



**Isle of Man**  
Government

*Reillys Ellan Vannin*

## **DEPARTMENT OF ENVIRONMENT FOOD AND AGRICULTURE**

### **TOWN AND COUNTRY PLANNING ACT 1999**

#### **TOWN AND COUNTRY (DEVELOPMENT PROCEDURE) ORDER 2019**

**Agenda for a meeting of the Planning Committee, 24th April 2023, 10.00am, in the Ground Floor Meeting Room of Murray House, Mount Havelock, Douglas**

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

**1. Introduction by the Chairman**

**2. Apologies for absence**

**3. Minutes**

To give consideration to the minutes of a meeting of the Planning Committee held on the 11<sup>th</sup> April 2023.

**4. Any matters arising**

**5. To consider and determine Planning Applications**

Schedule attached as Appendix One.

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

**6. Site Visits**

To agree dates for site visits if necessary.

**7. Section 13 Agreements**

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

**8. Any other business**

**9. Next meeting of the Planning Committee**

Set for 22<sup>nd</sup> May 2023.

**PLANNING COMMITTEE Meeting, 24th April 2023**  
**Schedule of planning applications**

<p><b>Item 5.1</b> Scout Clubroom Dalby Isle Of Man IM5 3BT</p> <p><b>PA22/01384/REM</b> <b>Recommendation : Permitted</b></p>	<p>Proposed Reserved Matters application to P.A. No- 21/00526/A, for the erection of a new dwelling.</p>
<p><b>Item 5.2</b> Ashdowne House Ballavale Road Santon Isle Of Man IM4 1EH</p> <p><b>PA23/00244/B</b> <b>Recommendation : Permitted</b></p>	<p>Erection of extension to provide a further roof top pavilion</p>

## PLANNING AUTHORITY AGENDA FOR 24th April 2023

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### Item 5.1

**Proposal :** Proposed Reserved Matters application to P.A. No-21/00526/A, for the erection of a new dwelling.

**Site Address :** Scout Clubroom  
Dalby  
Isle Of Man  
IM5 3BT

**Applicant :** Mr Dean Watterson

**Application No. :** 22/01384/REM- click to view

**Planning Officer :** Mr Toby Cowell

**RECOMMENDATION:** To APPROVE the application

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### Recommended Conditions and Notes for Approval

**C : Conditions for approval**

**N : Notes (if any) attached to the conditions**

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

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

C 2. 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. 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 all hardsurfacing within the site, 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 5. No development shall commence until a plan detailing a construction exclusion area and protective fencing to be erected between the development area and the remainder of the garden 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. No

development, including grassland and scrub removal, may take place within the agreed construction exclusion area.

Reason: In the interests of biodiversity and the visual amenities of the site.

C 6. Prior to the occupation of the development hereby permitted, full details pursuant to the installation of ground mounted solar panels, including location, size and specification, shall be submitted in writing to the Department for approval. The works shall be undertaken in accordance with the approved details and retained as such thereafter in perpetuity.

Reason: The application is considered acceptable due to the overall environmental impacts as outlined on Housing Policy 14 and namely the eco efficiency credentials of the new dwelling as noted by the agents.

N 1. NOTE: This decision notice relates to a Reserved Matters approval pursuant to Approval In Principal application 21/00526/A. For the avoidance of doubt all conditions that apply to 21/00526/A and those on this decision notice apply to the development and should be read in conjunction with one another, this includes the condition requiring the submission of a survey and scheme for the identification and removal of any Japanese Knotweed.

"Condition 5. No development shall commence until a survey and scheme for the identification and removal of any Japanese Knotweed on the site has been submitted to and approved in writing by the Department and the development shall only be carried out in accordance with details approved.

Reason: In the interests of biodiversity."

Reason for approval:

The proposed development is considered to constitute a high standard of design which add a degree of visual interest to the immediate streetscene, without detriment to the character of the wider landscape, whilst providing a high standard of accommodation for future occupants. The proposals are considered to be compliant with Strategic Policy 5, General Policies 2 and 3, Environment Policies 1 and 2, and Housing Policy 14 of the Strategic Plan (2016).

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### **Interested Person Status – Additional Persons**

None.

