



Agenda item 5

Appendix 4b

2025/0167/DET

Representation – support

**Cairngorms National Park
Planning Application 2026/0167/DET
Construction of a hill track, Pitmain and Glenbanchor Estate
Representation from Dave Morris**

Summary and context

I support this planning application, with qualifications. Although there will be significant impacts on natural heritage values and their enjoyment I recognize there are also potential advantages from the provision of this track, from the perspective of woodland development, deer management, crofting activities and some aspects of outdoor recreation. These benefits potentially outweigh the disadvantages. However, this will only be the case if the qualifications that concern me are properly addressed through appropriate planning conditions and other measures. If this is not possible then my representation on this planning application should be regarded as an objection.

It should be noted that this planning application was preceded by an earlier planning application for a vehicular track which had a similar aim of connecting Glenbanchor and Pitmain. This was to be located at a higher position on the hillside to the north west of the present proposal, up to 1km away, but in a much more intrusive and damaging position (planning ref 2022/0421/DET). This application was refused on 28 April 2023 by unanimous decision of the planning committee. The decision letter indicates that the planning application was found to be contrary to Policies 3, 4, 5, 13, 14, 20 and 29 of the Scotland wide National Planning Framework 4 (adopted by ministers in Feb 2024) and Policies 2, 3, 4, 5 and 10 of the Cairngorms National Park Local Development Plan 2021. These policies covered matters relating to landscape character and impacts, rural development and economic growth, protection of biodiversity, climate emissions and impacts on peatland.

Given the long list of Scottish Government and National Park policies that the previous application was not compliant with, it would be expected that the current planning application would have addressed all these issues. It is therefore surprising that the documents that support this application are somewhat deficient, apart from a comprehensive report on biodiversity aspects. There is no overall statement to explain why this track is needed, apart from some aspects of forestry management, no landscape impact appraisal, no reference to outdoor recreation, no reference to crofting activities and their interaction with this proposal and no reference to climate change and peatland issues. There are also some errors as regards track alignment and classification.

Nevertheless, despite these deficiencies, I believe that a satisfactory solution can be found, providing a comprehensive set of planning conditions can be agreed upon and enforced.

I note that the decision of the CNPA to call in this planning application was based on the following statement: “the application raises a planning issue of general significance to the park aims for the following reasons: **Application for the construction of forestry extraction track and track upgrading for forestry purposes which could have a potential impact upon natural heritage and/or landscape sensitivities; the application is considered to raise issues of significance to the collective aims of the National Park.**”

In commenting on the application I therefore think it is appropriate to relate this proposed development to wider land use issues on the Glenbanchor/Pitmain estate. Of particular importance is the relationship of track development and management to outdoor recreation as well as the potential role of this track in regard to deer management. These are all issues of central importance to the aims of the national park and the role of this estate in safeguarding natural heritage and cultural values, including landscape, as well as public enjoyment for local people and visitors.

Until fairly recently Glenbanchor and Pitmain were separate estates, under different ownership. In 2017 Pitmain estate was extended by the purchase of Glenbanchor estate so that both areas (nearly 5,000 hectares in total) are now under the ownership of Majid Jafar, a businessman from the Middle

East, whose main residence would appear to be outwith Scotland. The estate management is under the control of Savills via their Perth and Inverness offices.

Forestry purpose

It is unclear, from a forestry perspective, why this track, stretching for around 4 km across mainly open moorland is needed. There appears to be no obvious reason why trees from the two forestry plantations at either end of the track all need to be transported, one way or the other, across this moorland. The western block can be extracted down Glen Rd onto the main road in the centre of Newtonmore while the eastern block can be extracted down to Ballachroan and the main road just north of Newtonmore or by other tracks which arrive in or close to Kingussie.

The application makes reference to future forestry proposals, potentially involving timber extraction and re-planting on the Glenbanchor section of the estate. Again, such timber can be extracted via Glen Road. Note that the previous planning application made reference to extraction down Old Glen Road. That was clearly a mistake as OGR is a minor, unadopted road with sharp bends and a very bad road surface. Glen Road is the route used by all large vehicles, including oil tankers, agricultural and construction vehicles, removal vans etc. Timber extraction by this route would only require the removal of a few overhanging limbs on the veteran birch trees on the moor close to the plantation requiring extraction.

