



Jersey

PLANNING AND BUILDING (GENERAL DEVELOPMENT) (JERSEY) ORDER 2011

Official Consolidated Version

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Contents

Article

1	Interpretation	4
2	Planning permission for development	6
3	Use classes	6
4	Directions restricting permitted development	6
5	Savings	7
6	Citation	7

SCHEDULE 1 **8**

PERMITTED DEVELOPMENT	8
PART 1	8
WORK CARRIED OUT TO, AND WITHIN THE CURTILAGE OF, A DWELLING-HOUSE	8
PART 2	13
WORK CARRIED OUT TO, AND WITHIN THE CURTILAGE OF, A BUILDING CONTAINING ONE OR MORE FLATS	13
PART 3	17
REPAIRS, MAINTENANCE AND MINOR WORKS TO LAND AND BUILDINGS	17
PART 4	25
THE INSTALLATION OF EQUIPMENT FOR THE GENERATION OF ELECTRICITY FROM RENEWABLE SOURCES OR FOR THE EFFICIENT USE OF ENERGY	25
PART 5	27
DEVELOPMENT AT INDUSTRIAL OR SIMILAR PREMISES	27
PART 6	28
DEVELOPMENT BY PROVIDERS OF PUBLIC SERVICES AND UTILITIES	28
PART 7	30
DEMOLITION	30
PART 8	31

CHANGES OF USE	31
ANNEXURE	33
PART 1	33
PART 2	34
SCHEDULE 2	35
USE CLASSES	35
Class A – Shop	35
Class B – Cafes and restaurants	35
Class C – Office	35
Class D – Agriculture	36
Class E – Warehouse	36
Class F – Tourism accommodation	36
Class G – Social	36
Class H – Sport and fitness	36
Class I – Entertainment	36
Class J – Residential institutions	37
Class K – Medical and welfare.....	37
Class L – Special institutions.....	37
Class M – Late night entertainment and drinking venues	37
ENDNOTES	38
Table of Legislation History.....	38
Table of Renumbered Provisions	38
Table of Endnote References	38



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THE MINISTER FOR PLANNING AND ENVIRONMENT, in pursuance of Articles 8(3)(a) and 124 of the [Planning and Building \(Jersey\) Law 2002](#), orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

In this Order, unless the context otherwise requires –

“AAP” means an area designated by the Minister as an area of archaeological potential pursuant to the Supplementary Planning Guidance published under Article 6 of the Law in January 2008 entitled “Planning Policy Note 1 Archaeology and Planning”, and listed in the Schedule to that guidance entitled “Schedule of sites of archaeological interest”;

“agricultural land” means land to which the [Protection of Agricultural Land \(Jersey\) Law 1964](#) applies;

“apron” includes the taxiway, perimeter track and aircraft manoeuvring area but does not include the runway;

“building” does not include plant or machinery or a structure or erection in the nature of plant or machinery but does include any other structure or erection and a part of a building as so defined;

“CA” means an area designated as a conservation area pursuant to the Island Plan;

“day care accommodation” has the same meaning as in the [Day Care of Children \(Jersey\) Law 2002](#);

“dormer window” means a projecting upright window in a sloping roof, the height of which is lower than the apex of the roof from which it projects;

“dwelling-house” does not include a building containing 1 or more flats;

“external area”, in respect of a building, includes internal floor area, wall thickness, roof eaves, and all overhangs of the building;

“flat” means a self-contained separate set of premises that –

- (a) is constructed for use as a dwelling;
- (b) includes within it, for the exclusive use of the occupiers, a toilet and washing and cooking facilities; and
- (c) forms part of a building which is divided horizontally from another part of that building;

“ground floor level” in respect of a building means the level immediately below the 1st floor of the building to the ground level;

“ground level”, in respect of a building –

- (a) means the level of the surface of the ground immediately adjacent to and within 1 metre of the building; or
- (b) if the level of the surface of the ground on which it is situated or is to be situated is not uniform, means the level of the lowest part of the surface of the ground adjacent to and within 1 metre of the building;

“guest house” means premises registered in the Guest House Register under the [Tourism \(Jersey\) Law 1948](#);

“highway authority”, in the case of a road repairable at the expense of the States or a parish, means, in relation to –

- (a) a main road, the Minister for Infrastructure; or
- (b) a by-road, the Roads Committee of the parish in which the road is situated;

“hire vehicle” has the same meaning as in Article 1 of the [Motor Vehicle Registration \(General Provisions\) \(Jersey\) Order 1993](#);

“industrial land” means land used to carry out an industrial process;

“industrial process” means any process that is necessary or incidental –

- (a) to make an article or part of an article;
- (b) to alter, repair, ornament, finish, clean, wash, pack or can, or to adapt for sale or to demolish an article;

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

“listed building or place” or “LBP” means a site of special interest as defined by Article 50 of the Law;

“Minister’s register” means the register of buildings and sites of architectural, archaeological and historical importance maintained and published by the Minister in accordance with the Island Plan and referred to in the guidance and policy published under Article 6 of the Law in November 2008, entitled “Supplementary Planning Guidance: Practice Note 9: The identification and designation of buildings and places of architectural, archaeological, historical or other interest”;

“motor vehicle” has the same meaning as in the [Road Traffic \(Jersey\) Law 1956](#);

“painting” means applying colour;

“pLBP” means a building or place registered in the Minister’s register as a potential listed building or place (whether or not formerly registered in that register as a Building of Local Interest or as a proposed Site of Special Interest);

“principal elevation”, in respect of a building, means any elevation of the building that faces, and is within 20 metres of, a road;

“private way” means a road or footpath that is not repairable at the expense of the States or any parish;

“public authority” includes a statutory corporation established for a public purpose, a parish and any Minister;

“road” means a road, bridge, viaduct or subway which is repairable at the expense of the States or any parish, and includes the carriageway, footpath and any other part of such a road, bridge, viaduct or subway;

“school” means a nursery school, primary school or secondary school (within the meaning of the [Education \(Jersey\) Law 1999](#));

“security camera” means a closed circuit television or any other system for recording or viewing visual images for the purpose of assisting in the safeguarding of persons or property;

“skylight” means a window set in the plane of a roof and protruding (when closed) no more than 10 centimetres above the plane of the roof in which it is set;

“solar panel” means a microgeneration solar photovoltaic panel or solar thermal panel;

“sun-pipe” means a tube inserted in the roof of a building for the purpose of transporting and diffusing daylight to the interior of the building;

“telecommunications services” means any service consisting in the installation, maintenance, adjustment, repair, alteration, moving, removal or replacement of apparatus that is or is to be connected to a telecommunication system.¹

2 Planning permission for development²

- (1) Planning permission is hereby granted by the Minister for the classes of development in Schedule 1.³
- (2) Any permission granted by paragraph (1) is subject to any relevant exceptions, limitations or conditions specified in Schedule 1.

