

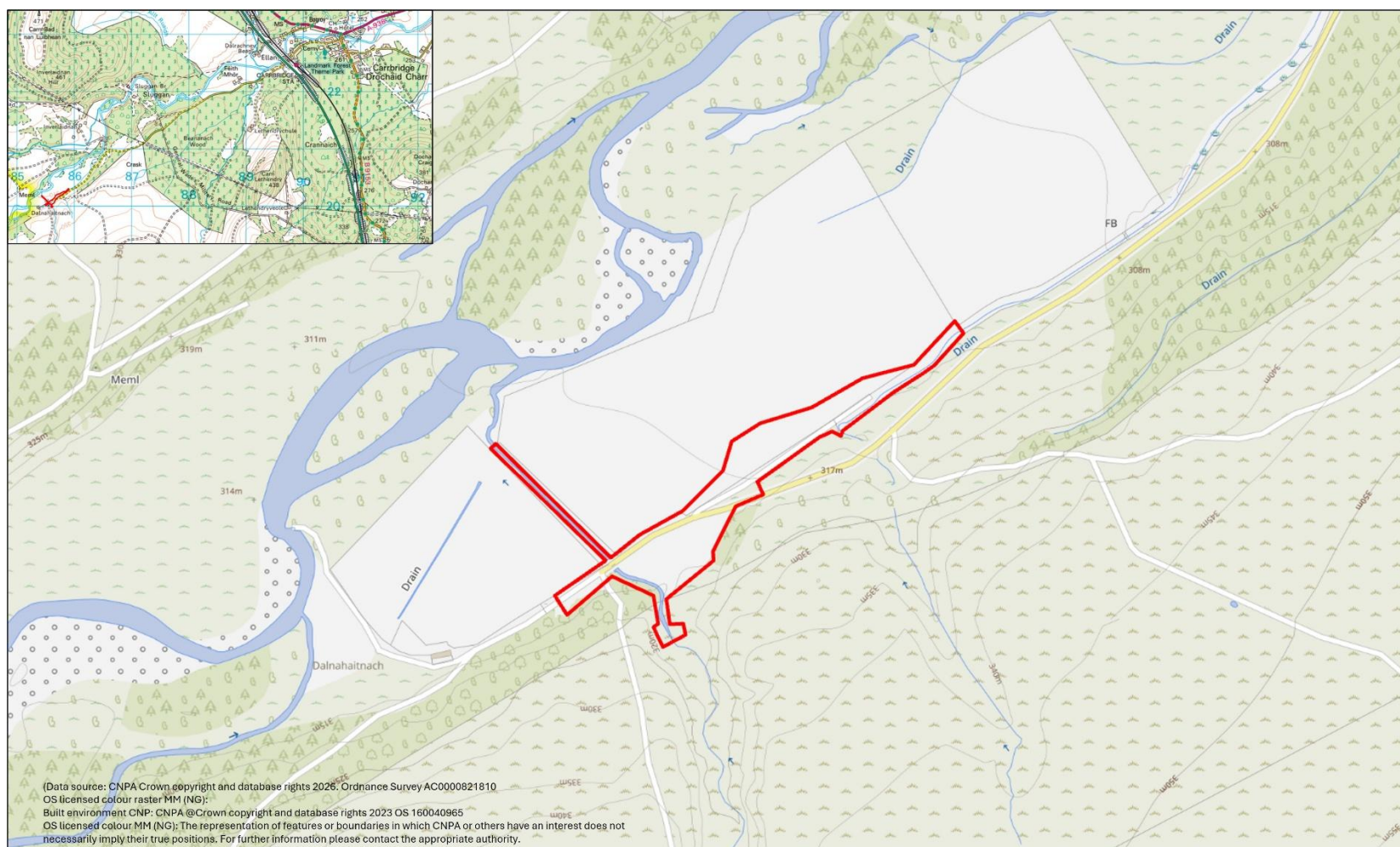


Committee report

Development proposed:

Slugain Burn Restoration Project: River channel realignment, habitat restoration, road realignment, revised river crossing and installation of culvert at Land 1.4km SW of Inverlaidnan Station Road – Dalnahaitnach, Carrbridge, Highland

Reference:	2026/0160/DET
Applicant:	Cairngorms National Park Authority
Date called-in:	25 May 2026
Recommendation:	Approve subject to conditions
Case officer:	Katie Crerar, Planning Officer



This map has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.



