

Delegated or Committee Planning Application Report and Report of Handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 18/00931/PP
Planning Hierarchy: Local
Applicant: The Gully Partnership LLP
Proposal: Erection of dwellinghouse and formation of vehicular access
Site Address: Land South East of the Library, Baile Mor, Isle of Iona, Argyll and Bute

DECISION ROUTE

Section 43 (A) of the Town and Country Planning (Scotland) Act 1997 (as amended)

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of dwellinghouse
- Formation of vehicular access and car parking

(ii) Other specified operations

- Connection to public water main
 - Connection to public drainage network
-

(B) RECOMMENDATION:

That planning permission be **refused** for the reasons appended to this report.

(C) CONSULTATIONS:

Area Roads Officer

No objection subject to conditions. Report dated 1st June 2018

Environmental Health

No objection. Memo dated 30th May 2018

West of Scotland Archaeology Service

No objection subject to archaeological evaluation. Letter dated 27th 2018

Historic Environment Scotland

Raises concerns regarding the introduction of new modern development in very

close proximity to Iona Nunnery (a Scheduled Ancient Monument) and comments that the development would intrude on important views to and from the nunnery. Comments that while the proposed development would, in its entirety, have an adverse effect on the integrity of the monument and its setting, the scale of this impact would be unlikely to be significant enough to warrant our objection – Historic Environment Scotland only objects where it believes issues of national significance are raised. – However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance. Letter dated 3rd May 2018

Conservation Officer

No response at time of report and no request for an extension of time

Core Paths Team

No comment. E-mail dated 21st September 2018

Iona Community Council

Objection. E-mail dated 2nd May 2018

Scottish Water

No objection. Letter dated 23rd April 2018

Health and Safety Executive

No comment. Letter dated 24th April 2018

National Trust for Scotland

Objection. Letter dated 11th May 2018

(D) HISTORY:

17/00353/PP

Installation of replacement and new septic tanks. Granted 12th April 2017

17/00965/PP

Erection of dwellinghouse and formation of vehicular access. Withdrawn 12th June 2017

17/00966/PP

Erection of dwellinghouse and formation of vehicular access. Withdrawn 12th June 2017

(E) PUBLICITY:

The proposal has been advertised in terms of listed building procedures, closing date 24th May 2018.

(F) REPRESENTATIONS:

93 objections have been received regarding the proposed development.

1. Cecilia Russell, Cnocmor Isle Of Iona (03/05/2018)
2. Judy Russell, Cnocmor, Isle of Iona (03/05/18)

3. Carol Dougal, Victoria Cottage, Isle Of Iona, PA76 6SJ (03/05/2018)
4. Jocelyn Brace, 2 Cnoc Oran, Iona, PA76 6SP (03/05/2018)
5. Lorna Bowry 74/12 Mortonhall Park, Crescent, Edinburgh, EH178SX (03/05/2018)
6. Su Bowman, su.bowman7@gmail.com (04/05/2018)
7. Joanne MacInnes, jmaciness@btinternet.com (04/05/18)
8. Jenny McLellan, Faradh, Iona, PA76 6SP (04/05.2018)
9. Moya Pringle, Lechnabahn, Isle Of Iona, PA76 6Sp (04/05/2018)
10. David Gillespie, 10 Glencairn Drive, Glasgow, G41 4QN (04/05/2018)
11. John Maclean, Lagandorain, Iona, PA76 6SW (04/05/2018)
12. Ailidh Lennon, 4 The Glebe, Isle Of Iona, PA76 6SG (09/05/2018)

