

DEPARTMENT OF INFRASTRUCTURE

TOWN AND COUNTRY PLANNING ACT 1999 TOWN AND COUNTRY (DEVELOPMENT PROCEDURE) ORDER 2005

**Agenda for a meeting of the Planning Committee, 30th September 2013, 10.00am,
in the Ground Floor Meeting Room of Murray House, Mount Havelock, Douglas**

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 16th September 2013.

4. Any matters arising

5. Delegated Decisions

To note the decisions on those applications determined by the Director of Planning and Building Control, Development Control Manager or the Senior Planning Officers by the authority delegated to them by the Department under the Town and Country Planning (Development Procedure) Order 2005, for the period 7th to 23rd September 2013.

Schedule attached as Appendix One

6. To consider and determine Planning Applications

Schedule attached as Appendix Two.

Please note that the location plans included as part of Appendix Two of this Agenda are purely indicative and do not necessarily represent the application sites.

7. Appeal Decisions

To raise any appeal decisions issued between the period 7th to 23rd September 2013.

8. Site Visits

To agree dates for site visits if necessary.

9. Any other business

Item 9.1 Old Isle Of Man Bank Bowring Road Ramsey Isle Of Man IM8 2LQ PA13/00395/B	Alterations, erection of extension and conversion of ground floor from commercial to Class 3 Food and Drink use and upper and part ground floor to provide a self contained staff apartment (amended plans received which show the
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	parking area shared by the restaurant and car showroom; and e-mail from agent dated 28th May 2013 confirming the intended opening hours).
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To be brought before the Planning Committee in order to confirm that no new, relevant or substantial issues have arisen during the consultation period, and that the Applicant has confirmed the hours of operation. The Development Control Manager determined to approve the application under authority delegated to her in line with the instructions from the Committee at its meeting of the 28th August 2013, with the decision notice issued on the 24th September 2013.

10. Next meeting of the Planning Committee

Set for 14th October 2013.

Decisions issued under delegated authority 7/9/13 - 23/9/13

Appendix One

<i>PA No</i>	<i>Applicant</i>	<i>Proposal</i>	<i>Property Address</i>	<i>Decision</i>	<i>Date decision issued</i>
13/00870/B	Mr Philip David George Scott	Installation of replacement conservatory roof	2 Bradda View Ballakillowey Colby Isle Of Man IM9 4BE	PER	13/09/2013
13/00887/B	Mr Gary & Mrs Elaine Holmes	Erection of a staircase and balustrade to flat roof area on rear of dwelling (retrospective)	34 Queen Street Castletown Isle Of Man IM9 1PA	REF	13/09/2013
13/90949/B	Mr & Mrs Kevin Butler	Erection of a first floor extension over existing porch	18 Eilian Park Ramsey Isle Of Man IM8 3NS	PER	23/09/2013
13/90952/B	Mr Luke Cheetham	Removal of rear extension roof and creation of roof terrace and erection of ground floor extension	3 Woodburn Square Douglas Isle Of Man IM1 4DB	REF	11/09/2013
13/90934/B	Stephen Hind	Replacement of timber cladding with render, window alterations including removal of bay window, replacement of rear pitched roof with flat roof and installation of sun pipes	Laburnum Cottage Main Road Kirk Michael Isle Of Man IM6 1EA	PER	13/09/2013
13/90976/B	Onchan District Commissioners	Conversion of existing oil room to form a bin area	Springfield Court Elderly Persons Complex Onchan Isle Of Man IM3 4LH	PER	19/09/2013
13/90947/B	Carolyn Nicholson	Alterations and extension to dwelling (comprising amendments to PA 12/00888/B retrospective)	109 King Edward Road Onchan Isle Of Man IM3 2AS	PER	13/09/2013
13/90948/B	Mr & Mrs Michael Porter	Installation of additional window to side elevation	10 Fairway Drive Port Erin Isle Of Man IM9 6LR	PER	11/09/2013
13/90950/B	Mr Ciaran Michael Lawlor	Installation of a garage door to replace existing garage door and pedestrian doorway	18 Woodburn Square Douglas Isle Of Man IM1 4DE	PER	11/09/2013
13/90953/B	Miss Emma Jane Lewin	Installation of a replacement window to front elevation bay window	Fiat 1 6 Richmond Grove Douglas Isle Of Man IM1 3JZ	PER	11/09/2013

<i>PA No</i>	<i>Applicant</i>	<i>Proposal</i>	<i>Property Address</i>	<i>Decision</i>	<i>Date decision issued</i>
13/09041/B	Mr Chris Turner	Window alteration and erection of an extension to dwelling	Fiambrds West Baldwin Road Mount Rule Isle Of Man IM4 4HS	PER	13/09/2013
13/09042/B	Mr Steve Young	Window alterations and erection of a link between garage and dwelling	Kerrowmoar Cottage Kerrowmoar Sulby Isle Of Man IM7 2AX	PER	19/09/2013
13/09044/B	Mr James McKeirman	Alterations to existing vehicular access including erection of walls with pedestrian access and automated gate	Tristle House Quarterbridge Road Douglas Isle Of Man IM2 3RQ	PER	16/09/2013
13/00917/A	Rachel Ellen Cringle	Approval in principle for erection of a dwelling to replace existing barn	Building & Part Of Field No 424871 Across Road From Arbory School Main Road Ballabeg Castletown Isle Of Man	REF	11/09/2013
13/09029/B	Mr Richard Ponton	Replace existing conservatory roof with lightweight roof tiles	Dalby Spook Westhill Village Jurby Road Ramsey Isle Of Man IM8 3TD	PER	13/09/2013
13/00974/F	Revd Clive Burgess	Registered Building Consent for demolition of toilet block and re-instate boundary wall	Toilet Block St Peter's Church Yard Church Road Onchan Isle Of Man	PER	19/09/2013
13/00330/B	Mr & Mrs Steve Bee	Erection of a dormer bungalow with integral garage	Land Adjacent To 53 Barrule Park Ramsey Isle Of Man	REF	13/09/2013
13/00915/B	Mr John Smith & Mrs Angela Dixon Lampitt	Erection of a detached garage and landscaping works	Glebe Cottage St Marks Ballasalla Isle Of Man IM9 3AH	REF	13/09/2013
13/09059/B	Mr Peter Higgins	Replace existing glazed conservatory roof with lightweight slates/tiles	22 Ballaquane Park Peel Isle Of Man IM5 1PU	PER	19/09/2013
13/00970/CON	Vicars And Wardens Of St German's Cathedral	Registered Building Consent for internal alterations to provide a prayer room and installation of an Aubrey (RB no 204)	St German's Cathedral Derby Road Peel Isle Of Man IM5 1HH	PER	18/09/2013
13/00903/B	Mr Ian Quiggin	Alterations and extension to dwelling	5 Howstrake Drive Onchan Isle Of Man IM3 1BP	PER	23/09/2013
13/00864/B	Selborne Management Company Limited	Installation of replacement windows to front and rear elevations	1 Selborne Road Douglas Isle Of Man IM1 4BT	PER	23/09/2013

<i>PA No</i>	<i>Applicant</i>	<i>Proposal</i>	<i>Property Address</i>	<i>Decision</i>	<i>Date decision issued</i>
13/00889/B	Mr Bryan Dowson	Increase height of existing wall	13 Seaview Road Onchan Isle Of Man IM3 4AQ	PER	18/09/2013
13/09336/B	Mr Paul Muirhead	Removal of chimney stack	Brentwood Ellenbrook Close Douglas Isle Of Man IM2 1QF	PER	13/09/2013
13/00871/B	Mr Dave Smyth	Alterations and erection of an extension to dwelling (amendment to PA 13/00431/B)	Ty-Ny-Coed Claughbane Walk Ramsey Isle Of Man IM8 2JL	PER	13/09/2013
13/00928/D	The Hooded Ram Brewing Company	Erection of advertising signage	Unit 3 Hills Meadow Industrial Estate Douglas Isle Of Man IM1 5EB	PER	23/09/2013
13/09335/B	Mr Ian Douglas Costain	Residential layout for two plots with associated roads and sewers	Land Adjacent To Orryside Main Road Colby Isle Of Man	PER	19/09/2013
13/09381/B	Mr David Corris	Demolition of existing building and erection of two semi detached dwellings with attached garages	16 & 16A Marathon Road Douglas Isle Of Man IM2 4HL	REF	19/09/2013
13/00907/B	Alton Investment Company Limited	Conversion of basement and ground floor to three apartments	46 Loch Promenade Douglas Isle Of Man IM1 2LZ	REF	10/09/2013
13/09369/B	Mr Graham Farnhill	Replace existing conservatory roof with light weight roof tiles	11 Lhag Mooar Port Erin Isle Of Man IM9 6LY	PER	19/09/2013
13/09382/B	Mr & Mrs John Collins	Replace existing conservatory roof with light weight roof tiles	8 Gainsborough Crescent Ramsey Isle Of Man IM6 3NH	PER	23/09/2013
13/09383/B	Mr Paul Davis	Erection of an agricultural building	Field 434446 Ballaloaghtan Kerrowkeil Road Grenaby Ballasalla Isle Of Man	PER	19/09/2013
13/00779/B	Mr Gordon Rice & Miss Sharon Howland	Alterations, erection of extension to dwelling and extend driveway	12 Muil View Kirk Michael Isle Of Man IM6 1AQ	PER	10/09/2013
13/09368/B	Mrs Diane Rybij	Erection of an extension to rear elevation of dwelling (amendment to PA 12/00686/B)	33 Ballabrooie Grove Douglas Isle Of Man IM1 4EX	PER	19/09/2013

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13/00911/B	Mr John Nicholas Keig	Erection of an extension and timber deck to rear of dwelling	Windbourne Main Road Union Mills Isle Of Man IM4 4AN	PER	18/09/2013
13/00875/B	Robert George Michael McIntee	Installation of replacement balcony balustrades (retrospective)	3 And 4 Premier Road Ramsey Isle Of Man IM8 3AS	PER	23/09/2013
13/00619/B	Mr & Mrs Darren Corlett	Alterations and erection of an extension to dwelling	133 Royal Avenue Onchan Isle Of Man IM3 1LD	REF	13/09/2013
13/90972/B	Mr Peter & Mrs Helen Webb	Erection of a conservatory to dwelling	Karrin Sulby Glen Sulby Isle Of Man IM7 2AZ	PER	23/09/2013
13/00762/B	Mr David & Mrs Patricia Swanson	Erection of a replacement dwelling and garage	Clarecourt Marathon Road Douglas Isle Of Man IM2 4HL	REF	23/09/2013
13/90977/B	Terry Griffiths	Installation of replacement windows and front door	Keirn Corneil 42 The Meadows Kirk Michael Isle Of Man IM6 1EU	PER	19/09/2013
13/90978/B	The Vicars And Wardens Of St Catherine's Church And Hall	Erection of disabled access ramps	St Catherine's Church And Church Hall Church Road Port Erin Isle Of Man IM9 6AH	PER	23/09/2013
13/90919/B	Forest Homes Developments Limited	Alterations and extension to dwelling	11 Cambridge Terrace Douglas Isle Of Man IM1 3LL	PER	13/09/2013
13/90938/B	Mrs Maria Crompton	Erection of a chimney breast to side elevation	1 Howe Road Onchan Isle Of Man IM3 2AP	PER	13/09/2013
13/90955/B	Mrs Clare Ison	Installation of replacement double doors	3 The Viking Longhouse Mariners Wharf East Quay Peel Isle Of Man IM5 1AR	PER	13/09/2013
13/90957/B	Mr Dave Cameron	Alterations, replace garage door with a window, erection of an extension and widening of driveway	7 Hilltop View Douglas Isle Of Man IM2 2LA	PER	11/09/2013
13/90985/B	Mr Tony Mallison	Creation of a driveway and vehicular access to dwelling house	Emscote Highfield Drive Baldrine Isle Of Man IM4 6EE	PER	19/09/2013