Site description, proposal and history

Site description

1. The development site lies approximately 4 miles southwest of Carrbridge at Dalnahaitnach. The western side of the site comprises approximately 240m of the lower reaches of Slugain Burn – approximately 75 metres upstream (to the south) of an existing low clearance bridge and 165m of straightened embanked channel (to the north) which then follows a more natural meander to its confluence with the River Dulnain (outwith the site).
2. The application site also comprises a 100m section of minor road U2239 between Carrbridge and Dalnahaitnach. There is a low clearance bridge at the southwestern end of the application site which connects the road from the east to a small informal car park at Dalnahaitnach.
3. Surrounding the Burn and road is largely rough grassland and agricultural fields. The site sits at the transition point between the River Dulnain's flat, grassed floodplain used for grazing, and the upland heather moorland. There is a small group of mature Scots Pine trees around the upper part of Slugain Burn.
4. Slugain Burn and the River Dulnain are both part of the River Spey Special Area of Conservation (SAC). The site also sits within Kinveachy Forest Special Protection Area (SPA), SAC and Site of Special Scientific Interest (SSSI).

Proposal

5. The drawings and documents associated with this application are listed below and are available on the Cairngorms National Park Authority website unless noted otherwise:

[2026/0160/DET | Slugain Burn Restoration Project: River channel realignment, habitat restoration, road realignment, revised river crossing and installation of culvert | Land 1.4km Sw Of Inverlaidnan Station Road - Dalnahaitnach Carrbridge Highland](#)

Title	Drawing number	Date on plan*	Date received
Plan – Site Location Plan	PQZ-JBA-00-00-DR-C-001-	29/04/2026	22/05/2026



	Site_Location_ Plan		
Plan – Proposed Site Layout: General Arrangement 1	PQZ-JBA-00- 00-DR-C-003- General_Arrang ement_1_of_2	29/04/2026	22/05/2026
Plan – General Arrangement 2	PQZ-JBA-00- 00-DR-C-004- General_Arrang ement_2_of_2	31/03/2026	22/05/2026
Plan – Proposed General Plan – Non-technical overview	PQZ-JBA-00- 00-DR-C- 0012-Non- Technical_Over view_Plan	31/03/2026	22/05/2026
Plan - General Plan – Structural General Arrangement	PQZ-JBA-00- 00-DR-S-013- Structural_Gen eral_Arrangem ent	31/03/2026	22/05/2026
Plan – Step pool details	PQZ-JBA-00- 00-DR-C-011- Step-Pool- Details	31/03/2026	22/05/2026
Plan – Site Clearance	PQZ-JBA-00- 00-DR-C-002- Site-Clearance	29/04/2026	22/05/2026
Plan – Section Plan (Standard Details)	PQZ-JBA-00- 00-DR-C-010- Standard- Details	31/03/2026	22/05/2026
Plan – Sections 1	PQZ-JBA-00- 00-DR-S-014- Sections_1_of_ 2	31/03/2026	22/05/2026



Plan – Sections 2	PQZ-JBA-XX-XX-M3-S-0001-Design PQZ-JBA-00-00-DR-S-015-Sections_2_of_2	31/03/2026	22/05/2026
Plan – Section Plan Channel 1	PQZ-JBA-00-00-DR-C-005-Channel_Long_Section_1_of_2	31/03/2026	22/05/2026
Plan – Section Plan Channel 2	PQZ-JBA-00-00-DR-C-006-Channel_Long_Section_2_of_2	31/03/2026	22/05/2026
Plan – Road Long Section	PQZ-JBA-00-00-DR-C-007-Road_Long_Section	31/03/2026	22/05/2026
Other – Planning Design and Access Statement	NBE-JBAU-XX-XX-RP-EN-0003-PDAS	01/04/2026	22/05/2026
Other – Flood Risk Assessment	PQZ-JBA-XX-XX-HM-0001	01/04/2026	22/05/2026
Other – Ground Investigation Report	PQZ-JBA-XX-XX-RP-GT-0004	01/03/2026	22/05/2026
Other – Preliminary Ecological Appraisal	PQZ-JBA-XX-XX-RP-EN-0002-PEAR	04/02/2026	22/05/2026
Other – Species Protection Plan	n/a		22/05/2026
Other – Dalnahitnach Wader Survey	n/a		22/05/2026
Other – Salmonid Surveys for Slugain Burn	n/a		22/05/2026



Other – Supporting Statement	n/a		08/09/2026
------------------------------	-----	--	------------

*Where no specific day of month has been provided on the plan, the system defaults to the first of the month.

