

Council of Ministers

Built Environment Reform Programme



**Isle of Man
Government**
Reiltys Ellan Vannin

Our Island Plan:

Building A Secure,
Vibrant and Sustainable
Future For Our Island



Strand Street, Douglas, Isle of Man

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Chief Minister's Foreword

With the publication of The Island Plan in early February 2022, the Government confirmed its commitment to "building great communities" embodied by security, vibrancy and sustainability. The accompanying actions reflected the Government's intention to ensure that its delivery arms are in the best shape possible to fulfil its commitments.

In my Tynwald speech on February 1st 2022, I expanded on key areas of particular urgency. I pinpointed several critical success factors for ensuring that the built environment is sustainable and is capable of delivering economic and social value, including an agile and responsive planning system and policies, the importance of incentivising brownfield site and urban development and the provision of the appropriate support and empowerment to local communities to develop localised regeneration strategies and action plans.

In the intervening five months, a collaborative effort between departments has resulted in a fully developed two-year Built Environment Reform Programme. The Programme consists of four overarching Strategic Objectives, within which there are 15 Action Areas, each with an associated set of activities. Underpinning the programme is a detailed Project Plan with milestones, deliverables and a defined budget. DEFA will manage the cross-departmental Programme on behalf of the Council of Ministers. This is a Programme of National importance to the Council of Ministers, because of its reach and potential impact. We are all stakeholders in the built environment through multiple interfaces, i.e. where we live, work, socialise, exercise, be cared for, etc. and any changes the Government makes should benefit all of us.

All members of society can benefit from the transformation of ugly wastelands and derelict buildings into appropriate, affordable, sustainable residential dwellings and modern commercial premises attracting new businesses and allowing existing businesses to grow. Equally, changes within the built environment can result in more meaningful employment opportunities, career paths and innovative businesses, in sectors such as renewable and clean energy, sitting alongside our digital, retail and night time economy. With the appropriate masterplanning, our built environment can afford all of us easy access to green and public spaces for relaxation and enjoyment and for increasing urban biodiversity and carbon emission mitigation.

The Government's investment in sustainable development of Government owned brownfield sites through Manx Development Corporation and the Housing and Communities Board's First Time Buyer's Scheme and Action Plan are strategic game changers. However, the Built Environment Reform Programme will enable us to quicken the pace of operational delivery in key areas, supported by funding of just under £1m. In fact, I am delighted to include in this foreword the news that we will be introducing some key improvements and innovations in the coming weeks, ranging from a trial for a Major Applications process, a Customer Charter and performance dashboard within the Planning and Building Control Directorate, and a dedicated workstream looking at developing a Regeneration Strategy for the Island including deploying a Town Centre First Toolkit.

I look forward to the vital progress that this Programme will bring to our built environment that will enhance all of our lives ensuring our Island is Secure, Vibrant and Sustainable.

Chief Minister
Hon Alfred Cannan, MHK

Positioning the Reform Programme: The Built Environment & Value Creation

The Island's built environment refers to our homes, our places of work, the infrastructure around us and venues where we shop, we are entertained and enjoy leisure. Between buildings we have public spaces (public realm), which connect destinations but can also become destinations in themselves.

In less volatile times, Government's stewardship of the built (and natural) environment was based predominantly on long-term strategies, policies and plans, augmented occasionally with amendments to legislation and operational policy statements. The pace of change now requires a Government response which is agile, able to respond flexibly to prevailing circumstances and to move with acuity to ensure that the Built Environment meets the Island's needs.



How the Programme will Realise Economic Value:

Brownfield sites remaining fallow for extended periods of time give a negative impression of our Island and do not contribute to the Island's growth and prosperity. By focusing efforts to stimulate and accelerate development on these sites, the Programme will realise economic value directly through the planning and build process, employment-related revenues and financial benefits for local businesses. The Island will also benefit from an uplift in image, making the urban landscape more attractive to investors, economic migrants and tourists and increasing its value proposition for residents. The Programme will also consider if certain enhanced planning services, which add value for applicants, could operate on the basis of cost recovery.



