



Isle of Man Government

Reilrys Ellan Vannin

Minutes of a meeting of the Planning Committee, held on 27th February 2023, 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
V Mr M Warren, Member
V Miss A Betteridge, Member

In Attendance: *Mr J Singleton, Principal Planner
*Mr C Balmer, Principal Planner
*Mrs V Porter, Planning Officer
*Mr P Shen, Planning 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/V

1. Introduction by the Chair

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

2. Apologies for absence

The Chair noted that Mr Warren and Miss Betteridge were attending via Teams.

3. Minutes

The minutes of the 13th February 2023 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 5.1 Ballaquayle School Thorny Road Douglas Isle Of Man IM2 5EE PA22/00325/B	Relocation of existing timber structure and erection of a new mobile classroom (to accommodate an additional year group) Applicant : Department Of Education, Sports And Culture 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. They noted the potential issues associated with any proposed increase in the number of pupils attending the school, but advised that the proposed total number of pupils was well within accepted boundaries. They stated that all concerned agencies should discuss a way forward with regard to active travel and the schools travel plan.

A representative for the applicant spoke in support of the proposal. The points raised were as follows:-

- The intention of the application was to provide suitable accommodation in order that Year 3 students could be relocated from their temporary situation within the school to a more suitable area in order to properly support their education
- The application seeks to improve the facilities and accommodation at both the Ballaquayle and Murrays Road sites.
- The mobile classroom would be removed from the Murrays Road site and relocated to the Ballaquayle school site. This would benefit Scoill Yn Jubilee at Murrays Road with regard to available play space
- The mobile classroom is proposed to be located adjacent to the school, which was felt to be the best location to both minimise impact and have best access for pupils and staff
- A traffic impact assessment was provided and the Department will continue to work to reduce detrimental traffic impacts
- A landscaping plan with regard to planting to minimise visual intrusion can be provided

The resident of 17 Thorny Road, Douglas spoke against the proposal on behalf of themselves and the resident of 34 Thorny Road, Douglas. The points raised were as follows:-

- Requested that the Members carry out a site visit during peak drop off and pick up times in order to understand the issues first hand and fact check the information given within the Travel plan as this misleading and incorrect.
- Requested DESC provide up to date pupil numbers from September 2023 as the new intake would now be known, with a breakdown as numbers in each Year group, as we believe the numbers submitted as incorrect. Could DESC also clarify why the existing new timber clad classroom was not being used to fulfil this need as this is a permanent structure which was not used on a daily basis.
- There is no loop access arrangement in place. Access as such is the existing back lane.
- There is no drop off and pick up zone. Pupils have to be dropped to the classroom door. This area is also used as staff parking.
- Roads are narrow with one lane access in and out of Thorny Road which in turn is also a dead end. And quite dangerous.
- Stoney Road bears heavy commuter traffic as main route through to Bray Hill/Quarter Bridge Road
- Photos on the Travel plan show no traffic on the road.
- The planning report only considered the effect on the Selbourne Road Conservation Area from a drivers' point of view, not from the residents of Thorny or Stoney road. The resident consider the classroom to have a negative impact on the character of the adjacent Conservation Area.
- Regarding proposed conditions of approval, who would be responsible for making sure the structure is removed after the approved period, and would this be subject to a further planning application
- Would residents be notified of any information submitted in response to C2.
- Will the travel plan and parking be monitored on an ongoing basis

The resident stated that they had in the past been subjected to verbal abuse from parents wishing to utilise the existing on-street parking spaces in order to drop their children at the school.

The Members noted the comments made with regard to traffic problems in the area, but stated that complaints with regard to this must be lodged with the appropriate authorities, and that class size and number of pupils were not within the remit of the Planning Authority. They further noted that there should be an ongoing dialogue with regard to traffic management which included that the school's policy regarding active travel and walking to school be supported.

The Members felt the application to be finely balanced with regard to both supporting educational need and the amenities of nearby residents.

They were aware that the pupils who were intended to be accommodated by the mobile classroom were already accommodated within the existing building on the site so that there may not be an increase in traffic movements generated at the school. The members noted that it was considered good practice that older and younger pupils were separated.

