



Committee report

Development proposed:

Upgrade of track for forestry (in retrospect) at Land Near Loch Beum A'Chlaidheimh,
Carr-Bridge

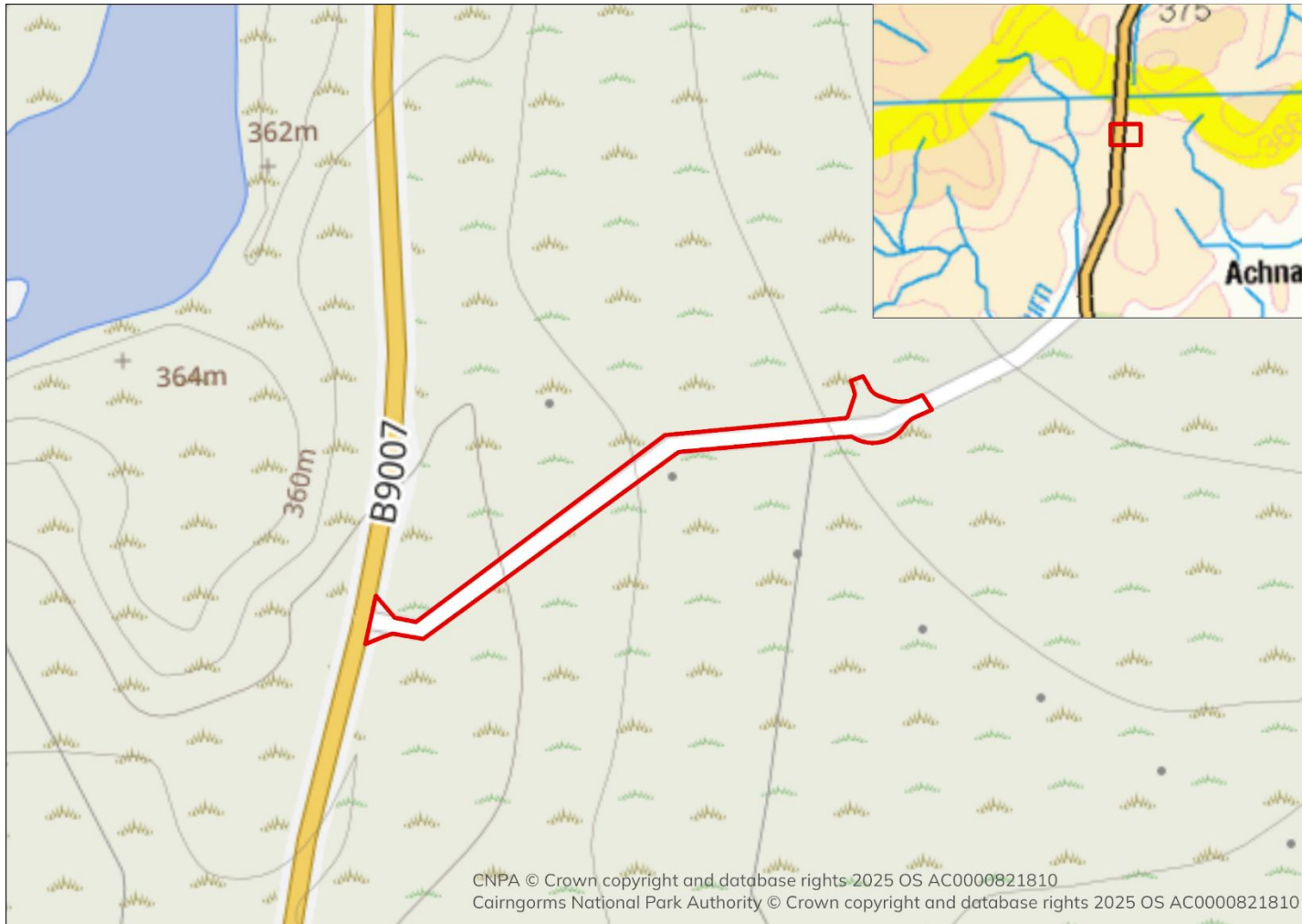
Reference: 2025/0090/DET

Applicant: Muckrach Estate

Date called-in: 21 April 2025

Recommendation: Approve subject to conditions

Case officer: Katie Crerar, Planning Officer



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Site description, proposal and history

