



## **Judicial Greffe**

### **Appeals - Planning and Building (Jersey) Law 2002**

#### **A Brief Guide**

The Minister for the Environment decides on planning appeals. An independent Inspector reviews the case and gives a recommendation to the Minister. The Minister can choose not to follow the Inspector's recommendation but must explain the reason why. The Planning Tribunal within the Judicial Greffe manages the appeal process.

The Inspector will consider:

- Material submitted during the planning application
- All appeal documents
- Relevant laws and policies
- Other matters important to the appeal

All submissions during the appeal process are published on the planning register at [www.gov.je](http://www.gov.je). The Minister's Decision on the appeal and the Inspector's report will also be published here.

#### **Who can make an appeal?**

- A person refused planning permission or building bye-laws
- A person who does not agree that a condition attached to a permission is appropriate
- A person refused to have a condition on an approval varied or removed
- A person refused permission to carry out work to/on/under a site of special interest (a Listed Building or place)
- A person refused permission to carry out works to a protected tree
- A person who has had their property made a Listed Building or has had an application to de-List the building refused
- A person refused permission to import a caravan
- A 3<sup>rd</sup> party who is unhappy with a particular grant of planning permission and who has made a written representation in connection with that application for permission and who has an interest in the affected land or lives within 50m of the application site.
- A person served a notice as per Article 109 of Planning and Building (Jersey) Law 2002

If you want to appeal more than one decision, you must submit a separate appeal form for each decision.

Appeal Forms are available at [www.courts.je](http://www.courts.je) and the Tribunal Service offices.

## **Fees**

There are fees to submit a planning appeal. A list of the fees is on [www.courts.je](http://www.courts.je)

## **How does an appeal start?**

Submit the appeal form, a copy of the Decision and the appeal fee to:

- Tribunal Service, 1<sup>st</sup> Floor, International House, 41 The Parade, St Helier, JE2 3QQ
- or email to [planningtribunal@courts.je](mailto:planningtribunal@courts.je)

**There is a strict time limit on submitting planning appeals.**

## **Appeals must be made within 28 days of:**

- The date of the decision – this is the date on the decision notice
- The date of the issue of a notice requiring action – this is the date on the notice served
- The date of the decision which contains a condition which is the subject of an appeal – this is the date on the decision notice
- The date of entry into a building to undertake any work to remove or reduce any danger

**The Tribunal Service must receive the appeal form no later than the end of the period of 28 days beginning with the date of the decision** (as per above). For example, if a decision is dated 1 January 2024, then an appeal must be received before the end of 28 January 2024.

The appeal form must list all relevant issues. There is no need to fully explain the appeal case but if an issue is not included in the form, you will not be able to include this issue later without the express permission of the Inspector.

Once an appeal form is received and registered, we will notify the Appellant, the Applicant (if a third party appeal) and the department for Infrastructure and Environment (I&E) and all other interested parties who made public comments during the planning application. The date of this notification will be the start date for the appeal process.

Everyone involved in an appeal, including anyone wishing to make comments on an appeal, must follow the set timelines to ensure fairness and efficiency.

From the start date, all parties involved have 28 days to submit their full arguments (statement of case). **This statement of case should include the full arguments and must include all supporting evidence and documentation.**

Anyone notified of the appeal or previously interested in the case can submit a statement of case within the deadline. Previous comments on the application will be available to the Inspector. Members of the public can submit further comments if they wish. A notice of the appeal will be published on the Jersey Gazette at [www.gov.je](http://www.gov.je).

All statements of case will be published on the planning register at [www.gov.je](http://www.gov.je). The Appellant, Applicant (if a third party appeal) and I&E will have 14 more days to comment on the other statements.

An appeal will be heard by either;

1. **Written Representations:** The Inspector assesses the appeal based on written submissions.
2. **Oral Hearing:** A structured discussion led by the Inspector, open to the public, held at the Tribunal Service offices.

An Inspector with the relevant qualifications, skills and experience will be appointed to consider the appeal. A provisional week when the Inspector will hear the appeal will be set; this will include a site visit. The inspector decides if the site visit will be accompanied (the main parties will be present) or unaccompanied (the Inspector attends alone). The Appellant or Applicant (if a third party appeal) must display a site notice and provide full-size paper plans.

Details about the hearing, or if the appeal will be heard by written representation, will be published on the planning register.

### **Enforcement appeals**

Enforcement appeals are considered in the same way as other planning appeals but are not published on the planning register. Instead, submissions are circulated to the Inspector and the parties via email. Notice of the appeal is published on the Jersey Gazette and the appellant must put up a site notice at the site relevant to the enforcement notice served.

If you are submitting an enforcement appeal under ground h, you must also submit a planning application to the I&E department and pay the relevant application fee to the I&E department. Without doing this, the enforcement appeal cannot be validated on ground h.

### **Contact:**

Tribunal Service, 1<sup>st</sup> Floor, International House, 41 The Parade, St Helier, JE2 3QQ  
Telephone: 01534 441380  
Email: [planningtribunal@courts.je](mailto:planningtribunal@courts.je)

<b>PLANNING APPEAL FEES 2025</b>	
Appeal against refusal or deemed refusal of application for planning permission Article 108 (2) (b) and (c)	
<ul style="list-style-type: none"> <li>Major development</li> </ul>	£1,948.50
<ul style="list-style-type: none"> <li>Minor development</li> </ul>	£609.40
Appeal against grant of planning permission, Article 108 (2) (d) THIRD PARTY APPEAL	£609.40
Appeal against imposition of condition or refusal to vary or remove condition, Article 108 (2) (d)	£609.40
<b>OTHER APPEALS:</b>	
Appeal against the listing of a building or place, or refusal to remove a building or place from the list, Article 108 (2) (h) and (i)	£121.30
Appeal against the listing of a tree or refusal to remove a tree from the list, Article 108 (2) (l)	£121.30
Appeal against the service of a notice requiring action including an enforcement notice, Article 109	£609.40
Appeal against the refusal to grant permission under building bye-laws, Article 108 (2) (g)	£609.40
Appeal against a refusal to grant certificate of completion, Article 108 (2) (f)	£609.40
Appeal against a refusal to grant permission to undertake operations to make change of use or undertake activities on, in or under a site of special interest, Article 108 (2) (j) and (k)	£609.40
Appeal against a refusal to grant permission for the importation or use of a caravan, Article 108 (2) (n)	£609.40
Appeal against the revocation or modification of any planning permission, Article 108 (2) (e)	£121.30