



**Isle of Man
Government**

Reillys Ellan Vannin

Minutes of a meeting of the Planning Committee, held on 11th March 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 S Skelton, Member
Mrs H Hughes, Member
Mr M Warren, Member
V Miss A Betteridge, Member
Mr P Whiteway, Member

In Attendance: Mr S Butler, Head Of Development Management
*Mr J Singleton, Principal Planner
*Mr C Balmer, Principal Planner
*Miss L Kinrade, Planning Officer
Mrs C Dudley, Deputy Secretary to the Planning Committee
V Mr R Webster, Highway Development Control, Highway Services
*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 Young.

3. Minutes

The minutes of the 26th February 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.

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

The Chair declared that he knew the Clerk to Peel Commissioners but had not discussed the matter with them, and so felt there was no conflict of interest in this case.

<p>Item 5.1 Tennis Courts Marine Parade Peel Isle Of Man</p> <p>PA23/01360/A</p>	<p>Approval in Principle for the redevelopment of the site to provide cafe, bowling clubhouse, community facilities and public toilets.</p> <p>Applicant : Peel Town Commissioners</p>
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In the absence of the Case Officer Mr Singleton summarised the key issues as set out in the report and with reference to the visual presentation, updating the Members with regards to a late representation received from the owner/occupier of 12 Stanley Road, Peel, subsequent to the conclusion of the Case Officer's report, with regard to the allotment of Interested Person Status in relation to the application site as it was land in public ownership. The Reporting Officer read the submission in full to the Members and confirmed that there were no properties within 20m of the application site. The Case Officer confirmed that IPS was assessed in line with the Operational Policy on Interested Person Status (2021), which was confirmed by the Head of Development Management.

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

The owner/occupier from Shennedeagh, Ballaquane Road, Peel spoke against the proposal. The points raised were as follows:-

- Was not opposed to the development of the site in general
- Objected to the development of another clubhouse and café on a site adjacent to those existing
- Felt consideration should have been given to the provision of a multi-purpose building catering to the needs of the wider community
- Public money should be spent in order to benefit more residents of Peel for more hours of the day
- Suggested a multi-use leisure facility which was adaptable to a variety of needs and could provide wet weather leisure facilities for all age groups
- Felt the proposal was a missed opportunity to develop a facility which not only was of benefit to residents of Peel but would attract custom from elsewhere
- Raised concerns regarding the purpose and design of the proposal
- Wished to see the development of a facility which would cater for and be adaptable to future needs of the community as a whole

The representative on behalf of the applicant spoke in support of the proposal. The points raised were as follows:-

- Felt the proposed use was in accordance with the aims of the Strategic Plan with regard to Tourism and Leisure uses
- The proposal would not introduce new land use as the proposed uses occurred currently or had occurred historically at that site
- The proposal would rejuvenate the area and replace existing facilities which were felt to be in need of replacement
- The proposal would ease flow to the site and present better access to the site and its facilities
- Was centrally positioned to serve the existing bowling green to one side and the existing multi-use area to the other side
- Would be designed in order to provide an number of uses within the proposed building
- The full details of the proposed uses would be provided within the full detailed application
- The current use of the site has affected the existing bowling green with regard to disturbance occasioned by stray balls on the green, for example
- The bowling club has requested better facilities and storage provision
- The area currently occupied by the café was proposed to be used as a practice area for the bowling club in order to preserve the green
- The proposal would build on existing uses
- The intention was to regenerate that area of Peel Promenade

In response to questions from the Members, the representative on behalf of the applicant confirmed that there were proposals to relocate the Tennis Courts to another site near to the

swimming pool as the current facility was in poor condition and it was felt that this would be beneficial to the area. He further stated that there would be public consultation with regard to the proposed uses contained within the facility prior to the full detailed application being submitted. He confirmed that the layout as on the submitted documents was purely indicative, and while the size would remain unchanged, the proposed uses would result from the public consultation.

The Members expressed that they felt that more detail was needed in order them to more fully assess the proposal, that public consultation should have been carried out prior to any application being submitted, and that the proposal under consideration did not fit with tourism uses. They noted that the Area Plan for the North and West had not yet been adopted. The reporting officer confirmed that in his opinion the level of information submitted was sufficient to consider the application as it was for an approval in principle rather than a full detailed application.

