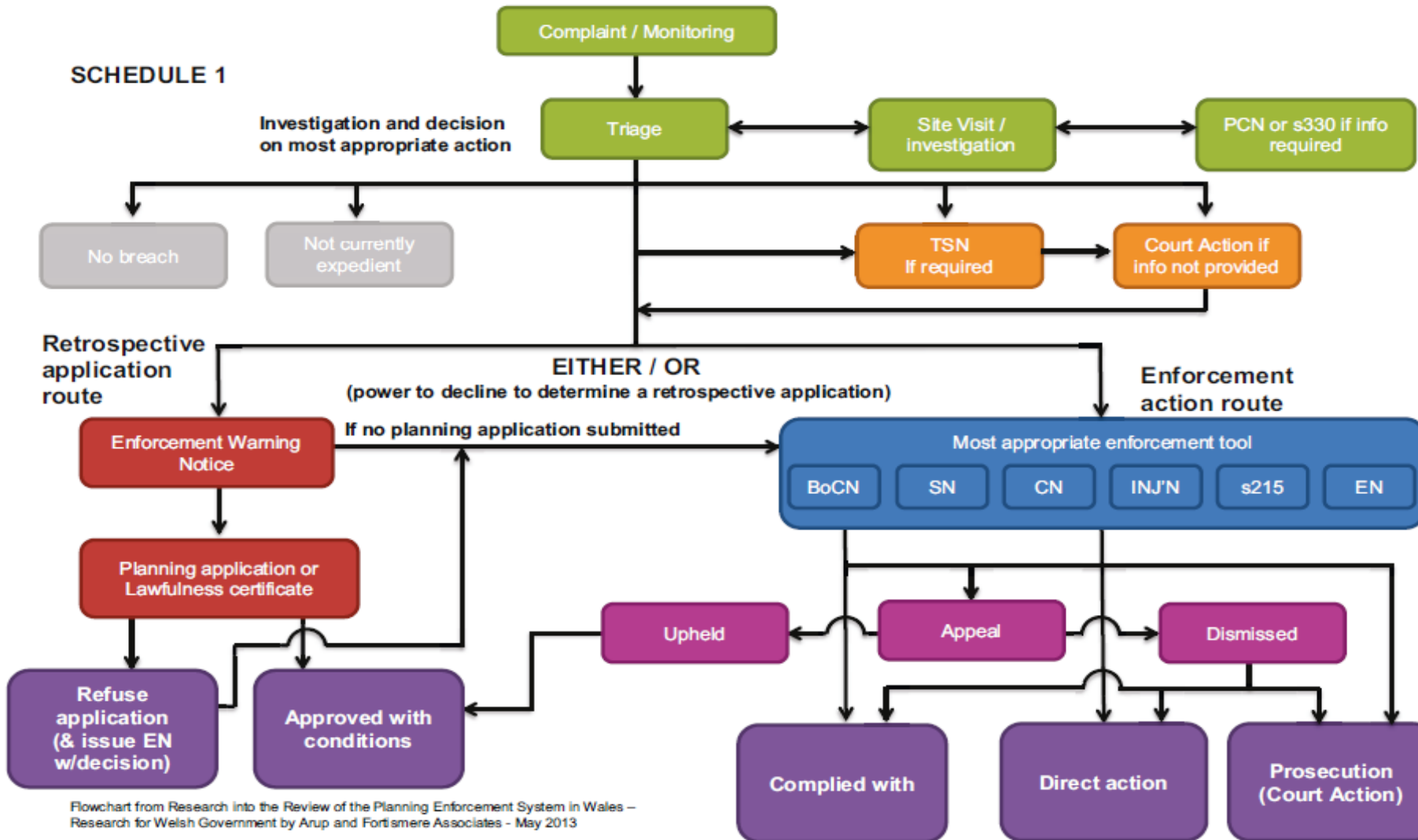
Os oes achos o beidio â chydymffurfio: If non compliance:

- Erlyniad
- Gwaharddeb
- Gweithredu Uniongyrchol
- Prosecution
- Injunction
- Direct Action

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Map o'r Broses

Process Map



Flowchart from Research into the Review of the Planning Enforcement System in Wales – Research for Welsh Government by Arup and Fortismere Associates - May 2013

