



Item: 1

Planning Committee: 25 March 2026.

Construction of Vehicle Parking near Italian Chapel, Lamb Holm.

Report by Director of Infrastructure and Organisational Development.

1. Overview

- 1.1. This report considers an application for the construction of a car park, principally for coach parking and an extension to existing parking, on land near the Italian Chapel, Lamb Holm. One representation has been received. The application was amended and the works initiated during consideration of the application, with the works substantially completed during summer 2024; the application is therefore retrospective. On the balance of key matters, it is concluded that the development does not comply with the relevant policies and is recommended for refusal.

Application Reference:	24/131/PP.
Application Type:	Planning Permission.
Proposal:	Construct a car park (coach parking) – Retrospective.
Applicant:	Mr Tommy Sinclair.
Agent:	AR Structural Design Ltd., c/o Allan Reid, Chaos, Petertown Road, Orphir, KW17 2RE.

- 1.2. All application documents (including plans, consultation responses and valid representations) are available for members to view [here](#) (click on “Accept and Search” to confirm the Disclaimer and Copyright document has been read and understood, and then enter the application number given above).

2. Recommendation

- 2.1. It is recommended that members of the Committee:
- i. Refuse the application for retrospective planning permission in respect of the construction of a car park, including for coach parking, near the Italian Chapel, Lamb Holm.

3. Consultations

Roads Services

- 3.1. “Roads Services have no adverse comment to make.”

Engineering Services

- 3.2. “Flood Risk

The site is not indicated to be at risk of flooding from any source in SEPA flood risk mapping and the proposed coach parking area would not itself increase flood risk to outwith the development due to its location in relation to existing receptors.

Erosion

Dynamic Coast outputs indicate that, due to soil type together with predicted climate change and associated sea level rise, the proposed development itself would be vulnerable to coastal erosion by the second half of the current century, while the access route from the A961 is predicted to be affected much sooner. Some effort has been made in the past to limit erosion adjacent to the access road with the placement of concrete structures and gabions which are now in poor condition. However, the rate of erosion is predicted to increase in the coming decades as sea level rises.

A site visit confirmed that there is active erosion of soft material to the north face of the coast directly in line with the proposed development. It is estimated that the distance from the nearest point of the coast to the outer edge of the proposed development is less than 10m. This is where the retreating coastline has reached approximately 0.5m from the existing fence line.

Due to the active and projected coastal erosion adjacent to the development we object to the proposed development.”

- 3.3. It was subsequently confirmed through consultation that the road to the Italian Chapel and car parking forms part of the adopted public road network. On that basis, with maintenance responsibility outside the control of the applicant, Engineering Services updated its position to confirm it would not object based on erosion risk to the access.

- 3.4. Nonetheless, the location of the car park edge in relation to the eroding bank remains a concern. The bank is approximately 5 metres high. On the basis wheel loading to the car park edge is possible, Engineering Services suggests a minimum distance to the bank top of 7.5 metres. The bank is highly erodible, and time would be required to plan and implement adaptation actions; action should therefore be triggered when a buffer distance between the car park edge and the cliff top reaches 8 metres.

Historic Environment Scotland (May 2024)

- 3.5. “This application is for the construction of a parking area for coaches. It would be located to the north-west of the Category A-listed Italian Chapel and at the end of the Italian Chapel Access Road. The building’s ornate façade, and side elevation showing its Nissen hut construction behind this façade, are visible when travelling along this road toward the chapel. These long views show the building in its rural island setting, and are important to how it is understood, appreciated and experienced. They also contribute to the chapel’s sense of place.

When present, coaches in the proposed parking location seem likely to partially or completely obscure the chapel in these views. While this would detract from the setting of the building, it would not affect the most important view of the building obtained when standing directly outside it.

We are content with the principle of providing additional parking for coaches in the vicinity of the chapel and recognise that this would likely improve public access to it. However, because the proposal would have an adverse impact on the chapel’s setting, we recommend that any alternative and less impactful options for parking are explored. If alternative options have been explored already, we recommend that information about this is submitted in support of the application. If your Council decides that the proposal is the only viable option, we accept this alteration because the adverse impacts would be limited, and we recognise the benefits the application is likely to provide.”

Historic Environment Scotland (June 2024)

- 3.6. “We were previously consulted on this application and responded on the 9 May. The application has been amended and it now proposes a smaller parking area for two coaches instead of four. Because of the location and orientation of the parking bays we do not consider that this reduction would substantively change potential impacts on the setting of the chapel when coaches were present. Therefore, our previous advice relating to the setting of the chapel and those potential impacts remains applicable and is not repeated here.”

Islands Archaeologist (May 2024)

- 3.7. “The proposed parking area for four coaches (according to the supplied Site Plan) is located 40-50m WNW of the famous and much-photographed front façade of the A-Listed Italian Chapel, Lamb Holm, Orkney. It is located beside the approach to the front of the Chapel.