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### **Planning Officer's Report**

THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE DUE TO THE SITE'S PREVIOUS HISTORY AND ON THE ADVICE OF THE HEAD OF PLANNING AND BUILDING CONTROL

#### 1.0 THE SITE

1.1 The application site identified in red comprises the former Scout clubroom and its associated land to the rear within the village of Dalby, totalling approximately 0.39 acres. The site is located on the eastern side of the Dalby Road at the southern end of the village adjacent to the former Ballacallan site. The site is surrounded by mature hedging and trees with the rear end of the site primarily comprised of gorse, hedging and trees.

## 2.0 THE PROPOSAL

2.1 The application seeks approval for the Reserved Matters following the initial Approval in Principle for the replacement of the existing scout hut with dwelling allowed at appeal (PA 21/00526/A).

2.2 The detailed proposals the subject of this application relate to the erection of a two-storey dwellinghouse designed by Huff and Puff Construction, and is noted in the applicant's statement as having taken inspiration from Viking longhouses. The proposed dwelling consists of a curved roof finished in timber shingle, curved rooflights on both slopes to match the pitch, timber cladding for the first-floor exterior on the front and rear elevation, with a Manx stone plinth for the ground-floor element. The dwelling would be complete with a balcony on the rear elevation overlooking the garden area to the rear, with a central doorway flanked by 2 ground-floor windows, with 2 Juliet balconies above.

2.3 Access to the site from the Dalby Road has already been approved as part of the Approval in principle, with the current proposals detailing parking for 2 vehicles and a turning area. The submitted site plan indicates this would comprise a new bound surface driveway however detailed materials are unspecified.

2.4 From a landscaping perspective, the submitted tree impact plan from Manx Roosts demonstrates that a total of 4 no. category C trees would be removed, whilst the remainder of existing trees within the site will be retained. The site is noted as already being well landscaped with a mixture of scrub, semi-improved grassland and trees, and therefore no additional landscaping proposals have been detailed.

## 3.0 PLANNING HISTORY

3.1 An approval in principle for the erection of a new dwelling following demolition of the scout hut (PA 21/00526/A) was previously allowed at appeal following refusal by the planning committee. The decision notice for the approval included the following conditions:

C 1. Application for approval of all of the reserved matters shall be made to the Department before the expiration of two years from the date of this approval. The development hereby approved shall be begun before the expiration of four years from the date of this decision notice or the expiration of two years from the date of approval of the last of the reserved matters, whichever is later.

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

C 2. Approval of the siting, design, external appearance, internal layout of the buildings, site layout, drainage, landscaping (hereinafter called "the reserved matters") shall be obtained in writing from the Department and the development shall only be carried out in accordance with the details as approved.

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

C 3. Access to the site shall comply with the approved drawings and no development shall commence until full details of the layout and construction of improvements to the access land and its junction with the A27 including vision splays have been submitted to and approved in writing by the Department and the development shall only be carried out accordance with details approved.

Reason: In the interests of highway safety and local amenity.

C 4. No development shall commence until a Tree protection Plan giving details of measures to protect trees and hedges shown to be retained on the approved drawings has been submitted to and approved in writing by the Department and the development shall be carried out in accordance with details approved.

Reason: In the interests of the visual amenity of the landscape of the surrounding AHLV.

C 5. No development shall commence until a survey and scheme for the identification and removal of any Japanese Knotweed on the site has been submitted to and approved in writing by the Department and the development shall only be carried out in accordance with details approved.

Reason: In the interests of biodiversity.

#### 4.0 PLANNING POLICY

4.1 The application site falls within the open countryside and is not zoned for any specific development in the 1982 Development Plan, whilst also falling within an Area of High Landscape Value.

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

##### Strategic Policy

- 2 Priority for new development to identified towns and villages
- 3 To respect the character of our towns and villages
- 5 Design and visual impact

##### Spatial Policy

- 4 Development in remaining villages
- 5 Development only in countryside in accordance with General Policy 3

##### General Policy

- 2b,c,g General Development Considerations
- 3 Exceptions to development in the countryside

##### Environment Policy

- 1 Protection of the countryside
- 2 Areas of High Landscape Value

##### Housing Policy

- 4 Exceptions to allowing new housing in the countryside
- 14 Siting, size and design of replacement dwellings in the countryside

##### Transport Policy

- 4 Highways safety
  - 7 Parking

##### Infrastructure Policy

- 5 Water conservation and management

#### 4.5 Residential Design Guide (2021)

This document provides advice on the design of new houses and extensions to existing property as well as how to assess the impact of such development on the living conditions of those in adjacent residential properties and sustainable methods of construction.

