

Newtonhill, Muchalls & Cammachmore Community  
Council

An opportunity to provide a footpath linking  
Newtonhill and Cammachmore utilising the existing  
underpass under the A92.

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## Opportunity

The existing underpass offers an ideal, safe pathway under the A92 to link Newtonhill with West Cammachmore. A network of existing footpaths links the eastern end of the underpass with Newtonhill Primary School, Tesco, Skateraw, the beach, East Cammachmore and the Core Path between Portlethen and Muchalls. On the western side there is also a network of paths and tracks linking with Chapelton, the Causey Mounth, West Cammachmore and beyond. As well as enhancing the general footpath network, the underpass would become a 'Safe Route to School' between West Cammachmore and Newtonhill Primary School.

## Location

The underpass is under the A92 at Newtonhill (Figure 1). Historically, the underpass linked Newtonhill Farm with grazing land on the coastal side of the trunk road. When the grazing land was developed, the path at the eastern entrance to the underpass was replaced with concrete steps. The underpass can be accessed from a communal area of grass between 118 and 120 St. Michael's Road, Newtonhill.

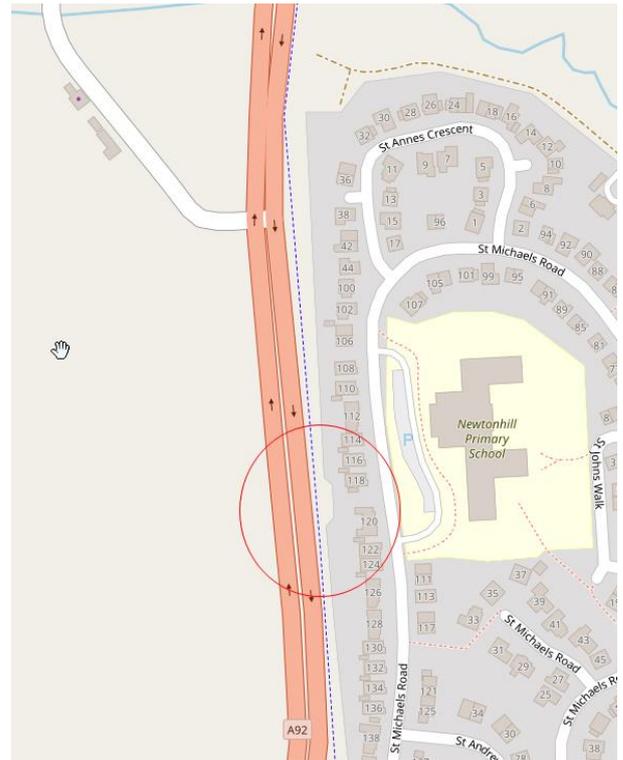
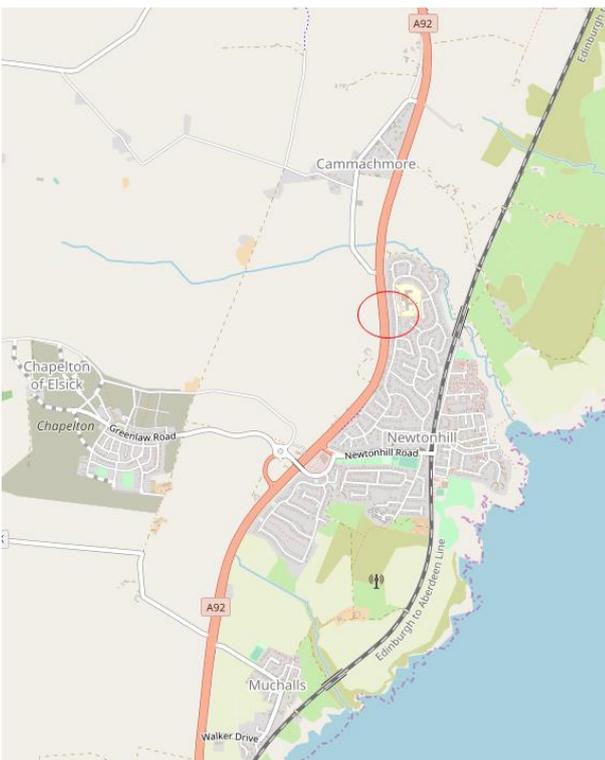


Figure 1 Location of the underpass

## Current Layout

### St Michaels Road to A92 access and Underpass

The access point from St Michaels Road to the A92 starts at a grass area that opens up between houses 118 and 120 and leads up to an embankment (Figure 2). The final two or three metres is fairly steep and difficult to negotiate especially at times when wet and slippery, see Figure 3.