13. Sarah Macdonald, Beannachd, Isle Of Iona, PA76 6SP (04/05/2018)
14. Lizzie Keenaghan, Camas Adventure Camp, Bunessan, Isle Of Mull, Argyll And Bute PA67 6DX (05/05/2018)
15. Mrs Ailsa Burn-Murdoch, 5b London St, Edinburgh, EH3 6LZ (06/05/2018)
16. Ruth Burgess, ruthburgess2003@yahoo.co.uk (05.05.2018)
17. Joyce Watson, Beannachd, Isle Of Iona, PA76 6SP (09/05/2018)
18. Anne Crosby, aciona@live.co.uk (05/05/2018)
19. Colin Crosby, aciona@live.co.uk (05/05/2018)
20. Jane Martin, Dunara, Isle Of Iona, PA76 6SJ (06/05/2018)
21. Crawford Morrison, Cruachan, Isle Of Iona, PA76 6SP (07/05/2018)
22. Dean Snell, Cruachan, Isle Of Iona, PA76 6SP (07/05/2018)
23. Isla Macleod, Arnish House, Isle Of Iona, PA76 6SJ (07/05/2018)
24. Jana McLellan, 5 The Glebe, Isle Of Iona, Argyll, PA76 6SG (07/05/2018)
25. Robert McLellan, 5 The Glebe, Isle Of Iona, Argyll, PA76 6SG (07/05/2018)
26. Caroyln Erdal, Block House, Iona (08/05/2018)
27. Richard Erdal, Block House, Iona (08/05/2018)
28. Iona Village Hall Community Trust (08/05/2018)
29. Stanley Hood, samhood.38@btinternet.com (08/05/2018)
30. Colin N Walker, walker449@btinternet.com (08/05/2018)
31. Fiona MacNeill, 10 Glencairn Drive, Glasgow, G41 4QN (08/05/2018)
32. Norman Shanks, rufuski@btinternet.com (08/05/2018)
33. Ruth Douglas Shanks, rufuski@btinternet.com (08/05/2018)
34. Colin Wallace, 21 Northumberland Road, Redland, Bristol, BS6 7AZ (08/05/2018)
35. Pauline Wallace, 21 Northumberland Road, Redland, Bristol, BS6 7AZ (08/05/2018)
36. Nina Ghosh, dalimng1956@gmail.com (08/05/2018)
37. Gillian Cummins Gillian.cummins@myphone.coop (08/05/2018)
38. Stewart Jardine, stewartjardine@googlemail.com (08/05/2018)
39. Christine Dougall, Primrose Cottage, Isle Of Iona, PA76 6SJ (08/05/2018)
40. Iona Library Committee (09/05/2018)
41. Judith Jardine, Judith_jardine@hotmail.com (06/05/2018)
42. Angus Johnston, angus_johnston_iona@yahoo.com (09/05/2018)
43. Morag Snell, Cruachan, Isle Of Iona, PA76 6SP (09/05/2018)
44. Iona Community, Iona Abbey, Iona, PA76 6SN (09/05/2018)
45. Kate Gordon, Duncraig, Iona, PA76 6SP (10/05/2018)
46. Duncan Wallace, 12 Heriot Row, Edinburgh, EH3 6HP (09/05/2018)
47. Mary Low, hoolet96@gmail.com (09/05/2018)
48. Mairi MacDonald, Tigh Gorm, Isle Of Iona, PA76 6SP (09/05/2018)
49. Hilary Young, Iona Post Office, Isle Of Iona, PA76 6SJ (10/05/2018)
50. Mr W A Wallace, Oakwood, Lediag, Oban, PA37 1RT (10/05/2018)
51. Eileen Griffith, Hill of Edinvale, Dallas, Forres, Moray, IV36 2RW (10/05/2018)
52. Shona Dougall, Ardionra, Isle of Bute, PA76 6SW (10/05/2018)
53. Nat Baldwin, nathanbaldwin@gmail.com (10/05/2018)
54. Philip Ruhemann, Fiuran, Isle Of Iona, Argyll And Bute, PA76 6SP (10/05/2018)

55. Mark Jardine, info@boattripsiona.com (10/05/2018)
56. Mary Levison, marylevison@btinternet.com (11/05/2018)
57. Annabel MacInnes, ruanaich@yahoo.co.uk (11/05/2018)
58. Anja Jardine, Lovedale, Isle of Iona, Argyll and Bute, PA76 6SJ (11/05/2018)
59. Katy Russon, Clachan Corrach, Isle Of Iona, Argyll and Bute, PA76 6SP (11/05/2018)
60. Sara Petrie, Torrasalsle, Of Iona, Argyll And Bute, PA76 6SP (12/05/2018)
61. J D Weatherhead, Machair, Isle Of Iona, PA76 6SP (12/05/2018)
62. Gordon Bruce, Dunaralsle, Of Iona, Argyll And Bute, PA76 6SJ (12/05/2018)
63. David Johnston, 4 Broadstraik Grove, Westhill, Aberdeen AB32 6JJ (13/05/2018)
64. James Gordon, gordonj@parliament.uk (13/05/2018)
65. Rebecca Knight, 2 The Glebe, Iona, PA76 6SG (13/05/2018)
66. Norman J Young, Tigh Na Tobrach, Isle Of Iona, PA76 6SP (14/05/2018)
67. Kathryn MacDonald, katemmacdonald@hotmail.com (14/05/2018)
68. Colin MacDonald, Caol lthe, Isle Of Iona (14/05/2018)
69. Mhairi Killin, Tigh-Na-Beargh, Isle Of Iona, Argyll And Bute, PA76 6JS (14/05/2018)
70. Karen Johnston, Roseneath Cottage, Isle of Iona, PA76 6SJ (14/05/2018)
71. Neil MacInnes, Suil Na Mara, Isle Of Iona, PA76 6SP (14/05/2018)
72. Anne Gordon, Torr Gorm, Isle of Iona, Argyll And Bute PA76 6SP (14/05/2018)
73. Jann Simpson, Cnocoran, Isle Of Iona, Argyll And Bute, PA76 6SP (14/05/2018)
74. Fiona Menzies, Lorne Cottage, Isle Of Iona, PA76 6SJ (14/05/2018)
75. Gordon Menzies, Lorne Cottage, Isle Of Iona, PA76 6SJ (14/05/2018)
76. David Hogg, Dalantober, Isle Of Iona, Argyll And Bute, PA76 6SP (15/05/2018)
77. Linda Hogg, Dalantober, Isle Of Iona, Argyll And Bute, PA76 6SP (15/05/2018)
78. Daniela Francia, The Blue House, Clachan Corrach, Isle of Iona, PA76 6SP (15/05/2018)
79. Isabel Sarle, isabelsarle@btinternet.com (15/05/2018)
80. Steve Small, stvsmall@gmail.com (15/05/2018)
81. Iona Cathedral Trust, 121 George Street, Edinburgh, EH2 4YN (15/05/2018)
82. Jeremy Akehurst, Tigh Shee, Isle Of Iona, Argyll And Bute, PA76 6SP (15/05/2018)
83. Robert MacManaway, Sabhallsle Of Iona, Argyll And Bute, PA76 6SP (15/05/2018)
84. Sandra Fox, Glenview, Isle Of Iona, Argyll And Bute, PA76 6SW (22/05/2018)
85. Mollie Hood, 10 Dalriada Place, Kilmichael Glassary, Lochgilphead, PA31 8QA (08/05/2018)
86. G Black, Clachan Corrach, Isle of Iona, PA76 6SP (03/05/2018)
87. Shiona Ruhemann, shionaruhe@me.com (23/05/2018)
88. Keith Grieve, 21 Church Path, London, E17 9RQ (09/05/2018)
89. Ken Hood, 21 Church Path, London, E17 9RQ (09/05/2018)
90. J, Sutch Pickard, 3 The Village, Bunessan, Isle Of Mull, PA67 6DG (15/07/2018)
91. Iain Dougall, Victoria Cottage, Isle Of Iona, PA76 6SJ (04/05/2018)
92. Rob Latimer, latimer.rob@googlemail.com (10/05/2018)
93. Shona Wallace, 2 Clathymore Cottages, Tibbermore, Perth, PH11QT (10/05/2018)

