

Statutory basis for Community and Town Councils to be notified of and submit representation on planning applications

As defined under section 8 of Schedule 1 (Local Planning Authorities: Distribution of Functions) of the Town and Country Planning Act 1990

8(1)

Where a district planning authority or, in a metropolitan county, a local planning authority have been notified in writing by the council of a parish or community wholly or partly situated in the area of that authority that the council wish to be informed:

(a) of every application for planning permission relating to land in the parish or community,

(b) of every application so relating for approval of a matter reserved under an outline planning permission within the meaning of section 92, or

(c) of any description of such applications,

if the authority receive any such application or, as the case may be, an application of any such description they shall inform the council in writing of the application, indicating the nature of the development to which the application relates and identifying the land to which it relates.

8(2)

The provisions which may be contained in a development order shall include provision requiring:

(a) a local planning authority, who are determining any application of which the council of a parish or community are entitled to be informed, to give that council an opportunity to make representations to the local planning authority as to the manner in which the application should be determined and to take into account any such representations;

(b) the district planning authority or, in a metropolitan county, a local planning authority to notify that council of the terms of their or, in a nonmetropolitan county, the county planning authority's decision on any such application or, where the application is referred to the Secretary of State, the date when it was so referred and, when notified to them, the terms of his decision.

Sail statudol i gynghorau cymuned a thref gael eu hysbysu am, a chyflwyno sylwadau ar, geisiadau cynllunio

Fel y diffinir dan adran 8 Atodlen 1 (Awdurdodau Cynllunio Lleol: Dosbarthu Swyddogaethau) Deddf Cynllunio Gwlad a Thref 1990

8(1)

Ble mae awdurdod cynllunio rhanbarth neu, mewn sir fetropolitan, awdurdod cynllunio lleol, wedi cael eu hysbysu'n ysgrifenedig gan gyngor plwyf neu gymuned sy'n gorwedd yn gyfan gwbl neu'n rhannol yn ardal yr awdurdod hwnnw, bod y cyngor yn dymuno cael eu hysbysu:

(a) am bob cais am ganiatâd cynllunio sy'n ymwneud â thir yn y plwyf neu gymuned,

(b) am bob cais perthnasol am gymeradwyaeth i fater a gedwir dan ganiatâd cynllunio amlinellol o fewn ystyr adran 92, neu

(c) am unrhyw ddisgrifiad o geisiadau o'r fath, os bydd yr awdurdod yn derbyn unrhyw gais o'r fath neu, fel y gellir digwydd, cais o unrhyw ddisgrifiad, byddant yn hysbysu'r cyngor am y cais yn ysgrifenedig, gan nodi natur y datblygiad, a lleoliad y tir, y mae'r cais yn ymwneud ag o.

8(2)

Dylai'r darpariaethau a allai gael eu cynnwys mewn gorchymyn datblygu gynnwys darpariaeth sy'n ei gwneud yn ofynnol i:

(a) awdurdod cynllunio lleol, sy'n penderfynu ar unrhyw gais y mae gan y cyngor plwyf neu gymuned hawl i gael eu hysbysu amdano, roi cyfle i'r cyngor hwnnw gyflwyno sylwadau i'r awdurdod cynllunio lleol am y modd y dylid penderfynu ar y cais, ac i ystyried unrhyw sylwadau o'r fath;

(b) awdurdod cynllunio rhanbarth neu, mewn sir fetropolitan, awdurdod cynllunio lleol, hysbysu'r cyngor hwnnw am delerau eu penderfyniad hwy, neu yn achos sir fetropolitan, penderfyniad yr awdurdod cynllunio sirol, ar unrhyw gais o'r fath, neu, ble bydd y cais yn cael ei gyfeirio at yr Ysgrifennydd Gwladol, y dyddiad y cafodd ei gyfeirio a, phan fydd y cyngor yn cael eu hysbysu, telerau ei benderfyniad.

[Cyfieithwyd gan CCC - fersiwn Saesneg yn unig o'r Ddeddf a gyhoeddwyd]