CONSULTATION ON THE REVISION OF THE USE CLASSES AND ASSOCIATED PERMITTED CHANGES OF USE

November 2014

Isle of Man Government

Consultation Response Form

Closing Date: 5pm on 9th January 2015
Response Form

The purpose of this form is to help consultees record their thoughts and to facilitate with collation and analysis of the many responses that are expected to be returned.

To answer each question, consultees can choose to tick boxes and/or to provide suggestions and observations in more detail in the comment boxes below the questions. In particular, if you disagree with any proposal, please add comments and provide practical alternatives, where possible/appropriate. It is not essential to form a view against every question - respond only where you wish.

The list of questions is not exhaustive, and there is no intention to discourage consultees from expressing views "outside the box".

We would prefer replies via the online survey form available at https://www.snapsurveys.com/wh/s.asp?k=141649284042 however, if you are unable to use this we will accept email and hard copy responses. By 9th January 2015, please return hard copies of the completed questionnaire along with any material that you feel would add to your response.

It may be useful whilst completing this form to refer to the full consultation document which will provide more explanatory information and examples where appropriate.
Consultation on the revision of the use classes and associated permitted changes of use
November 2014

Respondent Details

Please return by 5pm on the 9th January 2015

Responses should preferable be submitted by email to: PlanningPolicy.DOI@gov.im

Alternatively hard copy responses should be sent to:

'Consultation on the revision of the use classes and associated permitted changes of use'
Planning Policy Team
Strategy, Policy and Performance
Sea Terminal
Douglas
Isle of Man
IM1 2RF

Name: ____________________________________________

Company (if appropriate): ____________________________________________

Address: ____________________________________________

Telephone: ____________________________________________

e-mail: ____________________________________________

Are you an agent acting on behalf of someone else?  
Yes........................................................... ☐  No............................................................ ☐

Please state who you are acting on behalf of: ____________________________________________

Provision is made throughout this questionnaire for you to make additional comments. If, however, you
wish to provide more detailed comments on any aspect of the consultation then please feel free to
append additional materials and supplementary documents, clearly marked and cross referenced to the
relevant questions, as necessary. It should be noted that all comments and information will be made
available for public viewing.
Proposed changes to the use classes (pages 5-6)

Q1 Should the following uses be classified as being "sui generis" i.e. 'of its own kind':

(a) An amusement arcade or centre, or a funfair?  
(b) For the sale of fuel for motor vehicles?
(c) For the sale or display for sale of motor vehicles?
(d) For a taxi business or business for the hire of motor vehicles?
(e) As a scrapyard, or a yard for the distribution of minerals, or the breaking of motor vehicles?
(f) As a waste disposal installation for the incineration, chemical treatment, or landfill of waste?
(g) As a waste management facility?
(h) As a night-club?
(i) Large houses in multiple occupation - Use of a property by more than 6 residents?
(j) A use associated with the provision of funeral services?
(k) As a dry cleaners?

Please state your reasons for your answers.

Shops (pages 7-8)

Q2 Should the following uses fall within the existing "shops" use class:

(a) Use as a laundrette?
(b) Use for the reception of goods to be washed, cleaned or repaired?
(c) Use as an Internet Cafe?

Please state your reasons for your answers.
Q3 Are there any other uses which should fall within Class A shops?
Yes........................................................... □  No.............................................................. □
If yes, please specify the uses, and outline why they should fall within Class A shops.

Financial and professional services (page 8)

Q4 Do you agree/disagree with the revised definition for financial and professional services?
Agree............................................................. □  Disagree ........................................................ □
Please state your reasons for your answer.

Food and drink (page 9)

Q5 Should the following use classes relating to hot food takeaways be created:
(a) Class D Food and drink with hot food takeaways
(b) Class E Hot food takeaways
Yes □  No □

Please state your reasons for your answers.
Offices (page 10)

Q6 Should call centres fall within the existing "office" use class?

Yes.......................................................................................................................... No..........................................................................................................................

Please state your reasons for your answer.

Research and development, light industry (page 10)

Q7 Should the existing “research and development, light industry” use class remain unaltered, apart from amending the name of the class?

Yes.......................................................................................................................... No..........................................................................................................................