Summary of issues raised

- The proposed house will spoil the views from Cnocmor towards the village and the nunnery.

Comment: The right to a private view is not a material planning consideration.

- The proposed house will be too close to the historic library, the village hall,

the medical centre, the Nunnery and the primary school. This part of the village is commercial in nature and the proposed dwellinghouse would be out of place. The proposed house increases the density of development to a level which is contrary to the local streetscene and pattern of development.

Comment: It is considered that the proposed dwellinghouse creates an uncomfortable relationship with the existing commercial uses. The application is recommended for refusal. More information is contained within the main assessment.

- The entrance to the house would endanger pedestrians and vehicles as it will make the existing busy and sharp corner into a crossroad. The proposed house will have an adverse impact on road safety.

Comment: The area roads officer has been consulted and has not raised any objections in terms of road safety. It is considered that the proposal complies with Policy LDP 11 and Supplementary Guidance SG LDP TRAN 4 and SG LDP TRAN 6 of the LDP.

- The proposed house would have an adverse impact on the conservation area.

Comment: This is a view held by the planning authority and it is one of the reasons for refusal. More information is contained within the main assessment.

- Visually the proposed house would overcrowd and block views on all sides. The dwellinghouse destroys historic views down to Martyrs Bay. The proposed house will block views to and from the Nunnery. The proposed development will affect the views of the library building on approach. The proposed parking space will block the view from Nunnery Corner looking down the sound to the south. In addition to the building, there would presumably be parking, bins, boundary treatments, washing lines, etc. which would all further fill that important gap and lose the view completely.

Comment: It is considered that the proposal has an adverse visual impact on the area including the setting of the conservation area and the Scheduled Ancient Monument. This is one of the reasons for refusal and more information is contained within the main assessment.

- The new plans use an old, defunct plan for the new village hall.

Comment: This plan does not form part of the main planning submission and is for supporting information only. The minor discrepancies are noted however they do not deviate from the proposed plans to such an extent that they would be misleading. They illustrate the indicative relationship the proposed buildings would have.

- The use of the proposed dwellinghouse would conflict with the library and village hall. There are reciprocal overlooking and privacy issues.

Comment: The proposal is considered to be contrary to the provisions of Policy LDP 8 and Supplementary Guidance SG LDP BAD 1 of the LDP. This is one of the reasons for refusal and more information is contained within the main assessment.

- The proposed house will have an adverse impact on the setting of the nunnery.

Comment: The planning authority also considers that the proposed dwellinghouse will have an adverse impact on the setting of the nunnery and this is one of the reasons for refusal. More information is contained within the main assessment.

- The development is out of character with the rest of the village.

Comment: It is considered that the development is not in keeping with the character of this part of the village and this is one of the reasons for refusal. More information is contained within the main assessment.

- The proposed house is situated on the 'Street of the Dead' which is a site of archaeological importance.

Comment: It is considered that the development will have an adverse impact on the on the setting of the 'Street of the Dead' however West of Scotland Archaeology Service have not objected subject to appropriate mitigation which can be achieved via planning condition.

- There is no mention whether the house will be sold or rented as affordable housing, 33% of the housing stock on the island is taken up with second homes and there are plenty of holiday lets available which benefit the income of island people. Another holiday let which belongs to someone not resident on the island is not helpful. There is no evidence that the proposed house will cater to local need.

Comment: The proposed tenure of the development is not a material planning consideration in this case.

- The design statement says the house forms a compact corner development which is not accurate as the library is the corner property.

Comment: When the new village hall is built with its 'L'-shaped plan the proposal will essentially infill the gap created between the new hall and the existing library.

- This is a completely opportunistic use of the land, aiming to achieve maximum monetary value with scant thought as to the impact on the surroundings and the local community.

Comment: This is not a material planning consideration.

- The design of the proposed house is poor.

Comment: The design of the proposed dwellinghouse, subject to conditions regarding external finishing materials, is considered to be acceptable, however there remains an adverse impact in terms of setting and settlement pattern.

