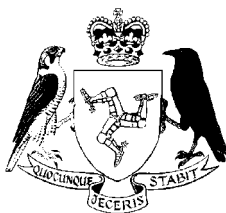


Draft February 2012



Statutory Document No.

## TOWN AND COUNTRY PLANNING ACT 1999

### **TOWN AND COUNTRY PLANNING (BALLAKILLEY, BRIDE) DEVELOPMENT ORDER 2012**

*Approved by Tynwald*

*xxx 2012*

*Coming into operation*

*xxx 2012*

The Department of Infrastructure makes this Order under section 8(1),(2),(3)(b) and (4)<sup>1</sup> and section 11(3) of the Town and Country Planning Act 1999<sup>2</sup>.

#### **1 Title**

This Order is the Town and Country Planning (Ballakilley, Bride) Development Order 2012.

#### **2 Commencement**

If approved by Tynwald<sup>3</sup>, this Order comes into operation on [date to be inserted].

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<sup>1</sup> By virtue of section 11(4) of the Act references in the Act to the Department shall, where the context so requires, be construed as references to the Council of Ministers.

<sup>2</sup> 1999 c.9

<sup>3</sup> As required by section 44(1) of the Act  
Price Code A £1.20

**3 Interpretation**

In this Order “the site” means the land in the Parish of Bride edged by a thick black line on the plan in Schedule 1.