In my opinion, due to its proposed location, the proposal will have an adverse impact on the chapel’s setting when coaches are parked. This is contrary to NPF4 Policy 7c and OLDP 2017 Policy 8Bii.

There is no information as to whether this proposal is to manage existing coach numbers or will have the effect of increasing coach numbers and visitors. Information on the potential effects of how the proposal may affect the chapel would be helpful, for example: how many people and coaches will be accepted at any one time; a visualization of parked coaches and the chapel to better assess the effect on setting; how an increase in visitor numbers may affect the experience; and how an increase in visitor numbers would affect the preservation of the frescoes due to increased humidity.

I recommend that the parking area is moved further away, such as closer to the main road, or beside the J. Gow Rum Distillery. Otherwise, I recommend that further information is provided as outlined above.”

Islands Archaeologist (June 2024)

- 3.8. “Mr Reid has submitted supplementary information and submitted a revised proposed parking site plan.

Mr Reid should be aware that presumptions on an officer’s familiarity with the history of issues at a site are not appropriate in a planning application and that publicity and discussion in the local press is not acceptable as supporting documentation to a planning application.

The supplementary information states that the proposal is to manage existing coach and visitor numbers and not to increase numbers. This also means there will be no added adverse effects on visitor experience of the A-Listed building, or on the preservation of the frescoes due to increased humidity, which is to be welcomed.

It is noted that the revised proposal has reduced the number of proposed coach spaces from four to two. The revised proposal appears to reduce the effect on the setting of the chapel façade compared to the current situation, evidenced in photographs supplied by the applicant.

However, the revised proposal does not eliminate effects on the setting of the A-Listed building, since the parked coaches would partly or completely obscure the view of the chapel frontage and side when coming up the access road to the chapel. This view is important, although it is not the primary view of being directly in front of the building.

Like HES, I recommend that information about alternative options considered are presented in support of the application, with reasons why they have not been regarded as viable.”

Orkney Heritage Society

- 3.9. “While OHS does not object to this application and appreciate the need to cater for coach parties, we do worry about the potential high number of people descending on this important visitor attraction resulting from this application.”

Development and Marine Planning – Environmental Planner

- 3.10. Three consultation responses were received as the development was amended, in relation to the requirements of National Planning Framework 4, proximity to Scapa Flow Special Protection Area (SPA) and assessed impacts to otter, a European Protected Species (EPS).
- 3.11. An Otter survey was required owing to the legislative status of otter as an EPS given the proximity of this development to coastal habitat likely to be frequented by otters. The submitted survey and protection plan was considered acceptable subject to condition to secure mitigation works during ground preparation and construction works. These requirements are complicated by the fact the works were carried out without planning permission.
- 3.12. In consideration of biodiversity enhancement, it was initially proposed to plant a row of daffodils along the edge of the car park. This was deemed not proportionate to the habitat lost. Updated biodiversity enhancement measures were therefore submitted, as described in the submitted Biodiversity form (dated June 2024).
- 3.13. The matter of visitor management in relation to impacts to the qualifying features of the SPA remain unaddressed and an outstanding matter. This is repeated within each of the consultation responses:

“The proposed development is within approximately 100 metres of the closest part of Scapa Flow Special Protection Area (SPA), important for non-breeding black throated diver, great northern diver, eider, long tailed duck, red breasted merganser, shag, Slavonian grebe and breeding red throated diver. The site plan

shows parking for two coaches. This would result in a significant increase in the number of visitors to the chapel site, which would not be able to accommodate such a volume of visitors at one time due to the comparatively small size of the chapel and visitor centre. This is likely to result in visitors wandering around the surrounding area while they wait, particularly along the coast where they may cause disturbance to the qualifying interests of the SPA. Further consideration is therefore required.”

Scottish Water

3.14. No objection.

4. Representation

4.1. One valid representation (objection) has been received from:

- Leslie Sinclair, 31A Broad Street, Kirkwall KW15 1DH.

4.2. The representation is on the following grounds:

- Impacts to the setting and experience of the category A listed Italian Chapel and statue of St. George Slaying the Dragon.
- Lack of adequate amenities including toilet provision for visitors to the site, and associated environmental risk.
- Impacts on the Scapa Flow Special Protection Area and insufficiency of proposed biodiversity enhancement proposed.

5. Relevant Planning History

5.1. Planning applications

Reference	Proposal	Location	Decision	Date
17/429/PP.	Erect a bus shelter and construct a car parking area (part retrospective).	Lamb Holm.	Grant	22.11.17
15/516/PP.	Erect custodian and storage buildings, fencing and	Lamb Holm.	Grant subject to conditions.	04.02.16.

Reference	Proposal	Location	Decision	Date
	associated landscaping.			

