Cabinet Office

Our Climate Responsibilities

Embedding the Climate Change Act 2021 into development planning

Paper 5

Isle of Man Government
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Isle of Man Strategic Plan
Preliminary Publicity

Publication Date: August 2025
Paper 5

Front Cover Image:
The West Coast, Isle of Man

‘Over the lifetime of this Plan, we said we would:

...ensure our planning policies and legislation are fit for purpose by performing a review ensuring alignment with Climate Change targets and initiatives and sustainability.’

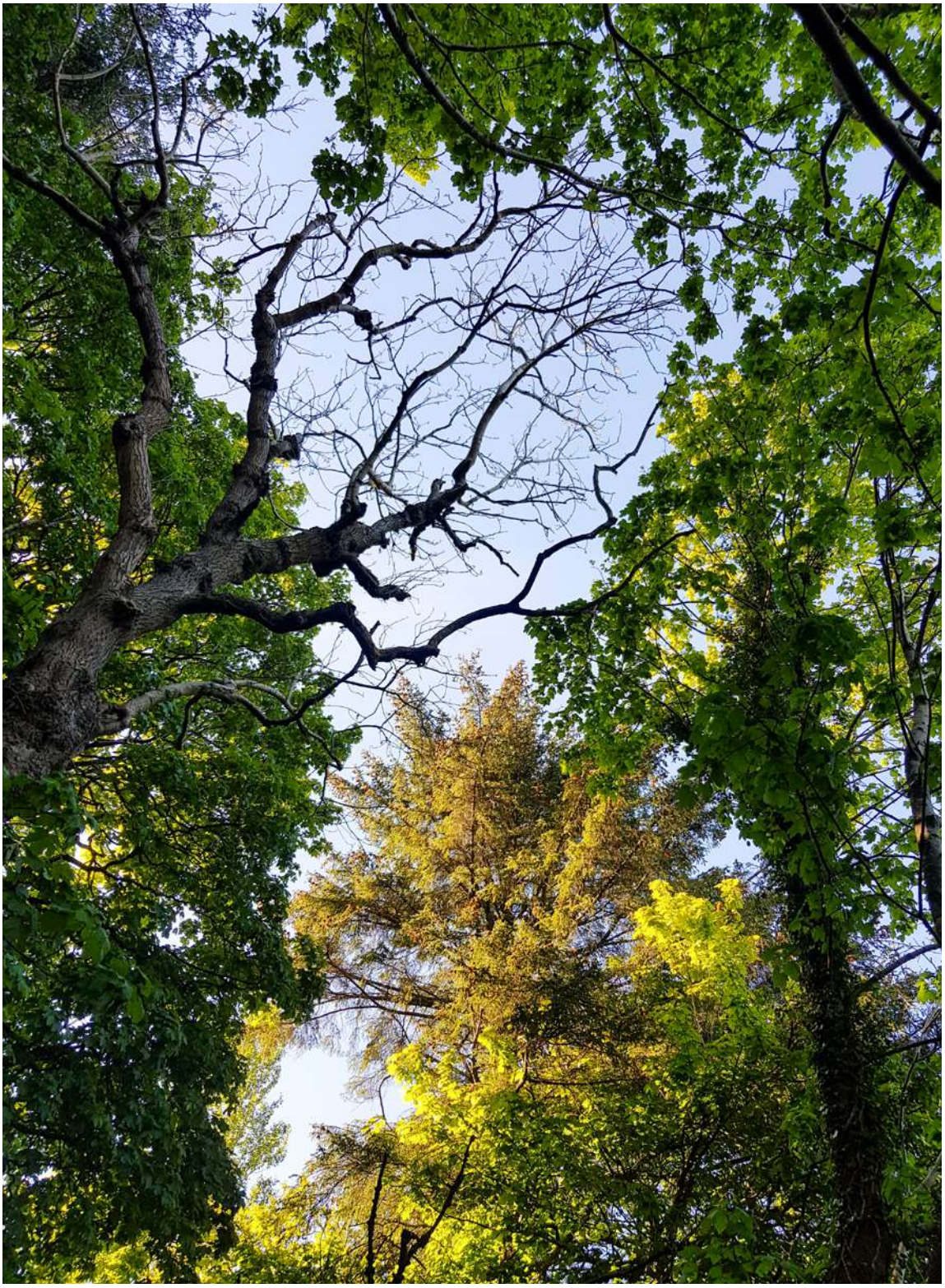
Our Island Plan (GD 2025/0018),

Building Great Communities, January 2025/2026, p24

Dryad’s Saddle - Fungi are indicative of a thriving ecosystem

Contents

Page



Tree canopy at Port Cornaa

Part 1
Introduction

Increasing our Island's resilience

The Isle of Man is susceptible to the risks associated with climate change and the implications for the Island are well documented.

Key primary legislation came into force in 2021 with the Climate Change Act (the 2021 Act). The Climate Change Plan 2022 to 2027 came next, setting out goals to have:

- a carbon neutral electricity supply;
- energy efficient buildings;
- a ban on installing fossil fuel heating systems in new buildings (now in force);
- 20MW of local renewables; and
- a set of emission reduction targets.

Port Erin Bay

The strategic plan review can be seen as part of the Island's active response to climate change. All new policies for development across the Island will need to ensure that future growth aligns with sustainability goals.

The responsibilities for planning in the 2021 Act focus on six key areas:

the maximisation of carbon sequestration;

the minimising of greenhouse gas emissions;

the maintenance and restoration of ecosystems;

biodiversity net gain;

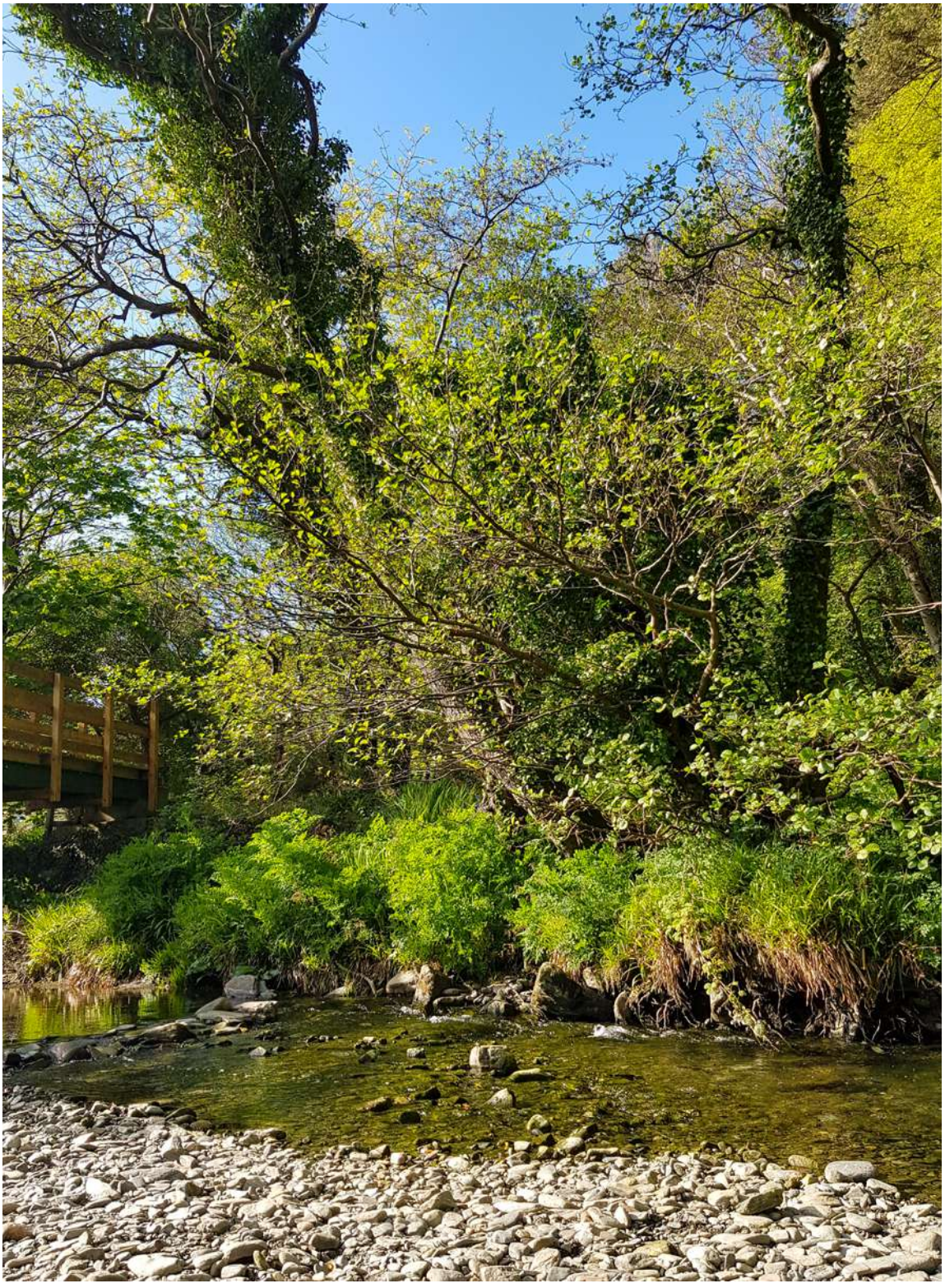
the need for sustainable drainage systems; and

the provision of active travel infrastructure.

