

THE TOWN AND COUNTRY PLANNING ACT 1999**PROPOSED TOWN AND COUNTRY PLANNING (COOIL ROAD) ORDER****BACKGROUND STATEMENT BY THE DEPARTMENT OF LOCAL GOVERNMENT AND THE ENVIRONMENT****1. INTRODUCTION**

- 1.1 The Department of Local Government and the Environment is proposing to make an Order under Section 8 of the Town and Country Planning Act 1999, the effect of which would be to grant planning Approval in Principle for the development for mixed commercial and industrial purposes of approximately 20 hectares of land which lies immediately south of the Cool Road between Colooney's Lane and Ballavagher in the Parish of Braddan.
- 1.2 In proposing to make the Order the Department considers that the proposed development is necessary to encourage economic development and provide employment on the Island in line with the Government Strategic Plan 2007 to 2011 and in accordance with the provisions of the All Island Strategic Plan, approved by Tynwald in July 2007. The Department is proceeding by way of a Development Order as it considers it is necessary to secure the site for economic development at the earliest opportunity and in advance of the preparation of the Area Plan for the East of the Island. Promoting the development of the area through a Development Order does not prejudice parties with an interest in the development of the area as their views will be considered by an independent Inspector who will report to the Department. A decision by the Department to make the Development Order will need to be approved by Tynwald.
- 1.3 Before preparing the Draft Order the Department considered two reports on the proposed development. This first was an Environmental Impact Assessment commissioned by the Department in accordance with the requirements of approved Strategic Plan. The second was an Economic Impact Assessment commissioned by the Department of Trade and Industry.
- 1.4 The Environmental Impact Assessment prepared for the Department by TEP examined the:
 - Scope of the project
 - Socio economic need case
 - Planning context
 - Landscape and views
 - Ecology
 - Cultural heritage
 - Transport
 - Traffic air quality
 - Traffic noise and vibration

The assessment concludes that there will be a range of effects both short term and long term: positive and negative. It notes that the development will bring positive benefits in meeting future need of industrial, business parks and office use. The scale and nature of the adverse effects are assessed not to be of sufficient significance to prevent the development.

- 1.5 The Economic Impact Assessment prepared for the Department of Trade and Industry by Ecotec included:
 - Strategic Policy and Development Context
 - Economic Trends and Growth Drivers
 - Commercial Property Market Assessment
 - Prospective Economic Impacts

The report concludes that the development of the site would have considerable benefits in terms of the number of jobs created, national income and the quality of jobs created.

- 1.6 The Department does not consider there are suitable alternative sites for this type of development which meet the Spatial Strategy and other policies in the approved Strategic Plan. Most of the potential areas around Douglas, Onchan and Braddan are either classified as areas of High Landscape Value and Coastal or Scenic Significance; are poorly related to the strategic highway network and the principal gateways to the Island (Douglas Harbour and Ronaldsway Airport); are areas of ecological significance; or are land safeguarded for water supply purposes.
- 1.7 This statement explains the background to, and content of the proposed Order, and is intended to assist those who wish to make representations for consideration by the Department before it decides whether to proceed with the Order

2. **BACKGROUND**

- 2.1 In December 2006 the Department published a notice of its intention to promote the development of land to the south of Cool Road, Braddan for mixed commercial and industrial purposes. Details of the proposed Order; a plan of the area to be included; and an Explanatory Memorandum were published at the same time. Those who wished to make representations were invited to do so by February 2007.
- 2.2 The Department considered all the representations received in response to that notice and, in May 2007, decided, before proceeding further, to undertake an Environmental Impact Assessment, (in accordance with Appendix 5 to the then draft Strategic Plan which itself was subsequently approved by Tynwald in July 2007 with no material alterations to Appendix 5) and a further examination of the need for additional industrial land and Economic Impact Assessment, which the Department of Trade and Industry agreed to commission.
- 2.3 In February 2008 all those parties who made representations in respect of the Draft Order were advised of the Department's intention to undertake the two studies. They were also advised that after considering the findings of the studies, the Department would decide whether to proceed with the Draft Order and, if it did, that the Department would:
 - a) revise and publish the Draft Order and invite representations to it;
 - b) publish the studies and make them available to all interested parties; and
 - c) if there were objections to the Draft Order a Public Inquiry would be arranged. Any parties who had made representations in respect of the Draft Order would be able to make representations to the appointed person (the Inspector) who would then report to the Department on his findings and recommendations.

The Department would then consider the Inspector's report before deciding how to proceed with the matter. Any Order would not take effect until it has been approved by Tynwald.

- 2.4 The reports have been completed and reviewed by the Department and it has resolved to publish the Draft Order in a revised form and to publish the two studies that informed the Department's decision to move forward with the Draft Order.

3. **NEXT STEPS**

- 3.1 The Department approved the revised Draft Order and the publication of the two studies in January 2010.
- 3.2 They have now been issued and a notice to that affect has been published in the Isle of Man Examiner and The Manx Independent. In addition, notification has been sent to all those who submitted comments earlier in the process advising them on the progress made as well as the

proposed programme to progress the Draft Order and they have been invited to comment on the revised Order. Parties who wish to make any representations should do so by 12th March 2010.

- 3.3 Copies of this statement, the revised Draft Order and the summaries of two studies are available on the Department's website (www.gov.im/dlge). Copies of the full reports are available on CD from the Department's Offices. This consultation has been prepared in accordance with the Government Code of Practice on Consultation.
- 3.4 At the end of the consultation period the Department will consider all representations received (if any) and how to respond to them. This will enable the Department to consider how it can respond to any queries and ascertain whether any changes should be made in order to satisfy any of the comments received. It is at this point that the Department will need to consider whether or not the holding of a Public Inquiry is required.
- 3.5 If the Department determines that a Public Inquiry is necessary then a timetable will be set for:
 - a) the preparation of statements of case;
 - b) the exchange of proofs of evidence;
 - c) preparation for the Inquiry; and
 - d) holding the Inquiry

The Inquiry will be held to ensure that all those who still have issues to be resolved in relation to the proposed Development Order are able to present their case in front of an independent Planning Inspector.

- 3.6 On receipt of the Inspector's report the Department will publish the report and consider his recommendations. In the light of that consideration the Department will decide whether to publish the Order in its final form and seek Tynwald approval.

January 2010