Most of the forestry plantations on Glenbanchor have been subject to severe damage from windthrow over the last 20 years. Much of the fallen timber has been lying on or close to be ground for many years. All of the plantations have fences that are no longer deer proof and are used by red and roe deer in winter for shelter. From a general land use perspective it may be better to leave much of this woodland in its present state as continuing shelter. The deer have nowhere else to go in winter, except bare overgrazed hillsides.

Furthermore, the cost of removing the timber from these various plantations is unlikely to cover the cost of construction of the proposed track across the moor. It is obvious that one of the primary aims of the proposed track is likely to be for transporting guests for game bird shooting and deer stalking, along with the associated estate management activities. The proposed track would provide a vehicular connection between the Pitmain and Glenbanchor sectors of the estate without vehicles having to divert into Newtonmore to make this connection via the public road network. There is no reference to this potential use in the planning application.

The planning application makes reference to potential future forestry planting on Glenbanchor. As far as I am aware no forestry grant approvals have been given for such forestry and it is unlikely that such approvals will be given in future if the purpose is the production of timber for commercial purposes. In January 2025 the UK Climate Change Committee, when considering the land use changes needed to meet climate change mitigation objectives, indicated that a substantial increase in tree planting across the UK was needed. But they emphasised that this needed to be on mineral soils and not on organic or organo-mineral soils. Future forestry for commercial purposes, especially timber production, is therefore likely to be focussed on lowland, non-peaty areas. Places like Glenbanchor are much more likely to be developed with native, naturally regenerating woodland, primarily for biodiversity recovery and carbon capture through whole ecosystem approaches. Such a land use pattern would not need any new timber extraction tracks.

Notwithstanding the above comments about woodland, it should be recognised that a new track across the moor to connect the Glenbanchor and Pitmain sectors could be useful from the perspective of deer management, recreational shooting activities, crofting activities and outdoor recreation. There is no other vehicular route which at present connects these to sectors, other than by descending into Newtonmore and Kingussie and accessing the public road network. Traversing between the sectors today is by non-motorised means, usually on foot, ski or horseback.

Track width and surface

No information is provided in the planning application as regards track length, borrow pits, passing places or the proposed width or construction method. Throughout most of its length this track, whether it is built as a new track or on the alignment of an existing track, should be a maximum 2.5 metres in width. This would be sufficient for normal vehicular use, as in the rest of the estate. In addition a centre strip of grass should be established along the whole length of the track. These measures involving width limitation and grass strip would greatly help in integrating the track into the wild landscape of the moorland and also provide a good surface for non-motorised public access. A wider width would be appropriate in those sections where lorries are needed for tree extraction – this should only be required within the woodland at the western end of the track plus the connection to Glen Road and within the woodland at the eastern end where there is already direct access onto the existing track network.

The track surfaces on this estate are very variable. Over most of the estate there is a lot of loose material, stones and small boulders on track surfaces. While this may be satisfactory for vehicular use it diminishes the enjoyment for other, non-vehicular users, notably those who use the track system for walking, cycling, skiing or horse riding. Improvements in the surfaces generally on the estate would be welcome, as found on many estates elsewhere in the National Park. A higher quality surface therefore should be an essential requirement for any track approved under this planning application.

It should be noted, however, there are some tracks on this estate, notably those following traditional routes from the village into the hills, that have a very good grassy surface, extending across much of the track width, which is excellent for non-vehicular users. Every effort should be made to protect those surfaces where they are an integral part of this planning application. It should be noted that one of these tracks, going along the eastern flank of the Allt na Loinne only goes as far as the water reservoir/tank. The planning application is incorrect in showing the next section, going up to the forestry plantation, as an existing track. It is a narrow path for most of its length, not a track, albeit that there is some use of adjacent vegetation by argocat or quad bike.

There is also an existing grassy track going up the western flank of the Allt na Loinne and crossing the Allt na Feithe Buidhe which is the traditional route of ascent from this part of Newtonmore to the hills and summits beyond, including A'Chailleach. This is the track which it is proposed in the planning application should be discontinued, with the ground reinstated. My view is that should not happen – it would be better for that track to remain, managed in the same way as now, providing an excellent surface for outdoor recreation use as well as vehicular access for the crofters. This is not the same as other situations in the National Park where new tracks have been justified on the basis that some old tracks, usually badly constructed in high altitude locations, are discontinued and the ground reinstated. In the case of Pitmain/Glenbanchor the best option would be to retain the track

on the west flank of the Allt na Loinne, linking it into the new track at the location proposed in the planning application. This would then provide a circular route for outdoor recreation users wanting a short excursion from the Strone Road end of Newtonmore, as well as retaining the high quality access route to and from the hills above via the west flank of the Allt na Loinne. This track which should be retained is also set down into the moorland, retaining snow when that is thin on the surrounding land and so providing a good ski route across the moor.

