

Infrastructure Services Committee – 29 November 2007

Reference Number: F/APP/2006/4605

Outline Planning Permission for Golf Course and Resort Development at Land at Menie House, Aberdeen

Applicant: Trump International Golf Links Scotland, Menie Park Lodge, Menie Estate, Balmedie, Aberdeen, AB23 8YE

Agent: Jenkins & Marr, 3 Bon Accord Crescent, Aberdeen

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| Grid Ref: | NJ 398552.1 820653.5 | |
| Ward No. and Name: | W08 Mid Formartine W09 Ellon and District | |
| Application Type: | Outline Planning Permission | |
| Representations: | 2999 – 1048 object and 1951 support 766 schedule against | |
| Consultations: | 68 (including 15 new or consultations) | |
| Relevant Proposals Map | Local Plan | |
| Designations: | Countryside | |
| Complies with Development Plan: | Structure Plan | No |
| | Local Plan | No |
| Main Recommendation: | Delegated Grant | |

1. Reason for Report

1.1 The above proposal is referred to the Infrastructure Services Committee in accordance with the standing orders of the Council for consideration of an application which the Formartine Area Committee is minded to approve as a departure from the Structure Plan and Local Plan.

2. Principal Planning Issues

2.1 There are a number of elements to the application including two 18 hole links golf courses, 450 unit resort hotel, 36 golf villas, 950 holiday homes and two future residential development areas.

2.2 The Championship Golf Course proposed as part of this application affects part of a Site of Special Scientific Interest (SSSI) and should therefore be considered under Council policies related to wildlife, landscape and land resources, area of landscape significance, coastal planning, nature conservation, biodiversity and sustainability. The wider site is ecologically sensitive and biodiversity and sustainability policies also apply in this regard. The residential development is located in an area defined as countryside and should therefore be considered under Council policy relating to housing in the countryside.

- 2.3 One of the main policies relating to the part of the SSSI affected by this application is Policy 19: Wildlife, Landscape and Land Resources in the Aberdeen and Aberdeenshire Structure Plan 2001-2016 (NEST). This policy is reinforced by Policy Env/2: National Nature Conservation Sites as contained in the Aberdeenshire Local Plan 2006 (ALP). The principal planning issues in this regard are:
- (a) whether the objectives of the national designation and the overall integrity of the area will be compromised; and
 - (b) whether any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social and economic benefits of national importance.

The designations to which this relates are Sites of Special Scientific Interest, National Nature Reserve; National Scenic Area; Prime Quality Agricultural Land or habitats or species identified as priorities in the UK Biodiversity Action Plan. With regard to regional/local designations, the principal planning issues are whether it can be demonstrated that any damaging impact is considered acceptable overall or there is a public interest which outweighs the conservation interest where there is an adverse effect on local or non-statutory Nature Reserves, District Wildlife Sites, Ancient Woodlands, wildlife corridors, species and habitats identified as priorities in the Local Biodiversity Action Plans, Sites of Interest to Natural Science and Areas of Landscape Significance.

- 2.4 One of the other main policies relating to this application is Policy 12: House Building in the Countryside Beyond the Green Belt as contained in the Aberdeen and Aberdeenshire Structure Plan 2001-2016 (NEST). This policy is reinforced by Policy Hou\4: New Housing in the Countryside and the Aberdeenshire Part of the Cairngorms National Park as contained in the Aberdeenshire Local Plan 2006 (ALP). The principal planning issues are related to Council policies, which require that a new house on a countryside site must be a rehabilitation or extension to an existing house, be a replacement on the same site of a largely intact house, be a new house which is essential to the efficient operation of an enterprise which is itself appropriate to the countryside and in the interests of local needs, local economic development and services, be a conversion of an existing non-residential vernacular building or be a house within an existing cohesive group within the rural housing market area.
- 2.5 In respect of the social and economic benefits of the proposed development, these are set out in the attached reports to the Formartine Area Committee and are considered to be sufficient to justify setting aside the environmental protection policies. The jobs, investment and tourism benefits will increase the international profile of the area and Scotland and put it on the world map. The proposed private residential element of the proposal fall outwith the provisions of the adopted Structure and Local Plans but in view of the emerging spatial strategy for the new Structure Plan currently in preparation, and the benefits to be secured from the development as a whole, it is considered that a departure from policy is acceptable in this instance.
- 2.6 The proposal does not contravene other Structure and Local Plan policies such as tourism, tourist facilities and accommodation, developer contributions,

affordable and special needs housing, countryside and open space access, trees and woodlands, built heritage and archaeology, design, drainage and water management, connecting communities and transport.