The representative for the applicant confirmed that the submitted layout was purely indicative, that the bowling lanes indicated on the submitted drawings were not for 10 pin bowling, and that it was to be a multi-use facility with the ability to cater for a number of different uses depending on what was required at the time. The size indicated was likely to be the largest size likely to be applied for, with its siting creating a better flow around the site, separating the proposed facilities from the Bowling Green and providing better access to them. He felt that the proposal did not preclude the development of the remaining area for tourism purposes, noting that there had been previous approvals for a hotel and for a glamping site which had not been taken up, although the bowling green site could be utilised for a boutique hotel or as a glamping site in line with tourist uses for the area. In the applicant's opinion, the whole of the harbour and promenade area was a tourist attraction and the proposed facility would cater for and enhance that. The intention was to consult with the Planning Department prior to submitting a full detailed application. He stated that little objection had been made to the proposed scheme.

In response to a question from the Members regarding the removal of an area of multi-sport provision aimed at younger members of the community, the representative for the applicant confirmed there was a proposal to provide a multi-sport use area to the north of the application site, indicating the proposed location of same on the visual presentation.

The Chair questioned that, as the proposal was for a public facility that was being submitted by the local authority, should the 20m restriction regarding IPS still apply. The Case Officer reaffirmed that IPS was assessed in line with the Operational Policy on Interested Person Status (2021), and that the rules surrounding that were hard and fast.

The Members expressed that in their opinion that the public consultation should be carried out first in order to establish what facilities would best serve the community as a whole.

The Head of Development Management advised the Members with regard to the Peel Local Plan 1989, with particular reference to Section 4.14 which dealt specifically with tourism uses within Peel and this site. He noted that while reference was made within this Plan to approval given for the erection of a hotel, such permission had not been taken up and had now lapsed. He advised that some weight can be put on the Area Plan for the East which, although not adopted, indicated the intention for development in the area and in any case the existing use of the site was as formal public open space. He also referenced the Tourist Strategy in relation to increasing leisure provision.

In response to a question from the Chair, the owner/occupier of Shenndeeagh confirmed that their preference would be for public consultation to be carried out prior to the submission of an application in order to establish what facilities and services were wanted by the public, and to identify those most commonly requested in order to submit a more suitable application.

Following discussion, the Members voted on the proposal as follows:-

In support of the Case Officer's recommendation –
Mrs Hughes
Mr Warren
Mr Whiteway

Against the Case Officer's recommendation –
The Chair
Miss Betteridge
Mr Skelton

The vote being evenly balanced, the Chair utilised his casting vote and the application was refused.

The Members proposed that reasons for refusal should take into consideration the proposal not being in-keeping with the existing zoning, would prejudice the wider development of the site, and the lack of detail contained within the submitted application. The Head of Development Management advised that in his opinion the matter of the lack of public consultation in advance of submission should not form a reasons for refusal and the Chair indicated that he agreed with this.

Following discussion the Members voted unanimously that the reasons for refusal should encompass the proposal not being contrary to land use zoning, prejudicial to future wider development of the site, the lack of information contained within the submission together with loss of existing community facility.

DECISION

The Committee, with the exception of Mrs Hughes, Mr Warren and Mr Whiteway, **rejected** the recommendation of the Case Officer. The Chair used his casting voted to reject the Case Officer's recommendation and the application was **refused** subject to the following conditions.

R.1 The proposed use of the site to provide cafe, bowling clubhouse, community facilities and public toilets would be contrary to the land use designation identified in the Peel Local Plan 1989 as Tourism and insufficient information has been demonstrated on the submitted plans that the proposed use of the site to provide cafe, bowling clubhouse, community facilities and public toilets would not undermine the overall redevelopment of the site in accordance with Designation 15 of the Peel Local Plan.

R.2 The application has not adequately demonstrated the how the loss of an existing formal public open space provision (tennis courts) will be compensated for and so would be contrary to Recreation Policy 2 of the Strategic Plan.

INTERESTED PERSON STATUS

It was decided that the owners/occupiers of the following properties should not be given Interested Person Status as they are considered not 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):

Shenndeeagh, Ballaquane Road & 12 Stanley Road as they are more than 20m away from the application site as per the requirements of paragraph 2 of the Department's Operational Policy on Interested Person Status

Item 5.2 Ballamaddrell Cottage Grenaby Road Ballabeg	Alterations to previously approved planning application 22/00473/B with a glazed link to modern two storey extension to rear
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Castletown Isle Of Man IM9 4HD PA23/00759/B	Applicant : Mr & Mrs Stephen & Polly Garrett Case Officer : Mrs Vanessa Porter Recommendation : Permitted
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In the absence of the Case Officer, Mr Singleton 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:-

