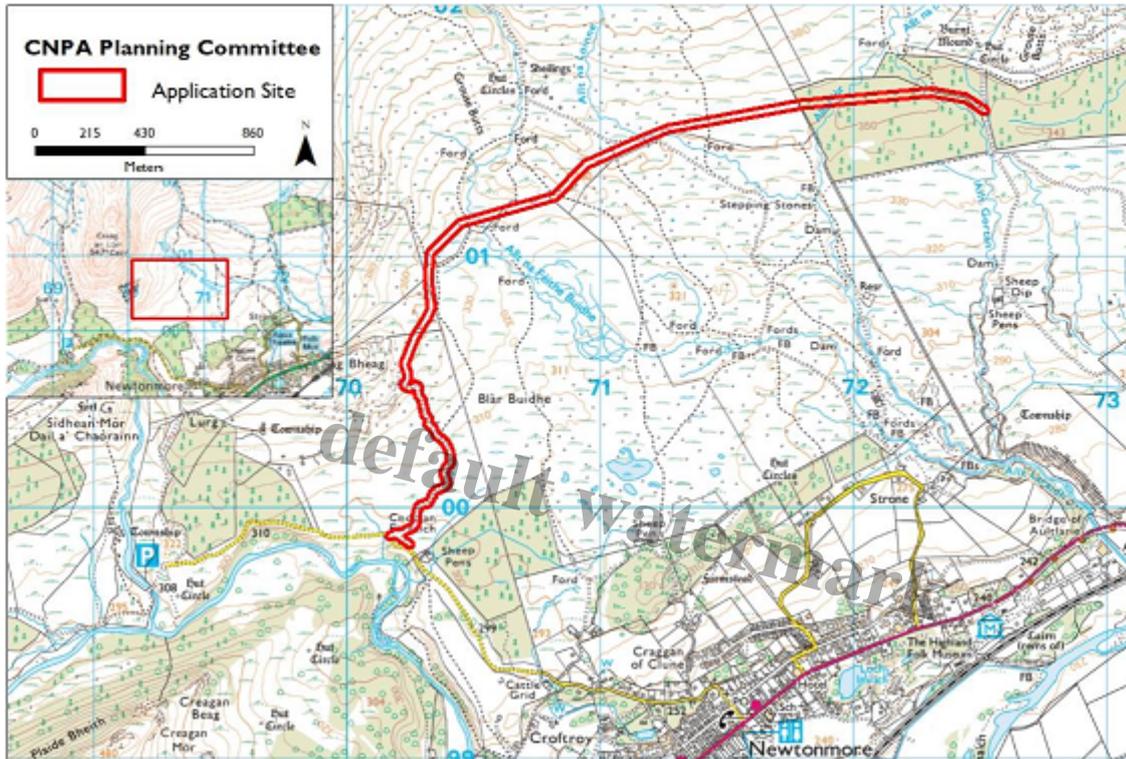


Decision time for the Cairngorms National Park on the Glen Banchor â?? Pitmain link road

CAIRNGORMS NATIONAL PARK AUTHORITY
Planning Committee Item 6 28/04/2023



[Update 3rd May:

this map, which was contained in the Committee report was incorrect, it shows the 4.83km of proposed new track but the application extended west and included a new bridge over the Allt Chaorainn to the left of the Parking symbol].

The Planning Application for a new â??forestryâ?• road, which would connect the Pitmain and Glen Banchor Estates across the moor behind Newtonmore, will be considered by the Cairngorms National Park Authority (CNPA) on Friday ([see here](#) for Committee papers). Officers are recommending Board Members reject the application, which is welcome, and although the reasons for doing so are sound, in my view they could have been more robust. It is good therefore that a number of objectors have asked to address the Committee and one hopes they will help strengthen the CNPAâ??s arguments and resolve in order to prevent the Pitmain Estate returning with further applications.