- 5.2. No formal pre-application advice was sought in advance of this submission.
- 5.3. Works commenced within the period of consideration of the application, as such the application is considered retrospectively.
- 5.4. The commencement of works was noted by the Planning Authority. In response to a query regarding the commencement of works in the absence of planning permission, the agent stated, “the applicant is forming a private way into his agricultural land as part of his agricultural unit as permitted development in accordance with clause 18 (1) (b), requisite for the purpose of agriculture within that unit”. The Planning Authority provided advice regarding the requirements for agricultural permitted development. Works continued, and no evidence was provided of any agricultural requirement for the car parking. The development as carried out correlates with the application as submitted and is therefore being considered as the retrospective visitor car park extension proposed.
- 5.5. This application is the second proposed extension to the historic hard surfacing at the site for the use of car parking. As noted above, a previous car park extension in 2017 was also carried out without planning permission, and approved on a retrospective basis.

6. Relevant Planning Policy and Guidance

- 6.1. The full text of the Orkney Local Development Plan 2017 and supplementary guidance can be read on the Council website [here](#).
- 6.2. National Planning Framework 4 can be read on the Scottish Government website [here](#).
- 6.3. The key policies, supplementary guidance and planning policy advice listed below are relevant to this application:
- National Planning Framework 4:
 - Policy 3. Biodiversity.
 - Policy 7. Historic assets and places.
 - Policy 10. Coastal development.
 - Policy 14. Design, quality and place.

- Policy 22. Flood risk and water management.
- Policy 29. Rural development.
- Policy 30. Tourism.
- Orkney Local Development Plan 2017:
 - Policy 4: Business, Industry and Employment.
 - Policy 8: Historic Environment and Cultural Heritage.
 - Policy 13: Flood Risk, SuDS and Waste Water Drainage.
 - Policy 14: Transport, Travel and Road Network Infrastructure.
- Supplementary Guidance:
 - Historic Environment and Cultural Heritage (2017).
- Planning Policy Advice:
 - National Roads Development Guide (2015).
- Development Management Guidance:
 - Business Development Outwith Town Centres (2023).

7. Legislative Position

- 7.1. Section 25 of the Town and Country Planning (Scotland) Act 1997 as amended (the Act) states, “Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise...to be made in accordance with that plan...”
- 7.2. Annex A of Planning Circular 3/2013: ‘development management procedures’ provides advice on defining a material consideration, and following a House of Lords’ judgement with regards the legislative requirement for decisions on planning applications to be made in accordance with the development plan, confirms the following interpretation: “If a proposal accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted. If the proposal does not accord with the development plan, it should be refused unless there are material considerations indicating that it should be granted.”
- 7.3. Annex A continues as follows:
- The House of Lords’ judgement also set out the following approach to deciding an application:
 - Identify any provisions of the development plan which are relevant to the decision.

- Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies.
- Consider whether or not the proposal accords with the development plan.
- Identify and consider relevant material considerations for and against the proposal.
- Assess whether these considerations warrant a departure from the development plan.
- There are two main tests in deciding whether a consideration is material and relevant:
 - It should serve or be related to the purpose of planning. It should therefore relate to the development and use of land.
 - It should relate to the particular application.
- The decision maker will have to decide what considerations it considers are material to the determination of the application. However, the question of whether or not a consideration is a material consideration is a question of law and so something which is ultimately for the courts to determine. It is for the decision maker to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the development plan. Where development plan policies are not directly relevant to the development proposal, material considerations will be of particular importance.
- The range of considerations which might be considered material in planning terms is very wide and can only be determined in the context of each case. Examples of possible material considerations include:
 - Scottish Government policy and UK Government policy on reserved matters.
 - The National Planning Framework.
 - Designing Streets.
 - Scottish Government planning advice and circulars.
 - EU policy.
 - A proposed local development plan or proposed supplementary guidance.
 - Community plans.
 - The environmental impact of the proposal.
 - The design of the proposed development and its relationship to its surroundings.
 - Access, provision of infrastructure and planning history of the site.

- Views of statutory and other consultees.
- Legitimate public concern or support expressed on relevant planning matters.
- The planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. In distinguishing between public and private interests, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development.

7.4. Where a decision to refuse an application is made, the applicant may appeal under section 47 of the Act. Scottish Ministers are empowered to make an award of expenses on appeal where one party's conduct is deemed to be unreasonable. Examples of such unreasonable conduct are given in Circular 6/1990 and include:

- Failing to give complete, precise and relevant reasons for refusal of an application.
- Reaching a decision without reasonable planning grounds for doing so.
- Not taking into account material considerations.
- Refusing an application because of local opposition, where that opposition is not founded upon valid planning grounds.

7.5. An award of expenses may be substantial where an appeal is conducted either by way of written submissions or a local inquiry.

Status of the Local Development Plan

7.6. Although the Orkney Local Development Plan 2017 is “out-of-date” and has been since April 2022, it is still a significant material consideration when considering planning applications. The primacy of the plan should be maintained until a new plan is adopted. However, the weight to be attached to the Plan will be diminished where policies within the plan are subsequently superseded.

