

PAPER 6

2013/0373/DET

APPENDIX I

From: Iain Menmuir [REDACTED]

Sent: 19 November 2013 08:44

To: Planning - Badenoch&Strathspey; Malcolm MacLeod - Planning; Allan Todd

Subject: Speyside Way; Allt Dibheach Bridge and associated path notice 4th & 5th November 2013 - Objection to planning permission.

Dear Andrew

It is submitted that the importance of these applications are such that it should be heard by the full south Highland Planning Applications Committee, as opposed to the planning officer under delegated powers. There is confusion over the Allt na Criche bridge location. The CNPA supported the construction of this bridge (application number 2013/001/DET) on land between the B9152 and the railway (CNPA letter 7th Jan 2013). This was published accordingly in the Strathlyon on 10th January 2013. It has now been built as a "stand alone project", between the railway and the river.

These two planning applications are objected to on the following grounds:

I was not notified as a daily user and resident on Kinrara.

- The CNPA requirement that, "in the event of conflict between aims, conservation of the natural and cultural heritage must take precedence", has been ignored. In particular with regard to the otter and water vole shelters (Ecological Survey 14th May 2010) and the fact that the Allt Dibheach bridge would, irreversibly, alter the Alvie SSSI designation (Details attached). The foot bridge that is marked on the OS map is no longer there, save for a very short wooden poll and slatted bridge simply resting across part of the flow.
- The Reporter has been miss-informed with regard to the need for the alternative route having to move on to the B9152 where it crossed the Allt Dibheach, south west of the Rowan Tree Hotel (Reporters report to the Minister para's 28 and 29 dated 15th Nov 2011). It has never been suggested that the route should do so. It was agreed that there is no need for it. The lack of sightlines is therefore irrelevant. There is no need to utilise the cattle creep either. In point of fact the Highland Council TEC Services, "have no objection to a bridge for an alternative route for the Speyside Way being constructed adjacent to the B9152 bridge, provided it is outwith the road boundary and set back an appropriate distance from the existing road bridge, to allow inspection and maintenance to be carried out" (Highland Council TEC Services email 24th February 2011).
- The Paths for All Partnership (PFAP) Civil Engineers report (18 April 2004), following its onsite meeting is in favour of the construction of a bridge over Allt Dibheach. He states "there is an ideal site for a new bridge immediately beside the existing B9152 road bridge. A new bridge could be located in such a way that its abutments would not affect the B9125 road bridge abutments. It would be simple to crane a new bridge straight off the B9152 onto new abutments. On the north side of the river there is evidence of an old road formation (General Wade's Road) which would provide an excellent solum for a new path. On the south side there is room to create a new path at an easy gradient suitable for the disabled and horses.
- On the other hand the CNPA proposed bridge downstream of the railway line is much more problematic. "A new bridge of around 20 meters span with a steep

hillside at either end". The space at the toe of the railway embankment is within the railway curtilage. The fence was moved to allow access but the ground referred to remains part of the embankment of Network Rail and does not mark the boundary at this point. The route would have to traverse "a very wet marshy area adjacent to the river. Beyond this it would be necessary to construct a switchback route under power lines up and over the hill and to infill the bottom of the railway embankment. The main issue with this site is the limited plant access. The bridge would have to be transportable over soft ground and erected without a crane. It would not be suitable for equestrian access, neither would it be negotiable for the disabled. The impact of the new path on the wetland (particularly the otters and water voles) also the likely interference and the migrating salmon, as well as the generally higher cost makes it less desirable than the forgoing alternative.

- As regard costs, the estimate for the bridge adjacent to the B9152 is £30,000 (SNH letter 10th march 2011). That for the CNPA proposal is £122,500 (Civil Engineer PAFP provisional costing section 5 and 10 – 12 attached). As a tax payer this is an outrageous use of my / public funds. Particularly knowing that there is such little distance between the two sites.
- The Paths for All report concludes that "the site adjacent to the B9152 presents the easiest technical challenges, the only disadvantage being the need to make the route in part run beside the B9152 carriageway where it passes just two house in 4.5 miles, one of which is owned by Highland Council (PAFP 18th April 2004).
- The Reporter based on his site visit, is satisfied "that the road verge along the relevant section of the B9152 (between Kinrara's north drive and Kinakyle) is wide enough for people to walk along. There is also an adequate roadside verge between Aviemore and Kinakyle". (Reporters Report 15th Nov 2011 para 68).
- Given the foregoing it is evident that the then Minister Roseanna Cunningham was misled, since she states in her letter of approval in principal that the CNPA route beyond the railway line "provides the best combination of user experience, potential for development for multi-use, the fewest health and safety issues and being the most readily implemented from a technical point of view (Minister's letter to SNH 21 May 2009) when clearly the opposite is the case.
- Subsequent to the foregoing Network Rail have raised the issue of the other three level crossing gates which have been in existence for 160 years (making a total of four) in the 4.5 miles through Kinrara, none of which have been commented upon by the Reported. Were the route to be adopted between the B9152 and the railway 3 of the level crossings all of which are next to exit points, would become surplus to requirements and the Estate would be prepared to enter into negotiations for their closure. If on the other hand the route is to be between the railway and the river they will have to remain open to enable the users to access the B9152 and the Rowan Tree Hotel at the half way point.
- The route between the railway and the river involves 4 level crossings and 12 gates. That between the B9152 and the railways, one level crossing and three gates. Currently the level crossing do not present a serious threat to safety.

although horses, cattle and sheep are found on the railway line from time to time from people leaving the gates open.