6. This application seeks planning permission for the realignment of the lower section of the Slugain Burn river channel along with the realignment of a section of minor road (U2239) and the creation of a new river crossing near Dalnahaitnach.
7. Slugain Burn drains an upland catchment of 5.4km² and transports a large sediment load downstream. The Burn was historically straightened and reprofiled with embankments where it crosses the Dalnahaitnach floodplain to its confluence with the River Dulnain.
8. Upstream of the straightened channel, the burn flows under a low clearance bridge which according to the applicant's supporting information causes water to back up and sediment deposits which have required regular dredging. The burn has breached its eastern bank upstream of the bridge more frequently in recent years causing flooding and sediment deposits on the road and in the fields to the east.
9. The Slugain Burn restoration project aims to restore natural river and floodplain processes, improve and create habitats and create a low-maintenance and resilient watercourse.
10. The proposal will lengthen the lower section of Slugain Burn where it crosses the Dalnahaitnach floodplain from approximately 165 metres of straightened, perched and embanked watercourse to approximately 1.5km long channel to the northeast where geomorphic processes can evolve more naturally to create diverse habitats within the channel and deliver better floodplain connectivity.
11. The realignment will be done by diverting the Slugain Burn into a new channel which will connect with an existing minor watercourse to the northwest, that then links to the floodplain and River Dulnain approximately 1.5km further downstream.
12. The course of the new realigned burn is split into three reaches. The first is the upstream reach which comprises of 80m of a step-pool system of varying dimensions to create a more natural form through this section. Step pools consist of alternating vertical drops over large rocks and boulders and pools of deeper water. The steps will be between 20 and 30cm high and between 5 and 7 metres apart. The deepest point of each step will be 0.6 metres. This section will be set within a two-stage channel designed to contain a 200-year flood risk plus climate



change flow. The bed of the new channel will be made from dredged material from the site and the bed and the embankments of the existing channel.

13. The next stage or 'middle reach' continues along the newly excavated channel and transitions into a pool and riffle formation which consists of a sequence of areas of deeper water (pools) alternating with areas of shallower water created by coarse gravel material (riffles). The Planning, Design and Access Statement states that, this system will 'provide fish and insect habitat and help to oxygenate the water'.
14. The channel then joins the pre-existing minor watercourse in the final 'lower reach' which it will follow to its confluence with the River Dulnain. The downstream channel of the burn will be left to evolve naturally over time across the floodplain where the water will be able to then reshape the channel's bed materials and form its own channels down to the confluence with the River Dulnain.
15. A bund will be formed along the northwestern edge of the realigned burn at the step pools section and further earthworks will be undertaken to create the channel and pool-riffle section beyond it.
16. In addition to the realigned channel, a 100-metre section of the existing road (U2239) to Dalnahaitnach will be removed and realigned with a new crossing over the burn channel that can withstand future flooding (1 in 200 year) and climate change impacts. The new crossing will be created using a long box concrete culvert unit with supporting headwalls. The culvert will be 5.1 metres wide, 2.15 metres high and 4.5 metres long. The new 3.3m wide road will be edged by grassed slopes and finished in asphalt in keeping with and connecting to the existing road. Under the crossing, the channel of the Burn will have a cast in situ base slab and walls. The area between the channel and realigned road will be regraded into a slope.
17. The section of existing road that has been realigned will be removed and infilled and the existing bridge will be demolished. The redundant burn channel will be infilled with locally won material, and the road will be reinstated over where the bridge previously was. There will be post and wire fencing installed across the infilled straight channel as well as along the left bank of the new connecting channel to maintain the existing field boundary.
18. The informal car park will be retained. The banded gravels within the car park will be re-distributed to create a flat surface for parking.

History

19. There is no recent planning history on or near the application site.



Habitats Regulations Appraisal

20. A Habitats Regulations Appraisal (HRA) has been undertaken to consider the potential effects of the development upon the conservation objectives of the European sites listed within the HRA document, which is attached as **Appendix 2**.
21. Slugain Burn is a designated tributary of the River Spey SAC, which is designated for its Atlantic salmon, freshwater pearl mussel, sea lamprey, and otter interests. Realignment works along this historically straightened section of the Slugain Burn will directly impact the River Spey SAC. There is the potential for short term effects from construction activity including disturbance, pollution and from the loss of the existing lower Slugain Burn which will require mitigation measures to be conditioned. However, the proposal aims to reinstate natural geomorphic processes, enhance habitat provision and diversity as well as contributing to natural flood risk management and improving climate change resilience. Therefore, it is deemed that this river restoration work should improve suitable habitat diversity and potentially increase distribution of qualifying interests.
22. Construction activity will take place within the boundaries of Kinveachy Forest SPA, designated for capercaillie and Scottish crossbill. It is possible that construction activity during the breeding season could lead to disturbance. However, due to existing recreational use by walkers/dog walkers, the proposed construction activity within the development site will not significantly increase the risk of disturbance to breeding capercaillie that could result in a change in the distribution of capercaillie within the SPA or the wider capercaillie metapopulation.
23. A number of mitigation measures are proposed which should be secured by condition. These include pre-construction checks for protected species, a pollution prevention plan with measures to control pollution and mobilised sediment (which will be included within a Construction Environmental Management Plan), timing works to avoid the Atlantic salmon spawning season (Mid-October to end of February), no introduction of trees, seeds or turves (to avoid introducing non-native species), avoiding any promotion of the informal car parking area adjacent to the site to avoid any additional disturbance of Kinveachy SPA and monitoring sediment erosion / deposition within the new channel for 5 years post construction to ensure there is sufficient flow depths for fish passage. This will ensure that all the conservation objectives can be met and that there will be no adverse effects on the integrity of the European Sites. NatureScot have confirmed agreement with the contents of the HRA and its conclusions.



