Good Morning,

I can confirm no re-planting of trees is required. We have consulted NRW Forestry and they confirmed that they could not establish that an offence under the Forestry Act had been committed and therefore it would not be possible for NRW to enforce tree planting, therefore it could not be used as a requirement on the Enforcement Notice.

Should the owner appeal the Notice to the Welsh Government, they must do so between now and the date the notice takes effect.

When appealing an enforcement notice, the appeal can be based on one or more of the following seven grounds, as outlined in Section 174(2) of the Town and Country Planning Act 1990.

Ground (a): Planning permission ought to be granted for the development.

Ground (b): The breach of planning control alleged in the enforcement notice has not occurred.

Ground (c): The alleged breach does not require planning permission.

Ground (d): It is too late for the authority to serve an enforcement notice.

Ground (e): Copies of the enforcement notice were not properly served on the relevant parties.

Ground (f): The steps required to comply with the notice are excessive.

Ground (g): The period for compliance with the notice is too short.

The timescale for the determination enforcement appeals with PEDW is lengthy, currently enforcement appeals are taking 12-18 months before determination.

Cofion | Regards,

Elen Thomas

Prif Swyddog Gorfodi Ardal (De) | Principal Area Enforcement Officer (South)
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

---