



Department of Environment, Food and Agriculture

Rheynn Chymmyltaght, Bee as Eirinys

Dandara Homes Limited
David Humphrey
Dandara Group Head Office
IoM Business Park
Cooil Road
Braddan
IM2 2SA

Telephone (01624) 685958
Email: tim.cowsill2@gov.im
Contact: Tim Cowsill
Our Ref: MEC /AP25/0003

Date: 13th August 2025

Dear Sir/Madam,

ON APPEAL

PA No: 24/00713/A

Appeal Ref: AP 25/0003

Address Land Adjacent To Main Road, Trollaby Lane, And Residential Area Of Strang Road Union Mills Isle Of Man IM4

Proposal: Approval in principle for residential development, with access taken from main road

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 Lawrie Hooper, MHK.

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

Mr Hooper, MHK on behalf of the Minister for Environment, Food and Agriculture, has considered the report, concurs with the appointed person's conclusions, and accepts the recommendation that **the appeal should be allowed**. 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

Dandara Homes Limited
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Appeal Ref: AP25/0003

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 24/00713/A by Dandara Homes Limited **for** Approval in principle for residential development, with access taken from main road - Land Adjacent To Main Road, Trollaby Lane, And Residential Area Of Strang Road Union Mills Isle Of Man IM4 subject to the following conditions:-

CONDITIONS OF APPROVAL:

1. Details of siting, design, external appearance, internal layout of buildings, site layout, drainage, landscaping and means of access (hereinafter called "the reserved matters") shall be submitted to and approved in writing by DEFA Planning prior to commencement of the development hereby approved. Development shall only be carried out in accordance with the details as approved.

Reason: To comply with article 26 of the Town and Country Planning (Development Procedure) Order 2019.

2. Application for approval of all the reserved matters shall be made to DEFA Planning before the expiration of two years from the date of this approval.

Reason: To comply with article 26 of the Town and Country Planning (Development Procedure) Order 2019

3. The development hereby approved shall begin before the expiration of four years from the date of this decision notice, or the expiration of two years from the date of approval of the last of the reserved matters, whichever is later.

Reason: To comply with article 26 of the Town and Country Planning (Development Procedure) Order 2019.

4. The reserved matters to be submitted pursuant to condition C1 above shall include:
- i) parking spaces and turning areas;
 - ii) swept path analysis for larger vehicles (e.g. waste removal and other HGV's within the site);
 - iii) hard and soft landscaping;
 - iv) hard surface treatments; and
 - v) surface water discharge arrangements.

Reason: In the interests of highway safety, character and appearance and to ensure that the development would not increase flood risk.

5. Prior to the commencement of development, a Phasing Plan shall be submitted to and approved in writing by DEFA Planning. Development shall be carried out in accordance with the approved Phasing Plan, unless required otherwise by conditions below. The Phasing Plan shall:

- i) define distinct phases for residential construction, infrastructure delivery, and environmental mitigation, replacement and/or enhancement;
- ii) ensure coordinated sequencing of essential utilities, drainage, transport links, and landscaping; and
- iii) align with the approved Reserved Matters.

Reason: To ensure the development progresses in a structured manner, with appropriate infrastructure and environmental mitigations delivered at the appropriate stage

6. Either with, or prior to the submission of the first Reserved Matters application to be submitted pursuant to condition C1 above, a Design and Access Statement, incorporating a Design Strategy that considers the whole of the site, shall be submitted to and approved in writing by DEFA Planning. The Statement shall demonstrate how the proposed development will respond to and integrate with the character of the surrounding residential development. Each Reserved Matters application shall be designed in accordance with the approved Statement, with development to be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to ensure that the design of the development is appropriate to its context, respects the character of the surrounding area, and provides a high-quality living environment.

7. Either with, or prior to the submission of the first Reserved Matters application to be submitted pursuant to condition C1 above, an Environmental Impact Assessment for the whole site shall be submitted to and approved in writing by DEFA Planning. The Environmental Impact Assessment shall be carried out in accordance with current practice in England and Wales. Development shall be carried out in accordance with the approved details.

Reason: To ensure that all potential significant environmental, social, and economic impacts of the development are thoroughly assessed and appropriately mitigated, in accordance with Environment Policy 24 of the Strategic Plan and Paragraph 12.22.1 (6) of the Area Plan for the East, and to provide a comprehensive understanding of the development's effects on the community and surrounding area.

8. Either with, or prior to the submission of the first Reserved Matters application to be submitted pursuant to Condition C1 above, an Arboricultural Impact Assessment for the whole site shall be submitted to and approved in writing by DEFA Planning. The Assessment shall include a tree survey, a scheme for the protection of the retained trees and hedges, details of appropriate working methods and any mitigation strategies and planting replacements. The Assessment shall be prepared in accordance with the recommendations of British Standard BS5837:2012 (Trees in relation to Design, Demolition and Construction - Recommendations). Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity.