The residents of 17 and 34 Thorny Road stated they felt the number of pupils attending Ballaquayle School to be higher than indicated.

The applicant's representative understood there was to be a net increase in the number of pupils for the school year 2022-23.

In response to a question from the Members, the applicant's representative confirmed that the "outdoor classroom" in question is used for pupils across both schools to experience outdoor education and is remote from the main school building.

The resident of 17 Thorny Road stated they felt the building in question was not remote and is a brand new facility which could be used as a classroom.

In response to a question from the Members concerning the situation regarding the accommodation for the Year 3 pupils should the application be refused, the applicant's representative agreed to look into the matter and ascertain the likely solution.

In response to a further question from the Members, the applicant's representative confirmed that the relocation of the mobile classroom to Ballaquayle School would not detrimentally impact the amount of play space available, and that site was considered to be the best one.

In response to a question regarding the school's travel plan, the applicant's representative confirmed that it identified areas in which active and sustainable travel could be utilised. They appreciated that there were ongoing traffic problems, but that they were only short periods during the day. The applicant's representative further agreed to obtain information regarding projected numbers of pupils from DESC from September 2023.

The Chair noted that Highway Services were also to be further consulted.

Mr Young proposed that a site visit be carried out at a suitable time in order to aid their assessment of the proposal. This was seconded by Mrs Hughes.

DECISION

Following discussion, the Committee **unanimously** agreed to make a site visit with regard to this matter, at a time and date to be agreed at the end of the meeting.

Item 5.2 Rheaby Beg Main Road Glen Maye Isle Of Man IM5 3AU	Demolish existing detached house and build a replacement detached dwelling
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In the absence of the Case Officer, Mr Singleton summarised the key issues as set out in the report and with reference to the visual presentation using the submitted plans. He advised that the matter was being brought before the Members as the case officer was no longer employed by the Department and refusal for a replacement dwelling was being recommended.

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:-

- Wished to share the potential in Rheaby Beg, not only as our home but as our contribution to the environmental sustainability of the Isle of Man.
- In March 22 we relocated to the Island after 24 years working in Minnesota, USA, where temperatures range from -30C to +30C. We experienced the benefits of living in a highly insulated and airtight house.
- Wish to build a house of similar quality and efficiency, powered using heat pumps and solar panels.
- Our architect submitted the application in July 22. Our request is to replace a derelict building with a highly efficient house, designed to reflect the form of many Manx stone buildings across the Island, with contemporary accents.
- In December we met with the case officer. Despite that, we were disappointed to see that his Report contained inaccuracies and subjective opinions which gave a misleading picture of the proposals. We ask you to be aware of the following points:
 - The proposed dwelling has four bedrooms, not the six stated and is 1.2m taller than the existing, not the 2.5m suggested.
 - The house has not been relocated by "10 to 30 metres"; the design has simply been pivoted in relation to the previously approved house, with the eastern portion overlapping the approved footprint.
 - There are assumptions regarding the materials to be used – such as 'presumably fibreboard' and 'potentially plastic'. The house will be constructed using high-quality natural materials.
- The Report erroneously suggested that the previous Application was approved 'on the beneficial basis of converting a heritage building worthy of preservation' and that the house would only have modest extensions; rather, the previous Officer was suggesting that it would be reasonable to set aside the rules on abandonment to allow the existing dwelling to be brought back into use; as Mr Boyt states, 'The cottage is not so precious that it must be preserved no matter what'. By his own calculations, the extensions were three times the size of the existing house, not modest.
- The case officer's report did not recognize the innovative nature of the proposals. Our design is genuinely novel and, even though it cannot be seen from any public vantage point, it is of an appropriate scale for its setting, uses natural materials suitable for its context, and will be innovative in its construction and energy supplies, thus contributing to sustainability and the Climate Emergency as required by the Manx Government's initiatives.
- We would also like to highlight our work with the Woodland Trust at Rheaby Beg, through which we have planted 300 native trees, with more planting to follow. We anticipate further rewilding efforts which will increase the biodiversity of the land.

