

**DRAFT JUNE 2010**



Statutory Document No. (        )

**THE TOWN AND COUNTRY PLANNING ACT 1999**

**THE TOWN AND COUNTRY PLANNING (COOIL ROAD) DEVELOPMENT  
ORDER (        )**

<i>Approved by Tynwald</i>	<i>2010</i>
<i>Coming into operation</i>	<i>2010</i>

The Department of Infrastructure makes this Order under section 8(1), (2), (3)(b) and (4) of the Town and Country Planning Act

**1. Title**

The title of this Order is the Town and Country Planning (Cooil Road) Development Order (        )

**2. Commencement**

If approved by Tynwald, this Order comes into operation on .... (date to be inserted)

**3. Interpretation**

In this Order the "site" means the land in the Parish of Braddan edged by a thick black line on the plan in Schedule 1 hereto.

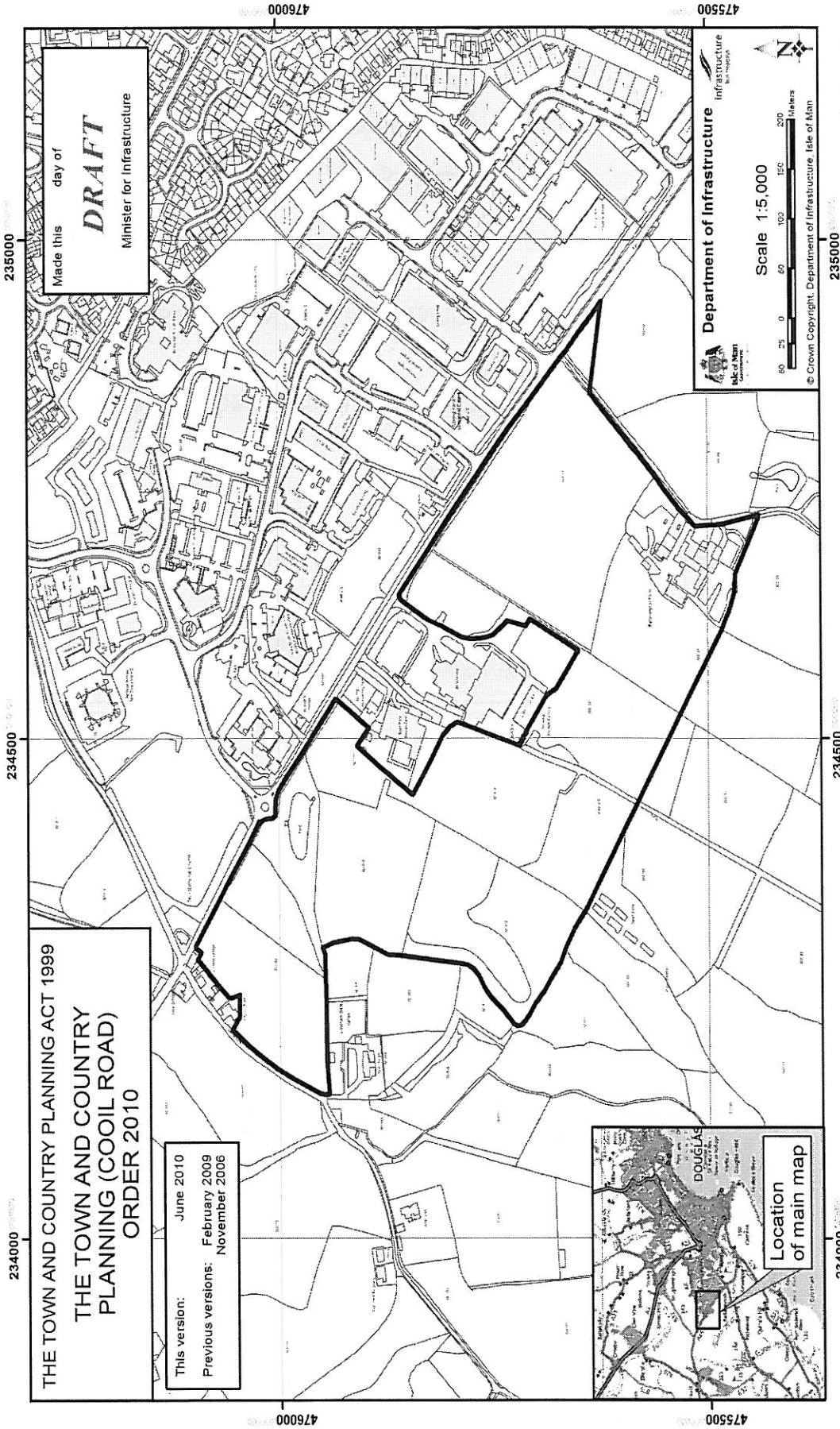
**4. Cooil Road Planning Approval**

Subject to the conditions set out in Schedule 2, planning approval in principle is granted for the development of the site for the purposes set out in paragraph 3 of Schedule 2 hereto.