9. Either with, or prior to the submission of the first Reserved Matters application to be submitted pursuant to condition C1 above, an Ecological Impact Assessment for the whole site, shall be submitted to and approved in writing by DEFA Planning. The Assessment shall identify matters of ecological interest within the site and measures to avoid, mitigate and compensate for ecological impacts where appropriate, including a timetable for their implementation. Development shall be carried out in accordance with the approved details.

Reason: To ensure that all necessary ecological mitigation measures are implemented effectively, to minimize impacts on protected species and habitats, pursuant to Environment Policies 4 and 5 of the Strategic Plan and Paragraph 12.22.1 (5) of the Area Plan for the East.

10. The drainage details to be submitted pursuant to condition C1 above shall include a Surface Water Flood Risk Assessment for the whole site, to demonstrate that the development would not result in an unacceptable risk from flooding either on or off-site. Development shall be carried out in accordance with any recommendations in the Assessment.

Reason: To prevent increased risk of flooding demonstrate in accordance with Environment Policies 10 and 13 of the Strategic Plan.

11. Either with, or prior to the submission of the first Reserved Matters application to be submitted pursuant to condition C1 above, a Road Safety Audit and Transport Assessment for the whole site shall be submitted to and approved in writing by DEFA Planning. Development shall be carried out in accordance with any recommendations.

Reason: In the interest of highway safety pursuant to Transport Policy 4 of the Strategic Plan.

12. Either with, or prior to the submission of the first Reserved Matters application to be submitted pursuant to condition C1 above, a full site survey showing the datum used to calibrate the site levels along all site boundaries, levels across the site at regular intervals, floor levels of adjoining buildings and full details of the proposed finished floor and ridge levels of all buildings and hard surfaces, shall be submitted to and approved in writing by DEFA Planning. Development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to protect the living conditions of neighbouring occupiers.

13. Either with, or prior to the submission of the first Reserved Matters application to be submitted pursuant to condition C1 above, an Energy Impact Assessment shall be submitted to and approved in writing by DEFA Planning. The Assessment shall set out measures to minimise the use of fossil fuels, maximise energy efficiency, and ensure that there is no unacceptable impact on the electricity network. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development makes the fullest contribution to reducing energy consumption and increasing energy efficiency in accordance with Energy Policy 5 of the Strategic Plan.

14. Prior to the commencement of development, a Soil Management Plan shall be submitted to and approved in writing by DEFA Planning. The Soil Management Plan shall demonstrate how the development will minimise the loss of Class 3 agricultural soils and, where loss is unavoidable, how topsoil and subsoil will be stripped, stored, and re-used on-site to maintain soil quality and fertility. Should on-site re-use not be possible, the Plan shall include arrangements for the movement and re-use of the soil on other agricultural land. Development shall be carried out in accordance with the approved Plan.

Reason: In order to conserve valuable agricultural soils, minimize soil loss, and ensure that topsoil and subsoil are appropriately managed and reused.

15. Prior to the commencement of development, detailed plans showing visibility splays for internal and external access points, including pedestrian and cycle crossings, shall be submitted to and approved in writing by the Department. The approved visibility splays shall be provided prior to the first occupation of any dwelling and maintained thereafter in accordance with the approved details.

Reason: In the interest of highway safety pursuant to Transport Policy 4 of the Strategic Plan.

16. No development shall commence until arrangements are in place to secure the following:

- the provision of affordable housing in accordance with Housing Policy 5 of the Strategic Plan;
- the provision and future maintenance of public open space in accordance with the requirements of Recreation Policy 3 and Appendix 6 of the Strategic Plan; and
- the provision of any offsite highway works which are to be funded by the applicant

Reason: To ensure the provision of essential community infrastructure and housing in accordance with Housing Policy 5 and Recreation Policy 3 of the Strategic Plan.

17. Prior to the commencement of any development above slab level, a Boundary Treatment Plan, including details of boundary materials, finishes, and heights, together with a timetable for implementation, shall be submitted to and approved in writing by the Department. Development shall be carried out in accordance with the approved details and timetable and shall be maintained thereafter.

Reason: To ensure boundary treatments integrate with the existing biota along the western boundary, preserving ecological connectivity while minimizing visual and environmental impacts on adjacent dwellings to the south.

18. No dwelling shall be occupied until bin and recycling storage areas have been provided for that property in accordance with details that have previously been submitted to and approved in writing by DEFA Planning. Once provided, the facilities shall be retained thereafter.