- The management of the 17 acres will require large equipment, and we have included a shed to house that. Its form intentionally reflects the modern agricultural buildings seen around the Island but, because it does not have the backdrop of the hill behind it, it has been lowered into the landscape to avoid skyline development.

The Members noted the applicant's statement that there were errors in the case officer's report and felt it important that these matters were clarified. They instructed the reporting officer to liaise with the Applicant in order to draw up a list of such errors, and to then draw up a report addressing these matters, such report to be presented to the Members when the application is brought back before them.

The Members further noted that the proposed site was not visible to the public, that the existing building was not capable of renovation to modern thermal efficiency standards, and that the proposed dwelling would sit well within the existing landscape. They felt that the proposed design was an improvement on the existing dwelling.

In response to a question from the Members, the reporting officer indicated the siting and elevations of the existing dwelling with reference to the visual presentation, confirming that there was no photograph of the existing dwelling on the visual presentation.

The Applicant confirmed that the existing dwelling was in a dangerous condition.

In response to a question from the Members, the Applicant confirmed that the proposed equipment store building was to be cut into the hillside in order to reduce the visual impact.

Mrs Hughes proposed that a site visit be carried out at a suitable time in order to aid their assessment of the proposal. This was seconded by Mr Young.

DECISION

The Committee **unanimously** agreed to make a site visit with regard to this matter, at a time and date to be agreed at the end of the meeting.

<p>Item 5.3 Peel Football Club Douglas Road Peel IM5 1LJ</p> <p>PA22/01316/C</p>	<p>Temporary change of use of football pitch and associated buildings to tented tourist accommodation</p> <p>Applicant : The Tommy Clucas Community Sports Hall Case Officer : Mrs Vanessa Porter 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, amending her recommendation with regard to c1 with the period of permission being 5 years and not 4 years in order to include the current year and to add Visit Isle of Man, Department of Enterprise as a Interested Person. Following discussion, the Members agreed to the amendment.

The Highway Services representative confirmed there was nothing further to add to their report. They felt that the proposal brings extra benefits from the tents being ready set-up.

The Members expressed support for the proposal, and stated that pre-erected tents were an improvement to the facilities provided on-site.

The Agent confirmed they were present in order to answer questions.

In response to a question from the Members regarding the period of operation requested in the application, the Agent clarified that the site was not available for use other than TT week as pitch was in use during other periods of motor racing.

DECISION

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

C 1. In any given calendar year, the proposed tents hereby approved on this site shall not be in situ more than 7 days before the first day of practice week for the TT or more than 7 days after the last race day of the TT. The site shall be restored to its former condition within 7 days of the proposed tents being removed after the event. For the avoidance of doubt no approval is granted for the retention of the proposed tents between any of the racing events and this approval is only for the following years; 2023, 2024, 2025, 2026 and 2027.

Reason: The application is for the use of the site for the upcoming five years of TT motorcycling events only (2023 included) and the assessment has been made on this temporary basis. While provision should be made for setting up and dismantling the camp site, the site should not be used for camping outside those times reasonably associated with these race periods.

C 2. There shall be a maximum of 100 tents pitched within the site during the approved period of operation.

Reason: In the interests of public and private amenity.

C 3. Prior to the use of the venue as a campsite the car and motorcycle areas shall be provided in accordance with drawing no 106 and retained free from obstruction for the duration of the campsite operation.

Reason: to provide sufficient parking in the interests of highway safety.

C 4. The campsite shall be restricted to tents. There shall be no motorhomes, trailer tents or caravans.

Reason: in the interests of highway safety.

Reason for approval:

It is concluded the proposal would be acceptable for a temporary period only and would not significantly affect public or private amenities and comply with General Policy 2, Business Policy 11 and Transport Policy 4 of the IOM Strategic Plan 2016.

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 relating to planning considerations:

Visit Isle of Man, Department for Enterprise

The Chair declared that he knew the Applicant but had not discussed the matter with them.

