

Note 1A: Constraint Maps – Additional Content

Note 1A is provided by Cabinet Office in response to various suggestions from participants made at the week 1 Tuesday PM session that there should be additional content to the Constraints maps, which currently consist of two sub-divisions, Environmental and Infrastructure.

Examples of suggested additional content included:-

- draft conservation zones
- soils survey results
- ancient forts and quarterlands
- landfill sites subject to coastal erosion.
- Agri-environment schemes

General Response - the Constraints Maps provide a time specific snapshot of potential constraints identified by the Cabinet Office or which are brought to its attention.

The content of the Constraints Maps typically serves to operate in a mandatory / prohibitive manner in relation to land allocation (or site specific planning applications) and thereby serve to inform where allocation of land for development (or allocation for certain types of development) is going to be considered inappropriate.

Cabinet Office would caution against introduction of undue complexity to the Constraints Maps by seeking to include additional layering of matters which are mere considerations to be weighed as opposed to genuine Constraints.

Concessions

Cabinet Office would be open to a recommended amendment from the Inspector requiring the content of the Constraints Maps to be expanded to include -

- proposed conservation areas, and
- Sites presenting a potentially high risk of environmental pollution arising from natural erosion processes – e.g. land fill sites

Rejections

Ancient forts and quarterlands - when assessing the planning merits of candidate sites proposed for allocation, Cabinet Office take into account available data and evidence in the plan making process, including the Historic Environment Record – which provides a record of archaeological assets. They can be difficult to see on maps covering large areas. It is proposed to continue to rely on the Historic Environment Record for archaeological information. Manx National Heritage are a statutory consultee in respect of the planning process – which provides additional safeguards for sites not captured on the Historic Environment Record.

Quarterland farms - similarly, Landscape Character Assessments, which set out the typical characteristics and features of the landscape across the Island form a consideration. The existing Landscape Character Assessment Report is due to be updated – providing an opportunity to capture characteristic quarterland farms within its content.

Soils Survey Results - Cabinet office consider that the mere presence of Class 3/2 soils is a consideration to inform potential allocation (or development control) rather than a stand alone Constraint.

Agri-environment schemes - are newly instated enhancements situated on agricultural farmland, which take time to mature. It is proposed that the existing environmental designation process, as administered by the Department for Environment, Food and Agriculture, continue to be relied upon to represent agri-environment sites that may develop into sites of high environmental value in the future.

Note 1B: Constraint Maps – the Evidence Base for Inclusion

Note 1B is provided by Cabinet Office in response to a query from a participant made at the week 1 Tuesday PM session as to the evidence base for including Wildlife Sites and Areas of Ecological Importance or Interest (AEI) – given their non-statutory status.

Though not recognised by law, Wildlife Sites are sites of high wildlife value, selected (by the Manx Wildlife Trust) using a set of scientific criteria. One of the main purposes of the Manx Wildlife Sites system is the requirement for sites to be recognised through the planning system. The Wildlife Sites Handbook, containing the rationale and criteria for their selection, can be found here - <https://www.mwt.im/terrestrial/wildlife-sites-are-places-are-high-wildlife-value>.

Areas of Ecological Importance or Interest (AEI) are areas proposed by DEFA to have known wildlife interest but which have not yet been surveyed in detail or scientifically evaluated.

Paragraph 5.17 of the Strategic Plan states that:

*"This Spatial Strategy does not attempt to identify ecological zones. The boundaries of areas which are currently afforded statutory protection for their biological, geological and archaeological merit are set out in their designation documents. In the preparation of Area Plans, the Department will identify such designated areas and **Areas of Ecological Importance or Interest** on the proposals maps."*

Paragraph 7.8.6 states:

"Development which would affect any proposed or other recognised site of conservation value, including areas of ecological interest, will only be permitted where it can be demonstrated that:

- The proposed development will not compromise the conservation objectives of the site or unacceptably harm its conservation value and its overall integrity;*
- There is proven public interest where safety and exceptional social or economic considerations outweigh the ecological importance of the site, and*
- The need for development cannot be met in other less ecologically damaging locations or by reasonable alternative means."*

The policy protection is set out in Environment Policy 4:

Environment Policy 4:

Development will not be permitted which would adversely affect:

*(c) species and habitats of local importance such as **Wildlife Sites**, local nature reserves, priority habitats or species identified in any Manx Biodiversity Action Plan which do not already benefit from statutory protection, Areas of Special Protection and Bird Sanctuaries and landscape features of importance to wild flora and fauna by reason of their continuous nature or function as a corridor between habitats.*

