Isle of Man Government
Reiltys Ellan Vannin

The Town and Country Planning Act 1999
The Town and Country Planning (Certificates of Lawful Use or Development) Regulations 2005 – as amended

Application for a Certificate of Lawful Use or Development

Please complete in BLOCK CAPITALS and in black ink.

The person here below named as the applicant is responsible for payment of the appropriate fee.

All relevant questions on this form must be answered.

For office use only
Date:
Receipt number:

1. Site Address.
A plan must accompany this application to identify the land.
The site should be outlined in **red**.

2. a) Full name of Applicant

b) Address of Applicant

Telephone number — Home | Work

Applicant E-Mail Address

3. What is the Applicant's interest in the site? (e.g. owner, potential purchaser etc.)

4. a) Full name of Agent (if any)

b) Address of Agent

Telephone number

Agent E-Mail Address

6. Under which of the following paragraphs of Section 24(1) of the 1999 Act is this application made?

a) To make lawful the existing use of the buildings or land? **Yes** ☐ **No** ☐

If **yes**, please state the date the use started.

And name the use class applicable now.

b) To make lawful a proposed use of the buildings or land? **Yes** ☐ **No** ☐

If **yes**, please state the current or last known use of the land.

And the name of any use class applicable to the proposed use.

c) To make lawful operations which have been carried out in, on, over or under the land? **Yes** ☐ **No** ☐

If **yes**, please state the date the operations started, or, in the case of operations carried out without planning approval, the date on which they were substantially completed.

d) To make lawful operations proposed to be carried out in, on, over or under the land? **Yes** ☐ **No** ☐

e) To make lawful a failure to comply with any condition subject to which planning approval was granted? **Yes** ☐ **No** ☐

If **yes**, please state the date on which the matter constituting the failure occurred **and** quote the planning application number, or sufficient detail in order for it to be identified.

Continue overleaf

7. On a separate sheet please provide your reasons, if any, for considering the use, operations or other matter described in this application as lawful. And state such other information that you consider relevant to this application. Where lawfulness is or a use, please provide evidence for the whole period of use relevant to this application.

8. Is the applicant the owner of the site? **Yes** ☐ **No** ☐

The Department of Environment, Food & Agriculture is a data controller for the purposes of the General Data Protection Legislation and requires the information on this form to comply with its legal obligations under the Town and Country Planning Act 1999 and subordinate legislation.

Your personal information will be held by the DEFA for the purposes of processing this application and may be used to ensure compliance with the provisions of the Town & Country Planning Acts and in particular Part 4 Enforcement of Control.

Some of the information you provide, such as your name, address and contact detail will be shared at our public counter, with the Local Authority and as part of the application image via our online service, in order to give notice and publicise receipt of the application. It may also be shared within the DEFA or other Government Departments, boards or offices for the purposes of statutory functions. We will only keep these details for as long as we require them, and in accordance with the General Data Protection Legislation.

You may withdraw your details at any time if you no longer wish us to process your application. Full details of how and why the DEFA processes your personal information are contained in our P&BC Privacy Notice.

The Department's Data Protection Officer can be contacted on 686781 or by email at DPO-DEFA@gov.im

I/We the named applicant(s) hereby apply for a certificate of lawfulness, in respect of the matters set out above and in accordance with the information submitted herewith.
To the best of my knowledge and belief, all the information given in this application is true, and the documents provided herewith are accurate
I herewith enclose:

- a plan identifying the land to which the application relates; ***Note*** *where the application has suggested 2 or more uses, operations or other matters, the plan which accompanies the application shall indicate to which part of the land each such use, operation or matter relates.*
- such evidence verifying the information included in this form as I can provide.

Signature of Applicant or Agent ☐ **Date** ☐

It is requested that three copies of this application form and all supporting statements and plans are forwarded to the address below.

The Department may by notice in writing require the applicant to provide such further information as may be specified to assist in its consideration of the application.

On validation of the application, the Department will issue a Notice to the Local Authority. The Notice will invite written representation as to the content of the application.

Under Section 24(4) of the Town and Country Planning Act 1999, any person who for the purpose of procuring a particular decision on an application for a certificate:

a) knowingly or recklessly makes a statement which is false or misleading in a material particular;
b) with intent to deceive, use a document which is false or misleading in a material particular;
c) with intent to deceive, withholds any material information; is guilty of an offence and may be liable:
   a) on summary conviction to custody for a term not exceeding 6 months or to a fine not exceeding £10000, or both;
   b) on convictions on information to custody for a term not exceeding 2 years, or to a fine, or both.

Please note that the Department retains powers under Section 24(5) of the 1999 Act, Section 5 of the Regulations, to revoke a certificate.