Status of National Planning Framework 4

7.7. National Planning Framework 4 (NPF4) was adopted by Scottish Ministers on 13 February 2023, following approval by the Scottish Parliament in January 2023. The statutory development plan for Orkney consists of NPF4 and the Orkney Local Development Plan 2017 and its supplementary guidance. In the event of any incompatibility between a provision of NPF4 and a provision of the Orkney Local

Development Plan 2017, NPF4 is to prevail as it was adopted later. It is important to note that NPF4 must be read and applied as a whole, and that the intent of each of the 33 policies is set out in NPF4 and can be used to guide decision-making.

- 7.8. In the current case, there is not considered to be any incompatibility between the provisions of NPF4 and the provisions of the Orkney Local Development Plan 2017, to merit any detailed assessment in relation to individual NPF4 policies.

8. Assessment

- 8.1. As noted in section 1 above, permission is sought for the construction of a car park (coach parking) on land near the Italian Chapel, Lamb Holm, as indicated in the Location Plan attached as Appendix 1 to this report. The works would extend the existing surfaced car parking into rough grassland to the north of existing parking, with a stated view of separating coach manoeuvring and parking from existing car parking. In the early consideration of the application, the proposal was reduced in scale from accommodating four coaches to two, thereby reducing the width of the main parking and manoeuvring area from 14.56 metres to 10.13 metres. The application is accompanied by a revised biodiversity enhancement form and an otter survey.
- 8.2. A site notice in relation to the development affecting the setting of a listed building was displayed given proximity to the category 'A' listed Italian Chapel, situated 41 metres to the east of the development, and statue of St. George Slaying the Dragon, forming part of the same listing description, situated 25 metres to the south of the proposed development. The application is retrospective, with works carried out in the summer of 2024.

Principle

- 8.3. Fundamentally the application under consideration concerns visitor management through additional parking and manoeuvring provision by extending existing parking, stated as primarily aimed at servicing coach-based visitors. The Italian Chapel and the statue of St George Slaying the Dragon is a significant Orkney visitor attraction and is a listed building of the highest category and of national importance. Planning policy provisions and relevant guidance is supportive of development which enhances or improves existing facilities.
- 8.4. The remote rural location, on the uninhabited Lamb Holm, is accessed by road via the A961. The site is served by the service bus, with a bus stop located at the end of the road into the site.

- 8.5. As is common at visitor attractions across Orkney, including those with historic environment importance and/or designation, visitor enhancements can benefit from general policy support, whether to buildings directly or to infrastructure surrounding those sites including car parking. There is therefore general policy support for the principle of the development proposed, noting as always that this principle must be matched by acceptability of the detail of the proposed works, in terms of key material planning considerations including in this case in terms of the setting of the listed building.

Access

- 8.6. In relation specifically to the access and vehicle management on site, the development appears to be a principally functional response to a stated need to accommodate coaches, rather than a more rounded consideration of both visitor management and impact on setting.
- 8.7. Visitor management at the site includes that: “coaches are allocated 20 minute slots, and only one coach load (circa 60 people) is allowed in the Chapel at any one time, and on busy days it is necessary to have the next coach on site before the departure of the current one to allow visitors time to view the Chapel properly”. The developer seeks to address this matter by increased parking provision, specifically in relation to coach and larger vehicle parking including camper vans.
- 8.8. Roads Services has confirmed no adverse comment.
- 8.9. It is evident that previous schemes to manage visitors have been pursued, with parking carried out informally on the initial, wider section of the access road in the vicinity of the buildings now used to accommodate J. Gow Rum Distillery with coach access to the immediate environs of the listed building only for drop off and manoeuvring, not for parking.
- 8.10. For many years, the parking was provided on the concrete hardstanding immediately in front of the Chapel, which is contemporary with the building itself. In terms of the setting of the building therefore, there was no impact of the surface itself as also wartime in origin, and the nature of the scale and location of this hardstanding was such, that vehicles parked had limited impact on long views towards the Chapel from the public road or on approach.

- 8.11. A 2015 planning application was approved for the existing custodian and storage buildings. These impact the setting of the listed building, but were designed using a scale, location, orientation, shape, and materials to be recessive, and minimise any impacts. Critically, being set to the south of the concrete hardstanding, the buildings have no impact on the long view towards the Chapel on approach.
- 8.12. In 2017, works were carried out without planning permission to create new car parking, with a bituminous surface. This was subject to approval retrospectively; the scale of that addition which, while detrimental to the setting, was sufficiently small scale that it was ultimately accepted. It is lined out for car parking.
- 8.13. The provision of a bus shelter by the junction with the A961 is recognised as addressing visitor management at least in part, via public transport. In terms of any 'need' to provide bus parking immediately adjacent to the building in terms of a reasonable distance to walk, the bus shelter opposite the furthest point of the access road demonstrated reasonable access on foot, much further than the proposed site.
- 8.14. In supporting comments made by the agent for the application the rationale for the development follows increased visitor numbers, to improve existing vehicle management on site by providing dedicated coach / large vehicle access and parking, and to aid safety in potentially crowded areas where vehicles were interacting with pedestrians, including those photographing the statue of St George.
- 8.15. The matter of attempting to encourage people to park and manoeuvre further from the immediate environs of the Chapel was dismissed by the agent with the statement: "Parking of coaches farther away from the Chapel would not work, as a significant number of visitors are disabled and unable to walk the additional distance on a narrow and already very busy road". Each site must be considered on its merits, but in that context, it is notable that there are multiple highly-visited attractions in Orkney, including scheduled monuments and category A listed buildings, which do not demand that visitors be deposited by buses immediately at the building, and many require a short walk. In other cases, impact on the setting of the building is considered alongside the provision of infrastructure at a building.
- 8.16. It is recognised that at busy times, un-booked arrivals, including those travelling independently and coach parties, can lead to visitor issues. In response to this, the agent has stated that at busy times un-booked persons are either accommodated in available slots or asked to make a booking for a later time. The delay in decision for the current application, mindful that the development was substantially

