

Mr Adam Cooke
Billown Mansion
Ballasalla
Malew
IM9 3DL

Telephone (01624) 685958
Email: tim.cowsill2@gov.im
Contact: Tim Cowsill
Our Ref: MEC /AP24/0020

Date: 21st August 2025

Dear Sir/Madam,

ON APPEAL

Appeal Ref: AP 24/0020
PA No: 23/00750/B
Address Field No. 414697 Ballaman Ballnahowe Road Port Erin IM9 6JF
Proposal: Erection of two wind turbines

I refer to the appeal in respect of the above planning application.

In accordance with the provisions of The Town and Country Planning (Development Procedure) Order 2019, I herewith give notice of the appeal decision.

The Minister for Environment, Food and Agriculture, the Hon C Barber MHK, has carefully read the report of Inspector Vyse dated 1 May 2025 and considered all matters as set out in that report. The Minister has reminded herself of the matters to be taken into account under Section 10(4) of the Town and Country Planning Act 1999.

The Minister agrees with Inspector Vyse that the main issue is the effect of the wind turbines on the character and appearance of the surrounding area. This needs to be balanced against other factors, including the benefits of renewable energy generation. Other matters include impact on air traffic control, heritage, living conditions and the overall benefits of the scheme.

Whilst noting that the aim to deliver 20mw of onshore wind is a goal for government generated electricity rather than private projects and not necessarily agreeing with the overriding weight that the Inspector gives to the Climate Change Act, the Action Plan and the Action Plan for Achieving Zero Emissions relative to the Development Plan, the Minister has given careful thought to these and all the policies and other material considerations.

The Minister considers that this is a finely balanced case, where there are strong competing policy grounds both in favour and against permitting the proposed development. However, the Minister has concluded that, in this case, the benefits do outweigh the countervailing considerations. In reaching this conclusion, the Minister has noted the Inspector's report and the reasons given by the Inspector for her recommendation. That recommendation is not displaced because of the lesser weight attached by the Minister to the Climate Change Act, the Action Plan, and the Action Plan for Achieving Net Zero Emissions than was attached by the Inspector.

In light of the foregoing, the Minister for Environment, Food and Agriculture, the Hon C Barber MHK accepts the recommendation that the appeal should be approved for the following reason and subject to conditions. Formal notice of this decision is attached.

Reason for the Approval:

Any adverse effects of the proposed development on the character and appearance of the area is, on the facts of this appeal, outweighed by the benefits of the proposed development that help to reduce reliance on carbon generated electricity supply.

Yours faithfully

A large black rectangular box redacting the signature of Tim Cowsill.

Tim Cowsill
Chief Officer



THE TOWN AND COUNTRY PLANNING ACT 1999

The Town and Country Planning (Development Procedure) Order 2019

Mr Adam Cooke
Billown Mansion
Ballasalla
Malew
IM9 3DL

Appeal Ref: AP24/0020

In pursuance of her powers under the above Act and Order/Regulations, the Minister for the Department of the Environment, Food and Agriculture, the Hon C Barber MHK does hereby in the name of and on behalf of the Department **APPROVE** planning application 23/00750/B by Mr Adam Cooke **for** Erection of two wind turbines - Field No. 414697 Ballaman Ballnahowe Road Port Erin IM9 6JF subject to the following conditions:-

CONDITIONS OF APPROVAL:

1. The development hereby approved shall begin before the expiration of four years from the date of this decision.

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

2. The development hereby approved shall be carried out in accordance with the following plans, both received on 8 May 2024:

Ballaman Wind - Site Location Plan V1.0 dated 06.06.23
Ballaman Wind Site Layout Plan - date 03.05.24 @ Scale 1:500

Reason: In order to create certainty for all parties, as additional plans were submitted that were illustrative only, not definitive.

3. Prior to the erection of the wind turbines hereby permitted, full details of the design, appearance, materials and colour of the tower, hub and blades shall be submitted to and approved in writing by DEFA Planning. The height to blade tip shall not exceed 13 metres above ground level. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interest of visual amenity and to protect biodiversity.

4. No development shall take place until a cable routing plan has been submitted to and approved in writing by the Department. The route shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity, as the route could run beneath hedgebanks and hedgerows.

5. Prior to the erection of the wind turbines hereby approved, a scheme for the monitoring of their impact on bats and birds shall be submitted to and approved by the Department. The scheme shall include a timetable for the checking surveys and submission of reports detailing the results of the surveys, together with any mitigation measures and a programme for their implementation. Any identified mitigation measures shall be implemented in accordance with the approved scheme.

Reason: To minimise ecological impact and to safeguard wildlife.

