



**Isle of Man
Government**

Reilrys Ellan Vannin

Minutes of a meeting of the Planning Committee, held on 24th October 2022, at 10.00am, in the Ground Floor Meeting Room of Murray House, Mount Havelock, Douglas

Present: Mr D Ashford, MHK, Chair of the Planning Committee
Mr P Young, Member
Mr A Kermode, Member
Mr S Skelton, Member
Mr J M Cubbon, Member
Mr M Warren, Member

In Attendance: Mr J Singleton, Principal Planner
Mr C Balmer, Principal Planner
Mrs C Dudley, Deputy Secretary to the Planning Committee
*V Ms S Henley, Highway Development Control, Highway Services
*Part of the meeting only
Attending virtually via Microsoft Teams *V

1. Introduction by the Chair

The Chair welcomed members of the public in attendance to view the proceedings.

2. Apologies for absence

Apologies were noted from Mrs Hughes.

3. Minutes

The minutes of the 10th October 2022 were agreed and signed as a true record.

4. Any matters arising

None

5. The Members considered and determined the schedule of planning applications as follows.

<p>Item 5.1 Olive Court And Loades Buildings Ramsey Road Peel Isle Of Man IM5 1UR PA22/00410/A</p>	<p>Approval in Principle for residential development with all matters reserved except position of access Applicant : Loades IOM Limited Case Officer : Mr Jason Singleton Recommendation : Approve subject to Legal Agreement</p>
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The case officer reported on the matter and summarised the key issues as set out in the report and with reference to the visual presentation.

The Highway Services representative confirmed there was nothing further to add to their report.

The Members expressed support for the scheme on the whole as a re-use of a brownfield site no longer in use for industrial purposes, noting that the smaller nature of the proposal was more suitable for the surrounding residential area and the proposed use would be more in keeping with the character.

In response to a question from the Members, the case officer confirmed that the alteration to the existing access comprised of the existing hedges being trimmed back in order to improve visibility at the access. In response to a further question from the Members concerning MU comments regarding drainage capacity, the case officer confirmed that there was an acknowledged problem with such foul drainage in Peel as a whole, that a site had been identified and proposed for the construction of a facility to improve the sewerage network for Peel as a whole, subject to a forthcoming planning application, and that the matter of drainage was addressed by the proposed conditions of approval in that no development would be permitted on the site until permission was in place for MU to build the proposed sewerage plant.

DECISION

The Committee **unanimously** accepted the recommendation of the case officer and the application was **approved** subject to the applicant entering into a legal agreement for provision of **affordable housing and public open space** along with the following conditions.

C 1. The development hereby approved shall be begun either before the expiration of four years from the date of this approval or before the expiration of two years from the date of approval of the last of the reserved matters.

Reason: To comply with article 26 of the Town and Country Planning (Development Procedure) Order 2019

C 2. Approval of the details of siting, design, external appearance of the building[s], internal layout of buildings, drainage, means of access, and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Department in writing before any development is commenced.

Reason: To comply with the Town and Country Planning (Development Procedure) Order 2019.

C 3. Plans and particulars of the reserved matters referred to in condition 2 shall include details of;

- (a) the surface treatment of any roadways and other parts of the site which will not be covered by buildings;
- (b) all external materials to be used in the development;
- (c) existing and proposed ground and floor levels;
- (d) foul and surface water drainage.
- (e) the surface treatment of any roadways and other parts of the site which will not be covered by buildings;
- (f) existing and proposed ground and floor levels;
- (g) integrated measures to support bio-diversity net gain.
- (h) provide sustainable drainage systems.
- (i) provide an Environmental Impact Assessment

Reason: in the interest of the character of the area

C 4. Any future Reserved Matters application shall also include the following highways details:

- a) Pedestrian and vehicular access arrangements
- b) Street, paths and on-site drainage
- c) On-plot vehicular and pedestrian arrangements
- d) Car and bicycle parking provision in accordance with adopted standards and criteria
- e) Turning areas
- f) Waste bin storage and collection arrangements.

Reason: In the interests of highway safety.

C 5. The application for reserved matters shall provide full details of how the proposed development will connect to the public sewage system. No development may commence until such time as there is sufficient capacity in the public sewage system to accommodate the additional flows.

Reason. In order that the necessary infrastructure is provided to meet

Reason for approval:

The application for approval in principle for residential development on land zoned as industrial would be in accordance with the exception within Strategic Policy 7 and is recommended for approval.

ISSUING OF DECISION

The Planning decision notice will not be issued until the section 13 legal agreement has been produced and signed by all relevant parties. In the event that one or more of the section 13 agreement is not signed by all parties within a period not exceeding 6 months from the date of the Planning Committee's decision, the application will be referred back to the Planning Committee to reconsider.

Following the formal execution of an agreement under section 13 of the Act, the decision notice will be issued by the Department.

INTERESTED PERSON STATUS

It was decided that both Manx Utilities and the Department of Infrastructure (Housing) had made material planning comments on the application and as such it was recommended that they receive Interested Person Status.