Since 2021, work has been ongoing to gather evidence and explore approaches that can be effectively translated into strategic and area plan policies, supplementary guidance, and practical implementation at site level.

The planning system must evolve to address the challenges of climate change and safeguard the Island from its most severe impacts. This requires a proactive, measured, and well-prepared approach to managing new development in the face of climate threats.

This paper examines key climate change policy issues and outlines potential approaches to address them. It begins with a summary of the legislative framework.



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Part 2

Understanding the legal framework

The statutory duty

The Climate Change Act 2021 received Royal Assent in December 2021 and is being brought into force in stages. Cabinet Office - being a public body - is bound by section 21 of the Act which provides:

(1) A public body, in performing its duties, must act in the way that it considers best to contribute to

a) the meeting of the net zero emissions target by the net zero emissions target year;

b) the meeting of any interim target;

c) supporting the just transition principles and the climate justice principle;

d) sustainable development, including the achievement of the United Nations sustainable development goals; and

e) protecting and enhancing biodiversity, ecosystems and ecosystem services.

(2) The Council of Ministers may make regulations that impose additional duties relating to the mitigation of climate change upon public bodies or remove such duties.

The Climate Impact Assessment Regulations 2023 are now in place. Cabinet Office is bound, not unlike other departments, to prepare climate impact assessments and, more specifically, to translate climate change goals into the strategic plan.

The six climate change policy goals

The Schedule in the 2021 Act requires that the Town and Country Planning Act 1999 (the 1999 Act), after section 2(2) be amended. This part of the 2021 Act is not yet in force as it was evident that additional work was needed to:

i. research and collate evidence to underpin each policy goal; and

ii. assess whether policy approaches would translate in a practical sense to the planning application stage.

The Cabinet Office has been working closely with government departments and stakeholders to ensure that the necessary early research has been carried out to support changes to the 1999 Act in terms of the six climate goals. This work will continue as part of the strategic plan review to ensure that the new policies - once drafted - are practical and effective. This approach will ensure that the implementation of climate goals through the planning system is well thought through and aligned with wider priorities.

The wetlands at Ballaugh Curraghs are rich in biodiversity

Part 3

Reviewing the Island development plan

Climate change and the strategic plan

The current strategic plan supports the principle of sustainable development in the following terms:

'...development that meets the needs of the present without compromising the ability of future generations to meet their own needs...'

The strategic objectives and other policies go further to define specific approaches to:

- energy efficiency, including renewable energy sources - whilst minimising the environmental impacts (Energy Policies 1, 4 and 5);
- environmental protections (Environment Policy 4);
- provision for sustainable travel, including public transport, walking and cycling (Strategic Policy 10 and Transport Policies 1 - 6); and
- sustainable drainage (paragraph 11.8.4).

These policies are well established and while they combine under the banner of climate change, the language reflects the original plan in 2007: terminology has now moved on. The draft strategic plan will make specific reference to climate change and build the policy responses around the six climate change goals. Where necessary, reference will be made to best practice.

Current legislation, Our Island Plan (as updated) and specific climate policy documents across government, all advocate for a more proactive stance on climate issues.

The review of the strategic plan provides the best opportunity to embed the climate goals mentioned in the Climate Change Act 2021 into Island-wide planning policy.

Notwithstanding the general debate on how much of a threat climate change is to the Island, the Island needs to adapt and be prepared. Many of the impacts are measurable through modelling and so all future development decisions must take this into account. This modelling data and all other constraint data will inform decisions about location, type and nature of development and any approaches to mitigation.

Understanding the challenges

The list of challenges is long, but the most severe risks to the Island are detailed below:

- Many of our coastal settlements face increasing flood risk, creating major challenges for development in existing urban areas. How can regeneration take place in these areas - where growth is most needed, if the risk of flooding remains high?
- Species are in decline, and there is growing concern about biodiversity loss - on land and at sea - driven by changing climate conditions.
- Climate change increases risks to human health and safety. Communities and buildings may be affected by extreme events such as flooding, coastal erosion, and excessive heat.
- Critical infrastructure - including harbours and power stations - may be disrupted, and businesses could face operational challenges during such events.

These are just some of the challenges that highlight the importance of planning for new development in a changing climate. A Climate Change Risks and Opportunities Assessment is currently underway. Its goal is to support sustainable development that responds to climate risks and integrates effective mitigation measures.

Harbour side infrastructure in Castletown

Trees store carbon, enhance amenity value and provide habitat at Groudle Glen

Active steps by Government since the 2023 preliminary publicity

1. Flood Maps are available on line, which highlight those areas most at risk of flooding. The Department of Infrastructure (DOI) has undertaken new modelling exercises and has updated them.

2. Two draft planning policy statements (PPSs) relating to flood risk assessment and sustainable urban drainage have been published by Cabinet Office as part of this consultation. The set includes a draft Manual for Manx SuDS, which will eventually be a technical guide on sustainable drainage systems published by DOI. Read together - alongside the draft policies contained in Part 4 (policy goal 5) - they provide a package of measures to help address and guide policy development. Consultation responses on these papers will help finalise the PPSs ahead of being issued as formal policy guidance when the strategic plan is approved. Any comments received on the draft PPSs and SuDs manual will be shared with the DOI Flood Management Division.

3. The National Strategy on Sea Defences, Flooding and Coastal Erosion is currently being updated by the Department of Infrastructure to reflect new evidence.

4. The Isle of Man Landscape Character Assessment Report 2025 identifies categories of ecosystem services within particular landscape 'types' on the Island. This will aid with the interpretation of policies aimed to maintain and enhance ecosystems at the planning application stage. It highlights the opportunities available for biodiversity net gain across the Island and considers the forces for change that will impact upon the landscape.

5. A Land Management Framework is currently being prepared by the Climate Change Transformation Team - to gather detailed baseline evidence relating to habitats. It will suggest pathways for land management to help contribute to net zero. The framework will set out an action plan to inform future adjustments to future land management practices, if necessary.

6. Amendments to permitted development rights have extended the options for air source heat pumps - with up to two larger heat pumps no longer requiring planning permission prior to installation.

South Barrule Forest

Part 4

Setting Out the policy approaches

Introduction to policy approaches

New policy approaches must be clearly drafted to effectively guide decision-making. They should provide certainty about where development is appropriate, where it is not, and where mitigation could make development acceptable. Some new policies need more consideration than others.

A policy isn't effective just because it's written. Its meaning, interpretation, supporting evidence, and implementation requirements - such as further guidance - must all be carefully considered to ensure it works in practice.

The Climate Change Act sets out high level policy goals in broad terms. Translating these into statutory planning policy is complex and requires a clear evidence base for each goal. This ensures that the resulting policies are effective, consistently applied, and easily understood by all users - whether interpreting or implementing them.

The following sections examine each of the six defined climate goals in turn, along with any emerging or preferred approaches to embedding them in the statutory planning framework.

Point of Ayre

Policy Goal 1: Maximising carbon sequestration

What is carbon sequestration?

This is the process of capturing and storing atmospheric carbon dioxide (CO2) to reduce its presence in the atmosphere. Trees and plants play a crucial role in this process by absorbing CO2 and converting it into oxygen. While some CO2 is released back into the atmosphere through respiration, the long-term storage of excess CO2 by vegetation helps slow the accumulation of greenhouse gases.

Where are the natural carbon stores on the Isle of Man?

The Isle of Man has extensive peatlands which are recognised as being natural carbon stores. Healthy peatlands capture CO2 (plant matter decomposes slowly because of the wet conditions), and it remains stored rather than being released back into the atmosphere.

The extensive peatlands in the uplands of the Isle of Man are a valuable potential carbon sink but are currently emitting carbon as a result of overgrazing, drainage and erosion. By surveying and properly managing this asset its ability to capture and store carbon in the long term is strengthened. Protection measures are being implemented, and the Peatland Restoration Project is doing much to support positive change in our peatland areas.

