

Port Erin Commissioners  
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Clerk: J M Roberts



Mr Stephen Willoughby  
Local Government Unit  
Department of Infrastructure  
Sea Terminal  
Douglas  
IM1 2RT

25 July 2016

**Re: Local Government Act 1985 – Section 6**

Dear Mr Willoughby,

I am directed by the Commissioners to respond to the letter of 25 March 2015 from Mr Kevin Gillespie, who is no longer with the Local Government Unit, hence the letter has been addressed to you. In his letter, Mr Gillespie sought a response to a number of queries which I have included below.

**a) That the promoters' area and the area/s sought are really one community**

The site at Ballakilly is one development of a housing estate by a single developer under a single headline planning application (PA13/00777/B). The site itself was also noted as a single development site in the within the Southern Area Plan adopted in 2013.

**b) That there is community of interest in all or most public services, social agencies (for example schools, doctor's surgery/ies, recreation areas and community halls) and communal requirements of the future**

The whole of the Ballakilly development will make use of the same schools, doctors, dentists, community halls and recreational areas, all of which are immediately adjacent to the development. Also, the closest retail outlets, bank and post office are located within Port Erin.

The Planning Officer's Report considered at the Planning Committee meeting on 16<sup>th</sup> September 2013 stated, "The site does represent a sustainable extension to an existing settlement – whilst on the edge it is next to the settlement's medical facilities and within walking distance of the village and public transport thereto and beyond.

**c) That the area sought is an overspill or outgrowth of the promoters area**

The Board is of the opinion that the area sought is an overspill or outgrowth of Port Erin. The development sits within fields which adjoin current dwellings within the

Village District of Port Erin. It is worthy of note that the Ponyfields development, of which the Ballakilley development is a further extension, was previously ruled as an overspill in a similar application for extension granted on 1<sup>st</sup> March 1991.

As per the original development planning application (PA13/00777/B), 90 of the proposed 156 dwellings are located within the existing Port Erin boundary, with the remaining 66 within Rushen Parish.

The Planning Officer's Report considered at the Planning Committee meeting on 16<sup>th</sup> September 2013 stated "The layout and design of the new housing must be such as; to create a sense of place recognising the sites position at the edge of the built up area of Port Erin; ... and to result in a landscape, soft edge to the development which forms the boundary between Port Erin and the Parish of Rushen"

**d) That wherever possible, clear physical boundaries are followed**

The Planning Officer's report considered at the Planning Committee meeting on 16<sup>th</sup> September 2013 refers to Environmental Policy 42 and the open or green spaces which are to be preserved, as detailed in the Southern Area Plan.

The proposed boundary extension would ensure that there is a clear physical boundary as a defined 'green gap'.

The Southern Area Plan states under section 4.63.4 that "...there is an opportunity to soften the rather abrupt eastern edge to the Ponyfield's development. However, it is also important to ensure that the separate identities of Port Erin and Ballafesson are protected by the provision of an effective Green Gap between the two."

Additionally, Spatial Policy 7 states that in accordance with Strategic Policy 3 Area Plans will assess the need for Green Gaps between settlements so as to avoid coalescence.

In the context of Spatial Policy 7, "green gap" means an open area which serves to maintain the distinction between settlements; prevents the coalescence or merging of settlements; and may provide recreational opportunities.

**e) That there is insufficient acreage left for the development of the promoters' area within its borders and injury is suffered thereby**

The Board is of the opinion that the extension of the Boundary will not be injurious. The Southern Area Plan highlights all available sites for development within the Village District of Port Erin.

**f) That the balance of advantage lies in the acceptance of the scheme though it may generally be admitted that the area sought may be valuable in various ways to the Local Authority by whom they are now governed.**

The Board is of the opinion that the balance of advantage lies in the acceptance of the scheme. As mentioned earlier, the Planning Officer's Report highlights the requirements to create of a sense of place, a sense of community and ensure that a green gap is created to clearly differentiate between settlements.

Should the scheme not be accepted, the Board is of the opinion that the creation of a sense of place and community would not be achieved. Each Local Authority has differing policies, byelaws, operational and service provisions. A lack of consistency between neighbouring properties would not be conducive to creating a sense of place.

In recent times, similar Boundary Extension applications have been granted in 1991 and 2001 when similar housing estates have been built onto the edge of Port Erin.

As requested, I include maps at scale 1:2500 detailing the current and proposed boundaries. The red boundary indicates the existing boundary, whilst the blue indicates the boundary extension application.

I look forward to hearing from you in due course.