Item 5.4 Fields 624255 & 624256 Glen Mona Loop Road Glen	Reserved matters application for erection of a new dwelling, approval of the details of siting, design, external appearance and internal layout of the dwelling, the means
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Mona Ramsey Isle Of Man PA22/01558/REM	of access and the landscaping of the site Applicant : Mr Alex Brindley 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.

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:-

- Pleased with the support and assistance from the local authority and the case officer
- Have formulated the design of the current proposal in light of the points raised by the case officer and Appeals Inspector regarding the approval in principle application, PA8/00200/A
- The main issue focused on was in considering views of and from the countryside that would be affected by the development and, linked to this, the effect on the ecology of the site. Our design approach sought to minimise the development's impact on the character and quality of the landscape and, as far as possible, to protect the countryside and its ecology
- The issues were addressed at an early stage by appointing a consultant from the Manx Wildlife Trust to prepare a Preliminary Ecological Report on our outline proposals in relation to siting the house and our suggestion that an area of the lower part of the site could remain intact for the preservation of the local ecology. The report supported this and provided a method statement for managing the retained grassland as well as suggestions for the longer term protection of the biodiversity on the site; as with any construction work, this would unavoidably be affected during the development.
- We were pleased with the DEFA Ecosystem Officer's supportive comments
- In relation to protecting the views of the countryside, we undertook a series of studies to assess the massing and orientation of the building and sought to balance this with the requirements set out by the applicant.
- Our conclusion was that the house be split into two sections. The main and most visible section would be a two storey house which, in order to retain as much of the open view of the landscape as possible, would be set to one side of the site and orientated at a right angle to the road. This orientation has the added benefit of making the main entrance elevation, along with the terrace outside, south facing. The main living accommodation and main bedroom are to be located away from the road, giving them the benefit of both the south orientation plus the views across the countryside towards the coast
- A lower level, set at 90 degrees to the main part of the house and facing down the slope, would contain additional living accommodation, being set in to the slope to minimise, as far as possible, any adverse effect on the views towards the open countryside from the road. When viewed from the landscape, this would appear to be a base on which the main, and more visible, part of the house would sit. A similar approach is proposed for a garage. Both would have flanking stone walls and planted roofs which would-help reduce visual impact

In response to a question from the Members, the case officer confirmed that C2 removed Permitted Development for the dwelling, but that it could be amended in order to include the whole of the proposed development. With regard to the lower part of the site, a further condition could be attached to include the future management details of site as suggested in

Ecological report. The Members expressed concern that there was potential for the lower part of site to become a separate building plot in future. The Members felt that the design as submitted incorporated well the points raised previously.

In response to a question from the Members regarding solar panels and ASHP, the agent noted that the suspension of Permitted Development would necessitate the submission of a further planning application. The case officer confirmed that C2 could be worded in such a way as to accommodate the installation of same. The Members raised concerns regarding the potential for the installation of large areas of solar panels on the roofscape. The Applicant confirmed that currently there was no intention to install solar panels, and they would be prepared to apply for such in future if the need arose.

The case officer confirmed that a new application would have to be submitted for solar panel as amended plans are no longer accepted by the Department, and such an operation in itself would not be classed as a Minor Amendment.

The case officer amended their recommendation with regard to an additional 2 conditions being attached to address the Members' concerns regarding the residential curtilage and the disposition and landscaping of the land.

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 either before the expiration of four years from the date of the Approval in Principle application (21.05.2023), or before the expiration of two years from the date of approval of the decision notice of this reserved matters application.

Reason: To comply with Article 14 of the Town and country Planning (Development Procedure) (No 2) Order 2013

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. The development hereby approved shall not be occupied or operated until the means of vehicular access has been constructed in accordance with the approved plans, and shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

C 4. 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 5. Prior to the occupation of the dwelling hereby approved the new wire fencing annotated as "08" on drawing 10A shall be completed and retained thereafter.

Reason: in the interest of ecology and the visual amenities of the area.

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 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.

C 7. All planting, seeding or turfing comprised in the approved details of landscaping plan 12A and green roofs to garage and lower ground floor building must all 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 (green roof) 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 8. Prior to the occupation of the dwelling hereby approved the integrated bat and bee bricks shall be installed as shown on drawing 'Proposed Elevations 01' and retained thereafter.