Development Management Manual – Section 14 Annex

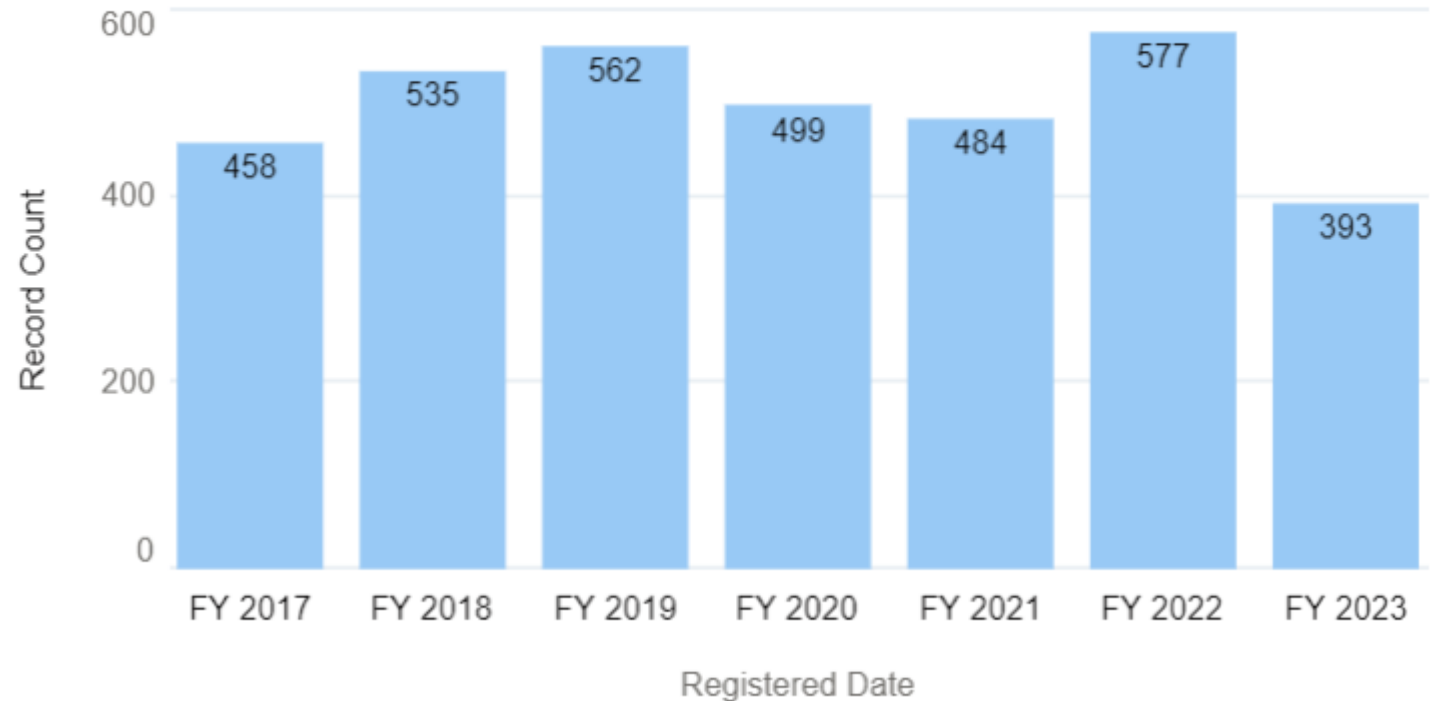
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Ystadegau – Nifer yr Achosior