3 Use classes

- (1) Planning permission is hereby granted by the Minister where a building or other land is used for a purpose specified in a use Class set out in Schedule 2 to use the building or land for another purpose specified in that use Class.
- (2) A use which is ordinarily incidental to and included in a use set out in Schedule 2 is not excluded from that use as an incident of that use merely by reason of its specification in that Schedule as a separate use.
- (3) A use which is not specified in a use class set out in Schedule 2 shall require planning permission.⁴

4 Directions restricting permitted development

- (1) This Article applies where the Minister is satisfied that in respect of a particular building or land it is expedient that –

- (a) permitted development described in a Part, Class or paragraph set out in Schedule 1; or
 - (b) a change of use within a use Class set out in Schedule 2,should not be carried out unless permission is granted by the Minister on application made to the Minister.
- (2) The Minister may give a direction that the permission granted by Article 2 or 3, as the case may be, shall not apply in respect of the building or land to –
 - (a) all or any development of the Part, Class or paragraph; or
 - (b) the change of use within the use Class,specified in the direction.
- (3) The Minister must serve notice of a direction given under paragraph (2) on the owner and (if different) the occupier of the building or land to which it applies.
- (4) A direction under paragraph (2) has effect from the service of the notice on the owner of the building or land in accordance with paragraph (3).
- (5) A direction may be given as a condition of any planning permission in respect of the building or land to which the direction applies.
- (6) Where a direction is so given the planning permission shall have effect as if it were notice served in accordance with paragraph (3).

5 Savings

- (1) Nothing in this Order permits development contrary to any conditions imposed by the Minister on the previous grant of any planning permission.
- (2) Nothing in the Order exempts a person carrying out development for which permission is granted by this Order from compliance with Building Bye-laws or any other enactment.
- (3) The permission granted by this Order shall not apply if –
 - (a) in the case of permission granted in connection with an existing building, the building operations involved in the construction of that building are unlawful;
 - (b) in the case of permission granted in connection with an existing use, that use is unlawful.

6 Citation

This Order may be cited as the Planning and Building (General Development) (Jersey) Order 2011.

SCHEDULE 1⁵

(Article 2)

PERMITTED DEVELOPMENT**PART 1****WORK CARRIED OUT TO, AND WITHIN THE CURTILAGE OF, A
DWELLING-HOUSE**

CLASS A	
Permitted development	<p>A.1 The erection, construction or placing, and the maintenance, improvement or other alteration within, the curtilage of a dwelling-house of –</p> <ul style="list-style-type: none"> (a) a structure required for a purpose (other than human habitation) incidental to the enjoyment of the dwelling-house as such; (b) an extension to a dwelling, including a conservatory, canopy or porch, or the conversion of a garage attached to a dwelling, for human habitation; (c) the replacement of any conservatory roof; (d) the installation of a retractable awning on the dwelling-house.
Work not permitted	<p>A.2 Work is not permitted by Class A if –</p> <ul style="list-style-type: none"> (a) with the exception of the erection of a flagpole, canopy or porch, (whether free-standing or attached) any part of the structure, retractable awning, extension or garage is in front of a principal elevation of the dwelling-house; (b) with the exception of the erection of a free-standing flagpole, the dwelling-house and its curtilage is or forms part of a LBP or pLBP or is in an AAP; (c) the extension or garage conversion is not directly accessible from within the existing dwelling-house;

	<ul style="list-style-type: none"> (d) the extension or garage conversion is, or will be, used for a commercial purpose or as a separate dwelling unit; (e) in the case of the erection of a free-standing flagpole, excavation is involved at a LBP, pLBP or in an AAP; (f) with the exception of the erection of a flagpole, canopy or porch – <ul style="list-style-type: none"> (i) the structure, extension or garage exceeds the maximum height of 3.5 metres above ground level, measured at any part of the roof, or of 2.5 metres above ground level, measured at the lower edge of the roof plane, if the roof is sloping, (ii) the structure, extension or garage exceeds the maximum height of 3 metres above ground level, if the roof is flat, or (iii) the part of the structure (if any) within 1 metre of the boundary of an adjoining property exceeds 2 metres in height; (fa) in the case of a canopy or porch, the external area of the canopy or porch exceeds 3 square metres, the height of the canopy or porch from ground level exceeds 2.75 metres or the canopy or porch is erected within 2 metres of a road; (g) with the exception of the construction of a swimming pool or other pool or a canopy or porch, the total aggregated external area of any structures or buildings erected under this Class since 1st June 2007 exceeds 30 square metres; (h) the work involves the formation or widening of a means of access to a road; (i) the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person.
Conditions	<p>A.3 Any structure, conservatory, extension or garage permitted under Class A.1(a) must not be used for a commercial purpose or for human habitation.</p> <p>A.4 No retaining structure for a swimming pool or other pool shall exceed 1.2 metres in height.</p>

	<p>A.5 In the case of the erection of a flagpole, it must not be used to display an advertisement for which permission is required under the Planning and Building (Display of Advertisements) (Jersey) Order 2006.</p> <p>A.6 In the case of the installation of a retractable awning, it must not be installed above ground floor level.</p>
CLASS B	
Permitted development	B.1 The erection, construction, maintenance, improvement or other alteration within the curtilage of a dwelling-house of a gate, fence, wall or other means of enclosure.
Work not permitted	<p>B.2 Work is not permitted by Class B if –</p> <ul style="list-style-type: none"> (a) the dwelling-house is or forms part of a LBP or pLBP or is in an AAP or, where the dwelling-house is in a CA, if the works are in front of a principal elevation of the dwelling-house; (b) the gate, fence, wall or other means of enclosure abuts onto or is within 2 metres of a road and its highest point will be more than 90 centimetres above the level of the road, or in any other case, its highest point will be more than 2 metres above ground level on either side of it; (c) the work involves the formation or widening of a means of access to a road where the access will be more than 1 metre wide; (d) the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person.
CLASS C	
Permitted development	C.1 The formation within the curtilage of a dwelling-house of a driveway, turning area, car park, patio, pathway, decked area or other hardstanding or raised planting area, or the conversion of any driveway, turning area, car park, patio, pathway, decked area or other hardstanding to a lawn or planting area.
Work not permitted	<p>C.2 Work is not permitted by Class C if –</p> <ul style="list-style-type: none"> (a) in the case of a driveway, turning area or car park –

	<ul style="list-style-type: none"> (i) the dwelling-house is or forms part of a LBP or pLBP or is in a CA, or (ii) the dwelling-house is in an AAP and excavation is involved; (b) the driveway, turning area, car park, patio, pathway, decked area or other hardstanding or raised planting area exceeds 40 centimetres in height above or below the existing ground level; (c) the work involves the formation or widening of a means of access to a road; (d) the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person; (e) the work would result in the discharge of surface water onto a road adjoining the property and the approval of any highway authority to the discharge has not been obtained.
CLASS D	
Permitted development	D.1 The erection, construction or placing, maintenance, improvement or other alteration within the curtilage of a dwelling-house of a tank for the storage of liquid or gaseous fuel for use for the domestic purposes of the dwelling-house.
Work not permitted	D.2 Work is not permitted by Class D if – <ul style="list-style-type: none"> (a) the dwelling-house is or forms part of a LBP or pLBP or is in a CA; or if the dwelling-house is in an AAP and excavation is involved; (b) any part of the work is in front of a principal elevation of the dwelling-house; (c) the capacity of the tank exceeds 3,500 litres; (d) the height of the tank exceeds 2.5 metres above ground level; (e) the work involves the formation or widening of a means of access to a road; (f) the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person.