**4 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 4 of Schedule 2.

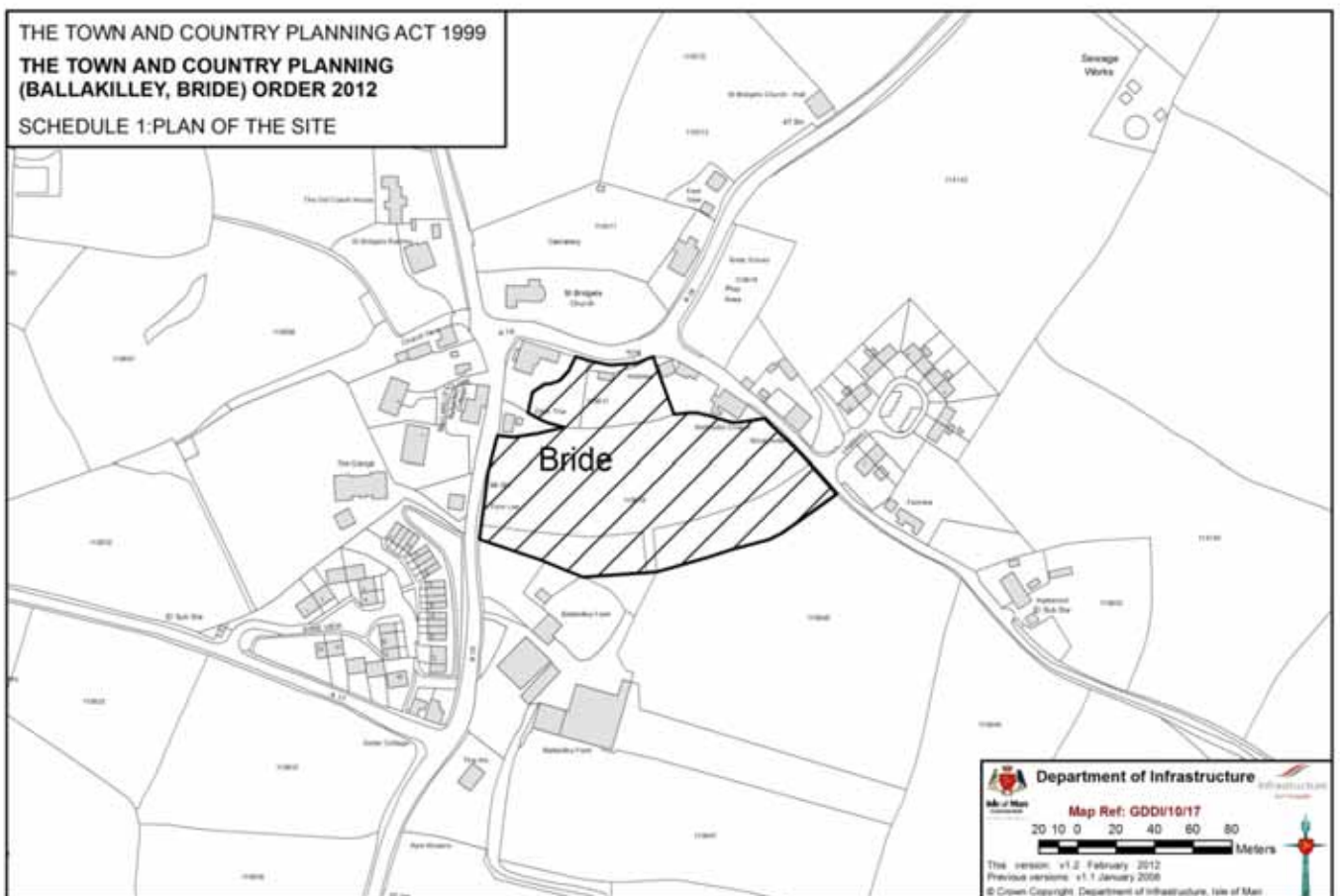
MADE

Minister for Infrastructure

# SCHEDULE 1

[article 3]

## PLAN OF THE SITE



## SCHEDULE 2

[article 4]

### 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 The Council of Ministers shall consider an application for approval of the details of the building, engineering or other operations which it is proposed to commence.
- 3 Development of the site, which must be within the approval period, must not commence unless the Council of Ministers first approves the application in writing.
- 4 This approval is for use of the site for the purposes of housing and a public car-park.
- 5 There must be no more than 24 dwellings on the site. These must be sited on that part of the site south of the existing public car-park.
- 6 Vehicular access to the dwellings must be in accordance with the following constraints—
  - (a) dwellings must be accessed by a new road from the A16 across the existing public car-park; this road must be designed in accordance with Manx Roads Guide<sup>4</sup>;
  - (b) the access of the new road referred to in (a) above on to the A16 must be provided with visibility splays of 4.5m by 45m; and
- 7 The site must be laid out in accordance with the following design criteria —
  - (a) there must be included a pedestrian route giving access on to Ballakillee Hill (the A10) and Lambhill Road;
  - (b) there must be included a scheme of environmental improvement to the residual parts of the public car-park in

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<sup>4</sup> A guide to the design of Residential Roads, Footpaths, Parking and Services: Consultation Draft , April 1993.

- order to maximise the number of spaces, access to which must be from the new road referred to in 6(a) above;
- (c) buildings must be sited irregularly and at varying distances from, and orientations to, the roadway;
  - (d) there must be provided roadside boundary walls and hedges; the walls must be of Manx stone, laid in random rubble fashion and either painted or left as exposed stone; hedges must be of local shrubs;
  - (e) there must be provided open space in accordance with the Isle of Man Strategic Plan Appendix 6;
  - (f) there must be provided car parking provision in accordance with the Isle of Man Strategic Plan Appendix 7; and
  - (g) a tree belt 10 metres deep shall be provided along the southern boundary of the site and no trees shall be removed unless written approval has been received from the Planning Authority (in consultation with DEFA).
- 8 The buildings must be designed such as to reflect the character of the traditional buildings in Bride village; in particular –
- (a) roofs must be of slate (or good quality imitation slate) pitched at an angle of approximately 40°;
  - (b) flues must emerge through stacks of traditional dimensions;
  - (c) walls must be finished in natural stone or painted roughcast render; and
  - (d) windows must be vertically proportioned and set on concrete sub-cills.
- 9 An application for the approval of details must include an Energy Impact assessment, as defined in Appendix 1 of the Isle of Man Strategic Plan, including proposals for reducing the development's energy consumption and improving its energy efficiency.
- 10 All services must be laid underground, and all soil-stacks must be internal.
- 11 At least 75% of the dwellings must be made available as approved dwellings in terms of the House Purchase Assistance Scheme 2007<sup>5</sup> or as public-sector housing units.

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<sup>5</sup> GC 25/07 as amended by GC 66/07 and GC 24/11 or any modification or replacement thereto.

## EXPLANATORY NOTE

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

This Order grants Planning Approval in principle for the development of approximately 1.2 hectares (3 acres) of land between Ballakilley Hill and the Lambhill Road in Bride Village, including the existing public car-park. The land is identified on a plan in Schedule 1 and would be subject to the conditions set out in Schedule 2. In particular, the conditions require the submission of details of the proposed development to be referred to the Council of Ministers for determination.