<p>Item 5.2 Land At Cronk Grianagh (Former Mannin Infirmary) Strang Douglas Isle Of Man</p> <p>PA22/01069/B</p>	<p>Erection of a single storey healthcare facility with associated access, parking and landscaping</p> <p>Applicant : Mr Daniel Davies Case Officer : Mr Chris Balmer Recommendation : Permitted</p>
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The case officer reported on the matter and summarised the key issues as set out in the report and with reference to the visual presentation.

The Highway Services representative confirmed there was nothing further to add to their report. They confirmed that the proposed parking, traffic and pedestrian movements were in-keeping with the area, but that Highway Services had been unable to secure a pathway from the site to Nobles Hospital, acknowledging that the land in question outside the red line defined site. In response to a question from the Members, the Highway Services representative confirmed that although the application under consideration did not propose such a path, the proposal did not prejudice such a proposal in future. They confirmed that there was potential for such a path to the rear of the car park, but such would have to form

part of a future application which may also include such access as an all-purpose access rather than as a pedestrian access.

In response to a question from the Members, the case officer indicated the potential access with reference to the visual presentation, stating that such public access could present potential concerns with regard to the security of the proposed facility. In response to further questions from the Members, the case officer confirmed that no such path had been proposed by the application under consideration, the area referred to as a potential site for such path did not lie within the application site as defined by the red line, and that the local authority had not submitted representation with regard to this application. The case officer confirmed the remainder of the site still remains undeveloped and any subsequent application on those parts of the site could consider including a link to the path.

The Members expressed support for the proposal in that there was a need for such a facility on-Island.

DECISION

The Committee **unanimously** accepted the recommendation of the case officer and the application was **approved** subject to the following 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. Prior to the commencement of any development full details of soft landscaping works shall be submitted to and approved in writing by the Department. This landscaping plan should contain:

- o Details about the number, location and species of trees to be planted;
- o Details of new native planting along the eastern boundary of the site;
- o Details of how and where the new sod banks are to be created.
- o Details - species composition and methodology - for establishment of the various wildflower areas, as well as details about how these are to be managed going forward. Reason: To mitigate the loss of scrub, trees and grassland across the site, and also to provide visitors and workers with a comforting and supportive environment.

All planting, seeding or turfing comprised in the approved details of landscaping must be carried out in the first planting and seeding seasons following the completion of the development or the occupation of the facility, whichever is the sooner. Any trees or plants which die or become seriously damaged or diseased must be replaced in the next planting season with others of a similar size and species.

Reason: To ensure the provision of an appropriate landscape setting to the development and to improve ecology on the site.

C 3. The works must be undertaken as per the Precautionary Working Method Statement for Common Frogs, contained in Appendix III of the MWTs PEAR.

Reason: To protect frogs and lizards against damage or disturbance during construction

C 4. No works to take place on the existing stone wall until a preliminary bat roost inspection, and the results of any additional bat emergence surveys, have been undertaken by a suitable qualified ecological consultancy and a report detailing the findings, including proportionate

avoidance and mitigation measures, has been submitted to Planning for written approval. The works must then be undertaken in line with the measures contained in the agreed report.

Reason: To protect legally protected roosting bats from damage or disturbance.

C 5. Prior to the commencement of any development details shall be submitted to and approved in writing by the Department which provided bird boxes and bug hotel plan, showing the location and type of bird boxes and bug hotels to be installed across the site, has been submitted to Planning for written approval (could be incorporated into the landscape plan).

Reason: To mitigate the loss of scrub, trees and grassland across the site.

C 6. No external lighting to be installed unless a low level lighting plan, adhering to best practise for Bats (BCT Guidance on bats an artificial lighting) has been submitted to and approved in writing by the Department and this lighting plan is fully adhered to and retained thereafter.

Reason: To protect legally protected roosting bats from damage or disturbance.

C 7. Should any Schedule 8 invasive plant species 'cotoneaster' be found on the site it must be removed and incinerated on site.

Reason: To prevent the spread of Wildlife Act Schedule 8 invasive non-native plant species.

C 8. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas 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.

C 9. The development shall not be occupied or operated until the bicycle store and motorcycling parking bays(s) have been provided in accordance with the approved plans. The bicycle store and/or motorcycling parking bays shall be retained at all times thereafter.

Reason: To promote sustainable travel in the interests of reducing pollution and congestion.

Reason for approval:

While not in strict accordance with the land-use designation in the Development Plan, the proposal results in a number of benefits that outweighs this fact and would not result in any significant adverse impacts.

INTERESTED PERSON STATUS

No representations were received from anyone whom the Planning Committee was required to consider for the affording of Interested Person Status

6. Site Visits

None.

7. Section 13 Legal Agreements (If any)

The Members noted that no Section 13 Legal Agreements had been concluded since its last sitting

8. Any other business

8.1 Agenda Items

The Members noted the minimal number of items on the agenda.

8.2 Section 13 Legal Agreement for PA21/01465/B

The case officer reported the Members with regard to the non-completion of a legal agreement within the specified time period of 6 months from the date of the initial decision by the Planning Committee.

Following discussion the Members agreed to extend the time period for completion of the Section 13 Agreement.

9. Next meeting of the Planning Committee

The Committee noted that the next Planning Committee had been set for 7th November 2022.

There was no further business and the meeting concluded at 10.30am

Confirmed a true record



**Secretary to the
Planning Committee**



**Mr D Ashford, MHK
Chair of the
Planning Committee**