Creg de Shee, Colooneys Lane, Cooil, Braddan, Isle of Man, IM4 2AG.

March 3rd, 2010

Dear Ian McCauley,

RE: TOWN AND COUNTRY PLANNING (COOIL ROAD) DEVELOPMENT ORDER 2010

As a resident of Colooney's Lane whose boundary borders on the land earmarked for development by this Order, I would like to take this opportunity to express my views at the above revised Development Order. I have lived at Creg de Shee since January 2000 and greatly value the privacy, quietude and open views that the property affords me.

In my original letter of objection to you dated January 13<sup>th</sup> 2007, I expressed a number of concerns and am disappointed to see that the revised draft by and large has succeeded in overlooking most of them; although I do appreciate that this time around there has been an Environmental Impact Study and an Economic Impact Assessment, both of which were surprisingly lacking prior to the 2006 Cooil Road Development Order.

However, I remain dismayed that most of my initial concerns have not been addressed. The southern boundary of my property - which looks down (south) to Garey Ashen, approximately 150 metres away - is protected by a fence of approximately 1.5 metres in height. This fence is approximately 2.5 metres away from the southern most wall of my house. I am greatly saddened to think that within the next few years as I sit in my conservatory, I will be looking out on to commercial buildings thronging with shoppers in extremely close proximity to my breakfast table. A downstairs bedroom window will be on similar public display. To use a cliché, it would be like living in a goldfish bowl.

The January 2010 draft still does not contain any specific restrictions on the maximum height of any new buildings. Nor does it stipulate how far away from my boundary they must be. It also fails to stipulate how rigorous must be the "proposals for screening the development from the buildings fronting on to Coloonéy's Lane south of the Cooil Crossroads". This rather vague clause is taken from the document entitled: THE TOWN AND COUNTRY PLANNING (COOIL ROAD) ORDER 2010, point 5, subsection 1b(iii).

Furthermore, it would appear that the once designated open space (pre-COOIL ROAD DEVELOPMENT ORDER 2006) separating Clybane Cottage, Creg de Shee and Garey Ashen from the proposed development site is still to be sacrificed for the sake of a maximum building density. As there are no detailed plans for the residents of Colooneys Lane to view, then this development could be literally feet away from our houses. And the phrase "landscaping

scheme" is so indistinct that it singularly fails to provide us with any guarantees whatsoever regarding our privacy. Admittedly, you could argue that these matters will be dealt with on receipt of each individual planning application should the Development Order be passed. However, I must object to any proposed development order that does not initially guarantee my peace and my privacy.

As the Proposed Development Order currently stands, it would be perfectly possible for planning permission to be granted to erect light industrial or commercial buildings between Creg de Shee and Garey Ashen or for the construction of a road between Creg de Shee and Garey Ashen. Of course, I may be raising possibilities which may not even be in the minds of whatever private and public development consortium is driving this piece of legislation, but then I have not seen any plans of what the proposed development might look like. How about presenting for public consultation a scale model, a detailed architectural drawing or a 3D computer simulation? This would allow those most affected, such as myself, to have a clear and honest view of how well protected our properties will be from the new industrial park. Admittedly, any plans presented at this stage may not be able to incorporate the buildings that will eventually be erected ... but they could clearly indicate the maximum height of any such buildings, their proximity to my property and what, if any, screening there will be to protect my privacy.

To be quite honest, any buildings or road placed between Garey Ashen and Creg de Shee will destroy the peaceful rural quality of the property that I have lived in for the past ten years. Furthermore, I wish to advocate that there should still be an Open Space Designation between any proposed light industrial estate and Creg de Shee, Clybane Cottage and Garey Ashen so as to protect these dwellings from the undue noise and intrusion that this new development will inevitably bring. The extent of this undue noise and intrusion can be gleaned from the ECONOMIC IMPACT STUDY SUMMARY which states:

"Our formative assessment suggests that a fully occupied Cooil Road development might potentially generate in the region of 1,100-1,500 additional jobs to the Eastern sector ..."

A further concern that I have is regarding the projected revenue to be generated by the development. The ECONOMIC IMPACT STUDY SUMMARY states:

"In terms of contribution to national income, it might be anticipated that a fully occupied development at Cooil Road could generate in the order of £62-83 million to the Eastern sector, and perhaps £73-101 million overall annually to the Isle of Man's GDP."

