

FERINTOSH COMMUNITY COUNCIL

MINUTES OF SPECIAL MEETING HELD ONLINE ON TUESDAY 24 AUGUST 2021

MEMBERS: Karen Harcus (Chair), Emilia Leese, Alison Lowe (Treasurer), Iain McCallum, Bruce Morrison (Secretary), Aileen Wilson.

ALSO PRESENT: 7 residents.

APOLOGIES: None **DECLARATIONS OF INTEREST** (to take no part in relevant discussions): None

SPECIAL PROPOSAL: To replace an objection with a comment for planning applications 21/02794/FUL (House /Detached Garage, 35m SE, Elder, Cruachan, Eight Acres) and 21/03333/FUL (House, 70m SE, Elder, Cruachan, Eight Acres).

Karen welcomed all to this business meeting of FCC to consider the above proposal.

Iain explained the background beginning with an application in 2012 which referred to the need for road safety works. With no action by the developer, a further application in 2016 carried a condition that road safety works had to be carried out but despite FCC lodging an objection and THC refusing the application, the Scottish Government Reporter overruled the refusal and the development went ahead without the road safety works. Four planning applications came forward earlier this year with no condition for road safety works and currently no sign of any road safety works beginning. FCC lodged objections for the two later applications with a willingness to withdraw provided a written schedule of works was received for the road safety works.

Bruce explained that on Friday 13 August, one set of purchasers approached FCC demanding immediate withdrawal of FCC's objection by the end of the day or face being approached by a solicitor for the extra costs to be incurred by the purchaser. Long conversations led to FCC and the purchaser better understanding each other's situation and the purchaser agreed to approach the developer for the necessary written schedule of works. A written assurance that the road safety works would go ahead was received from the developers by FCC on the evening of Sunday 15 August. The purchasers confirmed their certainty that they too had received assurance that the road safety works would go ahead and that contractual agreements were in place to provide legal certainty. FCC called tonight's special meeting on Tuesday 17 August to provide the necessary seven days' notice period to residents providing them with time to make representations.

Karen brought forward the proposal to change the objection to a comment and the proposal was passed unanimously with Iain to send the comment to THC tomorrow morning.

INTERACTION WITH RESIDENTS: Two sets of residents (also neighbours to the development) expressed strong frustration about the inability of FCC and THC to have had the necessary road safety works implemented by the developers over the years. Their view was that the promises provided were unenforceable and that, at the very least, a road surety bond needs to be in place to fund the road safety works. The necessary ownership of the land by the developers was also queried. A purchaser present was insistent that legal guarantees were in place to have the road safety works carried out. Karen agreed that FCC would now consider what further actions might be possible to continue to press the case for the road safety works to be implemented.

AOCB: None

DATE OF NEXT MEETING: Wednesday 8 September online at 7pm.

Contact details for comments; to join the email list; to receive minutes electronically: Bruce Morrison, Secretary, 01349 877127; ferintoshcc30@gmail.com, <http://ferintoshcc.co.uk>; <http://fb.me/Ferintosh>