- The proposed house has an adverse impact on the setting of the Area of Panoramic Quality.

Comment: It is not considered that the development will have an adverse impact on the setting of the Area of Panoramic Quality. Please see the main assessment for more information.

- The proposed house is inches from the new path access, courtyard and terrace for the proposed new village hall.

Comment: The proposal is recommended for refusal due to its inappropriate relationship to neighbouring properties. Please see the main assessment for more information.

The above represents a summary of the issues raised. Full details of the letters of representation are available on the Council's Public Access System by clicking on the following link <http://www.argyll-bute.gov.uk/content/planning/publicaccess>

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- | | |
|--|-----|
| (i) Environmental Statement: | No |
| (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: | No |
| (iii) A design or design/access statement: | Yes |
| (iv) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: | No |

(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: No

-
- (I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No

-
- (J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

- (i) List of all Development Plan Policy considerations taken into account in assessment of the application.**

Policy

LDP STRAT 1 – Sustainable Development
LDP DM 1 – Development within the Development Management Zones
LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment

LDP 8 – Supporting the strength of our communities
LDP 9 – Development Setting, Layout and Design
LDP 10- Maximising our Resources and Reducing our Consumption
LDP 11 – Improving Our Connectivity and Infrastructure

Supplementary Guidance

SG LDP CC 1 - Climate Change and Sustainable Development
SG LDP ENV 14 – Landscape
SG LDP ENV 16(a) – Development Impact on Listed Buildings
SG LDP ENV 17 – Development in Conservation Areas and Special Built Environment Areas
SG LDP ENV 19 – Development Impact on Scheduled Ancient Monuments
SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance
SG LDP BAD 2 – Bad Neighbour In Reverse
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes
SG LDP TRAN 6 – Vehicle Parking Provision
Sustainable Siting and Design Principles

- (ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

Scottish Planning Policy 2014
Consultation responses
Third party representations
Historic Environment Managing Change Series
Historic Environment Scotland Policy Statement 2016

(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No

(L) Has the application been the subject of statutory pre-application consultation (PAC): No

(M) Has a sustainability check list been submitted: No

(N) Does the Council have an interest in the site: No

(O) Requirement for a hearing: No

In deciding whether to hold a discretionary hearing, Members should consider:

- How up to date the Development Plan is, the relevance of the policies to the proposed development, and whether the representations are on development plan policy grounds which have recently been considered through the development plan process.
- The degree of local interest and controversy on material considerations,

together with the relative size of community affected, set against the relative number of representations and their provenance.

Ninety four representations have been received regarding the proposed development.

Whilst this represents a substantial and significant number of objections in terms of the local context and the size of the existing Iona community, it is not considered that a hearing would add value to the decision making process in this case given the recommendation that the application be refused. However, should Members decide that they wish to support the development, it is recommended that any such decision should not take place without full consideration of the need to hold a discretionary local hearing.

(P) Assessment and summary of determining issues and material considerations

This is an application for planning permission for the erection of a dwellinghouse on Land South East of the Library, Baile Mor, Isle of Iona.

The site is located within the village of Baile Mor wherein Policy LDP DM 1 of the adopted Argyll and Bute Local Development Plan (LDP) 2015 states that encouragement shall be given to sustainable and appropriate forms of up to small scale development on acceptable sites, having due regard to all other relevant planning policy considerations and all other material planning considerations..

The site is also located within the Baile Mor Conservation Area, is adjacent to the ruins of the historic Nunnery, (a Scheduled Ancient Monument) and the Central, South and West Mull Area of Panoramic Quality (APQ).

The site is currently undeveloped and open and sits immediately adjacent to a cluster of non-domestic properties to the north, north west and south west.

The determining factors in the assessment of this application are whether or not the scale, design and location of the development is acceptable for its site and surroundings, including its visual impact upon the landscape and townscape; its appropriateness in terms of the residential use of the proposed development adjacent to existing non-residential development and any material loss of amenity therefore arising from the juxtaposition of conflicting land uses; its impact upon the character and setting of the conservation area; and its impact upon the character and setting of the historic environment, including the SAM and the wider historic environment including the 'road of the dead'.

In this case it is considered that the proposed development will have a materially harmful adverse impact upon the character and setting of this part of the conservation area; will have a materially harmful adverse impact upon the historic environment, including the setting of the SAM and its intrusion upon the historic 'road of the dead' and will likely result in adverse privacy and amenity impacts for any future occupants of the proposed development due to the uncomfortable relationship between the proposed dwellinghouse and the existing immediately adjacent non-residential (bad neighbour in reverse).

The application triggers the requirement to be determined by the Planning, Protective Services and Licensing Committee due to the large amount of public interest. The proposal has elicited 94 objections from both the local community and further afield and includes objections from the Community Council and from the

(Q) Is the proposal consistent with the Development Plan: No

(R) Reasons why Planning Permission or Planning Permission in Principle should be refused:

1. The proposed development would have a materially harmful and unacceptable impact upon the historic environment including the character and setting of the conservation area, the setting of the nearby Nunnery, which is a Scheduled Ancient Monument, and upon the historically and culturally significant 'Street of the Dead'.