#### 4.6 Planning Circular 3/91 (1991)

This document provides guidance on the design of new residential development in the countryside and remains a material consideration in the determination of applications for dwellings on land not zoned for development (i.e. in the countryside). This document is also specifically referenced throughout the Isle of Man Strategic Plan 2016, including within Housing Policy 14 which specifically relates to the design of replacement dwellings in the countryside.

#### 4.7 Draft Area Plan for the North and West (APNW)

4.6.1 A draft written statement was produced for publication in June 2022 following preliminary publicity throughout 2021. The draft plan went out for consultation on 24th June 2022, which included a number of drop-in centres throughout July, and finally closed on 16th September 2022.

4.6.2 Dalby is afforded the status of a 'remaining village' in the Strategic Plan, however no local plan has been produced for the village to date identifying a defined settlement or development boundary. Map 17 of the APNW affords Dalby a defined settlement boundary within the entirety of the village zoned as 'predominantly residential'. This includes the application site which is the subject of this report, and forms the most southerly 'plot' within the village.

4.6.3 Whilst it is recognised that the above Plan is still in draft form and not been through a Public Inquiry or submitted to Tynwald for approval, it is considered that a moderate degree of weight should be attributed to the plan due to Dalby being listed as a named settlement in the Strategic Plan.

#### 5.0 REPRESENTATIONS

5.1 Patrick Parish Commissioners - concern over surface water drainage with recent problems of water running down the lane between the property and the Ballacallin Hotel site. Feel that surface water drainage should be contained within the site into the storm drains directly and not have to find its own way along the roadside (19.12.22)

5.2 Highways Services - Development would have no significant negative impact upon highway safety, network functionality and /or parking. The Applicant is advised to consider installing bicycle storage and an electric vehicle charging point. (18.11.22)

Highway Services Development Control note the amendments made on 22/03/2023 and advise that we have no further comments to those made 24/11/2022. (22.03.23)

5.3 Highways Drainage - Allowing surface water runoff onto a public highway would contravene Section 58 of the Highway Act 1986 and guidance contained in section 11.3.11 of the Manual for Manx Roads. Please demonstrate that surface water run-off from the site will not be discharged onto the public highway. (04.01.23)

5.4 Ecosystems Policy Officer - In accordance with the Ecosystem Policy Team's comments for the approval in principle on this site (PA 21/00526/A), a condition was placed on the approval for the follows: No development shall commence until a survey and scheme for the identification and removal of any Japanese Knotweed on the site has been submitted to and approved in writing by the Department and the development shall only be carried out in accordance with details approved. Japanese Knotweed is a Wildlife Act 1990 Schedule 8 Part II invasive plant species. It is an offence to plant, or otherwise cause to grow in the wild, any plant listed on Schedule 8. As of yet, we have not yet seen such a survey or scheme. Therefore, we either request that this survey is provided prior to determination of this application, or the above condition is placed on this approval.

We also note that hawthorn scrub is to be removed to facilitate the new dwelling, there is potential for nesting birds in this scrub, so the applicant is advised to ensure that thorough checks for nesting birds are undertaken prior to the scrub removal. If nesting birds are present then the scrub removal must stop and can only recommence once the birds have finished breeding.

We also recommend that a condition is secured for a plan to be provided to Planning for written approval prior to works taking place, detailing a construction exclusion area and protective fencing to be erected between the development area and the rest of the garden, because the garden contains a variety of good habitat features such as scrub, semi-improved grassland and trees, likely to be of importance for a variety of wildlife, which could be negatively impacted by the building works. No development, including grassland and scrub removal should take place in this garden area.

## 6.0 ASSESSMENT

6.1 The principle of development has already been established through the previous grant of an Approval in Principle. The main issues to consider in the assessment of this planning application solely relate to reserved matters identified within the decision notice for the approval in principle, which include the following:

- Design, visual impact and landscaping (STP5, GP2, EP1, 2, HP14)
- Residential amenity (GP2, g, h)
- Highways and parking (TP4, 7)
- Other matters (RDG, EP22, CP7, 11 and IP5)

## 6.2 DESIGN, VISUAL IMPACT AND LANDSCAPING

6.2.1 The proposals relate to the replacement of a non-residential building with a dwelling in an area not technically zoned for residential development in accordance with an adopted Area Plan. Whilst there is no policy within the Strategic Plan which specifically fits this particular form of development, it is considered that Housing Policy 14, relating to the design of replacement dwellings in the countryside, is of the most relevance.

