



**Isle of Man
Government**

Reillys Eilan Vannin

Minutes of a meeting of the Planning Committee, held on 19th December 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 S Skelton, Member
Mr J M Cubbon, Member
Mrs H Hughes, Member
Mr M Warren, Member
Miss A Betteridge, Member

In Attendance:

Mr C Balmer, Principal Planner
*Mr P Visigah, Planning Officer
*Mr P Shen, Planning Officer
*Mr R Brazier, Registered Buildings Officer
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

None received

3. Minutes

The minutes of the 5th December 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 5.2 Unit 42 Spring Valley Industrial Estate Douglas Isle Of Man IM2 2QS PA22/00993/C	Change of use of unit for use as assembly, showroom and distribution of furniture & leisure buildings Applicant : Isle Of Man Development Co Ltd Case Officer : Ms Charlotte Gatt Recommendation : Permitted
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In the absence of the Case Officer Mr Visigah 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 Applicant's representative expressed that they were present in order to answer any questions the Members may have, but noted that the officer's report focussed on the retail use. They advised that the retail element was for storage and sample display only, as the items for sale were bespoke.

The Members noted the nature of the retail aspect and asked if a Note may be attached to any approval restricting the retail aspect of the proposed use. They further enquired regarding public access to and within the unit. The Applicant's representative confirmed that the internal layout would be finalised prior to the use commencing and that the public would only be allowed into particular areas, and the tenant would have to comply with this layout.

DECISION

The Committee **unanimously** accepted the recommendation of the case officer together with the additional Note regarding the retail sales element which was agreed at the meeting, 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. The use of Unit 42, Spring Valley Industrial Estate hereby approved may only be used as Class 2.3 - General Industrial Use and Class 2.4 - Storage or Distribution Use.

Reason: Permission has been sought for these uses only and this is what has been considered.

Note – For the avoidance of doubt no approval is hereby given for any retail sales from the site

Reason for approval:

The storage, showing and sale of the goods outlined in the planning application would by reason of the scale, type of products and location within the industrial site, not materially affect the viability of local retail stores nor the vitality of the Douglas Town Centre. As such the proposal accords with Strategic Policy 9 and Business Policy 5 of the Strategic Plan.

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 Young advised that although he knew the Applicant he had not discussed the matter with them and therefore felt there was no conflict of interest.

Item 5.3 Ballacroak Farm Mullinaragher Road St Marks Ballasalla IM9 3AQ PA22/00399/B	Proposed demolition of existing farmhouse and outbuildings and redevelopment to provide replacement dwelling Applicant : BYA Limited Case Officer : Mr Paul Visigah Recommendation : Permitted
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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. He advised that the Head of Building Control was available in order to answer any questions the Members may have.

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

The Agent spoke in support of the proposal. The points raised were as follows-

- The design was intended to respond to and respect the stunning setting together with the existing buildings and layout
- Felt a new build more appropriate to the site and its environs
- Elements of the proposed dwelling were to be underground in order that the overall appearance was more sympathetic to the setting
- It was proposed to re-use the materials from the existing buildings in the construction of the new dwelling
- The design was intended to have a strong agricultural feel and be of a simple, vernacular form with elements such as the rainwater goods being internally housed rather than externally fixed, and the windows being also of simple form
- The design features two separate glass boxes designed to link the separate elements of the proposal, and included living walls in order to further delineate the primary and secondary structures
- The design aims for a net zero carbon building

The Members expressed that they felt the proposal to be finely balanced. While they appreciated the overall design and the re-use of the existing materials, they were concerned if this was the right site for such a design, as it was it potentially too large, and enquired if the existing buildings could have been incorporated into a redevelopment of the site. They further expressed concern regarding the loss of the existing buildings together with the accompanying agricultural land, and the potential detrimental effects on resident wildlife and biodiversity.