3. Representations

- 3.1 A total of 2999 letters of representation have been received, 1048 objecting and 1951 in support of the proposal. A schedule of comments objecting to the proposal with 766 signatures on it has also been received.
- 3.2 All representations received are available for inspection in the Members Support Unit.

4. Area Committee Decision (Summary)

- 4.1 The application was initially reported to the Formartine Area Committee on 18 September 2006, when Members agreed to defer consideration of the application to enable Members of the committee to visit the site of the application and to allow a departure hearing to take place.
- 4.2 The Formartine Area Committee visited the site on 27 September 2007 and held a departure hearing in the evening of the same day at Balmedie Primary School. Members of the Infrastructure Services Committee, or their substitutes, took part in the site visit and hearing and a note of the hearing is attached as Appendix 4 to this report.
- 4.3 The application was further considered by the Formartine Area Committee on 20 November 2007 when Members agreed to refer the application to the Infrastructure Services Committee for final determination on the grounds that it would be appropriate to depart from the environmental and housing Structure and Local Plan policies in this case because of the extenuating economic circumstances to assist in diversifying the economy and supporting the development of tourism. Members of the Formartine Area Committee also wished to impose amended and additional conditions, amendments and additions to the delegation and matters to be incorporated into the section 75 agreement.
- 4.4 The following documents are attached as appendices to this report:
- Appendix 1: Location Plan
 - Appendix 2: Copy of Formartine Area Committee report of 18 September 2007
 - Appendix 3: Extract of Minute of the Formartine Area Committee meeting of 18 September 2007
 - Appendix 4: Copy of departure hearing note of 27 September 2007
 - Appendix 5: Copy of the Formartine Area Committee report of 20 November 2007
 - Appendix 6: Draft Minute of the Formartine Area Committee meeting of 20 November 2007 (to follow)
- 4.5 If the Committee is minded to approve the application it will require to be referred to the Scottish Government as a significant departure from the

Structure and Local Plans, and as a consequence of the outstanding objection from Scottish Natural Heritage regarding the impact on the SSSI.

5. Officers' Recommendation

5.1 That authority to GRANT Outline Planning Permission be delegated to the Head of Development Management and Building Standards subject to:-

- (a) The conclusion of negotiations for completion of a Section 75 Legal Agreement to cover matters including planning gain contributions, affordable housing, training programme, details of environmental and sustainability measures and the setting up and operation of the Menie Environmental Management Advisory Group;**
- (b) Details regarding the provision and maintenance of open space;**
- (c) Details regarding the provision and maintenance of SUDS;**
- (d) Conclusion of transportation requirements in consultation with the Transportation and Infrastructure Service and Transport Scotland including those which may be identified by Aberdeen City Council;**
- (e) The submission of an environmental management plan for the resort and the housing areas;**
- (f) The submission of a bond to cover the restoration of the area of the Championship Golf Course;**
- (g) Any additional mitigation or conditions required or incorporation of measures in the S75 as result of the above;**
- (h) Inclusion of amended and additional conditions, amendments to the delegation and matters to be included in the section 75 agreement imposed by the Formartine Area Committee;**
- (i) Subject to Scottish Government referral; and**
- (j) Subject to the following conditions:-**

1. That an application for approval of reserved matters shall be made to the Planning Authority within 3 years beginning with the date of this outline planning permission.

Reason: Pursuant to Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997.

2. That the development hereby granted shall be begun on or before whichever is the latest of the following two dates:
 - (a) The expiration of five years beginning with the date of the outline planning permission; or
 - (b) The expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason: Pursuant to Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997.