Presumably the above calculations were made before the unforeseen bombshell of the recalculation of the VAT formula with the UK in October 2010. Therefore, the economic assessments in the ECONOMIC IMPACT STUDY are now surely out of date? Does this study still really provide a sound economic basis for the 2010 Development Order? Furthermore, in the light of the world recession, how likely is it that a site consisting of 19.8 hectares could generate a contribution to Manx national income of between 3% and 5% of overall GDP? In any case, for any income from the site to make a positive contribution to the Manx economy, it would have to result in income from new business to the Isle of Man and not income from relocated existing businesses. Is this site really likely to attract that volume of business to the Island, either to the

site itself or to the vacated premises of existing businesses which have relocated to the site? Or is it merely likely to encourage the relocation of existing businesses thus leaving empty premises dotted elsewhere around the Island?

I am also somewhat perplexed by a statement in the COOIL ROAD DEVELOPMENT ORDER - ENVIRONMENTAL IMPACT ASSESSMENT: NON-TECHNICAL SUMMARY, MARCH 2009. In the LANDSCAPE AND VIEWS section, point i.21, it states:

"The proposed development site is designated as an area of high landscape value in the approved Isle of Man Strategic Plan. This designation covers the majority of the island and includes a belt that runs around the entire coast. The site is also designated as being of high landscape value in the 1991 adopted local plan (policy 13.3) and as an agricultural open space in the 1991 adopted local plan. Policy 6.7 states that 'no further extension of any industrial areas into areas designated as open space will be permitted'."

As the designated area is described in the above paragraph as being "an area of high landscape value" and "as an agricultural open space", does it not conflict with the spirit of the Strategic Plan to develop this site? Or is this to be circumvented by Chapter 6, 6.3 (g) of the Isle of Man Strategic Plan which justifies "development recognised to be of overriding national need in land use planning terms and for which there is no reasonable and acceptable alternative"?

For reasons outlined earlier in this submission, I am not convinced that the economic case as stated in the ECONOMIC IMPACT STUDY SUMMARY is realistic and, therefore, I am not convinced that the development of this site does satisfy an "overriding national need".

Finally, I would like to raise a concern about agricultural land being sacrificed for commercial development. Now that we live in an age in which Global Warming has become an accepted fact and in which climate change is predicted to devastate many of the world's major food growing areas by 2050, why is prime farm land not being preserved? The situation is further exacerbated by a world population growth trend which is estimated to reach 9 billion by the year 2040. Surely, it should be government policy to preserve as much farm land as possible so as to protect the Island from the inevitable food price hikes (if not food shortages) which lie not so many years hence. Long-term strategic planning, therefore, would suggest that another less fertile site would be better suited to such a development.

I would be most grateful if you would acknowledge receipt of this letter and continue to keep me informed of all future developments in this planning process.

Yours sincerely,

Peter Morrisson.



Clerk: B Kelly ACA,BSc Telephone: (01624) 832101

Fax: (01624) 836267

E-mail: commissioners@portstmary.net

Commissioners' Office
Town Hall
Port St Mary
Isle of Man
IM9 5DA

Our Ref: M/8687/BK 25 February 2010

Proposed Development Order – Cooil Road, Braddan Department of Local Government and the Environment Murray House Mount Havelock Douglas Isle of Man IM1 2SF

RECEIVED ON

-2 MAR 2010

RECEIVED ON

-2 MAR 2010

Dear Mrs Curphey

RE: Draft Cooil Road Development Order

Port St Mary Commissioners understand that the Department of Local Government and the Environment [DoLGE] is proposing to make an Order under Section 8 of the Town & Country Planning Act 1999. The effect of this Order would be to grant Planning Approval in Principle for the industrial development of approximately 20 hectares of land which lies in the Parish of Braddan, immediately south of Cooil Road and east of Colooney's Lane.

At their Board Meeting on the 17<sup>th</sup> February, the Commissioners considered the draft Order together its background statement, its summary Environmental Impact Assessment and Economic Impact Study. After deliberation they wish to OBJECT the Order on the following ground/s:

1) Whilst the IoM Strategic Plan 2007 indicates a proposal to advance such an Order [ section 9.1.5 of the Plan], it is never the less pre-empts the Area Plan for the East, a process which is about to get under way. It is felt to be an abuse of the all Island planning framework which the Department, post the Mount Murray inquiry, has accepted.