All Enforcement Cases Registered by Financial Year
FY 2021 would be 21/22



Stats – Number of Cases

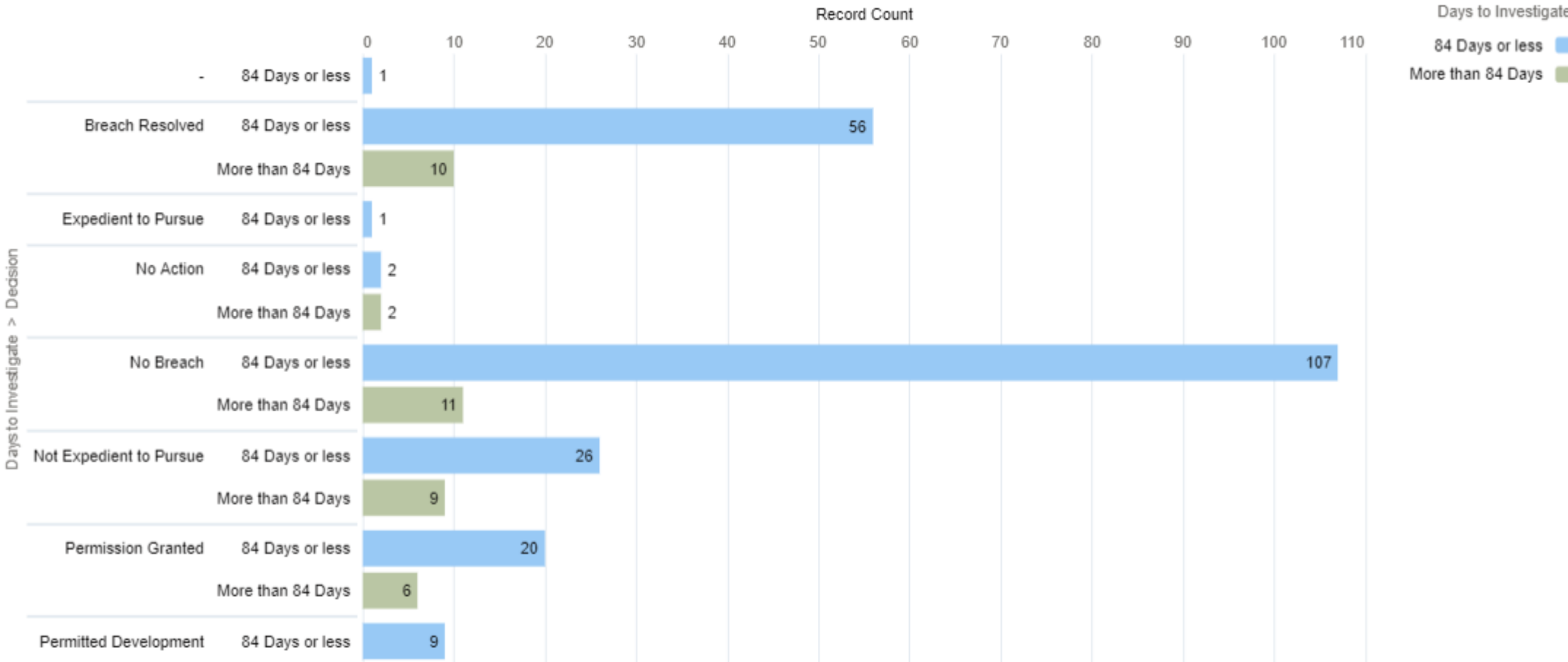


[View Report \(All Enf Cases Registered by FY\)](#)

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Canlyniadau / Outcomes

Enforcement CUMULATIVE - 23/24 - Type



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Cyswllt â'r cyhoedd drwy Hwb
Cynllunio

660 o Ymholiadau 2022/23

546 o Ymholiadau 2023/24 (hyd yn
hyn)

Ymholiadau i'r Uned Gwasanaethau
Democrataidd (Cynllunio a Gorfodi)

477 o Ymholiadau 2022/23

325 o Ymholiadau 2023/24 (hyd yn
hyn)

Public contact via Planning Hwb

660 Queries 2022/23

546 Queries 2023/24 (to date)

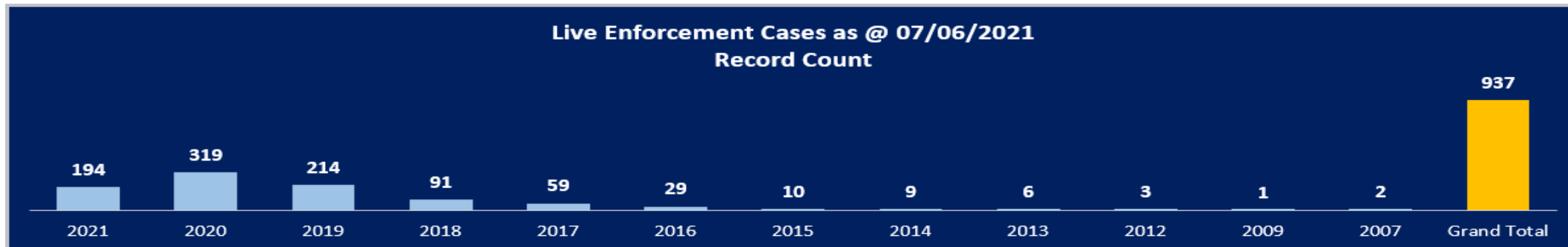
DSU Queries (Planning and
Enforcement)

