



Department of Environment, Food and Agriculture

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Contact: Tim Cowsill
Our Ref: MEC /AP25/0043

Date: 21st May 2026

Dear Sir/Madam,

ON APPEAL

Appeal Ref: AP 25/0043
PA No: 25/90399/B
Address: Bellevue Park Peel IM5 1UF
Proposal: Installation of 8 telegraph poles to provide fibre optic connectivity to 1-41 Bellevue Park and 1-17 Carmane Close

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, 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 material harm to the character and appearance of the area due to the number of poles and the associated overhead cabling.

Mr Hooper accepts that the proposal would introduce multiple vertical elements into the street scene and that this would result in some degree of harm.

In this case, Mr Hooper noted that the area is not characterised by a single uniform form of development. Belle Vue Park and Carmane Close comprise a mix of detached bungalows, chalet-style dwellings and two-storey terraced properties arranged around areas of open space, which results in a more varied and less tightly defined street scene than in other comparable locations.

The presence of open green space, variation in building height, plot layout and orientation of properties reduces the consistency and uniformity of the built form, and correspondingly it is Mr Hooper's opinion that this lessens the extent to which new vertical elements would appear incongruous or dominant when viewed in the wider context, coupled with their dispersal across the estate.

Taking these factors together, Mr Hooper considered that, while the proposal would result in some harm to the character and appearance of the area, he did not consider that the resulting harm is so significant as to decisively outweigh all other material considerations.

Accordingly, Mr Hooper did not consider that the proposal would give rise to an unacceptable impact on the character and appearance of the area when assessed in the round.

Living conditions

The Inspector finds that the development would give rise to material harm to the outlook of nearby residents, including overbearing impacts in certain locations.

Mr Hooper accepts that there would be some adverse impact on outlook, which attracts weight against the proposal.

However, the poles would be largely positioned within the public highway, often on boundaries between properties, and would not generally sit directly in front of principal elevations. Impacts would vary across the site rather than result in uniform harm.

Mr Hooper does not consider that the impacts, either individually or cumulatively, would be so oppressive as to amount to an unacceptable impact on residential amenity when assessed in the round.

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 new communications infrastructure and its 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.

Comparison with Ballaquane Park Appeal (AP25/0036)

Mr Hooper also had regard to the decision at Ballaquane Park (Appeal Ref: AP25/0036), where he accepted the Inspector's recommendation to dismiss the appeal due to significant harm to character and appearance and material harm to residential outlook arising from the scale, prominence and cumulative effect of the poles and associated cabling.

He noted that while there are similarities in the nature of the development proposed there and, in this appeal, that case turned on its specific site context and degree of impact. In particular, the harm identified arose from the uniform single-storey character, absence of vertical features, and the dominance of the poles and associated cabling within an otherwise open and uncluttered streetscape, together with widespread and overbearing effects on outlook.

In contrast, Mr Hooper is satisfied that the present appeal gives rise to a lesser degree and extent of harm, having regard to differences in spatial context, distribution and cumulative impact of the infrastructure, and its relationship to surrounding properties.

Accordingly, while AP25/0036 demonstrates that proposals of this type may be unacceptable in certain circumstances, it is not determinative in this case. The present appeal falls to be determined on its own merits, and Mr Hooper reached a different conclusion on the planning balance.

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 Department's 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: AP25/0043

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 25/90399/B by Manx Telecom **for** Installation of 8 telegraph poles to provide fibre optic connectivity to 1-41 Bellevue Park and 1-17 Carmane Close - Bellevue Park Peel IM5 1UF 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 poles hereby approved shall be removed within six months of them 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 number(s):

Wooden Pole Measurements and Furniture	2023P-0-0
Red Line Plan	2025P-7-1
Cable Plan	2025P-7-2
Pole 1 Site Plan	2025P-7-3
Aerial photo Pole 1 Location	2025P-7-4
Photomontage Pole 1	2025P-7-5

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Pole 2 Site Plan	2025P-7-6
Aerial photo Pole 2 Location	2025P-7-7
Photomontage Pole 2	2025P-7-8
Pole 3 Site Plan	2025P-7-9
Aerial photo Pole 3 Location	2025P-7-10
Photomontage Pole 3	2025P-7-11
Pole 4 Site Plan	2025P-7-12
Aerial photo Pole 4 Location	2025P-7-13
Photomontage Pole 4	2025P-7-14
Pole 5 Site Plan	2025P-7-15
Aerial photo Pole 5 Location	2025P-7-16
Photomontage Pole 5	2025P-7-17
Pole 6 Site Plan	2025P-7-18
Aerial photo Pole 6 Location	2025P-7-19
Photomontage Pole 6	2025P-7-20
Pole 7 Site Plan	2025P-7-21
Aerial photo Pole 7 Location	2025P-7-22
Photomontage Pole 7	2025P-7-23
Pole 8 Site Plan	2025P-7-24
Aerial photo Pole 8 Location	2025P-7-25
Photomontage Pole 8	2025P-7-26

Reason for Approval:

While the proposed development would result in some harm to the character and appearance of the area, and a degree of impact on the outlook of nearby residents, these harms are not considered to amount to an unacceptable level when assessed in the round. In accordance with Infrastructure Policy 3 of the Isle of Man Strategic Plan, a balanced judgement is required between environmental considerations and the need for new and evolving communications infrastructure. In this instance, substantial weight is afforded to the delivery of essential fibre broadband infrastructure, supporting the Island's strategic objectives for modern, reliable digital connectivity as set out in 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 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.