- CNPA refer vaguely to "mitigating plans" but do not specify what they are. Last time they did so with regard to underpass 212 it transpired that they had no such contingency plan.
- The transportation of nuclear waste and fuel shipment is doubtless quite safe. However, in the event of an accident such as a derailment, will the public see it as such? Given that you know of this I would see it as knowingly and unnecessarily putting the public at an increased risk of harm.

Everyone recognises the desirability for the extension of the Speyside Way to Newtonmore. I understand that a compromise exists which, if adopted, would benefit all concerned. If the alternative route between the B9152 and the railway were to be approved the process of constructing the Speyside Way through Kinrara could start tomorrow. This saga has now been on-going for the past 20 years and at a cost to the tax payer of which I dread to calculate.

It is submitted that it is in the public interest to draw a line and agree a workable solution which everyone can live with. If the public feel that they are being boxed in they will not use the route. Committee members are asked to approve the alternative route between the road and the railway (which was outwith the Reporters remit) as the best compromise solution acceptable to all under the circumstances. Or if this is beyond their powers, to refuse planning permission for CNPA's current proposal giving them the opportunity to think again and resubmit.

The important thing is surely to get it right first time and thereby ensure harmony and cooperation in the years ahead. Given the will to do so this is achievable.

--

Iain Menmuir



CITATION**ALVIE
SITE OF SPECIAL SCIENTIFIC INTEREST
HIGHLAND (Badenoch and Strathspey)**

Site code: 53

NATIONAL GRID REFERENCE: NH 874089 and NH 866096

OS 1:50,000 SHEET NO: Landranger Series 36
1:25,000 SHEET NO: Explorer Series 403

AREA: 339.01 hectares

NOTIFIED NATURAL FEATURES**Biological****Woodlands: Upland oak woodland****Fens: Hydromorphological mire range****Invertebrates: Invertebrate assemblage****Birds: Goldeneye *Bucephala clangula*, breeding****DESCRIPTION**

Alvie SSSI is a large area of native woodland, open water and wetland habitats situated in Strathspey, 3km south of Aviemore. It lies between the Monadhliath mountains and the River Spey and ranges from 220m to 358m at Torr Alvie.

Alvie SSSI contains a range of woodland types. Torr Alvie supports extensive mixed birch woodland, including downy birch *Betula pubescens* and silver birch *B. pendula*, in places associated with aspen, *Populus tremula*, rowan, *Sorbus aucuparia*, Scots pine, *Pinus sylvestris*, oak, *Quercus petraea* and juniper, *Juniperus communis*. Scots pine achieves local dominance to the west of the site, while a stand of pure oak woodland to the south represents one of the few occurrences of oak in mid Strathspey. Wet birch and alder woods with willow *Salix spp* scrub occur around Loch Alvie and Loch Beag.

Loch Alvie and Loch Beag are fed by streams originating in the Monadhliath mountains which drain into the Bogach, which in turn discharges into the River Spey. The largest of these lochs is Loch Alvie which is mesotrophic (medium nutrient status) whilst the Bogach and Loch Beag are considered eutrophic (high nutrient status). All three lochs are surrounded by large areas of inter-connected wetland habitats including aquatic communities, reedbeds, deep-water transition swamps, marginal swamps, transition mire, fen meadow and carr woodland. The range of fen and mire communities is outstanding with over twenty different types of vegetation communities present and as many sub communities which in a relatively small area makes this wetland site very diverse.

This site is important for the variety of scarce invertebrate species that it supports, including flies, beetles, butterflies and moths. Many of these invertebrates are

aquatic or require wet conditions in at least part of their life-cycle and they are therefore associated with the fen habitats. Others are associated with aspen woodland, bog and river shingle habitats. Notable species include the endangered net-winged caddis fly *Hagenella clathrata* which is at its most northerly known location in the UK, a snail-killing fly *Pherbellia brunnipes*, a beetle *Oiophrum fuscum*, the aspen hoverfly, *Hammerschmidia ferruginea* and a true fly *Microprosopa pennicauda* which in Scotland has only been found in Strathspey.

Loch Alvie is an important breeding area for goldeneye *Bucephala clangula* and was one of the first breeding sites for this duck in the UK.

NOTIFICATION HISTORY

First notified under the 1949 Act: 1964

Re-notified under the 1981 Act: 27 March 1987 with a 38 ha net increase in area.