Site description

1. This application relates to an existing track located in an area of moorland near Loch Beum, approximately 5km north of Duthil on Muckrach Estate.
2. The application site comprises a gently sloping section of track extending to approximately 220 metres with an existing link to the B9007 at its western end and a turning area to the east. It is surrounded by recently planted young trees forming part of Muckrach Forest – a landscape-scale woodland planting project comprising 619 hectares of native woodland.
3. The track upgrading works have almost been completed. The track is 3.5 metres wide (on average) and has been surfaced in graded local materials. The sides have been re-profiled and have partially revegetated. Approximately 166 metres up the track from the B9007 is a fenced enclosure for the woodland. There is a vehicular access gate and a pedestrian access gate crossing the track.

Proposal

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

<http://www.eplanningcnpa.co.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S2H06USI0CP00>

Title	Drawing number	Date on plan*	Date received
Location Plan	707373 PL01	01/02/2025	17/04/2025
Site Plan & Details	707373 PL02	01/02/2025	24/07/2025
Muckrach Woodland Creation Plan	N/A	09/12/2022	24/07/2025
Visual Information	707373 PL03	01/02/2025	17/04/2025
Upgrade of Track Supporting Statement	N/A	01/07/2025	24/07/2025



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

5. This proposal seeks partial retrospective planning permission for upgrading works along a 220 metre section of existing track.
6. Prior to 2021, the track was used by off-road vehicles to access grouse shooting and for moorland management purposes. In 2022, Scottish Forestry approved the creation of Muckrach Forest – a landscape-scale woodland planting project comprising 619 hectares of native woodland. The track provides the main access into the western enclosure for the woodland.
7. During the delivery phase of the woodland planting project, the running surface of the track was widened (to approximately 3.5 metres), the track edges were reprofiled and a turning area was created at the eastern end of the track. These works were undertaken to accommodate the machinery and vehicles associated with the construction of deer fencing, ground preparation and tree planting operations for the woodland planting project.
8. Approximately 166 metres up the track from the B9007 is the fenced enclosure for the woodland. There is a locked vehicular access gate and a pedestrian access gate crossing the track.
9. The peatland next to the track appears to have been stripped and reinstated. Whilst it is revegetating naturally, it will be assessed in Spring 2026 and, if required, additional re-seeding of the verges will be undertaken using an appropriate seed mix recommended by the National Park Authority. In addition, there will be some planting of Scots pine / birch / willow scrub, particularly to the south side of the road entrance and between the B9007 and deer fence to the east to soften the visual impact of the track whilst ensuring this does not affect visibility onto the road.
10. In addition to the works already undertaken, two channel drains are proposed on the more sloping western part of the track to manage surface water. These have not yet been installed.



History

11. There is no recent planning history on the application site itself. However, this application is one of three relating to retrospective track upgrades on Muckrach Estate. The first (2025/0077/DET) was approved at Planning Committee in August 2025. The other application (2025/0091/DET) is also reported for Committee consideration at this meeting – see item 7 on the agenda.

Habitats Regulations Appraisal

12. It is not considered that the proposed development is likely to have a significant effect upon a designated European site. As such, a Habitats Regulation Appraisal is not required in this case.

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	
Policy 6	Forestry, woodland and trees	
Policy 7	Historic assets and places	
Policy 8	Green belts	
Policy 9	Brownfield, vacant and derelict land and empty buildings	
Policy 10	Coastal development	
Policy 11	Energy	
Policy 12	Zero waste	
Policy 13	Sustainable transport	
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	Heat and cooling	
Policy 20	Blue and green infrastructure	
Policy 21	Play, recreation and sport	
Policy 22	Flood risk and water management	
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	
Policy 10	Resources	



Policy 11	Developer obligations	
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13. 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

14. 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	
Policy 10	Resources non-statutory guidance	
Policy 11	Developer obligations supplementary guidance	

Consultations

15. A summary of the main issues raised by consultees now follows:
16. **Cairngorms National Park Authority's Outdoor Access Officer** raises no objections to the proposal. They request that there should be a pedestrian gate suitable for access on bike or horse.