It was noted that the matter of a Cooil Road development dates to 2001; that an updated Braddan Plan subsequently went to Public inquiry and that in June 2006, in Tynwald, it was announced that the Braddan Plan had been abandoned in favour of the new planning framework.

Little evidence has been presented to show why this Draft Order is so urgent as to preempt the Eastern Area Plan process. Additionally, the commercial property section of the full ECOTEC report indicates there is significant office development space currently available within Douglas. By releasing land at Cooil Rd., there will be less incentive for these town sites to be utilised.

2) It pre-empts the report of the Independent Planning Inspector on the Tesco Stores PLC Planning Application 09/00301B. This should give guidance on the issues of (a) the economic effects of large retail operations to Island wide retailing and (b) the use of

'edge of town' retailing. A significant amount of evidence regards retailing has been presented and the Independent Inspectors report is believed to be due in April.

The draft Development Order does not expressly state the proportion of the area which may be allocated to Non-food superstores / retail warehousing . The ECOTEC report does estimate it has being 13 1/3% of the estimated total floor space ultimately likely (some 8000 m²). If this estimate of the allocation of industrial floor space is correct (par. 5.2.2 ECOTEC study 2009) then it is the equivalent of the existing floorspace for convenience and comparison goods retailed for:

a) the whole of Ramsey or

b) double that provided with in Peel or Tynwald Mills or Port Erin or Onchan.

The potential in principle permission of further edge of town retailing (excluding motor vehicle dealerships) is strongly contested by my Commissioners.

- 3) If both the area designated by the Cooil Road development Order and the site that was formerly Ballakinnish nurseries are developed, it would only be a matter of time before the remaining farmland in between is zoned for built development.
- 4) The Strategic Plan July 2007 (and the draft Southern Area Plan Oct 2009) recognises there is a significant existing land availability in and around the Airport / Ballasalla area (Ronaldsway Industrial Estate, the Freeport & Balthane Industrial Estate). There is already the proposal to reclassify Ronaldsway Industrial Estate a Business park. At Balthane Industrial Estate approximately half the designated area has yet to be utilised.

These are matters not considered by the ECOTEC report and the report is flawed as there is no comparative of the all island benefit between permitting Cooil Road development and developing elsewhere.

Permitting the Cooil Road Development Order at this point in time will do little to encourage economic regeneration of the Airport/ Ballasalla industrial / business areas, which in recent years have seen the closure and relocation of several light manufacturing enterprises overseas.

The proposed Order does nothing to achieve the decentralisation of employment opportunities that Tynwald and Government have often stated to be their aim.

Hence, my Commissioners believe that whilst the ECOTEC report may make 'formative assessments' that both the eastern area and the Island as a whole would economically benefit from the proposed zoning of Cooil Road, my Commissioners believe the economic development opportunity should be for the Southern Area of the Island rather than the greater Douglas conurbation.

Yours sincerely

J B Kelly

CC: Rushen MHK's

<sup>&</sup>lt;sup>1</sup> These estimates are based on evidence provided at the Tesco extension inquiry

#### Curphey, Emily

From:

Curphey, Emily on behalf of DLGE, Planning Policy

Sent:

01 March 2010 11:39

To:

'Barris Liptrott'

Subject: RE: Proposed Cooil Road Development Order

#### Dear Mr Liptrott

Sorry in the delay in responding to this message we have received your comments on the proposed Cooil Road Development Order. These comments will considered all with all others and decision will then be made by the Department as to how best proceed.

#### Kind regards

#### **Emily**

Emily Curphey MRTPI
Planning Policy Officer
Directorate of Planning and Building Control
Department of Local Government and the Environment
Murray House
Mount Havelock
Douglas
Isle of Man
IM1 2SF

Telephone 01624 685 161 Fax 01624 686 443

From: Barris Liptrott [mailto:bl@morbaine.co.uk]

Sent: 24 February 2010 12:03 To: DLGE, Planning Policy

Cc: IOMDC

Subject: Proposed Cooil Road Development Order

Dear Sirs,

I attached objections from the Isle of Man Development Company in respect of the proposed Cooil Road Development Order. Could you please confirm receipt.