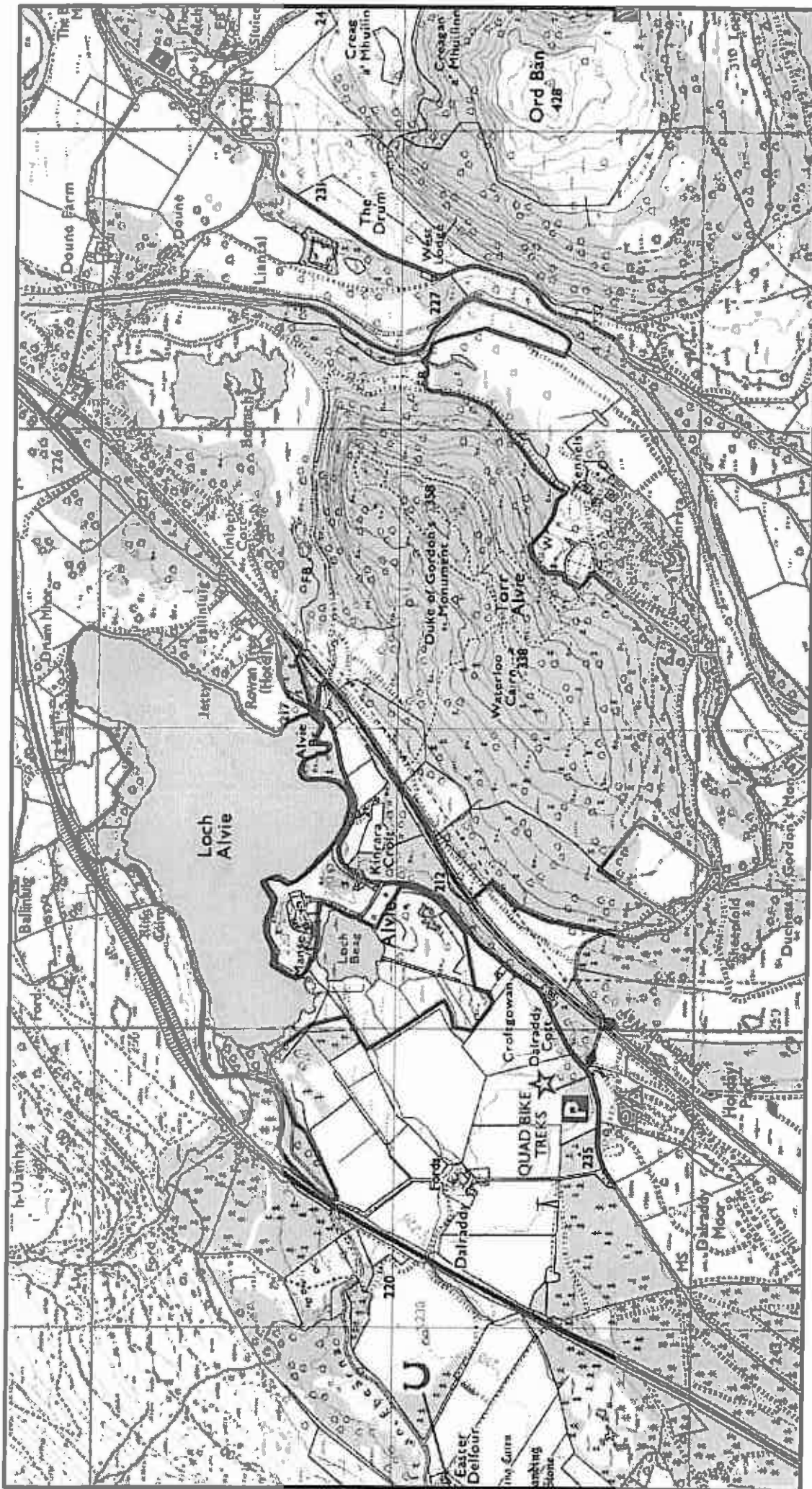
Notification reviewed under the 2004 Act: 17 November 2009

REMARKS

Measured area of site corrected from 341.6 ha

A strip along the western bank of the River Spey is part of Alvie SSSI and overlaps part of the River Spey SSSI and the River Spey Special Area of Conservation (SAC), which are both designated for the species listed below:

Species: Atlantic salmon *Salmo salar*
 Sea lamprey *Petromyzon marinus*
 Freshwater pearl mussel *Margaritifera margaritifera*
 Otter *Lutra lutra*



010000

Alvie

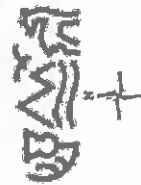
Site of Special Scientific Interest



Site boundary

Produced by: Geographical Information Group, BAH, 2008
 Digitized by permission of Ordnance Survey on behalf of
 the Crown copyright and database right 2008. All rights
 reserved. Ordnance Survey Licence number: 100017064.

This is an updated representation of the notified site
 boundary. Any apparent annual differences are due to
 changes to the OS base data.



Scale 1:17,500

En Altan: Broun Suidh

Docu
MW

**Scottish Natural Heritage
Dualchas Nàdair na h-Alba**

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

Major R McLaren
Kinrara Lodge
Kinrara Estate
By Aviemore
Inverness-shire
PH22 1QA

Our ref: ENJ/ACC/SPW/SA/8814481

Date 10th March 2011

Dear Major McLaren

**Request for information: proposed Speyside Way extension south of Aviemore:
report on alternative bridges over the Allt Dibheach**

Thank you for your request for information regarding the civil engineer's report on the two alternative bridges over Allt Dibheach, together with their costings, which we received on the 23rd February 2011. Your request has been considered under the Environmental Information (Scotland) Regulations 2004 ('the EIRs').