3. That no development in connection with the planning permission hereby approved shall take place unless full details of the siting, design, external appearance and landscaping of the development and the means of access

serving the development (hereinafter referred to as the "Reserved Matters") have been submitted to and approved in writing by the Planning Authority. The Reserved Matters shall include:

- (a) Details of all cut and fill operations in the construction of the golf courses;
- (b) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point;
- (c) Full details of the proposed means of disposal of foul and surface water from the development;
- (d) A detailed phasing plan for the proposed development;
- (e) The siting design and external materials of all buildings or structures;
- (f) The details of all roads, footpaths and cycleways throughout the development;
- (g) Details of any screen walls/fencing to be provided;
- (h) Measures to maximise micro-climate improvements through design, orientation and planting or any other means;
- (i) Details of all landscaping, planting and screening associated with the development.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for the Reserved Matters in accordance with Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997.

4. That concurrently with the submission of the first application for the approval of reserved matters, plans shall be submitted for the consideration and written approval of the Planning Authority showing the proposed phasing of the housing development in relation to the erection of numbers of houses, open space and other relevant development within the specified areas.

Reason: To ensure the timeous provision of different, inter-related parts of the development.

5. That the golf villas and holiday apartment buildings hereby approved shall be used solely as temporary holiday letting accommodation and no holiday let shall exceed a period of 6 weeks at any one time. The villas shall at no time be occupied as independent dwellinghouses without the prior express planning permission of the Planning Authority.

Reason: In order to retain control over the occupation of these buildings.

6. That prior to the receipt of any application for reserved matters for any of the buildings, development impact assessments for foul drainage and water supply shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Water. No development pursuant to this planning permission shall take place until plans indicating all details of:

- the proposed sewage disposal/drainage facilities
- provision for surface water disposal
- the proposed water supply

have been submitted to and approved in writing by the Planning Authority in consultation with Scottish Water and the Scottish Environment Protection Agency.

Reason: In the interests of public health and to prevent pollution.

7. The site shall be drained to the mains sewerage system by means of adoptable sewerage and plant agreed in writing and to the satisfaction of the Planning Authority in consultation with Scottish Water.

Reason: In the interests of public health and to prevent pollution.

8. That no development in connection with the planning permission hereby approved shall take place unless an overall site water management plan has been submitted to and approved in writing by the Planning Authority in consultation with the Scottish Environment Protection Agency and Scottish Natural Heritage. This shall include full details of the proposed foul water disposal, the proposed means of disposal of surface water from the development, full details of any water abstraction and any irrigation. Unless otherwise agreed in writing by the Planning Authority, surface water shall be disposed of via the use of Sustainable Urban Drainage Systems and the development shall not be brought into use unless the agreed drainage system has been provided in association with each phase of development.

Reason: To ensure the provision of an acceptable drainage system in the interests of the amenity of the area.

9. The dune ridge and its associated body, the extent of which shall be agreed in writing by the Planning Authority, shall be protected from all works associated with the creation of the golf courses, and their future management, and shall remain as such in perpetuity to the satisfaction of the Planning Authority.

Reason: In the interest of protecting the environmental sensitivity of the site.

10. Prior to the submission of the Reserved Matters application for the second golf course, an Environmental Impact Assessment shall be prepared to be submitted along with such an application.

Reason: In the interest of protecting the environmental sensitivity of the site.

11. That as part of any application related to the formation of the Championship golf course, a full topographical survey including all engineering works, site levelling etc required for the formation of the course shall be carried out and details of the proposed levels shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Natural Heritage.

Reason: In the interest of protecting the environmental sensitivity of the site.

12. That as part of any application related to the formation of the Championship golf course, full details of the works involved in any stabilisation of the dunes system shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Natural Heritage.

Reason: In the interest of protecting the environmental sensitivity of the site.