6.2.2 Housing Policy 14 requires replacement dwellings in the countryside to be of a design in accordance with the principles of Planning Circular 3/91, whilst not being greater than 50% of the external floor area of the original building. Exceptionally however, permission may be granted for buildings of innovative, modern design where this is of high quality and would not result in adverse visual impact; designs should incorporate the re-use of such stone and slate as are still in place on the site, and in general, new fabric should be finished to match the materials of the original building. Likewise, consideration may be given to proposals which result in a larger dwelling where this involves the replacement of an existing dwelling of poor form with one of more traditional character, or where, by its design or siting, there would be less visual impact.

6.2.3 In this instance, the proposed design and form of the new dwelling, whilst not exceeding the floor area of the existing building by more than 50%, would clearly not accord with the design principles of Planning Circular 3/91. That being said, the design and form of the proposed dwelling is considered to be innovative and unique, whilst not appearing unduly prominent in the context of the immediate streetscene due to the topography of the site and substantial natural screening along the site's southern boundary adjacent to the main road.

6.2.4 Furthermore, the development is considered to comprise a 'statement piece' upon entry to the village from the south, whilst clearly amounting to a visual improvement relative to the existing disused scout hut. The applicant's statement provides further information as to the building method and materials to be used to the new dwelling, including the use in-filled



straw for insulation, insulated concrete for the plinth walls made from recycled plastics, ground mounted solar panels underfloor electric heating, mechanical ventilation with heat recovery. The development is therefore considered to boast strong eco-credentials, whilst comprising a striking, innovative and unique design in this village location.

6.2.5 Moreover, it is further worthy of note that, whilst not adopted, the site sits within the proposed settlement boundary for Dalby in accordance with the draft Area Plan for the North and West. Upon adoption, the site would no longer sit within the open countryside, and therefore a stricter adherence to the design principles of Planning Circular 3/91 would not apply. Notwithstanding this however, Dalby is already listed in the Strategic Plan as a village where limited development is deemed acceptable provided it would maintain the existing settlement character. The development as proposed amounts to the redevelopment of previously development land, as confirmed by the previous Planning Inspector and meeting one of the defined exceptions of General Policy 3, and therefore the site's redevelopment would not amount to a southern 'extension' of the village into the conventional 'countryside'.

6.2.6 In terms of the wider visual impact of the development, the new dwelling would be partially visible upon exiting the village heading southbound, whilst being effectively screened from all remaining vistas due to the topography of the land sloping gently upwards from north-west to south-east, and dense mature screening along the remainder of the site's perimeter. The resultant development would therefore not be particularly, if at all, visible within the wider landscape and long distance views to the north, east and south.

6.2.7 Turning to landscaping within the site, which is already well-landscaped in its present form, it is noted that existing mature trees, hedges, scrub and lawn would be retained, aside from the removal of 4 no. category C trees to facilitate the development. This approach is considered to be acceptable and welcomed by the Ecosystems Policy Officer, with the recommendation that a condition is secured for a plan to be provided by way of a pre-commencement condition detailing a construction exclusion area and protective fencing to be erected between the development area and the remainder of the site. This is due to the 'garden' containing a variety of good habitat features such as scrub, semi-improved grassland and trees, likely to be of importance for a variety of wildlife, which could be negatively impacted by the building works. The attachment of such a condition is considered to be reasonable, in the interests of safeguarding biodiversity within the site. Details of tree protection measures have been included with this submission and are considered to be acceptable.

6.2.8 In light of the above, the development is therefore considered to be acceptable from a design perspective, adding a greater degree of visual interest in the context of the immediate streetscene, without detriment to the wider landscape. The proposals are therefore in accordance with General Policy 2, Environment Policies 1 and 2, and Housing Policy 14 of the Strategic Plan. Furthermore, the level of information submitted is considered to meet the requirements of Condition 2 and 4 of the Approval in Principle (21/00526/A) with respect to design, landscaping and arboricultural requirements.

### 6.3 RESIDENTIAL AMENITY

6.3.1 The siting and moderate scale of the dwelling is such that it would pose no material impact upon the amenities of the closest neighbouring residential property of Westwood House to the south/south-west, with the development affording future occupants a high standard of living. The proposals are therefore compliant with General Policy 2 (g) & (h) of the Strategic Plan.

### 6.4 HIGHWAYS AND PARKING

6.4.1 No objections have been raised by Highways Services with respect to the proposals, which would incorporate on-site parking provision for in excess of 2 dwellings, with clear space for vehicles to safely manoeuvre within the site. Likewise, visibility splays evidenced on the submitted site plan with respect to the main road from the new access are considered to be acceptable. The application therefore meets the requirements of Condition 3 of the Approval in Principle (21/00526/A).

