

THE TOWN AND COUNTRY PLANNING ACT 1999

**THE TOWN AND COUNTRY PLANNING (FREEPORT DEVELOPMENT)
ORDER 2005**

Approved by Tynwald

2005

Coming into operation

1st November 2005

In exercise of the powers conferred on the Department of Local Government and the Environment by sections 8(2)(a) and 8(3)(b), 8(4) and 8(5)(b) of the Town and Country Planning Act 1999¹, and of all other enabling powers, the following development order is hereby made:—

1. Citation, commencement and interpretation

(1) This Order may be cited as the Town and Country Planning (Freeport Development) Order 2005, and, subject to section 44(1) of the Act, shall come into operation on 1st November 2005.

(2) In this Order —

"the Act" means the Town and Country Planning Act 1999;

"the Freeport area" means the land at Balthane in the Parish of Malew delineated on the plan annexed to this Order;

2. Application of Order

This Order applies to the Freeport area.

3. Planning approval for certain development

Planning approval is granted for the operations and change of use specified in the Schedule.

4. Direction that approval shall not apply

(1) If the Department, after considering the advice of the Department of Trade and Industry, is satisfied that the operations or change of use specified in the Schedule should not, in any particular instance, be carried out without planning approval granted pursuant to an application for the purpose, the Department may by an instrument in writing direct that article 3 shall not apply.

(2) The Department —

¹ 1999 c.9
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- (a) shall give notice of any direction under paragraph (1) to the owner, occupier or person in charge of the business or enterprise concerned,
- (b) shall give notice of any such direction in 1 or more newspapers published and circulating in the Island,
- (c) shall give a copy of the notice of any such direction to the Commissioners of the Parish District of Malew,
- (d) may give such other notice of it as it thinks fit, and
- (e) shall make a copy of it available for inspection by any person at all reasonable times at the principal office of the Department.

Article 3.

SCHEDULE

OPERATIONS FOR WHICH PLANNING APPROVAL IS GRANTED

Class 1

Buildings

The construction or extension of buildings for use for industrial purposes or the purpose of storing or distributing goods, or for such other purpose, or purposes, as the Department, after considering the advice of the Department of Trade and Industry, considers compatible with the development and operation of Freeport activities.

Class 2

Roads and hard standing

The construction of roads and hard-standings to serve such buildings.

Class 3

Change of use

The change of use of any building to an industrial purpose, for storage, distribution or such other purpose as the Department, after considering the advice of the Department of Trade and Industry, considers compatible with the development and operation of Freeport activities.

MADE

Minister for Local Government and the Environment

EXPLANATORY NOTE

(This note is not part of the Order.)

This Development Order grants planning approval for the classes of development in the Freeport area specified in the Schedule to the Order.