



Isle of Man
Government

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Types of Planning Application – A Guide for Applicants

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Department of Environment, Food and Agriculture

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1.0 THE PURPOSE OF THIS GUIDANCE

1.1 Reference is often made to seeking 'planning approval'. However, there are several different types of approval and different applications that can be made. This guide provides a summary of what each application is for, the common issues with each and where further information is available.

2.0 THE NEED FOR AN APPLICATION

Development

2.1 Development can include building, engineering, mining or other operations in, on, over or under land - for example constructing or externally altering a building. Development also includes material changes to the use of buildings or land - for example using a shop as an estate agents.

2.2 The Town and Country Planning Act (1999) sets out the full definition of development, including some things that are specifically included and excluded. We are happy to confirm on a case-by-case basis whether or not something would constitute development.

2.3 If something is development, then it cannot be carried out without the benefit of planning approval. There are various types of approval as set out below.

Common Issues

- *The temporary change to the use of land does normally count as development, including things like site compounds associated with wider building work.*
- *The demolition of a building or boundary wall is not development unless it is to be only partially demolished or is attached to another building. However, separate Registered Building consent is required for any demolition works in relation to a building which is Registered or within a Conservation Area.*

Permitted Development

2.4 There are some forms of developments that are very common and orders can be produced which give blanket approval for them, this is sometimes called 'Permitted Development'. These orders set out the development that is permitted, including limitations and conditions (for example being outside a Conservation Area, not creating or altering an access or not being near trees).

2.5 If a type of development is not included in an order, or the limitations/conditions cannot be complied with, then a specific planning application is required.

Common Issues

- *The Isle of Man Permitted Development is not the same as in the UK.*
- *Site compounds are permitted development subject to conditions, including that they relate to and are adjacent works which have a specific planning approval (i.e. not Permitted Development) and do not require a new access.*
- *Permitted Development only applies to a building which is complete. If you have planning approval to build something you must first build it in accordance with the approved plans and only once it is finished can you benefit from permitted development.*
- *Similarly although the internal alteration of a building often does not constitute development, the building must initially be built in accordance with the approved plans.*

3.0 FULL APPLICATION

3.1 This is the most common type of application. It involves operational development (such as built development) and is a stand-alone application which does not rely on any previous approval and, if approved, can be implemented on its own. Examples may be a planning application to erect a new shop, to add an extension to an existing house or to construct a new boundary wall.

Common Issues

- *Development must take place in accordance with the approved plans. Any material deviation from the plans may result in formal enforcement action.*
- *If approval is granted it may be subject to conditions. If you have concerns with these conditions they can be appealed within 21 days of the approval being issued. Otherwise, failure to comply with these conditions may result in formal enforcement action. Some conditions also have timescales which require things to happen before the development commences, or before it is occupied.*
- *Separate Building Control approval is often required for buildings and, if submitted after planning approval, may result in changes being required to the scheme. Therefore, given the above two points, you may then need to submit a new planning approval or apply for a Minor Change (see below). It is therefore advisable to be sure that it is practicably possible to build something before applying for approval.*

4.0 APPROVAL IN PRINCIPLE & RESERVED MATTERS

4.1 An Approval in Principle is essentially the same as a Full application, other than some specific details are reserved to be approved later. The matters that can be reserved are: siting, design, external appearance, internal layout of buildings, site layout, drainage, landscaping or means of access. Approvals in Principle cannot therefore be made in relation to changes of use or alterations to existing buildings. An Approval in Principle cannot be implemented until all of the reserved matters have been approved.

4.2 A Reserved Matters application is a follow-on from an Approval in Principle - it seeks approval of the matters not approved in the Approval in Principle. It goes through the same process as a normal application – including requiring a fee, being consulted on and, potentially, being appealed.

Common Issues

- *The amount of information that is required for an Approval in Principle will depend on the development and the site. Beyond the minimum validation requirements and details of those elements which are not reserved, the application will require sufficient information to address any policy issues or site-specific constraints. For example, if there are lots of trees on a site, a full tree survey and indicative layout may be required to show that the site will not result in an unacceptable loss of trees. An application for a farmworkers dwelling would need to include the full agricultural justification.*
- *The reserved matters application cannot change any details which were not reserved – so if siting of buildings was not a reserved matter, then the reserved matters application must comply with the siting as shown in the Approval in Principle.*
- *The Approval in Principle will contain commence timescale conditions, for larger sites if reserved matters are approved for some plots (and those plots commenced) but not applied for on other plots others it may be that part of the application lapses for those plots which have not had reserved matters approved.*

5.0 CHANGES OF USE

5.1 A Change of Use application is where a material change is proposed to the use of land or buildings that does not include any operational development (e.g. built development) - noting that internal alterations may not constitute development.

Common Issues

- *It may be that operational works are proposed but would be Permitted Development if the use were successful. However, Permitted Development does not apply until the change of use has been approved and implemented. So, if those operational changes are required to make the change of use acceptable then they would need to be approved at the same time and so a full application would be required.*

6.0 VARIATION OF CONDITION

6.1 Where a valid planning approval is already in place and the developer is seeking to vary a condition of that approval. This category includes application for the extension to the duration of an approval (an extension of time) specifically to review a condition where time constraint has been applied. If approved, the application will result in a new decision notice.

More guidance in relation to Full applications, Approval in Principle/Reserved Matters, Changes of Use and Variation of Condition is available [here](#)

7.0 MINOR CHANGE APPLICATION

7.1 A Minor Change Application relates to changes to a planning approval for a building that has not been completed and are not significant in nature. It is a fast-track application that does not require consultation and cannot be appealed, but has strict parameters – for example it cannot increase the footprint of the building, alter any conditions or materially alter vehicular access arrangements. If approved it is in effect added to the original approval and the two are implemented together.

7.2 More information is available [here](#)

Common Issues

- *Only one Minor Change Application may be made per planning approval (even if that approval relates to multiple buildings). Even if the first Minor Change Application is refused or withdrawn no further applications can be submitted.*
- *An application for a variation of condition, if approved, results in a new approval. Because the Minor Change application is essentially an add on to the parent approval, it cannot be combined with a variation of condition application – the condition would need to be varied first and then a Minor Change application submitted in relation to the resulting fresh approval.*
- *Because a Minor Change application does not vary conditions, the 4 year time period for commencement still runs from the date that the original approval was issued.*

8.0 OTHER APPROVALS/CONSENTS

8.1 Depending on the nature of your proposal, other forms of approval or consent may be required as well as or instead of the above types of application:

Registered Building Consent – For works to Registered Buildings or the demolition of any building within a Conservation Area, more information is available [here](#)

Advertisement Consent – more information is available [here](#)

Certificate of Lawful Use or Development – to demonstrate that something is lawful or that it has been in place for long enough to become immune from enforcement action (this is a technical assessment not a consideration of planning merits). More information is available [here](#)

Telecommunications Prior-to Consent – For certain types of development to be undertaken under the relevant Permitted Development. More information is available [here](#)

Building Control - More information is available [here](#)

Condition Discharge – The submission of details or information required by a condition attached to a planning approval. More information is available [here](#)