Reason: To ensure that adequate waste and recycling storage facilities are incorporated within the development, reducing environmental impact and maintaining visual amenity.

19. No dwelling shall be occupied until any offsite highway works and bus stop layby works agreed pursuant to the reserved matters have been provided in accordance with the approved details.

Reason: To ensure that the development delivers necessary highway improvements, safe pedestrian crossings, and enhanced public transport access before residents begin occupying the site, in accordance with Transport Policies 4 and 6 of the Isle of Man Strategic Plan.

20. Prior to first occupation of any dwelling, a full Travel Plan shall be submitted to and approved in writing by DEFA Planning. The Travel Plan shall set out a strategy for the delivery of sustainable transport objectives, demonstrating how these objectives will be achieved and updated over time. No dwelling shall be occupied prior to implementation of those parts identified in the Travel Plan as capable of being implemented prior to occupation. Those parts of the approved Travel Plan that are identified as being capable of implementation after occupation, shall be implemented in accordance with an agreed timetable. The Travel Plan shall include, but is not limited to:

- details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks;
- proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport;
- a timetable for implementation of measures designed to promote travel choice;
- plans for monitoring and review, annually for a period of five years at which time the obligation will be reviewed by DEFA Planning; and

- details of marketing and publicity for sustainable modes of transport and site specific welcome packs, which shall include walking, cycling, public transport and rights of way information; site specific travel information; details of relevant pedestrian, cycle and public transport routes to/ from and within the site; and copies of relevant bus and rail timetables.

Reason: To promote sustainable transport choices in accordance with Transport Policies 1, 2, and 6, and Strategic Policy 10 of the Strategic Plan and Paragraph 12.22.1 (4) of the Area Plan for the East.

21. No external lighting or security lighting for any of the buildings or open space shall be installed other than in accordance with a scheme that has previously been submitted to and approved in writing by DEFA Planning. The scheme to be submitted shall:

- detail existing lighting conditions;
- detail the location and type of all proposed lighting;
- demonstrate that the proposed lighting would not cause an unacceptable impact on the amenity of local residents;
- demonstrate that the proposed lighting would not cause unacceptable harm to the local ecology, specifically bats and nesting birds; and
- demonstrate that the lighting plan is in compliance with the Bat Conservation Trust and Institute of Lighting Professionals Guidance Note 8/23 on Bats and Artificial Lighting (2023)

Reason: In the interest of visual amenity and to minimise the impact on nocturnal wildlife, particularly bats and birds.

NOTE: The development shall be carried out strictly in accordance with the following approved plans:

Location Plan	SC407 P/00-01
Existing site plan	SC407 P/10-01
Proposed Site plan	SC407 P/10-02 H

Plans submitted for illustrative purposes

Proposed site geometry, site sections and proposed water drainage routes	SC407 P/10-03E
Proposed drainage options	SC407 P/10-04C
Proposed access arrangements	ITB19813-GA-001E
Proposed access arrangements vehicle swept path analysis	ITB19813-GA-002D
Proposed access arrangements vehicle swept path analysis -bus stop	ITB19813-GA-003
Tree Removal	TR-101123
Tree Protection Plan	TP-101123
Tree Constraints	TS-101123
Tree Planting Plan	PP-261124
Tree Planting Plan	PP-101123

Reason for approval:

The appeal site is allocated as a Strategic Reserve Site in the Area Plan for the East, ie a site that has been identified as being suitable for residential development should it be required. Such sites can either be considered for formal release by Cabinet Office, or they can be brought forward through the submission of a planning application for consideration on its own planning merits. The appellant has pursued the latter course of action.

The appellant has demonstrated a current, sufficiently pressing need for residential development of

the site, such as to outweigh the conflict with General Policy 3. Moreover, given the allocation of the site, the absence at this 'approval in principle' stage, of an Environmental Impact Assessment, a Travel Plan, and a detailed assessment in terms of impacts on biodiversity, does not bring the scheme into conflict with the Development Brief for the site. Submission of the necessary details in these regards is entirely appropriate at the reserved matters/ detailed stage.

The relevant authorities are content that flood risk and drainage can be left for consideration to the detailed stage, there being no reason in principle to resist development on these grounds.

Concerns relating to the loss of Class 3 Agricultural Soils are not supported by policy, but in any event, the site has already been found to be appropriate for residential development through the Area Plan process. Other concerns relating to highway matters, impact on living conditions and character and appearance were also assessed by the Area Plan Inspector. As an allocated site, these are all matters that can be dealt with by condition at the detailed stage, with the exception of improvements to the TT Access Road. Whilst there would be conflict with Transport Proposal 3 of the Area Plan for the East in this regard, as confirmed for DoI Highways that project is not currently a priority.

Date of issue 13th 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.