13. That no development in connection with the permission hereby approved shall take place unless details of all of the proposed means of enclosure to be provided in the proposed development have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

14. That no works in connection with the development hereby approved shall take place unless a scheme of hard and soft landscaping works, linked to the agreed phasing plan pursuant to condition 3 above, has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:

- (i) Existing and proposed finished ground levels relative to a fixed datum point;
- (ii) Existing landscape features and vegetation to be retained;
- (iii) Existing and proposed services including cables, pipelines and substations;
- (iv) The location of new trees, shrubs, hedges, grassed areas and water features;
- (v) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
- (vi) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;
- (vii) An indication of existing trees, shrubs and hedges to be removed;
- (viii) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

15. Prior to the commencement of development, excluding the construction of the Championship golf course, a tree survey shall be carried out identifying existing tree species, an estimation of their height and spread of branches, and their location within the site accurately plotted to the satisfaction of the Planning Authority. Those trees which it is proposed to retain or to fell or remove shall be separately identified.

Reason: In the interests of visual amenity and to safeguard as many trees as possible on the site.

16. That no works in connection with the permission hereby approved shall take place unless the trees to be retained pursuant to condition 16 above have been protected by suitable fencing in accordance with BS5837 2005 (Trees in Relation to Construction). No works shall commence unless details of the protective fencing have been submitted to and agreed in writing by the Planning Authority. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason: In order to ensure adequate protection for the trees on the site during the construction of development, in the interests of the visual amenity of the area.

17. Prior to the commencement of any development and notwithstanding the details on the approved plans, no development shall take place within the area of ancient woodland or within a buffer around this zone, the distance for which shall be agreed, to the satisfaction of the Planning Authority.

Reason: To ensure the retention of important landscape features and preserve the character of the area.

18. Prior to the commencement of the works hereby authorised full details of the grass types, vegetation and seed mixes to be used for the planting of the golf courses shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Natural Heritage and the works when undertaken shall accord with the details as approved.

Reason: In order to give further consideration to this matter and in the interest of protecting the environmental sensitivity of the site and habitat enhancement.

19. The pond identified as PN8 in the Environmental Statement shall be retained as part of the detailed design and shall be protected from all development with a 20 metre wide buffer at all times to the satisfaction of the Planning Authority.

Reason: In the interest of protecting the environmental sensitivity of the site.

20. Prior to the commencement of any works on site, an otter mitigation plan shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Natural Heritage.

Reason: In the interests of safeguarding the habitat of a protected species.

21. Prior to the commencement of any works on site, a badger protection plan shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Natural Heritage.

Reason: In the interests of safeguarding the habitat of a protected species.

22. Prior to the commencement of any works on site a habitat enhancement plan for birds shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Natural Heritage.

Reason: In the interests of protecting the environmental sensitivity of the site and habitat enhancement.

23. Prior to the commencement of development of any works on site a habitat enhancement plan for bats shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Natural Heritage.

Reason: In the interests of protecting the environmental sensitivity of the site and habitat enhancement.

24. Prior to the commencement of development, a detailed habitat and plant mitigation and management plan shall be submitted for the further approval of the Planning Authority in consultation with Scottish Natural Heritage.

Reason: In the interests of protecting the environmental sensitivity of the site and habitat enhancement.

25. No works shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, as agreed by Aberdeenshire Council Archaeology Service and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in consultation with the Council Archaeology Service.

Reason: In the interests of recording and preserving such items of historical importance that exist within the site.

26. That prior to the commencement of any works on site in connection with this or subsequent planning applications, a detailed construction method statement to include details of buffer zones, public access arrangements during construction, signage details and car parking, shall be submitted to the Planning Authority to be agreed in writing in consultation with the Scottish Environment Protection Agency and Scottish Natural Heritage and once agreed all construction works on site shall comply with the approved method statement.

Reason: In the interests of protecting the environmental sensitivity of the site.

27. That throughout the duration of the development hereby permitted, no buildings, materials or machinery shall be stored on the site access or any other access roads serving the development. The site access and all other such roads shall be kept clear of soil, mud and stones to the satisfaction of the Planning Authority.

Reason: To ensure that the site and surrounding access roads are maintained to an adequate standard and the interests of public safety.

28. No work shall be carried out on the site unless and until an effective vehicle wheel washing facility has been installed in accordance with details to be submitted to and approved by the Planning Authority prior to its installation. Such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which causes a nuisance or hazard on the road system in the locality.

Reason: In the interest of road safety.