How the Programme will Enhance Social Value:

Social value will be realised through the creation of conditions that encourage and support developers to supply the appropriate type of housing and other built structures to suit both commercial and residential needs. Transformation of brownfield sites can also create community meeting points, public realm and green spaces and contribute to urban biodiversity. The Programme complements the work of the Housing and Communities Board and the Manx Development Corporation, key contributors to the creation and enhancement of social value.

How the Programme will Create Sustainable Value

Sustainable brownfield site development is based on the principles of circular economy, ensuring that risks from contaminated land and carbon release are managed and mitigated responsibly and building materials are sourced responsibly, recycled and repurposed wherever possible, with minimal waste. Sustainable buildings use environmentally friendly, efficient energy sources, seeking to minimise heat loss and remove dependency on fossil fuel. There are a range of actions within this Programme to actively encourage this.



Under current legislation, not all householders, or businesses with commercial premises can take advantage of the range of renewable energy devices available for installation under Permitted Development rights. There are reasons for this including being located within a conservation area. This Programme will seek ways to afford more householders and other property owners the opportunity to achieve sustainable value through implementation of renewable energy devices.

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Sustainable value is also achieved when we create sustainable homes that are located within walking (or active travel) distance from all daily services and public transport, making it unnecessary to use a car for the daily commute or shop. This is sometimes called the "20 minute neighbourhood", enabling a return trip to be achieved in that time. It is most effective when the different parts of the Built Environment, particularly infrastructure and transport are part of a masterplanning process. This Programme will create and support solutions for urban regeneration and town centre living.

Built Environment Reform Programme

4 Strategic Objectives, 15 Actions Points broken down into activities to deliver:

QUALITY AND VIBRANCY IN URBAN LIVING AND TOWN CENTRE REGENERATION THROUGH SUSTAINABLE DEVELOPMENT AND A REFRESHED PLANNING SYSTEM FOR CUSTOMER SERVICE.

STRATEGIC OBJECTIVE 1: SIMPLIFY ACCESS TO THE PLANNING SYSTEM

1.1 Improve Information



- Create an easy to use customer-centred website, with clear guidance on when an application is required, how to make the application and real-time feedback on the status of the applications.
- Develop a Concierge service to assist investors understand the processes & services

1.2 Facilitate Engagement



- Improve the methods and timings of consultation (to ensure that technical committees, local communities and other stakeholders have appropriate opportunities to contribute in a proportionate way) and the ways in which contributions are collated and discussed with applicants.

1.3 Enhance the pre-application service



- Develop and refocus the pre-application service in relation to: advice on when an application is required, technical information (in conjunction with a review of validation requirements to improve the quality of submissions and negotiation on type, location & design of potential developments

1.4 Publish a Customer Charter



- Set out realistic standards for consistent delivery for all of our customers of each of the planning services offered (including pre-app, applications, condition discharge & appeals), the requirements for accessing services, an appropriate level of cost-recovery fees and mechanisms for complaints & other feedback.

STRATEGIC OBJECTIVE 2: IMPROVE THE PLANNING PROCESS

2.1 Resources



- Identify requirements and secure appropriate resources - staff and upgraded IT systems- to deliver a modern, customer-centred planning service, with performance dashboards, tracking & reporting.
- Consider temporary resources to implement improvements

2.2 Introduce a Major Applications Process



- Develop and trial a major applications process, identifying and addressing issues which can cause delays to their determination.
- Review condition discharge process to avoid delays to on-site commencement.

2.3 Embed Economic Assessment



- Ensure the policy framework (including Economic Strategy) and professional support is in place to facilitate holistic, evidenced and timely consideration of the economic impacts and benefits of developments, alongside social & environmental impacts.

2.4 Respond to Climate Change



- Develop a clear plan and timescale for the implementation of the planning obligations set out within the Climate Change Act so that they add value to the process but avoid unnecessary bureaucracy or delay.

2.5 Streamline Appeals



- Review the Appeals process to identify improvement areas and to consider the suitability & frequency of meetings and current arrangements for interested parties to trigger appeals.