I would be pleased to discuss these representations with you.

Regards,

**Barris Liptrott** 

Morbaine Limited

Registered Office: The Finlan Centre, Hale Road, Widnes, Cheshire WAS 8PU

Company No. 1295434

Tel: 0151 424 4211 Fax: 0151 424 4466 **BL/CLM** 

# Morbaine Limited

24 February 2010

The Finlan Centre Hale Road Widnes Cheshire WAS 8PU

Telephone 0151-424 4211 / 3162 Telefax 0151-424 4466 / 4074 E-mail info@morbaine.co.uk

Department of Local Government & the Environment Murray House Mount Havelock Douglas Isle of Man IM1 2SF

Dear Sirs

RE: Proposed Development Order Cooil Road, Braddan

We act on behalf of the Isle of Man Development Company, who own the Spring Valley Trading Estate on Cooil Road, Douglas.

Our Clients wish to make representations in respect of the proposed Cooil Road Development Order. Those representations are attached.

I would be pleased to discuss these with you.

Yours faithfully

Barris Liptrott

# PROPOSED COOIL ROAD DEVELOPMENT ORDER SUBMISSION BY THE ISLE OF MAN DEVELOPMENT COMPANY

#### 1. USES TO BE PERMITTED

1.1 The proposed uses within the Development Order site are set out at paragraph 3 of Schedule 2 of the draft Order. No objection is raised to any of the uses stated at (a) – (c). However, greater clarity is needed to the definition of Business Parks since it is unclear which 'document' is annexed to the 2007 Order.

#### 2. IS THE ORDER BASED ON SOUND INFORMATION

- 2.1 The Economic Impact Study for Development Order (EIS) prepared by ECOTEC for the Isle of Man Department for Trade and Industry seeks to justify the land release proposed by the draft Cooil Road Development Order and its scale.
- 2.2 The draft Development Order proposes to grant planning approval in principle for 20 hectares of currently open countryside based on the contents of the EIS, which its authors readily accept provides a far from thorough analysis of the economic position. Indeed, the EIS states that:
  - o further research may be necessary to produce a cogent economic argument in support of the Development Order (para 1.2).
  - o assumptions have had to be made by the EIS and no local surveys have been carried out (paras 5.2.2, 5.2.3, 5.3).
  - o it should be stressed that the impact assessment is highly speculative in nature, and is based on limited information and available data. Looking forward, it should be clear that the scope and scale of any future impacts accruing from the Cooil Road approval will necessarily be dependent on a range of factors, many of which are currently unknown (para 5.3).
- 2.3 It is clear that the EIS does not provide a sound basis for progressing the Cooil Road Development Order. By their own admission, the authors of the EIS consider that more work is required in order to properly assess requirements before any such Development Order is considered.
- 2.4 The contents and conclusions of the EIS provide insufficient justification for an Inspector to reasonably consider and endorse the Development Order.

  The proposed Cooll Road Development Order is therefore premature and should be withdrawn until such time as necessary further investigative work has been undertaken, at which time this further work can be analysed thoroughly before an Inspector.