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13/90945/B	Mr Brian & Mrs Pamela Farrow	Addition of a cavity and new masonry external wall to dwelling	57 Claghbane Drive Ramsey Isle Of Man IM8 2BH	PER	23/09/2013
13/00728/B	Mr Robert Holtby	Erection of extension to rear elevation, including external stairs and roof light	11 Poplar Terrace Douglas Isle Of Man IM2 4AR	PER	18/09/2013
13/00731/D	Victoria Carleton	Erection of signage	10 Parliament Street Ramsey Isle Of Man IM8 1AP	PER	10/09/2013
13/90930/B	Empire Garage Ltd	Erection of five lock up garages	Yard Stanley Road Peel Isle Of Man IM5 1NY	REF	19/09/2013
13/90937/B	Mr Paul Muirhead	Replace existing conservatory roof with lightweight tiles and window/door alterations	Brentwood Ellenbrook Close Douglas Isle Of Man IM2 1QF	PER	11/09/2013
13/00566/B	Mrs Barbara Clarke	Conversion of existing farm outbuildings to provide two tourist accommodation units with associated off street parking	Surby Farm Surby Road Ballafesson Port Erin Isle Of Man IM9 6TE	PER	13/09/2013
13/00882/D	Whilo Ltd	Erection of illuminated advertising signage	70-72 Bucks Road Douglas Isle Of Man IM1 3AE	PER	16/09/2013
13/00867/B	Mr Melvyn Howard Todd	Roofing works to existing conservatory	22 Wybourn Drive Onchan Isle Of Man IM3 4AJ	PER	23/09/2013
13/90940/B	Mrs Karen Denise Catlow	Widening of vehicular access and driveway	Kayt Injil Bowling Green Road Castletown Isle Of Man IM9 1EA	PER	11/09/2013
13/00849/B	Department Of Environment Food And Agriculture	Erection of a replacement pedestrian footbridge over river,	Footbridge Silverdale Glen Silverdale Road Ballasalla Isle Of Man	PER	23/09/2013

PLANNING COMMITTEE Meeting, 30th September 2013
Schedule of planning applications

<p>Item 1 Callow's Yard Arbory Street Castletown Isle Of Man</p> <p>PA13/00797/B Recommendation : Refused</p>	<p>Conversion of houses 1-6, Callow's Yard and cottages 1-3, Callow's Yard to 18 apartments, conversion of 8 apartments over 10,12,14,16,18 and 20 Arbory Street Castletown into 18 apartments and conversion of the Function Room at the rear of 28 Arbory Street into 5 apartments and an office</p>
<p>Item 2 Barn Field 321757 Braaid Road Braaid Isle Of Man</p> <p>PA13/00880/A Recommendation : Permitted</p>	<p>Approval in principle for extension and conversion of redundant barn to a dwelling with improvement to vehicular access and driveway</p>
<p>Item 3 Ballacregga Farm Marine Drive Port Soderick IM4 1HN</p> <p>PA13/00239/B Recommendation : Permitted</p>	<p>Demolish existing dwelling, secondary dwelling and shed and erection of a replacement dwelling with open car port and associated landscaping</p>
<p>Item 4 Field 610760 And 610759 Ballaragh Road Laxey Isle Of Man</p> <p>PA13/00676/B Recommendation : Approve subject to Legal Agreement</p>	<p>Creation of vehicular access and installation of hardcore track (retrospective)</p>
<p>Item 5 Bus Station Atholl Street Peel Isle Of Man IM5 1HQ</p> <p>PA13/00682/B Recommendation : Permitted</p>	<p>Conversion of existing bus station to provide self storage units with associated parking</p>
<p>Item 6 Manningham Hotel 1 Castle Drive Douglas Isle Of Man IM2 4LX</p> <p>PA13/00896/B Recommendation : Permitted</p>	<p>Conversion from tourist accommodation to provide six residential apartments</p>
<p>Item 7 Braeside Loch Road Port St. Mary Isle Of Man IM9 5EB</p> <p>PA13/90967/B Recommendation : Permitted</p>	<p>Demolition of existing property and erection of two semi detached dwellings with associated parking</p>

<p>Item 8 Cooil Road Douglas Isle Of Man</p> <p>PA13/00892/D Recommendation : Permitted</p>	<p>Erection advertising signage</p>
<p>Item 9 Land At Clarecourt Marathon Road Douglas Isle Of Man</p> <p>PA13/00755/REM Recommendation : Refused</p>	<p>Reserved Matters Application for erection of a dwelling and garage with greenhouse and shed</p>
<p>Item 10 5 Springfield Rise Foxdale Isle Of Man IM4 3JX</p> <p>PA13/90984/B Recommendation : Permitted</p>	<p>Installation of external flue to side elevation</p>
<p>Item 11 12 Marsden Terrace Ramsey Isle Of Man IM8 3DS</p> <p>PA13/00638/B Recommendation : Refused</p>	<p>Erection of two storey extension with balcony over and installation of dormer to rear elevation</p>

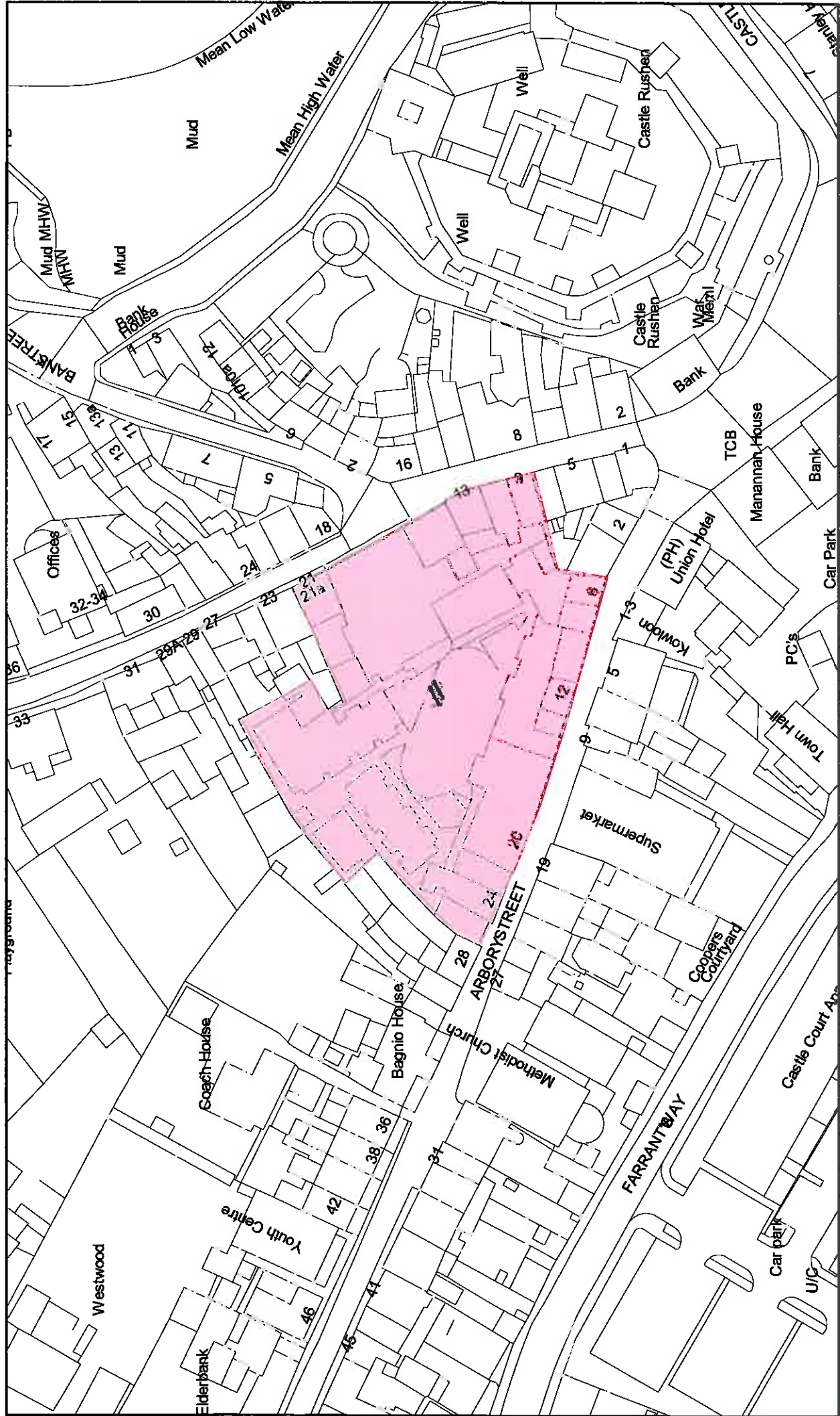


Department of Infrastructure

Planning and Building Control Division



Date	19 September 2013
Comments	13/00797/B Callow's Yard



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PLANNING AUTHORITY AGENDA FOR 30th September 2013

Item 1

Proposal :	Conversion of houses 1-6, Callow's Yard and cottages 1-3, Callow's Yard to 18 apartments, conversion of 8 apartments over 10,12,14,16,18 and 20 Arbory Street Castletown into 18 apartments and conversion of the Function Room at the rear of 28 Arbory Street into 5 apartments and an office
Site Address :	Callow's Yard Arbory Street Castletown Isle of Man
Applicant :	Mr Roy Tilleard
Application No. :	13/00797/B
Case Officer :	Miss S E Corlett

RECOMMENDATION: To REFUSE the application

Planning Officer's Report

THIS APPLICATION IS REFERRED TO THE PLANNING COMMITTEE DUE TO THE NUMBER OF OBJECTIONS WHICH HAVE BEEN RECEIVED AND THE PLANNING HISTORY OF THE SITE

THE SITE

1.1 The site is the curtilage of what has become known as Callow's Yard; a mixed use development of dwellings, offices, catering and retail uses within an area which has been redeveloped through the conversion and replacement of existing fabric. The scheme emerged in 2002 for the development of the land between Malew Street and Arbory Street and after a number of schemes were submitted, the development which forms the basis of the existing facilities was approved under PA 05/01539 which was approved on appeal, following approval by the Planning Committee but a recommendation by the reporting Inspector for refusal on the basis of inadequate parking.

1.2 Since that original approval, the site has been the subject of expansion into some of the units surrounding the original site, and various applications for changes of use of the units to and from retail, offices, residential accommodation, a function room and associated facilities.

THE PROPOSAL

2.1 Proposed now is the conversion of the housing units on the inside of the complex (houses 1-6 and cottages 1-3, Callow's Yard) and the apartments above numbers 10 to 18 Arbory Street which are retail and catering premises on the ground floors with apartments in the floors above, to a greater number of units but retaining the same number of bedrooms.

2.2 The houses and cottages in the middle of the two streets will be changed from terraces of single dwellings to having an apartment on each floor - a total of eighteen single bedroom apartments in place of nine dwellings.

2.3 The apartments above 10-18, Arbory Street will change from eight apartments some of which are spread over two or three floors, to sixteen single bed apartments and an office space above the cafe will change to a further single bed roomed apartment. The two storey houses within the courtyard in the two streets will change from nine semi-detached and terraced two bedroomed properties to eighteen single bedroomed units. Also proposed is the conversion of a former function room with retail unit above, which is situated to the rear of the communal refuse facility and alongside two of the terraced houses, to a single unit with

office to the rear on the ground floor and four single bedroomed apartments above. The upper floor of this building is served by rooflights and dormer windows.

PLANNING POLICY AND STATUS

3.1 The site lies within an area of Mixed Use on the Southern Area Plan. Mixed Use Proposal 4 of the Plan states: "The upper floors of buildings in the Mixed Use areas of Castletown Port Erin, Port St. Mary and Ballasalla may be appropriate for office use although there will be a presumption in favour of the retention of the existing residential uses subject to the circumstances and merits of any alternative uses". The desire to promote a mixture of uses in town and village centres is also promoted (paragraphs 6.6.1, 6.6.2 and 6.6.3).

3.2 The site also lies within Castletown's Conservation Area.

3.3 As the proposed use complies with the provisions of the relevant development plan, the provisions of General Policy 2 are applicable as follows:

"Development which is in accordance with the land use zoning and proposals in the appropriate Area Plan and with other policies of this Strategic Plan will normally be permitted, provided that the development:

- b) respects the site and surroundings in terms of the siting, layout, scale form, design and landscaping of buildings and the spaces around them;
- c) does not affect adversely the character of the surrounding landscape or townscape;
- g) does not affect adversely the amenity of local residents or the character of the locality;
- h) provides satisfactory amenity standards in itself, including where appropriate safe and convenient access for all highway users, together with adequate parking, servicing and manoeuvring space;
- i) does not have an adverse effect on road safety or traffic flows on the local highways."