The Schedule to the 2021 Climate Change Act makes provision for amendments to be made to the Forestry Act 1984 - to prohibit the disturbance of registered peatlands. This will be brought into force when a Peatland Register is finalised. This measure is to protect these areas from further degradation and supports Government initiatives to restore them to high-quality carbon stores.

Other notable carbon stores include:

i. The Ballaugh Currgahs - the Island's only Ramsar site which provides statutory protection for wetlands of international importance;

ii. ASSI designations which offer statutory protections for various habitats (not limited to wetlands);

iii. Woodlands - many of which are recognised as Registered Tree areas which are protected under the Tree Preservation Act 1993.

iv. 'Blue Carbon' habitats - some coastal and marine habitats are important carbon stores (being quantified through the Manx Blue Carbon Project). These habitats - including saltmarshes - play a vital role in preventing biodiversity loss and supporting climate change adaptation and resilience, alongside their carbon sequestration benefits.

Progress made on evidence gathering

Cabinet Office has worked with the Climate Change Transformation Team in the Department of Environment, Food and Agriculture (DEFA) to better understand the approach that's most suitable on Island for carbon sequestration and the expectations for new planning policy wording.

Work is underway to comprehensively survey the Island to map out areas of value for carbon sequestration which are typically peatland, wetland, saltmarsh and broad-leaved woodland. In time, these maps will be made available as an evidence source by DEFA, and added to the constraints mapping used in area planning.

Emerging policy position

The intention is to have a protection policy in the strategic plan relating to carbon sequestration.

Policy objective: to protect sites of carbon sequestration value and to have at the point of plan approval a full Island map of such sites.

The policy goal in the 2021 Act refers to 'maximisation'. The new policy will need to expand on this and define its full meaning.

The policy is likely to refer to the carbon sequestration mapping and will consider whether there needs to be different policy stances for those areas identified as specific sites and the value attached to those areas

Policy will support and encourage appropriate restoration - capturing the full cumulative benefits of these assets as a way to 'maximise' carbon sequestration for the long term.

In addition, areas which have a recognised carbon value will be treated as a 'critical constraint' when sites are being considered for development at the area plan level.

Cabinet Office is interested to receive views on the draft strategic policy for carbon sequestration detailed below.

Policy for Carbon Sequestration (Draft)

Policy intent - to ensure that the natural environments of value for carbon sequestration continue to carry out this function and are protected from any development that would do them harm. Any opportunities to restore natural carbon stores will be supported.

Policy X: Carbon Sequestration

In order to ensure the maximisation of carbon sequestration on the Island, no development will be approved which would adversely affect any area identified as having carbon sequestration value.

Identified areas shall be taken to include:

1. areas recognised on the Peatlands Register, the Heathlands Register and any other published register that relates specifically to carbon sequestration sites. Areas may or may not have statutory protection.
2. All areas of peatland, wetland, salt marsh or broad-leaved woodlands – including ancient, natural and semi-natural woodlands.

Area Plans must reflect identified and up to date areas of value for carbon sequestration on constraints mapping and have regard to these areas in plan proposals.

Policy Goal 2: The minimising of greenhouse gas emissions

What are greenhouse gas emissions?

Greenhouse gas emissions refer to the release of gases into the atmosphere that trap heat and contribute to the greenhouse effect. They contribute to global warming and climate change by increasing the Earth's average temperature. The primary greenhouse gases include: carbon dioxide, methane, nitrous oxide and fluorinated gases.

Sources of emissions come from energy production, transport, industry, agriculture, land use and buildings and waste management.

Planning decisions affect how and where buildings are developed and every building has an impact on the environment. Emissions are released during construction (from making and transporting materials), while the building is in use (through heating, lighting, and travel to and from the site), and even when it's demolished or repurposed. By thinking about these stages early in the planning process, we can make choices that help reduce emissions and support a cleaner, greener future for everyone.

Planning and Building Control both help cut emissions, but in different ways. Planning shapes where and how development happens, influencing travel, energy use, and land use. Building Control sets the standards for how buildings are constructed. From January 2025, new homes can no longer be fitted with fossil fuel heating systems—helping move the Island toward a low-carbon future.

Planning must be careful not to overstep into areas that are rightly the responsibility of Building Regulations.

Gorse root systems contribute to the capture of carbon

Existing approaches

Planning policies and proposals can help create a sustainable and resilient Island by playing their part in reducing greenhouse gas (GHG) emissions. The current strategic plan already embraces sustainable land use practices.

Planning policies already support sustainable development by focusing growth in the right places.

They encourage building in and around existing towns and villages, where homes, jobs, shops, schools, and services are close together. This helps reduce the need to drive, cutting transport emissions.

Policies also protect local centres so people can access what they need nearby, and they support reusing buildings instead of always building new ones.

The new Strategic Plan will continue these approaches but will go further making it clearer what developers need to do to reduce emissions before applying for planning approval.

A need for balance – what does 'minimise' really mean?

The goal to 'minimise' greenhouse gas emissions doesn't mean stopping development altogether. The Island still needs homes, jobs, and infrastructure.

The challenge is finding the right balance - meeting these needs while protecting the environment.

The Climate Change Act recognises this, calling for emissions to be reduced even as development continues.

The new strategic plan will support this balance by clearly setting out where development should happen, how it should be carried out, and what applicants need to consider before applying for planning approval.

Progress made on evidence gathering: planning for lower emissions

Reducing greenhouse gas emissions is a key goal, and carbon management plays a big part in achieving it. Development proposals should consider emissions across the whole lifecycle of a building - from construction, through its use, to its eventual end of life.

The new strategic plan will:

1. **Consider the introduction of a new carbon management policy** to ensure emissions are considered early in the design process. This may include a requirement for Whole Life Carbon Assessments to explore all options for reducing emissions.

2. **Update energy and waste policies**, including a new section on renewable energy. There will also be consideration of allowing onshore wind farms as an exception under General Policy 3.

3. **Support low-carbon heating**, including district heating and heat recovery systems.

4. **Encourage low carbon building techniques** and the use of materials that reduce environmental impact.

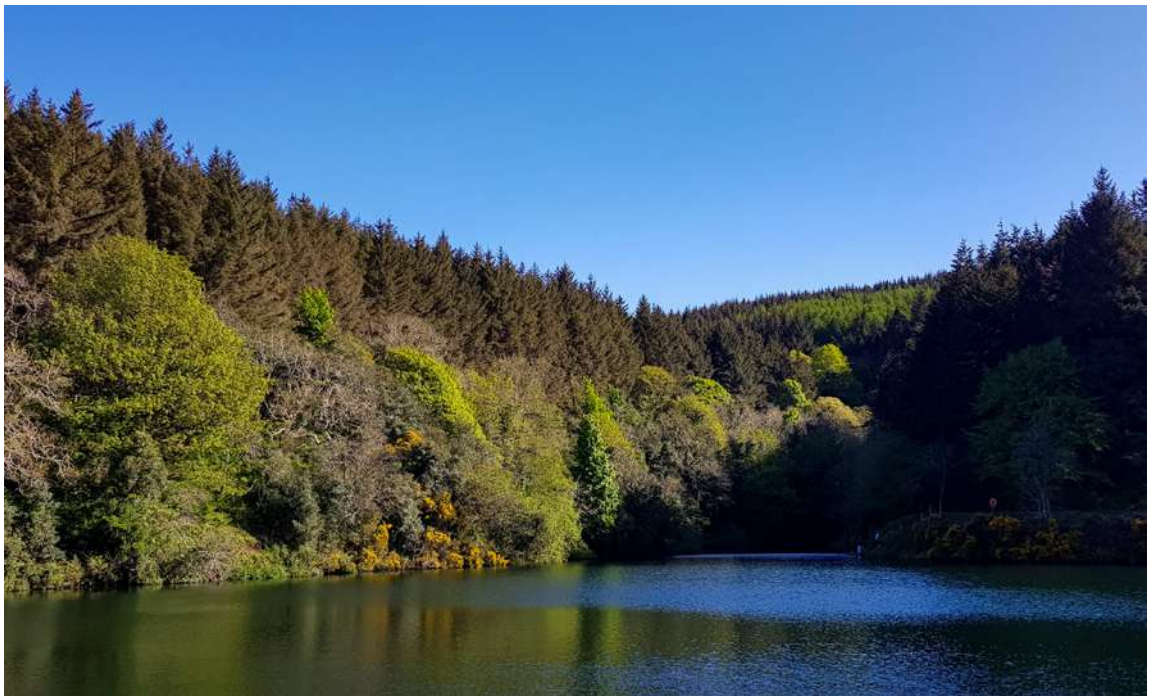
5. **Promote reuse of materials** and resource efficient construction.