CLASS E		
Permitted development	E.1	The conversion within a dwelling-house of the roof space for use as habitable accommodation or other purposes ancillary to its use as a dwelling, including the insertion of 1 or more dormer windows or skylights.
Work not permitted	E.2	Work is not permitted by Class E if – <ul style="list-style-type: none"> (a) the dwelling-house is or forms part of a LBP or pLBP; (b) the work includes the insertion of a gable window.
Conditions	E.3	Any dormer window must be installed at least 1 metre from the boundary of any adjoining property; at least 1 metre above the lower edge of the roof plane on which it is installed; at least 1 metre from the roof ridge; and at least 1 metre, when measured horizontally, from any other dormer window on the roof.
	E.4	Where any skylight faces an adjoining residential property and is installed closer than 10 metres from the boundary of that residential property, the lowest part of its frame must be at least 1.7 metres above the finished floor level of the internal roof space.
	E.5	The width of any dormer window, when measured from the outer edges of its frame, must not exceed 1.2 metres.
	E.6	There must not be more than 2 dormer windows on a roof plane and the aggregate area of any dormer windows and skylights installed on a roof plane must not exceed 50% of the total area of the roof plane on which they are installed.
	E.7	The roof space must not be used for a commercial purpose or as a separate unit of accommodation.
	E.8	Any glazed face of a dormer window that faces an adjoining residential property, must be situated no closer than 10 metres from the boundary of the property it faces.
CLASS F		
Permitted development	F.1	The placing of vents, flues, chimneys and similar items, and minor alterations to any dwelling.

Work not permitted	F.2	Work is not permitted by Class F if the building is or forms part of a LBP or pLBP, or is in a CA.
Conditions	F.3	A vent, flue or chimney installed within a roof must not protrude more than 1.5 metres above the plane of the roof in which it is set.
	F.4	A vent, flue or chimney installed on a wall must not protrude more than 30 centimetres from the wall on which it is installed or protrude more than 1.5 metres above the eave or plane of a roof.
	F.5	A flue or chimney must not terminate within 2.5 metres of an opening of an adjoining building or any dwelling.

PART 2

WORK CARRIED OUT TO, AND WITHIN THE CURTILAGE OF, A BUILDING CONTAINING ONE OR MORE FLATS

CLASS A		
Permitted development	A.1	The conversion of the roof space for use for habitable accommodation or other purposes ancillary to the use of a flat, including the insertion of 1 or more dormer windows or skylights.
Work not permitted	A.2	Work is not permitted by Class A if – <ul style="list-style-type: none"> (a) the building is or forms part of a LBP or pLBP; (b) the work includes the insertion of a gable window.
Conditions	A.3	Any dormer window must be installed at least 1 metre from the boundary of any adjoining property; at least 1 metre above the lower edge of the roof plane on which it is installed; at least 1 metre from the roof ridge; and at least 1 metre, when measured horizontally, from any other dormer window on the roof.
	A.4	Where any skylight faces an adjoining residential property and is installed closer than 10 metres from the boundary of that residential property, the lowest part of its frame must be at least 1.7 metres above the finished floor level of the internal roof space.

	<p>A.5 The width of any dormer window, when measured from the outer edges of its frame, must not exceed 1.2 metres.</p> <p>A.6 There must not be more than 2 dormer windows on a roof plane and the aggregate area of any dormer windows and skylights installed on a roof plane must not exceed 50% of the total area of the roof plane on which they are installed.</p> <p>A.7 The roof space must not be used for a commercial purpose or as a separate unit of accommodation.</p> <p>A.8 Any glazed face of a dormer window that faces an adjoining residential property, must be situated no closer than 10 metres from the boundary of the property it faces.</p>
CLASS AA	
Permitted development	AA.1 The installation of a retractable awning on a building.
Work not permitted	<p>AA.2 Work is not permitted by Class AA if –</p> <p>(a) the building is or forms part of a LBP or pLBP;</p> <p>(b) the work involves the installation of a retractable awning onto the principal elevation of the building.</p>
Conditions	<p>AA.3 The retractable awning must not be installed above ground floor level.</p>
CLASS B	
Permitted development	B.1 The erection, construction, maintenance, improvement or other alteration within the curtilage of a building containing a flat of a gate, fence, wall or other means of enclosure.
Work not permitted	<p>B.2 Work is not permitted by Class B if –</p> <p>(a) the building is or forms part of a LBP or pLBP, or is in an AAP or CA;</p> <p>(b) the gate, fence, wall or other means of enclosure abuts onto or is within 2 metres of a road and its highest point will be more than 90 centimetres above the level of the road, or in any other case, its highest point will be more than 2 metres above ground level on either side of it;</p>

	<ul style="list-style-type: none"> (c) the work involves the formation or widening of a means of access to a road where the access will be more than 1 metre wide; (d) the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person.
CLASS C	
Permitted development	C.1 The formation within the curtilage of a building containing a flat of a driveway, turning area, car park, patio, pathway, decked area or other hardstanding, or raised planting area, or the conversion of any driveway, turning area, car park, patio, pathway, decked area or other hardstanding to a lawn or planting area.
Work not permitted	C.2 Work is not permitted by Class C if – <ul style="list-style-type: none"> (a) in the case of a driveway, turning area or car park – <ul style="list-style-type: none"> (i) the building concerned, or its curtilage is or forms part of a LBP or pLBP or is in a CA, (ii) the building concerned, or its curtilage, is in an AAP and excavation is involved; (b) the driveway, turning area, car park, patio, pathway, decked area or other hard standing or raised planting area exceeds 40 centimetres in height above or below the existing ground level; (c) the work involves the formation or widening of a means of access to a road; (d) the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person; (e) the work would result in the discharge of surface water onto a road adjoining the property and the approval of any highway authority to the discharge has not been obtained.
CLASS D	
Permitted development	D.1 The erection, construction or placing, maintenance, improvement or other alteration within the curtilage of a building containing a

	flat of a tank for the storage of liquid or gaseous fuel for use for the domestic purposes of the dwellings.
Work not permitted	<p>D.2 Work is not permitted by Class D if –</p> <ul style="list-style-type: none"> (a) the building or its curtilage is or forms part of a LBP or pLBP or is in a CA; or if the dwelling-house is in an AAP and excavation is involved; (b) any part of the work is in front of a principal elevation of a building; (c) the capacity of the tank exceeds 7,000 litres; (d) the height of the tank exceeds 2.5 metres above ground level; (e) the work involves the formation or widening of a means of access to a road; (f) the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person.
CLASS E	
Permitted development	E.1 The placing of vents, flues, chimneys and similar items, and minor alterations to any dwelling forming part of the building.
Work not permitted	E.2 Work is not permitted by Class E if the building is or forms part of a LBP or pLBP, or is in a CA.
Conditions	<p>E.3 A vent, flue or chimney installed within a roof must not protrude more than 1.5 metres above the plane of the roof in which it is set.</p> <p>E.4 A vent, flue or chimney installed on a wall must not protrude more than 30 centimetres from the wall on which it is installed or protrude more than 1.5 metres above the eave or plane of a roof.</p> <p>E.5 A flue or chimney must not terminate within 2.5 metres of an opening of an adjoining building or any dwelling.</p>

