

Rheynn Chymmyltaght, Bee as Eirinys

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Contact: Tim Cowsill
Our Ref: MEC /AP25/0042

Date: 21st May 2026

Dear Sir/Madam,

ON APPEAL

Appeal Ref: AP 25/0042

PA No: 25/90398/B

Address Cronk Reayrt Peel IM5 1DB

Proposal: Installation of 1 telegraph pole to provide fibre optic connectivity to 2
& 10-18 & Fresh Breezes, Cronk Reayrt.

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

I am directed to advise you that the Minister for Environment, Food and Agriculture, in pursuance of section 3(2) of the Government Departments Act 1987, has delegated responsibility for the determination of this appeal to Mr L Hooper, MHK.

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

In assessing the merits of this appeal proposal, Mr Hooper, MHK would state at the outset that it is a well-established principle that every planning application should be assessed on its own individual merits.

In light of the foregoing, therefore, I confirm that Mr Hooper agrees with the Inspector that the main issues for assessment relates to the effect on the character and appearance of the area, the effect on the living conditions of local residents, particularly in terms of outlook; and the effect on highway safety.

Mr Hooper concurs with the Inspector's conclusions in relation to highway safety, namely that the development would not give rise to any material harm in this regard.

However, it is in relation to the overall planning balance, including the weight to be afforded to identified harm and the need for telecommunications infrastructure, that Mr Hooper disagrees with the Inspector's conclusions.

Character and appearance

The Inspector concludes that the proposal would result in some harm (paragraph 66) to the open and uncluttered character of the street due to the introduction of a pole and associated cabling (paragraph 48).

While Mr Hooper concurs with the Inspector's conclusion that there would be some harm, he considers that any resulting harm to character and appearance would be limited and localised, and does not give rise to a level of visual harm sufficient to justify refusal.

Living conditions

The Inspector finds that there would be material harm to the outlook of nearby residents, particularly Nos. 10 and 12 Cronk Reayrt, owing to the proximity, height and associated cabling of the proposed pole (paragraph 52).

Mr Hooper accepts that there would be some impact on outlook, and that this is a material consideration attracting weight against the proposal.

However, Mr Hooper notes that the structure would be located within the public highway, would not be directly in front of principal elevations, and would affect a limited number of properties.

Taking these factors into account, Mr Hooper does not consider that the impact would be so harmful as to amount to an unacceptable impact on residential amenity in isolation, to justify refusal.

Need for telecommunications infrastructure and planning balance

Infrastructure Policy 3 of the Isle of Man Strategic Plan requires a balanced judgement between the need for evolving communications systems and their environmental effects.

Mr Hooper concurs with the Inspector that the proposal would contribute to the rollout of fibre broadband infrastructure and that there is strong Government support for enhanced digital connectivity through the National Telecommunications Strategy, the National Broadband Plan and *Our Island Plan* and that these considerations carry considerable weight in favour of the proposal.

While the Inspector concludes that the identified harm outweighs these benefits, Mr Hooper reaches a different conclusion. Mr Hooper considers that the proposal represents an acceptable compromise between environmental considerations and infrastructure need, consistent with Infrastructure Policy 3.

When balanced against the limited harm to character and appearance and the identified, but localised, harm to residential outlook, Mr Hooper is satisfied that the planning balance falls in favour of the proposal. The development represents an acceptable compromise between environmental considerations and infrastructure need, consistent with the proper application of Infrastructure Policy 3.

Conclusion

For the reasons set out above, Mr Hooper's decision was finely balanced, having weighed all the matters, Mr Hooper has directed that he **does not agree with the Inspector's recommendation to dismiss the appeal**. Accordingly, he has directed that the Departments decision to refuse the application should be reversed, and that the application should be **approved subject to conditions**.

Formal notice of this decision is attached.

Yours faithfully,


Tim Cowsill
Chief Officer



THE TOWN AND COUNTRY PLANNING ACT 1999

The Town and Country Planning (Development Procedure) Order 2019

Manx Telecom
Cooil Road
Isle Of Man Business Park
Braddan
IM99 1HX

Appeal Ref: AP25/0042

In pursuance of his powers under the above Act and Order/Regulations, and under delegated powers from the Minister for the Department of the Environment, Food and Agriculture, Mr Lawrie Hooper, MHK does hereby in the name of and on behalf of the Department **APPROVE** planning application 25/90398/B by Manx Telecom **for** Installation of 1 telegraph pole to provide fibre optic connectivity to 2 & 10-18 & Fresh Breezes, Cronk Reayrt. - Cronk Reayrt Peel IM5 1DB subject to the following condition(s):

CONDITIONS OF APPROVAL:

C1. The development hereby approved shall begin before the expiration of four years from the date of this decision notice.

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.

C2. Unless otherwise agreed in writing by DEFA Planning, the telegraph pole hereby approved shall be removed within six months of it no longer being required for telecommunications purposes, and the land restored to its condition before the development took place, so far as is practicable.

Reason: In the interest of visual amenity and to comply with Infrastructure Policy 3 of the Strategic Plan.

NOTE: This approval relates to drawing no(s):

Wooden Pole Measurements and Furniture	2023P-0-0
Red Line Plan	2025P-6-1
Cable Plan	2025P-6-2
Pole 1 Site Plan	2025P-6-3
Aerial photo Pole 1 Location	2025P-6-4
Photomontage Pole 1	2025P-6-5

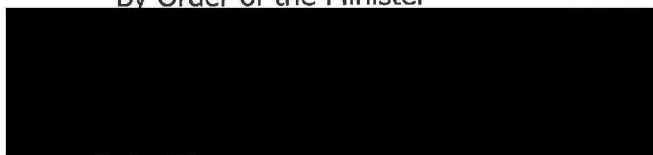
Reason for approval:

The proposed development would not result in harm to highway safety and, while it would introduce a new vertical element into the street scene, the impact on the character and appearance of the area would be limited given that the proposal involves a single telegraph pole only. Some harm to the living conditions of nearby residents, particularly in relation to outlook, is acknowledged and attracts weight against the proposal. However, Infrastructure Policy 3 of the Isle of Man Strategic Plan requires a balanced judgement between environmental effects and the need for new and evolving communications infrastructure.

In this instance, considerable weight is afforded to the benefits arising from the delivery of essential telecommunications infrastructure, supporting the transition away from legacy copper networks and the Government's objective of providing Island-wide ultra-fast broadband in accordance with the National Telecommunications Strategy, the National Broadband Plan and Our Island Plan. On balance, the development represents an acceptable compromise between environmental considerations and infrastructure need, consistent with the application of Infrastructure Policy 3 and the proposal is therefore acceptable.

Date of issue 21st May 2026

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 dolence brought to the High Court of Justice of the Isle of Man. Such dolence 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.