The development creates a sense of enclosure which is further exacerbated by the proposed car parking area and curtilage which intrudes into key views to and from the Nunnery and its immediate setting and would result in a further obstruction to the 'Street of the Dead'. This results in an inappropriate partial erosion of an important 'gap site' between existing development which has a significant adverse impact upon the character and setting of the conservation area as well as the setting of the Nunnery. The development would alter the way the Nunnery is appreciated and experienced and it would visually intrude into the setting that it currently enjoys.

Views of the existing Carnegie Library will be obscured by the development when travelling along the public road from the ferry slip heading north-west. Although not listed, the building has important historical and cultural significance and this will be eroded by the new development which will further contribute to the reduction in the value of the historic environment. The Carnegie Library is located adjacent to a small cluster of non-domestic buildings and the construction of a residential building upon this site will create a situation which is functionally and visually out of character with the area further compromising the setting of the conservation area.

The proposed development therefore conflicts with Policies LDP DM 1, LDP ENV 3, LDP ENV 9 and Supplementary Guidance SG LDP ENV 17 and SG LDP ENV 19 of the LDP as well as Scottish Planning Policy and the Historic Environment Scotland Policy Statement 2016 and Historic Environment Scotland Managing Change: Setting.

2. The proposed dwellinghouse is located immediately adjacent to the existing library and village hall and would therefore introduce a new incompatible development within very close proximity to existing non-residential development. This would result in an uncomfortable relationship between domestic and non-domestic buildings in that there would likely be an adverse impact on privacy and amenity for the residents of the proposed new dwellinghouse. The proposed development is therefore considered a 'bad neighbour in reverse' which would cause conflict with the well-established neighbouring village hall which has no restrictions in terms of events that could take place or on hours of operation. The proximity of the proposed development to the village hall and the location of windows would result in an adverse impact on privacy and amenity in terms of noise nuisance and overlooking.

The proposed development is therefore contrary to Policy LDP 9 and Supplementary Guidance SG LDP BAD 2 of the LDP as well as Scottish Planning Policy.

(S) Reasoned justification for a departure to the provisions of the Development Plan

N/A

(T) Need for notification to Scottish Ministers or Historic Scotland: No

Author of Report: Andrew Barrie **Date:** 8th October 2018

Reviewing Officer: Tim Williams **Date:** 9th October 2018

Angus Gilmour
Head of Planning, Housing & Regulatory Services

REASONS FOR REFUSAL RELATIVE TO APPLICATION REF. NO. 18/00931/PP

1. The proposed development would have a materially harmful and unacceptable impact upon the historic environment including the character and setting of the conservation area, the setting of the nearby Nunnery, which is a Scheduled Ancient Monument, and upon the historically and culturally significant 'Street of the Dead'.

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APPENDIX A – RELATIVE TO APPLICATION NUMBER: 18/00931/PP

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The site is located within the settlement boundary of the village of Baile Mor wherein Policy LDP DM 1 of the adopted Argyll and Bute Local Development Plan (LDP) 2015 states that encouragement can be given to sustainable and otherwise acceptable forms of up to small scale development on appropriate sites but only where such development accords with any other material planning consideration including other relevant LDP policies.

Policy LDP 3 assesses applications for their impact on the natural, human and built environment. The site is situated within an Area of Panoramic Quality (APQ) and Supplementary Guidance SG LDP ENV 13 seeks to resist development where its scale, location or design will have a significant adverse impact on the character of an APQ. Supplementary Guidance SG LDP ENV 17 and SG LDP ENV 19 seek to ensure that the integrity and character of conservation areas and scheduled ancient monuments are preserved and SG LDP ENV 20 seeks to retain, protect, preserve and enhance areas of archaeological significance.

Policy LDP 8 supports new sustainable development proposals that seek to strengthen communities through the provision and maintenance of an appropriate supply and tenure mix of housing. Supplementary Guidance SG LDP HOU 1 expands on this policy giving general support to new housing in the settlements on appropriate sites provided there are no unacceptable environmental, servicing or access issues. Supplementary Guidance SG LDP BAD 1 seeks to preserve the amenity of areas and resists inappropriate developments. SG LDP BAD 2 states that in all development management zones there will be a presumption against proposals that will introduce new incompatible development and associated land uses into, or adjacent to, areas already containing developments classed as 'bad neighbour developments' (and Schedule 2 of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992). In this context, 'bad neighbour developments' would include a building in use as a dance hall, gymnasium (or building for indoor games), theatre or cinema plus a building which can cause activity and noise between the hours of 8pm and 8am. In this respect, the existing village hall is considered to be an existing 'bad neighbour' development and the proposed development of the immediately adjacent site will therefore introduce an incompatible residential use contrary to planning policy.

Policy LDP 9 seeks developers to produce and execute a high standard of appropriate design and ensure that development is sited and positioned so as to pay regard to the context within which it is located. The Sustainable Siting and Design Principles expands on this policy seeking development layouts to be compatible with, and consolidate the existing settlement and take into account the relationship with neighbouring properties to ensure no adverse privacy or amenity issues. In this case, as discussed above and in terms of its impact upon the historic environment (considered in Section D below), it is not considered that the proposed development pays appropriate regard to its context or has an appropriate relationship with neighbouring development.

