



Isle of Man
Government

Reillys Ellan Vannin

DEPARTMENT OF ENVIRONMENT FOOD AND AGRICULTURE

**TOWN AND COUNTRY PLANNING ACT 1999
TOWN AND COUNTRY (DEVELOPMENT PROCEDURE) ORDER 2019**

Agenda for a meeting of the Planning Committee, 7th November 2022, 10.00am, in the Ground Floor Meeting Room of Murray House, Mount Havelock, Douglas

Please note that participants are able to attend in a public meeting in person or virtually via Microsoft Teams. For further information on how to view the meeting virtually or speak via Teams please refer to the Public Speaking Guide and 'Electronic Planning Committee – Supplementary Guidance' available at www.gov.im/planningcommittee. If you wish to register to speak please contact DEFA Planning & Building Control on 685950.

1. Introduction by the Chairman

2. Apologies for absence

3. Minutes

To give consideration to the minutes of a meeting of the Planning Committee held on the 24th October 2022.

4. Any matters arising

5. To consider and determine Planning Applications

Schedule attached as Appendix One.

Please be aware that the consideration order, as set down by this agenda, will be revisited on the morning of the meeting in order to give precedent to applications where parties have registered to speak.

6. Site Visits

To agree dates for site visits if necessary.

7. Section 13 Agreements

To note any applications where Section 13 Agreements have been concluded since the last sitting.

8. Any other business

9. Next meeting of the Planning Committee

Set for 21st November 2022.

PLANNING COMMITTEE Meeting, 7th November 2022
Schedule of planning applications

<p>Item 5.1 3 Lhargan Port St Mary Isle Of Man IM9 5AR</p> <p>PA22/01244/B Recommendation : Permitted</p>	<p>Installation of replacement roof light to front elevation and replacement rear window and rear door (retrospective)</p>
<p>Item 5.2 22 & 24 Parliament Street And 6 West Quay Ramsey Isle Of Man IM8 1AP</p> <p>PA22/00639/B Recommendation : Approve subject to Legal Agreement</p>	<p>Erection of new four storey apartment building (class 3.4) with ground floor retail space (class 1.1)</p>
<p>Item 5.3 Auldyn House 24 Parliament Street Ramsey Isle Of Man IM8 1AP</p> <p>PA21/00993/CON Recommendation : Permitted</p>	<p>Registered Building consent for demolition of building (retrospective)</p>
<p>Item 5.4 Auldyn House 24 Parliament Street Ramsey Isle Of Man IM8 1AP</p> <p>PA22/01177/B Recommendation : Permitted</p>	<p>Demolition of 24 Parliament Street (in association with 21/00993/CON) (retrospective)</p>
<p>Item 5.5 22 Parliament Street And 6 West Quay Ramsey IM8 1AP</p> <p>PA21/01005/B Recommendation : Permitted</p>	<p>Demolition of 22 Parliament Street and 6 West Quay</p>
<p>Item 5.6 22 Parliament Street And 6 West Quay Ramsey IM8 1AP</p> <p>PA21/01006/CON Recommendation : Permitted</p>	<p>Registered Building consent for demolition elements to PA 21/01005/B</p>
<p>Item 5.7 Jack Frost Spring Valley Industrial Estate Douglas Isle Of Man IM2 2QU</p> <p>PA22/01128/C Recommendation : Permitted</p>	<p>Conversion of existing industrial unit into a gymnasium and the installation of replacement curtain wall glazing to existing roller shutter door</p>

<p>Item 5.8 The Warehouse Demesne Road Douglas Isle Of Man</p> <p>PA22/00753/B Recommendation : Permitted</p>	<p>Alterations including roofing works, cladding removal of windows, installation of a new fire door and additional use of first floor storage area for dog day care business</p>
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PLANNING AUTHORITY AGENDA FOR 7th November 2022

Item 5.1

Proposal : Installation of replacement roof light to front elevation and replacement rear window and rear door (retrospective)

Site Address : 3 Lhargan
Port St Mary
Isle Of Man
IM9 5AR

Applicant : Mr Samuel Skelton

Application No. : [22/01244/B](#)- click to view

Senior Planning Officer : Mr Jason Singleton

RECOMMENDATION: To APPROVE the application

Recommended Conditions and Notes for Approval

C : Conditions for approval

N : Notes (if any) attached to the conditions

Reason for approval:

The proposed application would comply with General Policy 2 and Environmental Policy 35 of the Strategic Plan 2016.

Interested Person Status – Additional Persons

None

Planning Officer's Report

THIS APPLICATION IS REFERRED TO THE PLANNING COMMITTEE AS THE APPLICANT IS A MEMBER OF THE PLANNING COMMITTEE

THE SITE

1.1 The application site is the residential curtilage of an existing dwelling No.3 "The Lobster Pot" situated to the west of The Lhargan, Port St Mary. The property is a mid-terraced two storey dwelling which has exposed stone to the front elevation and is echoed with No 4 to the north. No.2 to the south is smooth render finish but of a different character and appearance.

THE PROPOSAL

2.1 Proposed is the (retrospective) replacement of a Velux type roof light on the front elevation roofscape and to the rear elevation; the replacement of windows and a replacement door to the ground floor. The apertures have not been altered to any window or doorway.

2.2 The replacement rear windows and door on the rear elevation are white Upvc material with door featuring glazing in the upper half.

PLANNING POLICY

3.1 The application site is within an area zoned as "Residential" on the Area Plan for the South 2013. It is also within the Proposed Conservation Area of Port St Mary. The site is not within a flood risk area nor are there any registered trees affected by the proposal.

3.2 The following policies from the 2016 Strategic Plan are considered pertinent in the assessment of this application;

- o General Policy 2 (GP2) (in part b,c,g)
- o Environment Policy 35

3.3 Isle of Man Planning Circular 1/98: Buildings in Conservation Areas - The Alteration and Replacement of Windows states:

"If the original windows are in place they should preferably be repaired. If repair is impracticable, replacement windows which would be readily visible from a public thoroughfare MUST HAVE THE SAME method of opening as the originals. Whatever the material used in their construction, the windows MUST HAVE THE SAME pattern and section of glazing bars and the same frame sections as the original windows."

3.4 Planning Policy Statement 1/01 (Conservation of the Historic Environment of the Isle of Man) - Policy CA/2, (Conservation Areas);

When considering proposals for the possible development of any land or buildings which fall within the conservation area, the impact of such proposals upon the special character of the area, will be a material consideration when assessing the application.

Windows not readily visible from a public thoroughfare must have the same or similar pattern of glazing bars as the originals, but not necessarily the original method of opening, whatever the material used in the construction.

PLANNING HISTORY

4.1 19/00116/B - Installation of replacement windows to front elevation. APPROVED. This application proposed white Upvc sliding sash windows with external glazing bars to the front elevation of the property.

REPRESENTATIONS

5.1 Port St Mary Commissioners had not commented at the time of writing.

5.2 Highways Services (13.10.22) do not object

ASSESSMENT

6.1 The fundamental issues to consider in the assessment of this planning application are;

- a) the impact of the proposed development, and
- b) whether the windows and door preserve or enhance the character or appearance of the proposed Conservation Area.

6.2 The proposals are considered minor alterations within the existing apertures to the property, essentially contained to the roofscape at the front and to the rear elevation where public views or not easily achievable. Nevertheless the proposals would be seen to be complementary to the property and would echo those windows to the front elevation that have been previously replaced (see planning history) adding a degree of uniformity to the property.

6.3 The replacement windows and door are of the same design and style as those windows to the front elevation albeit with different opening mechanisms, and would be appropriate for the context of this property.

6..4 On balance, the level and scale of development proposed within this planning application are considered to be relatively modest and not judged to cause harm to the enjoyment of the main dwellinghouse or considered to harm the character and quality of the streetscape and wider proposed conservation area, in accordance with EP35 and GP2.

7.0 CONCLUSION

7.1 For the above reasons, it is concluded that the (retrospective) alterations to the property would be an appropriate form of development that does not harm the use and enjoyment of neighbouring properties and would comply with aforementioned planning policies of the Isle of Man Strategic Plan 2016, and is recommended for approval.

8.0 INTERESTED PERSON STATUS

8.1 By virtue of the Town and Country Planning (Development Procedure) Order 2019, the following persons are automatically interested persons:

- (a) the applicant (including an agent acting on their behalf);
- (b) any Government Department that has made written representations that the Department considers material;
- (c) the Highways Division of the Department of Infrastructure;
- (d) Manx National Heritage where it has made written representations that the Department considers material;
- (e) Manx Utilities where it has made written representations that the Department considers material;
- (f) the local authority in whose district the land the subject of the application is situated; and
- (g) a local authority adjoining the authority referred to in paragraph (f) where that adjoining authority has made written representations that the Department considers material.

8.2 The decision maker must determine:

- o whether any other comments from Government Departments (other than the Department of Infrastructure Highway Services Division) are material; and
- o whether there are other persons to those listed above who should be given Interested Person Status.

PLANNING AUTHORITY AGENDA FOR 7th November 2022

Item 5.2

Proposal : **Erection of new four storey apartment building (class 3.4) with ground floor retail space (class 1.1)**

Site Address : **22 & 24 Parliament Street And
6 West Quay
Ramsey
Isle Of Man
IM8 1AP**

Applicant : **Ardlui Ltd**

Application No. : **22/00639/B- [click to view](#)**

Planning Officer : **Mrs Vanessa Porter**

RECOMMENDATION: To APPROVE the application subject to a legal agreement

Recommended Conditions and Notes (if any) once the required legal agreement has been entered into

C 1. The development hereby approved shall be begun before the expiration of four years from the date of this decision notice.