The purpose of the proposed road

In my previous posts on the applications to build this road ([see here](#)), ([here](#)) and ([here](#)), I argued it was not necessary for forestry purposes but was intended for sporting purposes. It was therefore contrary

POLICY 5: LANDSCAPE

<p>5.1 Special Landscape Qualities</p> <p>There will be a presumption against any development that does not conserve or enhance the landscape character and special landscape qualities of the Cairngorms National Park including wildness and the setting of the proposed development.</p> <p>Development that does not complement or enhance the landscape character of the National Park and the setting of the proposed development will be permitted only where:</p> <ul style="list-style-type: none">a) any significant adverse effects on the special landscape qualities of the National Park are clearly outweighed by social or economic benefits of national importance; andb) all the adverse effects on the setting of the proposed development have been minimised and mitigated through appropriate siting, layout, scale, design and construction to the satisfaction of the planning authority. <p>5.2 Private roads and ways</p> <p>There will be a presumption against new private roads and ways in open moorland areas unless:</p> <ul style="list-style-type: none">a) it can be demonstrated that they are essential for land management purposes; andb) they are designed to minimise landscape and environmental impacts, and they conserve and enhance the landscape character and special landscape qualities of the National Park including wildness; or, where appropriatec) they form part of a programme of works including the removal of other existing private roads and ways to deliver a net benefit for the special landscape qualities of the National Park including wildness.	<p> What the policy aims to do</p> <p>4.70 The landscapes of the Cairngorms are one of the National Park's most valuable assets, underpinning its character, designation and the appeal of the area as a place to visit, live and invest. The experience of large scale wildness in the National Park is particularly distinctive in UK terms. Almost half of the National Park falls within wild land areas identified in the 2014 NatureScot map of wild land areas. This policy intends to safeguard the character of those identified wild land areas and more widely the quality of wildness within the National Park.</p> <p>4.71 The way we use and manage the landscape and its many components will influence its quality and character. We do not seek to keep landscapes unchanged. We seek to ensure that new development conserves and enhances the distinctive characteristics we value as landscapes evolve.</p> <p>4.72 The policy will support developments that conserve the diverse and spectacular landscapes of the National Park. It supports development that contributes to landscape enhancement and protects against development that would erode the special landscape qualities we value.</p> <p>Private roads and ways</p> <p>4.73 Open moorlands and hills are one of the Cairngorms National Park's most visible and important landscape components. The areas are used for field sports and farming as well as recreation, and their management is key to delivering many public interest priorities, including natural flood management, species conservation, landscape enhancement and recreation opportunities.</p> <p><small>¹ Open Moorlands are defined here as the land outside enclosed farmland, semi-improved grassland and forests, and includes heather moorland and montane habitats found on high ground across the National Park.</small></p>	<p> Relationship with the Cairngorms National Park Partnership Plan</p> <p>4.74 There are many established vehicle tracks within these areas that are used for multiple estate management objectives as well as by the public. They are often the most obvious man-made features within those landscapes and can have a significant impact on landscape character, special landscape qualities and wildness. Tracks that are poorly sited, designed and constructed can result in temporary or long-term damage to landscapes and the habitats they cross. Where they are shown to be essential for land management purposes, well designed and constructed tracks should still minimise landscape impacts and damage to habitats.</p> <p>4.75 New tracks for agricultural and forestry purposes have permitted development rights that can be exercised through a process of Prior Notification and Prior Approval unless in National Scenic Areas (NSAs). New tracks for any other purpose require a planning application to be made and permission granted to be authorised development.</p> <p>4.76 The Plan starts from the position that there should be a presumption against new tracks constructed in open moorland areas. However, it is likely that as management of open moorland and hill ground changes for different objectives, there will be instances where the existing and extensive network of tracks does not provide the vehicle access required for management. The Plan also provides for the construction of well-designed new tracks where they are part of a programme of works that enhances the special landscape qualities of the National Park.</p>	<p>4.77 This landscape policy will contribute to the Partnership Plan's long-term Conservation outcome and is consistent with its Conservation policy framework. It will specifically support Partnership Plan Policy 1.3 which aims to conserve and enhance the National Park's special landscape qualities, including conserving and enhancing wildness qualities and applying a presumption against new constructed tracks in open moorland.</p>
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agents acting on behalf of the Jafur family, who own both estates, have since effectively confirmed this argument:

3. Smaller timber lorries - The safe transportation of large amounts of timber requires lorries with CTI (central tyre inflation) which stabilises the vehicle with live inflation / deflation of individual tyres. CTI is active on both tracks and the open road. Smaller timber lorries do not have CTI and are essentially becoming an option of the past. Additionally, if smaller lorries were to be adopted it would require double handling of the timber, double the number of lorries using the Glen Road (possibly unsafely), and would require somewhere to safely transfer the timber between vehicles, which the estate does not have access to. Cawdor Forestry have been exploring these options for in excess of 30 years and will address further queries regarding this point as raised.