17. **Cairngorms National Park Authority's Ecological Advice Officer** raises no objections to the proposal and acknowledges that it supports the expansion of native woodland habitat, improving habitat connectivity between existing blocks of woodland and delivering significant biodiversity benefits.
18. They highlight that there is evidence of peatland habitat reinstatement along the track verge indicating that the turf has been stripped and then reinstated. They note that reinstated turves next to the track are revegetating naturally, but they request that if bare patches remain in May 2026, these should be sown with an upland acid heathland wildflower mix, such as Scotia Seeds' Highland Grassland mix, which contains dwarf ericaceous shrubs (including common and bell heather) and a range of upland wildflowers and grasses. This will help facilitate faster revegetation and enhance floral diversity along the track for pollinators.
19. They also make reference to a related application which was approved at Planning Committee in August 2025 (2025/0077/DET), in which the applicant stated that the upgrading works were undertaken outwith the bird breeding season. They note that if that was also the case here, it would have avoided impacts on ground nesting birds. They advise that any further proposed track remediation works should avoid the main bird breeding season (March to mid-August).
20. **Cairngorms National Park Authority's Landscape Advisor** highlights that, 'Although the track is visible, it affects a relatively small area of the surrounding moorland in public vantage points. It poses acceptable visual impacts, affecting road users locally. It has been reprofiled sensitively with sufficient peat located within the edge areas to revegetate and it does not pose an obvious erosion risk'. They add that the track would benefit from some visual softening when seen from the road (and recommend some native Scots pine / birch / willow planting between the B9007 and the deer fence), which they acknowledge the applicant has agreed to. In addition, they highlight that the applicant has agreed to establish further revegetation on the sides of the track in Summer 2026 if there is insufficient natural revegetation.
21. They request a condition to require submission of a verge treatment and maintenance plan which includes planting and future revegetation plans for the



sides of the track should they not naturally revegetate. In addition, the condition should require any planting which, within a period of 18 months from the completion of the development, is not revegetating shall be re-seeded or replaced by plants of similar size and species.

22. **The Highland Council Road's Team** raised no objection to the proposal following the applicant's submission of further information to clarify the proposed future use of the track.
23. **The Highland Council's Forestry Officer** responded that no trees appear to have been removed from around the track and as such does not object to the application.
24. **Carr-Bridge Community Council** responded that they did not have any comments to make on the application but stated that they generally support planning applications being made in advance of work being carried out.

Representations

25. There were no representations to this application.

Appraisal

26. Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the Development Plan. This comprises the Cairngorms National Park Local Development Plan 2021 (LDP), and the National Planning Framework 4 (NPF4). Where there is conflict between policies, NPF4 policies will be used.
27. The main planning considerations in this case are the principle of development, design, ecological impacts, impact upon landscape, and access. These are considered in detail below.

Principle of development

28. Notwithstanding the fact that the works were undertaken without the requisite grant of planning permission, the proposal is to upgrade a section of pre-existing track following a route used by estate vehicles to access remoter parts of the estate and recently planted woodland. All the works will be seen within the context



of a large native woodland planting scheme, and subject to detailed consideration of design and proposed mitigation measures, the principle of a track is considered acceptable.