*Figure 2 Area of grass leading to the underpass*



*Figure 3 Steep slope to the top of the embankment*

At the top of the embankment (Figure 4) there is a flat paved surface leading to a flight of steps down to the underpass and to a rough path which joins with the footpath (Figure 5) along the side of the Southbound carriageway of the A92.



*Figure 4 View from the top of the embankment*

The rough track is a popular route to access the recently installed bus shelter on the A92.



*Figure 5 Rough path towards A92*

The handrail visible at the bottom left of Figure 5 has since been removed by Bear Scotland. Figure 6 shows the view looking back from the underpass towards the embankment. The steps are divided into two flights. It can be seen that water collects in the underpass. The floor of the underpass slopes down towards the Newtonhill end and water tends to enter at the far end and collect near the steps. There is an opening to a drain on the right of the bottom step, see Figure 7.



*Figure 6 View from the underpass showing the steps from the embankment*



*Figure 7 Entrance to drain*

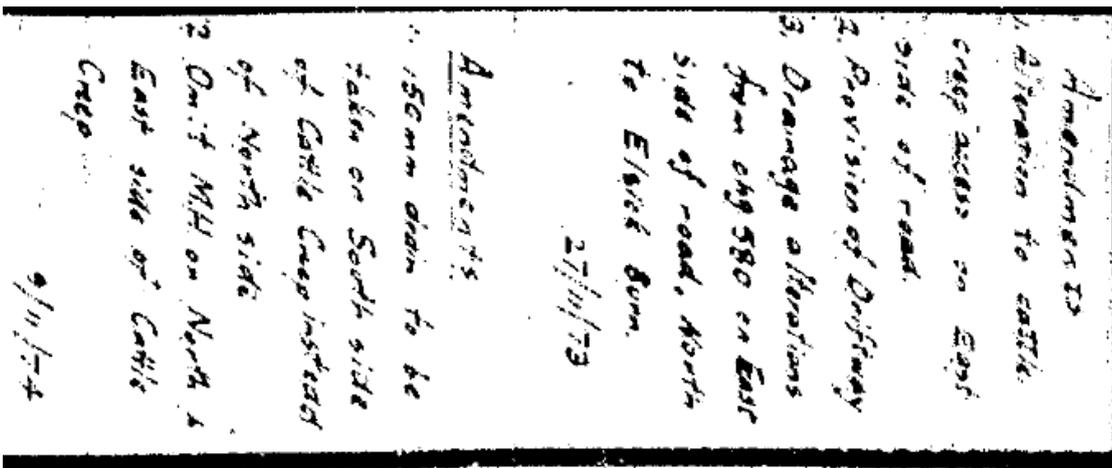
Drainage and manhole access by underpass.

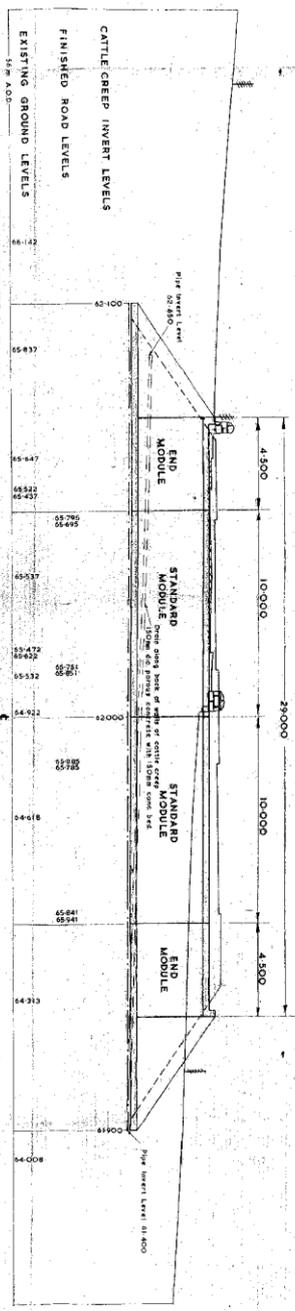
A manhole cover exists at the Newtonhill end of the underpass. It is located against the outside wall of the underpass in roughly the same location as the drain.