Reason: To comply with Article 26 of the Town and Country Planning (Development Procedure) Order 2019 and to avoid the accumulation of unimplemented planning approvals.

C 2. The windows in the ground, first and second floors are to be sliding sash, with externally expressed glazing bars on the upper and lower frames and run through sash horns.

Reason: to ensure that the new windows are appropriate in appearance and form to the Conservation Area in which they will sit.

C 3. Notwithstanding the provisions of the Town and Country Planning (Permitted Development) Order 2019 (or any Order revoking and/or re-enacting that Order with or without modification), the ground floor (shown as "retail" on approved plans) shall only be used as a "Shop" use as defined in in Class 1.1, of Schedule 5 of the Order.

Reason: The Department has assessed the impact of the proposal on the basis of the specific use and any alternative uses within a different Use Class will require further consideration and an application to be made.

C 4. Prior to commencement details of the flood mitigation measures including flood door details must be submitted to and approved in writing by the Department. The development shall not be carried out unless in accordance with the approved details and shall be retained thereafter.

Reason: flood risk mitigation

C 5. Prior to commencement details of the roller shutter doors to the bicycle and bin storage must be submitted to and approved in writing by the Department. The development shall not be carried out unless in accordance with the approved details prior to the occupation of the apartments or retail units.

Reason: In the interests of the character and appearance of the site and surrounding area.

C 6. Prior to occupation of any retail or apartment unit the wheelie bin store and bike store as shown in drawing P-01 Rev B, must be completed and shall at all times be made available for the proposed use and retained thereafter.

Reason: In the interests of the character and appearance of the site and surrounding area and given the lack of on site parking being provided.

Reason for approval:

The proposal complies with Section 18(4) of the Town and Country Act (1999) and Environment Policy 35 of the Isle of Man Strategic Plan 2016.

Interested Person Status – Additional Persons

Department for Infrastructure's Flood Risk Management Team should be afforded interested person status as they are a Government Department which has raised material planning considerations.

Planning Officer's Report

THE PLANNING APPLICATION IS BEFORE THE PLANNING COMMITTEE AT THE REQUEST OF THE PRINCIPAL PLANNER OFFICER AND A SECTION 13 LEGAL AGREEMENT IS REQUIRED

THE APPLICATION SITE

1.1 The application site is three properties No. 22 Parliament Street, No. 24 Parliament Street and No.6 West Quay. The properties are situated to the South of West Quay and the North of Parliament Street. Due to the properties location upon the streetscene, No. 24 Parliament Street has both an entrance and exit onto Parliament Street and West Quay with No. 22 Parliament Street just having an entrance and exit from Parliament Street and No.6 West Quay having an entrance and exit from West Quay.

1.2 No. 24 Parliament Street was demolished in May/June 2021 due to the property being unsafe.

THE PROPOSAL

2.1 The current planning application seeks approval for the erection of a new four storey property. The ground floor level is to have retail and shop frontage with 8 apartments above.

2.2 The ground floor is to provide three retail spaces, two upon Parliament Street and one upon West Quay, the first and second floors have exactly the same internal layout and are to provide three apartments with the third floor providing two apartments.

PLANNING HISTORY

3.1 There are several applications on the site;

PA04/01589/A - Approval in principle for the construction of first and second floors to create two residential apartments - Refused on review (22 Parliament Street only)

PA05/02052/B - Sub-division of existing single retail unit to provide two new units, one with access via West Quay, and installation of a replacement roof light - Permitted (22 Parliament Street only)

PA18/00284/B - Alterations and roof extension to provide one retail unit (Class 1), four offices (Class 4) and one residential apartment - Permitted (Auldyn House, 24 Parliament Street only)
PA20/00224/MCH - Minor changes application for PA 18/00284/B involving alteration to and creation of windows, shop front and stairwell - Permitted (Auldyn House, 24 Parliament Street only)

3.2 The following applications are in connection with this application and currently pending;
PA21/00993/CON - Registered Building consent for demolition of building (retrospective), Auldyn House, 24 Parliament Street
PA21/01005/B - Demolition of 22 Parliament Street and 6 West Quay
21/01006/CON - Registered Building consent for demolition elements to PA 21/01005/B

PLANNING POLICY

4.1 The site lies within an area zoned as "Mixed Use - Town Centre" on the Ramsey Local Plan 1998, Map 2. The site is within the Ramsey Conservation Area and within a High Risk Flood Zone (Tidal) area.

4.2 Given the nature of the of the land designation and the property being within a Conservation Area, Section 18(4) of the Town and Country Planning Act (1999) is the most relevant in the assessment of this application. Followed by paragraph 7.29.2 and Environment Policy 35 of the Isle of Man Strategic Plan, which set out development in Conservation Areas will only be permitted where they preserve or enhance the character and appearance of the area.

4.3 In addition to the above consideration should also be given to the following Strategic Policies;

Strategic Policy 1 - development should be located to make best use of previously developed land, redundant and underused buildings and utilising existing infrastructure;

Strategic Policy 2 - focuses new development in existing settlements unless complies with GP3;

Strategic Policy 5 - development must be well designed;

Strategic Policy 9 - new retail to towns and villages

Strategic Policy 10 - development should promote integrated journeys, minimise car use and facilitate other modes of travel;

Spatial Policy 2 - development outside Douglas will be concentrated on Service Centres

Spatial Policy 5 - new development will be in defined settlements only or in the countryside only in accordance with GP3;

General Policy 2 - detailed 'development control' considerations;

General Policy 4 - Section 13 agreements

Environment Policy 42 - new development should be designed to take into account the character and identity of the area.

Business Policy 1 - growth of employment opportunities

Business Policy 9 - support for retail in existing defined areas

Community Policy 7 - designed to prevent criminal and antisocial behaviour;

Community Policies 10 & 11 - implement best practice so as to reduce the outbreak and spread of fire;

Housing Policy 4 - new housing will be located primarily within the existing towns and villages

Transport Policy 1 - best located close to existing transport links

Transport Policy 4 - safe and appropriate provisions for journeys;

Transport Policy 7 - parking standards

Infrastructure Policy 5 - methods for water conservation

REPRESENTATIONS

5.1 The following representations can be found in full online, below is a short summery;

5.2 Highway Services have considered the proposal and state they do not oppose and accept a full relaxation of the vehicular parking requirements. (1.07.22)

5.3 Ramsey Town Commissioners have considered the proposal and state they have no objection. (26.07.22)

5.4 DOI Flood Risk Management Division have considered the proposal and have no objection subject to conditions. (1.07.22 & 31.10.22)

5.5 The Assistant Registered Buildings Officer has written in to state that they do not have any objections to the proposal but would like a condition attached regarding the windows approved. (16.08.22)

ASSESSMENT

6.1 The main issues to consider in the assessment of this planning application are:

- Section 18(4) test
- Principle (STP2, SP1, BP1, 9, 10, HP4)
- Design - (Gp2b, c, EP35 & 42)
- Neighbouring Amenities (Gp2g)
- Living conditions (GP2h)
- Highway services - (TP4, 7)
- Flood Risk - (EP10; GP2I)
- Affordable housing

6.2 SECTION 18(4) TEST

6.2.1 Due to the proposed works being in a Conservation Area it is necessary to test the application under section 18(4) of the Town and Country Act (1999), see section 4.2 of this report, on whether the works preserve or enhance the Conservation Area.

6.2.2 When looking at the proposal as a whole, from what was there previously. Part of the structure within this application is an improvement on the existing two and one storey flat roofed structure. As such from this point of view the proposal will enhance the overall Conservation Area.

6.2.3 With regards to the rest of the structure, this has been designed to preserve the overall Conservation Area and as such all aspects would comply with the Section 18(4) Test.

6.3 PRINCIPLE

6.3.1 The site is within an area designated as "Mixed Use" on the Ramsey Local Plan 1998 and is part of the main shopping street in Ramsey Town Centre, with the proposed scheme being for retail units to the ground floor level and accommodation above.

6.3.2 The principle of development within this part of Ramsey is acceptable and would be supported through Strategic Policy 2 and Spatial Policy 1 and Housing Policy 4. The retail part of the proposal would be supported through Business Policy 1 for the creation of employment opportunities through retail and generally supported through Business Policy 9 and 10 given the proposed use is in accordance with the land use designation.

6.4 DESIGN

6.4.1 When looking at the proposal the basic form of the building is reflected in the size of the overall footprint available to the site, with the height being extended above what was already existing. The proposal is to include a mansard roof which is not a characteristic of the area. Whilst this is the case, the proposal has been discussed with the Principal Registered

Building Officer and they are happy with the proposed roof, in that it will not impact the overall streetscene or the Conservation Area as a whole.

6.4.2 The proposal in regards to the proposed ground floor level both to Parliament Street and West Quay shop fronts are acceptable and deemed to fit within the existing streetscene and the fenestration placement and materials to the rest of the dwelling, complement the existing high street which will ultimately enhance the local character and distinctiveness based on the existing properties within the site.

6.4.3 Finally it can be seen that there are roller shutter doors to the side elevation alongside the side lane, whilst these do take up a large part of the ground floor, these are to facilitate bike parking and bin storage and the likelihood of these looking out of place within this part of the side street is unlikely, as such they are deemed acceptable.

6.5 NEIGHBOURING AMENITIES

6.5.1 Generally within the surrounding area, there is a high level of residential above already existing ground floor level retail, as such the proposal would not be introducing a use that is not already evident within the streetscene. It is therefore not considered to have any adverse impact upon those residents already within the streetscene through any overlooking, loss of privacy or overbearing impact over and above the existing levels given in the existing structures.

