

PLANNING AND ACCESS COMMITTEE

MEETING: NPAPC/05/2014

DATE: 25 August 2014

REPORT No.	NPA/PC/05/2014/03
SUBMITTED BY:	Director of Operations
APPLICATION NUMBER:	2014/0097/LBC
APPLICANT:	Mrs Natalie Stevenson Loch Lomond and the Trossachs Countryside Trust
LOCATION:	Former Railway Viaduct over River Dochart
PROPOSAL:	Proposed re-surfacing of existing footpath over the viaduct

NATIONAL PARK WARD:	Ward 2 (northern (central) area)
COMMUNITY COUNCIL AREA:	Killin Community Council
CASE OFFICER:	Name: Erin Goldie Tel: 01389 722137 E-mail: erin.goldie@lochlomond-trossachs.org

1 SUMMARY AND REASON FOR PRESENTATION

- 1.1 The application site is the category 'A' listed former railway viaduct over the River Dochart in Killin. Loch Lomond and the Trossachs Countryside Trust seek listed building consent for the resurfacing of the footpath crossing.
- 1.2 Section 5 of the Scheme of Delegation, relative to planning, states that where the National Park Authority has an interest in the application, either by owning the land affected, having a financial interest or where an application is made by a Trust, or other legal entity in which the National Park Authority has an interest, the application shall not be delegated to the appointed officer.

2 RECOMMENDATION

That Members: APPROVE the application subject to the imposition of conditions as set out in Appendix 1 of the report and referral to Historic Scotland.

3 BACKGROUND

Site Description

- 3.1 The application site is the former railway viaduct that crosses the River Dochart in Killin. The viaduct skirts the eastern boundary of the Killin settlement and is within the Conservation Area. The viaduct is category 'A' listed (refer to **Figure 1** below for a site location plan).