- The property was purchased following much negotiation as a criteria for the seller was for the buyer to be demonstrably Manx.
- The proposal was to create a family home to allow the applicant to live in a property which has much history and was founded on largely traditional principles. To make this into a property suitable for modern living it has been necessary to make provision for extensions whilst retaining the original building.
- A previous proposal for a scheme of similar size was approved under PA22/00473/B, which required significant regrading of the ground, much additional hard landscaping and also relied on the removal of all original internal walls and approximately 2/3 of the rear external wall.
- The opportunity to review the site has been taken. The proposals, which were unashamedly modern in their palette, had been chosen to ensure that the original dwelling was as far as possible maintained, the original form was clearly defined and the sensitive treatment ensured the primary approach on the Grenaby Road created significant interest.
- The applicant thanked the planning officer for their comprehensive assessment and generally agreed with the report

In response to a question from the Members, the Reporting Officer confirmed that no objections had been received with regard to the proposal and that the local authority were in support.

In response to a question from the Members the agent confirmed that there was a similar modern extension to the nearby Ballamaddrell Farm.

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. Notwithstanding the details provided within this application, no permission is given for a gate(s) to be erected between the access pillars.

Reason: for the interest of highway safety

C 3. 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 13 - Greenhouses and polytunnels

Class 14 - Extension of dwellinghouse

Class 15 - Garden sheds and summer-houses
Class 16 - Fences, walls and gates
Class 17 - Private garages and car ports
Class 18 - Domestic Fuel Storage
Class 21 - Construction of decking
Class 28 - Roof lights
Class 29 - Solar Panels

Reason: To control future development on the site.

C 4. Notwithstanding the submitted details, details of all external facing materials including windows, doors and external walls, shall be submitted to and approved in writing by the Department. The development shall not take place other than in accordance with the submitted details.

Any energy efficiency upgrades within the building should be in accordance with the recommendations of Historic England's Guidance to Energy Retrofit of Traditional Buildings

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

C 5. The development hereby approved shall not be occupied or operated until the access/driveway, parking and turning areas have been provided in accordance with the approved plans (Drawing No. 120 Rev A). Such areas shall not be used for any purpose other than for access, 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 the development will not compromise the free flow of traffic or highway safety.

C 6. No development shall take place until full details of soft and hard landscaping works have been submitted to and approved in writing by the Planning Department and these works shall be carried out as approved.

Details of the hard landscaping works to include details of landscaping/pedestrian paths to the front of the dwelling, driveways, parking and turning areas, and patio area shall also be provided. The hard landscaping works shall be completed in full accordance with the approved details prior to the first occupation of the dwellings hereby permitted.

All further planting, seeding or turfing comprised in the approved details of landscaping must be carried out in the first planting and seeding seasons following the completion of the development or the occupation of the dwelling, whichever is the sooner.

Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased must be replaced in the next planting season with others of a similar size and species.

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

C 7. No development shall be commenced until an Updated Tree Plan prepared in accordance with the recommendations of British Standard BS5837:2012 (Trees in relation to Design, Demolition and Construction) has been submitted to and approved in writing by the Department. Such a scheme shall include details of all trees and other planting which are to be retained; a planting specification to include numbers, species and positions of all new trees and shrubs; and a programme of implementation.

Any retained tree which within five years of the approved development being occupied or completed (whichever is the later) dies, are removed or become seriously damaged or diseased shall be replaced by a similar species, of a size to be first approved in writing by the Department, during the next planting season or in accordance with a programme of replacement to be agreed in writing with the Department.

Reason: To safeguard the existing trees and planting to be retained within the site.

C 8. Prior to any works commencing on the site, a Precautionary Working Method Statement for lizards, breeding birds and Schedule 8 plants, written by a suitably qualified ecological consultancy, shall be submitted to and approved in writing by the Department.

The statement shall include the provision of a new hibernacula feature for lizards in a sunny spot close to a boundary hedge or wall.

The development shall not be carried out other than in accordance with the submitted Method Statement.

Reason: To provide adequate safeguards for the ecological species existing on the site.

Reason for approval:

Overall, it is considered the proposal would comply with General Policy 3, Environment Policies 1, 4 and 5, and Housing Policy 13 of the Isle of Man Strategic Plan.