3.4 Environment Policy 35 is also applicable here: "Within Conservation Areas, the Department will permit only development which would preserve or enhance the character of appearance of the area, and will ensure that the special features contributing to the character and quality are protected against inappropriate development."

3.5 The creation of apartments is the subject of Housing Policy 17 which states: "The conversion of buildings into flats will generally be permitted in residential areas provided that:

- a) adequate space can be provided for clothes-drying, refuse storage, general amenity and, if practical, car parking;
- b) the flats created will have a pleasant clear outlook, particularly from the principal rooms and
- c) if possible, this involves the creation of parking on site or as part of an overall traffic management strategy for the area."

3.6 Car parking is required to be provided at a ratio of one space per bedroom for apartments, two spaces per residential unit otherwise. Appendix Seven of the Strategic Plan states: "These standards may be relaxed where development:

- (a) would secure the re-use of a Registered Building or a building of architectural or historic interest; or
- (b) would result in the preservation of a sensitive streetscape; or
- (c) is otherwise of benefit to the character of a Conservation Area.
- (d) is within a reasonable distance of an existing or proposed bus route and it can be demonstrated a reduced level of parking will not result in unacceptable on street parking in the locality."

3.7 The Appendix includes the following: "A.7.1 High levels of car ownership have led to an increase in the level of parking expected for new residential development, and outside of town centre locations these standards should not be relaxed. New-built residential development should be provided with two parking spaces per dwelling, at least one of which should be within the curtilage of the dwelling and behind the front of the dwelling, although the amount and location of parking will vary in respect of development such as terracing, apartments, and sheltered housing. In the case of town centre and previously developed sites, the Department will consider reducing this requirement having regard to:

- (a) the location of the housing relative to public transport, employment, and public amenities;
- (b) the size of the dwelling;
- (c) any restriction on the nature of the occupancy (such as sheltered housing); and
- (d) the impact on the character and appearance of the surrounding area."

PLANNING HISTORY

4.1 Planning permission was granted for the creation of the mixed use redevelopment scheme firstly under PA 05/01539/B. This included provision for the upper floors of the retail space as residential units and retail/food and drink outlets. Over time, various applications have been submitted for this site including ones to change the use of some of the residential areas to office use (PA 10/00334 and 09/001536).

4.2 When the original application was considered, the main area of concern was car parking with objections and concerns raised by local residents. The then Department of Transport Highways Division required that off street parking be provided by way of an arrangement on the basis of a residents' parking permit system with Castletown Commissioners somewhere in the vicinity of the site. Castletown Commissioners raised no objection to the application, considering it "vital for the regeneration and viability of the town centre".

4.3 The Inspector considering the application was of the view that there was only one issue to be considered and that was car parking on the basis of whether the vehicles owned by the residents of the proposed development may be adequately parked within reasonable distance of the development, and if not, whether the conservation and regeneration attributes of the proposal are such that it should proceed nevertheless" (paragraph 64). He concluded that without any firm evidence of parking space usage and availability of spaces, there was no justifiable reason for completely setting aside the parking requirements for the scheme.

4.4 The Minister however considered that "the disadvantages arising from the absence of parking provision are not so great as to outweigh the undoubted advantages of the proposal and that the expeditious progress of this scheme should not be jeopardised by the obvious difficulty of securing a satisfactory arrangement for off-site parking provision" and approved the application, recommending that the Department of Transport and Castletown Commissioners continue their investigation and formulation of proposals for resolving the long term problems of parking in the Town.

4.5 Department of Infrastructure commissioned a parking and public transport study in April, 2012 for Castletown. This found that in the longer term future, whilst the number of spaces available may well exceed that required or demanded, work needs to be done to better control parking within the Town, consideration of the introduction of paying for parking, making residents' parking permits apply to specific areas of the Town closer to their areas of residence and improvement of enforcement of parking restrictions. These responsibilities largely fall with Department of Infrastructure and Castletown Commissioners

4.6 Planning permission has recently been granted for the conversion of office accommodation within the complex, mainly above the Malew Street retail units, to apartments (PA 13/00251).

REPRESENTATIONS

5.1 Architectural Liaison Officer objects to the application on the basis of the concentration of single bedroomed units, the lack of a mixture of house types and occupants and resultant concerns for policing the area and suggests that this would have "an inexorable negative impact upon the demographic makeup of the site's residents" and would be an over-intensive use of the site. He comments that single bedroomed units tend to attract younger, single, male occupants who have a tendency not to engage positively with their neighbours, cause noise nuisance to neighbouring properties and display anti-social behaviour towards neighbours, whether this be intentional or not. He suggests that there is a real risk of this becoming a bed sit community with poor levels of social cohesion with associated levels of complaints and anti-social behaviour. This may in turn make it difficult to let other units - residential or retail and may make the other residential units unattractive to anyone other than the younger, male, single potential occupant. He is not aware of such a large concentration of single bedroomed units elsewhere on the Island. The nearest comparison would be areas where former boarding houses have been converted to apartments and experience shows that these properties are frequently the locus of neighbour disputes and complaints of anti-social behaviour due in part of their poor levels of social cohesion and lack of a sense of community.

5.2 The occupant of 4, The Promenade, Castletown objects to the application on the basis that the function room is still widely needed in the town and that there is inadequate car parking for the existing development, never mind additional units.

5.3 The occupant of 36, Arbory Street, Castletown objects to the application on the basis that parking is already inadequate and the proposed works would make the situation worse. She considers that apartments are not needed.

5.4 The occupants of The Malt House on Bridge Street, Castletown object to the application on the basis that the works will turn the existing complex into "some sort of Dickensian warren without parking" and the town centre will continue to be "blighted by unsuccessful development". They consider that the solution to the issues at the site are to reduce the rents and prices until they are occupied or sold rather than to continue to change the use and intensity. Increasing the density of occupation will increase parking difficulties in the area.

5.5 Castletown Heritage object to the application on the basis that the concentration of single bed units in the centre of town is too high and "against the ethos of the Conservation Area". They are also concerned at the lack of parking which will put pressure on the narrow streets and already limited parking available there. They feel that shops should be reinstated in the units to promote the viability of the town and are concerned at the absence of the link between Malew and Arbory Streets which was an initial core concept of the scheme which led to its approval. There is also a lack of play facilities for any children who may occupy these units.

5.6 The owners of 45, Arbory Street object to the application on the basis of inadequate parking and the decrease in highway safety for users of the town's streets. The additional parking spaces required to serve the proposed units could result in spaces not being available for shoppers and thus could adversely affect the vitality and viability of the scheme.

5.7 The owner of 5, Knock Rushen objects to the application on the basis of inadequate parking and increase in the amount of traffic which will have a detrimental impact on highway safety. Also he is concerned that the ratio of housing to commercial outlets will be skewed such that this will adversely affect the viability of the town from a commercial perspective. The opening of the link between Malew Street and Arbory Street would help the attractiveness of the commercial units from a shopper's as well as a resident's perspective.

5.8 The owner of 47, Arbory Street object to the application on the basis of inadequate car parking and the resultant impact on surrounding streets.

5.9 Castletown Commissioners share the concerns of the Architectural Liaison Officer in respect of the implications for lack of parking, over-intensive use of the site, the potential social impact from having so many single bed units in this location. They also believe that had the original application for the creation of Callow's Yard included this amount of housing then it may well not have been approved.

5.10 Mr. Ronan MHK objects to the application of the lack of practical car parking available to the site and also that the conversion of the approved residential units all to single bed units will not be sustainable as the site will not be able to accommodate the changing needs of the occupants over time – for example if any of the occupants started a family, the site is no longer suitable for families, nor would the units be suitable for conversion to suit. He also considers that the scheme would not result in the sort of quality accommodation or tourist accommodation which the town requires and deserves and that the social impacts of having so many single bed units concentrated in one area in the centre of town, placing very different types of occupant in close proximity to each other – elderly persons close to younger people could result in noise and behavioural issues.

5.11 The owner of 35, Malew Street objects to the application on the basis that the "ever increasing traffic congestion" will be exacerbated by the proposal, particularly the junction of Bank Street and Malew Street.

5.12 The owners of 38, Arbory Street object to the application on the basis that there is no parking provided, the amount of bins which will be required will exacerbate an existing problem when the bins are put out onto the street for emptying, creating an access problem for other users of the street. There are already enough apartments available for rent. The size of the units and their number will result in a significant concentration of people in the area which is uncharacteristic of the town and the resulting issue of potential noise nuisance may be detrimental to other residents in the area. They believe that the function room should be retained to provide additional commercial or complementary facilities in the town.

5.13 The owners of 40, Arbory Street object on the basis that there is no parking provided for the occupants of the units, more commercial premises should be encouraged to promote the viability of the scheme rather than yet more residences and note that there is already plenty of rentable properties in the town.

5.14 Department of Social Care recommend that as 24 new permanent dwellings are to be created, provision should be made for affordable housing (ie 6 units). They recommend that on the basis of the nature of the properties, a commuted sum towards more appropriately designed dwellings may be appropriate rather than the provision of the units within the existing development.

5.15 Manx Electricity Authority seek consultation regarding the provision of electricity supplies to the site.

5.16 Highways Division consider that there will not be an adverse traffic impact from the proposed development as the requirement for parking spaces resulting from the proposed use of the units is marginally less than that which is required to serve the existing number of units.

5.17 Inspector Bibby from the Southern Neighbourhood Police unit based in Port Erin supports the views of the Architectural Liaison Officer and is concerned that approval of this application could lead to further increases in density from further changes of use to more,

smaller residential units. He queries that the units would not end up being let to those on social care support and refers to a suggestion made to him from the applicant to reduce the number of conversions by three (ie six proposed units would remain as three apartments) and comments that whilst this would help but would still leave 30 units available for single bed usage. He comments that if the current units were let with 108 persons, they would include families and couples which would have the impact of a reduction in car ownership and use compared with an occupancy on the basis of single units. They refer to current housing lists and note that there are 6 couples on the list and 41 individuals waiting for single occupancy housing so it is very likely that the units will be occupied as single person occupancy. He considers that as such, it is likely that the area will become a "bed sit" community with poor levels of social cohesion and could then adversely impact on the company's ability to market and rent out the remaining units. For example, it is unlikely that the complex as proposed would remain attractive to families and couples. He fully accepts that many of his concerns are based upon hypothesis of what may happen but bases this on almost twenty years of community policing and on the basis that areas like this have been the subject of complaints, neighbour disputes, anti-social behaviour which draw upon police resources and other public sectors and of course cause local difficulties.

5.18 The applicant has had the opportunity to respond in writing to the comments which have been raised and put forward the following points in support of the application. They confirm that their primary objective is to ensure that the units are occupied and particularly that the space above the commercial units are occupied and suggest that they are "converted to offer much needed quality residential accommodation in Castletown". Indeed they refer to the Castletown Local Plan policy 5.4 which states "Introduction of housing into the town itself will be encouraged but will require to be to a suitably high standard of design in line with the conservation area policy". It also states, "Within the historic town, the conversion of suitable buildings to residential use will be encouraged as will the use of upper floors as apartments. It is felt that this policy will encourage the maintenance and repair of upper levels which might otherwise deteriorate due to lack of use" (policy 5.9). Of course the local plan of 1991 has been superseded by the Southern Area Plan of 2013.

5.19 They go on to clarify the nature of the occupancy of the existing units, which include DSC individuals, fathers and sons, retired couple, family units and staff. They point out that 9 of the 14 two bed units are occupied by single people and a further seven single bed units are occupied accordingly, illustrating that the majority of occupants seek single bed units. Currently, of the 28 units available, nine are occupied by one or more DSC supported individuals. they consider that this supports the need for single bed units as proposed in this application.

5.20 They do not consider that there will be an issue in respect of parking as the parking requirement is no less being satisfied than it would be in the current occupancy situation. They refer to the findings of the Castletown Parking Survey which does not conclude that there is a parking issue in relation to the number of spaces at the present time. They reject reference to the term "bedsit" and suggest that they would be within a category of houses in multiple occupation which is not what is proposed here. They ask whether the police are an interested party to the application.

5.21 To clarify the last point, the police are part of the Department of Home Affairs which is a statutory authority. They raise issues which are accepted as material planning considerations and as such should be afforded party status in this case (see below).