6. E**xplore a carbon reduction hierarchy (CRH),** a framework that prioritises actions to reduce emissions: avoid, reduce, replace, and offset. Thsi will help developers follow clear principles when designing new developments.

New planning policy will place greater expectations on applicants to design with carbon in mind

Applicants will need to show how they've considered carbon management from the outset - exploring options like using low carbon or locally sourced materials, incorporating passive solar gain, and including technologies such as ground or air source heat pumps.

Applicants will also be expected to respond to the Carbon Reduction Hierarchy to avoid, reduce, replace, offset - and explain any design adjustments made as a result. This could include reusing or harvesting materials on site or orienting buildings to make better use of natural energy. Proposals that follow these principles will generally have a lower carbon impact.



Ballure Reservoir

Minimising greenhouse gas emissions at source

The Isle of Man currently relies on traditional energy sources, including the Combined Cycle Gas Turbine (CCGT) power station at Pulrose, which is supplied by a natural gas pipeline and can generate up to 135 MW of electricity. Peel power station (40 MW) provides backup and load management, while Sulby Hydroelectric Station contributes around 1% of the Island's electricity needs.

An interconnector also allows electricity imports, but it cannot meet peak demand alone - so on-Island generation remains essential.

In 2018, energy supply accounted for 24% of the Island's total greenhouse gas emissions. Reducing emissions at source is therefore vital for both climate action and energy security - key goals in Our Island Plan (2025 to 2026).

Onshore renewable energy is identified as a strategic priority to support the transition away from high-carbon generation. The DEFA Energy Strategy (2024 update) highlights the potential for renewables to meet around 25% of the Island's power needs, reduce costs, improve energy independence, and support business sustainability.

Manx Utilities is working towards generating renewable energy on-Island. If a planning application for an onshore windfarm is submitted before the new strategic plan is approved, it will be assessed under current policies and material considerations. Regardless of timing, it is important that the principle of supporting onshore wind in Government strategy is clearly established.

Government strategy commits to cutting greenhouse gas emissions by changing how energy is generated - moving away from oil and gas for heating and electricity, and embracing renewable technologies.

The draft plan will also include strategic policies and guidance for other renewable energy sources and infrastructure, including:

- battery storage;
- biomass and biofuels;
- fuel cells;
- photovoltaics;
- combined heat and power systems with an electrical capacity of 50 kilowatts or less;
- need for Environmental Impact Assessments; and
- waste disposal.

Fungi play a role in carbon capture

Policy Goal 3: The maintenance and restoration of ecosystems

The Manx Biodiversity Strategy defines an **Ecosystem** as - "a functioning community of plants, animals and smaller organisms that live, feed, reproduce and interact in the same area or environment, together with their non-living environment."

Ecosystem services are the benefits people and society gain from the natural environment - such as clean air, water, food, and climate regulation.

An ecosystems approach helps identify these benefits, understand their value, and integrate them into planning, decision-making, and land management. This approach connects with a wide range of environmental policy areas and supports more sustainable outcomes.

While the current strategic plan does not include a specific policy on maintaining and restoring ecosystems, it does contain several references and policy positions that support the protection of the natural and built environment.

Progress on evidence gathering: ecosystem services

While the ecosystems approach mainly relates to land management beyond the scope of development management, it becomes relevant where land use changes or engineering works are proposed, potentially affecting the wider natural network. For example, Recommendation 1 of The Laxey Flood Report 2019 highlights the need to prioritise flood risk and resilience - an issue closely tied to ecosystem function.

The 2025 Landscape Character Assessment strengthens the evidence base by identifying ecosystem service categories within each landscape type and highlighting opportunities for enhancement. This broadens the scope for integrating environmental value into planning and land use decisions.

Flat Periwinkle in Douglas Bay

What policy changes are needed?

To support better environmental outcomes, strategic planning policy can begin with a clear explanation of ecosystems and ecosystem services - the benefits people gain from nature. These services are grouped into four interdependent categories:

1. **Supporting services** - offered by flora and fauna and micro-organisms - are essential for healthy soils, habitats and nutrient cycling. The Island has a rich variety of species, landscapes, rivers and coastline which support the other ecosystems services, such as soil and water quality;

2. **Provisioning services** - relate to the products and productivity of the natural environment. Agri-environment farming methods increase biodiversity by planting up less productive land with native species, plantations provide timber materials and our peatlands filter and store high quality water which we can drink;

3. **Regulating services** - are the controls from the natural environment - for example, rivers which help to control water flow, drainage and flooding. Our peatlands, wetlands, salt marshes and woodlands are an important resource for carbon storage which helps to mitigate climate change. These services also regulate pollution in the air, water and on land; and

4. **Cultural services** - relate to people's enjoyment of the Island and its special qualities arising from our unique Island landscape.

Emerging policy approach for ecosystem services

The new policy approach will ensure that future development is located, designed, and managed to include nature-based solutions. This will support climate adaptation and long term protection for Island communities.

The policy aim is to encourage development proposals that actively deliver ecosystem services and recognise their economic and environmental value.

Emerging policy objectives

The draft plan will introduce both general and specific policies to ensure that new development actively supports ecosystem health. Site specific requirements related to ecosystems and ecosystem services will be included in area plan allocation proposals as appropriate.

Heathland above Glen Mona

Policies will be drafted to encourage and, where appropriate, require development to be carried out in a way that:

a) sustainably manages land and water environments;

b) protects and enhances natural and semi-natural habitats;

c) conserves water resources and improves water quality;

d) improves the Island's resilience to, and mitigation of, flood risk;

e) improves the Island's resilience to rising temperatures;

f) supports carbon storage through habitat restoration, creation, and long-term management;

g) conserves and enhances soils - use them sustainably and protect the best and most versatile agricultural land;

h) promotes sustainable use of construction materials, including reducing waste, reusing and recycling, and conserving finite mineral resources

i) reduces pollution levels;

j) designs the built environment and public spaces to support health and wellbeing; and

k) Ensures access to and understanding of the Island's natural and built heritage.

Tree cover supports wildlife habitat

Policy Goal 4: Biodiversity net gain (BNG)

The loss of biodiversity is one of the most urgent climate related risks facing the Island. However, there are real opportunities to reverse habitat loss and deliver long term biodiversity enhancements through the planning system.

Currently, biodiversity policy is set out in Environment Policy 4 of the Strategic Plan 2016, which references the Manx Biodiversity Action Plan. Updates to this Action Plan are now available. Notably, Action 21 of the Isle of Man's First Biodiversity Strategy (2015 - 2025) calls for no net loss of biodiversity.

There is now a clear need to:

- Make Biodiversity Net Gain (BNG) an explicit requirement in the new strategic plan.
- Consider retaining a 'no net loss' requirement in specific cases, where appropriate.

Key Policy Issues for BNG Implementation

To deliver BNG effectively, several challenges must be addressed:

- Lack of baseline data: A future Land Management Framework is expected to provide high level habitat classification, but more work is needed to establish a reliable baseline for monitoring biodiversity change.
- Assessment methods: A clear and proportionate method is needed to help applicants demonstrate how their proposals deliver BNG.
- Planning guidance: Applicants will need accessible guidance to understand and meet BNG requirements.
- Implementation and enforcement: Approved plans must be delivered on the ground, with long term management agreements.
- Land protection: Land used to deliver BNG must be safeguarded from future development.
- Alignment with EIA thresholds: BNG policy must work alongside Environmental Impact Assessment requirements for major schemes.

Achieving a proportionate approach

The BNG model adopted should:

1. Capture as many opportunities for biodiversity enhancement as possible.
2. Be proportionate to the scale and type of development.
3. Be open to including exemptions for minor household applications.

A number of options have been explored overleaf.

Option 1: A nature focused approach - is this right for the Island?

This approach prioritises biodiversity uplift, even if delivered off-site. A proposed scheme would need to demonstrate how a BNG proposal would help to address one or more biodiversity opportunities.

The Scottish BNG Model titled '**Positive Effects for Biodiversity'** has adopted a nature focused approach seeking to have a positive effect on biodiversity.

Planning proposals need to demonstrate how they have considered the BNG policy requirement to secure 'positive effects for biodiversity' - having regard to identified priorities for BNG.

Proposals are required to contribute to the enhancement of biodiversity, including the restoration of degraded habitats and strengthening nature networks. A strong emphasis is placed on strengthening habitat connectivity to reverse fragmentation.

The Natural Environment (Scotland) Bill is currently being debated to introduce legislative targets.

Option 2: An amenity focused approach - is this right for the Island?