The agent confirmed that the intent was to re-use the stone from the existing buildings in the new build, and the intent of the design was to reflect the layout and form of the existing buildings rather than create a pastiche of the existing.

The Members enquired with regard to the energy efficiency of the proposed design. The agent confirmed that they have taken advice regarding the most energy efficient method of heating the property and had determined that a combination of ground and air source heating would be most suitable in this case. He advised that the intention to use solar panels also and that this had been indicated within the application details. A member of the Committee considered that the use of solar panels could detract from the overall design, as the details have not been provided to be assessed within the current submission. On the issue with the solar panels, the applicants advised that they would be happy to comply with a condition restricting their use, should that be felt to be appropriate.

In response to a question from the Members regarding lighting, the agent confirmed that the lighting was to be minimal in order not to detract from the overall design. They confirmed that a wildflower meadow extending to the new dwelling was proposed, and that the Applicants themselves are keen on equestrian activities. In response to a further question regarding potential stabling, the Agent confirmed that an application for equestrian facilities had been submitted in tandem with the application under consideration, and it was also shown on the master plan for the development.

The case officer advised that he was aware of the related equestrian application, but it had not met the criteria for being brought before the Planning Committee for a decision. The Principal planner confirmed that both applications could be included when the application under consideration was brought back before the Members.

In response to a request from the Members, the Agent confirmed that indicative footprints could be laid out on-site for the site visit in order to assist the Members with their deliberations.

In response to questions from the Members, the Registered Buildings Officer reported that the existing dwelling was a Quarterland farmhouse, which would have been an important building in the district, contributing to landscape and culture, especially with reference to its layout and setting. The existing dwelling has a modern cement render, and would likely have had a traditional lime render from construction so it was not known whether there would have been quoins visible as part of the wall construction without removing the render.

In response to a question from the Members regarding compliance with HP14, the Agent acknowledged that while the proposal does not exactly comply with HP14, they were able to reduce the footprint by setting some elements underground, utilising an old track on site in order to produce this proposed layout. The proposed planting was intended to further soften the impact of the development.

In response to a further question from the Members, the Agent confirmed that the height of the proposed building was 4.3m higher than the existing building.

Mr Cubbon proposed that a site visit take place in order to assist with the Members deliberations, which was seconded by Mr Young. Following discussion and a vote the Members unanimously decided that a site visit take place at a time and date to be agreed at the end of the meeting.

The Chair requested that the application for the equestrian element (PA 22/00524/B) be brought before the Members together with this application.

DECISION

The Members agreed to **DEFER** consideration in order that a site visit could be conducted.

<p>Item 5.4 Plot 1 Field Adjacent To Beechfield Glen Auldyn Ramsey PA22/00781/B</p>	<p>Erection of a detached dwelling Applicant : Mr James Holmshaw Case Officer : Mr Paul Visigah 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.

The Applicant/Agent spoke in support of the proposal. The points raised were as follows-

- This application is an amendment to PA16/00650/B, approved by Planning Committee and also at Appeal
- This application is for minor amendments to the approved detached dwelling comprising
 - The left hand rear outlet enlarged and guest bedroom suite added
 - Rear covered courtyard patio area added
 - External fireplace added to rear covered canopy
 - Front bay window omitted
 - Corner glazing to right hand single storey outlet altered and chimney stack omitted

Everything else to remain as previously approved

- This is before you as the local authority have objected
- The overall development comprises of 3 large detached dwellings, with the foundations and steel frame having recently been erected on site for the detached dwelling on Plot 3

- The landscaping and external finishes mentioned under conditions 6 and 7 of the previous approval were discharged by the Planning Department on 8th October 2020.
- We ask support for this application in order to move the residential development on site towards completion

The Members expressed support for the proposal.

The Principal Planner confirmed that samples of the proposed materials were required to be submitted by C7 as this is a stand-alone PA for a new dwelling, advising the Members with regard to the standard of finishes required.

