



Jersey

# **PLANNING AND BUILDING (APPLICATION PUBLICATION) (JERSEY) ORDER 2023**

## **Official Consolidated Version**

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Showing the law from 31 May 2023 to Current



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**PLANNING AND BUILDING (APPLICATION  
PUBLICATION) (JERSEY) ORDER 2023**

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## PLANNING AND BUILDING (APPLICATION PUBLICATION) (JERSEY) ORDER 2023

**THE MINISTER FOR THE ENVIRONMENT** makes this Order under Articles 11 and 124 of the [Planning and Building \(Jersey\) Law 2002](#) –

Commencement [[see endnotes](#)]

### 1 Interpretation

In this Order –

“application” means an application for planning permission in accordance with Article 9 of the Law (and includes an application under Article 20 or 21 of the Law);

“Law” means the [Planning and Building \(Jersey\) Law 2002](#).

### 2 Publicity for applications

- (1) An application must be publicised –
  - (a) by the Chief Officer, in accordance with paragraph (2) of this Article; and
  - (b) by the applicant, in accordance with Article 3.
- (2) The Chief Officer must cause notice of an application to be published, including by publication on a website maintained by the Minister for that purpose, in a manner that –
  - (a) is likely to bring the application to the attention of the public;
  - (b) advises members of the public where they may obtain further details of the application; and
  - (c) advises members of the public of the manner in which they may provide representations to the Chief Officer in respect of the application.
- (3) Paragraph (1) does not apply in relation to a change made to an application, if the Chief Officer is of the opinion that the change is a marginal change which does not need to be publicised.

### 3 Applicant to display site notice

- (1) After receiving an application, the Chief Officer must send to the applicant a site notice in a form that the Chief Officer provides for this purpose.

- (2) The applicant must, as soon as practicable after receiving a site notice, display the site notice on the land or building to which the application relates.
- (3) For the purpose of compliance with paragraph (2), the site notice must be –
  - (a) firmly fixed to an object, signpost or board;
  - (b) displayed in the same location for at least 21 consecutive days;
  - (c) clear and legible; and
  - (d) if practicable, capable of being read from a public place which adjoins or is closely adjacent to the land.
- (4) The applicant must –
  - (a) certify, in a form that the Chief Officer provides for this purpose, that the site notice has been displayed in accordance with this Article; and
  - (b) provide to the Chief Officer photographic evidence of the display of the site notice.
- (5) For the purposes of the offence specified in Article 10(1) of the Law, a certificate and any photographic evidence provided under paragraph (4) is taken to form part of the application to which the site notice relates.

#### **4 Written representations in respect of planning applications**

- (1) During the relevant period any person may send to the Chief Officer a written representation in relation to the application.
- (2) A written representation must contain the name and contact details of the person providing the representation.
- (3) If, before the expiry of the relevant period, a public inquiry is announced in respect of the application, any written representations received by the Chief Officer are to be treated, under the [Planning and Building \(Public Inquiries\) \(Jersey\) Order 2008](#), as representations for the purposes of the inquiry.
- (4) In this Article, “relevant period” means –
  - (a) the period comprising 21 consecutive days beginning with whichever is the later of –
    - (i) the date of publication of the notice in accordance with Article 2(2), or
    - (ii) the date on which the site notice is first displayed in accordance with Article 3(2); or
  - (b) if the Chief Officer considers that it would be in the public interest, a longer period that the Chief Officer considers appropriate.

**5** <sup>1</sup>

#### **6 Citation and commencement**

This Order may be cited as the Planning and Building (Application Publication) (Jersey) Order 2023 and comes into force 7 days after it is made.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement	°Projet No (where applicable)
Planning and Building (Application Publication) (Jersey) Order 2023	<a href="#">R&amp;O.38/2023</a>	31 May 2023	

°Projets available at [statesassembly.gov.je](https://statesassembly.gov.je)

### Table of Endnote References

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<sup>1</sup> Article 5 *spent, omitted*