



Mr Mark Pearce
12 Strathallan Crescent
Douglas
IM2 4NR

TOWN AND COUNTRY PLANNING ACT 1999

The Town and Country Planning (Development Procedure) Order 2019

In pursuance of powers granted under the above Act, and subordinate Orders and Regulations, the Department of Environment, Food and Agriculture determined to **REFUSE** an application by Mark Pearce, Ref **25/90217/B**, for the **Construction of car parking area for 30 cars at Field 324321 Old Church Road Crosby Isle Of Man** for the following **reason(s)**:

1. The proposed car park and access would be located on land not zoned for any particular purpose and is within the countryside. The proposed development is not listed as an exceptional circumstance under General Policy 3 and the development is not associated with any recognised national need in land use planning terms. The application also fails to demonstrate whether there are any other reasonably available sites where the development could be located and the principle of development is considered to conflict with General Policy 3 of the Strategic Plan.
2. The construction of a new access and car park on agricultural land will cause demonstrable harm to the character and quality of the landscape, eroding the character and appearance of the landscape through the provision of a hard, urban form of development. The proposals therefore considered to conflict with Environment Policies 1 and 2 and General Policy 2 (b) and (c) of the Strategic Plan.
3. The application site is located on land identified as being at high risk of flooding. The submitted information fails to demonstrate how the site can be developed without increasing the risk of flooding off site and how the site can be used in a safe manner without endangering human health and property. The proposal therefore conflicts with Environment Policies 10 and 13, General Policy 2(l) and guidance contained at Appendix 4 of the Strategic Plan.
4. The proposed development would lead to the destruction of land previously identified as a habitat containing flora and fauna of ecological importance such that the site is considered to represent a habitat of local and national importance. In the absence of evidence to the contrary, it is considered that the proposed development will cause the permanent loss of an important ecological habitat for which no overriding national need has been demonstrated. The proposed development will therefore conflict with Environment Policies 1, 4 and 7 of the Strategic Plan.

5. The design of the proposed access includes a visibility splay to the North, which crosses Third Party land that is outside the ownership and control of the applicant. As such, the visibility splay to the North cannot be secured by condition. As the splay cannot be implemented the access is considered to be substandard and its use would give rise to an unacceptable impact upon highway safety. The proposal therefore conflicts with General Policy 2 (h) and (i) of the Strategic Plan.

Date of Issue:
26th August 2025

J CHANCE

**Director of Planning and
Building Control**

GUIDANCE NOTE

This decision was made by the Planning Committee in accordance with the authority delegated to it.

This decision refers only to that applied for under the Town and Country Planning Act 1999 and its subordinate legislation.

A copy of the Officer's report and any correspondence which informed the assessment and decision is available to view on the Government's website (via <https://pbc.gov.im/online-applications/>)

A determination to refuse planning approval does not have effect —

- **if an appeal is submitted until the appeal is determined or withdrawn; or**
- **if no appeal is submitted, until the time within which an appeal may be submitted has expired (21 days from the date of this notice).**

Appeal

Any appeal must be in writing, include the appropriate fee and be submitted to the Department within 21 days of the date of this Notice.

Guidance on how to appeal is available at gov.im/howtoappeal