PART 3**REPAIRS, MAINTENANCE AND MINOR WORKS TO LAND AND BUILDINGS**

CLASS A		
Permitted development	A.1	The painting of the exterior, or any part of the exterior of a building or other structure.
Work not permitted	A.2	Work is not permitted by Class A if the building is or forms part of a LBP or pLBP or, where the building is situated in a CA, and the part of the building to be painted has never been painted.
	A.3	Work is not permitted by Class A where the painting is for the purpose of advertisement, announcement or direction.
CLASS AA		
Permitted development	AA.1	Internal alterations or building operations that do not amount to an external change or create new floor space.
Work not permitted	AA.2	Work is not permitted by Class AA if the building is or forms part of a LBP.
CLASS AB		
Permitted development	AB.1	Minor below-ground engineering work of bore holes, drains and other services.
Work not permitted	AB.2	Work is not permitted by Class AB if – (a) the work is for foul sewer systems, including packaged treatment plants, septic tanks or tight tanks; (b) the land is or forms part of a LBP or pLBP, or is in an AAP or CA.
CLASS B		
Permitted development	B.1	The erection, construction or placing and the maintenance, improvement or other alteration of television, radio or other antennae.
Work not permitted	B.2	Work is not permitted by Class B if – (a) in the case of a satellite dish attached to a building, its diameter exceeds 1.2 metres or if it is placed on a principal elevation; (b) the work is the erection, construction or placing of mobile telephone network equipment; or

		<p>(c) the building on which the installation is to be placed is or forms part of a LBP or pLBP, or the building is in a CA and the installation would face a road;</p> <p>(d) in the case of a satellite dish, the work would result in there being more than 1 satellite dish being erected or placed at or on the building.</p>
Condition		Where a satellite dish is placed on land in front of the principal elevation, it must be placed no higher than 1 metre above ground level, measured at its highest point.
CLASS BA		
Permitted development	BA.1	The installation of a security camera on a building.
Work not permitted	BA.2	Work is not permitted by Class BA if the building is or forms part of a LBP or pLBP.
Conditions	BA.3	The field of vision of a security camera must so far as is practicable not extend beyond the boundaries of the land where it is sited.
CLASS BB		
Permitted development	BB.1	The installation of a retractable awning on a building that is day care accommodation or a school.
Work not permitted	BB.2	Work is not permitted by Class BB if the building is or forms part of a LBP or pLBP.
Conditions	BB.3	The retractable awning must not be installed above ground floor level.
CLASS C		
Permitted development	C.1	The provision on land of a building, movable structure, work, vehicular access, plant or machinery required temporarily in connection with and for the duration of any works permitted by the Minister under any enactment being or to be carried out on, in, under or over that land or adjoining land.
Work not permitted	C.2	<p>Work is not permitted by Class C if –</p> <p>(a) the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person;</p>

		(b) in a case where the work is for a vehicular access, the permission of the highway authority has not been obtained.
Conditions	C.3	<p>When the operations have been carried out –</p> <p>(a) any building, movable structure, work, plant or machinery permitted by Class C must be removed as soon as reasonably practicable;</p> <p>(b) any land on which work permitted by Class C has been carried out must, as soon as reasonably practicable, be reinstated to its condition before that work was carried out.</p>
CLASS D		
Permitted development	D.1	Any operation carried out within the boundaries of a private way for the purpose of improving the private way, including the installation of lamp standards, seats, cycle racks, refuse bins, bollards, barriers for the control of people or vehicles, and similar structures required in connection with the private way.
Work not permitted	D.2	<p>Work is not permitted by Class D if –</p> <p>(a) the work or any part of the work is outside the boundaries of the private way; or</p> <p>(b) the land is or forms part of a LBP or pLBP or is in a CA or, in a case where the works involve excavation of ground, the land is in an AAP.</p>
CLASS E		
Permitted development	E.1	The creation of a new means of access or the widening of an existing means of access to an agricultural field for agricultural purposes only.
Work not permitted	E.2	<p>Work is not permitted by Class E if –</p> <p>(a) the land is or is within a LBP or pLBP, or in an AAP or CA;</p> <p>(b) the work would create an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person;</p> <p>(c) the land has any building erected on it other than a building to shelter livestock within the permitted development under Class G of this Part;</p>

		(d) the work involves the construction of a driveway or any hard-surfaced area which extends more than 3 metres from the edge of the highway.
Conditions	E.3	The approval of the relevant highway authority must have been obtained before the means of access is made or widened.
	E.4	Where an existing access is widened, any existing gateposts must be relocated either side of the widened access, and any adjoining roadside wall or banque must be reinstated.
	E.5	The access may be used only for agricultural purposes.
	E.6	Any access created must have – (a) a gatepost made of any natural material of not more than 90 centimetres above ground level in height, erected on each side of the access; (b) reinstated any adjoining roadside wall or banque.
	E.7	Any access must not exceed 5 metres in width
	E.8	Permitted development under this Class E shall be limited to one access per field boundary.
CLASS F		
Permitted development	F.1	The carrying out of any of the following work to a building – (a) the replacement of a window or door; (b) the replacement of a ground floor window with a door or a ground floor door with a window; (c) the creation of new window and door openings on the ground floor; (d) the replacement of roof coverings including a height increase of up to 15 centimetres and the alteration of rain water goods and verges to accommodate the height increase; (e) the installation of a dormer window or a skylight; (f) the installation of a sun-pipe; (g) the blocking up of a window or door;

	<ul style="list-style-type: none"> (h) the reduction of window openings above the ground floor; (i) the replacement of dormer windows and skylights; (j) the reduction or enlarging of windows or doors on the ground floor; (k) the re-rendering (up to a maximum additional wall thickness of 15 centimetres) of areas of a building that are already rendered including the installation of external insulation systems in the render finish.
Work not permitted	<p>F.2 Work is not permitted by Class F if –</p> <ul style="list-style-type: none"> (a) the building is or forms part of a LBP of pLBP or is in a CA; (b) the replacement of a roof covering, including a height increase, alters the shape of the roof; (c) the work includes the insertion of a gable window; (d) the work is to a shop front; (e) any work creates or widens a means of access to a road.
Conditions	<p>F.3 The replacement of the roof covering of an existing sloping roof must be in natural slate or clay tiles, or in exactly the same type of material as the material it is replacing.</p> <p>F.3A The replacement of roof coverings of a flat roof may be in any material.</p> <p>F.4 Any dormer window must be installed at least 1 metre from the boundary of any adjoining property; at least 1 metre above the lower edge of the roof plane on which it is installed; at least 1 metre from the roof ridge; and at least 1 metre, when measured horizontally, from any other dormer window on the roof.</p> <p>F.5 Subject to paragraph F.9, where any skylight faces an adjoining residential property and is installed closer than 10 metres from the boundary of that residential property, the lowest part of its frame must be at least 1.7 metres above the finished floor level of the internal roof space.</p>