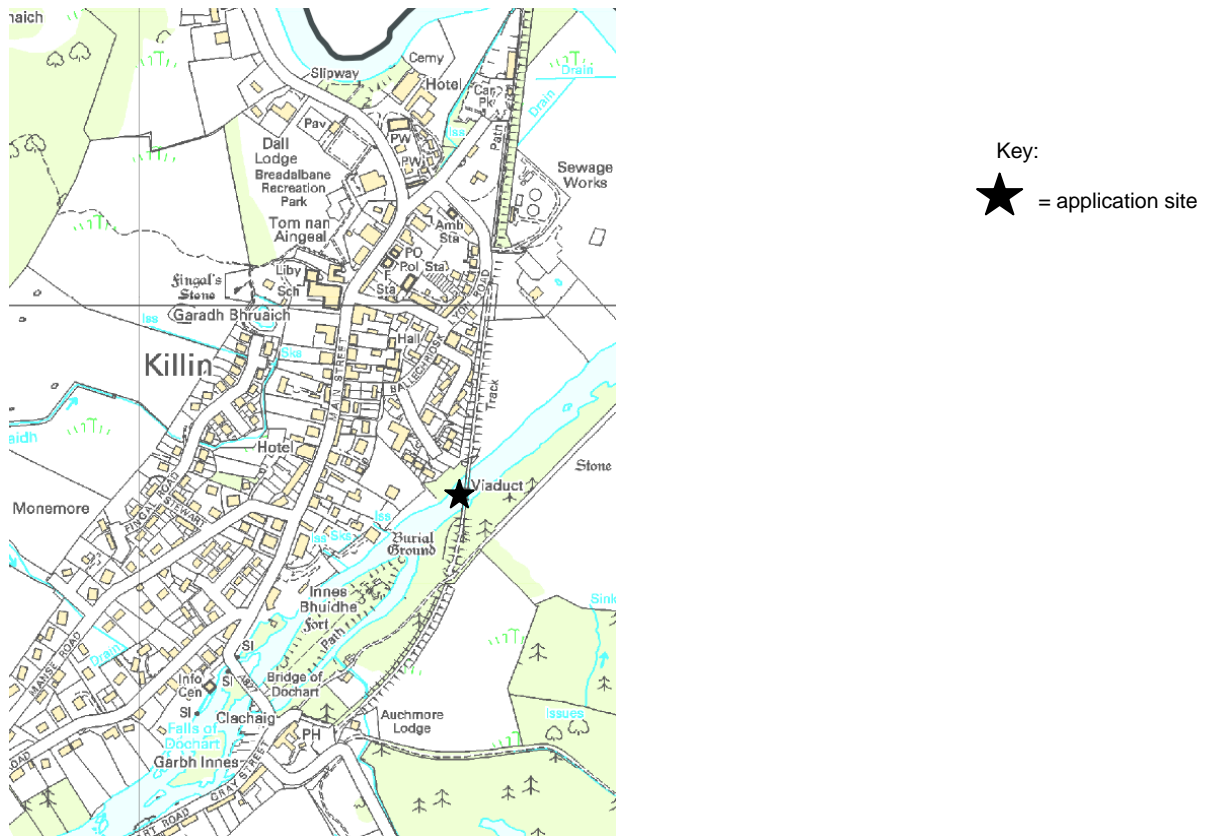


Fig. 1: Site Location Plan

- 3.2 The viaduct is the second oldest mass-concrete constructed railway viaduct in Britain after the Falls of Cruachan viaduct (Loch Awe, Argyll and Bute). Constructed in 1885 it is 37ft high and 81 yards long and is composed of 5 arches. The piers, spandrels and parapets are of rubble stone masonry and the arch-rings of concrete. It is a prominent and spectacularly sited landmark (as shown in **Figures 2 and 3** below) and would have provided the rail passengers with an unrivalled view of the Falls of Dochart.
- 3.3 The viaduct was part of the 5 mile branch from the main Callander to Oban line intended to compliment the tourism potential in Killin. It was closed following a landslide in Glen Ogle on 28 September 1965 and never reopened.
- 3.4 The viaduct track bed is now part of the core path network namely the Rob Roy Way and National Cycle Network 7 (NCN7) - two strategic routes within the National Park. The surface over the viaduct is in a poor condition with several potholes and is overgrown with vegetation at both sides of the surface (as shown in **Figures 2, 3 and 4** below).



Figs. 2 & 3: View of viaduct from River Dochart



Fig. 4: view across viaduct surface

Environmental Impact Assessment (EIA):

- 3.5 For the purposes of the Environmental Impact Assessment (Scotland) Regulations 2011 the National Park is identified as a 'Sensitive Area'. As a 'Competent Body' the National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process. In this particular instance it has been determined that an EIA is not required.

Description of Proposal

- 3.6 This application is for Listed Building Consent for the resurfacing of the viaduct. For the avoidance of doubt, planning permission is not required.
- 3.7 The proposed method is to cut back and treat the woody vegetation on the parapets with translocated* and residual* herbicides. The roots would then be carefully removed once the

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herbicide has taken full effect and killed the plant. The soft vegetation would be scraped back to the full width of the bridge surface. The potholes would be filled and the surface levelled with a Type 1 (crushed concrete) sub base. This sub base would be treated with residual herbicide to help prevent new growth within the path. The finishing surface is proposed to be a 50mm (approx) layer of recycled unbound road planings* shaped and compacted in a camber profile. **Figure 5** below illustrates an example of Type 1 material (left) and road planings (right).

*Translocated herbicide-Absorbed through the leaves to kill the entire plant, including roots.

*Residual herbicide- To prevent weed growth

*recycled road planings- material left as a by-product when roads & motorways are re-surfaced



Fig. 5: example of Type 1 material and road planings

- 3.8 Drainage channels would be cut through the turf at either end of the viaduct surface to allow surface water to shed down the embankment to the river and away from the viaduct. The proposed unbound surface would allow the bridge deck to drain as intended. Each of the 4 arches has 2 existing drainage holes within the barrel arch as can be seen in **figure 6** below.



Fig. 6: Existing drainage hole

- 3.9 The ground level rises on the southern approach to the viaduct as can be seen in **Figure 7 below**. It is proposed that the ground levels are altered to provide a more gradual gradient so that the footpath is easily accessible to all users. This would require a combination of two methods:

- Lengthen the ramp by cutting into the raised embankment so the gradient commences

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- closer to the bridge.
- Decrease the height difference between the top and bottom of the ramp. This can be done by constructing a raised table at the foot of the ramp between the abutments of the viaduct. A topographical survey would be required to determine what gradients of ramp could be achieved.

A condition requiring details of the existing and proposed site levels is proposed to assess the impact of this work on the setting of the viaduct. See Appendix 1, condition 2.



Fig.7: The existing gradient on the southern approach to the viaduct

4 **Planning History:**

No relevant planning history

5 **CONSULTATIONS AND REPRESENTATIONS**

Summary of responses to consultations:

- 5.1 Historic Scotland: The information submitted does not confirm whether or not the new works will impact at all on the historic fabric of the listed structure or its drainage. We would normally expect details of any digging-out and substrate that might be required for the tar surface, and confirmation of the edge detailing and that drainage of the new surface has been considered.

NP Built Heritage Officer

It is important that the new surface will not hamper drainage of rainwater from the viaduct.

Removal of the green verge including saplings should be carried out carefully. Saplings should be cut down and appropriate herbicide applied. No attempt should be made to remove woody root stems from within the structure until the plant has died.

