

CD44

Town and Country Planning Act 1999

Town and Country Planning (Development Procedure) Order 2005

Appeal L01NEW/AP10/0101 - Appeal by Dandara Commercial Ltd against the Planning Committee's refusal of PA 10/00155/B, relocation of existing stone recycling area and creation of industrial starter units, land currently used as part of recycling and storage compound and adjoining unused land, adjacent to existing industrial units and Animal Waste Processing Plant, Middle Farm, Braddan

Appeal statement for the applicant / appellant, Dandara Commercial Ltd

David Humphrey BA (Hons) MCD MRTPI
Chartered Town Planner

 dandara
commercial limited

has been published by the Department of Infrastructure in support of its Cooil Road Order. The consideration of employment land availability/take up in the study is based upon the findings of the Department's Employment Land Availability (ELA) report 2007, a review of that report carried out by Black Grace Cowley Chartered Surveyors & Estate Agents (BGC) and an earlier BGC report from 2005. As an overview, it is correct to say that no new land has been allocated for industrial development (either in the east or Island wide) since the Inspector considered PA 06/00558 and no other "windfall" sites have come forward. In that period some of the potential supply identified by the Inspector, for example sites at the Isle of Man Business Park and Middle River, has been brought forward and can no longer be considered to be available. On this basis alone the availability of land for industrial development is unlikely to have increased.

5.3.5 In respect of this issue the Planning Officer refers to the Department's Employment Land Availability (ELA) report (June 2010 draft), which had not been published at the time that the appeal application was submitted but nonetheless provides a useful analysis. There is little dispute over the fact that, across the Island as a whole, there are areas of land which are allocated for employment uses in Local Plans and which are yet to be developed, the largest of these being in the south of the Island. It also clear however that demand for industrial development is concentrated heavily upon the east of the Island, a key point behind the Department's decision to bring forward the Cooil Road Order. Dandara Commercial Ltd has experience of this pattern of demand, having been granted planning permission in 2004 for 56 industrial units at Balthane (in the south) of which only 12 have been constructed due to lack of demand in that location.

5.3.6 The Planning Officer's report states that 12.09 hectares of land remain available for industrial development in the east of the Island. This figure is lower than the 16.25 ha shown at Table 1 of the ELA⁸, which includes two additional sites which are outside of areas zoned for development. Using the higher figure as a starting point, I consider that the total should be adjusted for the following reasons;

⁸ Extract from draft Employment Land Availability Study, June 2010 is attached at Appendix 8

- The 4.10 ha Ballakinnish Nurseries site, although unoccupied, remains zoned for Market Garden use and there is nothing to suggest that industrial use will be acceptable. The site is in public ownership, and there has been no indication that it is available for development or likely to come forward. The ELA itself states that "it may be difficult to find a suitable employment use for this site after the nursery left, as it is specifically zoned for a Market Garden."
- The 4.15 ha at the Isle of Man Business Park is zoned for a mix of uses, it is predominantly set amongst office buildings which are used as corporate headquarters and it is "allocated" for office use on the Business Park masterplan (approximately 0.7 ha of that total is the subject of extant office approvals which are yet to be taken up). This land is therefore unlikely to be developed with industrial uses.
- The ECOTEC report indicates that the 2.54 ha of land at School Road is "likely to come forward for residential development", but it has been included simply on account of its zoning. The site is in public ownership, and there has been no indication that it is available for development or likely to come forward.
- 1.6 ha of land at Middle River Industrial Estate is identified as being within an area which is not zoned for development and a previous planning approval has expired, it should therefore not still be included in the total.
- The vacant 0.66 ha site at Spring Valley Industrial Estate which has planning approval in principle for retail use is unlikely to come forward for industrial development, and we understand that the owners are actively seeking to progress a detailed retail scheme.

5.3.7 This gives a revised total of 3.20 ha, which is considerably lower than the figures contained in the ELA and in my view takes a more realistic approach to the likelihood of land coming forward for industrial development. Further, 2.56 ha of this total is at White Hoe and is identified in the Inspector's report for PA 06/00558 as potential future supply; this level of availability was clearly not considered to be sufficient, with the Inspector stating "I consider that it is important that industrial units are provided where they are needed, and that new units are coming online before the current supply is exhausted".