6.5.2 It is further noted we have not received any objections or comments from the adjoining neighbours and the local authority do not object. On balance, these aspects would be considered to be compliant with those sections of General Policy 2(g).

6.6 LIVING CONDITIONS

6.6.1 When considering each of the apartment's amenity standards, the building incorporates a large number of windows to the front and rear elevations, which include Juliet balconies to Flat 1, 4 and 7. There is also the provision of additional windows to the side elevation which faces the side street, though it is unsure on how much additional light the property will benefit from with these.

6.6.2 Each living/dining/kitchen room has been afforded either a Juliet balcony or two/four windows depending on its location within the property, as such the apartments are afforded views out.

6.6.3 The apartments are large enough to accommodate the usual arrangement of rooms for habitation in different layouts. There would appear to be adequate space to allow for the drying of clothes and circulation space within each apartment. There is also a communal staircase and a lift to all floors and a refuse or waste collection point at the side of the property. The living environment of the proposed apartments is deemed to be acceptable and provides satisfactory amenity standards in itself in accordance with Gp2h.

6.6.4 Being within the town centre, there is no outdoor amenity space provided. However there is ease of level access to good public open space that would provide a degree of respite from the activity in the area, namely Ramsey promenade and the beach and other leisure areas accessed further along the prom.

6.7 HIGHWAY SERVICES

6.7.1 The site provides no parking on site, which isn't in accordance with Transport Policy 7 which requires two parking spaces per two bedroomed apartment. Whilst this is the case there are provisions within Appendix 7 of the Isle of Man Strategic Plan which allows for the relaxation of Transport Policy 7, where certain criteria's are met.

6.7.2 These criteria's include but not limited to "(c) is otherwise of benefit to the character of a Conservation Area and (d) is within a reasonable distance of an existing or proposed bus route and it can be demonstrated a reduced level of parking will not result in unacceptable on street parking in the locality."

6.7.3 With the proposed site being within a Conservation Area and due to its siting, the proposal could only realistically provide parking to either basement or ground floor level. The proposal of adding this in would include infrastructure which would be out of keeping with the Conservation Area and ultimately would not preserve or enhance the Conservation Area, as such it is deemed that the proposal would comply with part (c) of the relaxations.

6.7.4 Whilst this is the case it is also relevant to note that due to the site being within a town centre position, that there are several links including bus and rail which are within a short walking distance from the site. The proposal also includes the amenity space for bicycle parking which has been deemed acceptable by Highway Services. As such the proposal complies with part (d) of the relaxations.

6.8 FLOOD RISK

6.8.1 It is noted the site is within an area identified at risk of flooding, (mainly the street) and the flood risk management team do not object, presumably as the residential element is on the upper floors and not at risk. As such a flood risk assessment is not required as per Environment Policy 10.

6.8.2 However, it would be pertinent in this instance, for the safeguard of the property, to seek some form of flood prevention measures should a flood occur. After a discussion with the Flood Risk Management Division and the Agent on behalf of the application, some flood mitigation has been put into place, namely flood doors. Whilst this is acceptable in part, some of the proposed flood risk mitigation is not enough when looking at accessibility. As such a condition should be attached that prior to commencement, details of the proposed flood risk mitigation should be submitted to the Department.

6.8.3 DOI Flood Risk Management have accepted the above and state that residential accommodation must not be permitted on the ground floor. Whilst such a use would require a further application, a note should be supplied upon this application so there is no miscommunication.

6.8.4 As the level of risk is low, the proposal would be seen to comply with EP10, GP2I.

6.9 AFFORDABLE HOUSING

6.9.1 Turning to Housing Policy 5 and the requirement for affordable housing. When considering any development which has the potential to provide 8 or more dwellings will normally require that approximately 25% of new housing provision should take the form of affordable housing when planning permission on land zoned for residential development or in predominantly residential areas.

6.9.2 In this case of this application no provision for affordable housing has been provided, whilst this is the case the applicant has been in direct talks with DOI Public Estates and Housing Division on a commuted sum. DOI Public Estate and Housing have confirmed that in this case the calculated commuted sum for two affordable apartments would be £12,000, both the applicant and DOI Public Estates and Housing Division have confirmed that this is acceptable.

6.9.3 As such, this is deemed acceptable with a Section 13 Agreement, with the Department to ensure that this is adhered to.

CONCLUSION

7.1 The planning application would be an acceptable form of development that has been designed to ensure that it complies with the aforementioned policies.

INTERESTED PERSON STATUS

8.1 By virtue of the Town and Country Planning (Development Procedure) Order 2019, the following persons are automatically interested persons:

- (a) the applicant (including an agent acting on their behalf);
- (b) any Government Department that has made written representations that the Department considers material;
- (c) the Highways Division of the Department of Infrastructure;
- (d) Manx National Heritage where it has made written representations that the Department considers material;
- (e) Manx Utilities where it has made written representations that the Department considers material;
- (f) the local authority in whose district the land the subject of the application is situated; and
- (g) a local authority adjoining the authority referred to in paragraph (f) where that adjoining authority has made written representations that the Department considers material.

8.2 The decision maker must determine:

- o whether any other comments from Government Departments (other than the Department of Infrastructure Highway Services Division) are material; and
- o whether there are other persons to those listed above who should be given Interested Person Status.

8.3 The Department of Environment Food and Agriculture is responsible for the determination of planning applications. As a result, where officers within the Department make comments in a professional capacity they cannot be given Interested Person Status.

PLANNING AUTHORITY AGENDA FOR 7th November 2022

Item 5.3

Proposal : Registered Building consent for demolition of building (retrospective)
Site Address : Auldyn House
24 Parliament Street
Ramsey
Isle Of Man
IM8 1AP
Applicant : Ardlui Limited
Application No. : 21/00993/CON- click to view
Planning Officer : Mrs Vanessa Porter

RECOMMENDATION: To APPROVE the application

Recommended Conditions and Notes for Approval

C : Conditions for approval

N : Notes (if any) attached to the conditions

Reason for approval:

The application accords with General Policy 2 and Environment Policies 35 and 39 of the Isle of Man Strategic Plan 2016, and with the general principles of PPS 1/01.

Interested Person Status – Additional Persons

DOI Highways have not identified land that they own that would be impacted on by the proposal and therefore should not be afforded IPS.

Planning Officer's Report

THE PLANNING APPLICATION IS BEFORE THE PLANNING COMMITTEE AT THE REQUEST OF THE PRINCIPAL PLANNER OFFICER

THE APPLICATION SITE

1.1 The application site is within the curtilage of No.24 Parliament Street which is a property which has retail to the ground floor level and residential above. The site was demolished in May/June 2021 due to the property being unsafe.

THE PROPOSAL

2.1 This application is entwined with PA22/00639/B, which was works comprising of the below elements;

"2.1 The current planning application seeks approval for the erection of a new four storey property. The ground floor level is to have retail with apartments above.

2.2 The ground floor is to provide three retail spaces, two upon Parliament Street and one upon West Quay, the first and second floors have exactly the same internal layout and are to provide three apartments with the third floor providing three apartments."

2.2 Registered Building Consent is now sought for the demolition of No. 24 Parliament Street.

PLANNING HISTORY

3.1 There are several applications on the site;

PA04/01589/A - Approval in principle for the construction of first and second floors to create two residential apartments - Refused on review (22 Parliament Street only)

PA05/02052/B - Sub-division of existing single retail unit to provide two new units, one with access via West Quay, and installation of a replacement roof light - Permitted (22 Parliament Street only)

PA18/00284/B - Alterations and roof extension to provide one retail unit (Class 1), four offices (Class 4) and one residential apartment - Permitted (Auldyn House, 24 Parliament Street only)

PA20/00224/MCH - Minor changes application for PA 18/00284/B involving alteration to and creation of windows, shop front and stairwell - Permitted (Auldyn House, 24 Parliament Street only)

3.2 The following applications are in connection with this application and currently pending;

PA22.006393/B - Erection of new four storey apartment building (class 3.4) with ground floor retail space (class 1.1)

PA21/01005/B - Demolition of 22 Parliament Street and 6 West Quay

PA21/01006/CON - Registered Building consent for demolition elements to PA 21/01005/B

PLANNING POLICY

4.1 The site lies within an area zoned as "Mixed Use - Town Centre" on the Ramsey Local Plan 1998. Given the nature of the application being for RB consent works in relation to PA22/00639/B it is most relevant to focus on those policies which relate specifically to demolition works within a Conservation Area and Heritage policies referenced in PPS 1/01.

4.2 The Strategic Policies which are the most applicable to this application are Strategic Policy 4 which seeks to protect or enhance Conservation Areas, Environment Policy 35 which seeks that the character and quality of the Conservation Area is protected against inappropriate development, Environment Policy 39 in connection with Paragraph 7.32.2 which seeks to retain building which make a positive contribution to the character or appearance of the Conservation Area.

4.3 With regards to the Planning Policy Statement 1/01 - Conservation of the Historic Environment of the Isle of Man, the most relevant policy is CA/6.

REPRESENTATIONS

5.1 The following representations can be seen online in full;

5.2 Highway Services have considered the application and do not oppose. (02.09.21 & 16.08.22)

5.3 Ramsey Town Commissioners have considered the application and have no objections. (20.09.21)

5.4 DOI Flood Risk Management Division have considered the application and state, no flood risk management interest. (09.09.21)

ASSESSMENT

6.1 Whilst the property is not registered, the Town and Country Planning Act 1999 requires that demolitions in Conservations Areas have registered building consent to safeguard the character and appearance of the surrounding area. Therefore the key considerations in this case are whether the proposed works will adversely affect or change the character and nature of the building or the Conservation Area.