6. Prior to the commencement of development, a Habitat Management Plan setting out measure to reduce the suitability of the site for foraging Chough shall be submitted to and approved in writing by DEFA Planning Department. The measures within the Habitat Management Plan shall thereafter be implemented and maintained as required.

Reason: To safeguard wildlife.

7. Other than for the sole purposes of assessing the extent of any effects on the Air Traffic Control Surveillance System ("the System") used by the Isle of Man Airport, and the subsequent design of a mitigation scheme to address those effects, no turbine(s) shall be operated unless and until an Air Traffic Control Surveillance System Mitigation Scheme ("Mitigation Scheme") that addresses any impact of the wind turbine(s) upon air safety, has been submitted to and approved in writing by the DEFA Planning Department. The Mitigation Scheme shall set out measures to mitigate the impact of the development upon the operation of the System and the air traffic control operations of the airport which are reliant upon the System. The agreed Mitigation Scheme shall be implemented and retained throughout the period of the operation of the turbines. In the event of the System being replaced during that time, any mitigation measures applied to the System will similarly be implemented on the replacement System (if required).

Reason: In the interests of the efficient operation of Ronaldsway Airport, Isle of Man, and aircraft safety, in accordance with Transport Policy 10 of the Strategic Plan.

8. The rating level of the free-field noise imissions from the wind turbines hereby approved (including the application of any tonal penalty) should not exceed sound pressure levels within the amenity space of any dwellings which lawfully exist, or which have planning permission for construction at the date of this permission, during the daytime period (07:00-23:00) and at 1 metre from any such dwelling during the night-time period (23:00-07:00) as defined in the table below for operational wind speeds at the hub height of the turbines, up to and including 12 metres per second (m/s), or the maximum operational speed of the turbines, whichever is lower:

	Wind Turbine Noise Level Imission Limit $L_{Aeq,10min}$ at Corresponding Wind Speed at Hub Height (m/s)											
Wind Speed	1	2	3	4	5	6	7	8	9	10	11	12
Daytime Period												
Ballaman and Kate's Cottage	45	45	45	45	45	45	45	45	45	45	45	45
Mull House, Bay Mount	35	35	35	35	35	35	35	35	35	35	35	35

Shenvalley Farm	37	37	37	38	39	41	42	44	45	47	49	51
Ballanard House and The Coote	35	35	35	35	35	35	36	37	39	40	42	44
Night-time Period												
Ballaman and Kate's Cottage	45	45	45	45	45	45	45	45	45	45	45	45
Dwelling off Bay Mount	43	43	43	43	43	43	43	43	43	43	43	43
Shenvalley Farm	43	43	43	43	43	43	43	44	47	49	51	52
Ballanard House and The Coote	43	43	43	43	43	43	43	43	43	43	43	43

Reason: In order to protect the living conditions of occupiers of residential properties in proximity to the wind turbines.

9. Within 21 days from the receipt of written request from DEFA Planning the appellant, or successor in title, shall employ an independent consultant to assess the level of noise imissions from the turbines using a method previously agreed in writing with DEFA Planning. Should the turbines be identified as operating above the parameters specified in Condition C11, they shall be modified, limited or shut down until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to the parameters specified in Condition C11.

Reason: In order to protect the living conditions of occupiers of residential properties in proximity to the wind turbines.

10. At no time shall the turbines hereby approved be illuminated or display any form of lighting.

Reason: In the interests of visual amenity and aircraft safety.

11. No advertising shall be displayed at any time on the turbines hereby approved.

Reason: In the interest of visual amenity.

12. The turbines hereby approved shall be dismantled and removed from the site within 25 years from the date when electricity is first generated by the wind turbines (the 'First Generation Date'), with written notification of the First Generation Date to be provided to DEFA Planning no later than 14 days after the event, or within six months of the date when the wind turbines permanently cease to produce electricity, whichever is the sooner, with the land restored thereafter in accordance with a decommissioning and site restoration scheme which shall previously have been submitted to, and approved in writing by, DEFA Planning.

Reason: In the interest of visual amenity.

Reason for the Approval:

Any adverse effects of the proposed development on the character and appearance of the area is, on the facts of this appeal, outweighed by the benefits of the proposed development that help to reduce reliance on carbon generated electricity supply.

Date of issue 21st August 2025
By Order of the Minister



Tim Cowsill
Chief Officer

Note 1: A copy of the report of the appointed person is appended hereto.

Note 2: All parties should note that there is no prescribed right of appeal relevant to the Minister's decision herein and accordingly the only right of challenge is by a petition of doleance brought to the High Court of Justice of the Isle of Man. Such doleance proceedings required to be issued promptly and in any event within 3 months.

Note 3: The letter which accompanies this notice forms part of the notice in accordance with Article 13 (3) of the Town & Country Planning (Development Procedure) Order 2019.