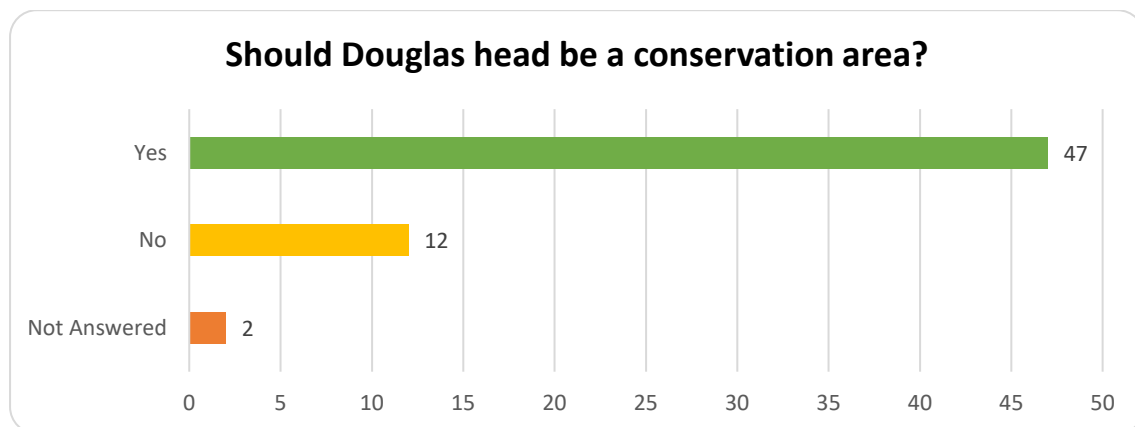


Consultation Summary – Should Douglas Head be considered for Conservation Area status?

1. Introduction

During the time that the Area Plan for the East was being produced, a suggestion was put to Cabinet Office that Douglas Head was worthy of being a Conservation Area. A document titled “Douglas Head – Proposal for Designation as a Conservation Area” (the Report) was presented to Cabinet Office by Mr David Wertheim and Mr Charles Guard MBE in 2018. This was subsequently updated in 2019 and 2020. Cabinet Office published the Report and ran a consultation on its contents from the 23rd July to the 17th September 2021. This paper summarises and explores the responses received.

2. Summary of Comments



2.1 Overview on number of responses

There were 61 responses to the consultation with 7 responses from organizations of which 4 were public bodies (DoI, DEFA, MNH, Douglas Borough Council). 59 of the 61 respondents made it known what their position was on the proposed conservation area with 47 (79%) agreeing with the statement that it should be designated.

2.2 Boundary

There were 43 responses to this part of the question with suggestions ranging from extending the proposed area to the Nunnery and Port Soderick or some variation of the proposed area. – The DoI stated that they would be “content with the proposal were all the land within the Douglas Harbour limits to be excluded from any proposed conservation area” and two respondents who identified themselves as residents wished to see their respective dwellings excluded. 19 (44%) of these responses indicated their preference as being the area proposed in the Report.

3 Why Douglas Head should be a conservation area?

3.1 Overview

There were 42 responses to this section. Of those responses, the buildings, structures and land uses of special architectural or historic interest mentioned by respondents are listed below:

Suggested Feature	Additional Information
Brooghs along Marine Drive for Ramblage	Designated Wildlife Site included in the Area Plan for the East
Camera Obscurer	Registered Building #77
Goldie Taubman Memorial (Douglas Head)	Registered Building #316
Grassland On The Headland	Protected through Douglas Head Act 2000 ¹ Not allocated for development in the Area Plan for the East
Harold Tower	Registered Building #179
Manx Radio Broadcasting House	
Marine Drive Archway	Registered Building #232
Customs/Machinery Building Opposite the Harbour Bridge	Registered Building #115
Pill Box	
Ravenscliffe	Registered Building #213
Ravenscliffe Mews	
Taubman Terrace and Victorian Terraces on Fort William	
The Coastguard Hut	
The Continuous Stone Walls along the Eastern South Quay	
The Douglas Head Hotel	Registered Building #113 – Original Hotel contained within the registration has been rebuilt with only the herring tower being retained.
The Lighthouse the Lighthouse Keepers Cottage	
Murdoch Chambers	
The Open Air Theatre	
The Point	
The Remains of the Douglas Head Incline Railway Route	Not suitable for registration
Gas Works Steps	
The Swing Bridge	

