

Judicial Greffe

Tribunal Service
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www.gov.je



Appeal of the Serving of a Notice

Complete this form to appeal the serving of a notice under Article 109 of Planning and Building (Jersey) Law 2002

1. Department of the Environment reference number

2. Date of Notice

Attach a copy of the notice to this form

3. Appellant name and address

Contact:

Telephone:

Mobile:

Post Code:

E:mail:

4. Agent name and address (if applicable)

Contact:

Telephone:

Mobile:

Post Code:

E:mail:

5. The Planning and Building (Jersey) Law 2002 requires that an Appeal is brought on any or all of the following grounds (select one or more as appropriate):

(A) the matters alleged in the notice are not subject to control by the above Law;

(B) permission has already been granted under the above Law in respect of the matters alleged in the notice;

(C) at the date of service of the notice no or no expedient action could be taken to remedy the alleged breach;

(D) that the person was not the proper person to be served with such a notice *;

(E) that the matters alleged in the notice have not in fact occurred;

(F) that the requirements of or conditions in the notice exceed what is reasonably necessary to remedy any alleged breach of control or make good any injury to amenity;

(G) any time period imposed by the notice for compliance with its requirements falls short of the time which should reasonably be allowed for such compliance;

(H) where the notice is an enforcement notice served under Article 40(2) of the Law (in respect of a breach of development controls), that in all the circumstances planning or building permission should be granted in respect of the development in question;

(I) where the notice is a notice served under Article 47(2) of the Law (in respect of a breach of condition), that the condition with which compliance is required by the notice should be discharged.

* If you make an appeal, this is the only opportunity to argue that the notice was not properly served. Such an argument cannot be raised in any further or other proceedings which may be instituted after this appeal.

6. Provide a brief summary of the grounds of Appeal

Following registration of the Appeal, you will have the opportunity to submit a full statement to support your Appeal. A brief summary is sufficient at this stage to register the Appeal. You will not be able to raise any issues in your full statement that you do not indicate here. You may attach a separate sheet if necessary.

7. Appeals by Written Representations

Appeals relating to the serving of a notice are normally dealt with by way of a Hearing. If you believe your Appeal would be better considered by written representations, please explain why.

8. Any appeal under 5H, must be accompanied by the relevant Application form for Planning or Building Permission and it must be attached to this form, including the Declarations. The relevant fee must also be included.

Have you included the Application for Planning or Building Permission including the relevant fee?

No Yes

9. The inspector may need to visit the site.

Is the site visible from public land?

No Yes

Will arrangements have to be made for a visit?

No Yes

If 'yes' provide details on how to make arrangements for the site visit.

DECLARATION

Important information

Before signing this form, read the following consent information carefully. It explains how your information will be used and provides a brief description of your rights under Jersey's Data Protection Law. For further information on how the Judicial Greffe and the Department of the Environment handle personal data visit www.gov.je/howweuseyourinfo

Appellant consent

I declare that this appeal is made with my authority.

I am aware of and agree to the information supplied in this form, together with any other accompanying information, being used for the purpose(s) of assessing my appeal as defined in the Planning and Building (Jersey) Law 2002.

I am aware of and agree that the information supplied in this form, together with any other accompanying information may also:

- be disclosed to other States departments and relevant authorities so that you can consult with them about my appeal
- be made accessible to members of the public so that they may comment on my appeal
- be disclosed to a planning inspector so that they may assess my appeal
- be published in the local media and on your website as the information forms part of the planning register that you are required by law to make available.

This includes my name, copies of any accompanying drawings, plans and supporting letters and documents. I understand that any personal sensitive information about me may be published or disclosed if it is imperative to the consideration of the appeal and in the public interest. I understand that all of the information I supply will be processed in accordance with Jersey's Data Protection Law.

Your rights

Under Jersey's Data Protection Law you have the right to:

- Withdraw your consent to the further processing of your information. However, this may cause delays or prevent us delivering a service to you or cause you to be in breach of other legal requirements
- Request that the processing of your personal data is restricted in instances where you believe the information being processed is inaccurate, out of date, or there are no legitimate grounds for the processing
- Challenge the accuracy of the information we hold about you and request that that it is corrected where necessary
- Complain about the way in which your personal data is being used
- Ask for a copy of the information we hold about you

Should you wish to exercise one of your rights contact +44 1534 441380 for further information.

Agent (where applicable) Signature..... Date.....

FULL NAME IN BLOCK LETTERS.....

Where this form contains personal information relating to more than one individual, all individuals must sign (continue on a separate sheet if necessary).

Appellant(s) Signature..... Date.....

FULL NAME(S) IN BLOCK LETTERS.....