The agent asked if the wording of C7 could be amended in order to allow development to commence without further delay. The Principal Planner confirmed that this was an option if the case officer was agreeable to amending their recommendation to encompass the samples be submitted prior to the construction of that particular element. The case officer confirmed that they were amenable to amending their recommendation with regard to C7.

Following discussion, the Members accepted the case officer's amended recommendation.

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 any construction of the dwelling hereby approved in relation to Plot 1, the access shown on Penketh Millar drawing no 15 1146 6 date stamped 02/10/17 (under PA 16/00650/B) shall be constructed as shown and the visibility splays shall remain unobstructed at a height of 1.05m thereafter.

Reason: In the interests of highway safety.

C 3. 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 development shall be undertaken under the following classes of Schedule 1 of the Order at any time:

- Class 14 - Extension of dwellinghouse
- Class 15 - Garden sheds and summer-houses
- Class 16 - Fences, walls and gates
- Class 17 - Private garages and car ports

Reason: To control future development on the site.

C 4. Within one month of the construction of the new access (as per the requirements of Condition 2) the existing field access shall be blocked up with a grass bank with hedgerow planting, of which details must be included within submitted landscaping details required under condition 3) above, to match the existing roadside hedgerow and retained thereafter.

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

C 5. 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 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 in the interests of highway safety.

C 6. Notwithstanding the details that have been submitted, a detailed landscaping strategy shall be submitted to the Department in writing to be agreed within three months of this approval.

The landscape strategy shall include details of hard surfacing materials, planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants (no non-native species), noting species, plant sizes and proposed numbers / densities and a programme for the implementation, completion and subsequent management of the proposed landscaping.

Any proposed planting should be in accordance with details contained within a Planting Palette provided as part of the Strategy.

The hard surfacing details shall include details of planters and samples showing the texture and colour of the materials to be used.

The development shall be carried out in accordance with the approved scheme and shall be retained as such thereafter.

Reason: To ensure that the development achieves a high standard of design, layout and amenity and makes provision for hard and soft landscaping which contributes to the creation of a high quality environment.

C 7. As amended - Prior to the installation of external finishes and materials, a schedule of materials and finishes and samples of the materials to be used in the construction of the external surfaces, including roofs, shall 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 retained thereafter.

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

Reason for approval:

It is considered that the planning application is in accordance with General Policy 2, Housing Policy 6, and Transport Policies 4 and 7 of the Isle of Man Strategic Plan 2016, the 1982 Development Plan, and the relevant sections of the Residential Design Guide 2019.

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 Cubbon advised that although he knew the Applicant he had not discussed the matter with him and therefore felt there was no conflict of interest.

As Mr Balmer was the case officer for this item, Mr Brazier took his place as advising officer for this item

<p>Item 5.5 Ballaskelly Farm Mountain Road Onchan IM4 5BL</p> <p>PA22/00651/B</p>	<p>Refurbish and remodel existing dwelling, convert attached outbuildings into part of dwelling, and build extension to dwelling</p> <p>Applicant : Chris & Amanda Faragher & Reid 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, advising with regard to the DEFA Arboricultural Officer's concerns regarding the potential loss of existing trees proposed to be retained, following this development in the future. He confirmed that he consider the retention of the historical and architectural important of the existing buildings and a further 26 trees being proposed to be planted by this application, outweigh the concerns of the Arboricultural Officer.

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

The Applicant spoke in support of the proposal. The points raised were as follows-

