



## Isle of Man Government

*Reilrys Ellan Vannin*

### **Minutes of a meeting of the Planning Committee, held on 29th January 2024, at 10.00am, in the Ground Floor Meeting Room of Murray House, Mount Havelock, Douglas**

Present: Mr R Callister, MHK, Chair of the Planning Committee  
Mr P Young, Member  
Mrs H Hughes, Member  
Mr M Warren, Member  
V Miss A Betteridge, Member  
Mr P Whiteway, Member

In Attendance: Miss A Morgan, Acting Head of Development Management  
Miss L Kinrade, Planning Officer  
Mr P Visigah, Planning Officer  
\*V Mr T Cowell, Planning Officer  
Mr T Sinden, Assistant Registered Buildings Officer  
Mrs C Dudley, Deputy Secretary to the Planning Committee  
Mr R Webster, Highway Development Control, Highway Services  
\*Mr C Harrison, Arboricultural Officer, DEFA Forestry, Amenity & Lands  
\*Part of the meeting only  
Attending virtually via Microsoft Teams V

#### **1. Introduction by the Chair**

The Chair welcomed members of the public in attendance to view the proceedings.

#### **2. Apologies for absence**

Apologies for absence were noted from Mr Skelton.

#### **3. Minutes**

The minutes of the 15<sup>th</sup> January 2024 were agreed and signed as a true record.

#### **4. Any matters arising**

None

#### **5. The Members considered and determined the schedule of planning applications as follows.**

<b>Item 5.1</b> East Of 15 Terence Avenue Douglas Isle Of Man IM2 5BN  <b>PA23/01097/B</b>	Erection of a two bedroom bungalow with associated landscaping and car parking facilities  Applicant : Mr Scott Wilson Case Officer : Mr Toby Cowell Recommendation : Permitted
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The Case Officer reported on the matter and summarised the key issues as set out in the report and with reference to the visual presentation, updating the Members with regard to representations received subsequent to the conclusion of his report and the publication of the

agenda, which reiterated concerns raised previously regarding the existing trees, the detrimental impact on the existing wildlife and ecology and the necessity for percolation tests.

The Highway Services representative confirmed there was nothing further to add to their report.

The objector from Hillcrest confirmed he was present in order to answer questions and that the objectors from Uplands were to speak.

The objectors from Uplands spoke against the proposal and confirmed their full names. The points raised were as follows:-

- Insufficient information submitted with regard to the existing trees and the protection thereof
- The submitted plans do not adhere to DEFA Tree Protection policy
- A report commissioned from Manx Roots confirmed the Elm tree on their land should have a root protection area of 9.2m radius which would fall within the foundations area of the development
- The Elm tree in question was not shown in the submitted documents and was a category B tree
- The proposed removal of the existing Beech tree could damage their Elm tree. This consideration was noted in R4 of the previously refused application
- Requested a site visit be carried out in order to fully assess potential tree damage
- Felt that the reasons for refusal of the previous application had not been properly addressed
- R1 - The building density was too high
- R2 - The increased proximity to 11 Ballanard Road resulted in overlooking
- R3 – The green corridor would be detrimentally impacted
- R4 – Potential public danger to tree roots and the removal of mature trees on site could have a detrimental impact on existing neighbouring trees
- Would set a precedent for similar developments in the area
- Many local residents object to the proposal
- Request the Planning Committee carry out a site visit
- Not informed of the Planning Committee meeting which was concerning as had been accorded Interested Person status

The agent spoke in support of the proposal. The points raised were as follows:-

- Confirmed they were present to answer questions and address any comments made
- Consulted DEFA Forestry for advice regarding existing trees. Advice received was that the Copper Beech was worthy of protection and the Beech was to be removed as it was predominantly dead
- The Beech tree was to be removed for safety reasons
- Concerns regarding overlooking were addressed by re-siting the property on the plot, the removal of fenestration from the elevation nearest to the boundary, and the relocation of the main living accommodation to the front of the property
- Information with regard to the trees had been submitted with the application

The Case Officer noted the comments made by the resident of Uplands, and confirmed that as he had not had sight of the report referred to he would not be able to comment on it.