This approach integrates biodiversity with on-site amenity and green infrastructure. It fosters a greater appreciation of nature by those who use the area and promotes active stewardship over the longer term.

The Welsh BNG Model titled **'Net Benefit for Biodiversity'** follows this approach. Planning proposals must demonstrate that they have:

- Maintained and enhanced biodiversity;
- Built resilient ecological networks through green infrastructure.

This aligns with on-site amenity provision. The assessment method follows the Stepwise Approach; a mitigation hierarchy that aims to: avoid adverse impacts, minimise unavoidable impacts, mitigate where necessary and compensate only as a last resort.

A distinction is made between small applications - expected to provide annotated plans and larger schemes which need to follow best practice assessment methods based on detailed surveys. Enhancements should be delivered primarily on-site, and the use of "Building with Nature" standards is encouraged to demonstrate the sustainable management of natural resources.

Option 3: A site focused approach - is this right for the Island?

The underlying principle of a site focused approach is that each site is assessed on its own merits - allowing for an assessment of available capacity to deliver biodiversity benefits on site. Where the required amount of BNG cannot be delivered on site, there is scope to look at alternative solutions that can deliver strategic benefits.

The English BNG Model titled **'Biodiversity Net Gain'** has adopted a site focused approach. Developers commission a planning report - comprised of detailed surveys - to establish the baseline state of biodiversity and ecosystem resilience. This informs a proposal to deliver a legally binding target of 10% BNG - either on or off site, or a combination of both. The Biodiversity Net Gain Plan is implemented and a legal charge placed on land used for off-site provision for 30 years.

It should be noted that this method is currently under review - to focus on better outcomes for nature at a strategic level.

Wood Sorrel - an indicator of ancient woodlands

Emerging policy approach on the Isle of Man

All of the above models have their advantages and disadvantages and we have the opportunity to weave the best aspects of each model into a Manx approach and to amend them further where it helps to provide greater clarity.

Further consideration is needed, working with colleagues across Government to establish whether there is a realistic opportunity to deliver on-site. It may mean more land needs to be allocated to accommodate climate friendly development or strategic enhancements may be possible elsewhere on Island.

Setting clear aims and objectives

The Isle of Man Landscape Character Assessment Report 2025 highlights a number of opportunities within the different character areas of the Isle of Man to enhance biodiversity within the rural environment. It sets out some early indicators that can be used to develop a number of biodiversity parameters that can be categorised within biodiversity objectives. Early draft objectives include -

1. Ensure no net loss of biodiversity on site;

2. Link, restore and expand existing habitats to create a more resilient and more diverse ecological network;

3. Review and improved existing land management practices; and

4. Introduce new habitats to support species recovery and ecosystem health.

The Land Management Framework is anticipated to provide more detail on how these opportunities can be capitalised upon over the longer term, and both of these documents can be supplemented by the Manx Biodiversity Strategy.

What framework for biodiversity net gain Is best for the Isle of Man?

Introducing a Biodiversity Net Gain (BNG) system is complex, and experiences from other jurisdictions show that implementation can be challenging. The Cabinet Office is keeping an open mind, working closely with colleagues to develop a practical, easy-to-administer approach that delivers long term results.

The Island needs a bespoke system - one that builds on the momentum already shown by some developers who are voluntarily integrating biodiversity measures, even without a statutory requirement.

One of the strengths of policy making on the Isle of Man is the ability to learn from other models:

Welsh Model - 'Net Benefit for Biodiversity' uses a matrix-based approach, suitable for integrating biodiversity with amenity and green infrastructure.

English Model – 'Biodiversity Metric' applies a biometric framework, typically used for larger schemes with detailed ecological data.

Scottish Model – 'Positive Effects for Biodiversity' takes a nature-first approach, focusing on habitat restoration and connectivity.

A combined model may be appropriate for the Island, such as...

1. a matrix approach for small to medium schemes, informed by proportionate environmental information, and
2. a biometric framework for larger developments, where detailed ecological surveys are available.

Key questions for BNG at this stage:

- Should some developments follow a 'no net loss' approach and what would that mean?
- Can policy clearly explain what BNG means?
- How should biodiversity net gain be measured?
- What will BMNG look like in practice?
- Where are the best opportunities to for biodiversity restoration?
- Can we direct BNG to specific areas using a land register?
- How can we reduce the burden of on-site provision?
- How do we ensure biodiversity gains are delivered and maintained?

The Cabinet Office is committed to ensuring that any future biodiversity policy is proportionate to the scale of development.

We're keen to hear your views on the key issues outlined.

Snaefell from Sulby Reservoir

Policy Goal 5: The need for Sustainable Drainage systems (SuDS)

Sustainable drainage systems (SuDS) represent a crucial advancement in water management, designed to mitigate the adverse effects of conventional drainage practices. These systems aim to mimic natural hydrological processes, promoting the infiltration, storage, and gradual release of stormwater.

SuDs have a clear role to play in fostering sustainable development alongside clear policy approaches on flood risk more generally including flood risk assessment guidance.

By integrating green infrastructure such as permeable pavements, rain gardens, and green roofs, SuDS not only reduce the risk of flooding but also enhance water quality and biodiversity. The Island recognises that the implementation of sustainable drainage solutions is increasingly vital to ensure resilient and environmentally friendly places.

This section explores the work that has been undertaken on SuDS, recognising the need to establish not only policy but implementation guidance to ensure they are managed and adopted by the relevant authorities properly.

Cabinet Office, DEFA (Planning and Building Control), DOI (Flood Management Division) and Manx Utilities (Drainage Division) have worked together to ensure much needed new policy approaches are coordinated, properly researched and workable and this has included the help of JBA Consulting.

On behalf on this working group, Cabinet Office is now publishing the outputs of this work.

Policy drafting has advanced to such a point that the preferred policies and supporting text that might form part of the draft plan can be shared for comment.

Flood risk and SuDS guidance documents are introduced later in this section on page 52. They form part of the suite of Core Documents and are available for inspection and comment, as part of this preliminary publicity consultation process.

Suggested additional content

It is proposed to add a part (d) to the existing Strategic Policy 4 to read:

'not increase, and where possible, reduce flood risk; make efficient use of existing and new infrastructure and promote the use of sustainable drainage systems (SuDS).'

It is also proposed to include a new Strategic Objective within the Environment Chapter to read:

'To proactively manage the risks from flooding and coastal erosion within the context of climate change.'

Suggested replacement content

The following text and draft policies on pages 44 - 51 are proposed to replace the current wording in the strategic plan - from paragraph 7.12 onwards.

(New) Draft introduction

The impact of the ongoing climate emergency is likely to increase the risk of flooding as a result of sea-level rises, increased storminess and more intense rainfall. Flooding, as a hazard, involves the consideration of the potential consequences of flooding, as well as the likelihood of an event occurring.

The strategic plan seeks to prevent the loss of natural flood plain and to guide development away from areas at risk of flooding. Where development is supported for special or exceptional reasons subject to the relevant assessments, then appropriate flood protection and mitigation measures must be taken to safeguard life and property.

A number of agencies are responsible for the Island's coastal protection and together should be focused on safeguarding our natural sea defences and avoiding unnecessary or unjustified costs arising from the need to protect new development.

Draft Flooding Policy 1 – Managing Risk

A. Proposals for new or additional residential development within the high risk zone will only be supported where they result in the redevelopment of a site which is Previously Developed Land and included within the Unoccupied Urban Sites Register;

B. Proposals for highly or less vulnerable development on sites which are not Previously Developed Land that has been included within the Unoccupied Urban Sites Register and are within the high or medium flood risk zones will only be supported where:
   - (within the high risk zone) the proposal does not include any new or additional residential development, it can be demonstrated that there are no alternatives (lower risk locations or reasonable alternative means) and it can be demonstrated that there are imperative reasons of over-riding public interest (including those of a social or economic nature) or national need;
   - (within the medium risk zone) it can be demonstrated that the need for the proposal outweighs any adverse impacts; or
   - (within the high or medium risk zones) the proposal is for the replacement of an existing building, the proposed use is the same or lower vulnerability class as the current use, it can be demonstrated that the replacement building will be more flood resilient and (if residential) will not result in a net increase in the number of units.

C. Proposals which are not water compatible will not be supported within areas that have been designed to hold water during flood events unless it can be demonstrated that:
   - adequate compensatory storage will be provided for in advance of the development commencing: and
   - the proposal would result in a net improvement to the functioning of water management infrastructure.

D. Proposals will not be supported which increase the risk from coastal change by locating inappropriate development in vulnerable areas and exacerbating the impacts of physical changes to the coast.

E. Area Plans will consider areas of flood risk as part of the evidence base when allocating land for development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. This consideration will include the application of Parts A-D of this policy.