Policy LDP 11 supports all development proposals that seek to maintain and improve internal and external connectivity by ensuring that suitable infrastructure is delivered to serve new developments. SG LDP TRAN 4 and SG LDP TRAN 6 expand on this policy seeking to ensure developments are served by a safe means of vehicular access and have an appropriate parking provision within the site.

B. Location, Nature and Design of Proposed Development

The site is located on a relatively flat area of ground immediately adjacent to the existing library building and village hall which are located to the north-west. To the south is an open field with views towards Martyrs Bay. To the north lies the doctors' surgery and primary school with a small hill in the background and to the east lies various forms of built development, including the Nunnery, which is a Scheduled Ancient Monument.

The main road is located to the east of the site which is an important route for pedestrians making their way to the Abbey from the ferry slip. A small private track runs to the west towards some houses and the Catholic House of Prayer. The site is also located on part of the historic route known as 'The Street of the Dead' with the south western corner of the proposed dwellinghouse plus part of the development curtilage bisecting this ancient pilgrimage route.

A key factor in the determination of this application will therefore be its impact on the historic environment (considered in Section D below).

The site was subject to a previous planning application for planning permission for two dwellinghouses which was withdrawn following advice from the planning authority as the proposed location and design of the development was considered to be inappropriate and which would have an unacceptable adverse impact on the setting of the adjacent Nunnery and wider historic environment and landscape.

The revised proposal is now only for a single dwellinghouse which has been significantly reduced in scale from the previous proposal and which is located to the north-western corner of the open field in an attempt to lessen the impact of the development.

The dwellinghouse proposed is single storey with a hipped roof with two bedrooms and it is similar in scale to the adjacent library. It is oriented with its plan at right angles to the street, with the east elevation being in line with the school boundary wall in an effort to reduce the impact of the proposed building and to consolidate with the existing development at this corner.

It is to be finished with a natural blue/black slate with a render finish to the walls and painted timber windows.

Car parking is to be located to the east of the proposed dwellinghouse as is the proposed area of residential curtilage.

As discussed in Section A above and Sections D and F below, the proposed development would have a materially harmful and unacceptable impact upon the historic environment including the character and setting of the conservation area, the setting of the nearby Nunnery (a Scheduled Ancient Monument), and upon the historically and culturally significant 'Street of the Dead'. Additionally, it would also create an unacceptable bad neighbour in reverse conflict with the neighbouring village hall.

The proposal is considered to be contrary to the relevant provisions of the LDP, particularly with regard to Policies LDP 3, LDP 8 and LDP 9 and Supplementary Guidance SG LDP ENV 17, SG LDP ENV 19, SG LDP BAD 2 and The Sustainable Siting and Design Principles of the LDP which seek to ensure that development is sited and positioned so as to pay regard to the context within which it is located.

C. Natural Environment and Landscape Considerations

The application site is located within an APQ designated for its high scenic beauty where Policy LDP 3 and SG LDP ENV 13 seeks to resist development where its scale, location or

design will have a significant adverse impact on the character of an APQ unless it is adequately demonstrated that any significant or adverse effects on the landscape quality for which the area has been designated are clearly outweighed by social, economic or environmental benefits of community wide importance. In this respect it is noted that the intent of the policy is to provide locally important landscapes with adequate protection against damaging development that would diminish their high scenic value. APQs are important not only for their physical landforms and scenic value but also for the environmental assets that they represent. These qualities could easily be destroyed or damaged by even a relatively small, insensitive development and must therefore be protected.

The proposed dwellinghouse is contained within the defined settlement boundary and is located within an important 'gap site' immediately adjacent to existing building development with a scale of similar size to that of the existing library. Whilst the proposed development would be unacceptable in terms of its localised impacts including the partial erosion of the existing gap site and the consequent harm to important key views both to and from the nearby Scheduled Ancient Monument and the adjacent locally important library building, given the scale and level of containment afforded to the proposed dwellinghouse in the context of the surrounding built environment it is not considered that the proposed development would have a materially detrimental impact at the macro level in terms of the scenic value of the wider panoramic landscape setting of the APQ and therefore the proposal, whilst conflicting with other key planning policies, is considered to be in accordance with SG LDP ENV 13 of the LDP.

D. Historic Environment

The proposed site forms part of an important gap site within the centre of the village which has open views towards Martyrs Bay and from Martyrs Bay looking towards the Nunnery and Abbey and back again.

The site is within the Iona Conservation Area and the whole of Iona is subject to an Article 4 direction removing 'permitted development' rights'.

SG LDP ENV 17 – Development in Conservation Areas states that:

There is a presumption against development that does not preserve or enhance the character or appearance of an existing or proposed Conservation Area or its setting, or a Special Built Environment Area.

New development within these areas and on sites forming part of their settings must be of the highest quality, must respect and enhance the architectural and other special qualities that give rise to their actual or proposed designation and conform to Historic Environment Scotland Policy Statement 2016 and accompanying Managing Change Guidance Notes.

Where development would affect these areas or their setting the developer will be expected to satisfactorily demonstrate that the impact of the development upon that special area has been assessed and that measures will be taken to preserve and enhance the special interest of the asset. The use of appropriate design statements, conservation plans, character appraisals etc. are expected facilitate this assessment. Where appropriate, measures of assessment will be expected to follow the principles set out in the joint guidance "New Design in Historic Settings" produced by Historic Environment Scotland, Architecture and Place, Architecture and Design Scotland.