Please find enclosed a copy of the report which was written by Phil Clarke, then of the Paths for All Partnership, subsequent to his visit to Kinrara in April 2008. This is unchanged from the version which we sent to you in June 2008. As I suspected, despite an extensive trawl through the files, we do not hold a record of the costs which were attributed at the time for the bridge structures. Our main focus was on assessing the feasibility of erecting bridges at the three sites surveyed. As I recall, and as has now been confirmed by Jim Strachan of Moray Council who was also present at the visit, the estimated costs were £30,000 for a footbridge between the railway line and the road bridge over the Allt Dibheach on the B9152 (site 1 in the report), and £34,000 for a bridge adjacent to railway underbridge on the east side (site 3 in the report). These costs were used by Jim in drawing up his overall costs for the route which I also attach here. You should note, however, that the Cairngorms National Park Authority has now revised the specifications for the route, and these costs are now out of date

We need to tell you about how we handled your request for information. You submitted your request under the Freedom of Information (Scotland) Act 2002 ('FOISA'). We believe that the information you've asked for is environmental information as defined in the Environmental Information (Scotland) Regulations 2004 ('the EIRs'). We've therefore considered your request under the EIRs. To do this we applied an exemption to your request under section 39(2) of FOISA, as recommended by the Scottish Information Commissioner's guidance. This exemption is the formal way for us to move your request from one access to information regime to another.

Scottish Natural Heritage, Achantoul, Aviemore, Inverness-shire PH22 1QQ
Tel 01479 810477 Fax 01479 811363 www.snh.org.uk

Dualchas Nàdair na h-Alba, Achadh an I-Sathail, An Aghaidh Mhòr, Siarraehd Innhir Mòr PH22 1QQ
Fòn 01479 810477 Fàcs 01479 811363 www.snh.org.uk

and has not materially affected how we have responded to your request. If you would like to find out more about the access to information legislation there is guidance available on the Scottish Information Commissioner's website, <http://www.itspublicknowledge.info/nmsruntime/saveasdialog.asp?IID=1858&siD=321>.

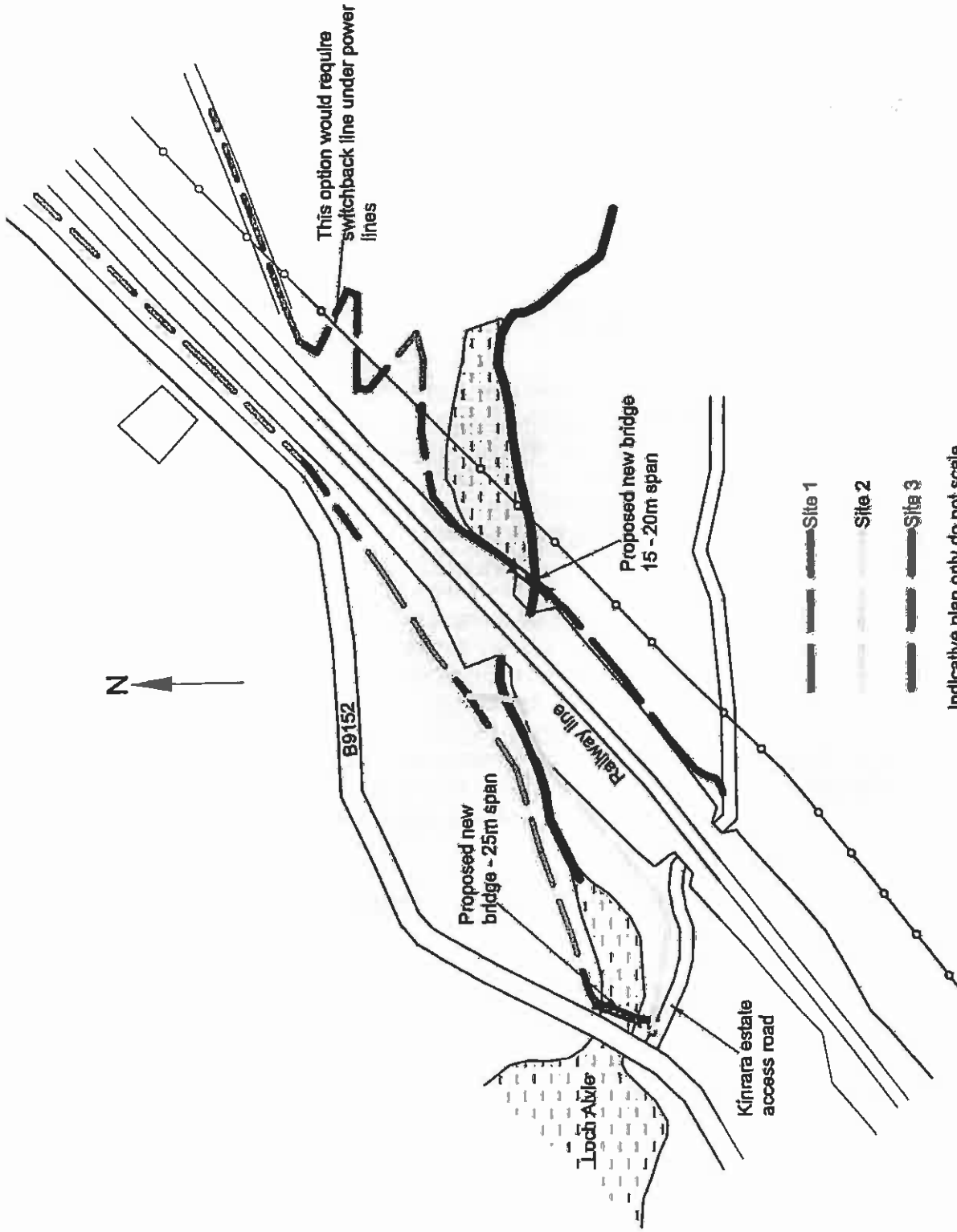
I hope the information we have provided meets your requirements, however if you are dissatisfied with how we have responded to your information request, please write to us at Battleby, Redgorton, Perth, PH1 3EW or email us at foi@snh.gov.uk, explaining your concerns. Our Director of Strategy and Communications, John Thomson or his nominated delegate will carry out a review of our response and provide an outcome within 20 working days.