(New) Draft explanation

The policy seeks to strike a balance in directing development away from areas of flooding while recognising the need to redevelop sites which are previously developed land and included within the Unoccupied Urban Sites Register.

Previously developed land excluded from the register may include either sites outside of settlement boundaries or the site of a dwelling.

The policy is structured as follows -

- Part A sets out where residential development will be allowed within the high risk zone.
- Part B sets out policy restrictions that only apply to sites which are either greenfield or previously developed land not included within the Register, but does allow for the replacement of buildings where the new building/ use helps to reduce risk/increase resilience.
- Part C protects areas designed to hold water during flood events.
- Part D directs development away from areas at risk of coastal change (such as erosion).
- Part E relates to the area plan-making process - which will adopt a precautionary approach of positive avoidance of development in areas of flooding from the sea or from rivers where possible.

The policy sets out requirements to justify proposals in some circumstances and further guidance may be published on the application of these tests. Where these tests have been applied and met through the Area Plan process by taking appropriate account of flood risk at the site allocation stage (as per Part E) planning applications that comply with those allocations (and any site briefs) will be assumed to pass Parts A - D of the policy.

Updated flood mapping for the Island enables the planning authority to take a strategic approach to flood risk and consider the catchment as a whole by providing a preliminary representation of Island-wide flood risks. Furthermore, it informs decisions on the location of new development in area plans and the requirements necessary to support any applications which may be proposed.

Together with site-specific flood risk assessments they should assist with understanding how natural and man-made defences work as integral components of places and provide a means by which the cumulative effects of development can begin to be understood.

Risk is a combination of likelihood and consequence. Therefore one way to avoid and mitigate flood risk is to change the uses proposed on a site or to change the site layout where the risk varies across the site.

(New) Draft explanation continued

Some uses such as residential, schools and hospitals are highly vulnerable whilst other uses such as general industry and retail are less vulnerable. A limited number of uses are compatible with being in flood risk areas, such as open space (excluding equipped play areas), harbours and hydroelectric energy generation.

Area Plans should identify, as a Coastal Change Management Area, any area likely to be affected by physical changes to the coast, and:

(a) be clear as to what development will be appropriate in such areas and in what circumstances; and
(b) make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas.

Port-E-Chee Avenue, Douglas

Draft Flooding Policy 2 - Defences

New or improved defences, including upgrades to existing defences, should be carefully planned and include multiple benefits where possible.

(New) Draft Explanation

The continued construction of hard engineered flood defences to protect development in floodplain areas is not sustainable.

Government resources for flood and coastal defences are directed at protecting existing developments - they are not available to provide defences in anticipation of future development.

Account should be taken of shoreline management plans, and measures such as managed realignment, the creation of washlands and floodplain restoration as alternatives to engineered flood defences.

New or improved flood defences in coastal and/or riverside locations should be carefully planned, ensuring all potential environmental effects, both on and off-shore, are taken into account.

Flood defence works can provide opportunities to achieve wider social, economic and environmental benefits, which should be maximised where possible.

Nature based solutions should be the first consideration for all developments where possible, given the opportunities they create to deliver other multiple benefits. Benefits can include habitat creation, biodiversity enhancement and water quality improvements. Overall, green infrastructure opportunities can benefit ecosystem resilience and provide opportunities for leisure facilities or renewable energy generation.

Draft Flooding Policy 3 – Flood Risk Assessments

Development which would result in an unacceptable risk from flooding, either on or off-site, will not be permitted.

Where appropriate, applications should be supported by a site-specific flood-risk assessment and follow any published guidance on the preparation of such assessments, which will normally include:

- development within areas identified as being at risk of tidal or fluvial flooding;
- sites within area of identified surface water flood risks; and,
- larger or more complex developments which could impact on the surrounding area.

(New) Draft Explanation

When determining any planning applications, the planning authority should ensure that flood risk is not increased elsewhere as a result of the proposed development.

Where appropriate, applications should be supported by a site-specific flood-risk assessment and follow any published guidance on the preparation of such assessments.

It will be important to note that developments located within flood risk areas remain at risk from flooding even if mitigation measures are applied and assessments are required for these areas for all proposed developments.

Development should aim to reduce flood risk arising from river and/or coastal flooding on and off the development site itself and in any case must not increase off site flood risk.

The priority should be to protect the undeveloped or unobstructed floodplain from development and to prevent the cumulative effects of incremental development. Surface water flooding will affect the choice of location and the layout and design of schemes, and these factors should be considered at an early stage in formulating development proposals as part of a planning application.

Flood Risk Assessments should be proportionate to the nature of the proposal and in some cases may be of a relatively minor nature, such as evaluating a small development on a low risk site with minimal secondary effects. Other proposals may comprise major basin-wide studies for significant infrastructure development.

The following requirements should be the starting point in the preparation of any risk assessment and should be read in association with any published additional guidance and flood maps where available:

- Identification of all watercourses and other bodies of water in the vicinity.
- Details of flood alleviation measures already in place.
- Assessment of the source of potential flooding, either tidal, fluvial and surface water.
- Existing information on the extent and depth of flood events or on flood predictions.
- An assessment of the likely rate or spread with which flooding may occur.
- A consideration of overland flows and excessive flood flow routes
- All necessary mitigation measures

The ability of emergency services to respond to flood events should be taken into account when considering if a development in a flood risk area is appropriate. This may involve consultation with emergency planners, local resilience forums and other professional partners, such as fire and rescue, police and ambulance services.

Rock formations help shield against storms at Marine Drive

Draft Flooding Policy 4 - Drainage

Proposals will only be supported where they comply with the requirements set out below.

A. There is adequate means of foul sewage disposal and treatment or that capacity can be made available in time to serve the development.
B. The proposal can achieve a reduction in surface water run off on brownfield sites, and no increase on existing rates for greenfield sites.
C. The proposal can secure the removal of culverting and avoid building over a culvert or new culverting of watercourses and an adequate buffer zone is left free from development from the water's edge;
D. The proposal can make use of Sustainable Drainage Systems unless it can be shown to be technically unfeasible.
E. The proposal can dispose of surface water appropriately according to the following networks in order of preference:
    - to an infiltration based system wherever possible (such as soakaways);
    - discharge into a watercourse with the prior approval of the landowner and navigation authority (following treatment where necessary);
    - discharge to a public water sewer or highway drain.
F. Drainage Masterplans are required for large scale developments.

(New) Draft Explanation

All new development must be capable of being drained of foul and surface water in a safe, convenient, and environmentally acceptable manner.

Manx Utilities is the All-Island Drainage Authority and assumes responsibility for all of the Island's public sewers and treatment works, with a number of local authorities acting as Agents within their particular town, village, or parish.

As well as maintaining and improving existing infrastructure, the Flood Management and Highways Authorities inspects the proposed drainage plans for new development in order to ensure that the completed works are in accordance with the flow and treatment capacity of the system into which they will link and are, where appropriate, of an adoptable standard.

There is sometimes a risk of surface water flooding, usually caused by heavy rainfall, and it is important to ensure that developments are designed and planned to minimise potential impacts and control frequent heavy rainfall events.

Development should not cause additional run-off, which can be achieved by controlling surface water as near to the source as possible by the use of SuDS.

Consideration should also be given to groundwater levels. In such situations, direct infiltration SuDS may not be appropriate.

Consultation with relevant drainage bodies, such as Manx Utilities, Department of Infrastructure Flood Management Division and Highways Authority should be taken into account.

All developments should incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate, but this requirement will not normally apply to smaller proposals including outbuildings, alterations and extensions.

The systems used should be designed in line with the Isle of Man SuDS Guidance and should:

- take account of advice from relevant consultees;
- have appropriate proposed minimum operational standards;
- have adoption and maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- provide multifunctional benefits where possible.

Where green infrastructure can be provided which fulfils multiple stackable benefits to acceptable standards then this can be a way to make more efficient use of land and improve development viability.

Example of SuDS

New Draft Planning Policy Statements (PPS) and Technical Guidance

Additional planning guidance - which sits alongside statutory plans - can help both developers and planners understand the level of information required to support a planning application. Such guidance is called a Planning Policy Statement, or PPS.

There is a separate 'approval process' to that of a development plan when Cabinet Office wants to 'issue' a PPS (see section 3 of the Town and Country Planning Act 1999). All PPS's are laid before Tynwald.

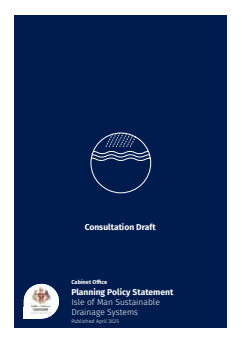
This preliminary consultation for the strategic plan doubles as a formal consultation on the PPS's listed below - as they link together as a coherent pack. It is important to publish all related documents at this stage.