29. That dust suppression measures employed at the site will be to the satisfaction of the Planning Authority in consultation with Environmental Health.

Reason: In the interests of the amenities of the surrounding area.

30. That between the hours of 07:00 and 19:00 the noise from the proposed development shall not exceed the existing background level by more than 3dBA when measured at 3.5m from the facade of any noise sensitive premises.

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.

31. That between the hours of 19:00 and 07:00 the noise level from the proposed development shall not exceed LAeq (5 minutes) = 35 dB when measured at 3.5m from the facade of any noise sensitive premises.

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.

32. All site lighting shall be so designed and installed so as not to cause undue light pollution to the satisfaction of the Planning Authority.

Reason: In the interests of the amenity of the area.

33. Prior to the submission of any Reserved Matters application, an access strategy and plan shall be prepared which shall include details of how public access shall be catered for and for paths and tracks within the golf resort, courses and housing areas to the satisfaction of the Planning Authority. The plan should clearly show:

- Proposed promoted routes including information regarding ownership and potential privacy matters;
- Proposals for multi-use (cyclists, horse-riders etc) and users of all abilities;
- Details of path materials, widths, slopes and method statements for construction of new routes;
- Proposed privacy and exclusion zones, including temporary exclusion zones for competition events etc;
- Proposals for vehicle access to provide health and safety back up for community events;
- Details of ancillary matters such as car parks, information boards and waymarking;

- Details of the proposed siting of maintenance access tracks and boardwalk, specifying construction material, width, slope and permanence including a method statement for the siting or resiting of these routes along with a maintenance schedule;
- A maintenance scheme for the above routes and associated infrastructure.

Reason: In order to promote public access.

34. That prior to the commencement of any development, apart from the formation of the Championship golf course, a development brief incorporating detailed design and materials information for all buildings within the development site, excluding the private residential dwellings, shall be prepared for the further approval of the Formartine Area Committee and once agreed all development shall be carried out in accordance with the brief. The brief shall contain guidance on:

- the height and appearance of all new structures;
- the use of appropriate external materials including walls, fences and other boundary enclosures;
- the surfacing of all new roads, parking areas and footpaths;
- the lighting of all streets and footpaths; and
- the maintenance of all open space and treed areas.

Reason: In order to give further consideration to those details which have still to be submitted.

35. That prior to the commencement of any private residential dwelling, a development brief incorporating detailed design and materials information shall be prepared for the further approval of the Formartine Area Committee and once agreed all development shall be carried out in accordance with the brief. The brief shall contain guidance on:

- the height and appearance of all new structures;
- the use of appropriate external materials including walls, fences and other boundary enclosures;
- the surfacing of all new roads, parking areas and footpaths;
- the lighting of all streets and footpaths; and
- the maintenance of all open space and treed areas not included in private house plots.

Reason: In order to give further consideration to those details which have still to be submitted.

36. That prior to the commencement of any development, apart from the formation of the Championship golf course, to allow for an appropriate design framework, the developer shall enter into a Design Review process with the Planning Authority and Architecture and Design Scotland to the satisfaction of the Planning Authority.

Reason: In order to ensure a responsive and robust design framework is created for the site.

37. Full details of the height and design of the hotel and holiday apartment buildings shall be submitted for the further approval of the Planning Authority in consultation with Defence Estates and Architecture and Design Scotland.

Reason: In the interests of the visual amenity of the area.

38. That prior to the commencement of any development, apart from the formation of the golf courses, the developer shall carry out an Index 21 Assessment to the satisfaction of the Planning Authority.

Reason: In the interests of sustainability.

39. That no house in connection with the development shall be built until such times as the first phase of development is complete (championship golf course, maintenance building, clubhouse, starters hut, caddy shack, practice facilities and driving range, hotel, 36 golf villas and staff accommodation) to the satisfaction of the Planning Authority.

Reason: In order to ensure the implementation and completion of the non-residential components of the proposal.

40. That one of the blocks of holiday apartments shall be completed to the satisfaction of the Planning Authority and agreed in writing prior to work commencing on the construction of the private residential dwellings.

Reason: In order to ensure the implementation and completion of the non-residential components of the proposal.