## 6.5 OTHER MATTERS

6.5.1 The proposed works comprise a single dwelling, and are not considered to pose any issues with respect to respect of criminal activity or spread of fire. The new dwelling would be served by a soakaway for surface water drainage and connect to an existing foul sewerage, with a drainage channel to be installed at the edge of the driveway with the access road, to prevent surface water run-off onto the highway.

## 7.0 CONCLUSION

7.1 The proposed development is considered to constitute a high standard of design which add a degree of visual interest to the immediate streetscene, without detriment to the character of the wider landscape, whilst providing a high standard of accommodation for future occupants. The proposals are considered to be compliant with Strategic Policy 5, General Policies 2 and 3, Environment Policies 1 and 2, and Housing Policy 14 of the Strategic Plan (2016), and therefore recommended for approval.

## 8.0 INTERESTED PERSON STATUS

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

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

8.2 The decision maker must determine:

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

## PLANNING AUTHORITY AGENDA FOR 24th April 2023

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### Item 5.2

**Proposal :** **Erection of extension to provide a further roof top pavilion**  
**Site Address :** **Ashdowne House**  
**Ballavale Road**  
**Santon**  
**Isle Of Man**  
**IM4 1EH**  
**Applicant :** **MDL**  
**Application No. :** **23/00244/B**- click to view  
**Senior Planning Officer :** **Mr Jason Singleton**

**RECOMMENDATION:** **To APPROVE the application**

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### **Recommended Conditions and Notes for Approval**

**C : Conditions for approval**

**N : Notes (if any) attached to the conditions**

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

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

Reason for approval:

The proposal would accord with Environmental Policy 1, 2 and Housing Policy 16 of the Isle of Man Strategic Plan 2016

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### **Interested Person Status – Additional Persons**

None

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### **Planning Officer's Report**

THIS APPLICATION IS REFERRED TO THE PLANNING COMMITTEE DUE TO THE PLANNING HISTORY OF THE SITE

#### 1.0 THE SITE

1.1 The application site is the residential curtilage of an existing dwelling Ashdowne House, Ballavale Road, Santon. The property is a large detached property in a contemporary design located to the West of the highway. The property appears to be substantially complete (from a planning perspective) but remains surrounded by scaffolding.

#### 2.0 THE PROPOSAL

2.1 Proposed is the inclusion of a roof top extension to create a pavilion to match that of the existing. The footprint would measure an area of 7m x 4m and 2.3m high and be finished

with copper tile canopy with flat green roof behind, Hinoki timber frame structure and double glazed panels with Hinoki timber frames and glazing bars.

2.2 This application is essentially an extension to a former approval for a roof top pavilion. This application is towards the northern part of the building's roof in an unused area of flat roof.

### 3.0 PLANNING POLICY

3.1 In terms of local plan policy, the application site lies within an area on the Area Plan for the East as not zoned for any particular use on the proposals map No.3 and is further identified on the;

- o Constraints (Map 1a) - White land and Draft Area of Ecological Importance
- o Landscape Assessment Area (Map 2) - D13 'Incised Inland Slopes'

3.2 The site is not within a Conservation Area nor are there any registered trees affected by the proposals. Part of the site is identified as being with a flood risk (Surface Water) area.

3.3 With the Witten statement accompanying the plans, the Landscape category D13, is referenced at chapter 4.7.13 (Santon D13); for the Landscape Character Areas and Types. The overriding theme is the protection of the countryside with its rural character and open views.

3.4 This is further echoed though Landscape Proposal 7 (Santon) where it states; "In cases where new development is proposed, applications must demonstrate that it can be suitably integrated into the surrounding landscape setting through reasonable mitigation measures and considering siting, colours, materials, finishes and the general scale".

3.5 The Isle of Man Strategic Plan 2016 contains the following policies that are considered specifically material to the assessment of this application;

#### Strategic Policy

- o 2 Priority for new development to identified towns and villages

#### Spatial Policy

- o 5 Building in defined settlements or GP3

#### General Policy

- o 2 General Development Considerations
- o 3 Exceptions to development in the countryside

#### Housing Policy

- o 15 Extension or alteration to traditional styled properties in the countryside
- o 16 Extension and non-traditional properties in the countryside and visual impact

#### Environment Policy

- o 1 Protection of the countryside
- o 2 Protection of the character of AHLV

### 3.5 Residential Design Guide (2021)

This document provides detailed advice including sustainable development and climate change resilience, design of new houses and extensions to existing residential properties as well as how to assess the impact of such development on the living conditions of those in adjacent residential properties and sustainable methods of construction.