The site is also within close proximity to the Nunnery, one of the most important buildings on the island (and important within the national historic context) and the first building of significance that people come across when heading north-east on the route to the Abbey. The

Nunnery is a Scheduled Ancient Monument (SAM) and Supplementary Guidance SG LDP ENV 19 of the Local Development Plan sets out a presumption in favour of retaining, protecting, preserving and enhancing SAMs and their settings. Developments that have an adverse impact on SAMs and their settings will not be permitted unless there are exceptional circumstances. Where development would adversely affect a heritage asset or its setting the developer will be expected to satisfactorily demonstrate that the impact of the development upon that asset has been assessed and that measures will be taken to preserve and enhance the special interest of the asset. Consultation with HES has therefore been undertaken.

HES has stated that whilst the development is largely related to the existing building cluster, the whole development including the proposed curtilage and parking/turning area would have an adverse impact on the setting of the Nunnery by intruding on important views to and from it. Whilst it is acknowledged that HES have not raised a formal objection to the proposal this advice is carefully worded and follows closely their usual advice protocols and procedures whereby a formal objection is unlikely to be raised if the development does not materially raise issues of *national* significance. Whilst not objecting, it is clear that HES have material and legitimate concerns with the proposed dwellinghouse and they note in their response that their decision not to object should not be taken as their support for the proposals, stating that this application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

This appropriate assessment is summarised below:

Key Views

The existing site is flat and open and it contributes to the important inward and outward views from the Nunnery and surroundings. A large number of tourists visit the island solely to visit Iona Abbey and so it is essential that the route from the ferry pier to it should be protected from any potentially harmful development as well as other key views. Key views are:

- Open views towards the site from the north when one is travelling west from the Abbey along the public road and from the Nunnery. These views overlook open fields along the 'Street of the Dead' towards Martyrs Bay and beyond to the south and south-west.

The Abbey and the Nunnery have an important continuous visual link and this should be preserved. When viewed from a position immediately adjacent to the Abbey the proposed dwellinghouse will not be readily visible due to the presence of screening trees located at mid-point along the access avenue serving the Abbey and the Nunnery.

When viewed closer to the site of the proposed development, adjacent to the school for example, the proposed dwellinghouse encroaches into the view westwards across the open fields thus diminishing the sense of openness currently experienced. When one travels further along the avenue road the view is experienced to the south and south-west along the 'Street of the Dead' towards Martyrs Bay. Whilst there is no proposed built development which would directly obstruct this view, the proposed garden and parking area would fundamentally and harmfully affect the character of this space and the view experienced towards the south and south-west. This is also true from views within the Nunnery complex itself.

- Inward views from the coastal road and high road located to the south and south-west looking across the open fields and 'Street of the Dead'.

The proposed development with its curtilage and parking area encroaches into the view looking towards the Nunnery. The Nunnery is clearly visible in the background in these views as is the Abbey in places which is located further in the distance. The natural stone finish of the Nunnery and the presence of surrounding development slightly diminish the prominence

of the building and it is therefore essential that the proposal does not diminish its prominence and importance further.

At this distance the impact of the development is slightly lessened as the proposed building itself would somewhat relate to the existing cluster of development. However, the impact of the proposed curtilage and parking/turning area upon this key view is pronounced. It is acknowledged that the village hall encroaches onto this view also, however as it is set well back from the edge of the public road and thus the Nunnery, its visual impact is significantly lessened. The village hall (including its recently approved extensions) will maintain views over the majority of the open fields, importantly towards Martyr's Bay, and it does not encroach onto the historic 'Street of the Dead.'

The south western corner of the proposed dwellinghouse, on the other hand, plus a small part of its proposed curtilage area will be directly over a small section of the 'Street of the Dead'. Whilst the existing library building is positioned over the north west end of the Street of the Dead where it meets with the public road, this library building is discretely located at a 90 degree bend in the public road and has no recorded planning history. Nevertheless, its positioning is far less than ideal when considering its impact upon the historic environment in retrospect.

The ancient 'Street of the Dead' was the ceremonial burial route from Martyr's Bay to the Abbey and thence from there to the nearby burial ground of Rëilig Odhrain, currently occupied in part by St Oran's Chapel.

Impacts

Whilst the proposed dwellinghouse, in and of itself, is of small scale with a generally appropriate form and design, it is considered that it does not preserve or enhance the character and/or setting of the conservation area. The applicant has argued that the proposed dwellinghouse consolidates development at this location, particularly if the new extended village hall is constructed. However the planning authority disagrees with this. The proposed dwellinghouse is located at close proximity to the existing library and village hall which creates an uncomfortable relationship between domestic and non-domestic buildings. The south-eastern wall of the proposed dwellinghouse extends beyond the line of the boundary wall of Iona Primary School encroaching into the view across the open fields along the street of the dead towards Martyr's Bay which one appreciates as they travel along the public road. This creates a sense of enclosure which is further exacerbated by the car parking area and curtilage which intrudes into the view further. Although removal of permitted development rights and the restriction of boundary treatments may go some way to alleviating this, even fairly unrestricted boundary treatment such as a post and wire fence and the presence of vehicles will adversely impact on the views experienced as well as the sites relationship to the Nunnery.

