



Committee report

Development proposed:

Upgrade of track for forestry (in retrospect) at Land 940M NE of Aucherteang, Carrbridge

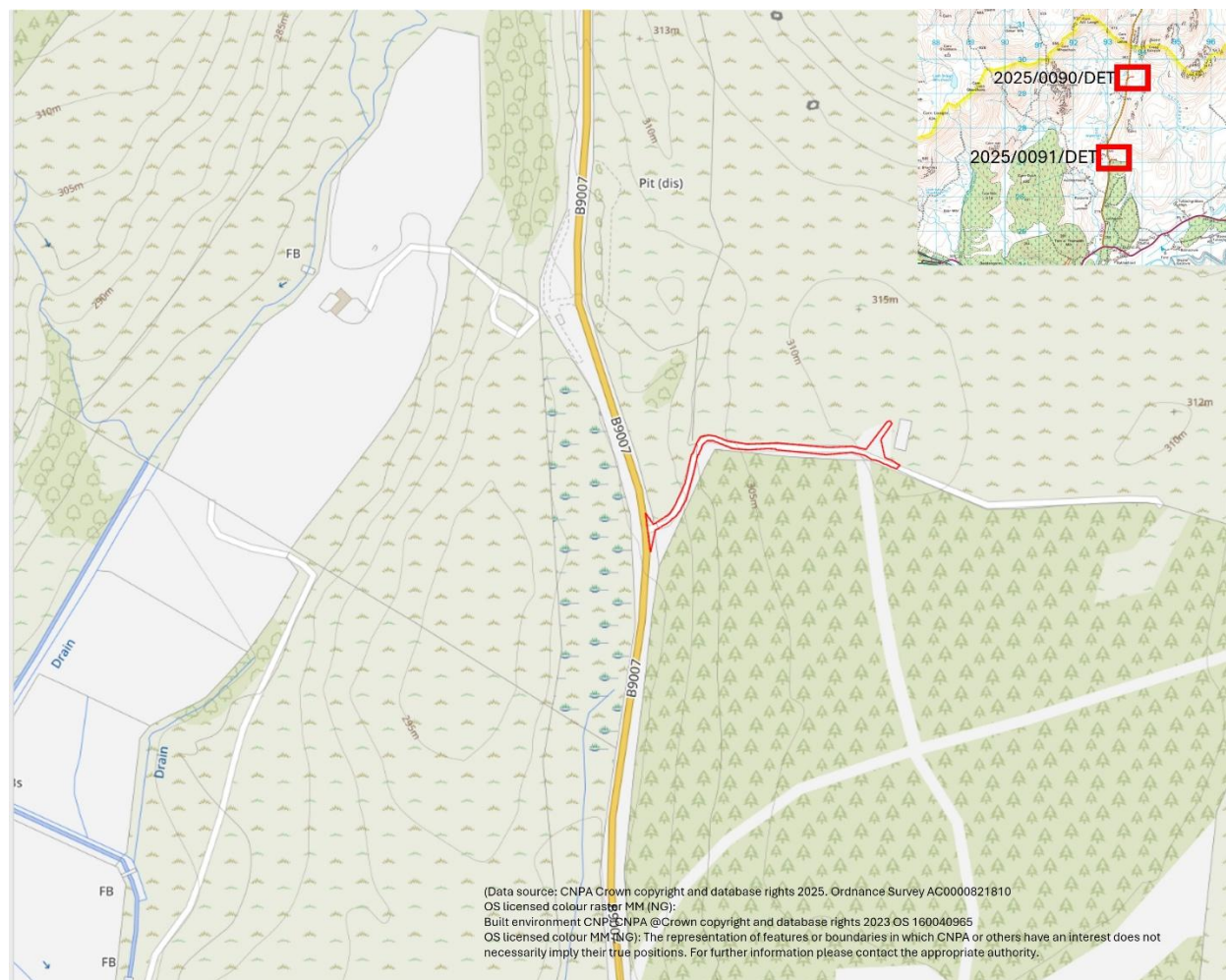
Reference: 2025/0091/DET

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 a section of existing track located within an area of woodland at Auchterteang, approximately 2.5km north of Duthil on Muckrach Estate.
2. The application site comprises a gently sloping section of track extending to approximately 250 metres with an existing link to the B9007 at its southwestern end and a turning area to the east which is surrounded by native woodland which forms part of Muckrach Forest – a landscape-scale project comprising 619 hectares of native woodland planting.
3. The 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 graded and are largely revegetated. Approximately 90 metres up the track from the B9007 is the fenced enclosure for the woodland. There is a vehicular access gate crossing the track and a pedestrian access to the side.