6.2 The property is situated within the main Ramsey Town Centre as such, it is within a very public vantage point with the properties within this part of the Ramsey Town Centre being a general mix of two storey flat roofed to three storey traditional properties.

6.3 There is general presumption within Environment Policy 39 that buildings which make a positive contribution to the character or appearance of the Conservation Area should be retained. In the case of this application, the property has degraded over time to such a state that it would ultimately not be worthwhile to renovate. Whilst this is not within itself a reason for approval, the fact remains that over time the property has started to add a negative impact upon the overall Conservation Area, even with the features to the front Parliament Street entrance which did add a positive contribution.

6.4 Overall on the balance, it is considered that the loss of the property would not have unacceptable impacts on the character and appearance of the Ramsey Conservation Area and their demolition may be regarded as an enhancement, in accordance with Environment Policies 35 and 39.

CONCLUSION

7.1 Overall it is deemed that the demolition works will have a minimal impact upon the general streetscene when viewed from a public vantage point and a minimal impact upon the Conservation Area, as such this Registered Building consent proposal accords with the Strategic Plan and Policy Statements as set out in 4.0 above, it is recommended for approval.

INTERESTED PERSON STATUS

8.1 By virtue of the Town and Country Planning (Registered Buildings) Regulations 2013 (As Amended), the following are automatically interested persons:

- (a) The applicant, or if there is one, the applicant's agent;
- (b) The owner and the occupier of any land that is the subject of the application;
- (c) Manx National Heritage; and
- (d) The local authority in whose district the land the subject of the application is situated

8.2 In addition to those above, the Regulation 9(3) requires the Department to decide which persons (if any) who have made representations with respect to the application, should be treated as having sufficient interest in the subject matter of the application to take part in any subsequent proceedings relating to the application

PLANNING AUTHORITY AGENDA FOR 7th November 2022

Item 5.4

Proposal : Demolition of 24 Parliament Street (in association with 21/00993/CON) (retrospective)

Site Address : Auldyn House
24 Parliament Street
Ramsey
Isle Of Man
IM8 1AP

Applicant : Ardlui Limited

Application No. : 22/01177/B- click to view

Planning Officer : Mrs Vanessa Porter

RECOMMENDATION: To APPROVE the application

Recommended Conditions and Notes for Approval

C : Conditions for approval

N : Notes (if any) attached to the conditions

Reason for approval:

The application accords with General Policy 2 and Environment Policies 35 and 39 of the Isle of Man Strategic Plan 2016, and with the general principles of PPS 1/01.

Interested Person Status – Additional Persons

None

Planning Officer's Report

THE PLANNING APPLICATION IS BEFORE THE PLANNING COMMITTEE AT THE REQUEST OF THE PRINCIPAL PLANNER OFFICER

THE APPLICATION SITE

1.1 The application site is within the curtilage of No.24 Parliament Street which is a property which has retail to the ground floor level and residential above. The site was demolished in May/June 2021 due to the property being unsafe.

THE PROPOSAL

2.1 This application proposes the full demolition of the property.

PLANNING HISTORY

3.1 There are several applications on the site;

PA04/01589/A - Approval in principle for the construction of first and second floors to create two residential apartments - Refused on review (22 Parliament Street only)

PA05/02052/B - Sub-division of existing single retail unit to provide two new units, one with access via West Quay, and installation of a replacement roof light - Permitted (22 Parliament Street only)

PA18/00284/B - Alterations and roof extension to provide one retail unit (Class 1), four offices (Class 4) and one residential apartment - Permitted (Auldyn House, 24 Parliament Street only)
PA20/00224/MCH - Minor changes application for PA 18/00284/B involving alteration to and creation of windows, shop front and stairwell - Permitted (Auldyn House, 24 Parliament Street only)

3.2 The following applications are in connection with this application and currently pending;
PA22/00639/B - Erection of new four storey apartment building (class 3.4) with ground floor retail space (class 1.1)
PA21/00993/CON - Registered Building consent for demolition of building (retrospective), Auldyn House, 24 Parliament Street
PA21/01006/CON - Registered Building consent for demolition elements to PA 21/01005/B
PA21.01005.B - Demolition of 22 Parliament Street and 6 West Quay

PLANNING POLICY

4.1 The site lies within an area zoned as "Mixed Use - Town Centre" on the Ramsey Local Plan 1998. The site is within the Ramsey Conservation Area and within a High Risk Flood Zone (Tidal) area.

4.2 Given the nature of the proposal and the property being situated within a Conservation Area, the relevant Strategic Policies are Strategic Policy 4 which seeks to protect or enhance Conservation Areas, Environment Policy 35 which seeks that the character and quality of the Conservation Area is protected against inappropriate development, Environment Policy 39 in connection with Paragraph 7.32.2 and Section 19 of the 1999 Town and Country Planning Act which seeks to retain buildings which make a positive contribution to the character or appearance of the Conservation Area.

4.3 With regards to the Planning Policy Statement 1/01 - Conservation of the Historic Environment of the Isle of Man, the most relevant policy is CA/6.

REPRESENTATIONS

5.1 The following representations can be seen online in full;

5.2 Highway Services have considered the application and state, "After reviewing this Application, Highway Services HDC finds it to have no significant negative impact upon highway safety, network functionality and /or parking. Highway licences were in place when the works were undertaken under PA 21/00993/CON."(27.09.22)

5.3 No Comments have been received from Ramsey Commissioners at the time of writing this report.

ASSESSMENT

6.1 Whilst the property is not registered, the Town and Country Planning Act 1999 requires that demolitions in Conservations Areas have registered building consent to safeguard the character and appearance of the surrounding area. Therefore the key considerations in this case are whether the proposed works will adversely affect or change the character and nature of the building or the Conservation Area.

6.2 The property is situated within the main Ramsey Town Centre as such, it is within a very public vantage point with the properties within this part of the Ramsey Town Centre being a general mix of two storey flat roofed to three storey traditional properties.

6.3 There is general presumption within Environment Policy 39 that buildings which make a positive contribution to the character or appearance of the Conservation Area should be

retained. In the case of this application, the property has degraded over time to such a state that it would ultimately not be worthwhile to renovate and was deemed unsafe. Whilst this is not within itself a reason for approval, the fact remains that over time the property had started to add a negative impact upon the overall Conservation Area.

6.5 As such ultimately on balance, considering there is an application in for a replacement building (PA22/00639/B) it is considered that the loss of the property would not have unacceptable impact on the character and appearance of the Ramsey Conservation Area and that it's demolition may be regarded as preserving the Conservation Area, in accordance with Environment Policies 35 and 39.

CONCLUSION

7.1 Overall it is deemed that the demolition works will have a minimal impact upon the general streetscene when viewed from a public vantage point and a minimal impact upon the Conservation Area, as such this Registered Building consent proposal accords with the Strategic Plan and Policy Statements as set out in 4.0 above, it is recommended for approval.

INTERESTED PERSON STATUS

8.1 By virtue of the Town and Country Planning (Development Procedure) Order 2019, the following persons are automatically interested persons:

- (a) the applicant (including an agent acting on their behalf);
- (b) any Government Department that has made written representations that the Department considers material;
- (c) the Highways Division of the Department of Infrastructure;
- (d) Manx National Heritage where it has made written representations that the Department considers material;
- (e) Manx Utilities where it has made written representations that the Department considers material;
- (f) the local authority in whose district the land the subject of the application is situated; and
- (g) a local authority adjoining the authority referred to in paragraph (f) where that adjoining authority has made written representations that the Department considers material.

8.2 The decision maker must determine:

- o whether any other comments from Government Departments (other than the Department of Infrastructure Highway Services Division) are material; and
- o whether there are other persons to those listed above who should be given Interested Person Status

Item 5.5

Proposal : Demolition of 22 Parliament Street and 6 West Quay
Site Address : 22 Parliament Street And
6 West Quay
Ramsey
IM8 1AP
Applicant : Ardlui Limited
Application No. : 21/01005/B- click to view
Planning Officer : Mrs Vanessa Porter

RECOMMENDATION: To APPROVE the application

Recommended Conditions and Notes for Approval

C : Conditions for approval

N : Notes (if any) attached to the conditions

C 1. The development hereby approved shall be begun before the expiration of four years from the date of this decision notice.

Reason: To comply with Article 26 of the Town and Country Planning (Development Procedure) Order 2019 and to avoid the accumulation of unimplemented planning approvals.

Reason for approval:

The application accords with General Policy 2 and Environment Policies 35 and 39 of the Isle of Man Strategic Plan 2016, and with the general principles of PPS 1/01.

Interested Person Status – Additional Persons

It is recommended that the following organisation should not be given Interested Person Status as they are not considered to have sufficient interest in the subject matter of the application to take part in any subsequent proceedings and are not mentioned in Article 4(2):

Isle of Man Natural History and Antiquarian Society as they do not satisfy all of the requirements of paragraph 2 of the Department's Operational Policy on Interested Person Status.

Planning Officer's Report

THE PLANNING APPLICATION IS BEFORE THE PLANNING COMMITTEE AT THE REQUEST OF THE PRINCIPAL PLANNER OFFICER

THE APPLICATION SITE

1.1 The application site is within the curtilage of No.22 Parliament Street and No.6 West Quay which are properties which has retail to the ground floor level and residential above.

1.2 The property is a two storey flat roofed site to the Parliament Street elevation and a one storey flat roofed site to the West Quay elevation.