ASSESSMENT

6.1 The proposal will not result in any significant external change to the buildings and the proposal is to change the accommodation from one form of residential use to another. As such, the policies in the local plan are of limited use as they simply refer to the acceptability

of residential use in the town centre and the issue here is the size and nature of the accommodation and the number of units which would result. The critical considerations in this case are therefore whether the resultant mix of unit types and the number of units would have an adverse impact on the operation of the town centre as a place to live and work and where people come to shop and enjoy the historic environment and also whether there is an impact on highway safety and traffic.

6.2 Currently the layout accommodates a number of different unit types - from nine terraced dwellings, to a variety of single, two, three and four bed apartments, some spread over more than one floor. This can, and does as has been indicated by the applicant, accommodate a range of users, including couples, families and father and son/mother and daughter couples. If the proposal were to be approved, this would change to all single bed units and the vast majority accommodating only one person. The information provided by the applicant not only indicates that the current units provide a range of accommodation but also that all but one unit is occupied (a two bed unit).

6.3 At the time of writing, advertised for sale with local estate agents (Chrystals, Cowley Groves, Propertywise, Harmony Homes, Black Grace Cowley, ManxMove) there are available to rent 7 one bed apartments, 14 two bed apartments, 1 three bed apartment, 6 two bed houses, 10 three bed houses, 3 four bed houses and two with more than four bedrooms all in Castletown. As such, there are more two bed apartments for rent but there are available single bed units within the town. Clearly the attractiveness of particular units relate to a number of things - the rental price, location, age, furnishings and it is not to say that all single or two bed apartments are directly comparable with any other.

6.4 The views of the local police officer and the Architectural Liaison Officer are material considerations, particularly in respect of the implications from previous experience of having a large number of small units in such close proximity. It is relevant to consider whether what is proposed would affect the operation of the town as a place to live as well as a place where visitors come at all times of day and night, to shop, eat out and go for a drink. To have such a large number of single bed units may end up creating an environment where non-residents do not feel comfortable, regardless of whether there is any anti-social behaviour or nuisance on the basis that the area is occupied by a large number of similar types of people, rather than a mix. It is relevant that the complex was originally designed as a focus for the town, where people would be encouraged to filter through the site from Arbory Street to Malew Street and with a central area where events could be held or people could sit and relax. It is unlikely that this would happen if the number of units were increased as proposed or perhaps that the congregation of a large number of young people in the one place, out of the public gaze, would be a cause of concern for the police and for the occupiers of commercial property in and around the complex. This is speculative but the views of the police, which are based upon experience elsewhere on the Island, should not be disregarded in this respect.

6.5 It is therefore considered that the increase in units and them all being single bed units will result in a change to the character of the site, to the detriment of the interest and attractiveness of the complex to shoppers and visitors and which would thus be to the detriment of the town as a whole. This would be relevant in any town centre but is of particular concern here as the town is of considerable historical interest, reflected in its Conservation Area status.

6.6 The highway authority has recommended that the proposal will not result in an adverse traffic impact. In mathematical terms, there will not be any greater demand for parking as a result of the change in unit type and the number of apartments. It could also be argued that those people who elect to occupy a single bed unit, perhaps on the basis of cost, are less likely to have a private vehicle available to them and as such the change in apartment type

could result in a decrease in demand for car parking space. It is difficult to support a refusal of the application on the basis of the impact on car parking on this basis.

6.7 The applicant has indicated to the Southern Community Police Officer that they are willing to retain three of the dwellings in the courtyard as two storey dwellings and the Committee should consider whether this change would result in the scheme becoming acceptable. It should be noted that within the courtyard area there are nine two storey cottages and the proposed amendment would still result in six of these being converted to twelve single bed apartments. It is considered that this ratio is likely to result in the three remaining cottages being unattractive to potential tenants as they would be effectively surrounded by single bed units. As such, it is not considered that this would overcome the concerns raised above.

6.8 The Government Strategic Objectives include under "Social", "to promote high standards of residential amenity in new development and to provide a physically safe environment for all communities" and "to promote community safety and security within new development, regeneration and refurbishment by encouraging the adoption of the principles of "Designing Out Crime", included within the Strategic Plan (Chapter 3). The advice from the Architectural Liaison Officer is such that this scheme has the potential to give rise to anti-social behaviour. As such, the proposal is considered to be contrary to this Social Strategic Objective, as well as General Policy 2b, c and g and would not preserve or enhance the character of the Conservation Area in which the site lies.

6.9 The present economic climate is difficult and the residential property market is currently slower than it probably was when the scheme was initially considered. The whole Callow's Yard scheme has changed substantially since its original approval, to the extent that it is on the verge of losing some of the characteristics which resulted in its approval initially – the inclusion of a function suite, a mix of houses and apartments and a range of shops. The approvals which have been granted have tried to accommodate these changes in order to maintain the scheme as a viable investment such that the shops and commercial units will be attractive to occupiers but the high turnover of tenants and the number of unoccupied units would appear to suggest that this has not been as successful as was hoped. However, the Planning Committee's objective should not be to try to have the units occupied by anyone at any cost and they should remain committed to preserving the character of the scheme and the town as a whole. It is considered that this change, even with the retention of three of the central units as houses, would achieve this and the application is recommended for refusal.

PARTY STATUS

7.1 The local authority, Castletown Commissioners are, by virtue of the Town and Country Planning (Development Procedure) Order 2005, considered "interested persons" and as such should be afforded party status.

7.2 Architectural Liaison Officer, Southern Community Police Officer and Department of Social Care represent a statutory authority raising material planning considerations and as such should be afforded party status in this case.

7.3 The residents of the following properties are considered close enough to the site to be directly affected by the proposal (predominantly by the impact of there not being any parking provided) and as such are recommended as having party status in this case:

35, Malew Street
36, Arbory Street
38, Arbory Street
40, Arbory Street
45, Arbory Street
47, Arbory Street

7.4 The residents of the following properties are not considered to be close enough to the application site to be directly affected by the proposal and as such they should not be afforded party status in this case:

4, The Promenade, Castletown
The Malt House on Bridge Street, Castletown
5, Knock Rushen

7.5 The following parties are not directly affected by the proposal and as such should not be afforded party status:

Castletown Heritage
Mr. Ronan MHK

7.6 Manx Electricity Authority does not raise material planning considerations and as such should not be afforded party status in this case.

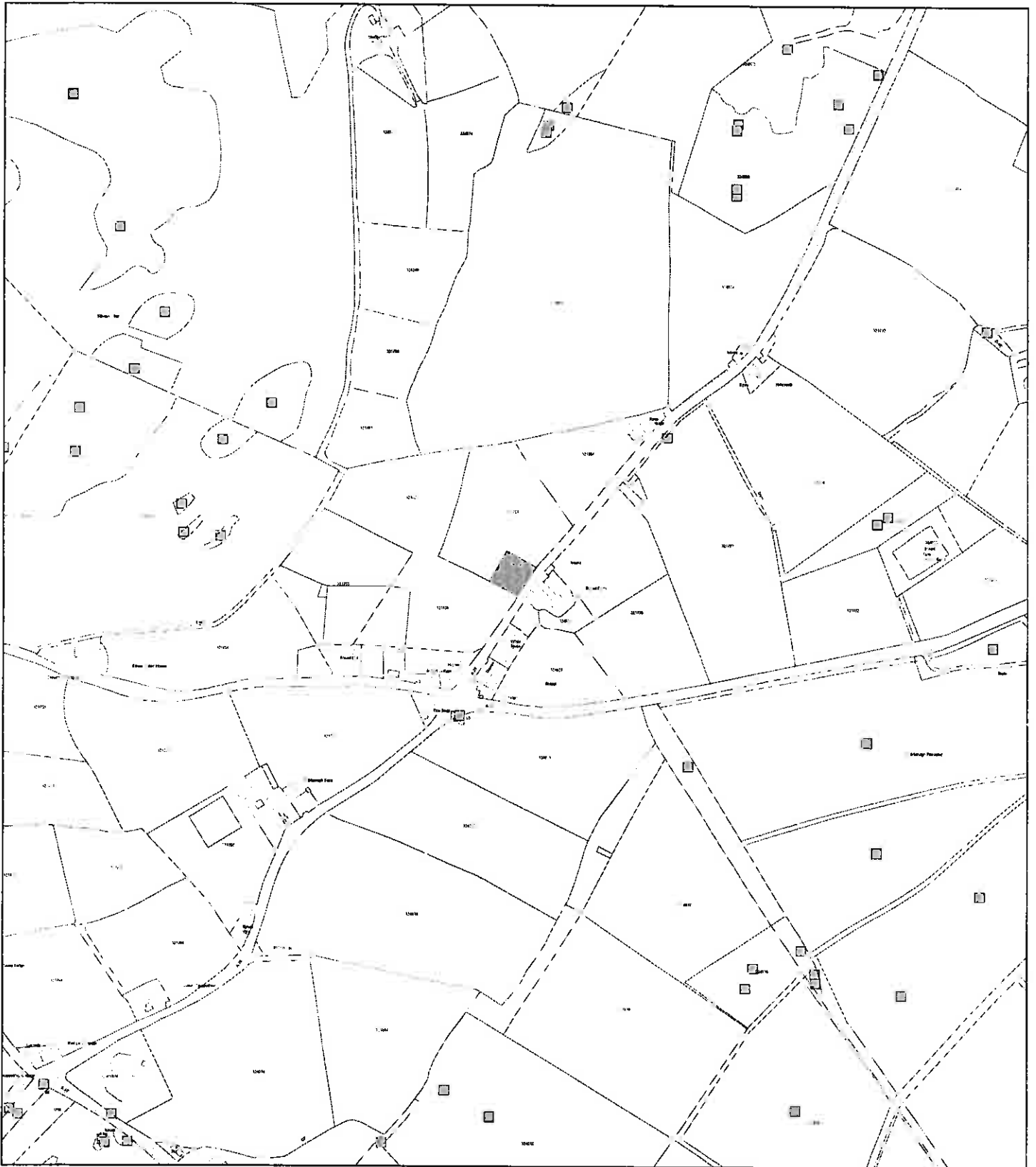
7.7 Highways Division is part of the Department of Infrastructure and as such should not be afforded party status in this case.

Reasons and Notes for Refusal

R : Reasons for refusal

O : Notes (if any) attached to the reasons

R 1. The conversion of so many of the apartments and dwellings to single bedroomed apartments added to the change of use of the function room, would result in a concentration of such accommodation that would change the character of the complex, to the detriment of its interest and function. It is likely to become less attractive as a place for different types of occupier and as a place for non-residents to visit, particularly in the evening. As such, it would have a detrimental impact on other users of the complex and residents of the town centre and to the detriment of the Conservation Area, in contravention of General Policies 2b, c and g and Environment Policy 35.



