

Perth and Kinross Council
Development Control Committee – 20 January 2010
Report of Handling by Development Quality Manager

**Installation of a bungee jump platform and spectator platform at Garry Bridge,
by Killiecrankie**

Ref. No: 09/01556/FLL
Ward No: N4 – Highland

Summary

This report recommends approval of the application for the installation of a bungee jump platform and spectator platform as the development is considered to comply with the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 The application site is at Garry Bridge which is located approximately 3 miles north of Pitlochry and 1.5 miles south of Killiecrankie. The bridge spans the River Garry before joining the B8019 leading to Tummel Bridge and Kinloch Rannoch.
- 2 The site boundaries extend to cover part of the bridge and a wooded walk at the Pass of Killiecrankie. The bungee jump will be located on the underside of the bridge and the spectator pods located in a small clearing off the core path network.

NATIONAL POLICY AND GUIDANCE

SPP2 Economic Development

- 3 The aim is to provide policy guidance for the development of successful spaces that will nurture economic growth in urban and rural locations.

SPP15 Planning for Rural Development

- 4 The aim is to provide policy guidance to encourage and guide rural development.

DEVELOPMENT PLAN

- 5 The Development Plan for the area comprises the approved Perth and Kinross Structure Plan 2003 and the adopted Highland Area Local Plan 2000.

Perth and Kinross Structure Plan 2003

- 6 The principal relevant policies are in summary:

Sustainable Economy Policy 9

- 7 This seeks to encourage the sustainable development of the tourist industry in Perth and Kinross.

Highland Area Local Plan 2000

- 8 The principal relevant policies are in summary:

Policy 2: Development Criteria, provides criteria by which all developments will be judged. In particular, that the development should be compatible with its surroundings in land use terms and the local road network should be capable of absorbing the additional traffic generated by the development.

Policy 30: Tourism and Recreation, notes that development will be supported where it can be demonstrated that it meets a new market, does not adversely effect landscape or nature conservation interests, will only generate traffic appropriate to its location, offers the potential to generate additional employment opportunities.

SITE HISTORY

- 9 No site history

CONSULTATIONS

- 10 Economic Development: Economic Development are in support of the application and note in their response that the applicants are established in the adventure tourism sector in Scotland. They are supportive of the employment potential and the economic and tourism impacts of the project.
- 11 Pitlochry Community Council: The community council does not object to the proposal and offers no comment.
- 12 Scottish Natural Heritage: SNH were consulted as the application site is adjacent to the Pass of Killiecrankie SSSI and is within the Loch Tummel National Scenic Area and River Tay SAC. They have no objection but recommend conditions.
- 13 Access Officer: The Access Officer requests that the core path be maintained and protected during and after construction.

REPRESENTATIONS

- 14 One letter of representation has been received within the prescribed period which raised the issues listed below and a further two letters of representation were received outwith the period, but which do not raise any new issues
 - Restrictions on use of the bridge
 - Noise pollution/residential amenity

- Lack of parking
- Inappropriate use
- Restriction on use of paths

These issues are addressed in the Appraisal section of this report.

Additional Statements

Environmental Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement or Design and Access Statement	Not required
Report on Impact or Potential Impact i.e. Flood Risk Assessment	Not required

APPRAISAL

Policy

- 15 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The determining issues in this case are whether: - the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy. The most relevant policies of the Highland Area Local Plan (HALP) in this instance are Policies 2 and 30.
- 16 The proposed use of the site is in accordance with the development plan. In terms of Policy 2 the development is compatible with its surroundings in land use terms as the area thrives on the tourism sector. Policy 30 states that new tourism development will be supported where it meets a new market; this will be the first full-time, permanent bungee operation in the UK. It will not adversely affect landscape or conservation interests, will only generate traffic appropriate to the location and creates employment opportunities.

Parking/Traffic/Footpaths

- 17 The application site is located adjacent to the Garry Bridge Car Park. This car park is not intended for use by jumpers or jumpers spectators as they will be advised to use the Killiecrankie visitor centre where the operation will be run from, and they will be specifically advised of how to get there avoiding the Bridge Car Park. It is inevitable that other spectators will use the car park, however this planning application does not include the car park and the numbers cannot be anticipated.
- 18 The traffic generated by this proposal will be related directly to organised jumps, the jumpers and their spectators will be directed to the Killiecrankie Visitor Centre where there will be allocated parking and shuttle buses provided.