THE PROPOSAL

2.1 This application proposes the full demolition of the properties.

PLANNING HISTORY

3.1 There are several applications on the site;

PA04/01589/A - Approval in principle for the construction of first and second floors to create two residential apartments - Refused on review (22 Parliament Street only)

PA05/02052/B - Sub-division of existing single retail unit to provide two new units, one with access via West Quay, and installation of a replacement roof light - Permitted (22 Parliament Street only)

PA18/00284/B - Alterations and roof extension to provide one retail unit (Class 1), four offices (Class 4) and one residential apartment - Permitted (Auldyn House, 24 Parliament Street only)

PA20/00224/MCH - Minor changes application for PA 18/00284/B involving alteration to and creation of windows, shop front and stairwell - Permitted (Auldyn House, 24 Parliament Street only)

3.2 The following applications are in connection with this application and currently pending;

PA22/00639/B - Erection of new four storey apartment building (class 3.4) with ground floor retail space (class 1.1)

PA21/00993/CON - Registered Building consent for demolition of building (retrospective), Auldyn House, 24 Parliament Street

PA21/01006/CON - Registered Building consent for demolition elements to PA 21/01005/B

PLANNING POLICY

4.1 The site lies within an area zoned as "Mixed Use - Town Centre" on the Ramsey Local Plan 1998. The site is within the Ramsey Conservation Area and within a High Risk Flood Zone (Tidal) area.

4.2 Given the nature of the proposal and the property being situated within a Conservation Area, the relevant Strategic Policies are Strategic Policy 4 which seeks to protect or enhance Conservation Areas, Environment Policy 35 which seeks that the character and quality of the Conservation Area is protected against inappropriate development, Environment Policy 39 in connection with Paragraph 7.32.2 and Section 19 of the 1999 Town and Country Planning Act which seeks to retain buildings which make a positive contribution to the character or appearance of the Conservation Area.

4.3 With regards to the Planning Policy Statement 1/01 - Conservation of the Historic Environment of the Isle of Man, the most relevant policy is CA/6.

REPRESENTATIONS

5.1 The following representations can be seen online in full;

5.2 Highway Services have considered the application and do not oppose. (09.08.22 & 14.09.21)

5.3 Ramsey Town Commissioners have considered the application and have no objections. (20.09.21)

5.4 The Isle of Man Natural History and Antiquarian Society have written in to object to the proposal for several reasons as outlined in their objection. (15.11.21)

ASSESSMENT

6.1 Whilst the property is not registered, the Town and Country Planning Act 1999 requires that demolitions in Conservations Areas have registered building consent to safeguard the character and appearance of the surrounding area. Therefore the key considerations in this case are whether the proposed works will adversely affect or change the character and nature of the building or the Conservation Area.

6.2 The property is situated within the main Ramsey Town Centre as such, it is within a very public vantage point with the properties within this part of the Ramsey Town Centre being a general mix of two storey flat roofed to three storey traditional properties.

6.3 There is general presumption within Environment Policy 39 that buildings which make a positive contribution to the character or appearance of the Conservation Area should be retained. In the case of this property, the flat roofed aspects of the site do not add to the Conservation Area, whilst the removal of the property could also not enhance or preserve the Conservation Area as it could provide a gap within the main street.

6.4 Whilst this is the case, a structures report have been submitted, which states that the site as a whole is in a bad state of repair and has been for a while, and that significant intervention would be required to ensure its structural safety.

6.5 With this in mind, there has been no evidence provided of maintenance submitted within this application, with the information provided stating that there have been issues since October 2016, as such the property should not have got to the state it is currently in. Whilst this is the case due to the time period in which the property has started to degrade, with no maintenance, it can only be assumed that this will continue and the property will continue to provide a negative impact upon the Conservation Area.

6.5 As such ultimately on balance, considering there is an application in for a replacement four storey apartment building with ground floor retail space (PA22/00639/B) it is considered that the loss of the property would not have unacceptable impacts on the character and appearance of the Ramsey Conservation Area and their demolition may be regarded as an enhancement, in accordance with Environment Policies 35 and 39.

CONCLUSION

7.1 Overall it is deemed that the demolition works will have a minimal impact upon the general streetscene when viewed from a public vantage point and a minimal impact upon the Conservation Area, as such this Registered Building consent proposal accords with the Strategic Plan and Policy Statements as set out in 4.0 above, it is recommended for approval.

INTERESTED PERSON STATUS

8.1 By virtue of the Town and Country Planning (Development Procedure) Order 2019, the following persons are automatically interested persons:

- (a) the applicant (including an agent acting on their behalf);
- (b) any Government Department that has made written representations that the Department considers material;
- (c) the Highways Division of the Department of Infrastructure;
- (d) Manx National Heritage where it has made written representations that the Department considers material;
- (e) Manx Utilities where it has made written representations that the Department considers material;
- (f) the local authority in whose district the land the subject of the application is situated; and
- (g) a local authority adjoining the authority referred to in paragraph (f) where that adjoining authority has made written representations that the Department considers material.

8.2 The decision maker must determine:

- o whether any other comments from Government Departments (other than the Department of Infrastructure Highway Services Division) are material; and
- o whether there are other persons to those listed above who should be given Interested Person Status

PLANNING AUTHORITY AGENDA FOR 7th November 2022

Item 5.6

Proposal : Registered Building consent for demolition elements to PA 21/01005/B

Site Address : 22 Parliament Street And
6 West Quay
Ramsey
IM8 1AP

Applicant : Ardlui Ltd

Application No. : 21/01006/CON- click to view

Planning Officer : Mrs Vanessa Porter

RECOMMENDATION: To APPROVE the application

Recommended Conditions and Notes for Approval

C : Conditions for approval

N : Notes (if any) attached to the conditions

Reason for approval:

The application accords with General Policy 2 and Environment Policies 35 and 39 of the Isle of Man Strategic Plan 2016, and with the general principles of PPS 1/01.

Interested Person Status – Additional Persons

It is recommended that the following organisation should not be given Interested Person Status as they are not considered to have sufficient interest in the subject matter of the application to take part in any subsequent proceedings and are not mentioned in Article 4(2):

Isle of Man Natural History and Antiquarian Society as they do not satisfy all of the requirements of paragraph 2 of the Department's Operational Policy on Interested Person Status.

Planning Officer's Report

THE PLANNING APPLICATION IS BEFORE THE PLANNING COMMITTEE AT THE REQUEST OF THE PRINCIPAL PLANNER OFFICER

THE APPLICATION SITE

1.1 The application site is within the curtilage of No.22 Parliament Street and No.6 West Quay which is a property which has retail to the ground floor level and residential above.

1.2 The property is a two storey flat roofed site to the Parliament Street elevation and a one storey flat roofed site to the West Quay elevation.

THE PROPOSAL

2.1 This application is entwined with PA22/00639/B, which was works comprising of the below elements;

"2.1 The current planning application seeks approval for the erection of a new four storey property. The ground floor level is to have retail with apartments above.

2.2 The ground floor is to provide three retail spaces, two upon Parliament Street and one upon West Quay, the first and second floors have exactly the same internal layout and are to provide three apartments with the third floor providing three apartments."

2.2 Registered Building Consent is now sought for the demolition of No. 22 Parliament Street.

PLANNING HISTORY

3.1 There are several applications on the site;

PA04/01589/A - Approval in principle for the construction of first and second floors to create two residential apartments - Refused on review (22 Parliament Street only)

PA05/02052/B - Sub-division of existing single retail unit to provide two new units, one with access via West Quay, and installation of a replacement roof light - Permitted (22 Parliament Street only)

PA18/00284/B - Alterations and roof extension to provide one retail unit (Class 1), four offices (Class 4) and one residential apartment - Permitted (Auldyn House, 24 Parliament Street only)

PA20/00224/MCH - Minor changes application for PA 18/00284/B involving alteration to and creation of windows, shop front and stairwell - Permitted (Auldyn House, 24 Parliament Street only)

3.2 The following applications are in connection with this application and currently pending;

PA22/00639/B - Erection of new four storey apartment building (class 3.4) with ground floor retail space (class 1.1)

PA21/00993/CON - Registered Building consent for demolition of building (retrospective), Auldyn House, 24 Parliament Street

PA21/01005/B - Demolition of 22 Parliament Street and 6 West Quay

PLANNING POLICY

4.1 The site lies within an area zoned as "Mixed Use - Town Centre" on the Ramsey Local Plan 1998. Given the nature of the application being for RB consent works in relation to PA22/00639/B it is most relevant to focus on those policies which relate specifically to demolition works within a Conservation Area and Heritage policies referenced in PPS 1/01.

4.2 The Strategic Policies which are the most applicable to this application are Strategic Policy 4 which seeks to protect or enhance Conservation Areas, Environment Policy 35 which seeks that the character and quality of the Conservation Area is protected against inappropriate development, Environment Policy 39 in connection with Paragraph 7.32.2 which seeks to retain building which make a positive contribution to the character or appearance of the Conservation Area.

4.3 With regards to the Planning Policy Statement 1/01 - Conservation of the Historic Environment of the Isle of Man, the most relevant policy is CA/6.

REPRESENTATIONS

5.1 The following representations can be seen online in full;

5.2 Highway Services have considered the application and do not oppose. (14.09.21 & 11.08.22)

5.3 Ramsey Town Commissioners have considered the application and have no objections. (20.09.21)

5.4 The Isle of Man Natural History and Antiquarian Society have written in to object against the proposal, based on their being no justification for the demolition of the property and there being no plans to replace the property (15.11.21), since this representation a further application has been received which provides a replacement and no further comments have been received.

ASSESSMENT

6.1 Whilst the property is not registered, the Town and Country Planning Act 1999 requires that demolitions in Conservations Areas have registered building consent to safeguard the character and appearance of the surrounding area. Therefore the key considerations in this case are whether the proposed works will adversely affect or change the character and nature of the building or the Conservation Area.

