

# **Statement of the Head of Planning Policy, Cabinet Office to support the Public Inquiry into the proposed Ramsey (Boundary Extension) Order 2023**

## **1 Introduction**

- 1.1 Cabinet Office has been asked to provide evidence to the Public Inquiry in respect of the Area Plan for the North and West. I, Diane Brown MRTPI, hold the position of Head of Planning Policy and I have prepared this Statement on behalf of Cabinet Office. It shall form the basis for any oral evidence given at Inquiry but I may also make reference to papers already published, namely the Draft Area Plan for the North and West and accompanying Evidence Papers (published 24<sup>th</sup> June 2022) and published documents relevant to earlier Plan stages.
- 1.2 This Statement sets out background information about the responsibility of Cabinet Office when it comes to plan making, the broad content of the Draft Plan and how this relates to Ramsey and the surrounding area, as well as the stages undertaken so far. It also identifies ongoing work; highlighting the next steps and indicative timetable which would be followed if the plan is taken forward (after its own Public Inquiry) to be adopted (by Order) by Cabinet Office and approved by Tynwald (please see Appendix 1 for the timetable).
- 1.3 It is understood that matters relating to the Boundary Extension Proposal including the Public Inquiry stage are proceeding at their own pace. I note that some submissions to the Inquiry process suggest deferring a decision until the Plan process for the North and West is complete. I can confirm that the progress of the Boundary Extension application has not influenced the North and West Plan process to date. This Statement is offered as professional planning support to the Inquiry proceedings and the Chairperson specifically in their deliberations.

## **2 Background and the duty to prepare a Development Plan**

- 2.1 The Cabinet Office has a responsibility, afforded to it by Section 2 of the Town and Country Planning Act 1999, to prepare the 'Island Development Plan' (IDP). The Development Plan sets out Government's policies for the future development of, and land use in, the Isle of Man, identifying what development is needed, where it should go and what land is protected.
- 2.2 The IDP (which is made up of more than one plan) sets out the general 'Policies' in the form of a Written Statement, and also 'Proposals' which relate to specific places, issues or sites, depending on the particular plan area. The two types of plan which make up the Island Development Plan are:
  - i. a strategic plan (which sets out general policies), and
  - ii. area plans (of which there may be more than one, that set out proposals

including site specific proposals, including sites for development).<sup>1</sup>

2.3 The Isle of Man Strategic Plan 2016 (“the Strategic Plan”) was approved by Tynwald on 15<sup>th</sup> March 2016, coming into operation on 1<sup>st</sup> April 2016. A review of this plan has recently started and the first consultation stage or ‘Preliminary Publicity’ took place between 21<sup>st</sup> July 2023 and 29<sup>th</sup> September 2023.

2.4 All ‘proposals’ in an Area Plan shall be in general conformity with the Strategic Plan<sup>2</sup>.

### **3 The weight attached to Existing and Emerging Plans**

3.1 In terms of how the Island Development Plan is taken into account in decision making on planning applications, it is listed as one of a number of considerations to be taken into account.<sup>3</sup> S10(4) states that “In dealing with an application for planning approval...the Department<sup>4</sup> shall have regard to – (a) the provisions of the development plan, so far as material to the application.” In practice, this means that at the point of a decision being made, the approved development plan is taken into account.

3.2 All development plans take time to complete. This is because of the need to gather and analyse information, the need to ensure sufficient public consultation, the time and resources necessary for a public inquiry and the approval process which follows relating to modifications, adoption and approval. Questions are sometimes asked about the weight decision makers should place on emerging plans. For instance, sites may be allocated for development in an existing plan but might not be allocated in an emerging plan (which would include a Draft Plan). Emerging Plans can be seen as “other material considerations” but this doesn’t imply that they should be afforded a specific level of weight in decision making.

3.3 Unlike in England, where the National Planning Policy Framework (NPPF section 48) sets out that “Local Planning Authorities may give weight to relevant policies in emerging plans...” there is no equivalent guidance on the Isle of Man. Plans are recognised as being relevant and in operation until they are revoked, which happens when replacement plans are adopted (by Order) and then approved by Tynwald.