If you are not satisfied following this, you can make an appeal to the Scottish Information Commissioner. The Scottish Information Commissioner can be contacted at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Telephone: 01334 484610
<http://www.itspublicknowledge.info/>

Yours sincerely

Cattle Anderson
Area Officer
East Highland



Indicative plan only do not scale

Inglewood House
Tullibody Road
Allea FK10 2HU
01259 216998



Speyside Way extension to Newtonmore

Kinrara estate options appraisal layout plan

Date :-	29.04.08
Scale :-	Not to scale
Drawn By :-	P.J.C
Drawing No. :-	Not given

Highland Council Badenoch and Strathay Council Planning and Building	LYNWILG COTTAGE, KINRARA ESTATE AVERTHORE PH. 22 19A
25 NOV 2013	
Receipts	

RE:-

22-11-13

PROPOSED SPEYSIDE WAY WALK

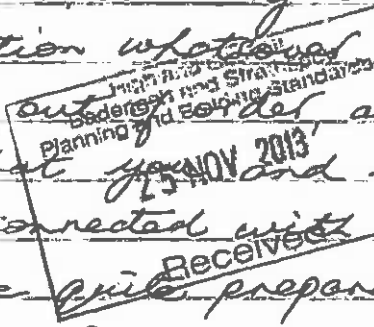
Dear Mr. Mc CRACKEN,

My wife and I are the owners of the above cottage situated on the Kinrara Estate at the entrance by the Lynwilg road junction, just over the railway bridge on the other side of the B9152. I am fully aware that there are plans to extend the Speyside way through parts of the estate, and that there is a possibility that part of the route may go more or less alongside the above cottage, possibly by about fifty yards or so. I must point

out to you that we have not received any notification of any planned route whatsoever or being invited to any consultation whatsoever. This is totally out of order and it looks to us that you and the various bodies connected with the Ipswich Wolf are quite prepared to "Walk over, and ignore people and property who happen to be in the way" of the proposed route.

We strongly object to this route, which I believe will run right alongside the cottage on what is supposed to be part of the GENERAL WADE ROAD.

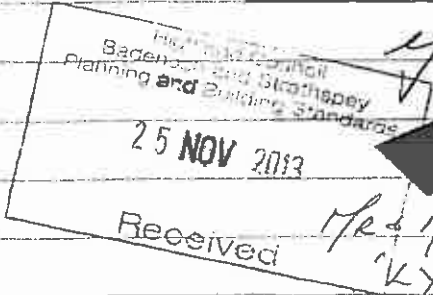
Before you and your partners do decide to go ahead with your plans, please let me have the latest details of what is supposed



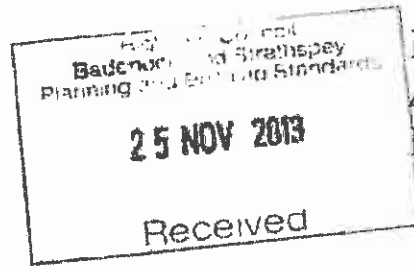
2

to be taking place and the route, with measurements etc, of proximity to the cottage, then we will decide what action to take in this matter.

Your faithfully



Mr & Mrs J. RATABONE
"LYWILG COTTAGE",
KINRARA ESTATE,
AVIEMORE
PH 22 1QA.



Easter Kinakyle,
Aviemore,
PH22 1PZ.

November 23rd, 2013.

Dear Mr. McCracken,

Re: Proposed Speyside Way, Aviemore to Kincaig

It was recently brought to my attention that the route of the above passes next to my property at Kinakyle and I have as yet not received any documentation concerning the route, nor an opportunity to comment on it.

I am told that the route passes along the busy B9152 before descending to the railway underpass at Kinakyle. I note that the bridge across the Allt na Criche burn is already installed. I would like to point out, firstly, that the route along the B road is extremely busy with traffic. There is no pedestrian path and the route is likely to be altered again once the A9 is dualled. Also, the route under the railway underpass regularly floods on a number of occasions every winter, making the way impassable. The path then passes through pastureland with a number of gates, enclosing cattle and sheep grazing. Gates being left open by walkers could result in animals getting onto the road and the railway line. This already happens through visitors engaged in 'wild' camping.

I hope these comments will be taken on board at your forthcoming planning meeting.