STRATEGIC OBJECTIVE 3: ALIGN NATIONAL PLANNING POLICIES, PLANS AND STRATEGIES WITH THE ISLAND PLAN

3.1 Deploy Best Practices from Town Centre First Models for Revitalising & Rejuvenating the Island's Urban communities



- A proposal for an IOM Regeneration Strategy & Principles
- A proposal to adapt the 'Place Standard Assessment tool', which provides a framework to assess the quality of a 'place'
- To undertake other 'Quality Audits', as necessary, for better placemaking in the future and inclusive design based on good data.

3.2 Strengthening the Evidence Base



- Ensure a robust and well-maintained evidence base (e.g. housing need, employment land need, retail, open space & greening requirements or other data affecting urban areas/the whole Island); better understand where this data is held; responsibilities of Departments & Statutory Boards and the role of an evidence overview. This will ensure planning policy and legislation is up-to-date, aligned across government, ready and fit-for-purpose.

3.3. Deliver the Policy Framework



- Progress the Island Development Plan - complete the Area Plan for the North & West and start the IOM Strategic Plan Review.
- Set out proposed way forward for Community Infrastructure Levy (informed by the Development Viability Study).
- Reevaluate and introduce effective guidance through Planning Policy Statements to help in planning application assessment.
- To propose, where it is in the interests of the Island to do so, National Policy Directives ahead of intended statutory development plan changes.

3.4 Permitted Development (PD)



- Increase permitted development rights to reduce the burden on households and developers where the scrutiny of the planning application process isn't necessary.
- Review the Conservation Area boundaries and permitted development rights in such areas to improve how the PD system works and at the same time provide better value, focus and support for the best of our historic built environments.

STRATEGIC OBJECTIVE 4: ENSURE ATTRACTIVENESS OF BROWNFIELD DEVELOPMENT TO HELP PROTECT THE ISLAND'S GREENFIELDS AND LANDSCAPE BEAUTY

4.1 Investigate Policy Levers & other Initiatives to stimulate Brownfield and Urban development, such as:

- Rates relief/land registry relief for regeneration projects.
- Rates disincentives for vacant property.
- Residential Land Tax 5-year holiday.
- Property & land taxation rate.
- Inward investment property fund.
- VAT treatment for refurbished buildings including any specific rules for historic buildings.
- Consideration of grants and schemes on unoccupied urban sites that deliver national value but are not commercially viable.
- Community Purchase Schemes.
- Compulsory Purchase Orders, which may include using CPO orders afforded by CTA designations 'comprehensive treatment areas' (and commitment to devise delivery plans for named CTAs).
- Derelict Property Orders (including empty dwellings management).
- Review Car Parking requirements for town centre living.
- Government led briefs on sites where there is key strategic value to reduce uncertainty in terms of risk associated with viability, site constraints and preparation, mitigation measures.



4.2 Examine the Section 13 Agreement Process and Guidance for Brownfield Sites



- To review the findings of the Development Viability Study alongside other information to determine the merits of and need for relaxation of any normal requirements on brownfield sites.

Strategic Oversight and Partnerships

This Programme is overseen by Council of Ministers, providing strategic direction and oversight. Operational delivery is overseen by the Chief Officer Group.

Strategic partnerships across the built environment play a critical role in ensuring that the objectives set out within this Programme are realised. Some of the key Government stakeholders are shown below.



Strategic Objective 1

Interim progress update - July 2022

Strategic Objective 1

SIMPLIFY ACCESS TO THE PLANNING SYSTEM

1.1 Planning & Building Control Website

- Adjustments are currently underway to ensure that the Planning and Building Control website is easier to navigate.
- A first version of a performance dashboard is now available on the Planning and Building Control website.
- A more comprehensive review of website upgrade requirements is underway, along with the costings. This will include the ability to track the journey of individual applications.

1.2 Facilitate Engagement

- Project Workstream activities to be finalised by 31/07/22

1.3 Enhance the Pre-Application Service

- Project Workstream activities to be finalised by 31/07/22.

1.4 Customer Charter

- A draft Customer Charter will be published in the coming weeks to allow users to provide feedback and improvement suggestions to inform a final version of the Charter.