- 19 There is no proposal to limit or stop vehicular access across Garry Bridge as has been raised by the representation. The applicant does propose that marshals will be in place to ensure the free flow of traffic. This is a public road and although no proposals are made to stop or restrict traffic flows, such measures would in any event require separate orders.
- 20 The footpaths that exist in the area giving access to the walks will be retained and unobstructed. The application site extends to cover part of the core path network with the spectator pads being accessed from the path network. The access officer has requested a condition on maintenance of the core path during construction and due to the path being within the application site it is justified to extend this condition to after the completion of works.

Residential Amenity

- 21 The bungee jump proposed would be located approximately 220 metres from the nearest dwelling. Between this dwelling and the jump platform there is a densely wooded area providing a buffer between the dwelling and the development. The potential for noise from this development is unpredictable however the location within the River Garry Valley and the dense tree cover should minimise any potential for noise made by jumpers.

Design

- 22 The spectator pods which are to be located within a wooded area of the core path are very low impact and can be removed leaving no evidence of their presence. Their design will be stepped, working with the topography of the site, close to the ground to eliminate the need for handrails. The tubular support will be a mottled silvery grey and the platforms will be local timber left untreated.
- 23 The structure to be attached to the underside of the bridge will be via an entrance platform and ladder with the platform accessed via the existing service walkways. The platform is designed as a lightweight basket which will be split to form two levels (holding area and jump area). The proposed material is galvanised steel.
- 24 The design of the access platform will allow access to the jump by a ladder; this ladder will be demountable and removed when the jump is not in use.

Natural Heritage

- 25 SNH has no objection to the proposal due to its small scale and construction method. They have noted concerns if tree felling is required but no trees are to be removed. The spectator platforms will be simple in form and construction placed randomly amongst the trees working with the levels. They have requested conditions covering vehicular access to paths, storage of building and waste materials and the colour of the jump platform. They also note that no adverts should be placed on the bridge or platform. Any advertisement would require display of advertisement consent and would be assessed on its own merits however there are certain sizes of adverts which are deemed

consent and cannot be restricted as they fall under different regulations. Other issues raised by SNH will be conditioned.

LEGAL AGREEMENTS REQUIRED

26 No legal agreement required

DIRECTION BY SCOTTISH MINISTERS

27 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

28 The scale, mass and design of the proposal are considered to be appropriate for the location. The proposal will boost the number of visitors to the area and is compatible with other leisure activities offered in the wider area. The proposal is considered to comply with the terms of the Development Plan, subject to conditions, and no material considerations exist which would outweigh the contents of the Development Plan.

RECOMMENDATION

A Approve the application for the following reasons:

- 1 The development shall begin within a period of three years from the date of this consent.
- 2 The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
- 3 Prior to the occupation or use of the proposed development all matters regarding pedestrian access to the site from the B8019 public road shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Planning Authority.
- 4 The developer shall agree the details of the jumping platform and the method of fixing to the bridge structure prior to commencement of any work on site to the requirements of the Council as Roads Authority and to the satisfaction of the Council as Planning Authority
- 5 The developer shall agree a satisfactory means of pedestrian access to the inspection gantry from ground level to meet the requirements of the Council as Roads Authority to the satisfaction of the Council as Planning Authority.

- 6 All existing trees on the site shall be retained and protected to the satisfaction of the Planning Authority and details of the proposed methods of protection during construction operations shall be in compliance with BS 5837 and shall be submitted for the approval of the Planning Authority prior to the commencement of the development unless otherwise agreed in writing with the Council as Planning Authority.
- 7 The proposed core path shown in PURPLE on plan ref 09/01556/14 must not be obstructed during building works or on completion. Any damage done to the route during building works must be made good before the works are completed. On completion of works the path to the spectator pads shall be improved and maintained in perpetuity to the satisfaction of the Council as Planning Authority.
- 8 During construction and installation of the viewing area there shall be no egress onto the Pass of Killiecrankie SSSI, including no vehicular access, as well as the storage of building and waste materials to the satisfaction of the Council as Planning Authority.
- 9 Details of the specification and colour of the proposed jump platform; shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The details as approved shall be implemented prior to the occupation and/or use of the development.

Reasons:

- 1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning etc (Scotland) Act 2006.
- 2 To ensure that the development is carried out in accordance with the plans approved.
- 3-5 In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
- 6 To protect the existing trees
- 7 To ensure continued public access along the proposed core path
- 8 To protect the Killiecrankie SSSI
- 9 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

B Justification

- 1 The proposal is considered to comply with the terms of the Development Plan, subject to conditions, and no material considerations exist which would outweigh the contents of the Development Plan.