3.4 From personal experience dealing with planning applications on the Island earlier in my career, emerging plans tend to carry little weight until replaced formally by an approved plan. The precise ‘weight’ remains a judgement made by planners and decision makers determining planning applications and considering the particular circumstances of the case. In practice, there is more certainty about a plan’s direction after it has been through Public Inquiry than one which hasn’t. While no changes to a plan can be made after an Order has been signed - signalling its

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<sup>1</sup> There are some Local Plans still in place in the North and West

<sup>2</sup> S2(4) Town and Country Planning Act 1999

<sup>3</sup> S10(4) Town and Country Planning Act 1999

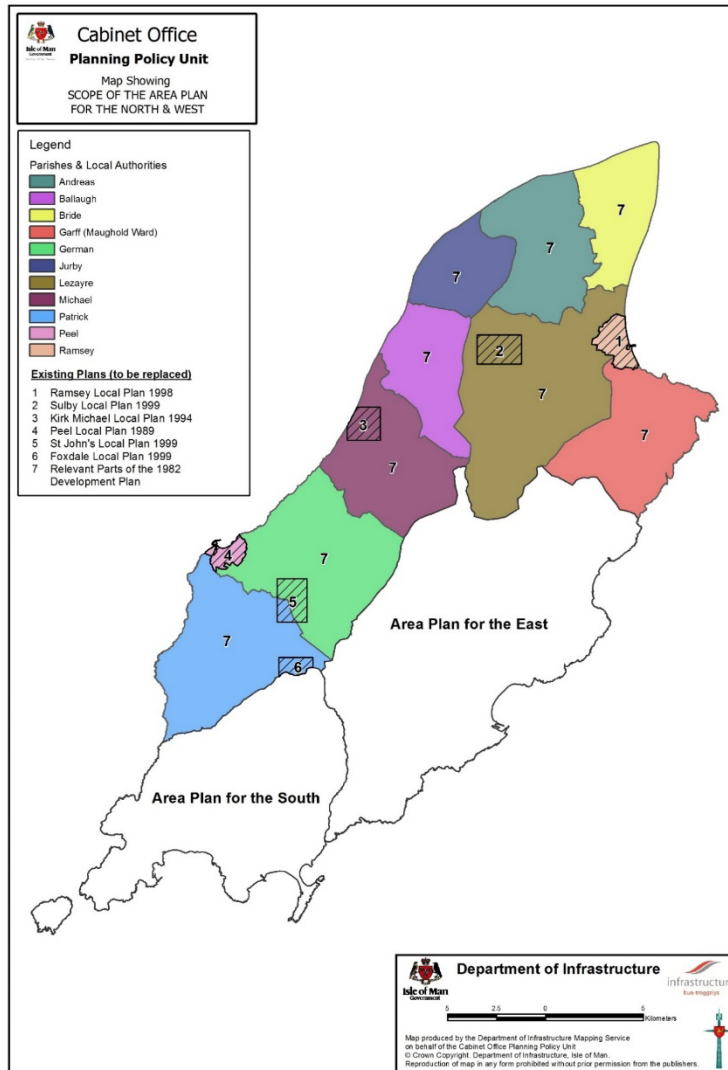
<sup>4</sup> DEFA in this case

adoption - plans still need to be approved by Tynwald. Tynwald does not have the power to amend an Adopted Plan.

- 3.4.1 The Area Plan for the North and West once approved will replace the Ramsey Local Plan and the 1982 Development Plan which are both relevant plans in and around Ramsey. They do remain the statutory development plans for the time being and so land which is currently allocated on these Plans could come forward for development at any time. For example, an application has been submitted for development at Vollar Fields, between Bride Road and Andreas Road, north Ramsey. The land is allocated in the Ramsey Local Plan but this was not taken forward in the Draft Area Plan for the North and West. It will be for DEFA to determine the application in the knowledge that there is emerging plan.
- 3.4.2 How the current status of the Draft Plan impacts on the assessment for any live planning application will be a matter for DEFA, taking into account many of the points mentioned above.

## 4 The Area Plan for the North and West

4.1 The Plan boundary is shown below (extract from the Draft Plan)<sup>5</sup>. The coloured areas represent separate Local Authorities. Lezayre is shown in brown. The Maughold Ward of Garff is shown in salmon pink. Both border Ramsey (light pink).