Development plan context

Policies

National policy	National Planning Framework 4 (NPF4) Scotland 2045 (Policies relevant to the assessment of this application are marked with a cross (x))	
Policy 1	Tackling the climate and nature crises	X
Policy 2	Climate mitigation and adaptation	X
Policy 3	Biodiversity	X
Policy 4	Natural places	X
Policy 5	Soils	X
Policy 6	Forestry, woodland and trees	
Policy 7	Historic assets and places	X
Policy 8	Green belts	
Policy 9	Brownfield, vacant and derelict land, and empty buildings	
Policy 11	Energy	
Policy 12	Zero waste	
Policy 13	Sustainable transport	X
Policy 14	Design, quality and place	X
Policy 15	Local living and 20 minute neighbourhoods	
Policy 16	Quality homes	
Policy 17	Rural homes	
Policy 18	Infrastructure first	
Policy 19	Heating and cooling	
Policy 20	Blue and green infrastructure	X
Policy 21	Play, recreation and sport	
Policy 22	Flood risk and water management	X
Policy 23	Health and safety	
Policy 24	Digital infrastructure	
Policy 25	Community wealth building	
Policy 26	Business and industry	
Policy 27	City, town, local and commercial centres	
Policy 28	Retail	



Policy 29	Rural development	
Policy 30	Tourism	
Policy 31	Culture and creativity	
Policy 32	Aquaculture	
Policy 33	Minerals	

Strategic policy	Cairngorms National Park Partnership Plan 2022 – 2027	
Local plan policy	Cairngorms National Park Local Development Plan (2021) (Policies relevant to the assessment of this application are marked with a cross (x))	
Policy 1	New housing development	
Policy 2	Supporting economic growth	
Policy 3	Design and placemaking	X
Policy 4	Natural heritage	X
Policy 5	Landscape	X
Policy 6	The siting and design of digital communications equipment	
Policy 7	Renewable energy	
Policy 8	Open space, sport and recreation	
Policy 9	Cultural heritage	X
Policy 10	Resources	X
Policy 11	Developer obligations	

24. All new development proposals require to be assessed in relation to policies contained in the adopted Development Plan which comprises National Planning Framework 4 (NPF4) and the Cairngorms National Park Local Development Plan 2021 (LDP). The full wording of policies can be found at:
<https://www.gov.scot/publications/national-planning-framework-4/documents/>
 and at:
<https://cairngorms.co.uk/wp-content/uploads/2021/03/CNPA-LDP-2021-web.pdf>



Planning guidance

25. Supplementary guidance also supports the Local Development Plan and provides more details about how to comply with the policies. Guidance that is relevant to this application is marked with a cross (x).

Policy 1	Housing supplementary guidance	
Policy 2	Supporting economic growth non-statutory guidance	
Policy 3	Design and placemaking non-statutory guidance	X
Policy 4	Natural heritage non-statutory guidance	X
Policy 5	Landscape non-statutory guidance	X
Policy 7	Renewable energy non-statutory guidance	
Policy 8	Open space, sport and recreation non-statutory guidance	
Policy 9	Cultural heritage non-statutory guidance	X
Policy 10	Resources non-statutory guidance	X
Policy 11	Developer obligations supplementary guidance	

Consultations

26. A summary of the main issues raised by consultees now follows:
27. **Scottish Environment Protection Agency (SEPA)** do not object to the proposal. They are satisfied that the findings of the applicant's Flood Risk Assessment (FRA) indicate that the proposed crossing will have sufficient capacity to convey the 1 in 200 year design flows with an allowance for climate change and also an additional freeboard allowance. This is a betterment on the existing crossing and will provide a reduction in flood risk to the road at the location of the crossing, which is currently impacted by exceedance events and blockage. They add that the existing crossing should be removed as proposed.
28. **Scottish Water** has no objections, noting that no new connections will be permitted to their public combined sewer system.
29. **Spey Fishery Board** was consulted and, at time of writing, no response has been received.
30. **The Highland Council's Flood Risk Management Team** do not object to the application. They note that flooding at this location affects access along the road and regularly deposits significant amounts of sediment creating a maintenance



burden for the Council. The Team welcome the proposal to alleviate a flood risk concern in combination with the enhancement of a sensitive watercourse and valuable habitat associated with it. They support the application on account of the overall flood risk, public road and environmental benefits that it will provide.