The Acting Head of Development Management confirmed that a representative on behalf of DEFA Forestry, Amenity & Lands was available at the meeting in order to answer any questions. The representative from DEFA Forestry, Amenity & Lands confirmed that it was within civil common rights to prune overhanging trees back to the boundary.

The Case Officer confirmed that he had identified and measured the Elm tree referred to, and had measured the centre of the tree to the development boundary as approximately 11m, with the canopy extending to the boundary. The South West corner of the application site was to be

laid to lawn. He felt that the proposed dwelling should not have a detrimental impact on the existing dwellings.

In response to a question from the Members, the agent confirmed that the existing access and garage had been in use, but the garage was not currently in use as it was in a dangerous condition.

The Members expressed concerns regarding existing informal on-street parking and its detrimental impact on the proposed access and sightlines, and the loss of the greenbelt. They further expressed that the proposal was contrary to EP42 with regard to backland development and the loss of green belt land, that it would be overdevelopment of the site, loss of garden area and was out of keeping with the existing streetscene.

Miss Betteridge proposed that consideration of the matter be deferred in order that a site visit be carried out, which was seconded by the Chair and Mrs Hughes. Following discussion and a vote, the Members unanimously agreed to carry out a site visit at a time and date to be agreed at the end of the meeting. Following a request from the Members, the agent agreed to have the proposed footprint of the development pegged out on-site

In response to comments made by the objectors regarding notifications for Planning Committee meetings and site visit notifications, the Acting Head of Development Management advised app parties present that an email address would have to be provided in order to receive notifications of such events.

### **DECISION**

The Committee voted **unanimously** in favour of a site visit to be carried out at a date and time to be agreed at the end of the meeting.

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**Out of consideration for members of the public present, the following items were considered out of agenda order.**

<b>Item 5.3</b> Riverside Barn King Edward Road Onchan Isle Of Man IM4 6AB  <b>PA23/00640/B</b>	Erection of a building for the storage of items associated with the maintenance of the site  Applicant : Mr & Mrs Donal and Madgalena Carroll Case Officer : Mr Paul Visigah Recommendation : Permitted
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The Case Officer reported on the matter and summarised the key issues as set out in the report and with reference to the visual presentation.

The Highway Services representative confirmed there was nothing further to add to their report.

The agent spoke in support of the proposal. The points raised were as follows:-

- Thanked the Case Officer for the positive recommendation and noted that amendments had been made in line with advice received
- The proposal had been made smaller and also lower in height
- Identified the equipment intended to be stored and requested that the last part of C2 be amended in order to not control the internal layout with regard to such equipment as that may change
- It was a large site with invasive species which needs to continue to be cleared
- It was designed to complement what was already on site

In response to comments made by the agent, the Case Officer agreed to amend his recommendation with regard to C2 in order to not restrict the internal layout of the proposed development.

After discussion with the Members, the Case Officer agreed to amend his recommendation with regard to C3 in order to secure the provision of bat and bird boxes prior to the commencement of the development. The Case Officer confirmed that no condition was included to control future external lighting as this was not considered a concern by the ecosystem Policy Team, although the Officer noted that a condition could be included to control external lighting should the Committee consider this to be relevant for the development. The Members did not feel this was necessary.

## **DECISION**

The Committee **unanimously** accepted the recommendation of the Case Officer and the application was **approved** subject to the following conditions.

C 1. The development hereby approved shall be begun before the expiration of four years from the date of this decision notice.

Reason: To comply with Article 26 of the Town and Country Planning (Development Procedure) Order 2019 and to avoid the accumulation of unimplemented planning approvals.

C 2. The building hereby approved shall be used solely for the storage of machinery and equipment used for the maintenance of the woodland, as edged red on the approved plan (Drawing No. 23 1752/1 Rev C), and for no commercial purposes. The building shall be erected strictly in accordance with the approved plans Drawing No. DC/001 Rev C (excluding the illustrative internal storage/machinery layout) and DC/002 Rev C.

Reason: To take account of the particular planning circumstances of the development hereby approved and to safeguard the character of the countryside of the Island from unwarranted built development.