Work on the PPS's will run alongside the strategic plan and will ultimately be issued under a different process.

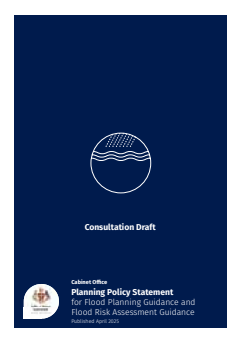
There is no intention to bring forward the PPS's and have them laid before Tynwald before the strategic plan is approved - but this is an opportunity to seek comments.

The Technical Manual relates closely to the implementation of SuDS. It will be adopted by DOI in due course in line with approved policy. The Manual may need to change as the plan process develops.

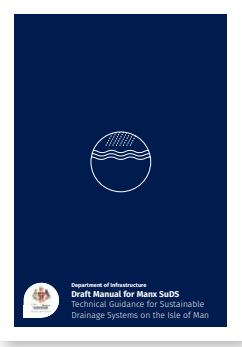
Comments are welcome on all papers. Any feedback will be shared with the DOI anonymously.



Isle of Man Sustainable Drainage Systems Draft Planning Policy Statement – this publication sets out a number of design standards for SuDS, based on current best practice and sets out how SuDS matters will be dealt with at the planning application stage.



Draft Planning Policy Statement for Flood Planning Guidance and Flood Risk Assessment Guidance - this publication sets out a broad framework for assessing flood risk - using a number of available tools , such as flood maps published by the DOI. It categorises the different types of flood risk and identifies categories for vulnerable development. Acceptability criteria are set out. The guidance also sets out flood risk assessment guidance for specific sites. Where a full assessment is not required, there is guidance to support the preparation of a flood risk statement.



Draft Manual for Manx SuDS: Technical Guidance for Sustainable Drainage Systems on the Isle of Man – provides guidance on a range of technical matters that will need to be addressed when designing and implementing SuDS.

IOM FLOOD HUB

Flood Maps showing flood risk zones - are now available on the DOI webpage.

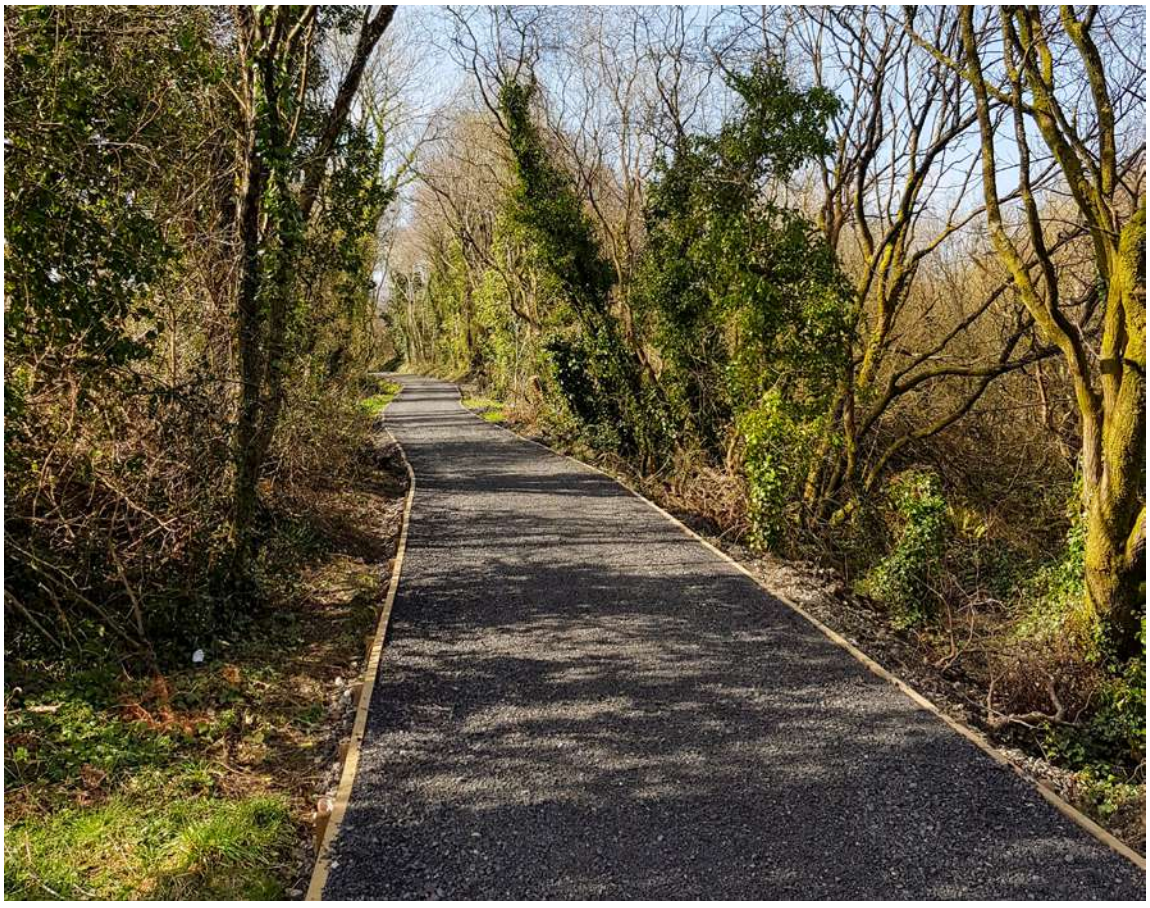
Policy Goal 6 – The provision of active travel infrastructure

A priority of Government for some years has been to be an Island where cycling and walking are normal and realistic transport choices for available for people of all ages and abilities.

The term 'active travel' is defined in the Active Travel Strategy 2018 – 2021 (GD 0043/18 DoI, 2018) as:

'walking or cycling (including the use of electric bicycles) as an alternative to motorised transport (cars, buses, motorcycles etc) for the purpose of making everyday journeys. Terms such as "walking" or "walker" are used as generic terms to include running as well as non-motorised uses for instance wheelchairs, electric wheelchairs, mobility scooters and other mobility aids, scooters and other means of self-propulsion.'

It is important to think about active travel as part of the wider transport network and the need to steadily encourage people to shift where they can to make more sustainable travel choices. Active travel can be - if the right framework and facilities are in place - a realistic and every day possibility for many people on the Island.



Heritage Trail (Old Railway Line)

Achieving a greater uptake of walking and cycling leads to a wide range of benefits including:

- improvements in health and wellbeing;

- reduced carbon emissions from transport; and

- more efficient movement of vehicles within the road network leading to less congestion and improved air quality.

Current strategic plan policy

Active travel is not referenced as such in the existing strategic plan. However, the need to locate new development close to existing public transport facilities and routes - including pedestrian, cycle and rail routes - and to make provision for new bus, pedestrian and cycle routes linking into existing systems has been embedded in strategic policy since 2007.

The overarching policy set out in **Strategic Policy 10** states -

“ New development should be located and designed such as to promote a more integrated transport network with the aim to:

(a) minimise journeys, especially by private car;

(b) make best use of public transport;

(c) not adversely affect highway safety for all users, and

(d) encourage pedestrian movement.

Area plans drafted since 2007 have been able to take forward active travel proposals and consider designated active travel routes as well as other footpath/cycleway connections when choosing sites for development.

Ensuring footpath connections for multiple types of users is important when planning out new developments and references have been included in area plan development briefs where appropriate.

Government guidance generally has been and will continue to stress that active travel matters must be factored in to design schemes at an early stage and this is particularly important when masterplanning and designing large scale developments.

"The Manual for Manx Roads: Movement and Place Practitioner's Guide" (DOI)

Published in 2021, the manual aims to create a safe, modern highway network that accommodates all modes of transport and reflects the needs of different road users. Importantly, it encourages well-designed streets, spaces and developments. This document serves as useful and practical guidance to support the design process.

There is sufficient understanding of the need for active travel that the term can be integrated into the strategic plan. The draft plan will set out national planning policy for active travel infrastructure ensuring it is considered early in design schemes. In time, it will be aligned with the new Transport Strategy, being progressed by DOI.

Vehicular free routes promote walking and cycling, Ramsey

Active travel: Policy aims

New development should be located and planned to encourage means of travel other than by private car, in particular walking, cycling, and public transport.

Such locations will be allocated within Area Plans or be located within existing settlements - which are well served by public transport and which are within walking or cycling distance of the new development.

The policy aims when planning for new development are to ensure that:

- development proposals make appropriate provision for active travel facilities and routes, and
- that routes linking in with existing movement networks to support principle of integrated transport.