	<p>F.6 Subject to paragraph F.9, the width of any dormer window, when measured from the outer edges of its frame, must not exceed 1.2 metres.</p> <p>F.7 Subject to paragraph F.9, there must not be more than 2 dormer windows on a roof plane, and the aggregate area of any dormer windows and skylights must not exceed 50% of the total area of the roof plane on which they are installed.</p> <p>F.8 Subject to paragraph F.9, any glazed face of a dormer window that faces an adjoining residential property, must be situated no closer than 10 metres from the boundary of the property it faces.</p> <p>F.9 In the case of the replacement of an existing skylight or dormer window that does not comply with one or more of the conditions in paragraphs F.5 to F.8, the replacement skylight or dormer window must be of the same dimensions as the skylight or dormer window, as the case may be, that it is replacing, and either be sited in the same position as the original or be re-positioned so as to comply with the conditions in those paragraphs.</p> <p>F.10 Any sun-pipe must not exceed 45 centimetres in diameter, or be higher than 30 centimetres above the roof on which it is installed, measuring from the highest point at which it enters the roof.</p> <p>F.11 New or replacement windows or doors must not encroach over roads or private ways.</p>
CLASS G	
Permitted development	G.1 The erection of a structure on agricultural land to shelter livestock.
Work not permitted	<p>G.2 Work is not permitted by Class G if –</p> <ul style="list-style-type: none"> (a) the work includes the construction or extension of a hardstanding or other solid foundation; or (b) the land or structure is or forms part of a LBP or pLBP, or in a case where the works involve excavation of ground, the land or structure is in an AAP.
Conditions	<p>G.3 Where a structure is erected on or after 1st February 2017 –</p> <ul style="list-style-type: none"> (a) the structure must not exceed 2.5 metres in height nor have an internal area of more than 15 square metres;

		<p>(b) there must not be more than 1 structure with a height of 1.5 metres or more in any 5 <i>vergées</i>;</p> <p>(c) where the maximum height of the structure is 1.5 metres or more but less than 2.5 metres –</p> <p>(i) it must be constructed predominantly in timber,</p> <p>(ii) its internal area must not exceed 15 square metres, and</p> <p>(iii) at least one of its sides must be entirely open;</p> <p>(d) where the maximum height of the structure is 1.5 metres or less, its internal area must not exceed 5 square metres.</p> <p>G.4 If a structure is no longer used to shelter livestock, the structure and any hardstanding or other structure forming its base must be removed and the land restored to its former condition.</p> <p>G.5 The structure must not be erected within 5 metres of any boundary.</p>
CLASS H		
CLASS I		
Permitted development	I.1	The erection of a fence on agricultural land.
Work not permitted	I.2	<p>Work is not permitted by Class I if –</p> <p>(a) the fence exceeds 1.2 metres in height; or</p> <p>(b) the land is or forms part of a LBP or pLBP, or in a case where the works involve excavation of ground, the land is in an AAP.</p>
Condition	I.3	The fence (including any gate within it) must be of timber post and rail with or without netting, wire, tape or mesh.
CLASS J		
CLASS K		
Permitted development	K.1	The carrying out of work for the maintenance or repair of a building.
Work not permitted	K.2	<p>Work, other than a minor repair, is not permitted by Class K if –</p> <p>(a) the building is or forms part of a LBP or pLPB or is in a CA; or</p>

	(b) except in an emergency, the work would materially affect the external appearance of the building.
Conditions	K.3 Where the building is or is part of a LBP or pLBP the work must not result in the permanent alteration or removal of any feature that gives rise to the registration of the building as a LBP or pLBP, as the case may be.
CLASS L	
Permitted development	L.1 The installation, alteration or replacement of gutters, hoppers, downpipes, drains or other rainwater goods, or verges or fascia boards on a building.
Work not permitted	L.2 Work is not permitted by Class L if the building is or forms part of a LBP or pLBP.
CLASS M	
Permitted development	M.1 The maintenance or replacement of an existing driveway, turning area, car park, patio, pathway, decked area or other hardstanding or the conversion of any existing driveway, turning area, car park, patio, pathway, decked area or other hardstanding to a lawn or planting area within the curtilage of any building.
Work not permitted	M.2 Work is not permitted by Class M if – <ul style="list-style-type: none"> (a) in the case of a driveway, turning area or car park – <ul style="list-style-type: none"> (i) the building or its curtilage is or forms part of a LBP or pLBP or is in a CA, (ii) the building concerned, or its curtilage, is in an AAP and excavation is involved; (b) the driveway, turning area, car park, patio, pathway, decked area or other hard standing or raised planting area exceeds 40 centimetres in height above or below the existing ground level; (c) the work involves the formation or widening of a means of access to a road; (d) the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person; (e) the work would result in the discharge of surface water onto a road adjoining the

		property and the approval of any highway authority to the discharge has not been obtained.
CLASS N		
Permitted development	N.1	The installation of electricity meter boxes
Work not permitted	N.2	Work is not permitted by Class N if the building on which the meter is installed is or forms part of a LBP or pLBP.
Condition	N.3	The dimensions of any metre box must not exceed 850 millimetres in width, 1200 millimetres in length, or 500 millimetres in depth.

PART 4**THE INSTALLATION OF EQUIPMENT FOR THE GENERATION OF ELECTRICITY FROM RENEWABLE SOURCES OR FOR THE EFFICIENT USE OF ENERGY**

CLASS A		
Permitted development	A.1	The installation of solar panels or a similar device at ground level or on a sloping roof plane or flat roof.
Work not permitted	A.2	Work is not permitted by Class A if – <ul style="list-style-type: none"> (a) the land or building where the installation is to take place is or forms part of a LBP or pLBP, or in a case where the works involve excavation of ground, the land or building is in an AAP or, in the case where the installation is to be located on a principal elevation, the building is in a CA; and (b) in the case of a solar panel or similar device, the land or building on which it is to be installed is located within an area shown hatched red on the map set out in Part 1 of the annexure to this Schedule.
Conditions	A.3	Any solar panel or similar device attached to a sloping roof plane must project no more than 20 centimetres above the roof plane and in the case of a flat roof, no more than 1 metre above the roof.
	A.4	Ground mounted solar panels or similar devices must not exceed 2.5 metres in height, or 2 metres in height if they are within 1 metre of the property boundary.