4.2 The boxes highlight where the extant plans are and the numbers relate to the relevant Local Plan. Any part of the north and west not covered by a Local Plan (largely the rural areas) is covered by the 1982 Development Plan.

<sup>5</sup> <https://www.gov.im/categories/planning-and-building-control/planning-policy/development-plan/draft-area-plan-for-the-north-and-west/>

## 5 Key points about the Draft Plan which may help the Inquiry

### 5.1 The Plan Period and Housing Need

5.1.1 The plan period for the Draft Area Plan is from 2011 to 2026. This matches the plan period for the Strategic Plan 2016. The plan period is important when it comes to identifying land use and development needs. It is particularly relevant to calculating housing need. Broad housing need is set out in the current Strategic Plan as follows:

#### Housing

**Policy 1: The housing needs of the Island will be met by making provision for sufficient development opportunities to enable 5,100 additional dwellings (net of demolitions), and including those created by conversion, to be built over the Plan period 2011 to 2026.**

5.1.2 This translated to a housing need distributed on across the four Areas as follows:

#### Housing

**Policy 3: The Island's housing need of 5100 additional dwellings between 2011 and 2026 is to be met by a spatial distribution of housing across the North, South, East and West as follows:**

- **North**            **770**
- **South**           **1,120**
- **East**            **2,440**
- **West**            **770**
- **All-Island**     **5,100**

5.1.3 The 1999 Act makes it clear that plans shall be in "general conformity with the Strategic Plan". Combining the housing need for the North and West provides the gross need. So, the starting point for the Draft Plan is to ensure that by 2026, 1540 new dwellings are built. To plan for a different figure would not be in general conformity with the Strategic Plan.

5.1.4 Ahead of the publication of the Draft Plan calculations were undertaken to identify the residual housing need for the rest of the plan period up to 2026. The supporting Evidence Paper EPD3 'Land Needs and Supply Report'<sup>6</sup> published at the time of the Draft Plan set out all of the data and analysis.

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<sup>6</sup> <https://www.gov.im/media/1376844/epd3-land-supply-in-the-north-and-west-final.pdf>

## **5.2 Identification of Sites**

- 5.2.1 The submissions by the Local Authorities in evidence to the Boundary Inquiry process refer to some of the sites zoned in the Ramsey Local Plan compared to the Draft North and West Plan. It might be helpful to the Inquiry to explain the background to the site selection process that was undertaken.
- 5.2.1 Ramsey is one of five Service Centres. There is a strategic policy requirement for the Area Plan to define development boundaries such as to provide a range of housing and employment opportunities at a scale appropriate to the settlement.<sup>7</sup> This is to ensure support for the vitality and viability of each Service Centre. The general approach contained in the Island Spatial Strategy is to direct more housing development to the settlements higher up in the settlement hierarchy, allowing for constraints and taking into account the circumstances of each settlement. It is important that all new housing and existing communities are supported by the right level of (improved where possible) access to services, including sewage treatment, community facilities and green space.
- 5.2.2 In terms of Ramsey, before any sites and proposals were identified/drafted, detailed assessments were undertaken for the town and the surrounding area looking at the critical issues both in the urban area (including the town centre) and in the surrounding rural areas. This enabled the development needs for Ramsey up to 2026 to be identified as part of the Plan Area as a whole. Each site identified as part of the Call for Sites exercise, which took place at the very beginning of the plan process, had a Site Assessment Report completed for it.
- 5.2.3 The qualitative and quantitative data gathered and subsequent analysis showed that even though Ramsey had vacant and underused sites which could be developed and which the Draft Plan could positively support, some new development land was needed to satisfy housing need up to 2026. In order to avoid an oversupply of development land, not all land zoned on the existing Ramsey Local Plan was taken forward. The individual site assessments helped the Department judge which sites – as sustainable urban extensions - would be more deliverable. Part of the process to produce a Draft Plan is to assess the deliverability of sites within the plan period. This is undertaken as part of the site assessment report. Care has to be taken about relying on sites which have limited or no prospect of coming forward. This is why there are broad assessments of how deliverable sites are alongside other queries including how acceptable sites are in planning terms and how developable they are.