Km 0.1 0.2 0.3 0.4

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Comments	13/00880/A
Date	24 September 2013



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Isle of Man
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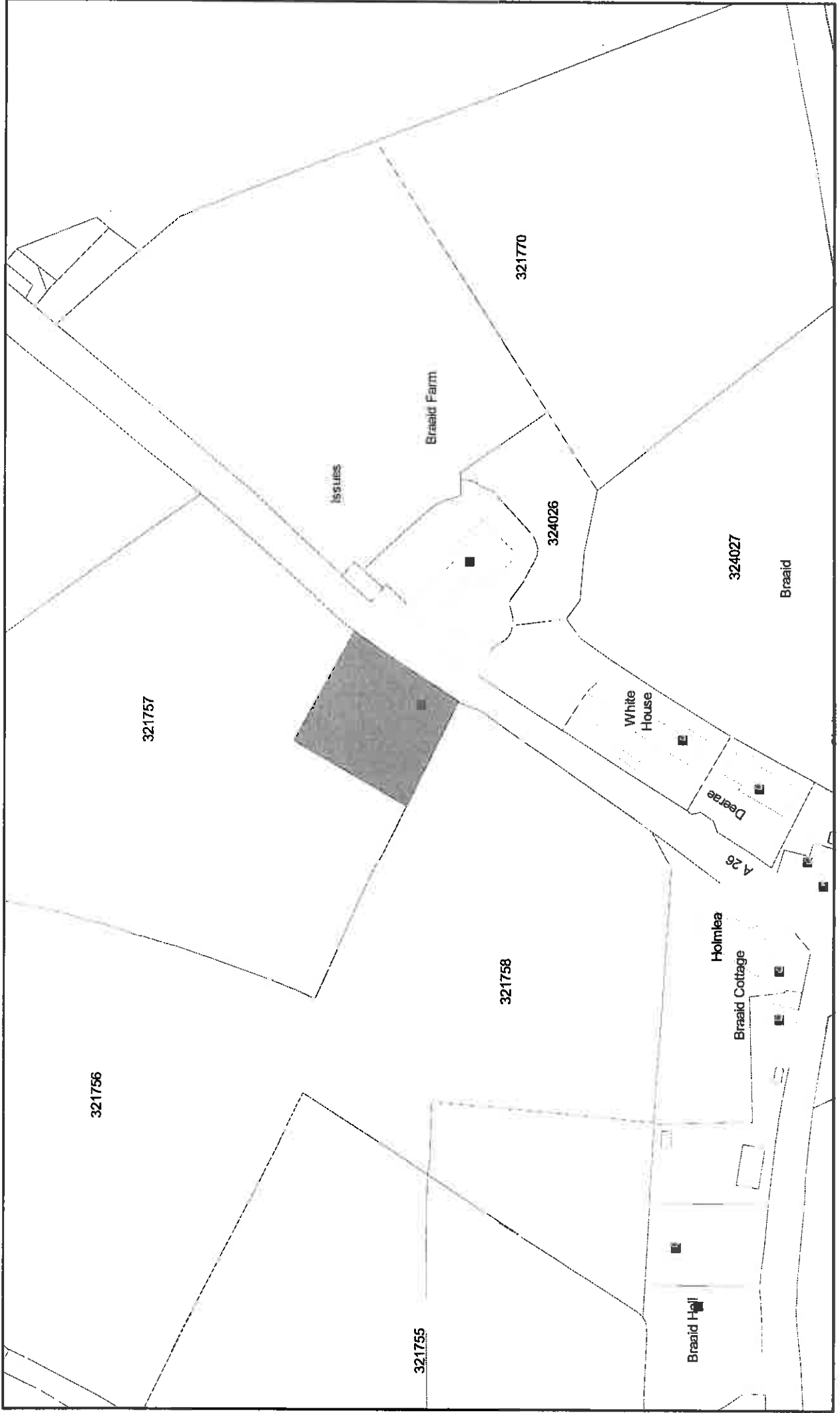
Department of Infrastructure

Planning and Building Control Division



Date 24 September 2013

Comments 13/00880/A



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Item 2

Proposal : Approval in principle for extension and conversion of redundant barn to a dwelling with improvement to vehicular access and driveway

Site Address : Barn Field 321757
Braaid Road
Braaid
Isle of Man

Applicant : Gilbey Farms Limited

Application No. : 13/00880/A

Case Officer : Miss S E Corlett

RECOMMENDATION: To APPROVE the application

Planning Officer's Report

THIS APPLICATION IS REFERRED TO THE PLANNING COMMITTEE AS THE SITE IS IN THE OWNERSHIP OF A PLANNING COMMITTEE MEMBER AND THERE IS AN OBJECTION FROM THE LOCAL AUTHORITY AND ALSO DUE TO THE PLANNING HISTORY OF THE SITE

THE SITE

1.1 The site is part of a field which lies on the north western side of the A26 Braaid - Glen Vine highway. The field is 2.5 acres in size and the application site 0.2 acres in size and located in the southern corner of the larger field, extending back into the field by 24m. There is an access to the field, which lies within the application site and another access to the south west of the site which provides access in to the adjacent field and ultimately into the remainder of the field in which the application site is located.

1.2 Within the site is a stone building which is 3.8m from the highway (2.6m from the edge of the site). It sits higher than the road and the field continues to rise to the north west of the building.

1.3 The boundary between the road and the building is formed by a sod hedge with self-seeded trees growing within it (ash, whitebeam and hawthorn) and a few conifers which cumulatively provide an effective visual screen of the building from the public highway.

1.4 The building is a stone structure with an external footprint of 8.4m by 7m and is 5.3m tall with a roof finished in corrugated metal sheets. There is a vehicular access in the north eastern elevation and a first floor level opening in the south western elevation. Internally the ceiling height at ground floor level is 3.3m.

1.5 Braaid Farm lies on the opposite side of the road - a dwelling with outbuildings: White House and Deerae lie further south towards the crossroads on the same side of the road. On the north western side of the road, some 75m away from the application site, are Holmlea and its associated outbuilding.

THE PROPOSAL

2.1 Proposed is the principle of the conversion of the building to a dwelling. Detailed information has been provided to illustrate how the conversion could take place. The existing access will be retained and a firm accessway created to the building in the form of a parking/turning facility close to the entrance. The creation of a safe means of access will necessitate the removal of five trees which are alongside the building and presently contribute to the screening of the building.

2.2 The building is to be retained and the existing aperture on the north east retained and glazed to form patio doors. No other windows are proposed on this elevation. The roadside elevation currently has no window or door openings: proposed are three Conservation style rooflights are proposed in the pitch facing the road 850mm long and 500mm wide with a central bar. The south western elevation facing towards the field hedge is to retain the first floor level aperture and have a half and half split window installed and two more at ground floor level.

2.3 On the north western elevation is to be an extension which as originally proposed would have projected 6.6m from the side of the building and been 4.2m wide, retaining a roof pitch to match the main roof. This was flush with the south western elevation. This has been amended to project 4.8m from the rear elevation and be 4.2m wide and will be set back by around 300mm from the southern gable of the existing building. This will have an arrangement of a window and patio doors in the southern elevation. This will have a higher floor area - 1m higher than the existing building, taking account of the rise in natural ground level. The main building will have a ceiling height of 2300mm and a small mezzanine level accommodating a bedroom.

2.4. The roof is to be finished in natural slate with angled ridge tiles.

2.5 The extension represents an increase of 37% over and above the existing, as measured externally (not including the mezzanine level which is not presently in situ). The extension is slightly lower in height than the main building.

2.6 In relation to the previous application, the projection of the extension into the rear field is 400mm less, the extension is 1.8m narrower, the curtilage is smaller (projects 2m less into the field behind), there is a reduced turning area.

PLANNING STATUS AND POLICY

3.1 The site lies within an area which is not designated for development on the Town and Country Planning (Development Plan) Order 1982.

3.2 There are policies in the Strategic Plan which provide support for conversion of buildings of interest:

Housing Policy 11 states "Conversion of existing rural buildings into dwellings may be permitted but only where,

- a) redundancy for the original use can be established;
- b) the building is substantially intact and structurally capable of renovation;
- c) the building is of architectural, historic or social interest;
- d) the building is large enough to form a satisfactory dwelling, either as it stands or with modest, subordinate extension which does not affect adversely the character or interest of the building;
- e) residential use would not be incompatible with adjoining established uses or, where appropriate land use zonings on the area plans; and
- f) the building is or can be provided with satisfactory services without unreasonable public expenditure.

Such conversion must:

- a) where practicable and desirable, re-establish the original appearance of the building; and
- b) use the same materials as those in the existing building.

Permission will not be given for the rebuilding of ruins or the erection of replacement building of similar, or even identical form.

Further extension of converted buildings will not usually be permitted, since this would lead to loss or reduction of the original interest and character."

PLANNING HISTORY

4.1 The site has been the subject of one previous planning application. PA 12/01515 was for a similar scheme (see paragraph 2.6 above). The Planning Committee considered the application at its meeting of Monday 11th February, 2013 and agreed to defer the application in order to see the site for themselves. The Committee members visited the site at 9am on Thursday 14th February, 2013. The members were able to see first hand the extent of the residential curtilage to be created, the extent of the extension as shown in the proposed plans which had been provided in the application and were also able to see inside the building where the solid and dry nature of the roof structure could be seen together with the crack in the roadside elevation of the building, which extended from the uneven eaves line of the wall almost but not quite to the floor. The members also saw the flag stones in the floor at the entrance to the building.

4.2 At the initial Committee meeting concern was expressed about the size of the extension on the basis that the extension shown would be more than 50% of the floor area of the existing and as such could not be considered to be modest or subordinate as is required by HP 11. A discussion was undertaken as to whether the application could be considered for approval with an extension smaller than this.

4.3 The extension shown was larger than 50% of the existing floor area and longer than the gable next to which the extension would be seen from the main road. As such, the proposed scheme did not comply with the requirements of HP 11. The applicant's agent indicated that they would not object to a condition which restricted any extension to no more than 50% of the existing floor area. The Committee was advised that the important consideration in assessing whether an annex is subordinate or modest is, however, not simply a mathematical sum. It is important to look at the impact which an extension would have on the principal building and whether this would undermine the character of it. An extension of up to 50% of the existing single storey floor area could result in an extension of the same width as was shown in the drawing, of around 4m compared with 6.7m as shown. The 4m extension still results in a ridgeline which is 0.6m longer than the depth of the gable as viewed from the side. An extension which projects with a ridge which is no greater in length than the existing gable, would represent an increase of around 40% of the existing floor area.

4.4 The Members expressed concern about the extent of the residential curtilage - effectively an area of around 0.2 acres which they considered was excessive for this size and character of property.

4.5 Members also queried whether the building was truly of sufficient interest to warrant consideration under Housing Policy 11. The reporting officer advised that this was an example of older buildings within the Island's countryside, was attractive and indicated how the land was previously managed. It was discussed whether the screened and relatively unobtrusive nature of the building in visual terms meant that the gradual decline and possibly collapse of the building would be of limited impact to the countryside which is referred to in the preamble to Housing Policy 11, paragraph 8.10.2, where it states "Conversion of such buildings into dwellings can make a useful contribution to the housing stock, ensure retention of our built heritage and improve the appearance of what might otherwise become derelict fabric." The preceding paragraph refers to "examples of buildings which are no longer suitable or needed for their originally intended use, which are of sufficient quality or interest to warrant retention and re-use." The building, or a building in the position of the application building, and approximately the same size, does appear on the County Series mapping which was produced in the 1860s as do buildings across the road at Braaid Farm.

4.6 The members asked if there have been similar proposals where a building which is physically detached from other buildings and where a residential curtilage would be artificially created in an otherwise agricultural field. There are very few examples which are so similar to this as to provide a useful guide to previous decisions in that most applications for conversion of buildings which were not previously dwellings are set within an existing building group - usually a farm, and where isolated buildings have been proposed for conversion, these are mainly former dwellings, to which different policies apply. One example, however is PA 10/01544 which proposed the renovation and conversion of a building at Ballagarraghyn on the Coast Road in Jurby and was approved by the Planning Committee. This involved an isolated building sitting in a large field and resulted in the creation of a new curtilage around the building only a couple of metres deeper than the rear extent of the converted and extended building. That building was single storey and approval was granted to a rear extension. This was judged as the renovation of a former dwelling, but the building looked little like a dwelling when the permission was granted.

4.7 Other applications for remote buildings include one site off the St. Mark's Road at Blackhill, Malew (PA 09/01850) where a derelict cottage and barn were renovated to form a single dwelling with a newly created residential curtilage around the two buildings. Buildings which would not appear to have been of particular architectural or social interest but which were approved for renovation and conversion, albeit within a building group include Norfolk Place, Greeba (10/01076/B), Ballacaroon Farm, Mount Rule (PAs 07/00540, 11/000333, 11/01518 and 12/01057). Inspectors considering such applications have recommended approval based upon observations of such buildings, such as "The building is of traditional Manx stone construction retaining its original form and as such is of certain architectural and historic interest. In my opinion it is a building worthy of retention" (PA 08/00437 - Far End, Glen Auldyn). The only appeal decision which rejected a proposal for conversion of a building to residential use on the basis that the building was not considered of sufficient interest was PA 11/00855 for conversion of a former cow barn which had then been converted to a garage, which was described by the inspector as "quite basic and unremarkable structure of rendered walls and a slate roof...it has no special architectural features and there is no evidence to show that it has any historical associations..." for which "there is no evidence to establish that the appeal building has any architectural, historic or social value or interest."