NP Access Team:

The upgraded path will ensure an off road link from the north to south of the village of Killin and also the wider path network including NCN 7 and the Rob Roy Way. The proposed path upgrade is an action in the National Park Outdoor Recreation Plan therefore we are fully supportive of this project.

We would request a plan detailing how access will be managed along this route during path upgrade works.

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Representations Received:

- 5.2 None received.

6 POLICY CONTEXT

National Park Aims:

- 6.1 The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:
- (a) to conserve and enhance the natural and cultural heritage of the area;
 - (b) to promote sustainable use of the natural resources of the area;
 - (c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
 - (d) to promote sustainable economic and social development of the area's communities.
- 6.2 Section 9 of the Act then states that these aims should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

Development Plan:

- 6.3 National Park Local Plan (adopted December 2011)

Relevant Policies:

- ENV20- Conservation Areas
- ENV21- Listed Buildings
- TRAN7- Encouraging Outdoor Access

Other Policy Considerations:

- 6.4 National Park Partnership Plan (2012-2017)

Relevant Policies:

- Conservation Policy 1: Conservation (Sandford) Principle
- Conservation Policy 2: Landscapes
- Visitor Experience Policy 3: Recreation and Access

Scottish Historic Environment Policy (SHEP) – July 2009

Managing Change in the Historic Environment Guidance Notes – Historic Scotland

7 SUMMARY OF SUPPORTING INFORMATION

- 7.1 Following the consultation responses from Historic Scotland and The National Park Built Heritage Officer additional information has been provided by a senior engineer at Sustrans Scotland* on the method of resurfacing, the existing and proposed drainage arrangements and the proposed treatment to the edge of the footpath which is overgrown with woody vegetation. This further detail of the working method proposed has been captured in detail in section 3.7 'Description of Proposal' above.

**Sustrans Scotland works closely with communities, the Scottish Government, local authorities and other partners to ensure that the people of Scotland have access to a network of safe walking and cycling routes.*

8 PLANNING ASSESSMENT

- 8.1 The application site is on the eastern boundary of the Killin settlement and is within the Killin Conservation Area. The location of the site is shown in **Figure 1** above.
- 8.2 In determining this application the key considerations are as follows:
- Background and principle of development against built heritage and recreational policies;
 - Material specification, methodology and drainage having regard to the listing status of the structure
 - Access management and recreational experience

Background and consideration against built heritage and recreational policies

- 8.3 The former railway track bed on the surface of the viaduct is now a traffic free footpath and part of the core path network, namely the Rob Roy Way and National Cycle Network 7 (NCN7), so is widely used by walkers and cyclists. The surface is in a deteriorating condition with evidence of potholes. Vegetation is impacting on the integrity of the Category 'A' listed structure as well as adversely affecting its appearance and views to and from it. This is especially true in the summer when the plants are in leaf. There are also large sections with drainage issues, creating pooling across the width of the path. In addition there are a number of raised manhole covers. These issues combined are reducing the overall appearance of the historic viaduct and the experience of user groups.
- 8.4 It has been recognised for some time that the footpath requires to be upgraded to a suitable standard and this has been identified in the National Park's Outdoor Recreation Plan (Action 30). Consequently, this application for Listed Building Consent for the resurfacing of the footpath has been submitted by the Loch Lomond and the Trossachs Countryside Trust.
- 8.5 The application for the resurfacing of the viaduct is an opportunity to improve the footpath to enhance the experience of user groups. It is also an opportunity to preserve and enhance the historic fabric of the structure and its special features.
- 8.6 This considered, the principle of the development is considered to be in harmony with the thrust of policy TRAN7 which encourages the safeguarding of existing access rights by enhancing core paths, rights of way and the wider access network. It is also supported by policies ENV20- Conservation Areas and ENV21- Listed Buildings which support the enhancement of the character of Conservation Areas and the preservation of a listed structure, its setting, important views to and from the structure and any features of historic or architectural interest which it possesses.
- 8.7 Policies ENV20 and ENV21 require that the design and materials of any development shall be appropriate to the character and appearance of the listed structure and its setting. The material specification and methodology for resurfacing the footpath are addressed in section 8.8 below.

Materials, methodology and drainage having regard to the listing status of the structure

- 8.8 A senior civil engineer from Sustrans Scotland visited the site on behalf of Loch Lomond and the Trossachs Countryside Trust (the applicant) and made recommendations with regard to the proposed method of resurfacing the bridge. These proposals are detailed in section 3.7 of this report but in summary, it is recommended that the woody vegetation on the parapets is cut back and treated with herbicides (the applicant will require approval from SEPA). The roots would then be carefully removed once the treatment has taken full effect and killed the

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plant. The soft vegetation would be scraped back to the full width of the viaduct surface. The pot holes would be filled and the existing surface levelled. The footpath would then be surfaced in Type 1 material to provide a constant gradient. This sub base would be treated with herbicide to help prevent new growth from within the path. The surface would be finished with a minimum of 50mm layer of recycled road planings shaped and compacted in a camber profile. Figure 5 above illustrates an example of Type 1 material (on left) and road planings (on right).

