

Statutory Document No. 20XX/XXXX

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Town and Country Planning Act 1999

TOWN AND COUNTRY PLANNING (PERMITTED DEVELOPMENT) (AMENDMENT) ORDER 2021

Approved by Tynwald:

Coming into Operation:

The Cabinet Office makes the following Order under section 8(1), (2)(a), (3), (4) and (5) of the Town and Country Planning Act 1999.

1 Title

This Order is the Town and Country Planning (Permitted Development) (Amendment) Order 2021.

2 Commencement

If approved by Tynwald¹, this Order comes into operation on 24 May 2021.

3 Interpretation

In this Order, the “**Permitted Development Order**” means the Town and Country Planning (Permitted Development) Order 2012².

4 Article 4 of the Permitted Development Order amended

- (1) Article 4 of the Permitted Development Order is amended as follows.
- (2) In paragraph (1), for “condition in paragraph (2A)” substitute «conditions in paragraphs (2A) and (2AA)».
- (3) In paragraph (2A), omit “or be situated closer to such a tree than the required distance”.
- (4) After paragraph (2A) insert —

¹ Tynwald approval required under section 44(1) of the Town and Country Planning Act 1999.

² SD 0254/2012, as amended by SD 2019/0392, SD 2019/0459 and SD 2020/0349.

«(2AA) The following Schedule 1 operations must not be situated closer to a tree (other than a tree referred to in section 3(3) of the Tree Preservation Act 1993) than the required distance —

- (a) class 14 Extension of dwellinghouse;
- (b) class 17 Private garages and car ports;
- (c) class 18 Domestic fuel storage tanks;
- (d) class 19 Replacement of waste water treatment system;
- (e) class 22 Solar Panels (Stand alone);
- (f) class 23 Heat Pumps;
- (g) class 23A Air source heat pumps; and
- (h) class 43 School cycle shelters.».

(5) In paragraph (2B), for “2A” substitute «2AA».

5 Schedule 1 to the Permitted Development Order amended

(1) Schedule 1 to the Permitted Development Order is amended as follows.

(2) In paragraph 16 (Class 16 Fences, walls and gates) —

- (a) in subparagraph (d), omit “and”; and
- (b) after subparagraph (d) insert —

«(da) any wall must not be constructed closer to a tree (other than a tree referred to in section 3(3) of the Tree Preservation Act 1993) than the required distance stated in article 4(2B); and».

(3) In paragraph 39 (Class 39 Fences, walls and gates), at the end insert —

«Condition:

Any wall must not be constructed closer to a tree (other than a tree referred to in section 3(3) of the Tree Preservation Act 1993) than the required distance stated in article 4(2B).».

MADE

R HARMER

Minister for Policy and Reform

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (Permitted Development) Order 2012 [SD 0254/2012] (“the Permitted Development Order”) so that a tree distancing condition no longer applies to all classes of permitted development in Schedules 1 and 2 to the Permitted Development Order.