#### 3. EMPLOYMENT LAND AVAILABILITY

- 3.1 The EIS bases many of its assumptions on the DLGE's March 2007 Employment Land Availability Study (ELAS) a study that is already 3 years old and whose findings should not be relied upon to justify the release of further employment land. The ELAS needs to be updated and its findings fed into the further work recommended by the EIS. This is yet another reason why the proposed Cooil Road Development Order is premature.
- 3.2 Without prejudice to our contention that the Cooil Road Development Order is premature, it is necessary to comment on employment land availability as assessed at paragraph 4.5 of the EIS.
- 3.3 The 2007 ELAS identifies 16.94 hectares of land as being available for employment use in the East Area of the island Douglas, Braddan and Onchan. Based on this figure, the ELAS's agreed land take-up of 2.02 hectares per annum gives an 8.4 year supply of employment land in the East Area, this supply taking us from March 2007 to late summer 2015. \*
- The EIS casts some doubt on 2 of the employment sites identified by the ELAS namely School Road/Second Avenue, Onchan (2.6 hectares) and land at the Isle of Man Business Park in Braddan (2.8 hectares). However, against this, the EIS does not take into account any land or floorspace that has come forward in the 3 years since the 2007 ELAS was produced. It does not, for example, provide an accurate assessment of available floorspace figures for the Spring Valley Industrial Estate; in this regard, the EIS states that only 2250 sq.m. of floorspace is vacant at the Spring Valley Industrial Estate and the Isle of Man Business Park, whereas the Spring Valley Industrial Estate alone has 2557 sq.m of vacant floorspace (see attached letter). Who knows where else underprovision has been assumed by the EIS?
- 3.5 Therefore, one will to some extent cancel out the other. This does illustrate, however, a further example of why the Cooil Road Development Order is premature until such time as an up-to-date thorough analysis of available employment land has been undertaken.
- The Isle of Man Development Company recently applied for retail development on 0.57 hectares of employment land at the Spring Valley Trading Estate. In its report to Planning Committee on 30 September 2009, the DLGE stated that "it is not considered that this would significantly undermine availability of employment land". The Minister granted consent for this development on 23 February 2010. Land availability cannot, therefore, be at critical levels.
- 3.7 With enough employment land available in the East Area until at least late summer 2015 and with vacant land and premises available in Cooil Road directly opposite the Development Order site, there can be no urgent need to grant permission of any further employment land at Cooil Road.
  - This 2.02 per annum take-up is based on relatively high pre-recession demand, which does not necessarily apply now and which will not necessarily apply post-recession. Lower take-up figures will extend employment land supply beyond late summer 2015.

#### 4. IS THE ORDER NECESSARY

- 4.1 The need for further land allocations in the East Area should be assessed as part of the review of the Strategic Plan and the forthcoming East Area Plan.
- 4.2 The Strategic Plan runs until 2016 and it will need to be reviewed well before then. At a planning appeal hearing held on 20 January 2010, the DLGE's Planning Officer stated that the East Area Plan is expected to be adopted by 2012/13.
- 4.3 There is, therefore, no reason whatsoever to proceed with the Cooli Road Development Order when enough land is available for at least the next 5 years, when insufficient research and justification has yet been made for the Cooli Road Development Order, and when the Strategic Plan review will be completed and the East Area Plan adopted well within this 5 year period.

#### 5. SCALE OF DEVELOPMENT PROPOSED

- Without prejudice to our submissions that the Order is premature, that the East Area has enough Industrial land until the Strategic Plan is reviewed and the East Area Plan is prepared, and that the Order should be withdrawn altogether, if land was to be granted permission via a Cooil Road Development Order then a much smaller hectarage should be approved than the 20 hectares currently proposed.
- 5.2 If, for example, the 20 hectare proposal was reduced to (say) 10 hectares, then on the EIS's own estimates this would give the East Area 26.94 hectares of employment land (from 2007). If the 2.8 hectares at School Road and the 2.6 hectares at the IOM Business Park were subtracted (as suggested by the EIS) then 21.54 hectares would remain available. This would give 21.54 + 2.02 = 10.66 years supply from March 2007 i.e. sufficient employment land until the beginning of 2018.
- 5.3 This 2018 timescale does not even allow for the EIS's under-estimate of available floorspace at the Spring Valley Industrial Estate (and who knows where else). Nor does it allow for the likely reduced annual take-up of employment land now and post-recession.
- This supply of Employment land is more than enough for the needs of the East Area until such time as the Strategic Plan is reviewed and the East Area Plan is adopted.

#### 6. SUMMARY

- 6.1 There is no objection to the uses stated in the draft Cooil Road Development Order, although the definition of Business Parks would need to be defined more clearly.
- 6.2 The Development Order is premature. It is based on the EIS, which readily accepts its assessment to be 'highly speculative' and in need of further research.
- 6.3 Without prejudice to para 6.2, even on the EIS's own speculative assumptions there is shown to be sufficient available employment land in the East Area of the island until late Summer 2015.
- 6.4 The Cooil Road Development Order is an attempt to bypass the due planning process of strategic and local plan preparation and for no justifiable reason.
- 6.5 Employment land availability in the East Area of the island is such that the need for further allocations of employment land in this area are unnecessary at this time. Any such allocations should be considered as part of the Strategic Plan review and as part of the East Area Plan preparation process.
- 6.6 Without prejudice to paragraph 6.5 above, permission for (say) 10 hectares would provide sufficient employment land in the East Area until 2018 (having discounted the sites which the EIS considers to be disputable), not even allowing for the EIS's under-estimate of available land and premises on existing estates and the likely reduced take-up of land now and post-recession.