Deer management

The proposed track ought to improve the effectiveness of deer management on this estate, allowing more flexibility and efficiency in the deer culling process, especially in winter, so that deer stalkers can move more easily by motorised access across the low ground. This is important in view of the massive size of red deer populations on this and neighbouring estates. The resulting grazing pressure is preventing tree and shrub regeneration over most of the estate, along with the heavy trampling of peaty areas and landslip problems. Ideally there needs to be agreement between the estate and the CNPA on how these deer numbers are to be reduced, within an appropriate timescale, before any planning approval for this track is granted.

Crofting

It is anticipated that the proposed new track across the moor will assist crofting activities, notably the management of sheep and cattle, maintenance of fencing and management of the nearby birchwoods. The opportunities for expansion of these native woodlands is recognised in the ecological report (Preliminary Ecological Appraisal and National Classification Report by ENVIROCENTRE) and there needs to be agreement with the CNPA on where fencing is to be located to encourage this expansion.

There is some confusion in the proposed alignment of the new track as it crosses the moor at the western end. One aerial photo (Aerial No. 2) shows the route passing to the north west of the sheep fank and to the left of a small hut, whereas another photo (Aerial No. 6) shows the proposed track passing through the middle of the sheep fank, to the right of the same hut. Presumably the correct alignment is to the left of the hut, outside the fank, but this needs to be clarified.

Outdoor recreation

The area of the proposed track development is adjacent to the settlement of Newtonmore and close to Kingussie. It is the prime location for outdoor recreation use, throughout the year, with much of that use based on the extensive track system around Newtonmore and Kingussie and the network connecting the two villages. The Wildcat Trail, a circular route around Newtonmore, runs parallel and close to the proposed track in the moorland section. It is a core path (UBS2) but would not be directly affected by the track. There are however a number of farm tracks which cross the Trail which are used by the crofters and people taking non-vehicular access for recreation purposes. All these tracks need to link into the proposed new track by appropriate fencing and gates, agreed with the CNPA. Many people will want to use a combination of the Trail and new track, especially when sections of the Trail get very muddy during wet weather.

Another core path (UBS34) runs along the length of the existing track and path on the east side of the Allt na Loinne. It will therefore be directly affected by any construction work carried out for the proposed new track. Such work should be kept to a minimum, helping to

maintain the grass covered character of the existing track which leads up to the Scottish Water reservoir/tank. This is a very well constructed track and is probably maintained by SW.

Biodiversity

The comprehensive report prepared by ENVIROCENTRE is adequate for adjusting the track alignment slightly during construction in order to avoid sensitive habitats and soils. The exact line needs to be agreed with the CNPA before construction starts and marked out with pegs along the whole route.

Compliance

I have some concern that planning conditions agreed by the planning committee might not be acted upon by the applicant. This reflects my own experience in dealing with this estate. For example, further up Glen Banchor there is a woodland creation project and associated placement of Large Woody Structures in the River Calder. The project is led by the Spey Catchment Initiative, with partners and includes a financial contribution from the CNPA. The placement of these structures in the river in 2021 has led to some diversion of the river's main flow so that it has seriously eroded the bank adjacent to the main track up the glen. I understand this risk of diversion was recognised before the project started and Glenbanchor/Pitmain estate agreed to do work to the bank to prevent it being eroded. It appears that they failed to do this work before the structures were put into the river, contrary to the agreement. They have now done some patching of the bank where the river has eaten into the track but it does not look as though this repair will survive high river flow, with serious consequences for the track.

Another track problem is further up the glen, near an abandoned farm house at Glenballoch (grid ref 681 994), where a vehicular bridge has a number of missing or rotting planks, making it a hazard for non-vehicular users. It is a core path connecting Newtonmore with Laggan and is part of the East Highland Way, one of Scotland's more important long distance walking/cycling routes. I wrote to Savills earlier this year (29 Jan) about both the river erosion and the bridge. This is what I said about the bridge: "Further along this track is a bridge close to Glenballoch, at grid ref 681994, which has been in need of repairs to the surface for some considerable time. Photo 5 show just one of several holes in this bridge through which the river can be observed flowing beneath. When does the estate intend to fix this long standing problem? At the very least some sheeting needs to be fixed over these holes before a foot, wheel or hoof goes through with serious consequences".

