

Druim Mhor, Loch Alvie, by Aviemore, Inverness-shire PH22 1QB

Cairngorm National Park Authority
Planning Application No. 09/376/CP
REPRESENTATION
ACKNOWLEDGED 01-02-10

Cairngorm National Parks Authority  
 (FAO Mr Andrew Tait, Planning Officer)  
 Ground Floor, Albert Memorial Hall  
 Station Square  
 Ballater AB35 5QB

Cairngorms National Park Authority
01 FEB 2010
PW RECEIVED dm

28 January 2010

Dear Mr Tait,

Planning Application 09/273/FULBS: -Kinrara Estate Partnership

I comment on this application as it affects the residents of Druim Mhor, the freehold property whose boundaries are outlined in blue in the enclosed diagram taken from the applicant's submitted plans.

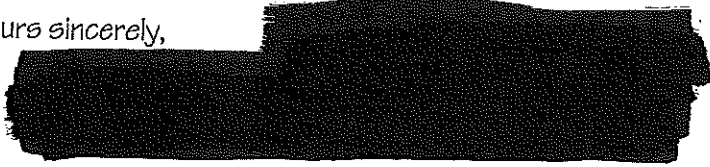
I note the applicants propose to create an entrance off the B9152 as "providing opportunities for controlling access at the gatehouse at Ballinluig Cottage" (paragraph 1.3) The applicant should be asked to clarify what they mean by this in order to continue to allow us access to our property in accordance with the terms and conditions set out in the Title of Druim Mhor drawn up on 19.09.23, 29.09.23 and 12.10.23. The Title indicates the proprietors of Druim Mhor have the right of access from the public road ie. the B9152 to this property. I interpret this to mean unrestricted access must be available at all times for pedestrians, and all visitors in vehicles including those delivering goods and services. Because the A9(T) road was not built when our Title was drawn up in 1923, Druim Mhor has no formal entitlement to direct access to the A9(T) road. To cross this road to reach the north bound carriageway in the face of oncoming traffic at busy times can be dangerous.

I note from the submitted plans, there is no information provided to indicate how heavy lorries and other machinery are to access the site of the proposed Lodge. In the absence of any mention of the construction of slip roads on the A9(T) opposite the turn offs for Ballinluig Farm and Druim Mhor are mentioned, it might be assumed the planning applicant intend to employ the farm track mentioned in the Title of Druim Mhor for access. The proprietors of Druim Mhor have an obligation to pay 50% of the upkeep of the farm track to the Estate and we would seek an assurance if Planning Permission is granted that any damage caused by excessive use of the farm track by heavy vehicles would be restored by Kinrara Estate Partnership and would not fall as a financial burden on us. If the farm track is used in this manner, considerable temporary noise and air pollution as well as possible damage to fencing and trees on our property may occur from the passage of heavy machinery. We will seek an

assurance from the applicant that appropriate compensation is agreed with us for environmental disturbance caused by the movement of heavy traffic along the farm track.

Finally, we are disturbed by the intention to remove a section of road and grass this area over (outlined in red on the enclosed diagram taken from the applicant's plans. Although there is nothing in the Title of Druim Mhor which entitles service vehicles to use this T-junction for turning purposes, it has been used ever since our predecessor, Miss Mary Munro Kerr occupied Druim Mhor on a permanent basis in 1974 as a turning point for the lorry delivering domestic heating oil to Druim Mhor. The consequences of this right angled road spur being removed would mean the lorry would have to reverse out of our drive onto the A9(T). This manoeuvre is unlikely to be welcomed by the police on a section of the A9(T) which has already attracted a number of accidents (including two fatalities) since the road was completed.

Yours sincerely,

A large black rectangular redaction box covers the signature area of the letter.

Professor Michael Garraway.



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Locat

Scale. 1:5,000 Ref.

Date. Nov 09

Harry Taylor  
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PE



**RICS**

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RECEIVED

Pond

Existing Access Road

base

Right of Access Track  
out from A to B  
from A

Stuck Lots  
T-Junction

STAMPING  
OF ADMIN

Loch Alvie

Edwin Hilly  
Riffesen Account charging  
with letter of 28.01.2010  
in response to  
09/2739 fults.