

Sutherland Local Access Forum

25th March 2024

Proposed Core Path Diversion – Upper Bighouse SU19.03

Background

The core path SU19.03 leads from Kirkton Cemetery to Upper Bighouse, Melvich. It follows a built track with a deep ford at one point and some gorse encroachment. Both land owners promoted the path through Scottish Governments Land Management Contract scheme and it was adopted into the core paths plan in September 2011.

Since the adoption on the route into the plan the steadings at Upper Bighouse have stopped being used for cattle and agricultural use and the buildings have been used for the running of a biomass and timber processing facility. No planning applications were received for the change of use and over time the area used for this new purpose has slowly increased. Retrospective consent was granted in December 2023 with a condition that an alternative route for the core path be provided.

Initial Views

The Access Officer visited the site with the owner and walked the proposed route shown in Appendix A.

Subject to the completion of quarry operations close to the start of the new line, improvement to the walking surface in the northern section and upgrade of existing field gates/new pedestrian gate(s) throughout; the initial walk over the Council Access Officer was of a positive benefit to realigning the core path at Upper Bighouse.

The considerations for diversions are as follows;

- 1- New route should not be materially longer than the original
- 2- Path/track surface and width should be similar or better
- 3- There should be no loss of amenity/enjoyment on the route
- 4- It is not more difficult to pass in terms of barriers or gradients
- 5- Has regards to the effect on other land served by the existing route and that by the new route
- 6- Costs for forming the new route are met by the person proposing it.

Detailed Consideration

- 1- Realigned route is approx. 35m longer (360m – original vs. 395m realigned). Unlikely significant on its own but when considering whole route through to Kirkton is 4.6km then diversion is insignificant.
- 2- Existing route is a mix of built track and desire line over grassed fields, in places very little evident path surfacing – occasional wheel ruts. As such there is no clear width to the existing path and the surface is anything from aggregate to grass. The realigned path will be similar with a mix of built path and path formed through use. Any path formation should be to 1.5m. If required aggregate will be used on soft ground encountered. There are no drainage features on the existing route.
- 3- Amenity and enjoyment of the route will be enhanced by taking the public away from the industrial nature of Upper Bighouse.
- 4- The New line does drop and rise as it skirts Upper Bighouse, less than 10m. This will be mitigated by the formation of a path as the path rises from the old quarry, benched across the slope. Increase in amenity more than makes up for in short descent and ascent. Route through to Kirkton gains height at the bealach (50m) for the whole route is not flat.
- 5- As for amenity in 3- the old line poses HSE management consideration for the owner which are not applicable to the new route. The realigned route is with the same ownership.
- 6- Owner has stated works will be completed by them. Council has offered to waymark in order to maintain consistent design across other core paths in Highland, also offered a gate in place of existing double leaf field gate (with throw over loop) which is LRA compliant but not public friendly.

It should be noted that the current route is not well used by the public even though it was signposted as open for the public until mid-2023. It is the duty of The Highland Council that in drawing up the core path plan the authority shall have regard to

- (a) the likelihood that persons exercising rights of way and access rights will do so by using core paths;
- (b) the desirability of encouraging such persons to use core paths; and
- (c) the need to balance the exercise of those rights and the interests of the owner of the land in respect of which those rights are exercisable.

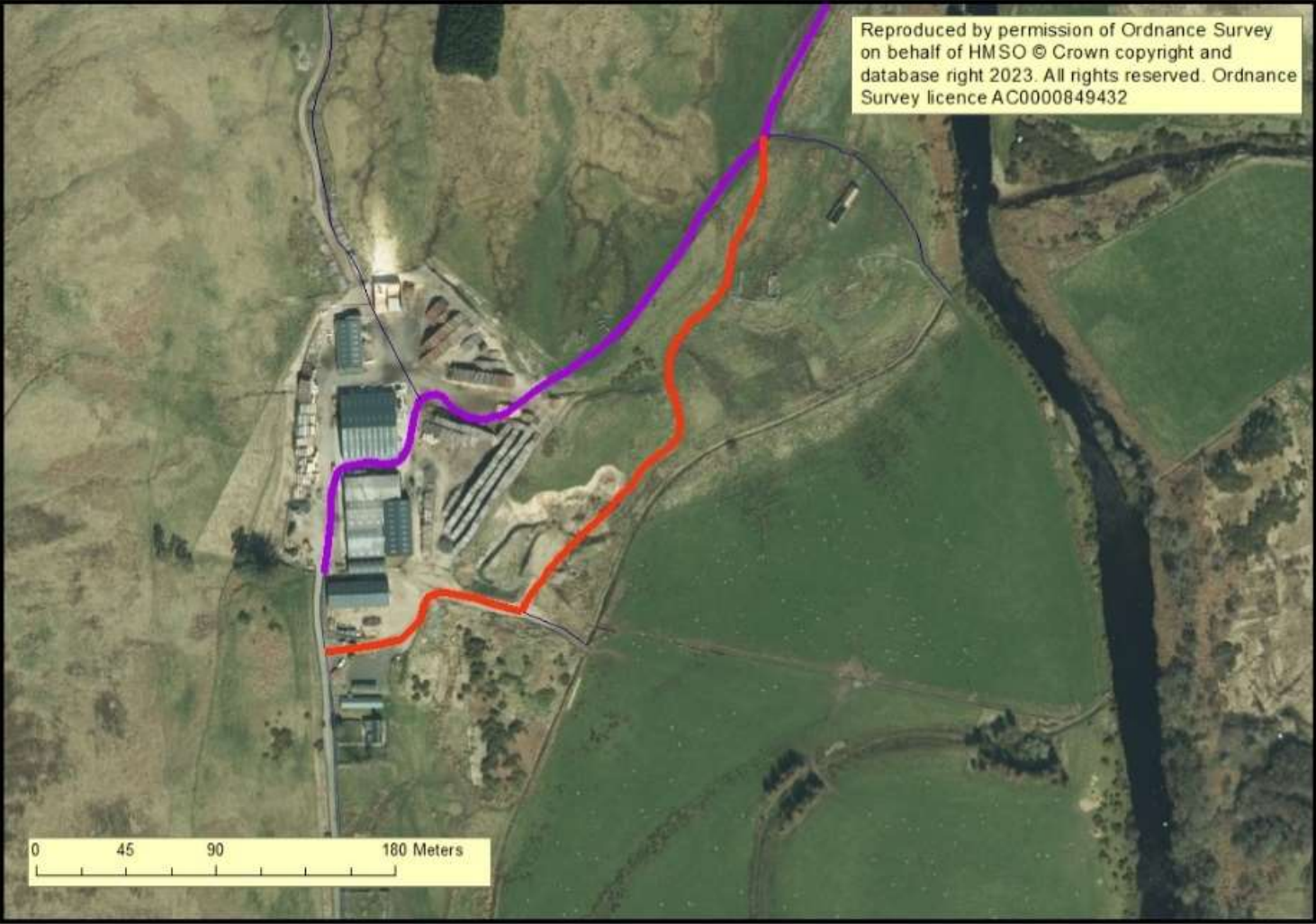
Photos of the existing route are shown in Appendix B.

Decision

The Local Access Forum is being asked to consider two questions;

- **Does the forum support the proposed diversion?**
- **Is the alternative route a significant change or a *de minimis* (very minor alteration) that can be accessed at senior officer level?**

Appendix A – Core path purple. Proposed Diversion Red



Appendix B
Current route