477 Queries 2022/23

325 Queries 2023/24 (to date)

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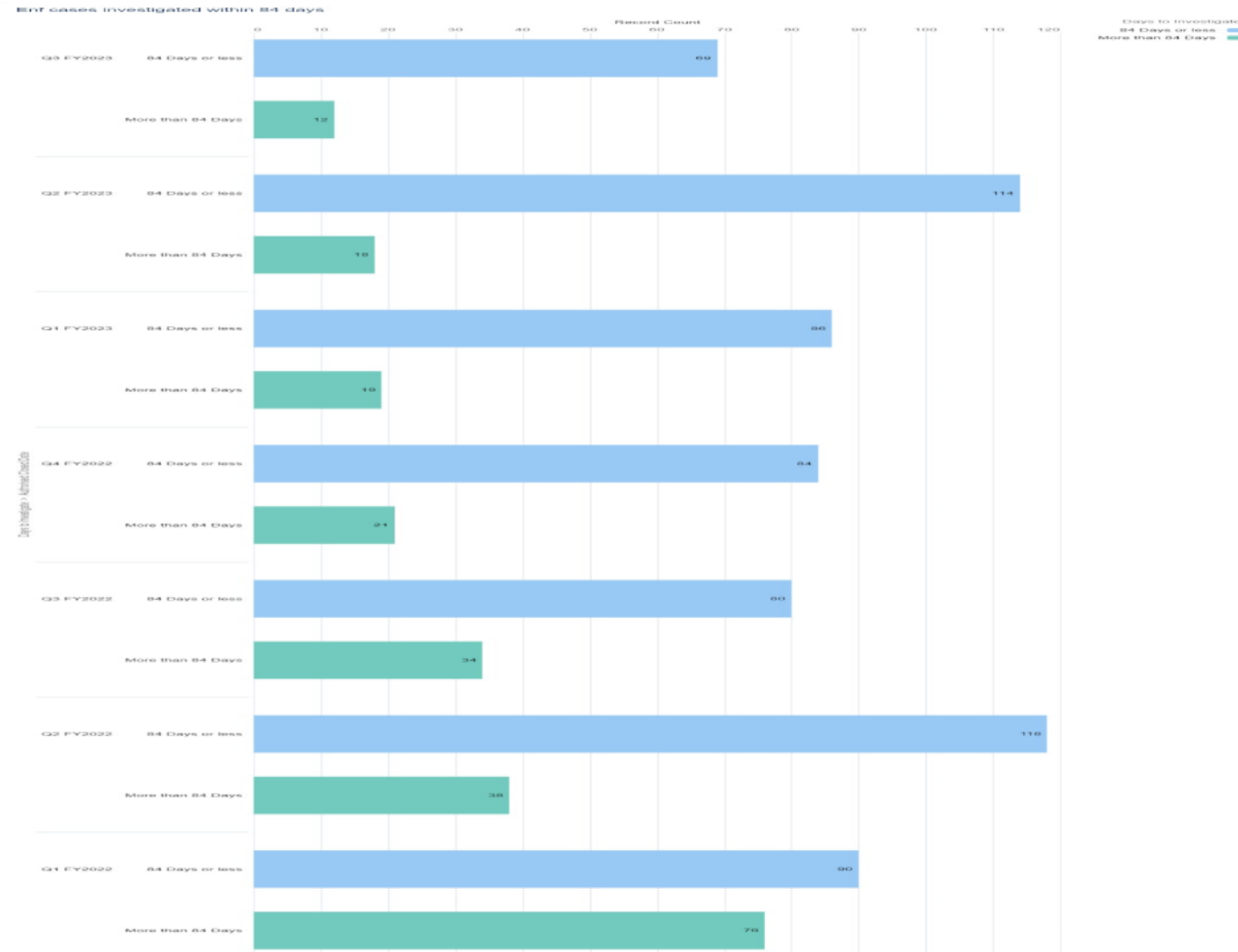
Graffiau'n dangos yr ôl-groniad yn lleihau
Graphs showing backlog shrinking



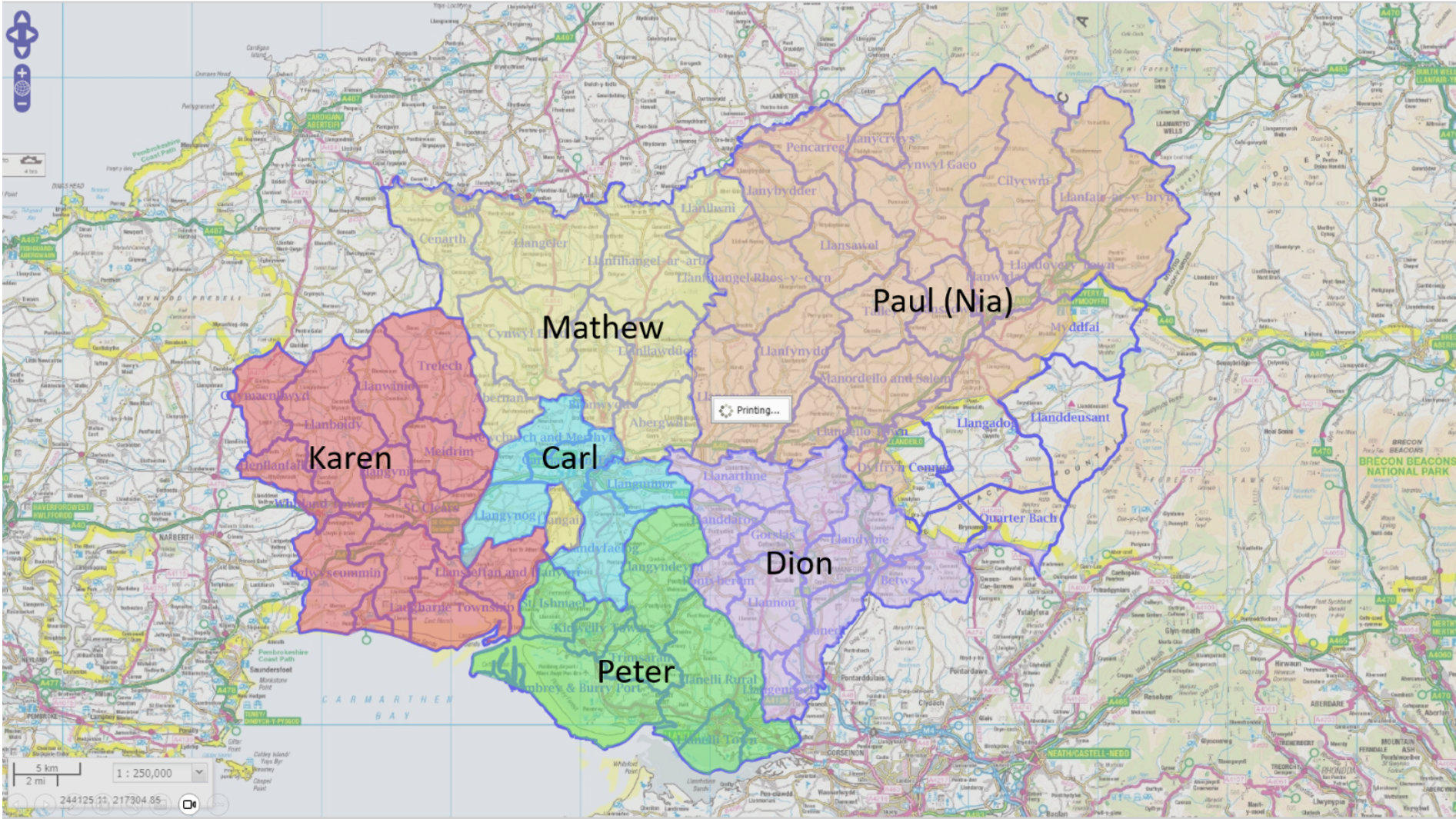
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Perfformiad:
Ymchwiliad o
fewn 84 diwrnod
Blwyddyn
Ariannol 2022
hyd heddiw.