31. **The Highland Council's Transport Planning Team** has no objection to the application and expect the proposed works to improve the resilience of the U2239 at this location and represent a positive improvement to the existing arrangement, replacing infrastructure that has been affected by flooding and sediment deposition issues. They are satisfied that whilst the proposal will replace and realign a short section of public road, it will not affect its route and will retain the informal parking at the end. The Transport Planning Team is also content that the road design including carriageway width, pavement construction, embankment design and replacement crossing is appropriate for the route. Given the remote location of the site and low levels of traffic on the road, the Transport Planning Team do not consider that a Construction Traffic Management Plan is required. They have however recommended two advisories regarding any temporary restrictions and Roads Construction Consent.
32. **The Highland Council Historic Environment (Archaeology) Team** raised that the application impacts the ruinous remains of a group of buildings that are of local historic importance. It was requested that a condition should be applied requiring detailed photographic recording of the buildings to be undertaken prior to the commencement of the development. The information was subsequently provided by the applicant and the Archaeology Officer confirmed that no condition would now be required. However, they have provided an informative note that they request is added to any planning permission.
33. **Cairngorms National Park Authority's Ecological Advice Officer** notes that a Species Protection Plan (SPP) has been provided as part of the application and sets out mitigation measures which should be conditioned and fully implemented, including pre-construction checks for protected species, having an experienced aquatic Ecological Clerk of Works present during any works in-river, and measures to control sediment mobilisation, pollution prevention and the spread of disease and invasive species. The SPP also sets out that works will be programmed to avoid the bird breeding season, the Atlantic Salmon spawning season and that a Construction Environmental Management Plan (CEMP) with Pollution Prevention Plan (PPP) will be prepared to mitigate any impacts on the River Spey SAC.
34. The Officer also recommends that there should be no promotion of the access and existing parking area for recreational use to mitigate impacts on capercaillie and other species. In addition, no seeds, plants or turves should be introduced from



outside the site to ensure that no non-native species will impact the pine woodland of the SSSI. Monitoring of sediment erosion/deposition within the new channel should also be undertaken for at least 5 years post-construction to ensure that flow depths are sufficient for fish passage through the realigned channel. If monitoring identifies restricted fish-passage or a decrease in average flows for a period lasting more than 6 months, then adjustments should be undertaken in consultation with a geomorphologist to restore fish passage.

35. Overall, the Officer concludes that the development should result in a greater diversity of naturalised habitats within the channel of the Slugain Burn and increase the extent and quality of habitat for Atlantic salmon. In addition, the works should restore better connectivity of the Slugain Burn with its floodplain and improve habitat for a wide range of species including waders and priority invertebrates.
36. **Cairngorms National Park Authority's Landscape Advisor** states that the proposed restoration works would, over the longer term, contribute to the enhancement of the landscape in this part of the National Park. They have noted one suggestion to space the riffle and step pools more irregularly along the proposed new channel to give a more natural appearance.
37. **Cairngorms National Park Authority's Agricultural Advisor** is satisfied that the proposal will build catchment resilience and creates a net gain in an area that will be available for grazing. They note that the area isn't highly productive and will not be adversely impacted by the realignment.
38. **Cairngorms National Park Authority's Outdoor Access Officer** does not object to the proposal. They note that there is a Right of Way close to and through a small part of the site but there is no established route on the ground. They do not consider that the proposal would have any adverse impact on the Right of Way or wider access in the area.
39. **Carrbridge Community Council** were consulted but no response has been received.

Representations

40. No representations have been received.



Appraisal

41. Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the Development Plan. This comprises National Planning Framework 4 (NPF4) and the Cairngorms National Park Local Development Plan 2021 (LDP). Where there is conflict between policies, NPF4 policies take precedence.
42. The main planning considerations in this case are: the principle of development; landscape; ecology; flood risk; roads and outdoor access; and cultural heritage. These are considered in detail below.

Principle of development

43. **NPF4 Policy 1: Tackling the climate and nature crises** seeks to ensure that significant weight is given to the global climate and nature crises when considering all development proposals, whilst **NPF4 Policy 2: Climate mitigation and adaptation** seeks to encourage development that adapts to the current and future impacts of climate change. **NPF4 Policy 3: Biodiversity** states that development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions where possible. **NPF4 Policy 4: Natural places** seeks to protect, restore and enhance natural assets making best use of nature-based solutions, whilst **NPF4 Policy 20: Blue and green infrastructure** seeks to protect and enhance blue infrastructure and its networks.
44. Similarly, **LDP Policy 3: Design and placemaking** also requires new development to minimise the effects on climate change in terms of siting and construction and to make sustainable use of resources. **LDP Policy 10: Resources** also seeks to ensure that development does not result in deterioration of water resources and avoids unacceptable detrimental impacts on the water environment, seeking to improve it where possible.
45. The purpose of the proposed development is to restore natural river processes, improve habitats and create a low-maintenance and resilient watercourse. The proposal will also realign a section of road and create a new burn crossing that is able to withstand future flooding and climate change impacts. As a result, the principle of the proposed development is considered to wholly support the objectives of the above NPF4 and LDP planning policies.