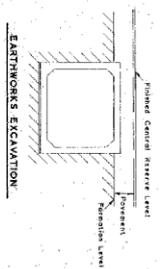
Figure 8 location of manhole cover

An original drawing of the underpass, before the steps were added at the Newtonhill end, shows details of the drainage. The first amendment says that the drain empties into the Elswick Burn. There is another manhole cover located fairly close to the Elswick Burn.

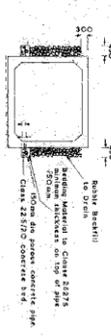




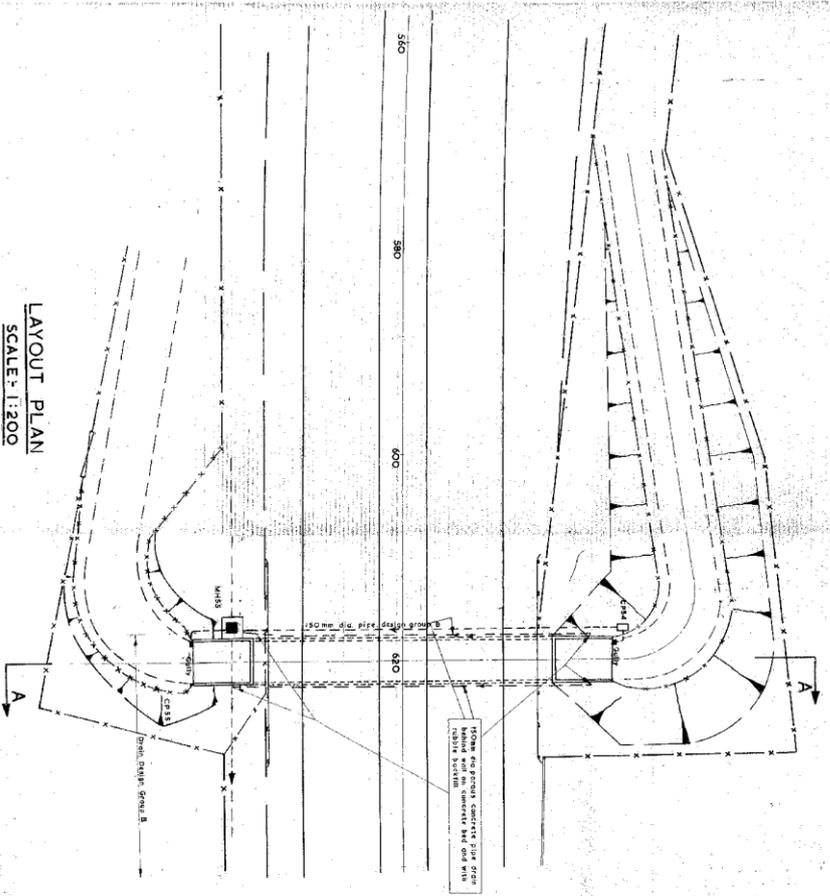
SECTION A-A  
SCALE: 1:100



EARTHWORKS EXCAVATION



DETAIL OF DRAIN BEHIND WALLS OF CATTLE CREEP  
SCALE: 1:100

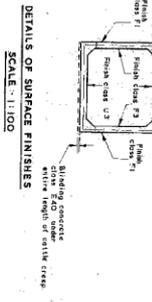


LAYOUT PLAN  
SCALE: 1:200

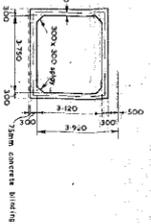


SECTION ALONG & OF ROAD  
SCALE: 1:200

CATTLE CREEP TO BE OF CONCRETE GRADE 20/20 THROUGHOUT ENTIRE WORKS



DETAILS OF SURFACE FINISHES  
SCALE: 1:100



TYPICAL SECTION THROUGH CATTLE CREEP  
SCALE: 1:100

AS BUILT DRAWING

## Assessment by the Scottish Environmental Protection Agency (SEPA)

The possibility of making a cutting through the sound bund between St. Michael's Road and the underpass was investigated. It was reported that previous severe storm conditions had caused a flash flood to pass through the underpass, from the hill to the west, carrying with it a lot of silt. SEPA were asked for their views on the possibility of future floods. Part of their response is given below.