*Some areas to which this policy applies are identified as **Areas of Ecological Importance or Interest** on extant Local or Area Plans, but others, whose importance was not evident at the time of the adoption of the relevant Local or Area Plan, are not, particularly where that plan has been in place for many years. In these circumstances, the Department will seek site specific advice from the Department of Agriculture, Fisheries and Forestry if development proposals are brought forward.*

Appendix I of the Isle of Man Strategic Plan defines Areas of Ecological Importance or Interest as – “*Sites designated in Local and Area Plans which serve to protect areas known to house important species or those which act as habitat corridors between such areas*”.

To conclude - there is a rationale for their selection and a definite basis for their inclusion in the area plans. Inclusion of these non-statutory sites serves to flag up the need for caution within these areas.

Note 1A and 1B: Constraints Maps
 Note 2: Southern Uplands

Note 2: Landscape Character – reference to “Southern Uplands”

Note 2 is provided by Cabinet Office in response to a suggestion from a participant made at the week 1 Tuesday PM session that the reference to the Southern Uplands should be removed from the Draft Area Plan for the North and West.

The references to the Southern Uplands in the APNW have arisen from reliance on the terms of the Isle of Man Landscape Character Assessment Report 2008. Distinctive landscapes identified as having typical landscape characteristics are not limited to administrative boundaries, but rather span over the wider landscape and may cross established boundaries. Consequently the boundary of the landscape character area of the Southern Uplands falls within both the extent of the geographical area covering the Area Plan for the South and the extent of the geographical area cover the Draft Area Plan for the North and West.

The scope of the Draft Area Plan for the North and West (APNW) does not extend to a review of the boundary of the Southern Uplands, as contained in the Landscape Character Assessment Report 2008.

Cabinet Office have reviewed the appropriateness of the references to “Southern Uplands”, and suggest that the Inspector recommend amendments shown in red in the Table below -

References to “Southern Uplands” contained in the Written Statement			
Paragraph 6.4.8	Reference derived from the Isle of Man Landscape Character Assessment Report 2008	Review of the boundary of the “Southern Uplands” landscape character area falls outside of the scope of the APNW.	Retain reference.
Paragraph 6.6.1 (three references)	Reference derived from the Isle of Man Landscape Character Assessment Report 2008	Review of the boundary of the “Southern Uplands” landscape character area falls outside of the scope of the APNW.	Retain references.
Paragraph 6.7.1 (two references)	Reference included as part of a proposed Landscape Proposal 3.	The reference is incorrect.	Amend - Landscape Proposal 3 to make reference to “Northern Uplands”. Amend reference within paragraph 6.7.1

References to “Southern Uplands” contained in the Written Statement			
Paragraph 6.7.5	Reference included as part of a proposed Landscape Proposal 7.	The reference is incorrect.	Amend - Landscape Proposal 7 to make reference to “Northern Uplands”.
Paragraph 6.8.2	Reference derived from the Isle of Man Landscape Character Assessment Report 2008	Review of the boundary of the “Southern Uplands” landscape character area falls outside of the scope of the APNW.	Retain reference.
Paragraph 7.17.6	Reference derived from the Isle of Man Landscape Character Assessment Report 2008.	Review of the boundary of the “Southern Uplands” landscape character area falls outside of the scope of the APNW.	Retain reference within Natural Environment Proposal 2.
Appendix 2 Landscape Character Area H2	Reference derived from the Isle of Man Landscape Character Assessment Report 2008	Review of the boundary of the “Southern Uplands” landscape character area falls outside of the scope of the APNW.	Retain reference.
Appendix 2 Landscape Character Area D9	Reference derived from the Isle of Man Landscape Character Assessment Report 2008	Review of the boundary of the “Southern Uplands” landscape character area falls outside of the scope of the APNW.	Retain reference.
Appendix 2 Landscape Character Area F5	Reference derived from the Isle of Man Landscape Character Assessment Report 2008.	The reference is incorrect.	Amend - to make reference to “Northern Uplands”.
Appendix 2 Landscape Character Area D9	Reference derived from the Isle of Man Landscape Character	Review of the boundary of the “Southern Uplands”	Retain reference.

Note 1A and 1B: Constraints Maps
Note 2: Southern Uplands

References to "Southern Uplands" contained in the Written Statement			
	Assessment Report 2008	landscape character area falls outside of the scope of the APNW.	