Design

29. **NPF4 Policy 14: Design, quality and place** seeks to support developments that improve the quality of an area regardless of scale and that are consistent with the six qualities of successful places, namely: healthy; pleasant; connected; distinctive; sustainable; and adaptable.
30. **LDP Policy 3: Design and placemaking** similarly seeks to ensure that development meets the six qualities of successful places.
31. This largely retrospective planning application seeks to authorise maintenance operations already undertaken on this section of track. These have included widening the running surface of the track to an average of 3.5 metres, re-profiling the track edges, and the creation of a turning area at the eastern end of the track.
32. The peatland along the edges of the track has been reinstated, which has helped to mitigate the degradation of this habitat, and the sides of the track appear to be revegetating naturally. The extent of revegetation will be assessed in Spring 2026 and should further re-seeding be required, this will be undertaken. In addition, planting of Scots Pine / birch / willow scrub close to the south side of the road entrance and between the B9007 and deer fence to the east will be undertaken to soften the visual impact of the track. The proposed planting and possible re-seeding (which will be secured via a condition requiring a Verge Treatment and Maintenance Plan) will further minimise the visibility of the track.
33. Two channel drains will be installed on the track which will manage surface water. The track will then be compacted to create a bound running surface which combined with improved track drainage will manage water erosion and stabilise the track.
34. The track upgrades are of a functional design and the materials used reflect this. The naturally revegetating verges, proposed planting and any further re-seeding



will further minimise the limited visual impact of the proposal and enable it to further integrate within its setting.

35. The design of the proposal is of a scale and nature that is compatible with its setting and the materials proposed are appropriate and locally sourced. This ensures that in terms of design the proposal complies with the above policies.

Ecology

36. **NPF4 Policy 1: Tackling the climate and nature crises** and **NPF4 Policy 2: Climate mitigation and adaption** require all development proposals to give significant weight to the climate and nature crises and adapt to the current and future impacts of climate change.
37. **NPF4 Policy 3: Biodiversity** seeks to ensure that development proposals protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. Development proposals must include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance.
38. **NPF4 Policy 4: Natural places** seeks to ensure that development proposals protect, restore and enhance natural assets making best use of nature-based solutions. Development that has significant adverse impacts on designated sites, after mitigation, will not be supported.
39. **LDP Policy 4: Natural heritage** seeks to ensure that there are no adverse effects on European Protected Species and other biodiversity interests.
40. The Park Authority's Ecological Advice Officer raises no objections to the proposal, subject to advising that in Spring 2026 any remaining bare patches on the reinstated track verges should be sown with an upland heathland wildflower mix of Scottish provenance to facilitate faster revegetation and enhance floral diversity for pollinators. This will be secured by condition, as noted above. In addition, a condition ensuring that the outstanding works should avoid the bird breeding season is also required.



41. The proposed planting of native tree and shrub species near to the road access will provide some biodiversity enhancement. In addition, the proposed development constitutes part of a wider project to plant native woodland. The Ecological Advice Officer recognises that this 'would deliver improved habitat connectivity between existing blocks of woodland and should deliver significant biodiversity benefits', and it can also be expected to deliver longer term benefits for climate change mitigation through enhanced carbon capture and storage. Therefore, the proposal complies with NPF4 Policy 1: Tackling the climate and nature crises, NPF4 Policy 2: Climate mitigation and adaptation, NPF4 Policy 3: Biodiversity, NPF4 Policy 4: Natural places, and LDP Policy 4: Natural heritage.

Landscape

42. **LDP Policy 5: Landscape** presumes against development which does not conserve and enhance the landscape character and special qualities of the National Park, and particularly the setting of the proposed development.
43. **LDP Policy 5.2: Private roads and ways** presumes against private roads and ways in open moorland unless it can be demonstrated that they are essential for land management purposes and they are designed to minimise landscape and environmental impacts, conserving and enhancing special qualities.
44. The track has been surfaced in graded local material, and the sides have been gently re-profiled and partially revegetated. In addition, despite the track being made more prominent by its pale colour against the surrounding moorland, the profile of the slope limits its visibility from the road apart from the base where it meets the B9007 and overall it is not prominent from the wider surrounding area.
45. The Park Authority's Landscape Advisor states that the track 'poses acceptable visual impacts, affecting road users locally. It has been reprofiled sensitively with sufficient peat located within the edge areas to revegetate and it does not pose an obvious erosion risk'. They request a condition to secure native tree and scrub planting (Scots pine / birch / willow) to provide visual softening of the track when seen from the road, as well as revegetation of the track sides if there is insufficient natural revegetation by Summer 2026. As noted previously, both of these elements



will be fully detailed in a Verge Treatment and Maintenance Plan, which will be secured via a condition.