Performance:
Investigation
within 84 Days
FY2022 to date.



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Rhoi gwybod am
achos o dorri
rheolau

Report a Breach

The screenshot shows the Carmarthenshire Council website's 'Planning' section. The 'Breaches of Planning' link is highlighted with a red dashed circle. The website header includes navigation links such as 'My Accounts', 'Pay', 'Apply / Request', 'Report', 'Claim what's yours', and 'In my area'. The main content area is organized into three columns of links under the 'Planning' heading.

- ← Back
 - 🏠 Planning
 - FAQs - Planning
 - Extending / changing your home
 - Search for a planning application
 - Map of planning applications
 - Comment on a planning application
 - Submit a planning application
 - Pre-application service
 - Pre-application consultation (PAC)
 - How planning decisions are made
 - Sustainable Drainage Systems (SuDS)
 - Breach of planning
 - Planning Enforcement Statement
 - Building a new house
 - Highways planning liaison
 - Major Planning Applications
 - Planning appeals
 - Planning Policy
 - Local Development Plan 2006 - 2021
 - LDP Review Report
 - Supplementary Planning Guidance (SPG)
 - Affordable Housing
 - Affordable Housing areas
 - Annual Monitoring Report (AMR)
 - Housing Land Supply
 - Community Infrastructure Levy (CIL)
 - My Nearest - Planning information
 - Planning Ecology
 - Local Development Plan 2018 - 2033
 - Integrated Sustainability Appraisal and Habitats Regulations Assessment
 - Delivery Agreement
 - Candidate Sites
 - Inspector's Report and Adoption
 - Submission and Independent Examination
 - Second Deposit Revised Local Development Plan
 - Preferred Strategy (Pre-Deposit Public Consultation)
 - Development of an evidence base
 - Frequently asked questions
 - First Deposit Revised LDP
 - Planning permission for developers
 - Section 106: Affordable homes
 - Section 106: Planning obligations
 - Development Viability Model (DVM) Assessment Tool
 - Local Development Order (LDO)

Planning Enforcement

Rhoi Gwybod Am Achos o Dorri Rheolau Cynllunio

The screenshot shows the website of Carmarthenshire County Council. The page is titled "Cynllunio" (Planning) and is part of a navigation menu. The "Systemau Draenio Cynaliadwy" (Sustainable Drainage Systems) link is circled in red. The page content is organized into three columns of links and information.