¹ http://www.legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/2000/2000-0001/DouglasHeadAct2000_2.pdf

3.2 Open Space

Around a quarter of the respondents (both for and against the proposal) mentioned the open space as a feature of importance in the context of Douglas Head. One respondent made the comparison with Nobles Park as being walled off and formalised, while Douglas Head with its lack of walls, boundaries and panoramic views was in their opinion was "true Open Space".

3.3 Genteel Residences

Several respondents noted the large residences in their own grounds situated on Douglas Head, citing their historical and architectural interest that is also recorded with in the Report. While not expressly stated by any of the respondents it is implied that there may be a risk that residential development within these areas could be intensified in some manner compromising the setting or significance of these properties.

4. Why Douglas Head shouldn't be a conservation area

4.1 Overview

Cabinet Office asked "why do you think Douglas Head should not be a Conservation Area?" Respondents were asked to list buildings, structures or particular land uses etc. that detracted from the area and weaken any arguments that the area has a special architectural or historic interest. There were 28 responses to this part of the question.

4.2 Existing uses

Two respondents were concerned about the continued practicality and use of the Harbour and Gas depot. Cabinet Office in its role must find a balance between protecting the historic environment and enabling opportunity for effective and responsive infrastructure in suitable locations. The industrial petroleum storage facilities adjacent to the Battery Pier were first developed during the late 1980s and form a key part of the Island's fuel provision infrastructure. Currently operated by Manx Petroleum, the Battery Pier depot contributes to the industrial landscape of the South Quay and outer harbour area and provides a strong link to Douglas' role as a major port and international shipping gateway. The presence of the depot, along with other industrial and employment land uses within the wider Douglas Head area, contrast with residential uses and further highlights the need for an appropriate boundary to be adopted when considering Conservation Area designation. An appropriate boundary could only be achieved in Cabinet Office's view if it did not hinder the day-to-day operations of the existing industrial and employment areas.

One respondent remarked on the predominant land uses as being "*mostly grass or industrial buildings*". Indeed it is noted by Cabinet Office that Douglas Head consists of a wide variety of land uses and does include a significant area of open space. This open space consists of both land which has an amenity use to the North of Douglas Head Road, as well as coastal Brooghs and the peak of Carnane to the rear of Douglas Head apartments. As well as this, as previously mentioned, Douglas Head and surrounding area is home to a number of industrial units and employment sites which encompass the sites of two former quarries.

As well as these areas however are residential areas which contain dwellings of historic and architectural significance and it is this eclectic mix of land uses which is one of the reasons that Conservation Area designation is being explored by Cabinet Office.

4.3 The Trafalgar Public House

In December 2018, planning application 18/01342/B sought demolition of 31-39 South Quay Douglas and the erection of 38 flats. Although this application was subsequently amended, the initial application included the former Trafalgar Hotel, at the time a private house, and sought demolition of the property. Objections to the former hotel's demolition prompted the developer to amend the scheme and exclude Trafalgar House. After the scheme was amended, and in order to protect the building from further threats of demolition, Trafalgar House was entered into the Protected Buildings Register.

Trafalgar House was registered as it is one of the few surviving buildings from the 19th century development of the South Quay, as well as the only surviving public house from that period in the area. The Trafalgar Hotel was ideally situated to cater for sailors and merchants who visited the South Quay, as well as the significant amount of people who lived locally during the 19th and 20th centuries. As the areas' residential population declined, and the South Quay became home to more industrial and employment land uses, many of the Public Houses in the area closed, with the Trafalgar itself closing its doors in 2010.