### 1. Flood risk

1.1 We understand that this possible development proposal is to open up an existing underpass under the A92 road to create a link between the town of Newtonhill and Cammachmore as set out in your submitted report (revision 16, April 2019).

1.2 After reviewing the information provided, it is noted that parts of the application site on the west side of the present underpass lie within the medium likelihood (0.5% annual probability or 1 in 200 year return period) surface water flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding. (For background information please note that the SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland).

1.3 From map information we hold, it appears that the land to the west of the A92 road slopes steeply down towards this underpass, in a south-west to north-east direction. We note your report states that "It can be seen that water collects in the underpass. The floor of the underpass slopes down towards the Newtonhill end and water tends to enter at the far end and collect near the steps. There is an opening to a drain on the right of the bottom step". The collection of water in the underpass is illustrated on Figure 6. It is stated that this drain "empties to the Elsick Burn" which lies to the east of Newtonhill.

1.4 It appears that part of the proposal is to remove one flight of steps from the eastern, Newtonhill side of the underpass, although a flight of steps would still be left in place and they, and the embankment, would continue to act as a barrier to any discharge of any surface water to the eastern side of the underpass and the adjacent houses and school. It therefore appears that there would be no change in the flood risk within this area as a result of the development proposal.

1.5 We would wish to ensure that any pluvial (surface water) hazard is recognised and considered, and in most cases surface water flooding can be managed through appropriate drainage. In this case, we understand that it is proposed as part of the development that the underpass drainage issues are addressed and, in the first instance, a drainage investigation is proposed to consider this further. However, as highlighted above, we consider surface water drainage and flooding to be the remit of local authorities. Therefore, we would recommend that the applicant consult with the Flood Risk Management Team of Aberdeenshire Council who may have a greater local knowledge of the site and who we consider are better placed to provide more detailed advice on any proposed surface water mitigation measures or drainage proposals.

## Access to the underpass from Newtonhill Farm.

The western end of the underpass is generally overgrown. There is a slope from the underpass that leads up to the farm buildings. There is planning permission for redeveloping the farm buildings and the owner has expressed a wish that access to this new development be closed off from the underpass.