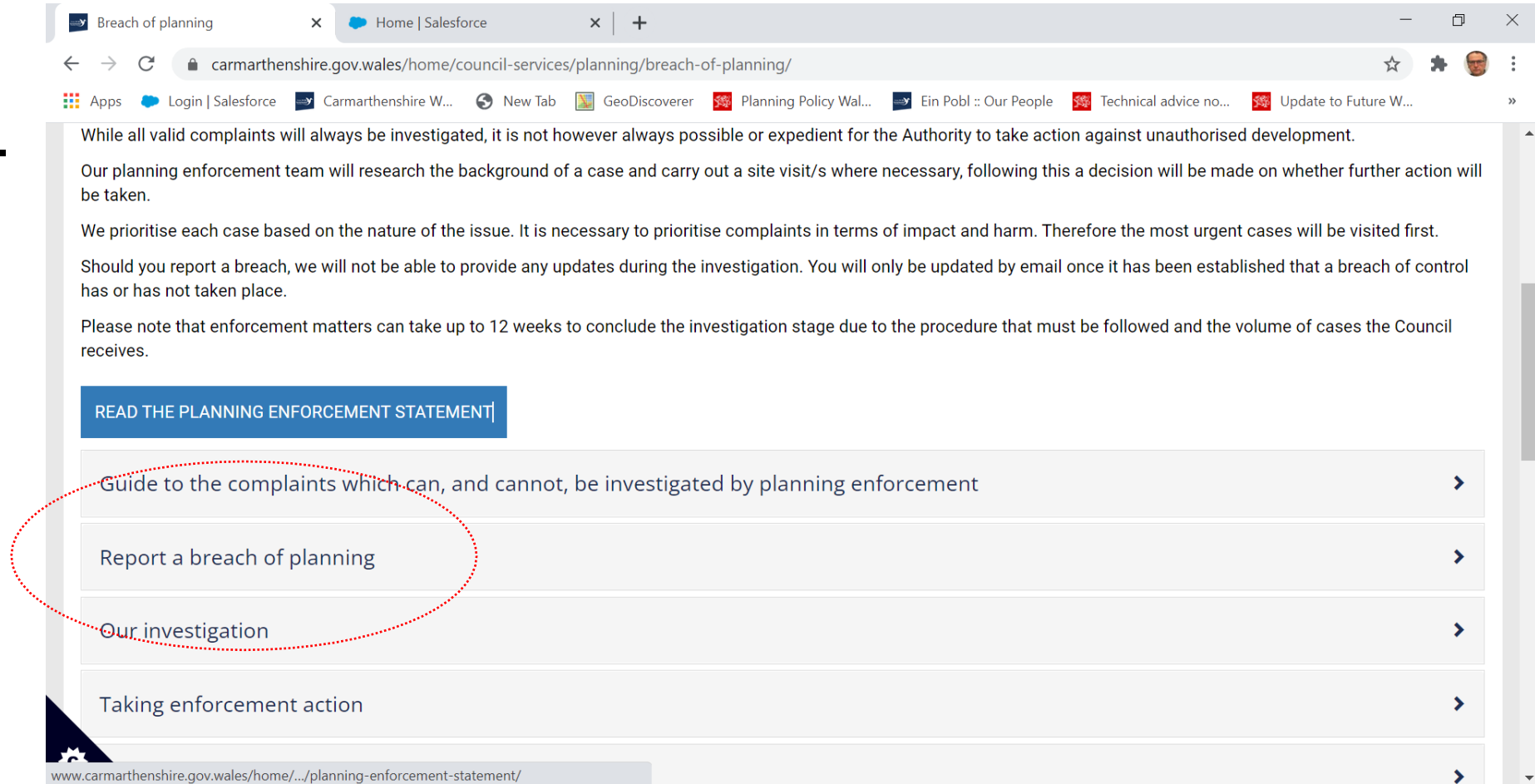
← Nôl

- Cynllunio**
 - Cwestiynau Cyffredin - Cynllunio
 - Ymestyn / newid eich cartref
 - Chwilio am gais cynllunio
 - Map o geisiadau cynllunio
 - Cyflwyno sylwadau ar gais cynllunio
 - Cyflwyno cais cynllunio
 - Gwasanaeth cyn cyflwyno cais
 - Ymgynghoriad Cyn Ymgeisio (PAC)
 - Sut y gwneir penderfyniadau cynllunio
 - Systemau Draenio Cynaliadwy**
 - Torri rheolau cynllunio
 - Datganiad Gorfodi Rheolau Cynllunio
- Adeiladu ty newydd**
 - Cyswllt cynllunio prifffyrdd
 - Brosiectau Cynllunio Mawr
 - Apeliadau cynllunio
 - Polisi Cynllunio
 - Cynllun Datblygu Lleol 2006 - 2021
 - Adroddiad Adolygu
 - Canllawiau Cynllunio Atodol (CCA)
 - Tai Fforddiadwy
 - Ardaloedd Tai Fforddiadwy
 - Adroddiad Monitro Blynnyddol (AMB)
 - Cyflenwad tir ar gyfer tai
 - Ardoll Seilwaith Cymunedol (ASC)
- Fy Un Agosaf - Gwybodaeth Cynllunio**
 - Cynllunio Ecolleg
 - Canllaw i Ymgynghorwyr Ecolleg
 - Budd Net i Fioamrywiaeth
 - Rhywogaethau a chynefinoedd a warchodir
 - Targedau ffosffad newydd
- Adeiladau rhestredig**
 - Deall rhestru
- Cynllun Datblygu Lleol 2018 - 2033**
 - Arfarniad Cynaliadwydd Integredig ac Asesiad Rheoliadau Cynefinoedd Cytundeb Cyflawni
 - Safleoedd Ymgeisio
 - Adroddiad yr Arolygydd a Mabwysiadu'r Cynllun Cyflwyno'r Cynllun, ac Archwiliad Annibynnol Cynllun Datblygu Lleol Diwygiedig Adneuo
 - Strategaeth a Ffefrir (Ymgynghoriad Cyhoeddus Cyn Adneuo)
 - Datblygu sylfaen o dystiolaeth
 - Cwestiynau cyffredin
 - Cynllun Datblygu Lleol Diwygiedig Adneuo Cyntaf
- Caniatâd cynllunio i ddatblygwyr**
 - Adran 106: Cartrefi Fforddiadwy
 - Adran 106: Rhwymedigaethau Cynllunio
 - Offeryn Asesu Model Hyfywedd Datblygu
- Gorchymyn Datblygu Lleol (GDLI)**
- Gwnewch gais am arian Adran 106**
- Cadwraeth a chefn gwlad**
 - Coed
 - Gwneud cais i gael gwared â gwrych
 - Tir comin
- Gwastraff**