Landscape

46. **NPF4 Policy 4: Natural places** sets out that development proposals which affect a National Park will only be supported where the objectives of designation and the overall integrity of the area will not be compromised and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. **LDP Policy 5: Landscape** sets out similar objectives with a presumption against any development that does not conserve or enhance the landscape character or special landscape qualities of the National Park. **NPF4 Policy 14: Design, quality and place** also seeks to ensure that development proposals improve the quality of the area and are consistent with the six qualities of successful places: healthy; pleasant; connected; distinctive; sustainable; and adaptable. Similarly, **LDP Policy 3: Design and placemaking** also seeks to ensure that proposals improve the quality of the area and are consistent with the six qualities of successful places.
47. The proposed alterations to the course of the burn will result in a more natural river feature in keeping with the surrounding area with no loss of landscape features and in line with the qualities of a successful place. The National Park Authority's Landscape Advisor is of the view that the proposed restoration works would, over the longer term, contribute to the enhancement of the landscape in this part of the National Park. As such, the proposal is considered to comply with relevant NPF4 and LDP planning policies.

Ecology

48. **NPF4 Policy 3: Biodiversity** requires that development proposals contribute to the enhancement of biodiversity including, where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. They should also integrate nature-based solutions where possible. **NPF4 Policy 4: Natural places** does not support development which will have an unacceptable impact on the natural environment, or which will have a significant effect on European Site designations. **NPF4 Policy 20: Blue and green infrastructure** sets out that developments which incorporate or enhance blue and / or green infrastructure will be supported, with effective management plans required.
49. Similarly, **LDP Policy 4: Natural heritage** requires new development to have no adverse effects on the integrity of designated sites, the National Park, or on protected species or habitats. **Policy 3: Design and placemaking** also requires development to create opportunities for further biodiversity and to promote ecological interest.



50. The proposal will realign and re-naturalise a historically straightened and canalised section of the Slugain Burn which is a tributary of the River Spey SAC. The National Park Authority's Ecological Advice Officer is satisfied that the proposal includes a variety of elements designed to improve habitat quality, enhance biodiversity and improve the ecological interest of the site. The proposal should result in a greater diversity of naturalised habitats within the channel of the Slugain Burn, increasing the extent and quality of habitat for protected species including Atlantic salmon and potentially improve suitability for otter, freshwater pearl mussel and sea lamprey. The project should restore better connectivity of the Slugain Burn with its floodplain, which should improve habitat for a wide range of species including waders and priority invertebrates.
51. Conditions are recommended to mitigate potential impacts on protected species, habitats and the water environment during construction. These include pre-construction checks for protected species; requiring works to avoid the bird breeding season (unless under the supervision of a suitably qualified ecologist) and the Atlantic Salmon spawning season; and a requirement for a Construction Environmental Management Plan (CEMP) with Pollution Prevention Plan (PPP) to mitigate any impacts on the River Spey SAC. Post construction monitoring of sediment erosion/deposition within the new channel is also conditioned to ensure that flow depths are sufficient for fish passage through the realigned channel.
52. With regard to impacts on designated sites, as noted in the HRA section of this report, there will not be an adverse effect on the integrity of the relevant sites subject to appropriate mitigation. These measures will all be secured by appropriate planning conditions.
53. Overall, the development is considered to comply with relevant NPF4 and LDP policies subject to conditions to ensure that any impacts on designated sites at the construction stage are suitably mitigated and that ongoing monitoring of the impacts of the river works is secured.

Flooding

54. **NPF4 Policy 22: Flood risk and water management** explains that development proposals at risk of flooding or in a flood risk area will only be supported if they fall into a series of categories including water compatible uses. The policy sets out that development proposals must not increase the risk of surface water flooding to others. **NPF4 Policy 20: Green and blue infrastructure** supports development which incorporates new or enhanced blue and / or green infrastructure with proposals for their future management to be included.



55. In addition, **LDP Policy 10: Resources** requires development to ensure no detrimental impacts on the water environment as well as to be free from flood risk and not increase the risk of flooding elsewhere.
56. SEPA and the Highland Council's Flood Risk Management Team do not object to this proposal and acknowledge that the site is at risk from flooding from the Slugain Burn and other minor watercourses. They both consider that the works are 'water compatible' (in line with NPF4 Policy 22) and will provide a betterment of the water environment as well as a reduction in flooding on the road around the existing crossing and in the adjacent field.
57. The Flood Risk Assessment shows that the proposed new crossing would be able to contain a 1 in 200-year flooding event plus climate change event which is an improvement in capacity to the existing bridge crossing. This would not only significantly reduce flooding on the existing road but also in the adjacent field. The Flood Risk Assessment also shows that proposal will substantially reduce flooding in the most productive agricultural field to the north of the road (which is improved grassland).
58. Overall, the proposed development will increase the extent of the lower section of the Slugain Burn and improve connectivity with the flood plain. In addition, the realignment of the road with the new channel crossing will create a more resilient arrangement that will reduce flooding and the obstruction of the road. Therefore, it is considered that it complies with the relevant NPF4 and LDP policies in respect of flooding.