C Informatives

- 1 The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

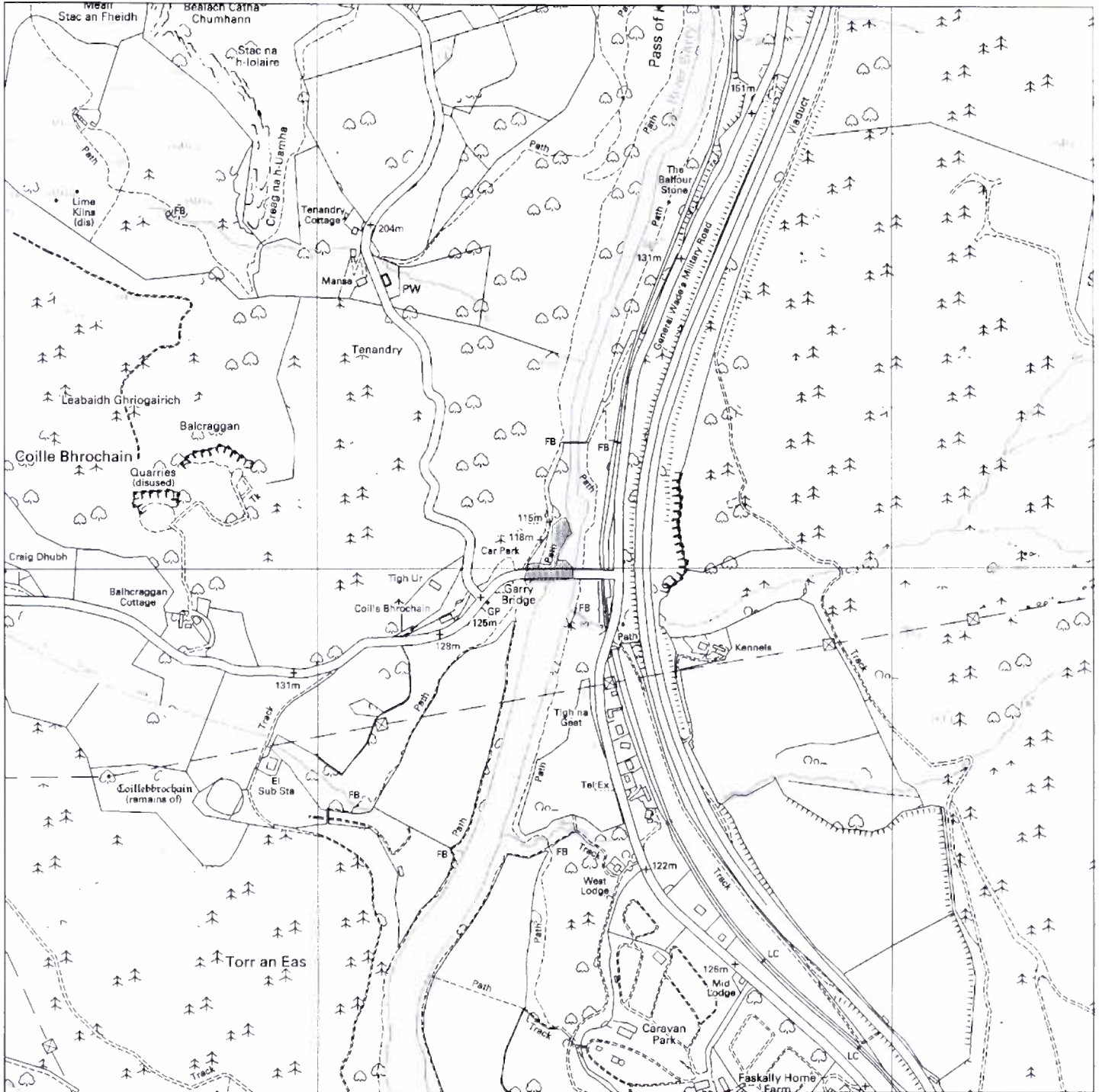
Background Papers: 1 letters of representation
Contact Officer: Joanne Ferguson – Ext 75320
Date: 21 December 2009

Nick Brian
Development Quality Manager



Installation of bugee jump platform, Killecrankie Bridge, Killecrankie

GIS by ESRI (UK)



Scale : 1:10000

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Department	Planning
Comments	
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