- 8.9 The surface level on the southern approach to the bridge is fairly steep so it is proposed to be re-graded to form a more accessible and user friendly profile. It is recommended that the details be secured via a planning condition so that the impact of the works on the setting of the viaduct can be assessed. See Appendix 1, condition 2.
- 8.10 The unbound and finely grained type 1 sub base and road planings would create a porous surface allowing the viaduct deck to drain as intended. Each of the 4 arches has 2 existing weep holes within the barrel arch as can be seen in figure 6 above. There are no requirements or proposals to create additional drainage holes/channels on the structure.
- 8.11 It should be noted that the response from Historic Scotland (see section 5.1) was submitted prior to the additional information from Sustrans. The details are expected to satisfy Historic Scotland.
- 8.12 Having considered the methodology proposed for removing the vegetation and for resurfacing it is concluded that the proposals would improve the visual aesthetic of the viaduct from key receptors such as the River Dochart and the approach to the bridge surface from the north and south thereby improving the experience for walkers and cyclists alike. There would be no adverse impact on the fabric of the viaduct therefore ensuring the preservation of its special character in accordance with policies ENV20 and ENV21.

Access management and recreational experience

- 8.13 The proposal includes the potential for a directional signage strategy and interpretation in relation to the viaduct's unique construction. Loch Lomond and the Trossachs Countryside Trust are enthusiastic about this opportunity and would commit to appropriate signage/interpretation on approach to the viaduct if adequate funds are left over from the project or if any funding becomes available in the future. It is understood that the Planning Authority should be consulted in association with the National Park's Access Team ahead of any formal proposals for signage. It is not considered appropriate to impose a condition requiring these details as the funds are not currently guaranteed and it could delay the delivery of this proposal. The installation of signage (depending on its location and the details) may also be more appropriately dealt with through a separate planning application or an application for advertisement consent.
- 8.14 A condition has been imposed requiring details of how the ongoing use of the footpath will be managed during the process of the works and details of potential diversions, timings, and temporary warning signs.
- 8.15 ***Referral to Historic Scotland***
This application relates to a Category 'A' listed building. The Planning Authority must notify Historic Scotland if it is minded to grant Listed Building Consent. A decision notice cannot be issued until confirmation that they have no objection to the recommendation has been received.

9 CONCLUSION

- 9.1 Killin viaduct is a spectacular, prominent and historic landmark which is an attraction for both locals and tourists. The proposal would enhance the appearance and character of the viaduct in accordance with Conservation Area and Listed Building policies ENV20 and ENV21 and improve the experience for user groups in accordance with policy TRAN7- Encouraging Outdoor Access. It is therefore recommended that Listed Building Consent is granted.

Background <http://www.lochlomond-trossachs.org/planning/>

Documents: *Click on view applications, accept the terms and conditions then enter the search criteria as 2014/0097/LBC*

List of Appendices: *Appendix 1 Conditions, Proposed Reason for Approval, and Informatives*

Appendix 1: Conditions, Proposed Reason for Approval and Informatives

Conditions:

1. **Path management:** Prior to the development hereby permitted, a plan shall be submitted detailing how public access will be managed along the affected footpath route during the resurfacing works over the viaduct. Any closure of sections of the route should be short term for operational periods only, and accompanied by temporary signage informing users of the dates of closure/diversions. For the avoidance of doubt, timings of work shall avoid peak times for access users, i.e. weekends and public holidays.

REASON: In accordance with the Land Reform (Scotland) Act 2003.

2. **Gradient details:** Prior to the development hereby permitted, existing and proposed section drawings shall be submitted for the further approval in writing of the Planning Authority that illustrate the existing and proposed gradient profile on the southern approach to the viaduct.

REASON: To ensure the changes in site levels do not adversely affect the category 'A' listed viaduct or its setting.

Proposed Reason for Approval: The removal of the vegetation and the sympathetic resurfacing would preserve and enhance the character of the viaduct in accordance with Conservation Area and Listed Building policies ENV20 and ENV21 which would facilitate the improvement of a core footpath and the experience of its users in accordance with policy TRAN7- Encouraging Outdoor Access.

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List of Plans

Title	Reference	Date Received
Location Plan		24/04/14
Location Plan		28/04/14

Informative:

1. Duration of permission - Duration of permission - In accordance with section 16 of the Town and Country Planning (Listed Building and Conservation Areas)(Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.
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