

---

STATUTORY INSTRUMENTS

---

**1991 No. 1220**

**The Planning(Northern Ireland) Order 1991**

**PART VI**

**ENFORCEMENT**

*Trees*

**Enforcement of duties as to replacement of trees**

**82.**—(1) If it appears to the Department that any conditions of a consent given under a tree preservation order which require the replacement of trees are not complied with in the case of any tree or trees, the Department may, at any time within four years from the date of the alleged failure to comply with the said conditions, issue a notice requiring a tree or trees of such size and species as may be specified in the notice to be planted within such period as may be so specified.

(2) Articles 68(5), (12), (14) and (15) and 72 and 74 shall with any necessary modifications apply to a notice under this Article as they apply to an enforcement notice.

(3) Subject to the following provisions of this Article, a notice under this Article shall take effect on a date specified in it.

(4) A person having an estate in the land to which a notice under this Article relates may, at any time before the date specified in the notice as the date on which it is to take effect, by notice in writing appeal to the planning appeals commission.

(5) Where an appeal is brought under paragraph (4), the notice under this Article shall be of no effect pending the final determination or the withdrawal of the appeal.

(6) Article 70 shall, with any necessary modifications, apply to an appeal against a notice under this Article as it applies to an appeal against an enforcement notice.