completed in the initial stages of application consideration and contrary to advice, has allowed consideration of the operation of the development over a calendar year. No road congestion issues have been raised with the planning service directly within this period.

Historic Environment

- 8.17. The Italian Chapel and statue of St George Slaying the Dragon are of national importance as recognised by the category A listed designation. The site was initially subject to listing on 4 June 1987 with supplementary information updated 16 September 1999. The Statement of Special Interest informing the listing states:

“One of Orkney's most important surviving structures from the Second World War, the Italian Chapel is the only relic of Camp 60 which housed several hundred Italian prisoners. These men, captured during the North African campaign, were sent to Orkney to work on the Churchill Barriers. The Italians, led by the particularly artistic Domenico Chiocchetti, brightened their otherwise drab surroundings by planting the area with flowers, and embellishing the 'square' with a barbed wire and cement-covered statue of St George. With the permission of a new commandant, Major T P Buckland, and the encouragement of the padre, Father P Gioachino Giacobazzi, Chiocchetti masterminded the creation of a Roman Catholic chapel to fulfil the spiritual requirements of the prisoners. In 1943 two Nissen huts were made available to the prisoners and Chiocchetti enlisted the help of several comrades to help him transform it. Prominent among these men were Bruttapasta, a cement worker; Palumbo, a smith; Primavera and Micheloni, electricians; Barcaglioni, Batto, Devitto, Fornaiser, Pennisi, Sforza and others. All were deft at utilising second-hand and mostly scrap materials to make their chapel, the timber for the tabernacle being salvaged from a wrecked ship. The gold curtains for the sanctuary were purchased from a firm in Exeter and paid for from the prisoners' welfare fund. Chiocchetti began work on the sanctuary, which, having been completed, rendered the remainder of the chapel somewhat dull. Consequently, a decoration scheme for the nave and the east end was commenced. The elaborate design involved painting the entire chapel in imitation brickwork and carved stone, a task too large for one man so a painter from another camp was sent to work under Chiocchetti's direction. The facade was constructed after the interior had been decorated and finally a thick coat of cement was applied to cover the unsightly corrugated-iron.

After the war, in July 1958, with only the chapel and the statue remaining of Camp 60, a preservation committee was set up to ensure a future for the now famous chapel. In 1960 Domenico Chiocchetti was traced to Moena, a village in the

Dolomites and returned to Orkney for three weeks to embark on a restoration programme. With the assistance of Mr Stanley of Kirkwall, the paintwork was restored and major repairs were undertaken. In 1961 the carved figure of Christ, which stands to the right of the chapel entrance, was gifted to the island by the citizens of Chiocchetti's home town, Moena; the cross and canopy were made in Kirkwall from detailed instructions sent by Signor Chiocchetti to the preservation committee. In 1964, Chiocchetti again visited the chapel, and his wife Maria made a gift of the 14 carved timber stations of the cross. In 1992, fifty years after they first arrived on the island a group of eight former prisoners (this time excluding Chiocchetti) returned to the chapel and Mass was again celebrated.”

- 8.18. In consideration of the setting implications of the proposed development both Historic Environment Scotland and the Islands Archaeologist were consulted. Both consultation parties raise concerns. The Islands Archaeologist states that the proposed development is contrary to National Planning Framework 4 Policy 7, ‘Historic assets and places’ and Orkney Local Development Plan 2017, Policy 8 ‘Historic Environment and Cultural Heritage’, specifically Bii – Listed Buildings.
- 8.19. Historic Environment Scotland raises the importance of the views towards the Chapel, stating that the “ornate façade, and side elevation showing its Nissen hut construction behind this façade, are visible when travelling along this road toward the chapel. These long views show the building in its rural island setting, and are important to how it is understood, appreciated and experienced. They also contribute to the chapel’s sense of place.”.
- 8.20. In terms of impact of the proposed development, it is anticipated that, “When present, coaches in the proposed parking location seem likely to partially or completely obscure the chapel in these views”. Whilst not impacting the most important external view, which is that from the concrete hardstanding immediately in front, the development “would detract from the setting of the building...”.
- 8.21. Potential alternative locations are advocated, supporting the principle of creating parking, but not in the location carried out: “We are content with the principle of providing additional parking for coaches in the vicinity of the chapel and recognise that this would likely improve public access to it. However, because the proposal would have an adverse impact on the chapel’s setting, we recommend that any alternative and less impactful options for parking are explored...”.