4.8 The Planning Committee was advised that there is no clear formula for deciding whether a building is of sufficient architectural social or historic interest. It is certainly the case that approval has been granted for the conversion of buildings where there has not been any proven historical or social interest but where the building was considered a good and unspoiled example of its type and where the continued dilapidation of such buildings was not considered a positive step, as is referred to in paragraph 8.10.2 of the Strategic Plan. The Planning Committee considered the application at its meeting of 25th February, 2013. The Members confirmed that the site visit had helped, the relevance to Housing Policy 11 was questioned along with compatibility to the established land zoning, members expressed concern that to meet the highway officer's request to provide adequate visibility splay would exacerbate any impact on the countryside, and that the size of the extension proposed and the curtilage size would alter the nature of the area visually and by use, also was the integrity of the existing structure. The reasons for a previous refusal were referred to and the land use relative to Housing Policy 11, were discussed. Interpretation and subjective judgement were relevant in this consideration. The visibility of the building currently on the landscape, the proposal being set on rising land and the access to the field next door would have to be provided for elsewhere. The policy for building in the countryside was discussed and the loss of this structure if it did not gain approval for development. As the building is not particularly conspicuous it could be argued that its continued decline would not be detrimental to public amenity as referred to in paragraph 8.10.2 of the Strategic Plan.

4.9 The Planning Committee refused the application at its meeting of 25th February, 2013 for the reason that:

"The site lies within an area which is not designated for development and where previous applications for new dwellings have been refused (PAs 97/01184, 98/02201) and where such refusals have drawn attention to the character of the area as having an "undeveloped and random appearance" and "where the space between dwellings is as important an element as the buildings which surround them". In this case, whilst the previous applications were for completely new dwellings and the barn already exists, and whilst it would be possible to design a conversion scheme which retained its character in accordance with Housing Policy 11b and d (involving reduction of the residential curtilage and the size of the proposed extension both as shown in the application), the creation of a domestic curtilage around the building, and its use for residential purposes together with the creation of a safe means of access would change the character of the site and would have a detrimental impact on the rural and open character of the site as it currently appears, contrary to the stated aim of the Strategic Plan to protect the countryside for its own sake (Environment Policy 1) and the conclusions in the case of the previous applications referred to above

4.10 To the north, PA 97/01184 was refused for the erection of a dwelling and to the south, PA 98/02201 was similarly refused. These are referred to above and in particular referred to the "scattered pattern" of built development in the vicinity of the site.

REPRESENTATIONS

5.1 Marown Parish Commissioners object to the application on the basis that the site is not designated for development, the arrangements for access are unsatisfactory as visibility is poor and the road is at its narrowest, they do not believe that the barn is redundant and anticipate a further application for a new agricultural building if this is approved. They are aware of the previous reasons for refusal (PA 12/01515) and are not persuaded that these reasons do not still apply to the current scheme.

5.2 The residents of Braaid Farm object to the application, reiterating their previous concerns and commenting that some of the reasons for refusal from the last application still apply, notably that the creation of a residential curtilage and safe means of access will still adversely affect the character of the area, and that an approval to this current application would discredit that previous decision.

5.3 Highways Division recommend that provided that all vegetation and walling within the visibility splays are reduced to 1m or below, the application is acceptable.

5.4 The owners of The White House express concerns similar to those in Braaid Farm. They also refer to PAs 10/1212 and 98/02201. PA 98/02201 is referred to above - PA 10/01212 was a proposal for the principle of a new dwelling alongside Braaid Hall and was refused.

5.5 The owners of Deerae object to the application on the basis that the site is not designated for development and the field and the fields around it are used for agricultural purposes and the building is not redundant. The express concern about the access and the precedent which may be established if the application were approved. They do not consider that the application is substantially different to the previous one which was refused.

5.6 The owner of Braaid Cottage objects to the application as he considers it the same as that which was refused.

5.7 A resident of Ballaquark objects to the application on the basis that the building has no architectural merit and would contribute to ribbon development alongside the highway.

ASSESSMENT

6.1 The building was formerly associated with Braaid Farm whose farm buildings lie on the other side of the A26. It has not been actively used for any particular purpose for many years, illustrated by the relative lack of use of the access way into the field. The applicant's agent also advises that on their site visit, the door into the building was difficult to open, suggesting that it hadn't been opened for some time, and that inside were a "couple of old farm implements and some pieces of timber" (e-mail dated 11th December, 2012 for PA 12/01515). The horses which graze the field are stabled elsewhere. As such, it is accepted that the building is redundant for its original purpose and unlikely to be used for agricultural or equestrian purposes in the future, given its relatively isolated position in respect to the other buildings operated in association with this holding. If any further application were submitted for a new agricultural/equestrian building as a replacement for this, it will be noted that this building was considered by the applicant to be redundant and the evidence of what was stored inside, would be unlikely to justify a further building under EP15. The lack of redundancy was not given as a reason for refusal in the previous refusal.

6.2 The applicant has provided supporting information indicating that the building is constructed of 500mm thick Manx stone which are "reasonably sound with no evidence of apparent subsidence" and within 50mm tolerance of verticality throughout. Whilst there are two internal cracks these are considered to be "old", show no sign of movement and are not apparent on the outer walls. The required internal dry-lining and insulation will accommodate this.

6.3 The internal floor is a typical compacted earth floor and would be required to be leveled and insulated. The roof has been inspected and is considered by the applicant to be sound but will be inspected and repaired as necessary.

6.4 As such it is considered that the building is structurally capable of being converted to a dwelling. This was also not previously given as a reason for refusal.

6.5 The building is an attractive and sound building which is visible, although not prominent in the rural landscape. It gives an indication of how the land was formerly managed. As such it is considered appropriate for consideration for conversion under the terms of the policy.

6.6 The existing building provides around 39 sq m of floor space without the mezzanine level, which is large enough to accommodate one permanent resident under the Housing (Flats) Regulations 1982. The policy allows for extensions where these are "modest and subordinate" and where they "do not affect adversely the character or interest of the building." In this case the extension is 37% of the size of the existing which perhaps is considered subordinate. The extension is smaller in width and length than the existing building, lower in height and is set back from the sides of the building where it will be attached.

6.7 The access into the site exists although the development would require a hard surfaced drive into the site and parked vehicles would be visible once the building were used as a dwelling. The site would become domestic in appearance and character, as would any site which is the subject of conversion under HP11 and some degree of change is inevitable. Whilst there are local concerns about the safety of the access, Highways Division do not object provided that any hedging or walling within the visibility splay is lower than 1m in height. The provision of the access will necessitate the removal of the roadside trees, which was proposed in the previous application which will result in the property and site being more visible. The residential curtilage is now smaller than previously proposed and the turning head and paved area reduced in size.

6.8 Whilst the previous application was refused for reasons which could preclude the conversion of the building to residential accommodation in any form, it is difficult to compare this with other decisions for conversions which would and indeed have had a similar impact.

Previously comparison was drawn with two applications for Blackhill, St. Mark's Road in Malew (PA 09/01850) and Ballagarraghyn in Jurby (PA 10/01544) both of which were approved and where the buildings were much more visible and with many fewer properties in the immediate vicinity. Whilst there is a number of applications which have been refused in this area, they were for completely new dwellings where this is for the conversion of an existing dwelling and as such the impact is different. If is considered that with appropriate landscaping, for example the inclusion of sod hedges around the perimeter of the residential curtilage, that this proposal will not lead to a visual intrusion into the countryside and will appear as a reused and tastefully renovated building whose continued disuse is not necessarily in the public interest.

PARTY STATUS

7.1 The local authority, Marown Parish Commissioners are, by virtue of the Town and Country Planning (Development Procedure) Order 2005, paragraph 6 (5) (d), considered an "interested person" and as such should be afforded party status.

7.2 The Department of Transport Highways and Traffic Division is now part of the Department of Infrastructure of which the planning authority is part. As such, the Highways and Traffic Division cannot be afforded party status in this instance.

7.3 The residents of Braaid Farm are directly opposite the site and would be affected by the proposed works and as such should be afforded party status in this case.

7.4 The other residents, of The White House, Deerae and Braaid Cottage are not directly alongside and are not directly affected by the proposal and as such should not be afforded party status in this case.

7.5 The resident of Douglas is some distance from the site and should not be afforded party status.

Recommended Conditions and Notes for Approval

C : Conditions for approval

N : Notes (if any) attached to the conditions

C 1. Approval of the details of siting, design, external appearance of the building[s], internal layout, means of access, landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Planning Authority in writing before any development is commenced.

C 2. The application for approval of the reserved matters shall be made to the Planning Authority before the expiration of two years from the date of this permission.

C 3. The development to which this permission relates shall begin within 4 years of the date of this permission or within two years of the final approval of the reserved matters, whichever is the later.

C 4. This approval relates to the principle of the conversion of the existing building to a dwelling as shown generally in drawings reference , 12-J-034-02 2, 12-J034-06 1, 12-J034-01 2 and 12-J034-03 0 all received on 24th July, 2013 and 12-J034-04 4 and 12-J034-05 4 received on 19th August, 2013.

C 5. The curtilage of the dwelling as shown in the approved plans, shall be defined by a Manx sod hedge as described in Planning Circular 1/92.