INTERESTED PERSON STATUS

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

Item 5.6 Land Adjacent To Ocean View Baltic Road Kirk Michael Isle Of Man IM6 1EF PA23/01400/B	Erection of stable block on existing concrete base (retrospective), construction of equestrian manege and change of use of field Applicant : Miss Kathryn Ions Case Officer : Mrs Vanessa Porter Recommendation : Permitted
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In the absence of the Case Officer, Mr Balmer summarised the key issues as set out in the report and with reference to the visual presentation, confirming that Michael Commissioners had advised that it had no objection to the proposal, with the email communication being received subsequent to the conclusion of the Case Officer's report. The Reporting Officer confirmed that the proposal was of smaller dimensions than that contained within the previously refused application and that applicants had overcome the reasons for the previous refusal.

The Highway Services representative reported that they had not been consulted with regard to this application, but having examined the application details they had no objection to the proposal.

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

- The development was important to them
- Was attending in order to support the application and answer any questions the Members may have in the absence of the Case Officer
- Lived on the Baltic Road
- Followed guidance and advice from the Case Officer in order to address the reasons for refusal for PA 23/00454/B
- Worked with the Case Officer in order to achieve the best outcome.

In response to a question from the Members, the applicant confirmed that the manege was to be topped using a multi-layered approach with the top dressing being of sand, and that this would be monitored with regards to how well it worked with the prevailing weather conditions in the area. They confirmed that only environmentally acceptable materials would be used. The Members noted that there was a prohibition of recycled carpet fibres being used for manege dressing in the UK, but there was no such restriction in force in the Island. For reasons of clarity, the Members requested that a further condition be appended requiring a sample of any dressing material be submitted for approval prior to the commencement of any development hereby approved. The applicant was agreeable to such condition and the Reporting Officer agreed to amend the Case Officer's recommendation by the addition of such condition.

In response to a question from the Members, the Reporting Officer confirmed that the previous application was refused on the grounds of the size of what had been proposed. The application under consideration was approximately half the size of that refused, and was felt to be of a more appropriate size and scale.

The applicant confirmed that their application had been based on similar developments nearby, and in response to prevailing weather conditions. They confirmed that they were unable to use the existing stone outbuildings in connection with their horses as they did not comply with modern regulations with regard to the horses' health, and also with regard to safe access, should such be needed.

Following discussion, the Members approved the application with an additional condition attached regarding the details of the surface finish of the manege being submitted to the Department and approved in writing prior to the commencement of the manege.

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. In the event that the stable building and manege approved is no longer used or required for the stabling of horses, the stable building and its associated hardstanding shall be removed and the ground restored to its former condition within 12 months of the date the use ceased.

Reason: The stable building has been exceptionally approved solely to meet the specific need based on the information provided and its subsequent retention without that need would result in an unwarranted stable building in the countryside.

C 3. The building hereby approved must be used only for equestrian purposes in association with the residential dwelling Ocean View, and shall not be used for any commercial use or commercial purposes.

Reason: The application has been assessed on this private use only as requested in the application for the stabling of horses and keeping of equipment and feed in association with the horses.

C 4. The change of use of land to private equestrian use relates only to the area outlined in red as shown on Site Location Plan received 29th November 2023.

Reason: The application has been assessed on this area only for private equestrian use.

C 5. In the event that the stable building is removed in line with C2 above, the equestrian use of the land must also cease.

Reason: the equestrian use of the land is considered on an exceptional basis for the need for horse grazing and in the event that need ceases the land shall also revert to its original use and purpose.

C 6. For the avoidance of doubt there shall be no permanent siting or any external storage of any horse jumps, horse boxes or any other associated equestrian paraphernalia on the land edged red on the Site Location Plan received 29th November 2023.

Reason: The application has been assessed on the change of use of the fields for general exercise and grazing only and not for any other use. In the interest of ensuring no overspill of equestrian equipment over the fields in the interest of visual amenity.

C 7. There shall be no external lighting at the site unless full lighting plan details have been first submitted to and approved in writing by the Department, such details shall include position of lights, level of illumination and cowl details. Any external lighting shall then only be installed in full accordance with the approved lighting plan.

Reason: For the avoidance of doubt and to ensure no harm to the surrounding countryside.

C8. Prior to the commencement of the manege details shall be submitted to and approved in writing by the Department which indicates the surface finish of the manege and these approved details shall be fully adhered to and retained thereafter.

Reason: In the interests of ecology/biodiversity.

Reason for approval:

It is concluded that the planning application would not harm the use and enjoyment of neighbouring properties or the highway network and would comply with aforementioned planning policies of the Isle of Man Strategic Plan 2016.