	<p>A.5 The aggregated area of any solar panels or similar devices installed on a roof plane must not exceed 90% of the total area of the roof plane on which they are installed.</p> <p>A.6 The total aggregate external area of ground mounted solar panels or similar devices must not exceed 9 square metres.</p>
CLASS B	
Permitted development	B.1 The installation of a ground or air-source heating system.
Work not permitted	B.2 Work is not permitted by Class B if the installation of the system is on land or a building that is or forms part of a LBP or pLBP or, in a case where an air-pump is to be situated on a principal elevation of a building, the building is in a CA.
Conditions	<p>B.3 The highest point of the installation must be no more than 2.5 metres above ground level.</p> <p>B.4 Where the installation of the system is on agricultural land, every pipe must be positioned at a depth of no less than one metre below ground level and any top soil that is removed for the purpose of the installation must be re-instated to its original land level.</p>
CLASS C	
Permitted development	C.1 The erection of a single wind-turbine for the generation of electricity on or within the curtilage of any building.
Work not permitted	<p>C.2 Work is not permitted by Class C if –</p> <ul style="list-style-type: none"> (a) the height of the top of the turbine, including the arc of the blades exceeds the height of the tallest building on the site by 2.5 metres; (b) the maximum diameter of the sweep of the turbine's blades exceeds 2.5 metres; (c) in the case of wind-turbine not attached to a building, the structure supporting the wind-turbine is less than 5 metres from the property boundary; (d) a written statement has not been obtained from the Director of Civil Aviation (as defined by the Civil Aviation (Jersey) Law 2008) stating that he or she has no objection to the proposed wind turbine on the grounds of hazard to aircraft or airport operations; or

	(e) the building to which the turbine is to be attached is or forms part of a LBP or pLBP or is in a CA, or, in a case where a wind-turbine is within the curtilage of a building but is not attached to the building, the building and its curtilage is or forms part of a LBP, pLBP or is in an AAP.
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PART 5

DEVELOPMENT AT INDUSTRIAL OR SIMILAR PREMISES

CLASS A	
Permitted development	A.1 Work carried out on industrial land for the purpose of an industrial process consisting of – <ul style="list-style-type: none"> (a) the installation of additional or replacement plant or machinery; or (b) the provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus.
Work not permitted	A.2 Work is not permitted by Class A if – <ul style="list-style-type: none"> (a) the land is or forms part of a LBP or pLBP, or is in an AAP and excavation is required; (b) the work would result in an increase of noise, smells, dust or other pollution; (c) any additional or replacement plant or machinery would exceed the height of existing plant or machinery or anything it replaced; (d) the work involves the formation or widening of a means of access to a road; (e) the work creates an obstruction to the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person.
CLASS B	
Permitted development	B.1 Extensions to industrial and warehouse buildings.
Work not permitted	B.2 Work is not permitted by Class B if – <ul style="list-style-type: none"> (a) the building is or forms part of a LBP or pLBP or is in a CA, or, in a case where the works involve excavation of ground, the building is in an AAP;

	<p>(b) the building is located within any safety zone for hazardous installations in respect of Les Ruettes, St. John or La Collette, St. Helier as shown on map to the Island Plan;</p> <p>(c) the extension is to be occupied by a separate business.</p>
Conditions	<p>B.3 The extension must not exceed 5% of the area of the ground floor of the existing building.</p> <p>B.4 The highest point of the extension must not exceed the existing height of the building, nor be closer than 4 metres from any boundary of the property.</p> <p>B.5 The extension must not lead to a reduction in the amount of vehicle parking spaces available, nor restrict the access and manoeuvring of service vehicles.</p> <p>B.6 The material used for the external face of the extension must match the material used in the existing building.</p>

PART 6

DEVELOPMENT BY PROVIDERS OF PUBLIC SERVICES AND UTILITIES

CLASS A	
Permitted development	<p>A.1 The erection or construction, or the maintenance, improvement or other alteration by a public authority of –</p> <p>(a) temporary works and equipment on land belonging to or maintained by the authority required for the purposes of a function exercised by the authority on that land; or</p> <p>(b) lamp standards, bus shelters, public seats, fire alarms, cycle racks, security cameras, refuse bins, bollards, barriers for the control of people and vehicles and similar structures required in connection with the operation of a public service administered by them.</p>
Work not permitted	<p>A.2 Work is not permitted by Class A if –</p> <p>(a) it involves the formation or widening of a means of access to a road;</p>

	(b) the land is or forms part of a LBP or pLBP or, in a case where the works involve excavation of ground, the land is in an AAP.
CLASS B	
Permitted development	B.1 The carrying out by a provider of drains, gas, water, electricity or telecommunications services to the public of work necessary to lay, place, inspect, repair or renew a drain, sewer, main, pipe, line or cable or other apparatus for the provision of a service to the public or any portion of the public.
Work not permitted	B.2 Work is not permitted by Class B if – <ul style="list-style-type: none"> (a) the work is to be carried out on land or a building that is or forms part of a LBP or pLBP, or is in an AAP; (b) in the case of the placing of new work, any of the work would, on its completion, be above ground level; (c) the work is carried out on land that is, or from time to time is, covered by sea water.
Condition	B.3 On completion of any work carried out underground the surface of the site must be returned to its former condition.
CLASS C	
Permitted development	C.1 Within the area of a harbour administered by the harbour authority (being the person appointed as such under Article 2(1) of the Harbours (Administration) (Jersey) Law 1961) – <ul style="list-style-type: none"> (a) dredging, the placing and fixing of moorings (including pontoons and access ramps) and the installation of technical or security equipment necessary for the operation of the harbour; (b) repair and maintenance of ramps, fuel jetty and associated equipment, navigational aids, handrails, ladders, drying pads and operational equipment.
Work not permitted	C.2 Work is not permitted by Class C if the area is or forms part of a LBP or pLBP or is or is part of in an AAP or CA.
CLASS D	
Permitted development	D.1 The excavation and construction of aprons within the boundaries of the airport (as shown

	<p>in the map set out in Part 2 of the annexure to this Schedule) and the installation within those boundaries of technical and security equipment necessary for the operation of the airport.</p> <p>D.1A The repair and maintenance of operational equipment and navigational aids, with the exclusion of reed beds.</p>
Work not permitted	<p>D.2 Work is not permitted by Class D if the land or building is or forms part of a LBP or pLBP or, in a case where the works involve excavation of ground, the land is in an AAP.</p> <p>D.3 Work is not permitted by Class D for the construction, extension or relocation of a runway.</p>

PART 7

DEMOLITION

CLASS A	
Permitted development	<p>A.1 The demolition of –</p> <p>(a)</p> <p>(b) a building of a temporary nature (for example, a timber shed);</p> <p>(c) a domestic garage or a similar minor permanent structure;</p> <p>(d) a building used for an agricultural purpose, including the storage of machinery or produce, or the housing of livestock;</p> <p>(e) a domestic glasshouse;</p> <p>(f) a temporary unit of staff accommodation;</p> <p>(g) a building, the condition of which renders it unsafe to occupy or use;</p> <p>(h) a building or other structure the construction of which would be permitted development by virtue of any other part of this Schedule;</p> <p>(i) in the case of demolition of a swimming pool, the infilling of land as a result of the removal of the structure of the swimming pool.</p>
Work not permitted	<p>A.2 Work is not permitted by Class A if –</p>