It is important to think about active travel as part of the wider transport network. The goal is to have a more equitable approach to travel that meets a greater range of user needs. The focus – which is being embraced on Island – is to steadily shift to one where sustainable travel is a realistic and everyday possibility.

In active travel terms, the 'user hierarchy' prioritises different modes of transport based on their impact and benefits. The sustainable travel hierarchy helps to illustrate how our priorities need to shift over the longer term. Achieving a greater uptake of walking and cycling, or 'active travel', leads to a wide range of benefits including improvements in health and wellbeing, reduced carbon emissions from transport, and more efficient movement of vehicles within the road network leading to less congestion and improved air quality.

A general user hierarchy model is set out below:

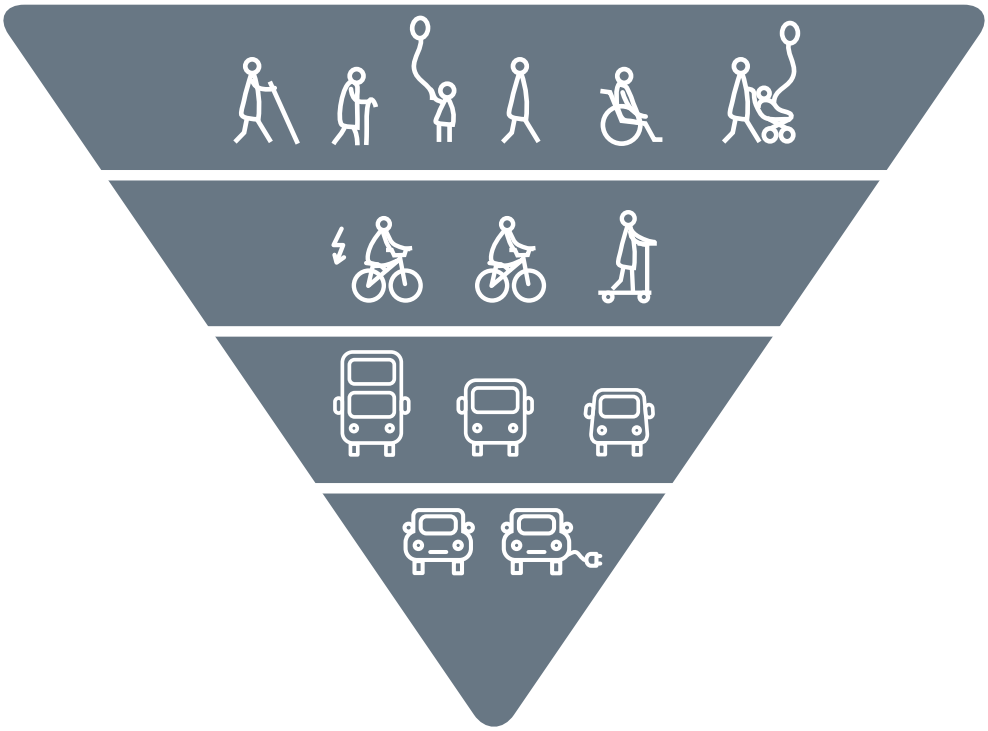
User Hierarchy Model

1. Pedestrians including mobility-impaired and wheelchair users (these are the most vulnerable and should be given the highest priority in transport planning);

2. Cyclists - should be supported with dedicated lanes and safe crossings;

3. Public transport and specialist service vehicles (emergency services etc.);

4. Private car drivers while necessary for some journeys, they are less sustainable and contribute more to traffic congestion and pollution. Consider car-pooling when possible.



User Hierarchy Pyramid

Active travel principles

The desired outcome in draft plan policy on active travel will be to place greater emphasis on user hierarchies to support the needs of local communities in addition to traditional transport priorities which have historically focussed on vehicular travel. The active travel principles include, but are not limited to:

1. **Definition** – Defined street types to allow people to readily understand the layout of the development designed with multi-dimensional spaces and inter- related public and private spaces;

2. **Empowerment** – Empowering all people with differing levels of mobility to be able to make use of the street in a way that best meet their needs;

3. **Encourage Active Travel** – Giving priority to active travel over motor vehicles, wherever practicable;

4. **Security** – Ensuring all areas, especially public spaces, benefit from natural surveillance and are well lit at night time to deter anti-social behaviour;

5. **Integration** – Considering the design of the built and natural environment so that built infrastructure blends within the natural environment - green spaces, trees and sustainable urban drainage - and is punctuated by appropriate wayfinding features, such as public art and signage; and

6. **Co-ordination** – Carefully selecting the materials of the carriageway, footways and public realms so they aesthetically tie in with adjacent building elevations and boundary treatments.

Recreational path in Groudle Glen

Part 5

Assessing Environmental Impact Assessments

Reviewing the process for Environmental Impact Assessments (EIA)

The Island's entire nation UNESCO Biosphere Reserve `status highlights the environmental sensitivities that need to be taken into account when determining planning applications on the Island.

Environmental Impact Assessment (EIA) is an important procedure for ensuring that the likely effects of new development on the environment are fully understood and taken into account before the development is allowed to go ahead.

It is a process by which information about the likely environmental effects of certain types of development is collected, assessed and taken into account by the developer (as part of project design) and by the planning authority (in determining the acceptability of the application).

An important distinction between the Isle of Man and UK is that in the Isle of Man, the requirement for EIA comes from policy rather than legislation – and is mandatory for certain types of development.

Approaches historically have adopted current practice from England and Wales.

Laxey

How is Environmental Impact Assessment dealt with in the existing strategic plan?

Current policy provision for Environmental Impact Assessment is set out in Environment Policy 24 of the Strategic Plan 2016 - which includes a mandatory requirement for an EIA to be undertaken for certain types of development listed in Appendix 5 of the Strategic Plan.

The issues arising from the current wording of Environment Policy 24 are -

- A development proposal may fall within a mandatory requirement for a full Environmental Impact Assessment, even though the scheme may not raise significant environmental concerns.

- There is no ability to apply officer discretion on the matter. For instance, requiring EIA for minor developments that fall within the list of developments in Appendix 5 adds unnecessary cost to the development process - which may deter applications being brought forward in some instances. Equally, development proposals may come forward in areas where there are extremely high environmental sensitivities - but there is no planning mechanism in place to ensure that an Environmental Impact Assessment is undertaken.

- The policy wording refers to a future Planning Policy Statement - this did not come forward - which admittedly creates uncertainty as to what is required.

Having an option to screen applications - to determine whether an EIA is required - based on a **planning test of 'sensitivity'** - would allow for a more proportionate response.

Any changes to EIA need to be cognisant of the implications for the process in respect of General Importance Referral (under S. 11 of the Town and Country Planning Act 1999).

Preferred Environmental Impact Assessment Model

The process of environmental impact assessment gathers information about the likely environmental effects of certain types of development. The information is assessed and taken into account by the developer (as part of project design) and by the planning authority (in determining the acceptability of the application).

The Scottish EIA regulations make provision for the 'sensitive area' test – and sets out clear requirements for planning applications. The Regulations include four Schedules, namely-

1. **Schedule 1** - sets out developments which will require an EIA in all cases (mandatory approach).
2. **Schedule 2** - sets out types of developments that may raise environmental concerns which would benefit from further assessment – allowing for a more discretionary approach.
3. **Schedule 3** - sets out Selection Criteria for Screening Schedule 2 Development.
4. **Schedule 4** - sets out the information for inclusion in Environmental Impact Assessment Reports.

With some local adaptations, the Scottish EIA Regulations allow for a more local approach that is suited to the scale of development on the Island within the context of numerous environmental sensitivities - and can be applied on a policy basis.

A draft policy for Environmental Impact Assessment is set out overleaf.

Draft Environmental Impact Assessment Policy

Environment Policy XX: Environmental Impact Assessment (Draft)

Development Proposals will be required to be provided with sufficient and proportionate information to enable assessment of any environmental impacts. Proposals which are likely to have a significant effect on the environment will be required to be accompanied by an Environmental Impact Assessment.

(New) Draft Explanation

As a broad approach the Isle of Man will follow –

- the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017;
- Planning Advice Note 1/2013: Environmental Impact Assessment, and
- Planning Circular 1/2017: Environmental Impact Assessment regulations 2017, or any amendment or replacement of those.

Within this broad approach, some key differences should be born in mind - to respond to the Island context. Further work will be done ahead of the draft plan, helped by feedback, to integrate and adopt the best parts of the Scottish Model - which is currently seen as the most transferable - to the Island.

Cabinet Office

Our Climate Responsibilities:

Paper 5