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 PL04	21/03/2025	17/04/2025
Site Plan & Details	707373 PL05	01/02/2025	24/07/2025
Muckrach Woodland Creation Plan	N/A	09/12/2022	24/07/2025
Visual Information	707373 PL06	01/02/2025	17/04/2025



Upgrade of Track Supporting Statement	N/A	01/07/2025	24/07/2025
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*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 250 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. This track provides access into the southwest corner of the western enclosure.
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 90 metres up the track from the B9007 is the fenced enclosure for the woodland. There is a locked vehicular access gate crossing the track and a pedestrian gate to the side (on the adjacent fencing).
9. The verges next to the track appear to have been sensitively reprofiled. Whilst they are revegetating naturally, they 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.
10. In addition to the works already undertaken, two channel drains will be installed through the trackside verges on the more sloping western part of the track to manage surface water flow. In addition, the pedestrian gate will be relocated adjacent to the main vehicular gate to improve accessibility for pedestrians and cyclists. These upgrades 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 track upgrades on Muckrach Estate. The first (2025/0077/DET) was approved at Committee in August 2025. The other application (2025/0090/DET) is also reported for Committee consideration at this meeting – see item 6 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	



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 LDP 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** highlights that the installed pedestrian gate – which is at 90° to the main gate and up a bank – is poorly located and difficult to access, especially for cycles or horses. There is a tree adjacent to this gate and a drop on the other side which would also impinge on access.



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 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 and gate remediation works should avoid the main bird breeding season (March to mid-August).
19. Following remediation works, the verge vegetation should be left to re-vegetate naturally but it is requested 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.
20. **Cairngorms National Park Authority's Landscape Advisor** highlights that the track is made more prominent by its pale colour against the surrounding heather and woodland, however due to its location within established woodland / forestry, it has little visibility from the road and no visibility from any well-used hill paths or hills. They state that: 'Although the track is just visible, it affects a small part of views close to the road. The part of the track that is visible was previously also the entrance to an access track. 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'.
21. They request a condition to require submission of a verge treatment and maintenance plan which includes measures to maintain the track and verges and remediate any future erosion.



22. **The Highland Council's Road 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 Environment Team** demonstrated through aerial photography that some of the pine trees on the north side of track have been removed to accommodate the track widening. They have no objection to the application, although they request that a condition is attached to any permission to require submission of a detailed tree planting plan and maintenance programme.
24. **The Highland Council's Historic Environment (Archaeology) Team** state that there are no archaeological issues and no (remedial) mitigation is required in this instance.
25. **Carrbridge 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

26. There were no representations to this application.

Appraisal

27. 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.
28. 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

29. 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

30. **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.
31. **LDP Policy 3: Design and placemaking** similarly seeks to ensure that development meets the six qualities of successful places.
32. This 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.
33. The track edges appear to be revegetating naturally. However, the extent of revegetation will be assessed in Spring 2026, and should any bare patches remain, further re-seeding (using an upland acid heathland wildflower mix and a range of upland wildflowers and grasses) will be required. This will be undertaken as detailed in a verge treatment and maintenance plan, which will be secured via a condition. This will help to further integrate the track into its surroundings and ensure its visibility is minimised.
34. In addition, two channel drains will be installed through the trackside verges on the slope on the southwestern section of the track to manage surface water flow, and the pedestrian gate will be re-positioned to improve accessibility for pedestrians and cyclists.
35. Overall, the track upgrades are of a functional design and the materials used reflect this. The naturally revegetating verges and any further re-seeding will



further minimise the already limited visual impact of the proposal and further integrate it within its setting.