Gorfodi Rheolau Cynllunio | Planning Enforcement

Rhoi gwybod am
achos o dorri
rheolau

Report a Breach



Breach of planning

Home | Salesforce

carmarthenshire.gov.wales/home/council-services/planning/breach-of-planning/

Apps Login | Salesforce Carmarthenshire W... New Tab GeoDiscoverer Planning Policy Wal... Ein Pobl :: Our People Technical advice no... Update to Future W...

While all valid complaints will always be investigated, it is not however always possible or expedient for the Authority to take action against unauthorised development.

Our planning enforcement team will research the background of a case and carry out a site visit/s where necessary, following this a decision will be made on whether further action will be taken.

We prioritise each case based on the nature of the issue. It is necessary to prioritise complaints in terms of impact and harm. Therefore the most urgent cases will be visited first.

Should you report a breach, we will not be able to provide any updates during the investigation. You will only be updated by email once it has been established that a breach of control has or has not taken place.

Please note that enforcement matters can take up to 12 weeks to conclude the investigation stage due to the procedure that must be followed and the volume of cases the Council receives.

[READ THE PLANNING ENFORCEMENT STATEMENT](#)

- [Guide to the complaints which can, and cannot, be investigated by planning enforcement](#)
- [Report a breach of planning](#)
- [Our investigation](#)
- [Taking enforcement action](#)

www.carmarthenshire.gov.wales/home/.../planning-enforcement-statement/

Planning Enforcement

Rhoi Gwybod Am Achos o Dorri Rheolau Cynllunio

Cyngor Sir Gâr
Carmarthenshire
County Council

Dewiswch iaith ▼ Cymorth sain / gweledol 🔊 🗿 A-Y ▼

Gwasanaethau Cyngor ▼ Busnes ▼ Cyngor a Democratiaeth ▼ Newyddion

Fy Nghyfrifon £ Talu Cyflwyno cais Rhoi gwybod Hawliwch bopeth Yn fy ardal

Gwasanaethau Cyngor / Cynllunio / Torri rheolau cynllunio

Torri rheolau cynllunio

Diweddarwyd y dudalen ar: 31/08/2023

✉️ f X in

Mae gorfodi yn un o rannau mwyaf cymhleth y system gynllunio ac mae'n fater sy'n peri pryder i lawer o aelodau'r cyhoedd, o gofio'r angen i sicrhau bod camau priodol yn cael eu cymryd yn erbyn achosion annerbyniol o dorri rheolaeth er budd ehangach y cyhoedd.

Er yr ymchwilir i bob cwyn ddilys bob amser, nid yw bob amser yn bosibl nac yn addas i'r Awdurdod gymryd camau yn erbyn datblygiadau anawdurdodedig.

Bydd ein tîm gorfodi rheolau cynllunio yn ymchwilio i gefndir achos ac yn cynnal ymweliad(au) safle, ac yn dilyn hyn penderfynir a fydd angen cymryd camau pellach ai peidio.

Rydym yn blaenoriaethu pob achos yn seiliedig ar natur y mater. Mae angen blaenoriaethu cwynion o ran effaith a niwed. Felly, byddwn yn ymweld â'r achosion brys yn gyntaf.

Os byddwch yn rhoi gwybod am achos o dorri rheolau, ni fyddwn yn gallu darparu unrhyw ddiweddariadau i chi yn ystod yr ymchwiliad. Dim ond drwy e-bost y cewch y wybodaeth ddiweddaraf a hynny ar ôl penderfynu a fu achos o dorri rheolaeth ai peidio.