- 8.22. The Islands Archaeologist shares this approach, acknowledging improvement from the design amendment carried out: “The revised proposal appears to reduce the effect on the setting of the chapel façade compared to the current situation, evidenced in photographs supplied by the applicant”.
- 8.23. However, it is also stated that the “revised proposal does not eliminate effects on the setting of the A-Listed building, since the parked coaches would partly or completely obscure the view of the chapel frontage and side when coming up the access road to the chapel. This view is important, although it is not the primary view of being directly in front of the building.

Like HES, I recommend that information about alternative options considered are presented in support of the application, with reasons why they have not been regarded as viable.”.

- 8.24. The approach to and setting of the Chapel was relatively unchanged for decades, maintaining its rural appearance, with the only hard infrastructure around the building being wartime remains. While today’s visitor demands mean that alterations are required to the site, including the visitor building erected, any such amendments must be done sensitively, that is, in terms of any alterations as carried out, i.e. the impact of the vehicle parking, but also the impact of the alterations in itself, in this case the impact of buses and other larger vehicles obscuring views towards the Chapel.
- 8.25. The application cannot be assessed more negatively on the basis the works are retrospective. Similarly, the development cannot be more readily accepted purely on the basis it already exists. The application must be assessed as a proposed development. The key effect of the works being retrospective is that the impacts of the parking being in place have been seen, with buses parked and impacting the setting of the Chapel as anticipated, and these impacts are self-evident on approach to the site at busy times.
- 8.26. As noted above, many historic sites in Orkney are accessed via a path between a car park and the site, often with the very purpose of protecting the setting of the site or building by keeping parking distant. A visitor to the Italian Chapel may also have visited the Ring of Brodgar and used the car park and short walk, or Skara Brae with parking at the visitor centre and walk to the site. Neither has incrementally expanding car parking immediately in the setting of the sites. To compare with another wartime site, the concrete apron in front of the Scapa Flow Museum was carefully managed through the renovation, and it was protected from alteration or expansion, to maintain the historic setting of the building – no works

to expand that by a series of bituminous and/or gravel additions. Simply, whilst the increasing demands on the site are acknowledged, the case is not accepted that the works carried out are a suitable solution, and that consideration cannot be affected by the fact the works are already completed.

- 8.27. Supplementary Guidance ‘Historic Environment and Cultural Heritage’ (2017) confirms that, “The setting of heritage assets can make a substantial contribution to the significance of a site.” In a policy context, Policy 8 ‘Historic Environment and Cultural Heritage’ of the Orkney Local Development Plan, part B, requires that applications must have regard to the importance of preserving and enhancing the building and its setting. Accepting that the setting of the building includes the views towards it, including from the first Barrier – a structure building by the prisoners of war who used the Chapel – then it is reasonably concluded that creating coach parking in a prominent position to the front of the building and obscuring those views, would not preserve that setting.
- 8.28. Similarly, Policy 7 ‘Historic assets and places’ of NPF4 requires that “Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest”. As concluded above, it is considered that the development is a functional response to a traffic and visitor management issue that does not preserve the setting of the listed building.
- 8.29. The Historic Environment Scotland document ‘Managing Change in the Historic Environment: Setting’ (updated 2020) advises that setting often extends beyond the property boundary of an individual building and into a broader landscape context, as is the case at Lamb Holm. Different factors contribute to setting, including current landscape context including key vistas, and the prominence of the historic asset in views. The historic relationship between the Chapel and its surroundings is key, being the former prisoner of war camp. The Chapel contributes to the current landscape, and its surroundings contribute to a sense of place, and how the place is experienced. That is diminished by the proposed development.
- 8.30. The development is considered contrary to Policy 8 ‘Historic Environment and Cultural Heritage’ of the Orkney Local Development Plan and Policy 7 ‘Historic assets and places’ of NPF4.

Tourism and Visitor Management

- 8.31. Policy 30 of NPF4 is concerned specifically with tourism. Tourism is not a specific policy topic within the Orkney Local Development Plan; however, aspects of tourism relate to different policies including Policy 4 ‘Business, Industry and

Employment’, specifically within the Countryside at Policy 4B. The representation received has raised matters of concern regarding ‘over tourism’.