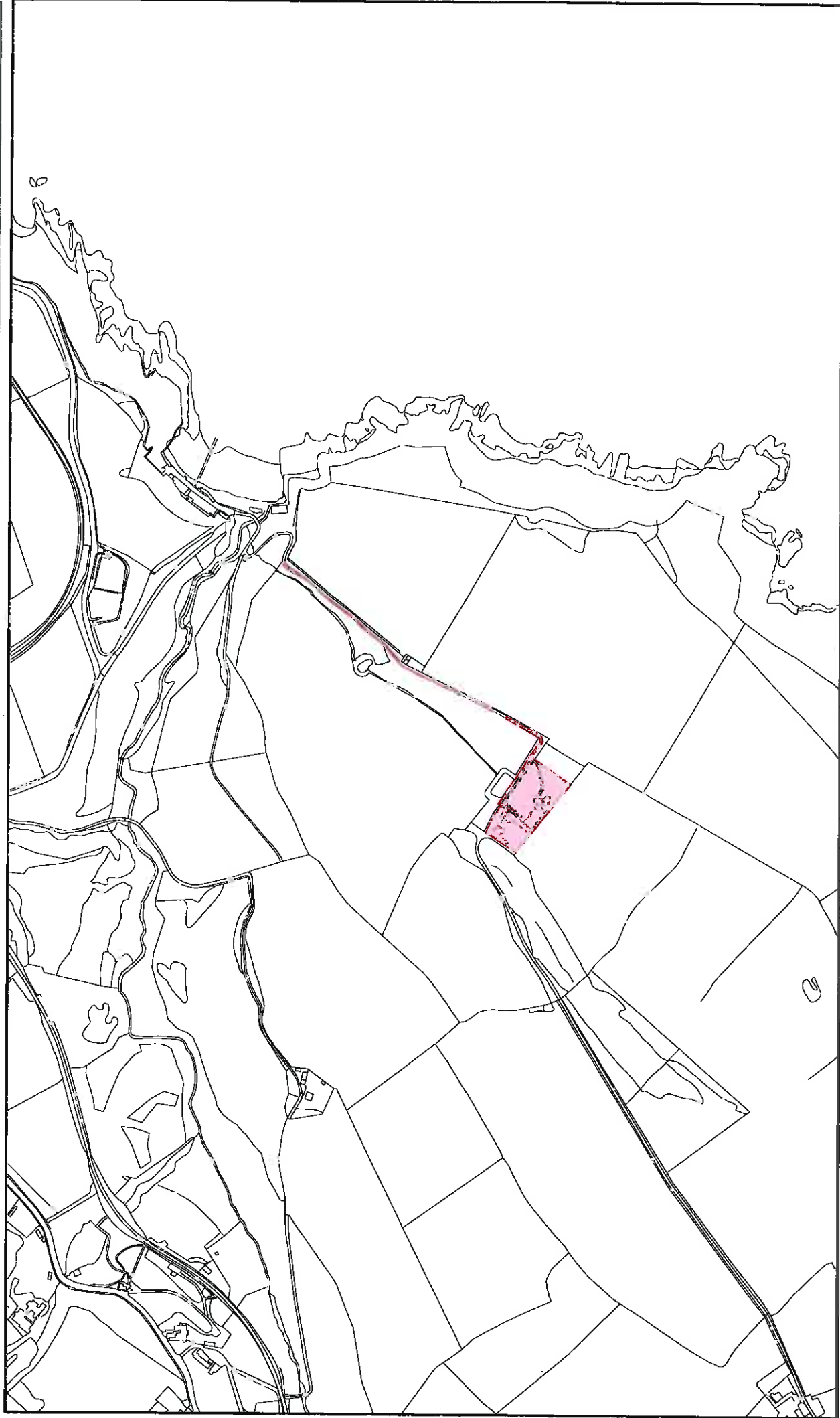


Department of Infrastructure

Isle of Man Planning and Building Control Division



Date	19 September 2013
Comments	13/00239/B Ballacregga Farm



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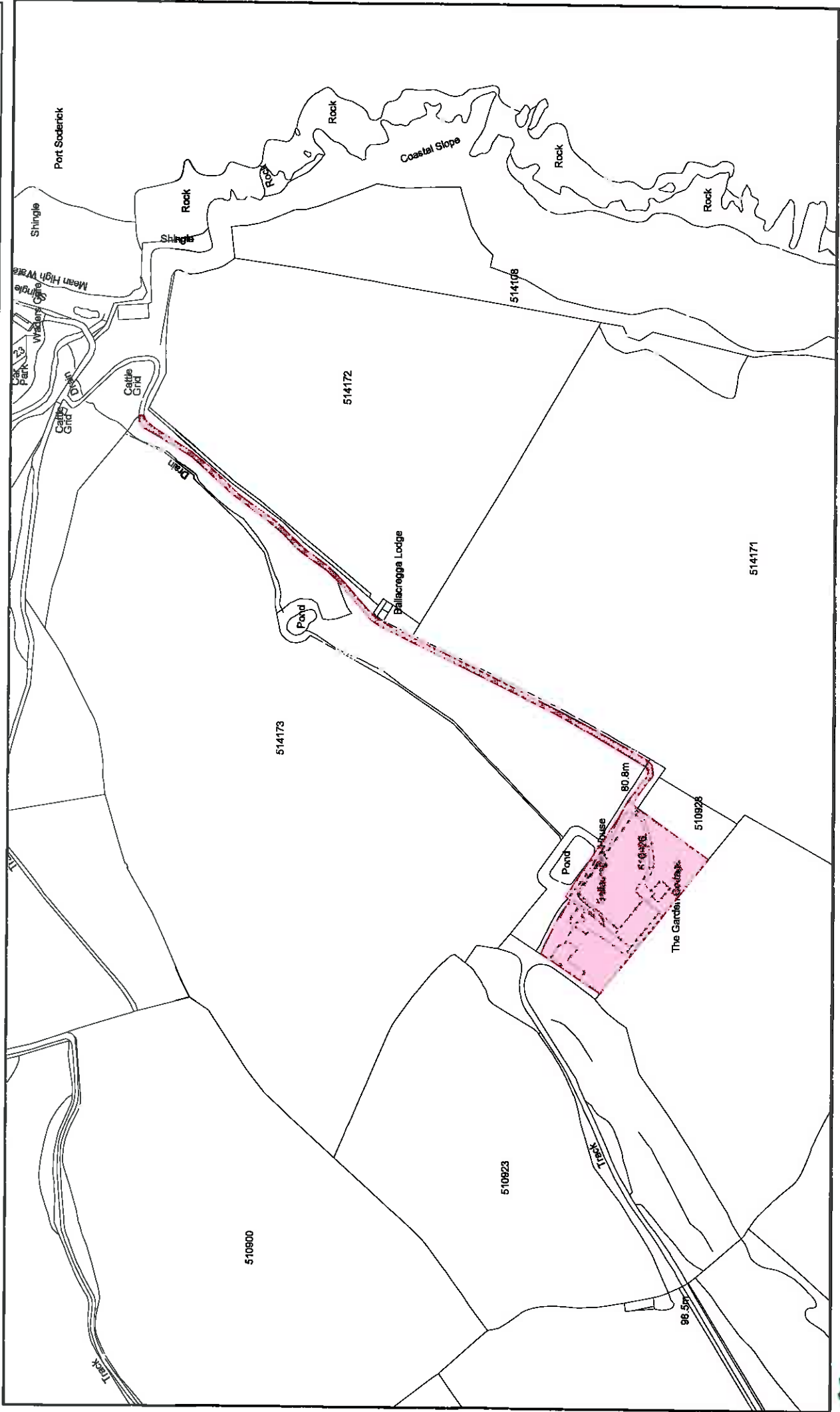


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Item 3

Proposal :	Demolish existing dwelling, secondary dwelling and shed and erection of a replacement dwelling with open car port and associated landscaping
Site Address :	Ballacregga Farm Marine Drive Port Soderick IM4 1HN
Applicant :	Ballacregga Estates Limited
Application No. :	13/00239/B
Case Officer :	Miss S E Corlett

RECOMMENDATION: To APPROVE the application

Planning Officer's Report

THIS APPLICATION IS REFERRED TO THE PLANNING COMMITTEE AS THE APPLICATION INVOLVES THE REPLACEMENT OF DWELLINGS WITH A NEW PROPERTY WHICH IS MORE THAN 50% LARGER THAN THE EXISTING AND IN A DIFFERENT LOCATION

THE SITE

1.1 The site is the curtilage of a group of buildings - a Manx farmhouse-style dwelling with attached barn behind which has been converted to living accommodation, a modern bungalow, a large modern barn and a former cottage which is used as kennels for the applicant's animals. The farmhouse lies at one end of the group and the bungalow at the other end to the south east. The buildings are grouped within an area of around 90m by 50m. The group sits towards the top of the hillside to the south of Port Soderick harbour. Access to the site is from the Port Soderick car park area, over a small bridge and up the side of the hillside, past two semi-detached Manx cottages which have been refurbished and upward to the building group. The group sits around 500m from the glen and sits at a level of 80m above Ordnance datum. The hillside behind rises to a summit of 105.44 AOD.

1.2 The buildings are visible from two main public vantage points: Marine Drive and Quine's Hill (A25 Old Castletown Road). From the Marine Drive, to the north east the view is dominated by the large expanse of green hillside, interspersed by hedgerows subdividing fairly large fields. The buildings are visible towards the top of the hillside. From the A25 Old Castletown Road, between Ballaveare and Quine's Hill the view is similarly dominated by the expanse of hillside in which the buildings can be seen in a line towards the top of the hill. From neither view are the existing buildings prominent although they are visible, due to the expanse of countryside in which they are sited. From the Port Soderick Road between Ballaveare and Port Soderick, one may have glimpses of the buildings through the trees: from the car park and glen the buildings are completely screened from view by existing trees.

1.3 The land ownership associated with this property extends to 226 acres with the buildings set within a contained, walled area which extends to 1.7 acres, 2.4 acres including the pond in front of the stone barn.

1.4 A site of archaeological interest lies just to the east of the walled garden and is the site of a chapel.

THE PROPOSAL

2.1 Proposed is the demolition of the modern bungalow, the modern barn and the main farmhouse and their replacement with a new dwelling built alongside the smaller kennels and

overlooking the existing pond to the north. The existing barn which sits alongside the farmhouse is also to be retained. The new building group will have an overall length approximately 8m shorter than the existing. A car port/garage is proposed to be built to the rear of the kennel building. The existing main dwelling is no longer considered by the owner to be suitable to his needs and the modern barn and bungalow are not required and are deemed by them to be redundant.

2.2 The existing bungalow has a floor area of 93 sq m over one floor. The modern barn has a floor area of 32m by 13.6m (442 sq m) and is around 6m high. The farmhouse has a floor area of around 235 sq m with a main core 6m by 12m over two storeys and the extensions to the rear and side single storey. The barn to the rear has a floor area of around 178 sq m. The ridge line of the existing house sits at a level of 91.56 AOD and that of the modern barn 2m lower than that.

2.3 The new dwelling will have two storeys and accommodation contained within the roofspace. The overall floor area is around 1030 sq m in a building which has a frontage of 24m, is around 17m deep and 9.4m to the eaves at the front and the roof projecting around 1.8m above this in the central part of the building.

2.4 The applicant's agent has calculated the existing footprint of the buildings on site and what is proposed will represent a reduction of 11% from the existing. They have also measured the surface area of the buildings viewed from the Marine Drive, which is the main view from where the buildings are most visible, and have calculated that the amount of visible facade will be reduced by 7.7%. This will be referred to later in the Assessment.

2.5 The top of the dwelling will be at the same level as that of the existing farmhouse.

2.6 The inspiration for the style of building is taken from an existing dwelling on the Patrick Road: Ballacosnahan is a significant dwelling with striking rounded bays on each end and a simple, flat frontage with heavy parapet details and a relatively small area of roofing which is barely discernible above the parapet. The finish is render with slightly contrasting coloured painted window frames. Unlike many Manx vernacular properties, chimneys are not prominent features in the design of this property. Ballacosnahan sits some 280m from the Patrick Road, near Ballamoar Farm, and within a treed area with other farm buildings.

2.7 The proposed dwelling at Ballacregga is very similar to Ballacosnahan in scale and detailing although Ballacosnahan is less exposed and set within a group of buildings where this new building would sit largely on its own in the landscape. The new dwelling represents an increase in residential floor area of 106% over the existing. If the modern barn were to be included in this application in terms of the floor space to be removed, and the new garaging included, the overall change in floor area would be an increase of 20%.

PLANNING STATUS AND POLICY

3.1 The site lies within an area designated on the Isle of Man Planning Scheme (Development Plan) Order 1982 as Open Space of an Area of High Landscape or Coastal Value and Scenic Significance. On the Landscape Character Assessment, the site lies within an area of Incised Slopes (D13 – Santon).

3.2 As such there is a presumption against development in such areas as set out in Environment Policies 1 and 2. General Policy 3 sets out those instances where an exception could be made to this presumption, and this includes the replacement of existing dwellings. Further clarification of this is provided in the Plan as follows:

3.3 Paragraph 8.12.2 Extension to properties in the countryside

As there is a general policy against development in the Island's countryside, it is important that where development exists, either in an historic or recently approved form, it should not, when altered or extended detract from the amenities of the countryside. Care therefore, must be taken to control the size and form extensions to control the size and form of extensions to property in the countryside. In the case of traditional properties, the proportion and form of the building is sensitively balanced and extensions of inappropriate size or proportions will not be acceptable where these destroy the existing character of the property. In the case of non-traditional properties, where these are of poor or unsympathetic appearance, extensions which would increase the impact of the property will generally not be acceptable. It may be preferable to consider the redevelopment of non-traditional dwellings or properties of poor form with buildings of a more traditional style and in these cases, the Department may consider an increase in size of the replacement property over and above the size of the building to be replaced, where improvements to the appearance of the property would justify this."

3.4 Housing Policy 14 states:

"Where a replacement dwelling is permitted, it must not be substantially different to the existing in terms of siting and size, unless changes of siting or size would result in an overall environmental improvement; the new building should therefore generally be sited on the "footprint" of the existing, and should have a floor area which is not more than 50% greater than that of the original building (floor areas should be measured externally and should not include attic space or outbuildings). Generally the design of the new building should be in accordance with Policies 2-7 of the present Planning Circular 3/91 (which will be revised and issued as a Planning Policy Statement). Exceptionally, 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 generally, new fabric should be finished to match the materials of the original building.

Consideration may be given to proposals which result in a larger dwelling where which involves the replacement of an existing dwelling of poor form with one of more traditional character, or where, by its design and or siting, there would be less visual impact."

3.5 The draft Landscape Planning Policy Statement includes the following advice regarding Incised Slopes and in particular this part of the Island:

"Overall Strategy

7.14 The overall strategy for the protection and enhancement of the Incised Slopes Landscape Character Type is to conserve and enhance: the remote and rural character; the relatively sparse settlement pattern of traditional hamlets and scattered farm buildings; the network of sunken and enclosed rural roads; and the substantial hedgerows and sod banks dividing irregularly-shaped pastoral fields.

7.15 The Landscape Character Policy Strategy that will be applied in relation to the protection and enhancement of the Incised Slopes is as follows:

Landscape Character Policy Statement 4:

Approach routes, key views, and gateways to settlements within these landscapes should be enhanced. New farm buildings must not compromise the pattern and scale of farmsteads across the undulating Incised Slopes landscapes. New development must be located so that it avoids the suburbanisation of river valleys and stream corridors.