Yours sincerely,



Dr. George Jachacy

From: ANNE MCLAREN

Sent: 17 November 2013 17:36

To: Planning - Badenoch&Strathspey

Cc: Malcolm Macleod - Planning; Allan Todd

Subject: Speyside Way: Allt Dibheach Bridge and associated path notice 4th & 5th November 2013.

Dear Andrew

It is submitted that the importance of these applications are such that it should be heard by the full south Highland Planning Applications Committee, as opposed to the planning officer under delegated powers. There is confusion over the Allt na Criche bridge location. The CNPA supported the construction of this bridge (application number 2013/001/DET) on land between the B9152 and the railway (CNPA letter 7th Jan 2013).

This was published accordingly in the Strathy on 10th January 2013. It has now been built as a “stand alone project”, between the railway and the river.

These two planning applications are objected to on the following grounds:

- Both notices are unsigned.
- I was not notified.
- No account has been taken of the “rights and interests of the owners of the land” (Land Reform (Scotland) Act 2003 section (1) (2) and article 6 of the

European Convention of Human Rights.

- The CNPA requirement that, “in the event of conflict between aims, conservation of the natural and cultural heritage must take precedence”, has been ignored. In particular with regard to the otter and water vole shelters (Ecological Survey 14th May 2010).
- No explanation has ever been forthcoming as to why initially SNH proceeded under the remnants of the Countryside (Scotland) Act 1967 section 39 – 42 (Turcan Connell LXX/NSM5520001 Dated 2nd December 2009 to CNPA).
- The process whereby CNPA is proceeding on the basis that “they are entitled to insist that any path agreement follow precisely the route to which SNH state that they have obtained Ministerial consent”, is an infringement of Human Rights (Turcan Connell 2nd December 2009). In point of fact minor variations are permitted. Given that the difference apart between the two routes is only the width of the railway line this should qualify.
- The Reporter has been miss-informed with regard to the need for the alternative route having to move on to the B9152 where it crossed the Allt Dibheach, south west of the Rowan Tree Hotel (Reporters report to the Minister para’s 28 and 29 dated 15th Nov 2011). It has never been suggested that the route should do so. It was agreed that there is no need for it. The lack of sightlines is therefore irrelevant. There is no need to utilise the cattle creep either. In point of fact the Highland Council TEC Services, “have no objection to a bridge for an alternative route for the Speyside Way being constructed adjacent to the B9152 bridge, provided it is outwith the road boundary and set back an appropriate distance from the existing road bridge, to allow inspection and maintenance to be carried out” (Highland Council TEC Services email 24th February 2011).
- The Paths for All Partnership (PFAP) Civil Engineers report (18 April 2004), following its onsite meeting is in favour of the construction of a bridge over Allt Dibheach. He states “there is an ideal site for a new bridge immediately beside the existing B9152 road bridge. A new bridge could be located in such a way that its abutments would not affect the B9125 road bridge abutments. It would be simple to crane a new bridge straight off the B9152 onto new abutments. On the north side of the river there is evidence of an old road formation (General Wade’s Road) which would provide an excellent solum for a new path. On the south side there is room to create a new path at an easy gradient suitable for the disabled and horses.
- On the other hand the CNPA proposed bridge downstream of the railway line is much more problematic. “A new bridge of around 20 meters span with a steep hillside at either end”. The space at the toe of the railway embankment is within the railway curtilage. The fence was moved to allow access but the ground referred to remains part of the embankment of Network Rail and does not mark the boundary at this point. The route would have to traverse “a very wet marshy area adjacent to the river. Beyond this it would be necessary to construct a switchback route under power lines up and over the hill and to infill the bottom

of the railway embankment. The main issue with this site is the limited plant access. The bridge would have to be transportable over soft ground and erected without a crane. It would not be suitable for equestrian access, neither would it be negotiable for the disabled. The impact of the new path on the wetland (particularly the otters and water voles) also the likely interference and the migrating salmon, as well as the generally higher cost makes it less desirable than the forgoing alternative.

- As regard costs, the estimate for the bridge adjacent to the B9152 is £30,000 (SNH letter 10th march 2011). That for the CNPA proposal is £122,500 (Civil Engineer PAFP provisional costing section 5 and 10 – 12 attached).
- The Paths for all report concludes that “the site adjacent to the B9152 presents the easiest technical challenges, the only disadvantage being the need to make the route in part run beside the B9152 carriageway where it passes just two house in 4.5 miles, one of which is owned by Highland Council (PAFP 18th April 2004).
- The Reporter based on his site visit, is satisfied “that the road verge along the relevant section of the B9152 (between Kinrara’s north drive and Kinakyle) is wide enough for people to walk along. There is also an adequate roadside verge between Aviemore and Kinakyle”. (Reporters Report 15th Nov 2011 para 68).
- Given the foregoing it is evident that the then Minister Roseanna Cunningham was misled, since she states in her letter of approval in principal that the CNPA route beyond the railway line “provides the best combination of user experience, potential for development for multi-use, the fewest health and safety issues and being the most readily implemented from a technical point of view (Minister’s letter to SNH 21 May 2009) when clearly the opposite is the case.
- Subsequent to the foregoing Network Rail have raised the issue of the other three level crossing gates which have been in existence for 160 years (making a total of four) in the 4.5 miles through Kinrara, none of which have been commented upon by the Reported. Were the route to be adopted between the B9152 and the railway 3 of the level crossings all of which are next to exit points, would become surplus to requirements and the Estate would be prepared to enter into negotiations for their closure. If on the other hand the route is to be between the railway and the river they will have to remain open to enable the users to access the B9152 and the Rowan Tree Hotel at the half way point.
- The route between the railway and the river involves 4 level crossings and 12 gates. That between the B9152 and the railways, one level crossing and three gates. Currently the level crossing do not present a serious threat to safety, although horses, cattle and sheep are found on the railway line from time to time from people leaving the gates open.
- CNPA refer vaguely to “mitigating plans” but do not specify what they are. Last time they did so with regard to underpass 212 it transpired that they had no such contingency plan.
- The transportation of nuclear waste and fuel shipment is doubtless quite safe. However, in the event of an accident such as a derailment, will the public see it as