With regard to the income from felling - the amount that will be generated by the estate for the sale of the timber is commercially sensitive, however, even though the cost of the new track, etc is not currently known at this time it is very likely to be more than the income generated from the timber being removed. A further demonstration by the Jafur family's commitment to progressing conservation projects on their estate.

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Extract from email to CNPA on planning portal dated 2nd March

The first paragraph confirms that the claim in the design statement that "the new extraction route is necessary due to timber lorries being unable to use the south-east aspects of the Glen Road, Newtonmore" was not true. Smaller timber lorries could in fact use the public road but the Pitmain Estate has now dredged up new reasons for not using them. The need for Central Tyre Inflation (CTI),

which can improve vehicle safety on rough ground, is asserted, not proven while the claim that there is nowhere on the estate to transfer timber to larger lorries is irrelevant.

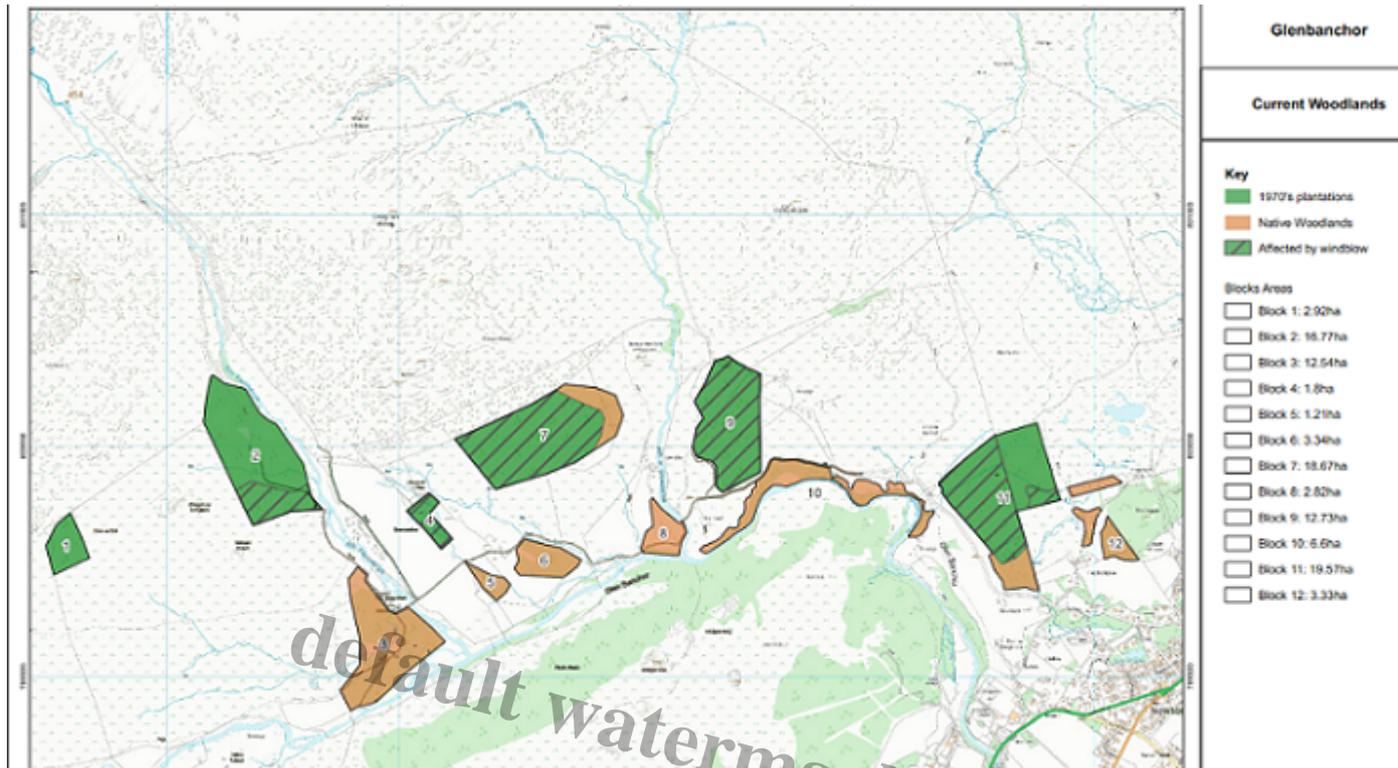
But it is the statement in the second paragraph, that the cost of constructing the new road is "very likely" to be more than the value of the timber that can be extracted, which is really important. As a forestry road, the proposal makes no financial sense and the only conclusion is that the real reason the estate wants to build a new road is for other purposes. This is very significant in planning terms because forestry roads come under the Prior Notification system and cannot be rejected by Planning Authorities, only modified. The admission from the estate, therefore, confirms that CNPA officers have been right to treat this proposal as requiring full planning permission.