6.2 The property is situated within the main Ramsey Town Centre as such, it is within a very public vantage point with the properties within this part of the Ramsey Town Centre being a general mix of two storey flat roofed to three storey traditional properties.

6.3 There is general presumption within Environment Policy 39 that buildings which make a positive contribution to the character or appearance of the Conservation Area should be retained. In the case of this application, the property has degraded over time to such a state that it would ultimately not be worthwhile to renovate. Whilst this is not within itself a reason for approval, the fact remains that over time the property has started to add a negative impact upon the overall Conservation Area, even with the features to the front Parliament Street entrance which did add a positive contribution.

6.4 Overall on the balance, it is considered that the loss of the property would not have unacceptable impacts on the character and appearance of the Ramsey Conservation Area and their demolition may be regarded as an enhancement, in accordance with Environment Policies 35 and 39.

CONCLUSION

7.1 Overall it is deemed that the demolition works will have a minimal impact upon the general streetscene when viewed from a public vantage point and a minimal impact upon the Conservation Area, as such this Registered Building consent proposal accords with the Strategic Plan and Policy Statements as set out in 4.0 above, it is recommended for approval.

INTERESTED PERSON STATUS

8.1 By virtue of the Town and Country Planning (Registered Buildings) Regulations 2013 (As Amended), the following are automatically interested persons:

- (a) The applicant, or if there is one, the applicant's agent;
- (b) The owner and the occupier of any land that is the subject of the application;
- (c) Manx National Heritage; and
- (d) The local authority in whose district the land the subject of the application is situated

8.2 In addition to those above, the Regulation 9(3) requires the Department to decide which persons (if any) who have made representations with respect to the application, should be treated as having sufficient interest in the subject matter of the application to take part in any subsequent proceedings relating to the application.

PLANNING AUTHORITY AGENDA FOR 7th November 2022

Item 5.7

Proposal : Conversion of existing industrial unit into a gymnasium and the installation of replacement curtain wall glazing to existing roller shutter door

Site Address : Jack Frost
Spring Valley Industrial Estate
Douglas
Isle Of Man
IM2 2QU

Applicant : Coomer Properties Limited

Application No. : 22/01128/C- [click to view](#)

Planning Officer : Mrs Vanessa Porter

RECOMMENDATION: To APPROVE the application

Recommended Conditions and Notes for Approval

C : Conditions for approval

N : Notes (if any) attached to the conditions

C 1. The development hereby approved shall be begun before the expiration of four years from the date of this decision notice.

Reason: To comply with Article 26 of the Town and Country Planning (Development Procedure) Order 2019 and to avoid the accumulation of unimplemented planning approvals.

C 2. This approval relates to the ground floor use only.

REASON: The application has been assessed on the use of the ground floor area only

C 3. Prior to commencement of this approval, details of the measures to prevent access to the first floor needs to be submitted and agreed in writing by the Department and retained as such thereafter.

REASON: the application has been assessed on the ground floor use area only and in consultation with the agent.

Reason for approval:

Whilst the land is not designated for the proposed use it will provide facilities which are generally encouraged within the Strategic Plan, and given the reasonable size of the unit and the other non-residential uses in the immediate surroundings, the change of use to a gym is not considered to be unacceptable or to adversely impact general or residential amenity in the area. Highway issues are also expected to be minimal given the location and the availability of parking either at the site or in nearby area. For these reasons the application and proposal is recommended for approval.

Interested Person Status – Additional Persons

It is recommended that the representatives of the following properties should be given Interested Person Status as they are considered to have sufficient interest in the subject

matter of the application to take part in any subsequent proceedings and are not mentioned in Article 4(2):

Isle of Man Post Office as they satisfy all of the requirements of paragraph 2 of the Department's Operational Policy on Interested Person Status (January 2020).

Planning Officer's Report

THIS APPLICATION IS REFERRED TO THE PLANNING COMMITTEE AS THE PROPOSED USE IS CONTRARY TO THE DEVELOPMENT PLAN

THE SITE

1.1 The application site is within the curtilage of a unit currently called the Jack Frost Building which is situated to the North East of Spring Valley Industrial Estate, Douglas.

PROPOSAL

2.1 The application seeks approval for the change of use of the ground floor level from industrial use (Class 2.2) to a gym (Class 4.4). The unit measures approximately 31.340m by 19.177m resulting in a total floor area of approximately 601 square metres. The site includes 35 spaces of which 29 spaces are easily accessible. The internal layout has yet to be decided but there will be a reception area, three showers, one urinal, one WC and two wash hand basins.

2.2 The proposed opening time are as the existing gym;

Monday to Friday - 06:00 to 21:00

Saturday - 08:00 to 17:00

Sunday - 09:00 to 16:00

2.3 The agent notes; "The overarching proposal is to create an alternative location for an existing gymnasium, Elite Fitness, that currently operates on the same estate; its landlord, Isle of Man Development Company Limited, has advised that their lease will not be renewed at the end of the existing term, so they need to relocate accordingly. The existing building will therefore be available to revert to industrial use, thus there is no net loss of industrial use on the estate".

PLANNING HISTORY

3.1 The previous applications on the site are not relevant in the assessment of this application.

3.2 It is relevant to note that the gym in question received permission for a gym within Spring Valley Industrial Estate, within another unit under PA12/01532/B - Installation of glazing to replace existing roller shutter door and change of use of premises from industrial/storage building to a fitness gym, which was Permitted.

PLANNING POLICY

4.1 The site lies within an area zoned as "Industrial" on the Area Plan for the South, Map 4 - Douglas.

4.2 Generally there are no policies within the Isle of Man Strategic Plan for the proposal, the proposed use will be a departure from the authorised use of the site, as well as the Area Plan designation.

4.3 Whilst the above is the case, General Policy 2 which sets of "development standards" and Transport Policy 7 in connection with Appendix 7 which sets out parking standards, are relevant Strategic Policies due to the proposed alterations to the frontage, the proposed use and the available parking on site, including Chapter 10 of the Isle of Man Strategic Plan (paragraphs 10.1.1 and 10.3.34) which discusses the positive impact of new recreation or sporting facilities on the Island.

REPRESENTATIONS

5.1 The following representations can be found in full online, below is a short summary;

5.2 Highway Services have considered the proposal and state, "- After reviewing this Application, Highway Services HDC finds it to have no significant negative impact upon highway safety, network functionality and /or parking. The Applicant is advised to consider the provision of bicycle parking for staff and customers as well as installing electric vehicle charging points." (12.10.22 & 26.10.22)

5.3 Braddan Commissioners have considered the proposal and state they have no objection. (10.10.22)

5.4 A representative of the Isle of Man Post Office Head Quarters have written in to object to the proposal on the basis of car parking. (20.10.22)

ASSESSMENT

6.1 The main issues to consider in the assessment of this planning application are:

- principle (GP2)
- character and appearance (GP2, b,c)
- highway safety (TP7)

6.2 PRINCIPLE

6.2.1 When looking at the proposed principle of the use, it is noted that the site is not designated for recreation or leisure purposes and whilst this is the case it can be seen that a variety of recreation and sporting facilities are found within the industrial estates around the Island.

6.2.2 The unit in question here is a relatively short space from the existing gym, as such the previously approved application (PA12/01532/B) has proven that the proposal is acceptable within this existing industrial site without impacting the uses of the surrounding units.

6.2.3 On balance, whilst not in full accordance with the Development Plan, when assessed against the broader principles of General Policy 2, a change of use to a private gym would not impact on the wider character and appearance of the area, nor would it conflict with adjacent uses of the Spring Valley. Given the ability to alter the use within Class 4.4 of the 2019 Use Class Order, of those uses listed (assembly and leisure) few of those would cause a conflict of use on this estate, however it could place additional pressure on parking in the area. In this case it would be appropriate to limit the use of the proposal by a condition to that as per the application and prevent any subsequent change of uses without seeking planning consent.

6.3 CHARACTER AND APPEARANCE

6.3.1 Turning towards the proposal to change the existing roller shutter door to glazing, the alterations is one which can be seen on several industrial sites around the Island, with the likelihood of the proposed works not changing the character and appearance of the site. The proposed alterations to the front elevation seeking the removal of the roller shutter doors and installation of the glazed curtain walling in the existing reveal would be an appropriate addition to the property and would be unobjectionable.

6.3.2 In terms of the use of the premises, it is only the ground floor area as a gym has been considered under this application and discussed with the agent. Whilst there is a small part of the building that is a mezzanine, to the south west corner and accessed by a separate staircase, any subsequent use of this space would be subject to a separate application. As such a condition has been included that seeks to restrict access to the upper floor level.

6.4 HIGHWAY SERVICES

6.4.1 Turning towards the parking available on site, the agent on behalf of the applicant states the following, "Whilst the internal layout of the proposed gymnasium has not yet been designed, based on the existing gymnasium the ancillary accommodation, such as reception area, office, and changing facilities, will occupy approximately 20% of the Gross Internal Area (GIA); as the GIA of the building is 597m², the gymnasium itself will be 478m², thus generating a parking requirement of 32 spaces in accordance with Appendix A.7.6 of The Isle of Man Strategic Plan 2016 for assembly and leisure buildings, with the 35 spaces provided therefore being more than adequate."

6.4.2 Having measured the space, the likelihood is that according to Appendix 7 of the Isle of Man Strategic Plan that there is the requirement of 1 space per 15sqm, which will give an overall floor space to car parking available of 40 spaces required. There are 35 spaces of which 29 are usable at all times.