46. Initial concerns were raised in respect of the width of the track and whether the turning area at the eastern end (within the woodland enclosure) would be retained. The applicant explained that the running surface of 3.5 metres (average) is a standard width requirement to safely accommodate the vehicles used during the woodland creation. In addition, these same vehicles will be required during the winter 2025/26 and beyond to remove and replace deer fencing and 130 hectares of woodland destroyed in the recent wildfire, as well as for future maintenance. In addition, the turning area for vehicles was also used for helicopter landing and refuelling during the recent wildfire and will be retained as a future strategic helicopter servicing site. The justification for the width of the track and need to retain the turning area is accepted.
47. The proposed upgraded track will have a limited and localised visual impact, and the mitigation measures (comprising planting and re-seeding) which will be secured via a condition will further reduce this impact. As such, the proposal is considered acceptable in terms of its impacts on landscape and accords with LDP Policy 5: Landscape.

Access

48. **LDP Policy 3: Design and Placemaking** requires development to maintain and maximise all opportunities for responsible outdoor access, including links into the existing path network.
49. The Park Authority's Outdoor Access Officer raises no issues in respect of the track other than requesting that there is an unlocked pedestrian gate suitable for access on bike or horse. This has been provided by the applicant, and therefore the proposal complies with LDP Policy 3: Design and Placemaking in respect of access.

Conclusion

50. The proposed development consists of the widening and re-profiling of a pre-existing track for which all works (apart from two drainage channels) have been undertaken. As such, this application is retrospective. Notwithstanding, the track



poses limited localised visual impacts which can be further mitigated via additional planting and possible revegetation of the track sides. The track is of a functional design, has been re-profiled sensitively utilising local materials, and the impacts are considered acceptable subject to the recommended conditions.

51. The proposed development complies with the relevant policies of NPF4 and the LDP, and there are no material considerations which outweigh this conclusion.

Recommendation

That members of the committee support a recommendation to APPROVE the application for the Upgrade of track for forestry (in retrospect) at Land Near Loch Beum A'Chlaidheimh, Carr-Bridge, 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. **No further works in connection with the development hereby approved shall commence unless a verge treatment and maintenance plan has been submitted to and approved in writing by the Cairngorms National Park authority acting as the planning authority. This must be provided within three months from the date the permission is granted. The Plan should include:**
 - a) **Details of planting to be undertaken surrounding the track (between the B9007 and woodland enclosure) to soften landscape impacts. Recommended species include Scots pine, birch and willow.**
 - b) **Details of re-seeding to be undertaken in the event of natural revegetation of the track sides not establishing. The verges should be sown with an upland acid heathland wildflower mix such as Scotia Seeds' Highland Grassland Mix , which contains dwarf ericaceous shrubs (including common heather and bell heather), and a range of upland wildflowers and grasses.**

The development shall be completed in accordance with the approved verge treatment and maintenance plan before the end of the first full planting season. Any planting which, within a period of 18 months from the



completion of the development, is not revegetating shall be re-seeded or replaced by plants of similar size and species to those originally required.

Reason: To ensure the implementation and management of a satisfactory plan for the landscaping and verge treatment of the track in accordance with National Planning Framework 4 Policy 3: Biodiversity, and Policy 4: Natural heritage and Policy 5: Landscape of the Cairngorms National Park Local Development Plan 2021.

2. No works shall be undertaken during the breeding bird season (Mid-March to August, inclusive). If this cannot be avoided, works should proceed under supervision of an experienced ecologist, who will conduct surveys to identify all active nests and produce a species protection plan (SPP) for nesting species. The SPP should be submitted to the National Park Authority for approval prior to works commencing.

Reason: - To ensure the protection of protected species including breeding birds in accordance with Policy 4 (Natural Heritage) of the Cairngorms National Park 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.