- Applying for planning permission to refurbish and extend the existing farmhouse and adjacent outbuildings to provide a family home suitable for modern living whilst maintaining the form of the existing building
- Ballaskelly Farm has been occupied and farmed by our family for over 50 years, with my father as the current farmer and owner
- Our proposals for this dwelling look to acknowledge the strong familial and historical ties by retaining and refurbishing the existing dwelling and outbuildings
- As an agricultural family, the Manx countryside is not only something we work with, but something we have a great fondness for. We appreciate the proximity of the proposed extension to the trees within the residential curtilage, but relish the thought of being so close to nature. We have no desire to provide finely manicured lawns or significant areas of hard landscaping, to the detriment of the trees and countryside.
- We would like our family grow up in a rural environment, learning about agriculture from their grandfather and continuing our connection with Ballaskelly Farm far into the future
- I provide assistance on the family farm, which is likely to increase. We see ourselves moving into the farmhouse as essential in [providing this additional input and ensuring the succession of our family farm
- We intend to reside in this dwelling for as long as possible and that it remains in our family for generations to come

The Members expressed support for the proposal, noting that while it was unfortunate that there was a possibility that there would be a loss of one of the existing trees further tree planting was proposed within the application. They appreciated that the design proposed to incorporate the existing buildings and that it would sit well within the existing landscape. They further noted that the proposed design would future-proof the building and make it suitable for domestic use into the future.

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. 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 3. All tree planting comprised in the approved details of landscaping (Section 4.8 New Planting in the submitted Arboricultural Impact Assessment dated Sept 22 and drawing NP-121221 received 13th October) shall be carried out in the first planting and seeding seasons following the completion of the development or the occupation of the dwelling, 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.

C 4. All existing trees shall be retained, unless shown on the approved drawings as being removed. All trees on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Department in accordance with British Standard BS5837:2012 (Trees in relation to Design, Demolition and Construction - Recommendations) for the duration of the works on site and the development is completed.

In the event that trees become damaged or otherwise defective during such period, the Department shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that a tree dies or is wilfully removed without prior consent it shall be replaced as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Department.

Reason: to ensure the continuity of amenity afforded by existing trees.

C 5. Prior to the commencement of any development a full arboricultural method statement that details construction methods and tree protection measures shall be submitted in writing for approval by the Department. The development must be carried out in accordance with the approved details. No alterations or variations to the approved tree protection scheme or working methods shall be made without prior written consent of the Department.

Reason: to ensure that all trees to be retained are adequately protected from damage to health and stability throughout the construction period to protect and enhance the appearance and character of the site and locality.

C 6. No development shall commence until a schedule of materials and finishes and samples of the materials to be used in the construction of the external surfaces, including exterior walls of the existing buildings (type of render), roofs, have been submitted to and approved in writing by the Department. The development shall not be carried out unless in accordance with the approved details.

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

Reason for approval:

Overall, while it is accepted there is a loss of trees to facilitate the development and future pressure on high category tree(s) within the vicinity of the rear extension and existing dwelling; overall and on balance, it is considered the retention of the existing buildings and with an appropriately designed and sized rear extension outweigh the tree concerns and therefore acceptable in this case.

Further, it is considered the proposals would comply with Housing Policy 11 & 15 and would not adversely affect the countryside and therefore comply with Environment Policy 1.

INTERESTED PERSON STATUS

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

As Mr Balmer was the case officer for this item, Mr Brazier took his place as advising officer for this item

Item 5.6 Lower Milntown Farm Lezayre Road Ramsey Isle Of Man IM8 2TH PA22/01211/B	Conversion and extension of existing outbuildings to provide living accommodation Applicant : Mr & Mrs Paul Corteen Case Officer : Mr Chris Balmer Recommendation : Permitted
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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. He stated that part of the site was within the flood risk zone, and advised how the proposal complied with Policy with regard to flood risk. In response to a question from the Members, he advised that the flood risk was from surface water. He further reported that the Applicants had been in consultation with Flood Risk Management. He read a further submission from the Applicant outlining the disposition of the existing buildings, the floor levels of the proposed building and amendments to the floor levels of the existing buildings, the flood mitigation details for the proposed buildings and potential mitigation methods and amendments such as flood proof doors which could be included in the existing and proposed buildings.