6.4.3 Whilst this is the case, the site is close to a bus network and within walking distance of a concentration of population. The industrial estate generates a variety of different businesses to the site, with the traffic being generally day time and week day traffic, as such there is likely to be capacity on the roadways and adjacent parking areas to accommodate any vehicles which cannot be accommodated on the site such that there will not be an adverse impact on the highway network in the vicinity of the site. Accordingly, it is likely the peak uses of the gym will be when the adjacent units are not operational.

6.4.4 On balance, the proposal is considered to have provided with sufficient parking and thus not expected to result in any adverse highway safety impacts on the area. However, it is considered necessary to include a condition stating that the first floor is to be blocked off and not accessible as the parking standards have been assessed on the ground floor only.

CONCLUSION

7.1 As it has been demonstrated, there are many examples of gyms located in industrial areas and as such it is considered that what is proposed, whilst not in full accordance with the Development Plan, would not impact on the wider character and appearance of the area, nor would it conflict with adjacent uses.

INTERESTED PERSON STATUS

8.1 By virtue of the Town and Country Planning (Development Procedure) Order 2019, the following persons are automatically interested persons:

- (a) the applicant (including an agent acting on their behalf);
- (b) any Government Department that has made written representations that the Department considers material;
- (c) the Highways Division of the Department of Infrastructure;
- (d) Manx National Heritage where it has made written representations that the Department considers material;
- (e) Manx Utilities where it has made written representations that the Department considers material;
- (f) the local authority in whose district the land the subject of the application is situated; and
- (g) a local authority adjoining the authority referred to in paragraph (f) where that adjoining authority has made written representations that the Department considers material.

8.2 The decision maker must determine:

- o whether any other comments from Government Departments (other than the Department of Infrastructure Highway Services Division) are material; and
- o whether there are other persons to those listed above who should be given Interested Person Status

PLANNING AUTHORITY AGENDA FOR 7th November 2022

Item 5.8

Proposal : Alterations including roofing works, cladding removal of windows, installation of a new fire door and additional use of first floor storage area for dog day care business

Site Address : The Warehouse
Demesne Road
Douglas
Isle Of Man

Applicant : Mr John Keen

Application No. : [22/00753/B](#)- click to view

Principal Planner : Mr Chris Balmer

RECOMMENDATION: To APPROVE the application

Recommended Conditions and Notes for Approval

C : Conditions for approval

N : Notes (if any) attached to the conditions

C 1. Notwithstanding the provisions of the Town and Country Planning (Permitted Development) Order 2012 (or any Order revoking and/or re-enacting that Order with or without modification) no extension, enlargement or other alteration of the dwelling(s) hereby approved, other than that expressly authorised by this approval, shall be carried out, without the prior written approval of the Department.

Reason: To control development in the interests of the amenities of the surrounding area.

C 2. The dog day care centre, hereby approved, shall accommodate no more than 60 dogs onsite at any one time, unless otherwise agreed, in writing, by the Department.

Reason: In the interest of protecting the amenity of the neighbouring properties in accordance with General Policy 2 and Environmental Policy 22 of the Isle of Man Strategic Plan 2016.

C 3. The dog day care use, hereby approved, shall only be open for use by customers and/or their pets, between the hours of 8:00 and 18:00 Monday to Friday and 9:00 and 13:00 on Saturdays. No customers or their pets shall be allowed onsite outside of these hours or at any time on Sundays or Bank holidays. No dogs shall be kept onsite overnight.

Reason: In the interests of the amenity of neighbouring residents in accordance with General Policy 2 and Environmental Policy 22 of the Isle of Man Strategic Plan 2016.

C 4. The parking and accesses as shown on drawing Nr 03 REV A, shall not be used for any purpose other than the parking and turning of vehicles associated with the development and shall remain free of obstruction for such use at all times.

Reason: To ensure that sufficient provision is made for off-street parking and turning of vehicles in the interests of highway safety and in accordance with General Policy 2 of the Isle of Man Strategic Plan."

Reason for approval:

The impact of the external alterations is consider a visual improvement to the buildings and the street screens and is not considered to have a significant impact on the character of the adjacent Conservation Area. The additional use (Unit 2), whilst there will be some impact, due to the times the business will operate, the contained nature of the main aspect of the business, and the existing, established commercial uses of the units, the impact to neighbouring properties is not considered to be so significant as to warrant refusal. The onsite and on-street parking provision is considered adequate. The proposal is therefore in accordance with the land use zoning and with General Policy 2, Strategic Policy 1, Strategic Policy 2, Strategic Policy 10, Business Policy 1 and Environmental Policy 22 & 36.

Interested Person Status – Additional Persons

None

Planning Officer's Report

THE PLANNING APPLICATION IS BEFORE THE PLANNING COMMITTEE AS IT COULD BE CONSIDERED CONTRARY TO THE DEVELOPMENT PLAN BUT RECOMMENDED FOR AN APPROVAL

1.0 THE SITE

1.1 The application site is Unit 1 - 3 The Warehouse, Demesne Road, Douglas which is a large industrial building constructed in brick and painted, with a flat roof. The site is located on a corner plot with Demesne Road to the north west. The rear (south/south east) of the site, separated by an alleyway, backs on to the properties that front Allan Street, approx. 6m away. To the side (north east) of the building is a highway and the residential property beyond is approx. 14m away. Opposite (north west) the site is the former primary school, which is no longer in use. The buildings to the south west, on both sides of Demesne Road, down to Westmoreland Road, have a mix of uses, mostly commercial.

1.2 Previously, the application site accommodated a garage (Unit 3) which still exists and retail use in unit 1 and both businesses used unit 2 as storage. Unit2 is located at first floor level above Unit 1.

2.0 THE PROPOSAL

2.1 The application seeks approval for alterations including roofing works, cladding removal of windows, installation of a new fire door and additional use of first floor storage area for dog day care business.

2.2 The applicants have indicated that;

"Raising the roof can be readily achieved by simply taking off the existing A trusses, lengthening the existing columns with a bolt on piece and reinstalling the existing A trusses at the increased height. See structural drawings attached. Roof finishes will be upgraded to ensure longevity, and for completeness architectural cladding together with a rationalisation of window openings is proposed so create a coherent solution.

Upgrading the building with improved external appearance is betterment to the street scene and nearby conservation area.

As the open space is greeter at the upper level it is anticipated a further 30 dogs can readily be accommodated by the new arrangement. There is no animal welfare legislation on the Isle of Man, but as a minimum Paw Patrol follow the UK guidance of 1 staff member to 15 dogs.

The dog care unit is already massively over staffed as they already have 5 staff members (not all full time). As they send two staff members on dog walks rather than one. As safety is paramount they will take on extra staff when they have the upstairs too, albeit the increase in dog numbers would be gradual."

PLANNING POLICY

3.1 The site is designated as "Predominantly Residential Area" under the Area Plan for the East 2020. The site is not within a Conservation Area, adjacent to one to the northeast of the site.

3.2 In this respect, the Strategic Plan urges that development should make the best use of resources through the optimisation of the use of previously-developed land, redundant buildings and unused and under-used land and buildings (Strategic Policy 1 - SP1). It also requires that development is primarily within our towns, villages and settlements (Strategic Policy 2 - SP2) and new development should be located and designed such as to promote an integrated transport network and to minimise journeys by private car, make the best use of public transport, not adversely affect highway safety for all users and encourage pedestrian movement (Strategic Policy 10 - SP10).

3.3 General Policy 2 (GP2) applies to development which is in accordance with the land-use zoning and with other policies of this Strategic Plan; such development will normally be permitted, provided that it:-

(b) respects the site and surroundings in terms of the siting, layout, scale, form, design and landscaping of buildings and the spaces around them;

(c) does not affect adversely the character of the surrounding landscape or townscape;

(g) does not affect adversely the amenity of local residents or the character of the locality;

(h) provides satisfactory amenity standards in itself, including where appropriate safe and convenient access for all highway users, together with adequate parking, servicing and manoeuvring space;

3.4 Business Policy 1 (BP1) states that 'the growth of employment opportunities throughout the Island will be encouraged provided that development proposals accord with the policies of this Plan'.

3.5 Environment Policy 22 (EP22) states that 'Development will not be permitted where it would unacceptably harm the environment and/or the amenity of nearby properties in terms of...iii) vibration, odour, noise or light pollution'. Within paragraph 7.17.1 it states that 'it is not the role of land use planning to duplicate controls which are the statutory responsibility of other agencies including other directorates within the Department of Local Government and the Environment'.

3.6 Environment Policy 36 states: "Where development is proposed outside of, but close to, the boundary of a Conservation Area, this will only be permitted where it will not detrimentally affect important views into and out of the Conservation Area."

4.0 PLANNING HISTORY

4.1 The previous planning applications on this site is considered relevant in the assessment and determination of this application;

4.2 Alterations to units 1, 2 and 3, and conversion of unit 1 from retail (Class 1) to a dog day care centre - 18/00011/B - APPROVED subject to the following conditions;

"C 2. The dog day care centre, hereby approved, shall accommodate no more than 30 dogs onsite at any one time, unless otherwise agreed, in writing, by the Department.

Reason: In the interest of protecting the amenity of the neighbouring properties in accordance with General Policy 2 and Environmental Policy 22 of the Isle of Man Strategic Plan 2016.

C 3. The dog day care use, hereby approved, shall only be open for use by customers and/or their pets, between the hours of 8:00 and 18:00 Monday to Friday and 9:00 and 13:00 on Saturdays. No customers or their pets shall be allowed onsite outside of these hours or at any time on Sundays or Bank holidays. No dogs shall be kept onsite overnight.

Reason: In the interests of the amenity of neighbouring residents in accordance with General Policy 2 and Environmental Policy 22 of the Isle of Man Strategic Plan 2016.