Reason; In the interest of biodiversity.

C 9. No approval is hereby given for the installation of the bird boxes as shown on drawing 18, instead these bird boxes shall be installed to the northern elevation prior to the occupation of the dwelling.

Reason; In the interest of biodiversity

C 10. Prior to the commencement of any development details of measures to be undertaken to prevent bird strikes on clear glazing shall be submitted to and approved in writing by the Department. This approved scheme shall be completed prior to the occupation of the dwelling and shall be retained thereafter.

Reason; In the interest of biodiversity.

C 11. The living accommodation within the lower ground floor as shown on drawing 16 shall only be used in association with the main dwelling house hereby approved and for purposes incidental to the use of main dwelling house as a single dwelling, for no commercial purposes and only in accordance with the internal layout shown on plan 16 received on the 23.12.2022.

Reason: The application does not propose to create separate units of accommodation within the site and has not been considered as such.

C12. For the avoidance of doubt the post and wire boundary fence as shown on drawing 10A shall extend 27 metres in an easterly direction when measured from the side of the chimney stack on the gable elevation (east) of the two storey element of the dwelling hereby approved and shall be retained thereafter to define the residential curtilage of the dwelling.

Reason: To define the residential curtilage, in the interest of visual amenities and biodiversity of the site.

C13. The hatched area shown within Appendix II of the Preliminary Ecological Appraisal Report shall remain as semi-natural grassland and be managed as recommended within Section 6.0 of the Preliminary Ecological Appraisal Report and retained thereafter.

Reason; in the interests of biodiversity.

Reason for approval:

Overall, it is considered the proposal would not have any significant impacts upon public or private amenities, would not adversely affect the countryside or harm the character and quality of the landscape and would therefore comply with Environment Policy 1 & 2 and Housing Policy 14 of the Isle Of Man Strategic Plan 2016, Planning Circular 3/91 (in part) and Residential Design Guide 2021.

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

The Committee agreed to make a site visit in relation to item 5.1 and 5.2 as detailed in the table below on **Thursday 9th March 2023**.

Item	PA no.	Site	Time
5.1	PA22/00325/B	Ballaquayle School Thorny Road Douglas Isle Of Man IM2 5EE	8.30am - Members to meet at the site. Following the visit to the application site, the Members are to visit the existing mobile classroom in situ at Scoill Yn Jubilee at Murrays Road
5.2	PA22/00827/B	Rheaby Beg Main Road Glen Maye Isle Of Man IM5 3AU	10am – Members to meet at the site

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 Major Applications previously before the Planning Committee

The Members noted that work on several of the major applications previously approved by the Committee was now underway

8.2 Appeals

Members raised concerns with regard to the current backlog of appeals cases. It was noted that there are now 4 or 5 Appeals Inspectors in post. A Principal Planner advised the Members that the Appeals process was part of the function of the Cabinet Office and was, as such, separate from the Planning Department.

8.3 Apologies for next meeting

Mr Skelton gave his apologies in advance of the next meeting

8.5 PA 17/01265/B Redevelopment of disused hotel site with new hotel and leisure facilities and 40 residential apartments, with associated highway and drainage works, Golf Links Hotel, Fort Island, Castletown, Isle Of Man, IM9 1UA

Mr Warren reported that he had attended day 1 of the Appeal and had found it useful and informative

8.6 Planning Committee Meeting scheduled for 8th May 2023


Following discussions regarding the meeting scheduled for the 8th May 2023, this being the date of the Coronation of King Charles III, and so a national Bank Holiday, the Members agreed that this meeting be cancelled, and that should an extraordinary meeting of the Planning Committee be necessary due to the number of applications awaiting their consideration before the next scheduled meeting, such a meeting could be arranged at a suitable time.

9. Next meeting of the Planning Committee

The Committee noted that the next Planning Committee had been set for 13th March 2023.

There was no further business and the meeting concluded at 11.30am.

Confirmed a true record



**Secretary to the
Planning Committee**



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