#### 7. RECOMMENDATION

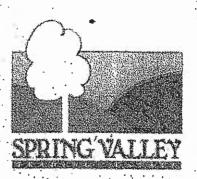
#### It is considered that:-

- The draft Cooil Road Development Order is based on unsound information.
- This information needs to be thoroughly updated and then considered via the Strategic Plan review and the East Area Plan preparation.
- Sufficient employment land is available in the East Area until such time as the Strategic Plan is reviewed and the East Area Plan is prepared.
- The Development Order is, therefore, premature and in any event unnecessary.
- o The draft Cooil Road Development Order should therefore be abandoned.

# ISLE OF MAN

DEVELOPMENT COMPANY LIMITED

Registered Office No. 1 COOIL ROAD, BRADDAN, ISLE OF MAN, 1M2 2QX TEL01624 628484 FAX 01624 625617



Our ref PVM/VF

17 February 2010

Mr B Liptrott Morbaine Limited The Finlan Centre Hale Road Widnes Cheshire WAS SPU

Dear Barris

#### Re: Empty Units

I set out below the current vacant units on the estate;-

Unit No	Square footage
18, 20, 22	12,000
42,44 .**	5,200
48C	3,014
26C	5,758
15	1,550

Please call me if you require any further information.

Yours sincerely

All Pacresty

P V Macready (Mrs) Managing Director

# Green- Powers Electrical Limited Electrical Contractors and Engineers

1 Ballachurry Barn, Ditchfield Lane, Port Erin, Isle of Man, IM9 6TW Tel- 01624 830632, Mobile- 07624 454827,

Email- greenpowers@manx.net Reg. Isle of Man Company No. 103599c

Planning Policy Section DOLGE Murray House Mount Havelock Douglas IM1 2SF

25/02/10

Dear Sirs,

Green-Powers Ltd would like to express our support for the Development Order on the South of the Cooil Road, Braddan.

Our company, along with several other Manx companies, have been involved with earlier developments on the site and have been eagerly anticipating the allocation of this land for future developments.

Development on this land will not only provide much needed facilities for local Manx companies but will also utilise many of the existing local Manx construction companies in future works.

As the land has been partially developed already, this site would be ideal for further development, as services and logistics have already been established.

Yours faithfully

Simon Green, Director





### Isle of Man Water Authority

Lught-reill Ushtey Ellan Vannin

Tromode Road Douglas Isle of Man IM2 5PA Telephone 01624 695949 Fax 01624 695956 Email water@gov.lm www.gov.lm/water

Mr M I McCauley,
Director of Planning and Building Control,
Planning and Building Control Directorate,
Murray House,
Mount Haverlock,
Douglas,
Isle of Man,
IM1 2SF

Your ref: MIM/sjk/

5<sup>th</sup> February 2010

Our ref:

John Leece, Head of Service Delivery, Isle of Man Water Authority, Tromode Road, Douglas, Isle of Man, IM2 5PA.

THE ENVIRONMENT

- 9 FEB 2010

Dear Mr McCauley,

Re: Proposed Development Order - Cooil Road, Braddan.

The Authority wish to make the following comment regarding the water supplies to the above development:-

The Town and Country Planning (Cooil Road) order 2010 Mixed commercial and industrial purposes.

## Provision of water supplies for domestic purposes

The area proposed for the development is outside the Authority's compulsory area of supply, the Authority has no obligation to provide water for domestic purposes, the developer would be responsible for the cost of any mains and services within the development and also getting the water from the nearest trunk main to that development.

## Provision of water supplies for non domestic use

Under the provisions Water Act 1991 the Authority may contract for the supply of water-

(a) to persons within the compulsory area of supply to be used for trade purposes or for purposes other than domestic use; and

(b) to persons outside the compulsory area for the supply of water for any purpose;

at such rates or charges and upon such terms and conditions as may be fixed by the Authority.

Although we are not under a duty to provide a supply for non domestic use we endeavour to meet our customers' needs wherever possible. Where reinforcement of our system is required to provide a supply, we will expect the developer to contribute fully to the costs of any necessary works.

Yours sincerely,

John Leece,

Head of Service Delivery