## Walking paths and tracks

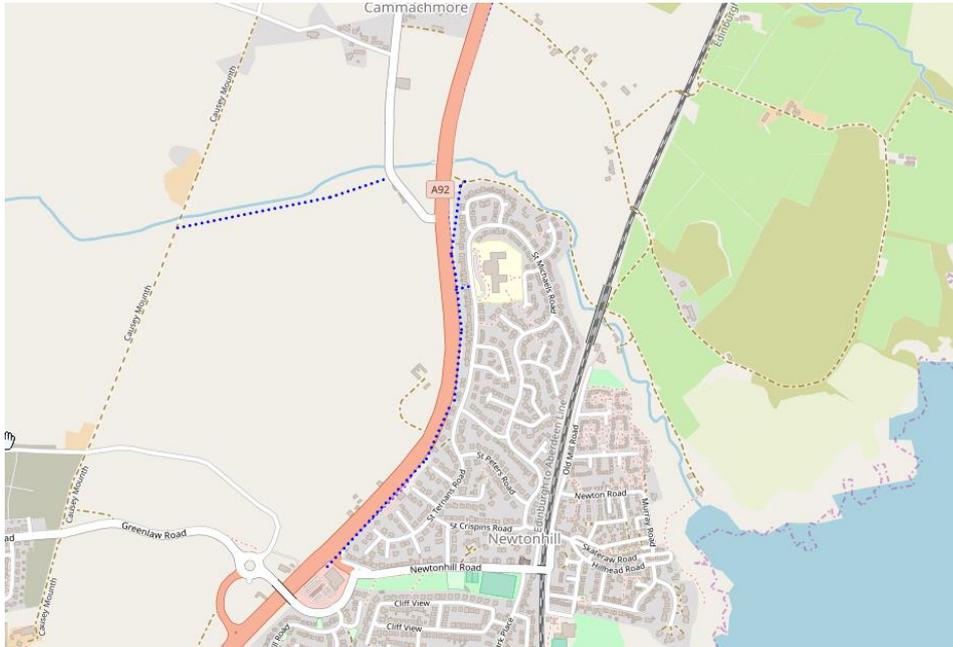


Figure 9 Paths and tracks

## Proposed Layout and changes

The Community Council is working on a project to connect Newtonhill Primary School to Cammachmore making optimal use of the underpass and to enable a 'Safe Route to School'. Figure 10 shows the proposed route for a footpath linking Newtonhill and West Cammachmore. At present the western end of the underpass has a path turning south towards the farm steadings. We would like to create a path turning north going directly to Cammachmore, by the garage. This path would be improved if it ran inside the fence of the large field, with the large Chapelton bill-board, as it would be sheltered from the A92 traffic. This route is similar to one proposed as part of the Chapelton development. The Community Council has approached the Duke of Fife with this proposal and response from Elsie Estate has been very positive.

