

Statutory Document No. 0255/2012



Town and Country Planning Act 1999

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

*Approved by Tynwald
Coming into Operation:*

1 June 2012

The Department of Infrastructure makes the following Order under section 8(1),(2),(3)(b) and (4) and section 11(3)¹ of the Town and Country Planning Act 1999².

1 Title

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

2 Commencement

If approved by Tynwald³, this Order comes into operation on 1 June 2012.

3 Interpretation

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

4 Planning Approval

- (1) Planning approval in principle is granted for the development of the site and will remain valid for a period of 4 years from the date this Order is approved by Tynwald.
- (2) The approval is for use of the site for the purposes of housing and a public car park.

¹ By virtue of section 11(4) of the Act, where under section 11(3), a development order provides for an application for planning approval to be referred to the Council of Ministers, references in the Act to the Department shall, where the context so requires, be construed as references to the Council of Ministers.

² 1999 c.9

³ As required by section 44(1) of the Act

- (3) The approval is subject to the conditions set out in Schedule 2.

Made: 17th April 2012

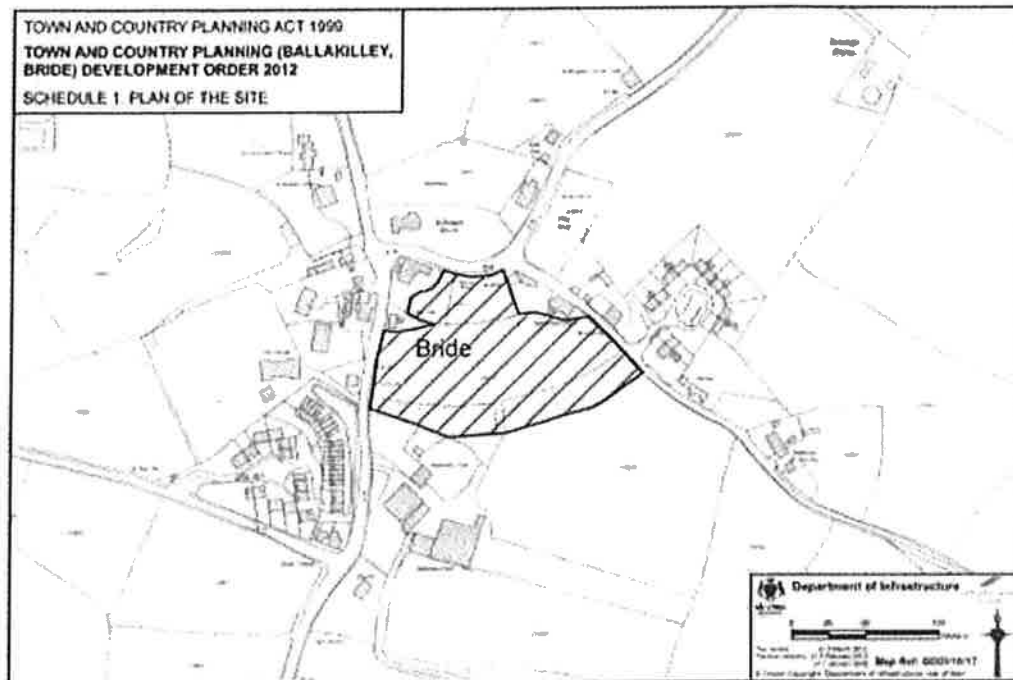


D C CRETNEY
Minister for Infrastructure

SCHEDULE 1

[Article 3]

PLAN OF THE SITE



SCHEDULE 2**[Article 4]****CONDITIONS OF APPROVAL**

- (1) 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.
- (2) Development of the site, which must be within the period mentioned in article 4(1), must not commence unless the Council of Ministers first approves the application in writing.
- (3) There must be no more than 24 dwellings on the site and they must be sited on that part of the site south of the existing public car-park.
- (4) 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 Guide⁴; and
 - (b) the access of the new road referred to in sub-paragraph (a) on to the A16 must be provided with visibility splays of 4.5m by 45m.
- (5) The site must be laid out in accordance with the following design criteria—
 - (a) a pedestrian route giving access on to Ballakilley Hill (the A10) and Lambhill Road must be included;
 - (b) a scheme of environmental improvement to the residual parts of the public car-park must be included that will maximise the number of spaces, access to which must be from the new road referred to in sub-paragraph (4)(a) ;
 - (c) buildings must be sited irregularly and at varying distances from, and orientations to, the roadway;
 - (d) roadside boundary walls and hedges must be provided; 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 open space in accordance with the Isle of Man Strategic Plan⁵ Appendix 6;

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

⁵ SD 480/07

-
- (f) there must be car parking provision in accordance with the Isle of Man Strategic Plan Appendix 7; and
 - (g) a tree belt 10 metres deep must be provided along the southern boundary of the site and no trees may be removed unless written approval has been received from the Department (in consultation with the Department of Environment, Food and Agriculture).
 - (6) 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.
 - (7) 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.
 - (8) All services must be laid underground, and all soil-stacks must be internal.
 - (9) At least 75% of the dwellings must be made available as approved dwellings in terms of the House Purchase Assistance Scheme 2007⁶ or as public-sector housing units.

⁶ GC 25/07 as amended by GC 66/07 and GC 24/11.

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 the plan in Schedule 1 and approval 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.