Please state your reasons for your answer.

Storage or distribution (page 11)

Q8 Should the existing "storage or distribution" use class be amended to "storage and/or distribution"?

Yes.......................................................................................................................... No..........................................................................................................................

Please state your reasons for your answer.
Q9 Should "industrial process" be defined in the new use classes order?
Yes........................................................................ No.................................................................
Please state your reasons for your answer.

Q10 Do you agree/disagree with the proposed definition for an industrial process?
Agree........................................................................ Disagree ........................................................
Please state your reasons for your answer.

Q11 Should a new use class for "general industrial" uses be created?
Yes........................................................................ No.................................................................
Please state your reasons for your answer.
Q12  Do you agree/disagree with the proposed definition for general industrial uses, i.e. "Use for the carrying ou of an industrial process other than one falling within Class G (Research and development, light industrial)?"

Agree............................................................  Disagree ......................................................

Please state your reasons for your answer.

Hotels and hostels (page 13)

Q13  Do you agree/disagree that the definition be amended to refer to hostels?

Agree............................................................  Disagree ......................................................

Please state your reasons for your answer.

Hospitals, nursing and residential institutions (pages 13-14)

Q14  Should the "Use as a residential school, residential college or residential training centre" be included within the revised use class?

Yes..............................................................  No..............................................................

Please state your reasons for your answer.
Q15 Should the definition of care be amended to include “personal care of children and medical care and treatment”?

Yes................................................................. ☐  No................................................................. ☐

Please state your reasons for your answer.

Q16 Should a new use class for "secure residential establishments" be created?

Yes................................................................. ☐  No................................................................. ☐

Please state your reasons for your answer.

Q17 Should the following establishments fall within the new "secure residential establishments" use class:

(a) Prison?  ☐  ☐
(b) Young offenders institution?  ☐  ☐
(c) Detention centre?  ☐  ☐
(d) Secure training centre?  ☐  ☐
(e) Custody centre?  ☐  ☐
(f) Short term holding centre?  ☐  ☐
(g) Secure hospital?  ☐  ☐

Please state your reasons for your answers.
Dwellinghouse (pages 15-16)

Q18  Should a new use class for a "dwellinghouse" be created?

Yes.................................................................  No.................................................................

Please state your reasons for your answer.

Q19  Do you agree with the definition that a "dwellinghouse" is a residence for:

(a) a single person or by people to be regarded as forming a single household?  
Yes  
No

(b) not more than 6 residents living together as a single household where care is provided for residents?  
Yes  
No

(c) not more than 6 residents living together as a single household where no care is provided to residents (other than use within Class N)?  
Yes  
No

Please state your reasons for your answers.

Houses in multiple occupation (pages 17-18)

Q20  Should a new use class for "houses in multiple occupation" be created?

Yes.................................................................  No.................................................................

Please state your reasons for your answer.
Q21 Do you agree/disagree with the proposed definition for "houses in multiple occupation, i.e. "A house or flat is in "multiple occupations" if it is occupied by more than one household and at least one of those households - (a) Occupies accommodation which shares, or lacks, basic amenities; or (b) Occupies its accommodation as its only or main residence."

Agree ................................................................. Disagree .................................................................

Please state your reasons for your answer.

Medical/health facilities (page 18)

Q22 Should a new use class for "medical/health facilities" be created?

Yes................................................................. No.................................................................

Please state your reasons for your answer.

Q23 Do you agree/disagree with the proposed definition for "medical/health facilities"?

Agree ................................................................. Disagree .................................................................

Please state your reasons for your answer.
Q24 Should a new use class for "non-residential educational facilities" be created?

Yes........................................................................ No.................................................................

Please state your reasons for your answer.

Q25 Should the following uses fall within the new use class for "non-residential educational facilities":

(a) Creche?
(b) Day nursery?
(c) After school nursery?
(d) Day Centre?
(e) The provision of education?

Please state your reasons for your answers.

Community and cultural uses (pages 19-20)

Q26 Should a new use class for "community and cultural uses" be created?

Yes........................................................................ No.................................................................