C3. Prior to the commencement of the development hereby approved, plans shall be submitted to the Planning Authority for written approval containing details of bat and bird boxes on the new development.

A bat box shall be installed high up on the south east, while the second bat box shall be installed on the south west elevation. The bird box shall be installed high up on a north elevation of the proposed building.

The development shall not be carried out unless in accordance with the approved details, and shall thereafter be permanently retained as such.

Reason: To provide adequate safeguards for the ecological species existing in the locality.

C 4. Prior to the commencement of the development hereby approved, the protection measures detailed on Drawing No. 23 1752/02 Rev A, submitted in support of the application shall be fully installed and implemented and retained for the duration of the construction process, unless stated otherwise. Within the Construction Exclusion Zones identified on this drawing, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, no mixing of cement or use of other contaminating materials or substances shall take place, nor shall any fires be lit, without prior written consent of the Department.

Reason: to ensure that all trees to be retained are adequately protected from damage to health and stability throughout the construction period to protect and enhance the appearance and character of the site and locality.

C 5. The building hereby approved shall be removed and the ground restored to its former condition in the event that it is no longer used or required for storage of equipment as set out in condition 2.

Reason: The building has been exceptionally approved solely to meet woodland management need and its subsequent retention would result in an unwarranted intrusion in the countryside.

C 6. Notwithstanding the provisions of the Town and Country Planning (Permitted Development) Order 2012 (or any Order revoking and/or re-enacting that Order with or without modification), no development shall be undertaken under the following classes of Schedule 1 of the Order at any time:

Class 39 - Fences, walls and gates

Reason: To control future development on the site.

C 7. Prior to the commencement of the development hereby approved, details of all external facing materials shall be submitted to and approved in writing by the Department. The development shall be undertaken in accordance with the approved details and retained as such thereafter.

Reason: In the interests of the character and appearance of the site and surrounding area.

C 8. No approval is hereby given for the use of any of the land edged in red on Drawing No. 23 1752/1 Rev C as part of the residential curtilage of Riverside Barn, Bibaloe Beg Road, Groudle, Onchan.

Reason: for the avoidance of doubt.

Reason for approval:

The proposal is not considered to have an adverse impact on the character and appearance of the countryside, and the works would enhance the nature conservation value of the site, thus according with General Policy 3 (f), Environment Policies 1, 3, 4, 5 and 27. No material considerations have been identified which would justify refusal.

### **INTERESTED PERSON STATUS**

It was decided that the following Government Departments should be given Interested Person Status on the basis that they have made written submissions relating to planning considerations:

Manx National Heritage

It was decided that the owners/occupiers of the following properties should not be given Interested Person Status as they are not considered to have sufficient interest in the subject matter of the application to take part in any subsequent proceedings and are not mentioned in Article 4(2):

Highfield, Bibaloe Beg Road, Onchan, as they have not explained how the development would impact the lawful use of land owned or occupied by them and in relation to the relevant issues identified in paragraph 2C of the Policy, as is required by paragraph 2D of the Policy. They are also not within 20m of the application site and the development is not automatically required to be the subject of an EIA by Appendix 5 of the Strategic Plan, in accordance with paragraph 2B of the Policy

<p><b>Item 5.5</b>          Ballaclucas Farm Top Road          Crosby Isle Of Man IM4          4HN</p> <p><b>PA22/01205/B</b></p>	<p>Retention of construction compound area for use as a parking area for large equestrian horse boxes and trailers associated with the Equestrian arena (retrospective)</p> <p>Applicant : Mr Matthew &amp; Mrs Lynda Ingham          Case Officer : Miss Lucy Kinrade          Recommendation : Permitted</p>
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The Case Officer reported on the matter and summarised the key issues as set out in the report and with reference to the visual presentation.

The Highway Services representative confirmed there was nothing further to add to their report.

The applicant confirmed they were present in order to answer any questions the Members may have.

In response to a question from the Acting Head of Development Management, the Case Officer confirmed that the original car park area had not been built in accordance with the original approval, but that the application under consideration would over-ride that. She further confirmed that the proposed car park was larger than the originally approved car park and sized to accommodate the larger equestrian vehicles visiting, turning and parking at the site. In response to a question from the Members, the Case Officer reported that the business being conducted from the site was in accordance with the previous 2015 approval.