INTERESTED PERSON STATUS

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

The published agenda order was resumed

Item 5.3 67 Strand Street Douglas Isle Of Man IM1 2EN PA23/00352/B	Installation of a pitched roof and creation of additional flat to the rear. Applicant : Victoria Street Properties Ltd Case Officer : Miss Lucy Kinrade Recommendation : Refused
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The Case Officer opened the presentation by making reference to the following item 5.4 for a similar upwards extension along Market Street which was recommended for approval and how the policy test for each being very similar with the principle, highway impacts and amenity impacts being accepted in both cases, and that the overarching difference in each application in this case being the difference in each schemes overall visual impact which would be referred to in the visual presentation for each.

The case officer continued to present 5.3 and summarised the key issues as set out in the officer report and with reference to the visual presentation.

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

In response to questions from the Members, the Case Officer indicated the location of the proposal site in relation to its surrounds, the roof heights of nearby existing buildings and how the proposed development would sit within the existing street scene, particularly with regard to building heights with reference to the visual presentation. She confirmed that there were no windows in the existing side elevations and the proposal sought to install new windows to both side elevations, whilst these windows helped to break up the solid mass of the proposed elevations they immediately bound with the adjoining neighbours and their inclusion potentially sterilising the development of those adjoining sites also in the Comprehensive Treatment Area 2.

One member expressed the view that in isolation the proposed building appears visually ok, but when considered in relationship to the surroundings would appear out of place. The Members expressed that they felt the proposal would appear overly dominant within the existing street scene.

DECISION

The Committee **unanimously** accepted the recommendation of the Case Officer and the application was **refused** for the following reason(s).

R 1. By reason of the proposed floor area, increased height of the upwards extension and the proposed roof arrangement the proposal is considered to result in any overall massing of the building that has an overbearing and dominating visual impact adversely affecting the character and appearance of the streetscene and which does not positively contribute to the environment either visually nor sustainably through any reduced energy use and is considered contrary to Strategic Policy 5, General Policy 2 (b, c, g) and Environment Policy 42 of the Isle of Man Strategic Plan 2016 and contrary to Sections 6.4 and 6.5 of The Area Plan for the East 2020.

R 2. The inclusion of new high level windows on the side elevation may result in a sterilisation of the immediate adjoining sites and prejudice their potential re-development as part of Market Street comprehensive treatment area contrary to section 13.8 of The Area Plan for the East 2020, the aims of the Central Douglas Master Plan 2014 and to General Policy 2(k) of the Isle of Man Strategic Plan 2016.

INTERESTED PERSON STATUS

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

Item 5.4 25A Market Street Douglas Isle Of Man IM1 2PA PA24/00064/B	Conversion of garage & store into a 2 Bedroom dwelling with an additional storey added to the existing building - amendment to PA 23/00898/B Applicant : Tracey Bell Case Officer : Mr Paul Visigah Recommendation : Permitted
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In the absence of the Case Officer, Miss Kinrade presented the application, with reference to the previous item 5.3 and summarising the key issues as set out in the officer report and with reference to the visual presentation.

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

In response to questions from the Members, the Case Officer reported that unlike item 5.3 this proposal was more in-keeping with the immediate street scene and also had an existing private lane and steps running along the side elevation and having two existing side elevation windows. The proposal makes larger the existing side windows and introduces further windows and openings but all were to be at a level which did not create any unacceptable overlooking of the neighbouring garage property, and having the lane between the properties meant that these windows did not sterilise any future development of the neighbour. Miss Kinrade also noted that the neighbouring garage property had recently been approved for its replacement and no windows were proposed on its new side elevation facing the lane.

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 proposed garage door must have an opening mechanism that shall not swing onto the adopted highway when opening, but shall only swing into the site.

Reason: To clarify the extent of the approval and reflect what is included in the application, in the interest of highway safety.

C 3. The car parking space provided within the garage, hereby permitted as part of the development, and shown on Drawing No. 23 - 102 - 02 Rev. E, received 23 January 2024, shall be provided prior to the first occupation of the dwelling and shall thereafter be retained and made available for vehicle parking at all times.

Reason: To ensure that sufficient on-site parking is provided to serve the development in order to avoid unnecessary on-street parking as per the requirements of the Manual for Manx Roads and Transport Policy 7 in the Adopted Isle of Man Strategic Plan (2016).