Yours sincerely,



J M Roberts  
Clerk

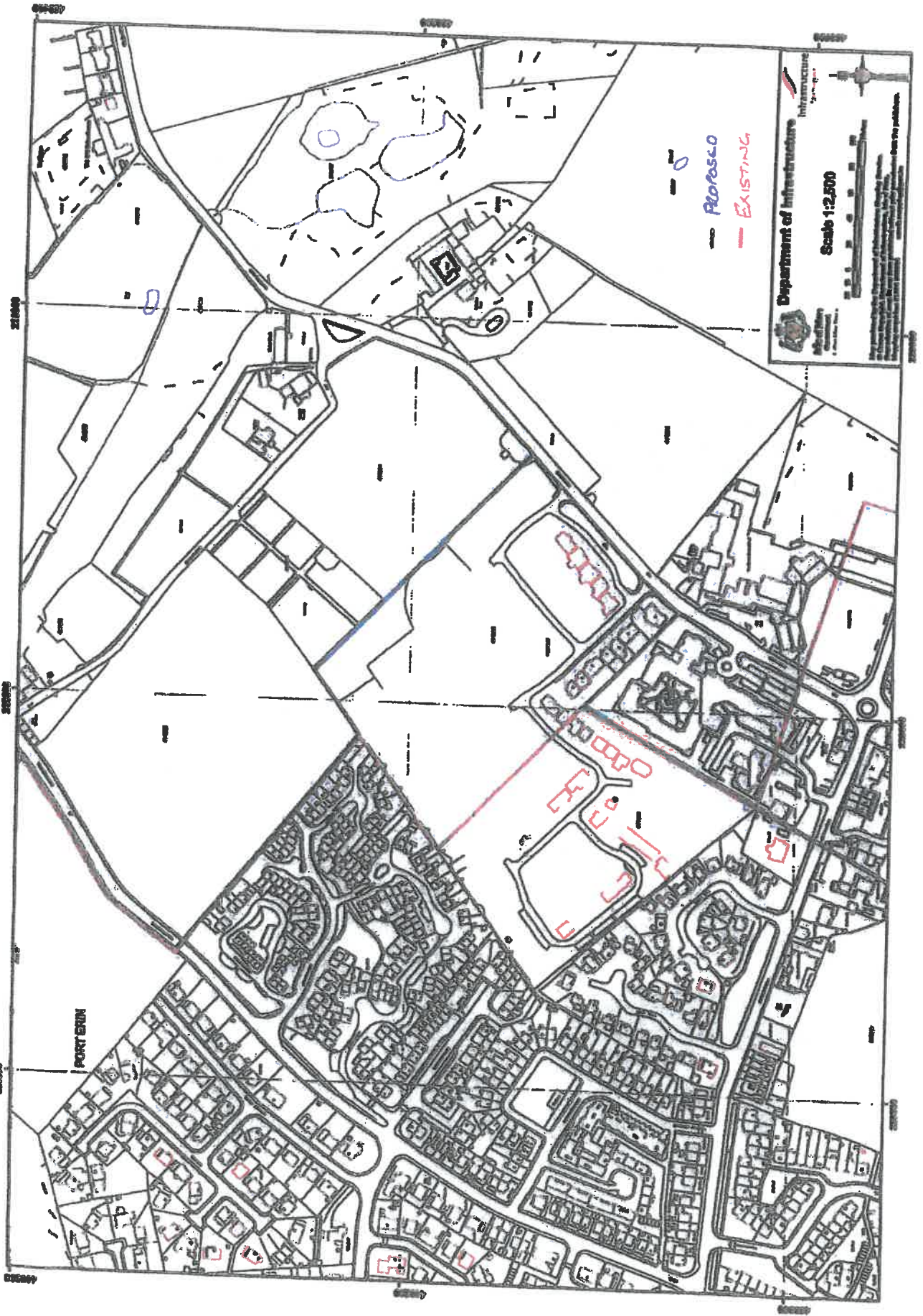
Encl. Map at Scale 1:2500  
Ariel Map at Scale 1:2500

**Amendment - 18<sup>th</sup> November 2016**

(e) amendment to typing error amended – change “sufficient” to “insufficient”.

Approved by Board of Port Erin Commissioners at its meeting of 8<sup>th</sup> November 2016.





Department of Infrastructure  
Infrastructure  
Scale 1:2,500

North Arrow

Scale Bar

Department of Infrastructure  
Infrastructure  
Scale 1:2,500

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D.O.L.  
Sea Terminal  
20 OCT 2014



Mr Kevin Gillespie  
Head of Local Government Unit  
Department of Infrastructure  
Sea Terminal  
Douglas  
IM1 2RL

16 October 2014

**Re: Local Government Act 1985**

Dear Mr Gillespie,

I am directed by the Commissioners to make application under Section 6 of the above Act for an extension of the Village District Boundary in accordance with the residential development on the attached plan.

The Commissioners believe the area is a natural extension of their boundary and would comply with the criteria laid down by the select Committee of Tynwald when considering an extension of the boundaries of the Borough of Douglas in 1984, and which was considered during an application in November 1999 to make a similar boundary extension. The Commissioners also believe that the request complies with the criteria & recommendations contained within the Isle of Man Strategic Plan, the Southern Area Plan 2012 and the reports of both the Planning Officers report and Minutes of the Planning Committee made whilst considering the planning application for this specific site.

I have marked on the plan the current boundary and that of the boundary extension application. It should be noted that no existing occupied dwellings are included within this application. I have also sent a copy of this letter to the Clerk of Rushen Parish Commissioners.

If you require any further information at this stage, please do not hesitate to contact me.

Yours sincerely,

J M Roberts  
Clerk

Copied to Mrs G Kelly, Clerk Rushen Parish Commissioners

