



**Isle of Man
Government**

Reilrys Ellan Vannin

Minutes of a meeting of the Planning Committee, held on 7th November 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
Mrs H Hughes, Member
Mr M Warren, Member

In Attendance: Mr J Singleton, Principal Planner
Mr C Balmer, Principal Planner
Mrs V Porter, Planning Officer
Mrs C Dudley, Deputy Secretary to the Planning Committee
*V Ms S Henley, Highway Development Control, Highway Services
Mr P Thornley, Technical Officer (observing)
*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

No apologies had been received for this meeting.

3. Minutes

The minutes of the 24th 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.

Item 5.7 Jack Frost Spring Valley Industrial Estate Douglas Isle Of Man IM2 2QU PA22/01128/C	Conversion of existing industrial unit into a gymnasium and the installation of replacement curtain wall glazing to existing roller shutter door Applicant : Coomer Properties Limited Case Officer : Mrs Vanessa Porter Recommendation : Permitted
--	--

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, confirming the application under consideration

proposed an improvement in parking provision when compared with the Applicant's previous location.

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

The agent was present in order to answer questions from the Members.

The Members expressed support for the proposal, noting the improvement in parking provision from the previous site of the business, and the improvement in traffic movements from the previous use. They noted the objection from IOM Post but felt that the proposal would have less detrimental impact on the locale than the previous use.

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. 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

It was decided 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).

Mr Skelton declared an interest in the following Item. In accordance with 19(3)(b) of the Constitution Order left the meeting during its consideration.

Item 5.1	Installation of replacement roof light to front elevation and
-----------------	---

3 Lhargan Port St Mary Isle Of Man IM9 5AR PA22/01244/B	replacement rear window and rear door (retrospective) Applicant : Mr Samuel Skelton Case Officer : Mr Jason Singleton Recommendation : Permitted
--	---

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.

DECISION

The Committee **unanimously** accepted the recommendation of the case officer and the application was **approved**.

Reason for approval:

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

INTERESTED PERSON STATUS

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

Mr Skelton returned to the meeting

Item 5.8 The Warehouse Demesne Road Douglas Isle Of Man PA22/00753/B	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 Applicant : Mr John Keen Case Officer : Mr Chris Balmer Recommendation : Permitted
---	--

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.

In response to a question from the Members, the case officer confirmed that the roof was to be raised in order to improve the access and ease of use of the area in order to accommodate the increase in business proposed under this application.

The agent was present and in response to a question from the Members, confirmed that the proposed works would meet Building Control standards.

In response to a further question from the Members, the case officer confirmed that the existing roof had a shallow pitch rather than being a flat roof, and that the proposed change would not be detrimental to the street scene.

The Members noted that there were no objections to this proposal, whereas the original application had attracted a considerable number of objections.

In response to a question from the Members regarding waste disposal, the case officer advised that it was outside of the remit of Planning, and that a waste disposal plan had been agreed with Douglas Borough Council.

DECISION

The Committee **unanimously** accepted the recommendation of the case officer and the application was **approved** subject to the following 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

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

Item 5.2 22 & 24 Parliament Street	Erection of new four storey apartment building (class 3.4) with ground floor retail space (class 1.1)
--	---

And 6 West Quay Ramsey Isle Of Man IM8 1AP PA22/00639/B	Applicant : Ardlui Ltd Case Officer : Mrs Vanessa Porter Recommendation : Approve subject to Legal Agreement
--	--

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, confirming Ramsey Town Commissioners found the proposal acceptable.

In response to a question from the Members, the case officer indicated the Quayside elevation with reference to the visual presentation.

The Members noted that the ground floor was intended for retail use only, with storage for same being contained within the basement, that residential use was proposed for the upper floors, and that there was sufficient parking provision. They supported residential use being brought back into the town centre, and felt that the proposed design would sit well within the existing streetscape.

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 **a commuted sum of £12,000 in lieu of two affordable housing units** along with 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. 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.

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 the 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.

Item 5.3 Auldyn House 24 Parliament Street Ramsey Isle Of Man IM8 1AP PA21/00993/CON	Registered Building consent for demolition of building (retrospective) Applicant : Ardlui Limited Case Officer : Mrs Vanessa Porter Recommendation : Permitted
--	--

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.

DECISION

The Committee **unanimously** accepted the recommendation of the case officer and the application was **approved**.

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

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

Item 5.4 Auldyn House 24 Parliament Street Ramsey Isle Of Man IM8 1AP PA22/01177/B	Demolition of 24 Parliament Street (in association with 21/00993/CON) (retrospective) Applicant : Ardlui Limited Case Officer : Mrs Vanessa Porter Recommendation : Permitted
--	--

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.

DECISION

The Committee **unanimously** accepted the recommendation of the case officer and the application was **approved**.

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

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

Item 5.5 22 Parliament Street And 6 West Quay Ramsey IM8 1AP PA21/01005/B	Demolition of 22 Parliament Street and 6 West Quay Applicant : Ardlui Limited Case Officer : Mrs Vanessa Porter Recommendation : Permitted
---	---

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 noted the submission from the Isle of Man Natural History and Antiquarian Society, but felt that the proposal would be an improvement to the existing streetscene. The case officer advised that the submission referred to had been received prior to the demolition of the building in question. They confirmed that although the local authority had requested that no further works be carried out prior to Christmas, the timing of such works was outside of the remit of the Planning Authority and that other legislation would apply.

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.

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

It was decided 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.

Item 5.6 22 Parliament Street And 6 West Quay Ramsey IM8 1AP PA21/01006/CON	Registered Building consent for demolition elements to PA 21/01005/B Applicant : Ardlui Ltd Case Officer : Mrs Vanessa Porter Recommendation : Permitted
---	--

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.

DECISION

The Committee **unanimously** accepted the recommendation of the case officer and the application was **approved**.

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

It was decided 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.

6. Site Visits

No site visits had been agreed.

7. Section 13 Legal Agreements

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

8. Any other business

8.1 PC Meeting Dates 2023

The Members requested that a hard copy of the Planning Committee dates for 2023 be provided.

9. Next meeting of the Planning Committee

The Committee noted that the next Planning Committee had been set for 21st November 2022.

There was no further business and the meeting concluded at 10.35am

Confirmed a true record



**Secretary to the
Planning Committee**



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