

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT
BY DEPUTY R.G. LE HÉRISSEIER OF ST. SAVIOUR
ANSWER TO BE TABLED ON TUESDAY 4th MARCH 2014**

Question

Would the Minister confirm whether the Building Control regulations in regard to listed buildings are applied with flexibility and would he outline what appeal processes exists for owners who are aggrieved by what they consider to be the inflexible application of the regulations?

Answer

Building work carried out in connection with listed buildings is subject to the same building control requirements as other buildings. In all cases the bye-law requirements are applied in a reasonable and appropriate way.

I have published detailed technical guidance which sets out how the functional requirements prescribed for building work can be satisfied for the more common building situations. This guidance provides flexibility in that it recognises there may well be alternative ways of achieving compliance and as such the solutions provided in the published guidance are not mandatory. A designer simply needs to demonstrate that adequate provision has been made.

In terms of appeal provisions my officers will give advice on appropriate design solutions and always provide a full explanation for decisions made in respect of applications for building permission. Should building permission be refused there is a right of appeal to the Royal Court in accordance with the provisions of the Planning and Building (Jersey) Law 2002.