

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]
Date: 09 May 2023 14:15:51

Good afternoon,

If you would like the deemed planning application for any appeal on ground (a) to be considered, the fee is now payable on your appeal.

If you have appealed on ground (c) or (d), the Inspector has a discretionary power to issue a Lawful Development Certificate (LDC) if he/she determines that the breach of planning control alleged has become lawful through the passage of time. However, this power can only be exercised if you have paid the fee for the deemed planning application and have requested an LDC in advance of the Inspector making a decision.

Please note that even if this is the case, it is still up to the Inspector whether he/she decides to issue an LDC or not. In the event that your appeal succeeds on ground (c) or (d) and the Inspector chooses not to grant you an LDC, you should contact the Local Planning Authority to discuss a refund of your fee.

If you decide to pay, the fee must be received on or before 23 May 2023. If you have not already been advised of the appropriate fee, you must contact the Local Planning Authority for the relevant payment details.

Please note the appeal will not be started until the end of the fee period of **23 May 2023**.

Before you make your decision, please note the following:

Unless the full fee is received by the **Local Planning Authority** by the above date the deemed planning application for any appeal on ground (a) cannot be considered. The appeal would proceed solely on any other ground(s) pleaded. If ground (a) is the only ground pleaded, the entire appeal would lapse. If there are no other appeals against it, the enforcement notice would come into effect.

Where more than one person has appealed against the same notice, only one need pay a fee, or be exempt from paying a fee, for the deemed planning application for any appeal on ground (a) to be considered. You may therefore be content to let your appeal(s) or ground (a) lapse and let the deemed planning application for ground (a) be considered on their appeal(s). It is entirely a matter for you to decide whether or not to pay the fee. **However, the fee cannot be transferred to another appeal if the person who paid their fee, or is exempt from payment, subsequently withdraws their appeal(s).**

If you are unable to pay by the date given, we can extend the payment period in exceptional circumstances but this can only be done **before** the payment period expires. If you feel that there are exceptional circumstances that prevent you from paying the fee by the date given, please let me know **immediately**.

It is too late to do anything if the payment period has passed. The deemed

planning application for any appeal on ground (a) will lapse at the end of that period and **cannot be reinstated**. In addition, you will not be able to have an LDC granted if you make a successful appeal on ground (c) or (d).

Please note under the Town and Country Planning (Enforcement Notice and Appeals) (Wales) Regulations 2017, the full statement of case will be required within 7 days of The Planning Inspectorate receiving this appeal, by 16 May 2023.

Further information about fees can be found on the Welsh Government Website at <http://gov.wales/topics/planning/appeals/appeal-guidance-and-information/enforcement/appeals/?lang=en>

Kind regards,

[REDACTED]
Arweinydd Gwaith Achos | Casework Lead
Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment
Decisions Wales
Llywodraeth Cymru | Welsh Government

[REDACTED]
<https://llyw.cymru/penderfyniadau-cynllunio-ac-amgylchedd-cymru> |
<https://gov.wales/planning-and-environment-decisions-wales>