In response to a further question from the Members the Case Officer confirmed that the car park appeared surfaced in a type 1 aggregate, and the distance from the main road means no washing entering the main highway and the surface was permeable. The representative for the applicant advised that the car park had not been finished in aggregate, that it had in fact been scraped which had revealed the underlying stones, demonstrating that the although the land was designated as high quality agricultural, the underlying layer of stone being close to the surface indicated that it was not.

## DECISION

The Committee **unanimously** accepted the recommendation of the Case Officer and the application was **approved** subject to the following conditions.

C 1. The development hereby approved shall be begun before the expiration of four years from the date of this decision notice.

Reason: To comply with Article 26 of the Town and Country Planning (Development Procedure) Order 2019 and to avoid the accumulation of unimplemented planning approvals.

C 2. The car park hereby approved shall be used only in association with the equestrian facility at 'Ballaclucas Farm' as outlined in blue on dwg P10-01 only.

Reason: a car park in this location is only considered acceptable and warranted given its connection and use by the established equestrian facility only and to which it relates in the interest of protecting the countryside from unwarranted development.

C 3. In the event that the car park is no longer required in association with the equestrian facility or the use of the equestrian facility ceases for a period longer than 24 months, the car park must be removed and the ground restored to its original agricultural field condition and retained as such thereafter.

Reason: the car park is only considered acceptable in relation to the operation of the equestrian facility and any retention without that facility would be unwarranted development in the countryside.

Reason for approval:

On the basis that suitable justification of need has been provided to outweigh the loss of high quality agricultural land, and minded of the acceptable visual, amenity and highway safety impacts, the proposal is considered to be acceptable and not at odds with General Policy 3, Environment Policies 1 and 2, and Environment Policies 15, 19, 20 and 21 of the Strategic Plan 2016. Conditions ensuring the car park remains for use by the equestrian facility only and the car parks removal and return to agricultural land should the equestrian facility no longer be operational.

### **INTERESTED PERSON STATUS**

No representations were received from anyone whom the Planning Committee was required to consider for the affording of Interested Person Status

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**Mr Young stated that whilst he knew the Applicant, he had not discussed the matter with them and declared he had no conflict of interest in this case**

<b>Item 5.6</b> Greenlands Barnell Lane Patrick Village Isle Of Man IM5 3AN  <b>PA23/00721/B</b>	Conversion of garage/store area into living space with glazed lantern over, replacing of roof and spar dash with new finishes, alterations and additions to windows/doors, removal of chimney stacks, demolition of single garage and installation of ASHP and solar panels and extension of residential curtilage (retrospective) into part of field 335204  Applicant : Mr & Mrs Sid & Ruth Caine Case Officer : Miss Lucy Kinrade Recommendation : Permitted
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The Case Officer reported on the matter and summarised the key issues as set out in the report and with reference to the visual presentation, confirming that the matter was before the Members because of the extension to the residential curtilage.

The Highway Services representative confirmed there was nothing further to add to their report.

The applicant confirmed that they were present in order to answer any questions which the Members may have.

### **DECISION**

The Committee **unanimously** accepted the recommendation of the Case Officer and the application was **approved** subject to the following conditions.

C 1. The development hereby approved shall be begun before the expiration of four years from the date of this decision notice.

Reason: To comply with Article 26 of the Town and Country Planning (Development Procedure) Order 2019 and to avoid the accumulation of unimplemented planning approvals.