One respondent commented that *"The Traff will never be a pub again why not just let it go and get some modern apartments. Government just standing in the way of progress yet again."* And while it is unlikely that the Trafalgar Hotel will open again as a pub or venue, a balance must be struck between the need for new homes and spaces within the town centre and the aforementioned contribution to historic fabric of Douglas.

4.4 Existing Conservation Areas

Two respondents were concerned about the previous use of conservation areas in other parts of the Island and that the same approach would not be of any benefit. Suggesting that even existing areas should concentrate on a smaller core and that instead of large areas being designated specific buildings of historical importance should instead be Registered.

Important points were made by Manx National Heritage. It noted that on balance, a conservation area was justified but also stated that "because it had come forward in isolation, there is a potential danger that its merits cannot be measured objectively". It referred to the need to reinstate the grant aid system and noted the need for property enhancement of properties being of important significance for Douglas Head.

4.5 Vacant Sites

"Gloccor Morra" on Douglas Head Road has been vacant for a number of years and there have been several planning applications that have sought demolition and replacement of the dwelling. The most recent application was lodged in June 2011 and was permitted but has since lapsed. The somewhat derelict building is a slight visual detractor from the otherwise visually impressive vista of the top of Douglas Head Road and the surrounding environment.

4.6 Existing protections

DEFA as well as several respondents identified policies within the development plan and other legislation that already affords the area with protection during the planning application process. While not mentioned by any of the respondents, Planning Policy also notes that Douglas Head Act 2000 restricts the rights of both the Department of Infrastructure and

Douglas Borough Council in those areas of land delineated on the map associated with the Act.

Area Plan for the East 2020	
Landscape Proposal 6 (Douglas Head)	Douglas Headland is exposed and prominent from many viewpoints. This is considered an outstanding natural feature and one which should be conserved. In order to conserve this vista of seascape and coastal views, applications for planning approval for new development in this area will generally not be supported. It is acknowledged that maintenance and need for upkeep may lead some existing development to seek planning approval from time to time, such as the radio transmission/telecoms site at Carnane. In cases where new development is proposed, applications must demonstrate that it can be suitably integrated into the surrounding landscape setting through reasonable mitigation measures and include considering siting, colours, materials, finishes and the general scale
Landscape Proposal 8 (Douglas Bay)	The open, expansive headlands of Douglas and Onchan shall be protected from visual intrusion.
Map 1a -Environmental Constraints	Area Containing Registered Trees located on Douglas Head
Strategic Plan Policies 2016	
Spatial Policy 5	New development will be located within the defined settlements. Development will only be permitted in the countryside in accordance with General Policy 3.
General Policy 3	Development will not be permitted outside of those areas which are zoned for development on the appropriate Area Plan with the exception of: (a) essential housing for agricultural workers who have to live close to their place of work; (Housing Policies 7, 8, 9 and 10); (b) conversion of redundant rural buildings which are of architectural, historic, or social value and interest; (Housing Policy 11); (c) previously developed land(1) which contains a significant amount of building; where the continued use is redundant; where redevelopment would reduce the impact of the current situation on the landscape or the wider environment; and where the development proposed would result in improvements to the landscape or wider environment;

	<p>(d) the replacement of existing rural dwellings; (Housing Policies 12, 13 and 14);</p> <p>(e) location-dependent development in connection with the working of minerals or the provision of necessary services;</p> <p>(f) building and engineering operations which are essential for the conduct of agriculture or forestry;</p> <p>(g) development recognised to be of overriding national need in land use planning terms and for which there is no reasonable and acceptable alternative; and</p> <p>(h) buildings or works required for interpretation of the countryside, its wildlife or heritage.</p>
Douglas Head Act 200	
Section 1 - Rights and restrictions affecting the 1870 deed land	<p>(2) It shall be unlawful —</p> <p>(a) to enclose the 1870 deed land or any part of it, or</p> <p>(b) to erect any building or structure on the 1870 deed land.</p>
Section 2 – Vesting of Land	<p>(1) The land described in Part 1 of Schedule 2 (“the red land”) is vested in the Department, and shall be held by it in accordance with section 2 of the Government Property Trustees Act 1971 subject to the provisions of section 1 (where applicable) and to the following provisions of this section.</p> <p>(2) The land described in Part 2 of Schedule 2 (“the blue land”) is vested in the Corporation, and shall be held by it as public walks and pleasure grounds subject to the provisions of section 1 (where applicable) and to the following provisions of this section.</p>
Wildlife Act 1990	
Marine Drive ASSI	Area of Special Scientific Interest (ASSI) notified under Section 27 of the Wildlife Act 1990. Designated 20 th September 2021