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

The Agent spoke in support of the proposal. The points raised were as follows-

- This application is the third in a series of proposals
- Have involved the Planning Department throughout the process
- The first application was for renovation of the existing farmhouse and removal some non-traditional elements. My clients reside in the property
- The second application was for the erection of a traditional quadruple garage and store building which is now in place
- This third application is for conversion and extension of existing outbuildings to provide living accommodation which will become my clients home
- There is currently a mixture of styles on site
- Proposed to remove the existing lean-to outlet and replace with a two-storey outlet which would increase the built footprint slightly
- The renovated and restored buildings would have flat roof areas and steel sheet roofs removed and the complete building would be finished in natural slate pitched roof areas
- Existing buildings do not fall within the river flood risk area and within the proposal there is the opportunity to raise all floor levels higher and incorporate current standard thermal insulation
- The site has a 1 in 100 chance of potential flood in any one year, but the buildings are indicated as being above the potential flood level. Floor levels can be raised to further mitigate any potential problems. Floodgate flood barriers have also been included in all door openings
- Clients are prepared to bring the buildings back into use as residential

- Should the application be refused, this would leave a refurbished farmhouse and new garage with a range of outbuildings in need of repair. Feel conversion to residential is the only option

The Members indicated that they would be prepared to support the application if the floor levels could be suitably raised. The Agent confirmed that this could be done.

The Members requested that C3 be strengthened with regard to flood mitigation measures, and enquired regarding the separation of residential curtilages between the proposed dwellings. The case officer agreed to amend their recommendation with regard to C3, but advised that a further condition would not be necessary as a plan delineating the residential curtilages had been submitted as part of the application, although just a indicative one demonstrating how it could be done. The officer felt the size was of a size which could clearly accommodate two dwellings.

The Members noted that the site did partially lie within the river flood risk area and surface water flood risk area. The case officer reported that in their opinion, the mitigation measures proposed were adequate and suitable for purpose. The agent confirmed that they had consulted the Flood Risk Management team regarding flood risk mitigation measures proposed within the application, and that all bedroom accommodation would be situated on the 1st floor. The applicant wished to retain the historic buildings and do something with them in a more traditional manner. The agent confirmed that Flood Risk Management had made no comments with regard to the garage and housing, just to the outbuilding.

The Member indicated that they would be in support of the proposal with the amendment to C3 regarding flood resilience measures and floor levels being at the same or greater than the existing dwelling on the site which was not within a flood risk zone. They enquired regarding the likelihood of further applications coming forward for further flood mitigation measures on this site. The agent stated that while it was acknowledged that there was a minor risk of flooding, it was unlikely, and that there was an existing bank between the buildings and the river. He further advised that there was little historic evidence that the River Auldryn was prone to flooding, and that in his opinion, it was unlikely to flood.

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. 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 3. Prior to the commencement of any development details/scaled drawings are to be provided which demonstrate appropriate flood defence measure which shall include flood gates/flood doors or similar to all ground floor entrances of the dwelling, showing the finished floor level of the ground floor of the converted building to be at the same or greater than the finished floor level of the existing dwelling "Lower Milntown Farm" and flood reliance measures

to project flood water entering the dwelling hereby approved which all shall be installed/completed prior to the occupation of the dwelling and retained thereafter.

Reason: ensure appropriate flood defences to the occupants of the property.

Reason for approval:

It is considered the proposal would comply with General Policy 2 of the Isle Of Man Strategic Plan, The Residential Design Guide and the Ramsey Local Plan, not having any significant public or private amenities.

INTERESTED PERSON STATUS

It was decided that the following Government Departments should be given Interested Person Status on the basis that they have made written submissions these do relate to planning considerations:

Flood Management Division (DOI)

Item 5.1 Land South West Of Toilet Block Marathon Terrace Queens Promenade Douglas IM2 4NH PA22/00465/B	Erection of 6 timber beach huts with decking and removable access ramp Applicant : Mrs Lisa Leo Case Officer : Mr Peiran Shen Recommendation : Permitted
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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.