The response from Savills on 13 Feb simply said, as regards the bridge, "Quotes for the bridge repairs are being obtained as part of the Estate's programme of repairs." Nothing further appears to have happened, not even the temporary covering of the various holes with sheeting.

With this experience of dealing with Savills on such track matters within the last few months there must be some concern that difficulties will arise over a much more significant track construction project. The CNPA needs to take account of this when determining the planning application and considering any planning conditions.

I hope this application goes before the planning committee for determination. If so I request an opportunity to speak to the committee in support of this written representation.



Cairngorms National Park

Planning application 2025/0167/DET

Representation from Dave Morris

I previously made a representation on the original planning application and this was published on the CNPA website on 11 August 2025. I have the following further comments.

I welcome the changes made by the applicant and support in principle the proposed new alignment and associated changes.

I advised that the proposed track should be no more than 2.5 metres in width. I accept, however, that for use by timber lorries this may have to be 3.4 metres in width. This however reinforces the need to mitigate the landscape impact and loss of natural habitat by requiring as a planning condition that the track has a central strip of heather or grass established throughout the length of the proposed track. This is a feature of some existing tracks on the moor and helps to reduce the environmental impact and improves the recreational experience of persons using such tracks. I note that similar advice has been given by the CNPA's landscape adviser and published on the website.

I note concerns being expressed by CNPA advisers on the need to be very careful to minimise or avoid damage to peat or peaty soils. I agree with this advice which reinforces my earlier suggestion that the full length of the proposed track is pegged out on the ground. This would allow for slight variations in the track alignment to avoid such soils. It would also provide for a slightly more sinuous route along the eastern section of the track which would improve its integration into the landscape and enhance the recreational experience when crossing the moor – at present the alignment is a very straight line which would be better if some curvature was built into the route, both in order to enhance its recreational value and to avoid the wet/peaty areas at a micro level.

I note some concerns expressed by CNPA advisers on the lack of information and proposals as regards biodiversity enhancement as an integral part of this proposed development. I agree with these concerns which also reflect the concerns I expressed in my earlier representation as regards overgrazing in this area by deer and sheep. There is massive overgrazing by deer in the moor and mountain tracts of Glen Banchor as well as some welfare issues as regards sheep grazing – during the last 12 months in excess of 20 sheep have died on this estate, presumably due to lack of shelter or food. I do not think this planning application should be approved until the applicants have demonstrated how they are going to solve these problems by, in the case of deer, making a substantial increase in culling, taking account of NatureScot advice in this regard, and as regards sheep and cattle grazing, making improvements to stock fencing and other measures to bring agricultural operations up to standard.

The planning committee should also note that one of the worst examples of a wildfire took place in Glen Banchor last spring. This was during the annual muirburn when a fire got out of control and burnt up to the summit area of Creag na h-Iolaire, damaging moorland and cliff face habitats, including regenerating birch and rowan trees on the cliffs.

These issues of overgrazing and improper muirburn need to be addressed by the National Park and, if biodiversity enhancement is going to be a key element in rural development projects, this planning application is a good opportunity to demonstrate how to achieve this, with advice from NatureScot.

Finally I am concerned by the proposals contained within the forestry plan associated with this planning application. It shows an intention to fell significant amounts of timber in five plantations further up the glen beyond the plantation at the western end of the proposed new track. No information is provided on how that timber, much of it damaged through windthrow, is going to be extracted from these plantations. Presumably this can only be done by using the existing tracks and bridges or by building many kilometres of new track across the moorland. The existing tracks and bridges are not in great condition – in my earlier representation I mentioned how I had reported dangerous holes in one of these bridges in Jan 2025 to the estate managers. It took a further 12 months for any repair work to be carried out on that bridge.

Furthermore I have considerable doubts about the replacement and extension of these plantations, which have long been a serious visual intrusion into the wilder parts of the glen, with more plantation forestry, albeit with native species. It would be far better to get the deer grazing down to levels that allow for the natural regeneration of the existing native woodlands and areas of juniper scrub etc, by culling not fencing, with huge biodiversity gains as a result. This is being achieved elsewhere in the National Park and the time for such management on the Pitmain/Glenbanchor estate is long overdue.

The conclusion must be that any approval for the track that is the subject of this planning application must be dependent on agreement being first reached with the CNPA on all these fundamental aspects of land management in the upper part of Glen Banchor.