#### 4.0 PLANNING HISTORY

4.1 The following permissions are considered relevant to this application;  
18/00040/B - Creation of a roof top pavilion. Approved.

#### 5.0 REPRESENTATIONS

5.1 Santon Commissioners had not commented at the time of writing.

5.2 Highways Services commented (22/03/22) No objection.

#### 6.0 ASSESSMENT

6.1 The fundamental issues to consider in the assessment of this planning application are;  
- Principle of development (GP3, EP1, HP16)  
- Design and visual impact (GP2, HP16, Ep1&2)

##### Principle

6.1 Generally development within the countryside that sits outside of any defined villages or settlements is strictly controlled to through Strategic Policy 2. Strategic Policy 5 states that all new development should be designed so as to make a positive contribution to the environment of the Island.

6.2 The site falls outside of a defined settlement boundary and sits within the open countryside that is not designated for residential development. However, housing Policy 15 and its supporting text do include the provision for extensions to traditional dwellings within the countryside where these are sympathetic to the original dwelling. For non-traditional dwellings, Housing Policy 16 seeks to restrict extensions where this would increase the impact of the building as viewed by the public.

6.3 Housing Policy 16 seeks that additions should be of a high quality design, not detract from the character and appearance of the countryside, nor increase the overall visual impact of the resultant dwelling in the context of the public realm. In the case of non-traditional properties the Strategic Plan notes; "where these are of poor or unsympathetic appearance, extensions which would increase their impact of the property will generally not be acceptable".

6.4 Whilst an exception to the general policy against development in the countryside can be found within the Housing Policy 16, this must be carefully assessed and, whether, on balance of the competing planning policies. Care must be taken to control the size and form of those extensions or alterations to existing rural dwelling and when altered, must not detract from the amenities of the countryside.

6.5 Again, any rural development including extending an existing dwelling will be subject to higher design standards that would normally be required in those identified villages and settlements. The design must be properly integrated into the landscape in term of scale, materials, architectural style and engineering works and landscaping.

6.6 Extensions should be designed in such a way which helps preserve the rural character and the character of the property. The strategic plan is clear at para 7.4.1 "In cases where development cannot is not capable of being sensitively and unobtrusively integrated into the landscape, permission will not be granted".

6.7 It is noted that, planning permission has already been granted for broadly similar extensions to the existing property back in 2018, which amounted to an increase of floor area to the roof scape. When assessed against the current policies of the Strategic plan, mainly HP1, the main emphasis is on the visual impact of the proposals and whether there would be

any adverse impact upon the countryside (Ep1) as assessed below. The broad principle of an extension to the roof top pavilion type extension would be acceptable.

(i) Visual Impact

6.8 The proposed roof top extension would be introducing an additional built form (approx. 32sqm) and in terms of size and height and the general appearance would be appropriate to the roof scape and subordinate to the overall building.

6.9 The presence of an existing pavilion style extension ensures this addition would offer balance and symmetry that would be proportionate to the front and side elevation and designed to serve that specific purpose for additional living accommodation. When finished to match the high quality of the existing dwelling and roof top pavilion, would be considered complementary and helps to ensure the built form is in keeping with the character and appearance of this unique dwelling house.

6.10 In terms of impact on the adjacent railway line, whilst some parts of the building could be visible, from the railway line but the appearance here as noted above, would not be so detrimental in terms of visual impact and would add a degree of interest to the building from this perspective when passing on the train, if viewable at all. It should be noted there is considerable difference in level here and view up to the Pavilion would be at an oblique angle and positioning on the roof being set back from the edge of the building.

6.11 These high quality aspects of built form and level of finish are deemed to be an acceptable form of development that complies with those sections of Housing Policy 16 without harming the visual character and quality of the countryside within this area of high landscape value in accordance with Ep1 and EP2.

## 7.0 CONCLUSION

7.1 For the above reasons, it is concluded that the proposal would accord with Environmental Policy 1&2 and Housing Policy 16 of the Isle of Man Strategic Plan 2016, and is recommended for approval.

## 8.0 INTERESTED PERSON STATUS

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

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

8.2 The decision maker must determine:

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