	<ul style="list-style-type: none"> (a) the structure or building to be demolished is or forms part of a LBP or pLBP or is in a CA; (b) the work would create a vehicular access to a road; (c) in the case of a wall, fence, gate, or boundary enclosure to be demolished, it is a field boundary or adjoins a road; (d) the building to be demolished is a permanent dwelling.
Conditions	<p>A.3 If the work is the partial demolition of a building or structure, any exposed structures must be made good and decorated to match the remaining building or structure.</p> <p>A.4 If the work requires the disconnection of a mains service, the demolition must not be commenced until the Building Control Surveyor of the Minister for the Environment has been consulted.</p> <p>A.5 In the case of the infilling of land as a result of removal of a swimming pool, the infill must be clean and inert material.</p>

PART 8

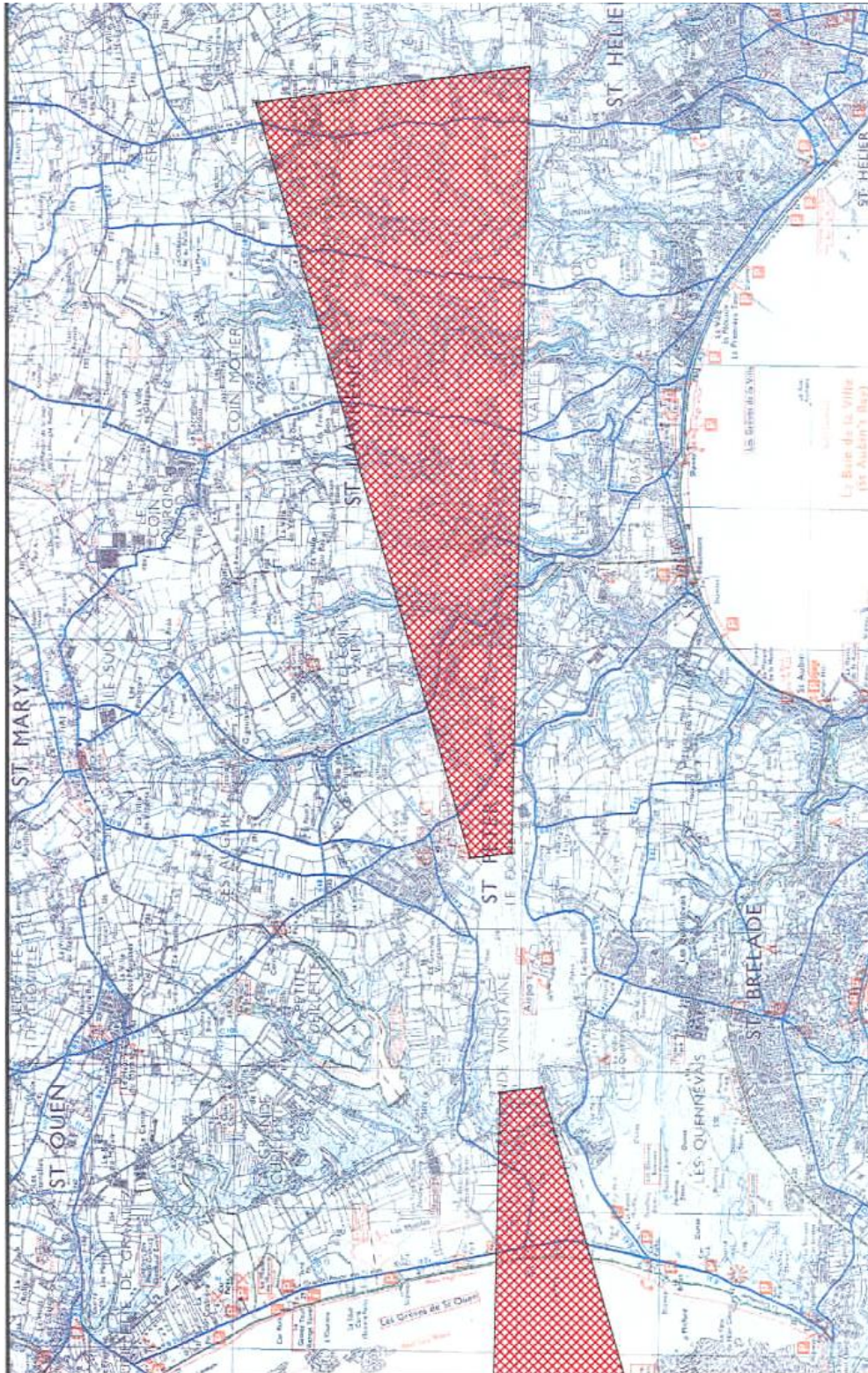
CHANGES OF USE

CLASS A	
Permitted development	<p>A.1 Development consisting of a change of use of a building from use as –</p> <ul style="list-style-type: none"> (a) a shop for the sale of hot food, hot drinks or warmed pre-prepared food for consumption off the premises; or (b) a building used for the letting on hire of hire vehicles (other than any external area on which hire vehicles are stored), <p>to a use falling within use Class A (shops) of Schedule 2.</p>
CLASS B	
Permitted development	<p>B.1 Development consisting of a change of use from –</p> <p>Class A – shop – to class K medical and welfare;</p> <p>Class B – cafes and restaurants to Class A – shop;</p>