Reason for approval:

The works to the main dwelling are considered to have an acceptable visual and amenity impact on the existing dwelling, neighbours and surrounding area, and the extension to the curtilage in this specific case is not considered to result in any unacceptable loss of agricultural land or to result in any adverse harm to the countryside. The proposal is considered to accord with

### INTERESTED PERSON STATUS

No representations were received from anyone whom the Planning Committee was required to consider for the affording of Interested Person Status

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### Items No's 5.7 and 5.8 relate to the same property and so were considered together

<b>Item 5.7</b> Cosy Nook Shore Road Port Erin Isle Of Man IM9 6HH  <b>PA23/01446/B</b>	Courtyard and beach area to be used as temporary event and bar space; installation of additional seating and stretch tent; alterations to WC block.  Applicant : Mr Ian Swindells Case Officer : Mr Thomas Sinden Recommendation : Permitted
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And

<b>Item 5.8</b> Cosy Nook Shore Road Port Erin Isle Of Man IM9 6HH  <b>PA23/01447/CON</b>	Registered Building Consent for internal alterations at ground floor level - RB295  Applicant : Mr Ian Swindells Case Officer : Mr Thomas Sinden Recommendation : Permitted
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The Case Officer reported on both applications, and summarised the key issues as set out in both reports and with reference to the visual presentation.

The Highway Services representative confirmed there was nothing further to add to their report.

The agent spoke in support of the proposal. The points raised were as follows:-

- The application was similar to that applied for 3 years ago by Foraging Vintners and Noa Bakehouse for the temporary use of the courtyard and beach area of the Cosy Nook. This has been successful and has led to revival of the northern end of Port Erin beach with other pop ups and small businesses following their lead
- While there were a number of objections to the previous application, there have been no objections to this application with much support on social media
- Port Erin Commissioners have seen the resulting benefit and increase in visitors, and have selected Foraging Vintners and Noa Bakehouse as their preferred tenant for a further 3 years with the option for an extension by mutual consent
- The applicants were well known for going the extra mile, and would like to take the opportunity to invest further in improving the venue to provide a better offering and allow for an extended season by making some enhancements
- They would like to add a slightly larger and more robust, but still removable, fabric tent structure as the existing marquee has proved vulnerable to strong winds. They would further like to add a bin enclosure, improved access to and more separation of the WC areas and better furniture, none of which would affect the registered building as such and would be minor changes from the previous application
- They would also like to bring the beach facing main room of the registered Cosy Nook Building back into use to give sheltered space in inclement weather conditions and which could also be used for smaller or private events throughout the year
- The Commissioners have already undertaken some repairs and improvements, removing the internal cement render and re-pointing the Manx Stone walls with Lime Render in order to allow them to dry out and stabilise the existing structure. The proposal was for



minor redecoration and new flooring in order to make the space useable and attractive without negatively impacting any registered elements. This would be a first step in bringing one area of the building back into use

- The continuation of the use would bring visitors to Port Erin, benefitting other local businesses, with the continued lease creating income for the Commissioners which would hopefully be used for further improvements to the building until a clearer plan for its future is developed
- Happy to answer questions. The planning consultant together with a representative on behalf of Noa Bakehouse were also available in order to answer questions

In response to a question from the Members, the Case Officer confirmed that any works to the interior had been carried out following consultation with the Directorate.

In response to questions from the Members, the agent confirmed that the local authority had carried out works over winter in order to stabilise the structure, which had been carried in line with advice received from the Assistant Registered Building Officer, and that any internal works proposed by the application would be carried out with a light touch.

The Case Officer further confirmed that his recommendation with regard to PA23/01446/B would be the same whether the works were proposed to a Registered Building or not, and that the intention of PA23/01447/CON was for the building to be used in inclement weather.

The Acting Head of Development Management advised the Members regarding the differences between planning applications and Registered Building applications, confirming that they were separate but linked, and that either could be carried out independently of the other as they are considered under different legislation.

The Members expressed appreciation for the intention to safeguard a Registered Building and bring it back into use.

#### **DECISION for PA23/01446/B**

The Committee **unanimously** accepted the recommendation of the Case Officer and the application was **approved** subject to the following conditions.

C 1. The development hereby approved shall be begun before the expiration of four years from the date of this decision notice.

Reason: To comply with Article 26 of the Town and Country Planning (Development Procedure) Order 2019 and to avoid the accumulation of unimplemented planning approvals.

C 2. Details of the form, the materials, and the position of the fixings for the proposed stretch tent canopy are to be submitted and approved in writing by the Department prior to installation. Thereafter, the stretch tent canopy is to be installed in accordance with the approved details.