Timeline for Strategic Objective 1: All Actions to be completed by December 2022

Strategic Objective 2

Interim progress update - July 2022

Strategic Objective 2

IMPROVE THE PLANNING PROCESS

2.1 Resources

- Benchmarking against other jurisdictions' planning teams has confirmed that our Planning Officers and Planning Policy developers carry larger workloads than UK counterparts with fewer staff members. This will be remedied through the recruitment of short-term staff to help deliver this programme with a view to assessing longer-term resourcing requirements. This will ensure that service delivery commitments are met and the additional improvement activities can be progressed as quickly as possible.
- Plans are now in place to optimise the current software systems and provide additional upskilling support to ensure that the existing functionality of the Uniform system is exploited fully. In the medium term, the Uniform system will be upgraded.

2.2 Introduce a Major Applications Process

- A 12 month trial will commence in early August 2022, introducing a dedicated process for supporting applicants with the navigation and coordination of Major Applications, ensuring that the determination process is expeditiously managed.
- We are currently defining the pathway for the application, including a coordinated approach to meeting with statutory consultees, ensuring a pooling of information and guidance to the applicant and consultees.
- We will be quantifying in much greater detail the potential benefits of the application for the Island, which will assist the Planning Officer in their considerations.
- We will be "front-loading" support, so that the applicant knows as soon as possible if there are anticipated risks and issues, which could cause delays and we will be proactively tracking progress and taking appropriate remediation action.

2.3 Embed Economic Assessment

- The Economic Strategy will be the key reference point to inform DfE's assessments and to assist DEFA's determination decisions. This includes economic, social and sustainable value.
- An economic value proforma template is under development and this will be completed by applicants as part of the planning application submission.
- DfE will be formalised as a consultee for the purposes of assessment and ensuring alignment with the Economic Strategy.

2.4 Respond to Climate Change

- Project Workstream activities to be finalised by 31/07/22

2.5 Streamline Appeals

- Project Workstream activities to be finalised by 31/07/22

Timeline for Strategic Objective 2: All Actions to be completed by June 2023

Strategic Objective 3

Interim progress update - July 2022

Strategic Objective 3

ALIGN NATIONAL PLANNING POLICIES, PLANS AND STRATEGIES WITH THE ISLAND PLAN

3.1 Town Centre First Isle of Man

- Later this month, Council of Ministers will be considering the recommendations of the review of the Town Centre First approach utilised by Scotland.
- Some of the possible actions include the establishment of a governance body (a Regeneration Board) to spearhead a Regeneration Strategy for the Island and the launch of a toolkit to help urban communities identify the needs of their built environment.

3.2 Strengthening the Evidence Base

- Project Workstream activities to be finalised by 31/07/22.

3.3 Deliver the Policy Framework

- The draft Area Plan for the North & West is now issued and public consultation sessions are underway.
- The results of the Development Viability Study will be published in the coming weeks.

3.4 Permitted Development (PD)

- Preliminary research underway.
- Project Workstream activities to be finalised by 31/07/22.

Timeline for Strategic Objective 3: All Actions to be completed by June 2024

Strategic Objective 4

Interim progress update - July 2022

Strategic Objective 4

ENSURE ATTRACTIVENESS OF BROWNFIELD DEVELOPMENT TO HELP PROTECT THE ISLAND'S GREENFIELDS AND LANDSCAPE BEAUTY

4.1 Investigate Policy Levers & other Initiatives to stimulate Brownfield and Urban development

The Department for Enterprise is in the process of preparing further grant support for unoccupied urban sites where they are to be redeveloped for residential, retail or leisure purposes, in addition to the current support available for employment purposes. This will be for an initial period of two years and is designed to be a catalyst in ensuring that brownfield sites are commercially viable, and importantly, are developed in a timely way to support our economic strategy. DfE is working with Treasury and will be announcing more on this directly in the coming weeks with the aim that any changes required to schemes are brought to October's Tynwald.

Other policy levers and other initiatives will be quantified and prioritised following further consultation with Treasury, the Cabinet Office, DoI and the Business Agency, along with other Stakeholders including Housing and Communities Board, ConstructionIOM, Chamber of Commerce and Manx Development Corporation. The key reference documents will be the Island Plan and the Island's Economic Strategy.