C 4. The parking and accesses as shown on drawing No.10018, shall not be used for any purpose other than the parking and turning of vehicles associated with the development and shall remain free of obstruction for such use at all times.

Reason: To ensure that sufficient provision is made for off-street parking and turning of vehicles in the interests of highway safety and in accordance with General Policy 2 of the Isle of Man Strategic Plan."

REPRESENTATIONS

The following is a summary of the representations received; the comments can be read in full on the Government website.

5.1 Highway Services (DOI) comment (15.09.2022);

"Highways Development Control notes the additions and amendments uploaded on 14 September and continues to not oppose this proposal."

5.2 Douglas Borough Council have commented (16.09.2022);

"With regards to PA 22/00753/B we would kindly ask what provision is being made for any increase in bin storage and whether the applicant has adequate space for any additional bins required. We would also kindly ask to see the applicant's waste management plan for the disposal of dog faeces and if they do not already have one, given the potential increase in the number of dogs could the applicant please provide a waste management plan."

6.0 ASSESSMENT

6.1 The key considerations are as follows: -

- o The principle of development;
- o Character and appearance;
- o Impact on neighbours; and
- o Parking and highway safety.

The principle of development (SP1, 2, 10 & BP2)

6.1 The application site is an existing building within Douglas. The area is zoned as predominantly residential and the previous use of the site commercial and the current use is as a dog day care (Unit 1) and garage (Unit 3 - this will remain). The proposal would be to continue this uses albeit increase the number of dogs on the site (from 30 to 60) within Unit 1 and 2.

6.2 The applicants comment;

"The dog day care centre approved under PA 18/00011/B has been in operation for 4 ½ years. Due to its success more space is now required. Expanding into the unused upper Unit

2 is the ideal solution. However to achieve this the roof structure needs to be raised by 1250mm to ensure appropriate headroom is achieved below the A trusses. In addition, whilst the hours of operation will remain the same, the number of dogs associated with Condition 1 will need to be modified to allow for an increase in dog numbers."

6.3 The previous application for the site considered that; "...The proposed use for the care of dogs is considered to be sui generis, that is, not falling within any of the Department's Use Classes; there is no policy indicating where such a use should take place. The principle for the change of use is acceptable..."

6.4 In terms of the principle of the works and the additional uses it is not considered there are any new issues which would change the conclusion of the previous application.

Character and appearance (GP2 parts b & c)

6.5 The proposed physical changes are to essentially re clad the external elevations with a Kingspan Quadcore panelling system, replacement of windows and doors and raising the roof height and parapet walls by approximately 1.25m. It is considered the works overall, while increasing the height of the building, would overall represent an improvement to the buildings and the street scene as a whole, which currently appears rather tired and detrimental impact. The site is near to the boundaries of the Conservation Area; however, for the same reason it is not considered the proposal would adversely affect the character and appearance of views of the Conservation Area to warrant a refusal.

Impact on neighbours (GP2 part g & EP22 part iii)

6.6 In terms of noise, the sound of barking dogs can be a nuisance. However, in this case, the dogs are kept inside whilst being looked after and it is accepted, and has been accepted previously for similar proposals, that it is not in the interests of those working within the building to have dogs barking loudly, frequently or constantly and as such, it is accepted that the applicant will do all she can to reduce noise levels within the building. The fact the site has operated for 4 and half years and no objections have been received from local residents, is important to note. If there were significant level of disruption then it is reasonable to consider there would have been objections. The additional cladding will of course increase noise proofing above what current exists.

6.7 The previous application, the officer's report commented;

"The main play room of the day care is in the centre of the building, surrounded by ancillary parts of the business, including the toilet, kitchen, quiet room, stores, and utility rooms. There is an existing storage use above the unit that was witnessed by the case officer whilst onsite to be full of goods associated with the garage use next door. The existing garage use appeared to be popular and used numerous mechanical plant and machinery in connection with the business. The combination of these factors is considered likely to dampen any noise generated by the use."

Although it is probable that some noise will be audible from outside of the site, it is likely to be low in volume and intermittent, not a significant, constant nuisance. The hours of operation will be limited to the daytime and no dogs are proposed to be kept on site after hours or overnight. It is not accepted that noise nuisance is a valid reason for refusal in this case, subject to conditions controlling the hours of use and the maximum occupancy.

The potential for odours generated by the use was raised by a number of objectors; no mechanical extraction is proposed and the use takes place within a building. Considering the containment of the use within building, with no outdoor space being proposed and in particular the main play area at the centre of the building, the potential for odours escaping

the building is low. The storage and collection of waste can be managed as it would by any business and is not considered to be significantly greater than the existing use."

6.8 Overall in terms of noise, it is again considered the noise emitting from the building would not be significant. While there would be additional 30 dogs (total 60 dogs proposed - existing 30 dogs) within the building (spread over two floors rather than one); it is not considered again the impact warrants refusal. Again additional cladding, period the existing use has occurred and given no objections have been submitted, reinforce this conclusion

6.9 In terms of noise and waste the applicants have commented;
"With additional dogs comes additional waste, and Paw Patrol have a plan in place for this. Forgive how disgusting this sounds, but they actually freeze their dog waste! American day-cares operate like this and Paw Patrol find it to work well. Dogs usually go to the toilet when out on walks, or in their garden before coming to school but of course they do have dogs that will do their business with them. They bag it using biodegradable bags, it is then frozen, then double bagged before going into their main bin ready for collection on a Thursday morning. They also deep clean their unit with a power washer every single evening, thus meaning there is minimal smell from their business. Cleanliness is as important as animal welfare. They will have their own bin shortly, they currently share a bin with the business next door, but with the anticipated extra waste, it is important they have their own which will be locked and stored in the alcove at the side of the building.

Paw Patrol would also like to reassure you re noise. All of the staff are extremely experienced with dogs, many have canine behaviour qualifications and they ensure there is constant mental stimulation to keep the dogs busy, but they are dogs, they do bark, and they are very proud of how well they redirect them when they do. It is very rare you will ever hear barking for longer than 30 seconds in their facility.

Residents as a whole are extremely supportive of Paw Patrol, a few use them, and they have a mutual respect for each other. The residents don't want unruly dogs barking all day, and Paw Patrol don't want that either, it is simply not allowed to happen."

6.10 Overall, it is considered the proposed additional use will not result in a significant adverse impact upon the living conditions of neighbouring residents, subject to controls.

Parking and highway safety (GP2 part h)

6.11 The infant school opposite the site is no longer in use (has temporary approval to be used for parking/storage of building constructed relating to Nurse's Home redevelopment). The side road adjacent to the former school is subject to a 2 hour disc zone on both sides operating Monday to Friday 8am to 6pm, apart from a short section of 'No Waiting at Any Time' restrictions on both sides adjacent to the junction with Demesne Road. Appendix 7 of the Strategic Plan provides parking standards which new development is expected to provide. However as this is a sui generis use, there is no specific requirement identified and reasonable judgment must be made. Highways have reviewed the application and have confirmed that the site parking and the existing on-street capacity in the area is considered adequate to meet the parking demand that would be generated by the development.

6.12 The applicants have comments;
"2 more car parking spaces will be allocated to the dog day care centre which will more than enough accommodate the increase in dog numbers where drop offs and pick-ups happen randomly throughout the day.

All 5 spaces front Unit 1 with the increase in dedicated spaces allowing full control over who uses the spaces in front of their unit. The company van, driven by the manager, is parked

outside every day. The owner parks her car down the side of the building, and the other members of staff either ride a motorbike or get the bus to work.

Parking was a big concern when they submitted their original plan 5 years ago, but thankfully it hasn't caused any issues, clients simply drop off and collect, they are in the building around a minute. With the extension of the business will come 2 additional car parking spaces, more than enough as their current ones are rarely full."

6.13 Again no objections being received on how the business currently operates in relation to parking is important to note. The proposal will of course increase the potential pick-ups and drops offs and traffic coming to and from the site. However, with the existing parking spaces (4) and the additional spaces (2) and no objection being received from Highway Services or local residents; it is considered the level of off street parking is appropriate for the proposed use.

7.0 CONCLUSION

7.1 The impact of the external alterations is consider a visual improvement to the buildings and the street screens and is not considered to have a significant impact on the character of the adjacent Conservation Area. The additional use (Unit 2), whilst there will be some impact, due to the times the business will operate, the contained nature of the main aspect of the business, and the existing, established commercial uses of the units, the impact to neighbouring properties is not considered to be so significant as to warrant refusal. The onsite and on-street parking provision is considered adequate. The proposal is therefore in accordance with the land use zoning and with General Policy 2, Strategic Policy 1, Strategic Policy 2, Strategic Policy 10, Business Policy 1 and Environmental Policy 22 & 36.

8.0 INTERESTED PERSON STATUS

8.1 By virtue of the Town and Country Planning (Development Procedure) Order 2019, the following persons are automatically interested persons:

- (a) the applicant (including an agent acting on their behalf);
- (b) any Government Department that has made written representations that the Department considers material;
- (c) the Highways Division of the Department of Infrastructure;
- (d) Manx National Heritage where it has made written representations that the Department considers material;
- (e) Manx Utilities where it has made written representations that the Department considers material;
- (f) the local authority in whose district the land the subject of the application is situated; and
- (g) a local authority adjoining the authority referred to in paragraph (f) where that adjoining authority has made written representations that the Department considers material.

8.2 The decision maker must determine:

- o whether any other comments from Government Departments (other than the Department of Infrastructure Highway Services Division) are material; and
- o whether there are other persons to those listed above who should be given Interested Person Status.