In clarification of the key issues the Members enquired as to the visual appearance of the proposed huts and how they would sit within the existing streetscape. The case officer indicated the proposed appearance with reference to the visual presentation. The Members expressed a preference for the design to reflect the existing Victorian streetscene.

The Registered Buildings Officer reported to the Members with regard to the design, location and number of the proposed beach huts, and expressed that they felt the proposed huts were of a style that would be suitable for the location.

The Members expressed concern regarding potential vandalism and antisocial behaviour associated with the proposed huts, noting that in other locations security measures such as lockable metal screens had been utilised. They expressed concern that there had been insufficient information submitted with the application regarding the external appearance and finishes together with the hours of operation not including overnight use, and that they would be more comfortable with conditions applied which would control these matters. The case officer reported that they could amend their recommendation in order to address the Members concerns.

In response to questions from the Members, the case officer confirmed that the huts were permanent and were for rental. The Principal Planner advised vandalism issues were a matter for the applicant and police.

The Members enquired if the Applicant would consider an approval for a trial period, as the proposal would be removing public open space from general use and could be detrimental to the visual appearance of the area. The Members expressed concern regarding the potential

deterioration of the proposed huts owing to weather conditions this an exposed site, noting that the location was adjacent to the dog walking area of the beach rather than the demarcated safe bathing area.

The Principal Planner advised that the Member had the options to approve, refuse or defer for further information, summing up the arguments for each for purposes of clarity.

In response to a question from the Members, the case officer confirmed that the Police Architectural Liaison Officer could be consulted. They reported that they felt it would be better that the huts were used throughout the year, but that not overnight use be permitted in order that they not be used as accommodation.

The Members noted that as the huts would be considered to be buildings, they would not be covered by local authority byelaws.

In response to a question from the Members, the case officer confirmed that seasonal removal of the huts had not been proposed as the Applicant was concerned with the ongoing cost of such operations.

Following discussion, the Members voted on whether to defer consideration in order that further information be requested. Such information was; Hours/day of operation; Seek comment from the Police; Confirm what restrictions are in place to the beach, immediately in front of the huts; How are beach huts envisaged to be used, hours/days of operation; Would applicants accept a temporary approval for 2 years for example; Will huts be taken away at winter period (i.e. like Port Erin huts); Finish/colour of the huts; Would the applicants consider the huts being removed from the site during winter periods to prevent damage to them?

Although some members indicated that such information may not overcome their concerns. The votes were as follows –

For deferral –
Chair
Mr Young
Mr Skelton
Mrs Hughes

Against deferral –
Mr Cubbon
Mr Warren
Miss Betteridge

DECISION

It was agreed to **DEFER** consideration of the proposal in order that further information be sought by a vote of 4 to 3.

6. Site Visits

The Committee agreed to make a site visit in relation to **Item 5.3, PA22/00399/B Ballacroak Farm Mullinaragher Road St Marks Ballasalla Isle Of Man IM9 3AQ** at 9.30am on the 9th January 2023. The Chair advised that he would not be available for the site visit on that date. The Members requested that they be advised by email confirming time, date, directions and any instructions for the site visit.

7. Section 13 Legal Agreements

The Members noted that since the last sitting Section 13 Legal Agreements had been concluded on the application(s) shown below, previously determined.

7.1 21/00064/B Crystal Care Limited Conversion of residential care home (class 3.2) to self-contained apartments & a dwelling (class 3.3 and 3.4) with associated parking, Glen House Residential Home, New Road, Laxey, Isle Of Man, IM4 7BE.

The decision notice had been issued 13th December 2022.

8. Any other business

8.1 Miss Adele Betteridge

The Chair welcomed the new Member, Miss Betteridge, to the Planning Committee

9. Next meeting of the Planning Committee

The Committee noted that the next Planning Committee has been set for 16th January 2023.

There was no further business and the meeting concluded at 11.45am

Confirmed a true record



**Secretary to the
Planning Committee**



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