Reason: To ensure that the setting of the registered building is preserved and protected.

Reason for approval:

The proposals meet the tests of Section 16 of the Town and Country Planning Act 1999 as the setting of the Registered Building is being preserved. The proposals also comply with General Policy 2, Environment Policies 11, 13, 32 and 33, Transport Policies 4, 6 and 7 and Strategic Policy 4 along with Planning Policy Statement 1/01. Whilst the beach is not designated for any specific use, its use for public sitting, eating and drinking is already established and it is judged that the specific use designation of this small section will not adversely impact its overall amenity value. The application is therefore judged to be acceptable.

#### **INTERESTED PERSON STATUS for PA23/01446/B**

No representations were received from anyone whom the Planning Committee was required to consider for the affording of Interested Person Status

**DECISION for PA23/01447/CON**

The Committee **unanimously** accepted the recommendation of the Case Officer and the application was **approved** subject to the following conditions.

C 1. The works hereby granted registered building consent shall be begun before the expiration of four years from the date of this consent.

Reason: To comply with paragraph 2(2)(a) of schedule 3 of the Town and Country Planning Act 1999 and to avoid the accumulation of unimplemented registered building consents.

Reason for approval:

The application is in accordance with section 16 of the Town and Country Act 1999 as the building's special interest is being preserved. The application also meets the tests of Planning Policy Statement 1/01 as well as Strategic Policy 4, Environment Policy 32 and Environment Policy 34 of the IOM Strategic Plan 2016 as the building is being protected and preserved, and traditional materials are being used. The application is therefore judged to be acceptable.

**INTERESTED PERSON STATUS PA23/01447/CON**

No representations were received from anyone whom the Planning Committee was required to consider for the affording of Interested Person Status

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**The published Agenda order was resumed**

<p><b>Item 5.2</b> Grenaby House Grenaby Ballasalla Isle Of Man IM9 3BD</p> <p><b>PA23/01040/B</b></p>	<p>Refurbish existing house and add extensions to each side and area of lawn adjacent to extended house, create additional off-road parking area with triple garage to utilise two existing accesses, and manage remainder of residential curtilage, retaining its natural state</p> <p>Applicant : Bravo Homes Limited Case Officer : Mr Toby Cowell Recommendation : Permitted</p>
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The Case Officer reported on the matter and summarised the key issues as set out in the report and with reference to the visual presentation, confirming that the current approval under PA 14/00453/B was extant as development has commenced, by way of trenches being dug, under that approval.

The Highway Services representative confirmed there was nothing further to add to their report.

In response to a question from the Members regarding the proximity of the existing low voltage overhead lines to the proposed development, the Acting Head of Development Management confirmed that the low voltage power line was above the existing garage and would not be above the Main living accommodation.

In response to a question from the Members regarding how building works were to be managed given the close proximity of the development site to the stream, the agent confirmed that a Method Statement had been submitted as part of the planning application, together with a Flood Risk Assessment submitted separately by the applicant, which details how such works were to be carried out. The agent further confirmed that stone from the existing site had been set aside in order to complete the boundary walls with age-suitable stone.

In response to a question from the Members regarding future replacement windows, the case officer confirmed that Permitted Development Rights were suspended by C9 so that any replacement windows would have to form part of a planning application.

## **DECISION**

The Committee **unanimously** accepted the recommendation of the Case Officer and the application was **approved** subject to the following conditions.

C 1. The development hereby approved shall be begun before the expiration of four years from the date of this decision notice.

Reason: To comply with Article 26 of the Town and Country Planning (Development Procedure) Order 2019 and to avoid the accumulation of unimplemented planning approvals.

C 2. Prior to the commencement of above ground works, full details of all materials to be used in the external finishes of the dwelling shall be submitted to the Department for approval. The development shall thereafter be undertaken in accordance with the approved.

Reason: To ensure the development is of the highest quality and appropriate from a visual standpoint.

C 3. Details of the windows and doors at a scale of 1:20 are to be submitted to and approved in writing by the Department. Thereafter, the windows and doors are to be installed in accordance with the approved details.