At present the Nunnery currently enjoys an open outlook to the south and is relatively free from built development along its boundaries, with the school and doctor's surgery for example being set-back from it. Development of this site erodes this sense of space and openness and compromises the visual prominence of the Nunnery.

This area of the village is also dominated by non-residential buildings. These consist of the primary school, library, village hall and doctor's surgery. The closest residential building is located approximately 40m to the south-east of the existing library and it is considered that the open gap site between these provides an important buffer area. By developing within this area this will create a situation which is functionally and visually out of character with the area which further compromises the setting of the conservation area.

The proposed dwellinghouse is to be located directly in front of the existing Carnegie Library and when travelling along the public road from the ferry slip heading north-west, the view of this will be obscured. Although not listed, the building has important historical and cultural significance and this will be substantially eroded by the new development which will decrease the value of this important concentration of existing community buildings.

As noted above the proposed dwellinghouse will be prominent when viewed from the south and south-west. Whilst the proposed redevelopment of the village hall has been approved, this is set-back from the road and the Nunnery which significantly lessens its visual impact. The proposed dwellinghouse and its associated curtilage and parking encroaches into this view of the Nunnery compromising its setting.

Having regard to the above it is considered that the proposed development has a significant adverse impact on the setting of the conservation area as well as the setting of the Nunnery which is an internationally significant Scheduled Ancient Monument. The development would alter the way the monument is appreciated and experienced and it would visually intrude into the visual prominence the monument currently enjoys. This is contrary to the provisions of Policy LDP 3 and Supplementary Guidance SG LDP ENV 17 and SG LDP ENV 19 of the LDP as well as Scottish Planning Policy and the Historic Environment Scotland Policy Statement 2016 and the Historic Environment Scotland Managing Change: Setting.

E. Archaeology

Supplementary Guidance SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance states that there is a presumption in favour of retaining, protecting, preserving and enhancing the existing archaeological heritage and any future discoveries found in Argyll and Bute.

As the site is of significant archaeological sensitivity West of Scotland Archaeological Service has been consulted. They have advised that:

There is clearly potential here for there to be buried remains in this vicinity and any such features may be affected by the ground disturbance proposed in the application. This is likely to raise serious archaeological issues and could be very expensive to deal with satisfactorily. Any such remains that survive in the application area may be destroyed by the proposals and so there should be an attempt made to investigate this possibility before the application is determined through an archaeological evaluation in order to inform the developer and WOSAS of the likely scale of the issue and to preserve in situ any very significant sites identified and it is recommended that the site is subject to prior archaeological evaluation.

If this cannot be done the issue may be dealt with via planning condition. In this case given that the application is recommended for refusal, it would be unreasonable to request that this is carried out upfront, as this would result in unnecessary costs for the applicant. However, should Members be minded to grant planning permission, an appropriate archaeological prior assessment or suitable planning condition would be necessary.

Subject to further archaeological investigation, the proposed development complies with Policy LDP 3 and Supplementary Guidance SG LDP ENV 20 of the LDP.

F. Privacy, Amenity and Bad Neighbour Development

As the proposed dwellinghouse is located immediately adjacent to an existing village hall, the proposal represents a bad neighbour development in reverse. Accordingly, environmental health have been consulted. They have advised that, from their legislative standpoint, this is

not sufficient to warrant an objection to the proposed development and that any prospective purchasers of the proposed dwellinghouse if approved should be aware of these issues.

Notwithstanding that, the application must be assessed against Policy LDP 8 and SG LDP BAD 2 which states that in all development management zones there will be a presumption against proposals that will introduce new incompatible development and associated land uses into, or adjacent to, areas already containing developments classed as 'bad neighbour developments' (and Schedule 2 of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992). In this context, 'bad neighbour developments' would include a building in use as a dance hall, gymnasium (or building for indoor games), theatre or cinema plus a building which can cause activity and noise between the hours of 8pm and 8am. In this respect, the existing village hall is considered to be an existing 'bad neighbour' development and the proposed development of the immediately adjacent site will therefore introduce an incompatible residential use contrary to planning policy.

Policy LDP 9 seeks developers to produce and execute a high standard of appropriate design and ensure that development is sited and positioned so as to pay regard to the context within which it is located. The Sustainable Siting and Design Principles expands on this policy seeking development layouts to be compatible with, and consolidate the existing settlement and take into account the relationship with neighbouring properties to ensure no adverse privacy or amenity issues. In this case, as discussed above and in terms of its impact upon the historic environment (considered in Section D above), it is not considered that the proposed development pays appropriate regard to its context or has an appropriate relationship with neighbouring development.

Having regard to the above the proposed development is contrary to Policy LDP 9 and Supplementary Guidance SG LDP BAD 2 of the LDP.

G. Road Network and Parking

The Area Roads Engineer has confirmed that he has no objection to the application subject to conditions. The proposal will therefore accord with the provisions of LDP 11, SG LDP TRAN 4, and SG LDP TRAN 6 of the Local Development Plan which requires all development proposals to have an appropriate standard of access.

H. Infrastructure

It is proposed to connect to the public water main and drainage network and there has been no objection from Scottish Water. The proposal complies with Policy LDP 11 of the LDP.