

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

**November 2014**



**Isle of Man  
Government**

*Reiltys Ellan Vannin*

**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 preferably be submitted by email to: [PlanningPolicy.DOI@gov.im](mailto: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':

	Yes	No
(a) An amusement arcade or centre, or a funfair?	<input type="checkbox"/>	<input type="checkbox"/>
(b) For the sale of fuel for motor vehicles?	<input type="checkbox"/>	<input type="checkbox"/>
(c) For the sale or display for sale of motor vehicles?	<input type="checkbox"/>	<input type="checkbox"/>
(d) For a taxi business or business for the hire of motor vehicles?	<input type="checkbox"/>	<input type="checkbox"/>
(e) As a scrapyard, or a yard for the distribution of minerals, or the breaking of motor vehicles?	<input type="checkbox"/>	<input type="checkbox"/>
(f) As a waste disposal installation for the incineration, chemical treatment, or landfill of waste?	<input type="checkbox"/>	<input type="checkbox"/>
(g) As a waste management facility?	<input type="checkbox"/>	<input type="checkbox"/>
(h) As a night-club?	<input type="checkbox"/>	<input type="checkbox"/>
(i) Large houses in multiple occupation - Use of a property by more than 6 residents?	<input type="checkbox"/>	<input type="checkbox"/>
(j) A use associated with the provision of funeral services?	<input type="checkbox"/>	<input type="checkbox"/>
(k) As a dry cleaners?	<input type="checkbox"/>	<input type="checkbox"/>

*Please state your reasons for your answers.*

**Shops (pages 7-8)**

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

	Yes	No
(a) Use as a laundrette?	<input type="checkbox"/>	<input type="checkbox"/>
(b) Use for the reception of goods to be washed, cleaned or repaired?	<input type="checkbox"/>	<input type="checkbox"/>
(c) Use as an Internet Cafe?	<input type="checkbox"/>	<input type="checkbox"/>

*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:**

- |  | Yes                      | No                       |
|--|--------------------------|--------------------------|
| (a) Class D Food and drink with hot food takeaways | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Class E Hot food takeaways                     | <input type="checkbox"/> | <input type="checkbox"/> |

*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.*

**General industrial (pages 11-12)**

**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 out 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.*

**Secure residential establishments (pages 14-15)**

**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:

- |                                  | Yes                      | No                       |
|----------------------------------|--------------------------|--------------------------|
| (a) Prison?                      | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Young offenders institution? | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Detention centre?            | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Secure training centre?      | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Custody centre?              | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Short term holding centre?   | <input type="checkbox"/> | <input type="checkbox"/> |
| (g) Secure hospital?             | <input type="checkbox"/> | <input type="checkbox"/> |

*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:

- |   | Yes                      | No                       |
|---|--------------------------|--------------------------|
| (a) a single person or by people to be regarded as forming a single household?  | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) not more than 6 residents living together as a single household where care is provided for residents?                                   | <input type="checkbox"/> | <input type="checkbox"/> |
| (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)? | <input type="checkbox"/> | <input type="checkbox"/> |

*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.*

**Non-residential educational facilities (page 19)**

**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":

- |                                 | Yes                      | No                       |
|---------------------------------|--------------------------|--------------------------|
| (a) Creche?                     | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Day nursery?                | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) After school nursery?       | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Day Centre?                 | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) The provision of education? | <input type="checkbox"/> | <input type="checkbox"/> |

*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":**

- |  | <i>Yes</i>               | <i>No</i>                |
|--|--------------------------|--------------------------|
| (a) Community centre?  | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) For the display of works of art (otherwise than for sale or hire)?   | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Museum?  | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Public library or public reading room?                               | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Public hall or exhibition hall?                                      | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) For, or in connection with, public worship or religious instruction? | <input type="checkbox"/> | <input type="checkbox"/> |
| (g) Law court?   | <input type="checkbox"/> | <input type="checkbox"/> |

*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?   | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Concert hall?   | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Bingo hall?   | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Casino?   | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Theatre?  | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Swimming bath, skating rink, gynasium or area for other indoor or outdoor sports or recreation, not involving motorised vehicles or firearms? | <input type="checkbox"/> | <input type="checkbox"/> |

*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?   | <input type="checkbox"/> | <input type="checkbox"/> |
| (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?  | <input type="checkbox"/> | <input type="checkbox"/> |
| (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? | <input type="checkbox"/> | <input type="checkbox"/> |

*Please state your reasons for your answers.*

**Proposed new classes of permitted development (pages 23-30)**

**Q31**      **Should the following changes of use be included in a new permitted development order:**

	Yes	No
(a) Class B (Professional and financial services) to Class A (Shops)?	<input type="checkbox"/>	<input type="checkbox"/>
(b) Class C (Food and drink) to Class A (Shops)?	<input type="checkbox"/>	<input type="checkbox"/>
(c) Class C (Food and drink) to Class B (Professional and financial services)?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Class D (Food and drink with hot food takeaways) to Class A (Shops)?	<input type="checkbox"/>	<input type="checkbox"/>
(e) Class D (Food and drink with hot food takeaways) to Class B (Professional and financial services)?	<input type="checkbox"/>	<input type="checkbox"/>
(f) Class D (Food and drink with hot food takeaways) to Class C (Food and drink)?	<input type="checkbox"/>	<input type="checkbox"/>
(g) Class E (Hot food takeaways) to Class A (Shops)?	<input type="checkbox"/>	<input type="checkbox"/>
(h) Class E (Hot food takeaways) to Class B (Professional and financial services)?	<input type="checkbox"/>	<input type="checkbox"/>
(i) Class E (Hot food takeaways) to Class C (Food and drink)?	<input type="checkbox"/>	<input type="checkbox"/>
(j) Class E (Hot food takeaways) to Class D (Food and drink with hot food takeaways)?	<input type="checkbox"/>	<input type="checkbox"/>
(k) Class G (Research and development, Light industrial) to Class I (Storage and/or distribution)?	<input type="checkbox"/>	<input type="checkbox"/>
(l) Class H (General industrial) to Class G (Research and development, Light industrial)?	<input type="checkbox"/>	<input type="checkbox"/>
(m) Class H (General industrial) to Class I (Storage and/or distribution)?	<input type="checkbox"/>	<input type="checkbox"/>
(n) Class N (Houses in multiple occupation) to Class M (Dwellinghouses)?	<input type="checkbox"/>	<input type="checkbox"/>
(o) Large houses in multiple occupation to Class M (Dwellinghouses)?	<input type="checkbox"/>	<input type="checkbox"/>

*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:**

- |   | Yes                      | No                       |
|---|--------------------------|--------------------------|
| (a) Class A or class B to class A plus up to two flats above? | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Class B to class B plus up to two flats above?            | <input type="checkbox"/> | <input type="checkbox"/> |

*Please state your reasons for your answers.*

**Q34**

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

- |   | Agree                    | Disagree                 |
|---|--------------------------|--------------------------|
| (a) Class 1 Residential care home?                            | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Class 2 Guest-house?                                      | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Class 3 Taking in guests?                                 | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Class 4 Use of 2 or more flats as a single dwellinghouse? | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Class 5 Working from home?                                | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Class 6 Childminding?                                     | <input type="checkbox"/> | <input type="checkbox"/> |

*Please state your reasons for your answers.*

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