36. 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

37. **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.
38. **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.
39. **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.
40. **NPF4 Policy 6: Forestry, woodland and trees** seeks to protect and expand forests, woodland and trees. Proposals involving woodland removal will only be supported where they are in accordance with relevant Scottish Government policy on woodland removal.
41. **LDP Policy 4: Natural heritage** seeks to ensure that there are no adverse effects on European Protected Species and other biodiversity interests. Woodland removal is only permitted where it complies with Scottish Government's Policy on the Control of Woodland Removal.



42. 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 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.
43. The Highland Council's Forestry Officer has highlighted that as part of the widening of the track, some pine trees on the north side of the track have been removed. They have requested the inclusion of a condition requiring a Tree Planting Plan and maintenance programme to provide adequate replacement tree planting in the vicinity of the track. Whilst it is acknowledged that the track will serve an extensive native woodland planting project, replanting the trees to the immediate north of the track will further mitigate any visual impacts and help to reinstate its original setting, and a condition will be imposed accordingly.
44. Overall, the environmental impacts of the proposal are considered acceptable subject to the proposed conditions. 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, NPF4 Policy 6: Forestry, woodland and trees and LDP Policy 4: Natural heritage.

Landscape and design

45. **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.



46. **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.
47. The track has been surfaced in graded local material, and the sides have been gently re-profiled and have partially revegetated.
48. 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 the re-seeding of the track sides if there is insufficient natural revegetation by Summer 2026. As noted previously, this will be fully detailed in a verge treatment and maintenance plan, which will be secured via a condition.
49. 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 approximately 126 hectares of woodland destroyed in the recent wildfire, as well as for future maintenance of the woodland. The justification for the width of the track and need to retain the turning area is accepted.
50. The effects of this proposal on landscape character are limited given its siting on a previous track, the presence of other tracks in the wider area, and its proximity to the B9007. The track is largely contained within existing woodland and overall would have very limited visual impacts. Ensuring the verges are revegetated will further improve its integration within its setting and this will be secured via a condition. As such, the proposal is considered acceptable in terms of its impacts on landscape and accords with LDP Policy 5: Landscape.



Access

51. **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.
52. The Park Authority's Outdoor Access Officer has highlighted that the pedestrian gate on the track is difficult to access due to its position on the fence, which is 90° to the main vehicular gate and up a bank. The applicant proposes to address this by relocating the pedestrian gate to the side of the vehicular gate, which is directly on the track. This area will be levelled to aid access for pedestrians and cyclists making it clearer and much more accessible. On this basis, the proposal complies with LDP Policy 3: Design and Placemaking in respect of access.

Conclusion

53. The proposed development consists of the widening and re-profiling of a pre-existing track for which all works (apart from two drainage channels and the relocation of the pedestrian gate) have been undertaken. As such, this application is retrospective. Notwithstanding, the track poses limited localised visual impacts. The track is of a functional design, has been re-profiled sensitively utilising local materials and overall is considered acceptable subject to the recommended conditions.
54. 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 940M NE of Aucherteang, 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. **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 planning authority. This must be provided within three months from the date the permission is granted. The Plan should include:**
 - a) **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 a heathland-specific wildflower seed mixture such as Scotia Seeds' Highland Grassland mix, which includes dwarf ericaceous shrubs (heather and bell heather), and a range of upland wildflowers and grasses of Scottish provenance.**

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.

3. Within 3 months of permission being granted, a detailed Tree Planting Plan and maintenance programme is to be submitted for the approval of the planning authority. The Tree Planting Plan shall be implemented in full during the next planting season (no later than the end of April 2026) or as otherwise agreed in writing by the Cairngorms National Park Authority acting as the planning authority.

Reason: To ensure the implementation and management of a satisfactory tree planting plan to compensate for the trees removed, improve landscaping and support biodiversity in accordance with National Planning Framework 4 Policy 3: Biodiversity and Policy 6: Forestry, woodland and trees, and 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.