such? It would be an embarrassment for the Government who set such store by Scotland becoming nuclear free.

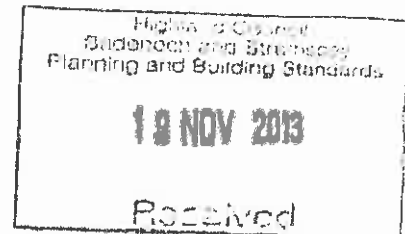
- Members of the Planning Committee are invited to attend an on-site recce following their meeting to see the problems on the ground for themselves. It is the absence of on-site recce to date which has resulted in the current predicament.
- I should be grateful if I could be permitted to make a presentation to the South Highland Planning Committee with regard to this very important problem, the consequences of which we will have to live with in perpetuity.
- Everyone recognises the desirability for the extension of the Speyside Way to Newtonmore. A compromise exists which, if adopted, would benefit all concerned. If the alternative route between the B9152 and the railway were to be approved the process of constructing the Speyside Way through Kinrara could start tomorrow. This saga has now been on-going for the past 20 years. It is submitted that it is in the public interest to draw a line and agree a workable solution which everyone can live with. If the public feel that they are being boxed in they will not use the route. Committee members are asked to approve the alternative route between the road and the railway (which was outwith the Reporters remit) as the best compromise solution acceptable to all under the circumstances. Or if this is beyond their powers, to refuse planning permission for CNPA's current proposal giving them the opportunity to think again and resubmit.
- The important thing is surely to get it right first time and thereby ensure harmony and cooperation in the years ahead. Given the will to do so this is achievable.

Robin McLaren.



**Achterblair Farm
Carbridge
Inverness-shire
PH23 3AG
16th November 2013**

**The Highland Council
Area Planning Office
100 High Street
Kingussie
PH21 1HY**



Dear Sirs,

I strongly object to the proposal to build a pedestrian bridge and associated footpath over the Dibheach Burn south of Aviemore.

The proposed route will be very expensive and difficult to construct. It also runs through an SSI area.

If a footpath and bridge have to be built a much more economic option would be to put it between the railway and the old A9 road, saving a lot of public money.

Yours faithfully



T L Stirling

Highland Council
Planning and
10 DEC 2013

Leault -
Kerr Craig
2/12/2013

Mr. J. Mackenzie

Calngorms National
Park Authority
12 DEC 2013
RECEIVED

Highland Council
Planning

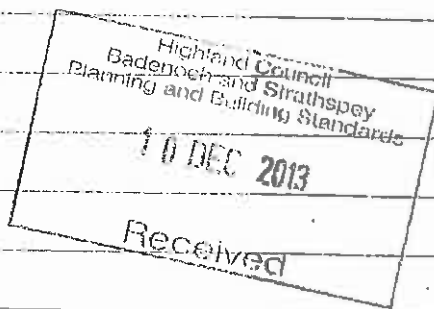
Dear Mr Mackenzie

I understand from Major
MacKenzie Kerr Craig you
have had no objections
from me or my son Neil Ross
regarding the Durbach bridge
You yourself do know
of course that we did object
and you left a message
asking what the bridge
has got to do with snow
grains, well people leave
gates (as happens frequently)
open makes this planned
bridge a more than ever
easy access to railway
PTD

Crossings and the A9
in B 1959 which could
result in tail end road
disasters, you probably
know yourself you've got
the fish on the wrong side
of the ~~Railway~~ ^{Railway} anyway

I thank you
yours faithfully

And



Speyside Way

Andrew MacIver

24 February 2011 14:59:54

Major McLaren

Further to our earlier conversation in connection with the Speyside Way, I confirm that in relation to your request for clarification with regard to section 59 of Kinrara Draft Path Order statement on objection, I confirm that TECS would have safety concerns with directing pedestrians over the Loch Alvie road bridge over Allt Didheach burn but would have no objection in principle to a bridge for an alternative route for the Speyside Way being constructed adjacent to the road bridge provided it is out with the road boundary and set back an appropriate distance from the existing road bridge to allow inspection and maintenance to be carried out. I confirm that in relation to any proposed or alternative route for the Speyside Way, TECS concerns relate to any sections which are within the road boundary and any road crossing points which would require a road safety audit.

