



Jersey

PLANNING AND BUILDING (MOVEABLE STRUCTURES) (JERSEY) ORDER 2006

Official Consolidated Version

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PLANNING AND BUILDING (MOVEABLE STRUCTURES) (JERSEY) ORDER 2006

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THE MINISTER FOR PLANNING AND ENVIRONMENT, in pursuance of Articles 81 and 124 of the [Planning and Building \(Jersey\) Law 2002](#), orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation¹

In this Order –

“application” means an application made in accordance with Article 3(2) or Article 9(1);

“decision-maker” means the Chief Officer or, as the case may be, the Planning Applications Committee;

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

“protected site” means –

- (a) a site of special interest, as defined in Article 50 of the Law; or
- (b) a conservation area designated by the Minister under Article 56A of the Law.

2 Application²

This Order applies to a moveable structure, other than a caravan, that is to remain on the same land for 28 days or more in any period of 12 consecutive months.

3 Permission required to erect or station a moveable structure on land

- (1) A person must not erect or station on land a moveable structure to which this Order applies except with and in accordance with the permission of the decision-maker.³
- (2) An application for permission must be made to the Chief Officer by the occupier of the land and (if different) by the owner of the land.⁴

4 Publicity for applications⁵

- (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 5.
- (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.

5 Applicant to display site notice⁶

- (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 notice provided under paragraph (4) is taken to form part of the application for planning permission to which the notice relates.

6 Written representations in respect of applications⁷

- (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 4(2), or
 - (ii) the date on which the site notice is first displayed in accordance with Article 5(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.

7 Grant of permission to erect or station a moveable structure

- (1) When considering an application the decision-maker –
 - (a) will take into account all representations made to the Chief Officer; and
 - (b) will also take into account all material considerations including the effect the proposed moveable structure would have on the environment generally and in particular on the environment of any protected site; and
 - (c) will not grant permission to erect or station a moveable structure in a way that is inconsistent with the Island Plan unless he or she has been satisfied by the applicant that there is sufficient justification for doing so.⁸
- (2) The decision-maker may –
 - (a) grant permission to erect or station a moveable structure on land unconditionally or subject to conditions; or
 - (b) refuse to grant the permission sought.⁹

8 Conditions attached to the grant of permission to erect or station a moveable structure

The conditions the decision-maker may attach to the grant of permission to erect or station a moveable structure on land will fairly and reasonably relate to the proposed erection or stationing of the moveable structure and may, in particular –

- (a) control the type of movable structure that may be erected or stationed on the land;
- (b) regulate the position in which the movable structure is erected or stationed on the land;
- (c) require measures be taken to prevent and detect the outbreak of fire;
- (d) require that adequate sanitary and other facilities, services and equipment are available for the use of people using the movable structure.¹⁰

9 Grant of permission for moveable structure already erected or stationed¹¹

- (1) The decision-maker may, on an application made to the Chief Officer, grant permission to erect or station a moveable structure on land where the moveable structure is already erected or stationed on the land –
 - (a) without permission; or
 - (b) without complying with a condition subject to which permission was given.¹²
- (2) The decision-maker may grant permission under paragraph (1) to have effect from the date the moveable structure was erected or stationed on the land.¹³

10 Revocation and modification of permission

- (1) The decision-maker may revoke or modify permission given under this Order by giving the occupier of the land to which it relates at least 7 days written notice.¹⁴
- (2) If permission is revoked in accordance with paragraph (1), the occupier of the land must remove the moveable structure or cause it to be removed before the end of the period specified in the notice.
- (3) If a notice under paragraph (1) requires any modification to be made to or in respect of a moveable structure, the modification must be made before the end of the period specified in the notice.
- (4) Articles 27(6) to (10) and 108 of the Law (in respect of compensation and appeals) shall apply to a decision to revoke or modify permission given under this Order as if it were a decision to revoke or modify planning permission.¹⁵

11 Citation

This Order may be cited as the Planning and Building (Movable Structures) (Jersey) Order 2006.

SCHEDULE 1¹⁶

SCHEDULE 2¹⁷

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Planning and Building (Moveable Structures) (Jersey) Order 2006	R&O.66/2006	1 July 2006
Planning and Building (Miscellaneous Provisions) (Jersey) Order 2015	R&O.35/2015	19 March 2015
States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 2015	R&O.158/2015	1 January 2016
Planning and Building (Moveable Structures) (Amendment) (Jersey) Order 2015	R&O.161/2015	13 January 2016
Planning and Building (Moveable Structures – Amendment No. 2) (Jersey) Order 2023	R&O.39/2023	31 May 2023
Planning and Building (General Development – Conservation Areas) (Jersey) Amendment Order 2024	R&O.47/2024	19 August 2024

Table of Renumbered Provisions

Original	Current
11(1)	11
11(2)	Spent, omitted

Table of Endnote References

¹ Article 1	<i>amended by R&O.35/2015, R&O.39/2023, R&O.47/2024</i>
² Article 2	<i>substituted by R&O.161/2015, amended by R&O.39/2023</i>
³ Article 3(1)	<i>amended by R&O.35/2015</i>
⁴ Article 3(2)	<i>amended by R&O.35/2015</i>
⁵ Article 4	<i>substituted by R&O.39/2023</i>
⁶ Article 5	<i>substituted by R&O.39/2023</i>
⁷ Article 6	<i>substituted by R&O.39/2023</i>
⁸ Article 7(1)	<i>amended by R&O.35/2015</i>
⁹ Article 7(2)	<i>amended by R&O.35/2015</i>
¹⁰ Article 8	<i>amended by R&O.35/2015</i>
¹¹ Article 9	<i>heading amended by R&O.35/2015</i>
¹² Article 9(1)	<i>amended by R&O.35/2015</i>
¹³ Article 9(2)	<i>amended by R&O.35/2015</i>
¹⁴ Article 10(1)	<i>amended by R&O.35/2015</i>
¹⁵ Article 10(4)	<i>amended by R&O.35/2015</i>
¹⁶ Schedule 1	<i>amended by R&O.158/2015, deleted by R&O.39/2023</i>
¹⁷ Schedule 2	<i>deleted by R&O.39/2023</i>