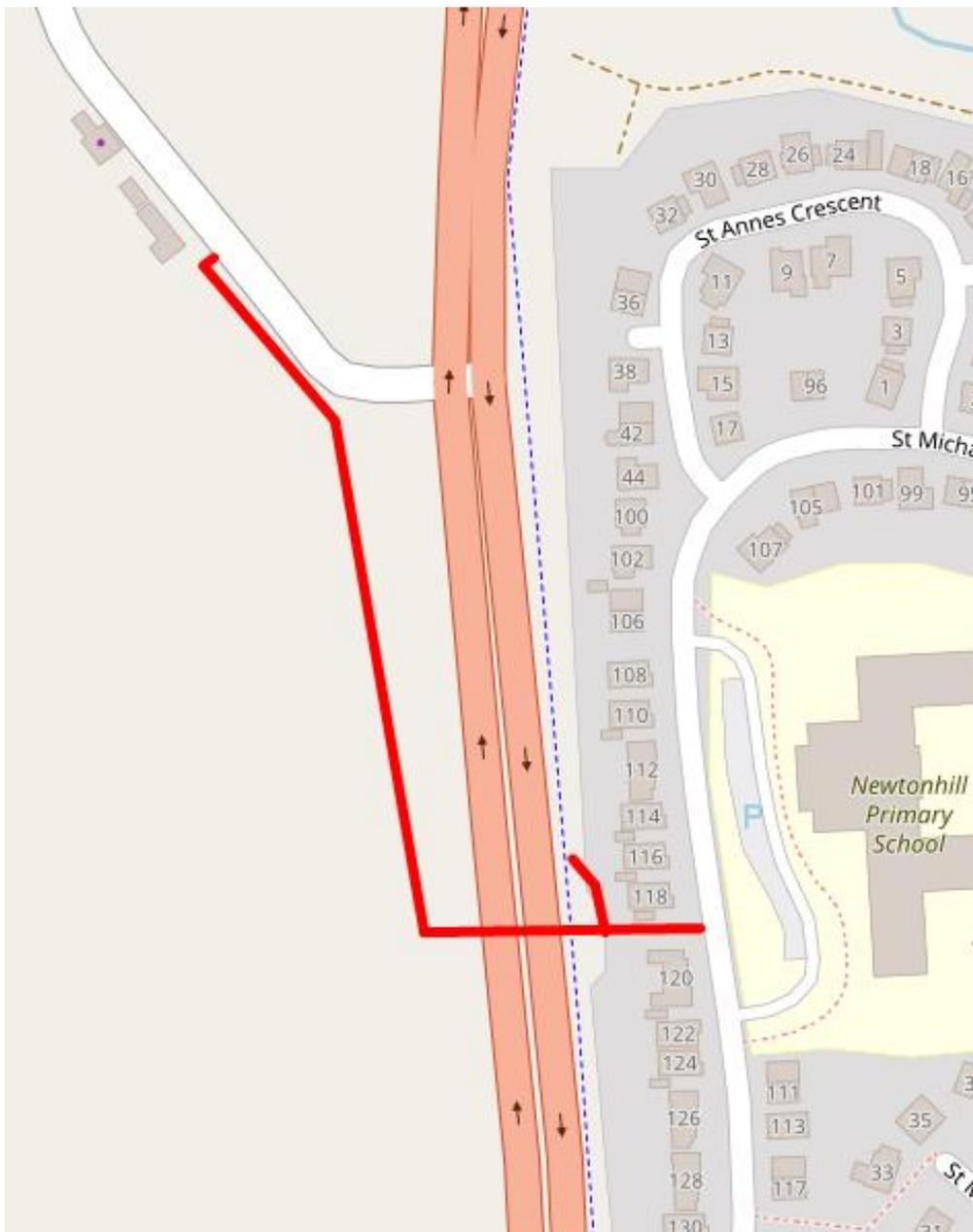


Figure 10 Proposed new route for linking Newtonhill and Cammachmore

A feasibility study is required to determine what work is required to achieve the desired route. Access via the gap in the fence between the A92 and Newtonhill will need to be improved and the drainage problems addressed.

There are a couple of areas where the proposed scheme could go wrong which should be considered at this stage. Firstly, if the drainage cannot be sorted out on a permanent basis then alternative arrangements to raise the footpath through the underpass may be necessary. Secondly if the excavations hit rock then either costs go through the roof or the plans would need serious revision. Any changes to plan at the construction stage would involve a delay which always drives up costs.

In both of these instances it would be better to know the answer before inviting quotes. The very worst outcome is to present the contractor with an un-costed change order which is the contracting equivalent of a blank cheque. Therefore, the drainage should be investigated to the point of having a reliable way forward at an early stage, independent of the main works. Also, it would seem prudent to consider digging a couple of trial pits on the west side on the route of the proposed footpath as it rises from underpass to field level. This would be a quick exercise with a JCB, digging down to a predetermined depth to check for rock and then backfilling the holes. Because the raised ground on the east side is man-made ground placed to provide a sound barrier it should be a safe assumption to make that there will not be solid rock present at the ground level that we would need to dig down to.



*Figure 11 View from A92 towards the underpass steps*

## Proposals for the entrance from Newtonhill

Original plans to create a cutting through the sound bund have been rejected on advice from SEPA.

## Bear Scotland

The Community Council has approached Bear Scotland, who said that they would be happy to support the access upgrade at this location. They have suggested that we have a meeting once we have a formal plan in place.

## Land Ownership

The Duke of Fife has provided the following information on land ownership:

### SUMMARY OF CURRENT POSITION – AS AT MAY 2012

In simple terms, access to and from the underpass is covered by the general law on rights of access and use of the pass itself is under the control of Transport Scotland.

Land Ownerships: - see plan attached (Underpass Ownerships 2012.pdf)

- A. As regards land ownership on the east of the underpass, George Saunders had owned the land on the east of the underpass but then in 1972 he conveyed that to Skateraw Development Company Limited. Then in 1990 Skateraw conveyed to Headland Properties (now Stewart Milne Group (“SMG”)) the development site on the east of the A90, and then in 1992 Skateraw conveyed to Headland the approach on the east side of the underpass. If you look at the attached Plan the areas owned by Headland around the approach to the underpass are shown coloured green – any gap between the green area and the underpass is still registered in Skateraw’s name (unless acquired by the Secretary of State for Scotland for road widening when the A90 was re-aligned (see below)). Skateraw Development Company Limited is still a registered company (company number SC050343) so is still proprietor of any residue of land not conveyed off to Headland or acquired by the Secretary of State for Scotland.
- B. As regards the land on the west of the underpass, in 2002 the executors of George Saunders conveyed the Newtonhill Farmhouse subjects to Mrs Carol Kinghorn of Craigfern House, Newtonhill – the subjects conveyed to Mrs Kinghorn appear to include the track on the west of the underpass to the point it meets the underpass.

A ScotWays report of 13 December 2010 states that the Newtonhill underpass was not a recorded public right of way. (It is possible it might be an unrecorded right of way if it meets the criteria set out in the ScotWays report). However, this is probably immaterial as, so far as the underpass is located under the A90 road, the roads department at Aberdeenshire Council have confirmed that the underpass forms part of the A90 infrastructure which is managed by BEAR Scotland on behalf of the trunk road authority, Transport Scotland.



Belongs to Carol Kinghorn

Land between A90 and green areas belongs to Skateraw

Underpass land belongs to State where widened from old A90. Appears there's no title to that under old A90.

Pink area belongs to SMG

Green areas belong to SMG