Reason: To preserve the character and fabric of the existing dwelling.

C 4. All hard and soft landscaping works within the site shall be undertaken in full accordance with the approved landscaping plan (drwg. No. 298/024) and the accompanying technical specification document. This shall include all ecological enhancements noted on the approved plan. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Department.

Reason: To ensure the provision of an appropriate landscape setting to the development.

C 5. No permanent external lighting shall be installed unless a sensitive low level lighting plan, following best practise, as detailed in the Bat Conservation Trust and Institute of Lighting Professionals Guidance Note 08/23 - Bats and Artificial Lighting (2023), has been submitted to the Department and approved in writing. The lighting scheme shall therefore be undertaken in accordance with the approved details.

Reason: To ensure that an appropriate ecologically sensitive lighting scheme is installed on site.

C 6. The development shall be undertaken in full accordance with the mitigation and flood risk prevention measures outlined in the approved Flood Risk Assessment received 19.01.2024.

Reason: To ensure that the development would be appropriate from a flood risk perspective.

C 7. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles associated with the development and shall remain free of obstruction for such use at all times.

Reason: To ensure that sufficient provision is made for off-street parking and turning of vehicles in the interests of highway safety.

C 8. The garage hereby approved shall at all times be made available for the parking of private motor vehicles(s) and shall be retained available for such use. The garage shall not be used for any other purpose without prior consent of the Department in writing.

Reason: To provide adequate off-street parking and ensure that the building would not be used for any purpose which may not be ancillary to the host dwellinghouse.

C 9. Notwithstanding the provisions of the Town and Country Planning (Permitted Development) Order 2012 (or any Order revoking and/or re-enacting that Order with or without modification) no extension, enlargement or other alteration of the dwelling(s) hereby approved, other than that expressly authorised by this approval, shall be carried out, without the prior written approval of the Department.

Reason: To control development in the interests of the amenities of the surrounding area.

#### N 1. FOR INFORMATION

Please be aware that a ban on the installation of fossil fuel heating systems in any new building(s) and or extension(s), will come into force on 1st January 2025.

You therefore are encouraged to ensure that your proposed development includes alternatives to fossil fuel heating systems if you believe that such works will not be completed by that date.

To this end, if you propose an alternative, such as air source or ground source heat pump(s), or any other heating system that would require planning approval, the details of this should be addressed now. This may require you to resubmit your planning application to accommodate the alternative permitted heating system proposed.

Reason for approval:

The proposed development is considered to amount to appropriate extension to a traditional styled property in the countryside, without detriment to the character and appearance of the immediate streetscene or wider landscape. The proposals would help facilitate the restoration, conservation and retention of the existing dwelling which is considered to be of historic and architectural significance, whilst providing well-designed additions that respect the form and built vernacular of the property. The proposals are therefore deemed compliant with Spatial Policy 5, Strategy Policy 5, General Policies 2 and 3, Housing Policy 15, and Environment Policies 1, 3, 4 and 5 of the Strategic Plan (2016).

#### **INTERESTED PERSON STATUS**

It was decided that the following Government Departments should be given Interested Person Status on the basis that they have made written submissions relating to planning considerations:  
Department of Infrastructure Flood Risk Management Division  
Manx Utilities Authority  
Manx National Heritage

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<b>Item 5.4</b> Cornaa House Ballaglass Glen Road Cornaa Ramsey Isle Of Man IM7 1EJ  <b>PA20/01472/B</b>	Installation of garden terracing and river storm defences and extension to residential curtilage (retrospective)  Applicant : Mr Peter Adamson Case Officer : Miss Lucy Kinrade Recommendation : Permitted
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The Acting Head of Development Management advised that the agent was available online should the Members have any questions for them.

The Case Officer reported on the matter and summarised the key issues as set out in the report, confirming the site of the development within the landscape with reference to the visual presentation. She confirmed that the local authority had objected to the proposal, but confirmed that the house already bridges the river, that the proposal was not so out of keeping and read in connection with the main house, that the palette of materials and visual appearance was not detrimental to the overall landscape in this specific location and setting, and that no issues had been raised with regard to drainage or flood management.