The Fiscal Policy Changes and Incentives under consideration include:

- Rates relief/land registry relief for regeneration projects.
- Rates disincentives for vacant property.
- Residential Land Tax 5-year holiday.
- Property & land taxation rate.
- Inward investment property fund.
- VAT treatment for refurbished buildings including any specific rules for historic buildings.

The Non-fiscal Policy Changes and Incentives under consideration include:

- Community Purchase Schemes.
- Compulsory Purchase Orders, which may include using CPO orders afforded by CTA designations 'comprehensive treatment areas' (and commitment to devise delivery plans for named CTAs).
- Derelict Property Orders (including empty dwellings management).
- Review Car Parking requirements for town centre living.
- Government led briefs on sites where there is key strategic value to reduce uncertainty in terms of risk associated with viability, site constraints and preparation, mitigation measures.

4.2 Examine the Section 13 Agreement Process and Guidance for Brownfield Sites

- The Development Viability Study will be published in the coming weeks and this may indicate if the Section 13 conditions are impacting decisions to develop on brownfield and urban sites.
- In parallel, a review of the implementation of Section 13 will commence and the results will be used to inform any required changes to the Operational Policy or, indeed, the Town and Country Planning Act. The results will be reported to Tynwald in October.

Timeline for Strategic Objective 4: All Actions to be completed by June 2023

Appendix 1 - Glossary

Built Environment

The term 'built environment' refers to aspects of our surroundings that are built by humans, that is, distinguished from the natural environment. It includes not only buildings, but the human-made spaces between buildings, such as parks, and the infrastructure that supports human activity such as transportation networks, utilities networks, flood defences, telecommunications, and so on.

Brownfield

The term brownfield is often used within conversations about regeneration but it does not have a formal or legal definition within the Island's Strategic Plan (2016). The Planning term that is widely used within legislation and policies is "previously developed land" and this is covered later in the glossary.

The frequent references to brownfield sites within the Island Plan and the Housing and Communities Board Action Plan justifies a clearly defined definition of how the Isle of Man Government is using the term "brownfield sites".

The Construction Industry Council considers the built environment as '...encompassing all forms of building (housing, industrial, commercial, hospitals, schools, etc.), and civil engineering infrastructure, both above and below ground and includes the managed landscapes between and around buildings.'

Broadly, it refers to areas of land that have been used before and tend to be disused or derelict land. In some cases, existing buildings on the land may be in a state of significant disrepair. Where land has previously been used for industrial or commercial purposes, the decontamination of land is often required. Many brownfield sites, although not all, are located in the Island's towns and access to them can be restricted as they tend to be surrounded by other buildings that are still in use. The term can also be used to refer to a site that is still in use but where plans are in place to redevelop, which may include repurposing, in the future.

CO - Cabinet Office

DEFA - Department of Environment, Food and Agriculture

DfE - Department for Enterprise

IPS - Interested Party Status

This is an awarded status and is a special part of the planning process in the Isle of Man, along with the extension of third party rights to certain objectors. Anyone who makes a written submission on an application will be considered for IPS under the current This status and the extension of third party rights to certain objectors are part of the isle of man process.

MDC - Manx Development Corporation

A Government owned arms-length company: it is the implementation arm for transforming Government owned brownfield sites. It is accountable to the Brownfield Regeneration Steering Group (BRSG).

PDO - Permitted Development Order

Development which is permitted by an Order and can therefore be carried out without a specific planning application, as long as it complies with any limitations or conditions set out in the order

Town Centre

The Island Strategic Plan 2016 and the Central and the Lower Douglas Master Plan do not include written definitions in their glossaries for Town Centres. In England, town centres, as defined in the National Planning Policy Framework, comprise a range of locations where main town centre uses are concentrated, including city and town centres, district and local centres (and so includes places that are often referred to as high streets).

For the purposes of the Built Environment Reform Programme, and the specific activities that may be proposed for supporting Town Centre First regeneration and growth, the definitions and boundaries defined by each of the Island's towns will be applied.