DEFA made it known that notwithstanding the aforementioned environmental and ecological protections already in place that it was not best practice to include such expansive areas of open space within a conservation area that is primarily for the protection and enhancement of the historic and built environment.

4.7 The Environment & Climate Change

Owing to the special character of designated Conservation Areas, planning controls and obligations regarding demolition, new development, property alterations and advertisements are more stringent. This also means that generally, properties in Conservation Areas are exempt from Permitted Development rights. In turn, this means that residents of properties in Conservation Areas will be required to submit a planning application for works that ordinarily, would not require such an application.

One respondent was concerned about what this would mean for the long term environmental impact of the old housing stock stating that *"This proposal will harm the environment by making it harder for local residents (such as myself) to improve the ecological sustainability of our homes. Upkeep of buildings is killing the area and making it more expensive to do so isn't going to help."*

However, if residents of Conservation Areas seek to reduce their carbon footprint by improving the energy efficiency of their homes, some of these improvements may be covered under the Island's Green Living Grant². Although not all of the works allowed under the scheme would be eligible to residents of a Conservation Area, internal works such as; loft, solid wall and floor insulation, hot water cylinder insulation, central heating and smart boiler controls and low energy lighting may well be included under the scheme.

4.8 Existing Character

The Douglas Head cohesive or clashing architectural styles of the Victorian and modern periods with a mix of industrial, commercial, residential and recreational uses which given its predominantly open nature offers a vantage point to enjoy the view of Douglas Promenade Conservation Area, the roof line of Douglas, its harbour, Onchan Head and the central valley and hills in the distance. Indeed this view is iconic and features on the Manx £50 note as well as being the subject matter for many artists over the years. One respondent was keen to see this pepper pot of controlled development asking *"Please do not stifle creativity in an area that was clearly a melting pot for those who came before. Douglas Head was not some locked dusty room of times past, but a palette of colour and intrigue; I believe she will find her own path without shackling her."*

DEFA made comment on the overall character of South Quay, stating that the historic industrial character and its buildings had been predominantly lost with those exemplars, including the Trafalgar Public House and the Customs/Machinery building already protected through registration. A similar comment was made regarding the remaining urban areas of Douglas Head, that with the exception of Fort William, the remaining built environment is contemporary and its historic character has been predominantly lost with those remaining exemplars already being protected through registration.

4.9 Other Constraints

Some respondents who identified as residents in the area mentioned other constraints that are matters of private law. Restrictive covenants in relation to the properties of Taubman Terrace, the Point, Hillary Wharf, Ravens Wharf and these were held by private management companies.

One respondent noted that even in those areas of Douglas Head denoted as residential or Mixed Use within the Area Plan, the undeveloped space is too steep to develop or covered in mature trees or semi-natural habitat. Cabinet Office have noted these comments can further clarify that this area is identified as an area containing registered trees on the Environmental Constraints map within the Area Plan for the East.

² <https://www.gov.im/about-the-government/departments/cabinet-office/climate-change-isle-of-man/green-living-grant/>

5. Next Steps

Cabinet Office has welcomed the study produced and has found the consultation a practical way of gauging opinion on the matter of whether the Douglas Head area should be taken forward as a Conservation Area. One point the consultation has highlighted is the need for an appropriate boundary to be identified in any further work. Cabinet Office will consider the findings of this consultation alongside planning the next steps for broader conservation area project work which aims to reappraise existing conservation areas, determine a future for those areas currently in draft and explore the merits of new conservation areas. One of the goals is to standardise the character appraisal process, develop management plans and adopt an approach that is fair and balanced going forward that will stand the test of time.