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<sup>7</sup> Spatial Policy 2, Isle of Man Strategic Plan 2016

- 5.2.4 In terms of land for other uses, employment land was to be retained in Ramsey where the site assessments concluded it was still appropriate and other industrial areas were to be consolidated i.e. in Jurby and Andreas. The Department judged that this met with the broad objective in the Strategic Plan to focus employment uses in Peel and Ramsey.
- 5.2.5 The Draft Plan did recognise other land uses on the edge of Ramsey but outside of the settlement boundary. These related to land south of the Jurby Road for sports pitches and land north of Ramsey for Regional Sewage Treatment/Civic Amenity Site at Balladoole.

### **5.3 Residential Need in the short, medium and long term**

- 5.3.1 *Future development (short term)* - To meet the housing need set out in the Strategic Plan 2016, as set out above in Housing Policy 1, 1540 new dwelling units were needed between 2011 and 2026. Urban capacity assessments were undertaken and account taken of:
- i. unoccupied sites within the existing settlement boundary without valid planning approval;
  - ii. valid planning approvals;
  - iii. housing built since 2011; and
  - iv. conversion projections.
- 5.3.2 It is only after this work was done and there was an identified housing need, that the potential 'sustainable urban extension sites'<sup>8</sup> were looked at closely with the most suitable being selected for the Draft Plan. The key objective when looking at settlement expansion is to make sure that development optimises the use of previously developed land and where extensions to settlements are necessary, these are sustainable.
- 5.3.3 Table 18 in the Draft Area Plan identified that the housing need for the remainder of the plan period (2022 to 2026) in the whole plan area was 343 new homes. In terms of Ramsey, Table 19 shows that Ramsey could deliver 63 new homes within the existing settlement boundary on top of homes already completed, planned and projected and that the remaining residual need of 102 units could be satisfied via one site, which the Draft plan identified as RR009 at Lezayre Road (this was subject to a live application at the time of publication).

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<sup>8</sup> As defined in the Isle of Man Strategic Plan [https://www.gov.im/media/1350906/the-isle-of-man-strategic-plan-2016-approved-plan-15\\_03\\_16.pdf](https://www.gov.im/media/1350906/the-isle-of-man-strategic-plan-2016-approved-plan-15_03_16.pdf)

- 5.3.4 *Future development (medium to long term)* The review of the Strategic Plan has started and the new Strategic Plan will identify housing need between 2021 to 2041 (note: the plan period could change for the Draft Plan). Papers setting out what issues the new Strategic Plan will deal with were published on 21<sup>st</sup> July 2023. The implications of aiming for a population increase to 100,000 by 2037 were discussed in Paper P.EP01<sup>9</sup>.
- 5.3.5 The Paper identified that taking in to account existing land supply and planning approvals, the residual need for housing 2021 to 2037 (based on a 10 year housing growth projection for 100,000 people) was 278 additional new dwellings in the North based on all undeveloped land within the extant Local Plans and current spatial distribution. It is likely that Ramsey will remain a higher order settlement and would, along with the other Service Centres be expected to accommodate a high proportion of new development.

## **6 Development characteristics on the edge of Ramsey**

- 6.1 The settlement boundary for Ramsey shown on Map 4 in the Draft Plan defines the edge of the built up area of the town. Part of the purpose of a settlement boundary is to identify where development can take place. It is normal for all land uses to be allocated a land use within the settlement boundary.
- 6.2 Beyond the boundary, this is effectively countryside and applications shall be determined accordingly. Unless development plans indicate otherwise, there is a presumption against development in the countryside. A settlement boundary makes it easier to avoid the spread of sporadic development in the countryside and to avoid 'ribbon' development close to existing settlements.
- 6.3 One of the key goals of the Strategic Plan is to ensure sustainable urban extensions, avoiding the inappropriate encroachment in to the countryside. When looking at where to place the settlement boundary for Ramsey, for some areas this was straightforward for instance where there a housing estate bordered open fields. For other areas, more of a judgement was required, for example where higher density estate development gave way to lower density, more spread out development. Officers often have to assess where the line should go between 'urban' and 'rural'.
- 6.4 In the case of Ramsey, defining the settlement boundary of the town was easier at its northern and southern edges; while more thorough assessment was required to the west of Ramsey along the Jurby Road and the Lezayre Road.