Roads and outdoor access

59. **NPF4 Policy 13: Sustainable transport** supports new development where it is in line with the sustainable transport and investment hierarchy and adequately mitigates any impact on local public access routes.
60. **LDP Policy 3: Design and placemaking** requires development to have an appropriate means of access, promote sustainable transport methods and active travel. It also requires new development to maintain and maximise all opportunities for responsible outdoor access including links into the existing path network and ensuring consistency with the Cairngorms National Park Core Paths Plan.
61. The existing section of road and low clearance bridge within the application site have encountered more frequent flood events from water backing up and sediment deposits across the road. This has resulted in the road and crossing not being passable at times. However, this proposal to realign part of the road and create a



new flood resilient river crossing has substantially greater capacity to accommodate the levels of water flowing down the burn. As identified by the Highland Council's Transport Planning team, this will mean that access along the road to the informal car park and around the burn crossing should no longer be impacted by flooding, improving access to the area.

62. There are no core paths within the site boundary although there is a Right of Way which intersects a small part of the application site. However, there is no established route on the ground for this and as such it is considered that there will be no impact on the Right of Way.
63. As such, the proposal complies with relevant NPF4 and LDP planning policies in respect of roads and access.

Cultural heritage

64. **NPF4 Policy 7: Historic assets and places** notes that where there is potential for non-designated buried archaeological remains to exist below a site, developers should provide evaluation of the site at an early stage. **LDP Policy 9: Cultural Heritage** also sets out similar requirements.
65. The Highland Council's Archaeology Team raised that the application impacts the ruinous remains of buildings that are of local historic importance. They initially requested the inclusion of a condition requiring detailed photographic recording of the buildings prior to commencement of the development. The applicant subsequently undertook this work and submitted the necessary photographic records, and the Archaeology Team have confirmed they are satisfied with this. As such, there is no requirement for a condition to be imposed in this regard, and the proposal complies with the above planning policies in respect of cultural heritage.

Conclusion

66. This planning application to realign the lower reaches of the Slugain Burn as well as to replace and realign a section of existing road with a new channel crossing will reinstate natural geomorphic processes, enhance habitat provision and diversity as well as contribute to natural flood risk management and improve climate change resilience. It complies with relevant NPF4 and LDP planning policies and there are no material considerations which outweigh this conclusion. Any potential impacts can be satisfactorily mitigated by appropriate planning conditions and approval is recommended on this basis.



Recommendation

That members of the committee support a recommendation to **APPROVE** the Slugain Burn Restoration Project: River channel realignment, habitat restoration, road realignment, revised river crossing and installation of culvert at Land 1.4km SW of Inverlaidnan Station Road – Dalnahaitnach, Carrbridge, subject to the following conditions:

Conditions

Those conditions listed below in bold text are suspensive conditions, which require to be discharged prior to implementation of the development.

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. **No development shall commence until a Construction Environmental Management Plan (CEMP) is submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. The CEMP shall include but not be limited to:**
 - a. **A detailed, site-specific pollution prevention plan (PPP) with measures to protect the Slugain Burn and River Dulnain and tributaries of the River Spey SAC and the water environment from all sources of pollution (sediment, oils, fuels etc);**
 - b. **Details of an appointed Environmental Clerk of Works (ECOW), their remit, scope of their work, and reporting and monitoring schedule;**
 - c. **Details of measures to manage the spread of disease and invasive species;**
 - d. **The approach to site preparation, groundworks / ground modelling, soil excavation and storage; and**
 - e. **Reference to pre-construction ecology checks and subsequent species protection plans if required.**

All construction works on the site shall be carried out in strict accordance with the approved Construction Environmental Management Plan.



Reason: In the interests of protecting the biodiversity and the environment in accordance with NPF4 Policy 3: Biodiversity and Policy 4: Natural heritage and Policy 10: Resources of the Cairngorms National Park Local Development Plan 2021.

3. **No development shall commence on site until a Pre-Construction Protected Species Survey has been undertaken by a suitably qualified person and the results submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. If any protected species are detected, then the Species Protection Plan (SPP) should be updated with any additional mitigation measures that may be required to prevent disturbance and injury. The updated SPP shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority before any development commences on site.**

Thereafter any mitigation measures and Species Protection Plan shall be implemented in accordance with the approved details and overseen by a suitably qualified Ecological Clerk of Works.

Reason: To ensure the protection of protected species in accordance with National Planning Framework 4 Policy 3: Biodiversity, and Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2021.