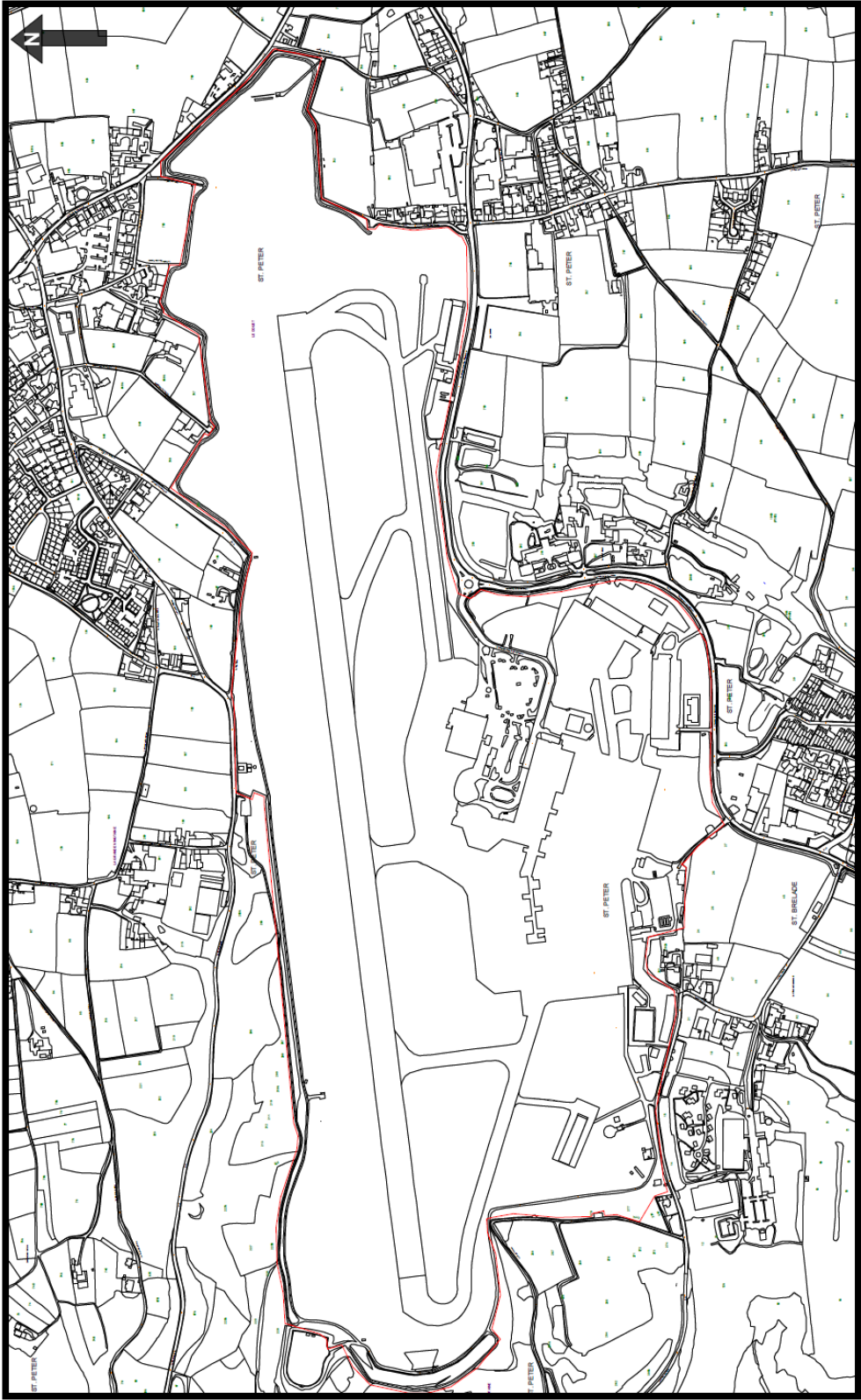
		<p>Class C – office to Class E – warehouse;</p> <p>Class C – office to Class G – social;</p> <p>Class F – tourism accommodation to Class J – residential institution;</p> <p>Class H – sports and fitness to Class G – social;</p> <p>Class H – sports and fitness to Class I – entertainment;</p> <p>Class I – entertainment to Class G – social;</p> <p>Class I – entertainment to Class H - sports and fitness;</p> <p>Class J – residential institution to Class L – special institution;</p> <p>Class K – medical and welfare to Class A – shop;</p> <p>Class L – special institution to Class J – residential institution;</p> <p>Class M – late night entertainment and drinking venues to Class B – cafes and restaurants;</p> <p>Class M – late night entertainment and drinking venues to a mixed use of Class B – cafes and restaurants and Class M – late night entertainment and drinking venues.</p>
Interpretation of Class B	B.2	For the purposes of Class B, a reference to a class by letter is a reference to the use Class bearing that letter in Schedule 2.

ANNEXURE

PART 1



PART 2



SCHEDULE 2⁶

(Article 3)

USE CLASSES**Class A – Shop**

Use for all or any of the following purposes –

- (a) for the retail sale of any goods;
- (b) as a post office;
- (c) for the sale of tickets or as a retail travel agency;
- (d) for the sale of hot drinks or cold drinks, cold food or warmed pre-prepared food;
- (e) as a hair or beauty salon;
- (f) as a betting office;
- (g) as an estate agency;
- (h) as a shop for the sale of financial services or advice;
- (i) as a retail pharmacy or dispensary;
- (j) for the display of goods for sale;
- (k) for the hire of domestic or personal goods or articles; and
- (l) for the reception of goods to be washed, cleaned or repaired, where the sale, display or service is to visiting members of the public.

Class B – Cafes and restaurants

Use for the sale of food or drink –

- (a) for consumption on premises as –
 - (i) a restaurant,
 - (ii) a cafeteria, or
- (b) for al fresco dining.

Class C – Office

Use as an office for any purpose.

Class D – Agriculture

Use as a building for agricultural purposes.

Class E – Warehouse

Use as a wholesale (but not retail) warehouse or repository for dry storage.

Class F – Tourism accommodation

Use as –

- (a) a guest house;
- (b) a hotel;
- (c) accommodation providing bed and breakfast;
- (d) a self-catering accommodation.

Class G – Social

Use of a building for –

- (a) public worship and religious instruction;
- (b) an art gallery (other than for business purposes);
- (c) a museum;
- (d) a public library;
- (e) an exhibition hall;
- (f) a community centre or social centre;
- (g) a non-residential club.

Class H – Sport and fitness

Use of a building for –

- (a) a skating rink or rollerblading rink;
- (b) a swimming bath or pool;
- (c) a building or part of a building used for sports, dancing, martial arts, personal fitness training;
- (d) a fitness studio including a building or part of a building used for yoga or pilates.

Class I – Entertainment

Use of a building for –

- (a) a theatre;
- (b) a cinema;
- (c) a concert hall.

Class J – Residential institutions

Use as –

- (a) a home or institution providing for boarding, care and maintenance of children, old persons or persons under disability;
- (b) a convalescent home;
- (c) a nursing home;
- (d) a hospital;
- (e) a refuge;
- (f) a hostel.

Class K – Medical and welfare

Use (other than residentially) as –

- (a) a health centre;
- (b) a clinic;
- (c) a building or part of a building for providing health services, including acupuncture, podiatry and massage;
- (d) a consulting room or surgery.

Class L – Special institutions

Use as a hospital, hostel or institution in which people may be detained by order of a court or may reside under a requirement of a probation or supervision order.

Class M – Late night entertainment and drinking venues

Use for the sale of food or drink –

- (a) for consumption on premises as –
 - (i) a bar, including a wine bar,
 - (ii) an entertainment venue,
 - (iii) a night club,
 - (iv) a public house;
 - (b) for al fresco dining,
- except that this class does not include use of a building as a take-away.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Planning and Building (General Development) (Jersey) Order 2011	R&O.78/2011	28 June 2011
Gambling (Jersey) Law 2012	L.14/2012	1 January 2013 (R&O.133/2012)
Planning and Building (General Development) (Amendment) (Jersey) Order 2012	R&O.167/2012	1 January 2013
States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 2015	R&O.158/2015	1 January 2016
Planning and Building (General Development) (Amendment No. 2) (Jersey) Order 2015	R&O.160/2015	13 January 2016
Planning and Building (General Development) (Amendment No. 3) (Jersey) Order 2016	R&O.38/2016	5 April 2016
Planning and Building (General Development) (Amendment No. 4) (Jersey) Order 2016	R&O.125/2016	30 December 2016

Table of Renumbered Provisions

Original	Current
6	Spent, omitted
7	6

Table of Endnote References

¹ Article 1	<i>amended by L.14/2012, R&O.167/2012, R&O.158/2015, R&O.160/2015, R&O.125/2016</i>
² Article 2	<i>heading amended by R&O.160/2015</i>
³ Article 2(1)	<i>amended by R&O.160/2015</i>
⁴ Article 3(3)	<i>substituted by R&O.160/2015</i>
⁵ Schedule 1	<i>amended by R&O.158/2015, R&O.160/2015, R&O.38/2016, R&O.125/2016</i>
⁶ Schedule 2	<i>amended by R&O.160/2015</i>