- 8.32. The lack or need for overarching strategy associated with tourism is beyond the scope of consideration of this application. However, this application does highlight the need for greater understanding of the potential effects, sometimes unintended consequences, of visitor-based development designed to address a functional matter, in the absence of a wider or strategic overview.
- 8.33. Policy 14C ‘Road Network Infrastructure’ of the Orkney Local Development Plan 2017 confirms that development will only be permitted where the proposal demonstrates that it “can be safely and conveniently accessed by service, delivery and other goods vehicles, as appropriate to the development”, which is a basis of the development, but also that it must be “designed to cause minimal impact on the character of the site and the surrounding area” which is considered to not be the case.

Drainage and Flood Risk

- 8.34. The proposed development seeks to expand car parking with a final surfacing stated as 75-millimetre bitumen. For the purposes of surface water management this is an impervious finish, which would increase the extent of existing impervious surfaces on the site. No information with regards surface water drainage provision has been submitted. The remote rural location of the site combined with site gradients and no immediate receptors that elsewhere may have been negatively impacted by surface water runoff reduces the significance of this matter. It does however remain a matter which must and requires to be addressed.
- 8.35. The site is not subject to identified flood risk, and the proposed coach parking and manoeuvring area would not increase flood risk.
- 8.36. The proposed development, subject to appropriate planning condition(s), is therefore considered consistent with NPF4 Policy 22 ‘Flood risk and water management’ and Policy 13 ‘Flood Risk, SuDS and Waste Water Drainage’ of the Orkney Local Development Plan 2017.

Coastal Erosion

- 8.37. Coastal erosion was identified as a concern by Engineering Services with active and projected coastal erosion occurring adjacent to the development. Coastal defence measures, including concrete structures and gabions, are noted in relation to the public road serving the site, which appear to be in poor condition. This is also

recognised in relation to public access beyond the car park with a sign posted in ground adjacent stating: 'caution unstable cliff'. The matter of coastal erosion in this area is recognised historically with archival records in relation to a project pursued for 'proposed facilities at Italian Chapel' in 1980-81 identifying 'areas requiring measures to arrest further coastal erosion' in the vicinity of the access road. As noted above the access road is an adopted public road.

- 8.38. Whilst the holding objection on the matter of coastal erosion has been withdrawn by Engineering Services, management of this matter is required. An agreed management strategy is deemed appropriate to secure any necessary action were coastal erosion to advance to the point of concern in relation to the proposed development. This may also require consideration of surface water management to ensure that surface water drainage does not exacerbate erosion processes. These matters could be subject to planning condition.

Natural Environment

- 8.39. The development site is in a coastal situation within 100 metres of the closest part of the Scapa Flow SPA. Given the location it has potential to impact otters, a species known to frequent the coast and near coast habitats. The development also directly impacts an area of rough grassland which would be (has been) lost to development, necessitating biodiversity enhancement to accord with Policy 3 'Biodiversity' of NPF4. It is also of note that the representation received raises the concern of impacts to the environment arising from a lack of services on the site, specifically public toilet provision.
- 8.40. In relation to potential impacts upon SPA, the development is of limited physical extent in relation to the SPA boundary with no significant impacts anticipated in relation to qualifying interests of the SPA.
- 8.41. The proposal acknowledged the requirement for biodiversity enhancement. The 'enhancement' as initially proposed was a matter raised through representation, being a row of daffodils. This was significantly enhanced through subsequent iterations of the proposed biodiversity measures, to incorporate native wildflower planting. The currently proposed measures are considered proportionate to the nature and scale of the proposed development.

9. Conclusion and Reason for Refusal

- 9.1. The development seeks to address the issue of traffic and visitor management at the site. The infrastructure-based approach has paid insufficient regard to the setting of the listed building, and it is not adequately demonstrated that there are no alternative solutions that would not require the creation of coach parking in a key view towards the Italian Chapel. The development affects a key component of the setting of the building, which is the long-maintained view towards the building on approach, and from the first Barrier. The development is considered contrary to Policy 8 'Historic Environment and Cultural Heritage' of the Orkney Local Development Plan and Policy 7 'Historic assets and places' of NPF4. Considerations in favour of the development do not outweigh these key historic environment policies.

For Further Information please contact:

Jamie Macvie, Service Manager (Development Management), Email
jamie.macvie@orkney.gov.uk

Implications of Report

1. **Financial:** None.
2. **Legal:** Detailed in section 7 above.
3. **Corporate Governance:** In accordance with the Scheme of Administration, determination of this application is delegated to the Planning Committee.
4. **Human Resources:** None.
5. **Equalities:** Not relevant.
6. **Island Communities Impact:** Not relevant.
7. **Links to Council Plan:** Not relevant.
8. **Links to Local Outcomes Improvement Plan:** Not relevant.
9. **Environmental and Climate Risk:** None.
10. **Risk:** If Members are minded to approve the application, it is imperative that clear reasons for proposing the approval of planning permission, on the basis of the proposal being in compliance with development plan policies and contrary to the officer's recommendation, be given and minuted. Failure to give clear planning reasons for the decision could lead to the decision being overturned or quashed. In addition, an award of costs could be made against the Council. This could be on the basis that it is not possible to mount a reasonable defence of the Council's decision.
11. **Procurement:** None.
12. **Health and Safety:** None.
13. **Property and Assets:** None.
14. **Information Technology:** None.