Please state your reasons for your answer.
Q27 Should the following uses fall within the new use class for "community and cultural uses":

(a) Community centre? ☐ Yes ☐ No
(b) For the display of works of art (otherwise than for sale or hire)? ☐ Yes ☐ No
(c) Museum? ☐ Yes ☐ No
(d) Public library or public reading room? ☐ Yes ☐ No
(e) Public hall or exhibition hall? ☐ Yes ☐ No
(f) For, or in connection with, public worship or religious instruction? ☐ Yes ☐ No
(g) Law court? ☐ Yes ☐ No

Please state your reasons for your answers.

Assembly and leisure (pages 20-21)

Q28 Should a new use class for "assembly and leisure" be created?

Yes........................................................................................................... ☐  No................................................................................................. ☐

Please state your reasons for your answer.
Q29 Should the following uses fall within the new use class for "assembly and leisure":

Yes  No

(a) Cinema?
(b) Concert hall?
(c) Bingo hall?
(d) Casino?
(e) Theatre?
(f) Swimming bath, skating rink, gymnasium or area for other indoor or outdoor sports or recreation, not involving motorised vehicles or firearms?

Please state your reasons for your answers.

General Provisions (pages 21-22)

Q30 Should the following provisions be included in a new use classes order:

Yes  No

(a) Reference to a building includes references to land occupied with the building and used for the same purposes?
(b) A use which is included in and ordinarily incidental to any use in a class specified in the Schedule is not excluded from the use to which it is incidental merely because it is specified in the Schedule as a separate use?
(c) Where land on a single site or on adjacent sites used as a single undertaking is used for purposes consisting of or including purposes falling within classes G (Research and development, light industrial) and H (General industrial) in the Schedule, those classes may be treated as a single use of that land for the purposes of this Order, so long as the area used for a purpose falling within class H is not substantially increased as a result?

Please state your reasons for your answers.
Q31 Should the following changes of use be included in a new permitted development order:

(a) Class B (Professional and financial services) to Class A (Shops)?

(b) Class C (Food and drink) to Class A (Shops)?

(c) Class C (Food and drink) to Class B (Professional and financial services)?

(d) Class D (Food and drink with hot food takeaways) to Class A (Shops)?

(e) Class D (Food and drink with hot food takeaways) to Class B (Professional and financial services)?

(f) Class D (Food and drink with hot food takeaways) to Class C (Food and drink)?

(g) Class E (Hot food takeaways) to Class A (Shops)?

(h) Class E (Hot food takeaways) to Class B (Professional and financial services)?

(i) Class E (Hot food takeaways) to Class C (Food and drink)?

(j) Class E (Hot food takeaways) to Class D (Food and drink with hot food takeaways)?

(k) Class G (Research and development, Light industrial) to Class I (Storage and/or distribution)?

(l) Class H (General industrial) to Class G (Research and development, Light industrial)?

(m) Class H (General industrial) to Class I (Storage and/or distribution)?

(n) Class N (Houses in multiple occupation) to Class M (Dwellinghouses)?

(o) Large houses in multiple occupation to Class M (Dwellinghouses)?

Please state your reasons for your answers.
Q32 Should the changes of use relating to classes B, C, D and E be restricted to areas defined as 'predominantly shopping' or 'mixed use' in the Development Plan?

Yes ................................................................. □  No ................................................................. □

Please state your reasons for your answer

Q33 Should the following changes of use be included in a new permitted development order:

(a) Class A or class B to class A plus up to two flats above?  Yes □  No □
(b) Class B to class B plus up to two flats above?  Yes □  No □

Please state your reasons for your answers.

Q34 Do you agree/disagree with the proposed amendments to the existing permitted changes of use:

(a) Class 1 Residential care home?  Agree □  Disagree □
(b) Class 2 Guest-house?  Agree □  Disagree □
(c) Class 3 Taking in guests?  Agree □  Disagree □
(d) Class 4 Use of 2 or more flats as a single dwellinghouse?  Agree □  Disagree □
(e) Class 5 Working from home?  Agree □  Disagree □
(f) Class 6 Childminding?  Agree □  Disagree □

Please state your reasons for your answers.

Thank you for completing this survey. Please submit your response by 5pm on the 9th January 2015.