Regards

Andrew

Andrew MacIver

TEC Services, Nairn/Badenoch & Strathspey,

The Highland Council,

Unit 4C, Dalfaber Industrial Estate, Aviemore, PH22 1ST

Tel: 01479 812990 (Aviemore)

Tel: 01463 703631 (Nairn)

Fax: 01479 812465

Unless related to the business of The Highland Council, the views or opinions expressed within this email are those of the sender and do not necessarily reflect those of The Highland Council, or associated bodies, nor does this email form part of any contract unless so stated.

Mura h-eil na beachdan a tha air an cur an cèill sa phost-d seo a' buntainn ri gnothachas Chomhairle na Gàidhealtachd, 's ann leis an neach fhèin a chuir air falbh e a tha iad, is chan eil iad an-còmhnaidh a' riochdachadh beachdan na Comhairle, no buidhnean buntainneach, agus chan eil am post-d seo na phàirt de chunradh sam bith mura h-eil sin air innse.

Ex-Attention: Baul Smith

Speyside Way Extension to Newtonmore Report on site visit to discuss route options through Kinrara Estate, Aviemore.

Phil Clarke
Paths for All Partnership, 18/04/04

1.0 General

It is proposed to extend the Speyside Way to Newtonmore from its existing terminus at Aviemore. The route is currently being planned with various options being considered. This site visit looked at some specific issues relating to route options through Kinrara estate in relation to several possible crossing sites of the river flowing into Loch Alvie adjacent to the B9152 and the railway line. Refer to the attached site plan for route details.

See CNPA Draft Path Order (para 59)

2.0 Site 1 – adjacent to existing concrete bridge carrying B9152 Route B

This crossing point would be used on the basis that a route for the new path would be created alongside the B9152. In terms of the route itself there is a strip of woodland in which it would be straightforward to create a new path. There is a pinch point at the Northern entrance to Kinrara estate and also past a house which is located immediately adjacent to the road. In both cases there is enough of a verge to turn into an adopted footway beside the road carriageway. Approval from the house owner and Highland council transportation service will be required. In terms of crossing the river there is an ideal site for a new bridge immediately beside the existing road bridge. The existing road bridge is a mass concrete twin span arch. A new bridge could be located such that its abutments would not affect the road bridge abutments. This would require a span of 25m which would be placed at a slight skew across the river. In terms of a suitable design it would simple to crane a new bridge straight off the B9152 onto new abutments, subject to suitable traffic management procedures being put in place. Therefore a number of designs would be possible from a simple timber truss as provided by the various bridge companies to a more elaborate bespoke span, depending on the budget of the project. The attached drawing indicates a suitable layout. On the north side of the river there is evidence of an old road formation, now largely over grown which would provide an excellent solum for a new path. On the south side the ground is sloping but there is room to create a new path at an easy gradient up to the Kinrara access road.

3.0 Site 2 – adjacent to railway underbridge west side

The proposal is to cross the river immediately adjacent to and on the west side of the existing railway bridge over the river and then to route the path along the toe of the railway embankment. This crossing point would require an abutment to be built into the toe of the railway embankment. Similarly the path would also require construction into the embankment. It is very doubtful that Network Rail would approve such a proposal without extensive and expensive engineering works to guarantee the stability of the embankment and costly way leave agreements and line closures. Similarly it is inevitable that the Speyside way management would then take on a maintenance liability for the embankment. This option is therefore not considered feasible.

Site 3 – Adjacent to railway underbridge east side. **Route A**

Proposed route would involve routing the path along the estate access road for approximately 100m and then down the steep bank just after the estate road has passed the railway. The route would then follow the field edge to the river and a new bridge and 20m span installed. Beyond the river there is space to create a route at the railway embankment until it merges with a hillside. This section is on the boundary of the railway embankment and a very wet, marshy area adjacent to the river. Beyond this would be necessary to construct a switchback route under power lines over the main issue with this site is the limited plant access to the section to the north of the route would have to be created from the north to the south using material excavated from cutting the switchback path to infill the bottom of the railway embankment. In the event of bridge installation, any design would have to be transportable over soft ground erected without a crane. A design such as the Haley Engineering 'Ranger' bridge which uses galvanised steel aerial mast sections for its main beams would be suitable although it should be noted that this design is not suited to equestrian access at this site. Other designs may be suitable subject to consultation with a bridge designer / supplier. This option is feasible but the impact of the new path on the wetland to the north of the road and also the likely interference with the railway embankment, as well as the general cost of this option make it less desirable than site 1.

Site 4 – alignment of route between B9153 and railway line

In addition to the previous sections another route proposal immediately south of Avie was investigated for feasibility. The proposal is to locate a new path between the B9153 and the railway line. The 'crux' of this option was a section whereby the road embankment was cut into the side of the railway cutting. The width available was something less than the width of the road on a steep side slope located within the railway boundary. Given the presence of existing equipment and services in the railway embankment, as well as the proximity of the railway itself, even if a costly retaining wall was used (the only possible way of locating the path within this narrow corridor) this route would not be feasible. It is highly unlikely that Network Rail would even consider such a proposal and so is not worth considering a

Conclusions

Site 1 presents the easiest technical challenges with the only disadvantage being the need to locate the route run beside the road carriageway where it passes the private house. This option will be possible subject to consultation with the house owner and roads authority for approval.