The Highway Services representative confirmed there was nothing further to add to their report.

In response to a question from the Members, the Case Officer confirmed that there would be an element of visibility from the main road should the owners have their main driveway gates open, and that although it would be able to be viewed from the public glen the proposed development would be read in connection with the existing property and not as isolated development.

## **DECISION**

The Committee **unanimously** accepted the recommendation of the Case Officer and the application was **approved** subject to the following conditions.

C 1. The development hereby approved shall be begun before the expiration of four years from the date of this decision notice.

Reason: To comply with Article 26 of the Town and Country Planning (Development Procedure) Order 2019 and to avoid the accumulation of unimplemented planning approvals.

N 1. The applicant is to be reminded of their obligations under Section 58 of The Highways Act 1986 to not have any surface water enter a public highway.

Reason for approval:

The specific siting, proximity and relationship of the terracing to the existing dwelling which already bridges the river would not be so at odds or out of character as to warrant a concern or refusal in this case and the works would read in connection with the main dwelling. The palette and selection of materials along with incorporated landscaped banking also helps to soften the overall appearance of the works within the landscape. The proposal is considered to have an acceptable visual, amenity, flood risk and habitat impact in accordance with Environment Policies 1, 2, 4, 7 and 13 of the Isle of Man Strategic Plan 2016.

## **INTERESTED PERSON STATUS**

It was decided that the following Government Departments should be given Interested Person Status on the basis that they have made written submissions relating to planning considerations:

- DOI Highways Drainage - made reference to surface water impact

It was decided that the following Government Departments should not be given Interested Person Status on the basis that although they have made written submissions these do not relate to planning considerations:

- DOI Flood Risk Management - no flood risk interest stated.

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## **6. Site Visits**

The Committee agreed to make a site visit in relation to item 5.1 (PA23/01097/B - Erection of a two bedroom bungalow with associated landscaping and car parking facilities, East of 15 Terence Avenue Douglas Isle of Man IM2 5BN) at 1.30pm on Monday 5<sup>th</sup> February 2024.

## 7. Section 13 Legal Agreements

The Members noted that since the last sitting Section 13 Legal Agreements had been concluded on applications previously determined, and that the notices had been issued as shown below -

Application number	Proposal	Site	Notice Issued
PA22/00675/B	Full approval for a residential development comprising up to 320 dwellings, a nursery and a neighbourhood centre with associated highway and pedestrian/cycle access and infrastructure, drainage, landscaping and public open space together with approval in principle for a 2-form entry primary school and associated access/infrastructure	Fields And Part Fields 524202, 524978, 524930, 524765, 524224, 524225 & 524226, Land East Of Braddan Road, Braddan	17/01/24
PA22/01133/B	Erection of 73 dwellings with associated access, parking, open space and landscaping	Fields 210401, 210403, 210451 & 210 Ballagarraghyn Bretney Road Jurby	25/01/24

## 8. Any other business

In response to a query from the Members, the Acting Head of Development Management confirmed that PA22/00679/B ( Combined approval in principle and full approval for a residential development seeking planning permission for the erection of 66 dwellinghouses and 12 flats, site access, Spine Road through the site, drainage, car parking and associated landscaping (Phase 1). Outline Planning permission for development of up to 127 new residential units in the form of dwellinghouses and flats, flexible commercial space, a new public house and new retail space with all matters reserved save for access, Land at Poyldooey, Fields And Part Fields 134271, 134253, 134270, 134272, 131273, 131276, 132274 & 134274, Ramsey) which had been deferred for a site visit at the meeting of the 15<sup>th</sup> January 2024, was scheduled to be brought back before the Members on the 12<sup>th</sup> February 2024 due to the large number of responses received subsequent to its deferral and the site visit conducted.

## 9. Next meeting of the Planning Committee


The Committee noted that the next Planning Committee had been set for 12<sup>th</sup> February 2024.

There was no further business and the meeting concluded at 11.20am.

## Confirmed a true record



**Secretary to the  
Planning Committee**



**Mr R Callister, MHK  
Chair of the  
Planning Committee**

12<sup>th</sup> Feb 2024