15. Cost of Living: None.

List of Background Papers

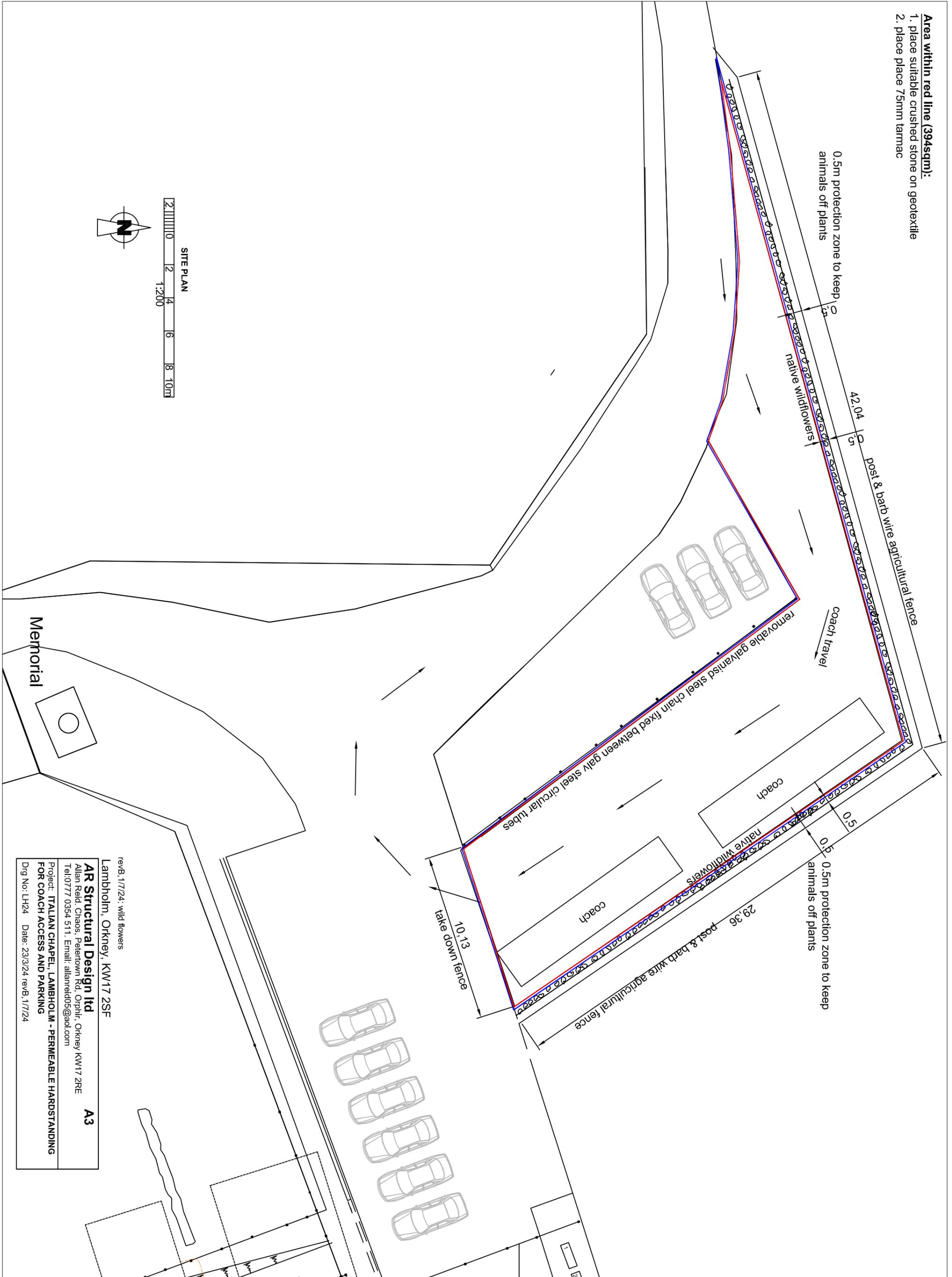
Orkney Local Development Plan 2017, available [here](#).

National Planning Framework 4, available [here](#).

Appendix

Appendix 1 – Location Plan.

- Area within red line (394sqm):**
1. place suitable crushed stone on geotextile
 2. place place 75mm tarmac



SITE PLAN
1:200



Memorial

revB, 1/17/24: wild flowers
Lambholm, Orkney, KW17 2SF

AR Structural Design Ltd
Allan Reid, Chaos, Peterdown Rd, Orphir, Orkney KW17 2RE
Tel: 0777 0354 511, Email: allanreid05@aol.com

Project: ITALIAN CHAPEL, LAMBHOLM - PERMEABLE HARDSTANDING
FOR COACH ACCESS AND PARKING

Drng No: LH24 Date: 23/3/24 revB, 1/17/24

A3