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<sup>9</sup> <https://www.gov.im/media/1380098/pep-1-island-spatial-strategy-paper-final.pdf>



- 6.5 It is noted that ribbon development has been mentioned in the submissions to the Boundary Inquiry from Garff and Lezayre Commissioners. To support the Inquiry on this point, it might be helpful for Cabinet Office to confirm that there is no definition of "ribbon development" in the Strategic Plan. It is, however, often used to describe housing development in a continuous or near continuous row, radiating out from a settlement. Examples tend to be prevalent alongside main roads at the edge of villages, towns or cities or between settlements on main highways. Ribbon development can appear linear when viewed in plan form as it generally hugs the immediate area next to the highway and can be quite visible.
- 6.6 Policy makers tend to want to avoid consolidating existing ribbon development which is often undesirable although there can be circumstances where infilling or 'rounding off' of development is acceptable. Built up areas often give way at the edge of settlements to lower density development which have large gardens or are characterised by small enclaves of detached dwellings. Judgements are necessary to ensure the inclusion of such properties into settlements in development plan terms wouldn't lead to an incursion of development into the open countryside which would be unacceptable.

## **7 Next Steps for Draft Area Plan for the North and West**

- 7.1 A Public Inquiry is currently being arranged. There has been a slight delay in taking the Plan forward but an Inquiry is now anticipated for Spring 2024 (see Appendix 1). All data produced for the Draft Plan will be monitored and updated where necessary. This may affect the data on housing supply and site selection going in to Inquiry. The Schedule of Proposed Changes has not been published at the time of writing but the Department will publish all such proposed changes ahead of the Inquiry and after the analysis of representations has been completed.
- 7.2 Even if the Cabinet Office does suggest amendments in a Schedule of Proposed Changes, the appointed Inspector may not agree. The Inspector's Report is not binding but Cabinet will have to justify and defend any recommendations it doesn't agree with. There is no certainty until the Plan is adopted and approved by Tynwald. Any decision to delay determining an application to await the outcome of the plan process would be a matter for DEFA rather than Cabinet Office.

This Statement has been prepared by:

**Diane Brown MRTPI**

**30<sup>th</sup> October 2023**

## Appendix 1 – Plan Stages

| Date   | Stage in Schedule 1                                   | Purpose and Output  |
|--|---|---|
| 31 <sup>st</sup> May 2019 to<br>28 <sup>th</sup> Feb 2020      | Call for Sites<br>(not part of statutory process )    | Public Consultation. Evidence gathering.<br>Opportunity to submit sites for consideration   |
| 16 <sup>th</sup> April 2021 to<br>25 <sup>th</sup> June 2021   | Preliminary Publicity                                 | Public Consultation - Setting out of those matters which the plan proposals intend to deal with   |
| 24 <sup>th</sup> Sep 2021 to<br>10 <sup>th</sup> December 2021 | Additional sites consultation                         | To make public the addition of 35 sites to the All-Sites List   |
| 24 <sup>th</sup> June 2022                                     | Publication of Draft Plan                             | Publication of: <ul style="list-style-type: none"> <li>• Draft Written Statement</li> <li>• Draft Maps</li> <li>• Supporting Evidence Papers</li> <li>• Response to earlier representations</li> </ul>                      |
| Spring 2024  | Inquiry<br>(Preparation ongoing)                      | To examine the Draft Plan in public   |
| Normally 2 to 3 months after the Inquiry                       | Publication of Inspector's Report                     | To make available the original report as drafted by the appointed Inspector   |
| Q4 2024  | Adoption of Area Plan (by Cabinet Office)             | Modifications published and representations/objections considered<br><br>Plan Adopted 'by Order'<br><br>Plan made up of: <ol style="list-style-type: none"> <li>1. A Written Statement</li> <li>2. A set of Maps</li> </ol> |
| Q1 2025  | Publication of Area Plan after approval <sup>10</sup> | Adopted Area Plan put to Tynwald for approval and thereafter published  |

<sup>10</sup> To take effect, the Plan must be approved within 3 months of the date of the Order