MADE

Minister for Infrastructure

**SCHEDULE 1 Plan of the Site**



SCHEDULE 2

**Conditions of Approval**

1. This approval is in principle only and will remain valid for a period of four years ("the approval period") from the date this Order is approved by Tynwald.
2. No development of the site shall commence within the approval period unless the Department of Infrastructure first approves in writing -
  - (a) the application referred to in paragraph 5; and
  - (b) an application for approval of the details of the building, engineering or other operations which it is proposed to commence.
3. This approval is for use of the site for all or any of the following purposes –
  - (a) those within class 5 (research and development, light industry) or class 6 (storage and distribution) of Schedule 4 to the Town and Country Planning (Permitted Development) Order 2005.
  - (b) those within the meaning of Business Parks as defined in Appendix 1 to the document annexed to the Town and Country Planning (Isle of Man Strategic Plan) Order 2007;
  - (c) showrooms and associated open space used for the display and sale of motor vehicles; and
  - (d) the siting of a sewage treatment plant and surface-water attenuation systems.
4. At least 55% of the area of the site (excluding land used for structure planting), shall be used for the purposes specified in paragraph 3(a), and no more than 15% may be used for the purpose specified in paragraph 3(c).

5. The first application for approval of the details of building, engineering or other operations in accordance with this Order shall include the details set out in the following table –

<p>1) A master plan for the development of the whole site which indicates –</p> <ul style="list-style-type: none"> <li>(a) the location and extent of the various uses identified in paragraph 3 hereto;</li> <li>(b) a landscaping scheme including – <ul style="list-style-type: none"> <li>(i) full details of all structure planting and earth-modelling;</li> <li>(ii) proposals for peripheral planting designed so as to mitigate any adverse visual impact of the development in views from Richmond Hill, the Ballacutchel Road, and the Cooil Road; and</li> <li>(iii) proposals for screening the development from the buildings fronting on to Colooney’s Lane south of the Cooil Crossroads;</li> </ul> </li> <li>(c) the maximum height of buildings within each part of the development;</li> <li>(d) the layout of the primary foul and surface-water drainage systems, the location and discharge arrangements for any on-site sewage treatment plant, and the location and nature of arrangements to attenuate surface-water discharges; in the design of these arrangements, consideration must be given to the use of Sustainable Urban Drainage Systems;</li> <li>(e) the layout of the primary highway system, including the access points from the Cooil Road; this system must include <ul style="list-style-type: none"> <li>(i) a minimum of two points of access for emergency service access;</li> <li>(ii) a footway along the Cooil Road frontage; and</li> <li>(iii) a bus lay-by on the Cooil Road;</li> </ul> <p>no vehicular access will be permitted from Colooneys Road; and</p> </li> <li>(f) the proposed phasing of the development in terms of both the provision of infrastructure and the construction of buildings.</li> </ul>
<p>2) A report, prepared in consultation with the Department of Infrastructure Highways Division, which includes an assessment of the transport issues relating to the proposed development, and which identifies what measures will be taken to deal with the anticipated transport impacts at that phase of the development.</p>
<p>3) Ecological surveys of the site which address in particular frogs, lizards and bats.</p>
<p>4) Proposals for safeguarding the interests revealed by the ecological surveys (if any).</p>
<p>5) A geophysical and/or alternative survey(s) of the site.</p>
<p>6) A full assessment of the risks to archaeological remains within the site (if</p>

any).
<p>7) Proposals for mitigating the impact of the development (if any) on archaeological remains. These proposals –</p> <p>(a) should, wherever possible, involve preservation of any archaeological remains in situ, and</p> <p>(b) shall include the retention of the extant farmhouse and formal garden and the stone constructed farm buildings at Ballavagher.</p>

6. Each subsequent application for approval of details of building, engineering or other operations in accordance with this Order shall include –
- (a) specific proposals for mitigating any adverse impacts which the proposed operations would have on the interests identified by the ecological surveys; and
- (b) a report, prepared in consultation with the Highways Division of the Department of Infrastructure, which includes an assessment of the transport issues relating to the proposed operations, and which identifies what measures will be taken to deal with the anticipated transport impacts at that phase of the overall development.
7. The layout of the development must be designed, and the construction works undertaken, so as to afford protection to the gas pipeline which crosses the site, and the Manx Electricity Authority (which is responsible for the pipeline) must be consulted in this regard.

### **Explanatory Note**

*(This note is not part of the Order.)*

This Order grants planning approval in principle for the development of land between Colooney's Lane and Ballavagher on the south side of the Cooil Road in the Parish of Braddan. The land is identified on a plan in Schedule 1. Development is subject to the conditions set out in Schedule 2. In particular, these require the submission of details of the proposed development for approval by the Department of Infrastructure.