Sylwch y gall materion gorfodi gymryd hyd at 12 wythnos i gwblhau'r cam ymchwilio oherwydd y weithdrefn y mae'n rhaid ei dilyn a nifer yr achosion y mae'r Cyngor yn eu derbyn.

DARLLENWCH DDATGANIAD GORFODI RHEOLAU CYNLLUNIO

- Canllaw ynghylch y cwynion y gall y tîm gorfodi rheolau cynllunio ymchwilio iddynt ai peidio: >
- Rhoi gwybod am achos o dorri rheolau cynllunio >
- Ein hymchwiliad >
- Cymryd camau gorfodi >

Gorfodi Rheolau Cynllunio | Planning Enforcement

Rhoi gwybod am
achos o dorri
rheolau

Report a Breach

Breach of planning

Home | Salesforce

carmarthenshire.gov.wales/home/council-services/planning/breach-of-planning/

Apps Login | Salesforce Carmarthenshire W... New Tab GeoDiscoverer Planning Policy Wal... Ein Pobl :: Our People Technical advice no... Update to Future W...

Before you ask us to investigate a planning issue, did you know that some building work does not require planning permission. This is known as permitted development. If you're not sure what is and isn't allowed please read the above guide on the type of development that can be undertaken without planning permission.

You should also check if the site has planning permission. You can [search for a planning application online](#) by location, date and more. It won't take long and you'll be able to see if planning permission has been granted and what conditions are in place.

If you're concerned about bats being disturbed, nesting birds or owls you can [report this to the Wildlife crime officer in the police](#).


Below is a list of the type of information that would assist us in dealing with your complaint:

- ✓ An accurate description of the location or address for the particular site;
- ✓ A detailed description of the activities taking place and why they are cause for concern;
- ✓ Names, addresses, phone numbers and email addresses of those persons responsible for the alleged breach or the landowners;
- ✓ The date and times of when the alleged breach took place;
- ✓ Any other information or evidence (including photos) that may be able to assist;
- ✓ Your name and contact details as set out above - please do not we do not investigate anonymous complaints

The details you provide will be used to follow up your complaint. If you can provide photos this will help us with our investigation.

We may have to work with partner organisations such as the police. We will not share your personal details with anyone else without your consent.

REPORT A BREACH OF PLANNING

 Our investigation >

Planning Enforcement

Rhoi Gwybod Am Achos o Dorri Rheolau Cynllunio

Rhoi gwybod am achos o dorri rheolau cynllunio

Cyn i chi ofyn i ni ymchwilio i fater cynllunio, a oeddech yn gwybod nad oes angen caniatâd cynllunio ar gyfer rhai mathau o waith adeiladu? Gelwir hyn yn ddatblygiad a ganiateir Ganllaw uchod ynghylch y math o ddatblygiad y gellir ei wneud heb ganiatâd cynllunio.

Dylech hefyd gadarnhau a oes gan y safle ganiatâd cynllunio. Gallwch [chwilio am gais cynllunio ar-lein](#) yn ôl lleoliad, dyddiad a mwy. Ni fydd yn cymryd yn hir a byddwch yn gallu Os ydych chi'n poeni ynghylch tarfu ar ystlumod, adar sy'n nythu neu dylluanod, gallwch [roi gwybod am hyn i'r swyddog troseddau bywyd gwyllt yn yr heddlu](#).

Isod ceir rhestr o'r math o wybodaeth a fyddai'n ein cynorthwyo i ddelio â'ch cwyn:

- ✔ Disgrifiad cywir o leoliad neu gyfeiriad y safle penodol;
- ✔ Disgrifiad manwl o'r gweithgareddau sy'n digwydd a pham y maent yn peri pryder;
- ✔ Enwau, cyfeiriadau, rhifau ffôn a chyfeiriadau e-bost y personau hynny sy'n gyfrifol am y toriad honedig neu'r perchnogion tir;
- ✔ Y dyddiad a'r amseroedd pan ddigwyddodd y toriad honedig;
- ✔ Unrhyw wybodaeth neu dystiolaeth arall (gan gynnwys lluniau) a allai gynorthwyo;
- ✔ Eich enw a'ch manylion cyswllt fel y nodir uchod - nid ydym yn ymchwilio i gwynion dienw

Bydd y manylion a roddwch yn cael eu defnyddio i ymchwilio i'ch cwyn. Os gallwch ddarparu lluniau bydd hyn yn ein helpu o ran ein hymchwiliad.

Efallai y bydd yn rhaid i ni weithio gyda sefydliadau partner fel yr heddlu. Ni fyddwn yn rhannu eich manylion personol gydag unrhyw un arall heb eich caniatâd.

[RHOI GWYBOD AM ACHOS O DORRI RHEOLAU CYNLLUNIO](#) ↗

Diolch | Thank you

sirgar.llyw.cymru

carmarthenshire.gov.wales

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County Council