D13 Santon Key views are

- Open and expansive views from the higher areas along the rugged coast in the east and inland towards the upland areas over Braaid.
- Incinerator chimney forms a notable landmark in the immediate area.
- Glimpsed views framed by vegetation in the valley bottoms and along the main roads where they follow the wooded valley bottoms.
- Views in the northern part of the area up to the Transmitting Masts on top of Douglas Head hill top.
- Views from Isle of Man Steam Railway.

HISTORY OF THE SITE

4.1 Buildings are shown on this site on the 1860s County Series mapping. This shows the current kennel building along with a long building to the north west alongside. There is also a long building at the rear of what is now the walled garden and what looks as if it may be a main dwelling in the centre of the site towards the rear. By 1929 the kennels were still intact and the building alongside had been added to, to the rear. The other buildings on the site remain as on the 1860s mapping.

4.2 Planning applications were then submitted for the development and redevelopment of the site. The farmhouse was the subject of a successful application for redevelopment under PA 88/01250. This required that the replacement dwelling be occupied by someone whose employment was in agriculture and no approval was granted or implied to the type of dwelling shown in the submitted drawings which was for a grander, non vernacular style of dwelling. The reserved matters and detailed applications for this - PAs 89/00698 and PA 90/01612 were refused due to their style, prominence and impact on the landscape. Permission was granted for a replacement dwelling under PA 91/00804 which was for a dwelling further forward than the existing barns to the west of the building group. A further application for the replacement of the dwelling was refused, PA 98/01952 as it was considered too large (more of a quarterland farmhouse style dwelling) and then a further application permitted, PA 99/00595 which was for basically what exists on site and was subject to the same agricultural occupancy condition. Amendments to this were permitted under PA 00/01278 and the barn behind converted to additional living accommodation under PAs 02/01226 and 04/00136.

4.3 PA 08/01537/R proposed the enlargement of existing pond and was permitted.

4.4 The large modern barn was approved under PA 83/00953 in 1983.

4.5 A certificate of lawful use of the main dwelling as a private dwelling was granted under PA 13/00581 in 3rd September, 2013. During the consideration of this, apart from the evidence provided which demonstrated that the dwelling had not been occupied by someone whose employment was in agriculture, as is required but also that the original house which was replaced was not subject to any agricultural tie or occupancy constraint.

OTHER RELEVANT PLANNING APPLICATIONS

5.1 There have been other planning applications for the replacement of dwellings in the countryside near to this site which are worthy of mention. PA 11/0871 proposed a replacement of an existing dwelling at Bay View on the southern side of the road as one proceeds out of Ballaveare towards Crogga. This involved the replacement of a relatively modern chalet style bungalow with a more traditional two storey dwelling set back further into the site. The increase in floor area in that case was around 200% and the new dwelling would be further into the field than the existing, the residential curtilage was to be extended and a new access was proposed. The Inspector in that case considered that the case rested on the effect that the proposal would have on the character and appearance of the countryside, having regard to the policies of the Strategic Plan and concluded that, having regard to Housing Policy 14, the proposal would be substantially different from the existing in

both siting and size and that this did not comply with HP14 as the resultant dwelling did not provide an environmental improvement as the very substantial area of driveway would be evident and prominent and the dwelling itself would be evident from the south, south east and south west and would as such have a greater visual impact than the existing. The extension of the residential curtilage was also considered to have a materially harmful visual impact on this part of the countryside. Two further applications followed this, only the final one, PA 12/01604, being approved which proposed the dwelling overlapping the footprint of the existing dwelling and the proposed replacement being 60% larger than the existing.

5.2 PA 11/01551 proposed the replacement of a dwelling on a six acre site where the existing dwelling was 32m from the road at Ballaveare, to the north west of the application site. The dwelling had been altered over time such that it was agreed that the dwelling was currently of poor form. The increase in floor area was agreed as being 228% over the floor area of the existing dwelling and 142% over the existing dwelling and barn. The Inspector concluded that the bulk and massing of the new dwelling would be far more visually intrusive on this Port Soderick site than the existing house. He added that, in any case landscaped features along, no matter how extensive, only help to screen a proposal from view, they cannot negate its actual physical presence or its 3-dimensional effect and comments that the proposed dwelling would be "distinctly noticeable" (paragraph 43) and concludes that the dwelling would be an inappropriate and obtrusive addition in this particular location and agreed with the Planning Authority that it would be detrimental to the character and appearance of that part of Port Soderick. He also concluded that whilst a "scholarly design in a classical Georgian tradition" this was not a "more traditional" design as required by the policy.

5.3 PA 12/01245 proposed the replacement of an existing dwelling within the Ballamona estate at Quine's Hill and was approved. This proposed a very significant increase in size and associated curtilage of the dwelling but with almost no public visual impact due to the siting, topography and existing vegetation around the site. This proposal was to create a unique property in its own grounds which distinguishes it from the other examples given, from the application proposal and from most other applications submitted to the Department.

5.4 It is clear in these cases that not only are the provisions of HP14 to be followed, but also the resultant effect on visual impact and the character of the sites need to be considered together with any resultant harm which would be brought about by each proposal on its context and environment.

REPRESENTATIONS

6.1 Residents of Maughold comment that the new dwelling is "hardly a farmhouse" but is more a "mansion in the countryside" for which they query whether there is a market although they acknowledge that this is not a planning consideration.

6.2 Highways Division indicate that the proposal has no adverse traffic impact.

ASSESSMENT

7.1 There are a number of issues to be considered in this proposal. Firstly, it is important to establish the status of what exists on site and then to assess the impact of the proposed replacement structures.

7.2 The main dwelling on the site is a relatively new dwelling, traditionally styled and which has an older building to the rear which is attached and which is authorised for use as additional accommodation. The main dwelling has an agricultural occupancy condition attached, despite the original dwelling which was replaced not having such a constraint due to its age. The attached additional accommodation does not carry such an occupancy condition (PA 02/01226). The property was occupied as a private dwelling from its completion

in 2001 up until 2009 and a certificate of lawful use has been granted for its occupation as a private dwelling. Its current lawful state is therefore a private dwelling.

7.3 The bungalow on the site is of uncertain origin: it has not been possible to establish any planning permission for it and was owned by DAFF until the applicant purchased it in 1998.

7.4 There are a number of buildings to be replaced. The policy would usually be applied to a single dwelling to be replaced where the determination of comparative floorspace would be clear. However, in this case, there are two residential properties to be replaced, one of which is non traditional and one of which is of a traditional style. These are separated by a large non residential property which would normally not be included in the floorspace calculations. This scenario poses two problems in respect of an assessment of the proposal against HP14: how much of the existing floorspace should be taken into account in calculating how much larger will be the proposed dwelling and also, is the existing fabric to be replaced of poor form?

7.5 It is suggested that in this case, the impact of the whole group should be considered in terms of both the existing and the proposed. This is suggested for a number of reasons. Firstly, the site is unusual in that all of the existing buildings are visible from the public viewpoint and whilst the existing main house is of traditional style, one tends not to look at this as a separate element but rather, the viewer's eye is drawn to the group from where an individual assessment of the individual components is made. Most people looking at the site would perhaps firstly notice the white façade of the farmhouse, then notice the stone face of the kennels alongside and then notice the modern bungalow and barn beside that. Also, the group comprises some buildings which are of non-traditional form and where the removal of the bungalow and barn would bring with it an improvement to the appearance and character of the site. Also, the policy clearly aims to achieve "an overall environmental improvement". In order to achieve that and to assess it, it would not be possible to ignore some of the buildings on the site as they add to the character of the site – whether this be positive or negative.

7.5 Impact in this case may be determined in two ways: there is an almost mathematical approach which would consider how much development or spread of development is appreciable at present compared with what would result from the proposal. There is also a more aesthetic judgement as to whether what is proposed is less conspicuous because of its design and whether what is proposed is in character and appearance more sympathetic for the site. It is quite possible to come to different conclusions for each of these questions, which is reflected in the wording of HP14 which requires that either a new dwelling is one of more traditional character, or where, by its design and or siting, there would be less visual impact.

7.6 In simple mathematical terms, if one considers the group as a whole, the proposal would result in built fabric which is less in area of façade than what exists. The proposal results in a more consolidated building group of fewer buildings spread over a smaller linear area. However, it must be acknowledged that the existing barn is finished in darker coloured sheeting than the white render of the proposed dwelling and that as such, this may be considered to lessen the impact of that existing building compared with the existing. The building is, however, clearly visible despite its finish.

7.7 In terms of character and aesthetic assessment, this is more difficult to determine as whether the proposed dwelling sits comfortably in the landscape is a subjective judgement as well as whether what is proposed is "traditional". The lead for the style of the new dwelling is taken from a property which was built prior to the 1860s on the Island and as such, has an association with historical architecture on the Island. Due to the size of the property, the principles of Planning Circular 3/91 cannot be followed, since the existing dwelling is already

considerably larger than this. Planning Circular 3/91 includes reference in Policy to larger houses in their own grounds and refers to "white rendered, simple forms topped by gable ended slate roofs, end chimneys and symmetrical main facades.... The Circular goes on to describe detailed elements such as window drip mouldings, roof parapets, cornices, string courses, "the execution of these details is inevitably in cement render, the common external material of the period". This Circular provides guidance on "The design of residential development in the countryside" which is what is proposed in this application.

7.8 It could, therefore be concluded that the proposed dwelling is traditional, and therefore inevitably more traditional than the barn and bungalow and therefore accords with the spirit of what HP14 is trying to achieve. It is unlikely that it would be concluded that the proposed dwelling is more traditional than the farmhouse which is to be replaced but as has been stated previously, it is considered appropriate to take the impact of the group as a whole rather than that of individual buildings in the group.

7.9 As such, it could well be concluded that the proposal complies with the provisions of HP14 in proposing a development which results in less visual impact in terms of both the amount of built fabric which would be seen and the fact that the development would result in a more traditional development than what currently exists.

7.10 There is another interpretation of impact and that involves an assessment of the change in character as a result of the proposal. In this case, the existing development takes the form of a group of individual buildings, none of which is particularly dominant, but which sit on the hillside, largely below the crest of the hill (the farmhouse breaches the skyline from certain viewpoints). What is proposed will result in a single, much larger, dominant building with a single impact. Whether this is appropriate is subjective: it could be considered that this is an appropriate form of development which would benefit the setting of the smaller cottages further down the hillside and which would make a statement similar to other properties on hillsides in this part of the Island - Arragon Mooar (the round house near the airport) and Meary Voar. It could be considered that compared with the existing, the proposed single large house is out of keeping with the existing character and fails to accord with HP14 in that the proposed dwelling is substantially different from the existing buildings in size and siting.

7.11 It is considered, taking into account all of the above, that the proposed development is acceptable in that it provides a building which is in overall terms smaller than the extent and spread of buildings which it would replace and would result in the removal of buildings of poor form with one of attractive design which has been taken from existing local architecture. It is fully accepted that there will be a change in character, and one which not all may consider is positive, however in respect of the provisions and aims of the policy, it is considered that what is intended by the policy is achieved in the application and it is recommended for approval.

PARTY STATUS

8.1 The local authority, Santon Parish Commissioners are, by virtue of the Town and Country Planning (Development Procedure) Order 2005, paragraph 6 (5) (d), considered "interested persons" and as such should be afforded party status.

8.2 The residents of Maughold are not directly affected by the proposals and should not be afforded party status in this case.

8.3 The Highway Authority is part of the Department of Infrastructure and as such should not be granted interested party status in this case.

Recommended Conditions and Notes for Approval **C : Conditions for approval**

N : Notes (if any) attached to the conditions

C 1. The development hereby permitted shall commence before the expiration of four years from the date of this notice.

C 2. This approval relates to the demolition of the existing farmhouse, barn and bungalow and their replacement with a new dwelling and associated landscaping and associated facilities all as shown in drawings 112/001, 112/002, 112/003, 112/004, 112/101, 112/102, 112/103, 112/104, 112/105, 112/201, 112/301, 112/302, 112/305, 112/306, 112/401 all received on 25th February, 2013.

C 3. Within three months of the completion of the proposed dwelling, all buildings shown in the approved plans as being removed must be demolished and the material removed from site or incorporated in the approved landscape scheme.