4. No development (including ground preparation works) shall take place during the bird breeding season (March to August inclusive) unless under the supervision of a suitably qualified ecologist, who will conduct surveys to identify all active nests and produce a Species Protection Plan (SPP) for nesting species. The survey results together with any associated SPP (Breeding Birds) shall be submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority prior to the commencement of development.

Thereafter all mitigation measures shall be implemented in accordance with the approved SPP (Breeding Birds) and overseen by a suitably qualified Ecological Clerk of Works.

Reason: To ensure the protection of protected species in accordance with National Planning Framework 4 Policy 3: Biodiversity, and Policy 4: Natural Heritage of the Cairngorms National Park Local Development Plan 2021.

5. No development shall be undertaken during the Atlantic Salmon spawning season (Mid-October to February).



Reason: To minimise potential construction phase impacts on qualifying interests of the River Spey Special Area of Conservation and to ensure that there are no adverse effects on species in accordance with Policy 3: Biodiversity and Policy 4: Natural places of National Planning Framework 4 and Policy 4: Natural heritage of the Cairngorms National Park Local Development Plan 2021.

6. No trees, seeds or turves from beyond the site shall be used to re-seed or re-vegetate road edges that could introduce invasive non-native species, plant pathogens or inappropriate sub species that could impact habitats and associated qualifying interests of the Kinveachy Forest SSSI / SAC / SPA.

Reason: In the interests of protecting and enhancing the woodland environment in accordance with Policy 4: Natural heritage of the Cairngorms National Park Local Development Plan 2021.

7. No promotion of access to the site or the improved parking area next to the site shall be undertaken.

Reason: To mitigate the risk of increased use of the car parking area next to the site, which may lead to increased recreational disturbance to protected species in accordance with Policy 4: Natural Heritage of the Local Development Plan 2021.

8. The development hereby approved shall be constructed strictly in accordance with all approved plans. This specifically includes the removal and infilling of the re-routed section of road and burn crossing.

Reason: To minimise any amenity and visual impacts to the surrounding area in accordance with Policy 3: Design and Placemaking of the Cairngorms Local Development Plan 2021.

9. **No development shall commence on site until details of the proposed monitoring of sediment erosion / deposition within the new channel for at least 5 years post-construction have been submitted to and approved in writing by the Cairngorms National Park Authority acting as Planning Authority. These details to reflect the requirement to ensure that flow depths are sufficient for fish passage through the realigned channel and shall include details of the timetable for submission of monitoring reports to the Cairngorms National Park Authority acting as Planning Authority. If the ongoing monitoring identifies restricted fish-passage (both up and down the watercourse) in average flows for a period lasting more than 6 months, then details of proposed mitigation/ adjustments developed in consultation with a geomorphologist to restore fish passage shall be submitted to and approved in writing by the Cairngorms**



National Park Authority acting as Planning Authority. All monitoring, reporting and mitigation works shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the free passage of Atlantic salmon which are qualifying interests of the River Spey Special Area of Conservation and to ensure that there are no adverse effects on species in accordance with Policy 3: Biodiversity and Policy 4: Natural Places of the National Planning Framework 4 and Policy 4: Natural Heritage of the Cairngorms National Park Authority Local Development Plan 2021.

Informatives

1. The person undertaking the development is required to give the Planning Authority prior written notification of the date which it is intended to commence the development. Attached to this decision notice is a Notice of Initiation of Development for completion and submission. Submission of this information assists the Cairngorms National Park Authority Monitoring and Enforcement Officer in monitoring active work within the area to ensure compliance with the approved details and to identify and correct any potential problems, as they arise, rather than later when it may be more difficult and more costly to rectify. Failure to give notice would constitute a breach of planning control which may result in enforcement action being taken.
2. Following completion of the development, a notification of completion shall, as soon as practicable, be given to the Planning Authority. Attached to this decision notice is a Notice of Completion of Development for completion and submission. Submission of this form will assist the Cairngorms National Park Authority Monitoring and Enforcement Officer in making a final inspection and checking compliance with the approved drawings and conditions. If the development hereby approved is to be carried out in phases, then a notice of completion should be submitted at the completion of each phase.
3. In the event that the remains of historic buildings are exposed during ground-breaking or construction works, the applicant must take photographs for the purpose of updating the Historic Environment Record. This will ensure that any remains are documented. This informative is attached to ensure that a record of



the historic environment is secured should historic features be uncovered during development.

4. Should temporary restrictions be required during construction, including temporary closure of the informal parking area, appropriate advance warning signage should be provided on the approach from Carrbridge and at other suitable locations to advise users of the temporary arrangements.
5. It should also be noted that Roads Construction Consent (RCC) will be required for the adoptable road works. Separate structural approvals may be required in respect of the culvert structure, parapets, restraint systems and associated infrastructure. Early engagement with the Highland Council's Structures Team (structures@highland.gov.uk) is therefore recommended.