N 1. FOR YOUR 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 application accords with General Policy 2, Strategic Policies 1 and 2, Housing Policies 4 and 6, Environment Policy 42 of the IOM Strategic Plan 2016, and the principles of the Residential Design Guidance 2021, as the proposal would not harm the use and enjoyment of the application site, neighbouring properties, and the character of the area.

INTERESTED PERSON STATUS

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

Item 5.5 Unit 5 The Shipyard Shipyard Road Ramsey Isle Of Man IM8 3DT PA23/01502/C	Additional use from Class 2.2 (Light Industry) to Classes 2.2 (Light Industry), 2.1 (Office) and 1.1 (Shops) (Retrospective) Applicant : Mr Sam Adcock Case Officer : Mr Paul Visigah Recommendation : Permitted
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In the absence of the Case Officer, Mr Balmer 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.

In response to questions from the Members, the Reporting Officer confirmed that the change of use would be linked to the property and not to the operator. In response to concerns raised by the Members regarding potential future use of the site, the Head of Development Management advised that the type of goods offered for sale from the premises could be controlled by condition. He further advised members with regard to applications where Planning Committee refusals had been overturned at Appeal on the grounds that the level of sales resulting from those developments would not detrimentally impact sales within town centres.

The Members discussed the proposal, with some of the Members expressing discomfort with the inclusion of a retail element within an industrial area with limited access and parking provision, although they noted there were existing mixed uses within the industrial estate which included a gym and the IOM Coastguard Headquarters.

The Head of Development Management advised the Members with regard to details of the goods proposed to be sold from the premises. The Reporting Officer confirmed that out of town retail proposals have been appropriately adjudged historically on the Island, with the goods proposed for sale being generally large, which had retained vitality within town centres.

The Head of Development Management further advised the Members with regard to the parking and use of HGV vehicles, whilst not being a use in itself, is part of the operation of the use, and to the reasonableness of the inclusion of parking with the proposed use.

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. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2019 (or any Order revoking and/or re-enacting that Order with or without modification), the area denoted as Unit 5 on the approved Site Plan shall only be used for Use Class Classes 2.2 (Light Industry), or a combination of the uses only at any time - Classes 2.2 (Light Industry), 2.1 (Office), and 1.1 (Shops).

Reason: For the avoidance of doubt and to allow the Department has assessed the impact of the proposal on the basis of the specific use and any alternative uses will require further consideration.

C 3. The business use hereby approved may be operational only within the following days:

- o Mondays to Fridays: Open
- o Saturdays and Sundays: Closed

Reason: to clarify the extent of the proposal as submitted and to control the impact of the development on the surrounding area.

C 4. The proposed additional retail use hereby approved shall be limited to the selling of electrical/mechanical products and accessories only.

REASON: To restrict the sale of goods within an industrial estate

C 5. The use of the premises hereby approved shall be carried out in accordance with the internal layout drawing referenced "Unit 5 Floor Plan Proposed" and retained in perpetuity, unless otherwise approved in writing by the Department.

REASON : To take account of the particular planning circumstances of the development hereby approved, and to avoid any increase in retail on the site.

Reason for approval:

It is considered that the proposed development would have no significant adverse impacts upon public or private amenities, while the use of the site for the proposed additional office and retail use would not impact adversely on the viability of the Ramsey Town centre. Accordingly, the proposal would comply with Strategic Policies 1, Business Policy 5, 7 and 10, General Policy 2, and Transport Policies 4 & 7 of the Isle of Man Strategic Plan 2016.

INTERESTED PERSON STATUS

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

6. Site Visits

None

7. Section 13 Legal Agreements (If any)

The Members noted that no Section 13 Legal Agreements had been concluded since its last sitting

8. Any other business

8.1 Amendment to PC Minutes for the 29th January 2024

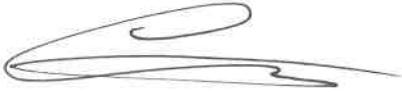
The Members noted that owing to a clerical error the PC Minutes for the 29th January 2024 erroneously stated that the objector from Hillcrest was present in order to answer questions and that the objectors from Uplands spoke against the proposal, when it should have been the objector from Uplands was present in order to answer questions and that the objectors from Hillcrest spoke against the proposal. Following discussion, the Members determined that the correct details should be noted at this meeting and included as part of the public record.

9. Next meeting of the Planning Committee

The Committee noted that the next Planning Committee had been set for 25th March 2024.

There was no further business and the meeting concluded at 11.29am.

Confirmed a true record



**Secretary to the
Planning Committee**



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

25th March 2024