The suggestion in the email that the proposed road demonstrates the commitment of the owners of the Pitmain and Glen Banchor estate, the Jafur Family, to progressing conservation projects on their estates is completely ridiculous. Set aside the serious problems with these projects in Glen Banchor ([see here](#)) and ([here](#)), which have failed to tackle deer numbers or prevent muirburn, they have been paid for by public monies and not required the construction of a single new road. Its the same with peatbog restoration on Pitmain where, in a parliamentary answer to Rhoda Grant, MSP, on 9th January ([see here](#)), the Scottish Government revealed that in the five financial years since 2018-19 they had awarded Pitmain Estate £673,472 in Peatbog Restoration monies:

Pitmain Estate	185,908.00	193,769.62	141,905.00	35,000.00	116,890.00
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That has not required a single new road.

The most likely explanation for the new road, therefore, is that the Jafur Family want to be able to travel with their guests between the Pitmain and Glen Banchor Estates without going on a public road when shooting (it would enable the Jafur Family to travel directly to Glen Banchor from Pitmain Lodge which they have been in the process of enlarging). A secondary and related reason may be that they wish to intensify game bird/grouse moor management on the land between the Sheep Dog Trial road in Glen Banchor, and the Strone Rd to the east which is currently inaccessible to vehicles (For a time there were feeding stations for red partridge by the proposed new road just beyond the Sheep Dog Trial Road).



Map added to the planning application. The native woodland blocks 3,5 & 6 was planted recently by the Woodland Trust and paid for by NatureScot
<https://parkswatchscotland.co.uk/2023/01/05/conservation-in-glen-banchor-peatbog-and-woodland-restoration-2/>

All credit, however, to CNPA staff for extracting further information out of the estate about the woodland in Glen Banchor, including this map which shows both plantation forestry and native woodland. In the email the estate clarified that 46 out of 67.5ha of the plantation forestry has been affected by windthrow (and therefore has no commercial use). It would be best left where it is or offered to local residents to use.

The politics of the application and what needs to happen

This planning application appears to represent a devious attempt by the Jafur family to create a great scar across the landscape primarily for their own convenience and that of their shooting guests. First, the application was designed to exploit the Prior Notification system, being dressed up a forestry road which the CNPA would have had no power to reject, even though no sensible forester would ever endorse the proposed route. Second, after the first application received a significant degree of opposition, it was withdrawn and replaced by a very similar application (this is not explained in the Committee Report). If this was designed to wear out the opposition it worked as there were significantly less objections second time round. Third, as I have explained in previous posts, the supporting papers lacked information about the design or impacts of the road (e.g. on the landscape or deep peat) because, had this been provided any policy justification for the road would have collapsed.

In determining the application, members of the CNPA planning committee should make it very clear that providing for the convenience of shooting clients is not a matter of overriding national importance that

will cause them to abandon key policies contained within the Local Development Plan, the National Park Partnership Plan or National Planning Framework 4. In doing so they should give a clear message to other sporting estate owners that they will give short thrift to attempts to circumvent the planning system by presenting sporting roads as being for forestry purposes.

Category

1. Cairngorms

Tags

1. CNPA
2. Development Plan
3. forestry
4. hill tracks
5. planning

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