41. That the construction of the second block of holiday apartments shall commence prior to the completion of the 101st private residential dwelling and in line with an agreed construction programme to be submitted and agreed in writing by the Planning Authority.

Reason: In order to ensure the implementation and completion of the non-residential components of the proposal.

42. That the second block of holiday apartments shall be completed to the satisfaction of the Planning Authority prior to work commencing on the construction of the 151st private residential dwelling.

Reason: In order to ensure the implementation and completion of the non-residential components of the proposal.

43. That the construction of the third block of holiday apartments shall commence prior to the completion of the 201st private residential dwelling.

Reason: In order to ensure the implementation and completion of the non-residential components of the proposal.

44. That the third block of holiday apartments shall be completed to the satisfaction of the Planning Authority prior to work commencing on the construction of the 251st private residential dwelling.

Reason: In order to ensure the implementation and completion of the non-residential components of the proposal.

45. That the construction of the fourth block of holiday apartments shall commence prior to the completion of the 301st private residential dwelling.

Reason: In order to ensure the implementation and completion of the non-residential components of the proposal.

46. That the fourth block of holiday apartments shall be completed to the satisfaction of the Planning Authority prior to work commencing on the construction of the 401st private residential dwelling.

Reason: In order to ensure the implementation and completion of the non-residential components of the proposal.

47. No public right of way or public footpath shall be obstructed without the written consent of the Planning Authority. The footpath network shall be laid out so as to accord with the details contained within the access strategy.

Reason: In order to maintain appropriate pedestrian links into and out of the estate in the interest of a sustainable form of development.

48. Prior to the commencement of works in association with any of the buildings hereby permitted, details of any electricity sub station or gas governor kiosks shall be submitted to and approved in writing the Planning Authority for its further written approval.

Reason: In the interest of visual amenity.

49. That prior to the commencement of any works on site, full details of a waste management plan incorporating on site disposal shall be submitted for the further approval of the Planning Authority in consultation with Environmental Health.

Reason: In the interests of the sustainable disposal of waste.

50. Details of any micro wind turbines shall be submitted for the further approval of the Planning Authority in consultation with the BAA Safeguarding Team.

Reason: In the interests of health and safety.

51. Any plant and equipment eg air conditioning, mechanical extraction, air receivers etc must be designed and installed so as to prevent noise disturbance to adjoining properties.

Reason: In the interests of the amenity of the area.

52. That notwithstanding the details on the approved plans, full details of the routing for the Championship golf course including reference to tracks and paths designed to avoid sensitive areas and in no way impacting upon the foredune ridge shall be submitted for the further written approval of the Planning Authority.

Reason: In order to protect the environmental sensitivities of the site.

53. That no works in connection with the construction of the Championship golf course shall take place unless a scheme detailing the management of areas of rough grass and planting including only the use of appropriate locally native species has been submitted to and approved in writing by the Planning Authority.

Reason: To ensure the implementation of appropriate species for creation of golf course rough.

54. That no works in connection with the construction of the Championship golf course shall take place unless a turf management plan including full details of fertilisers, herbicides and pesticides has been submitted to and approved in writing by the Planning Authority.

Reason: In the interest of protecting the environmental sensitivity of the site.

55. That prior to the commencement of any works on site a bryophyte survey and any associated mitigation plan shall be submitted for the further approval of the Planning Authority.

Reason: In order to give adequate protection to bryophytes.

56. That no more than 500 houses shall be built under the permission hereby granted.

Reason: For the avoidance of doubt and in order to comply with the proposals as submitted.

57. That prior to any part of the development hereby granted coming into use, a new access onto the existing A90 shall be constructed, full details of which shall be agreed in writing in consultation with the Transportation and Infrastructure Service and Transport Scotland, and shall be completed to the satisfaction of the Planning Authority.

Reason: In the interests of road safety.

58. That prior to the receipt of any application for Reserved Matters for any of the buildings, the applicant shall seek a screening opinion from the Planning Authority to determine whether an Environmental Impact Assessment is required.

Reason: In the interest of protecting the environmental sensitivity of the site.

11.2 That the Committee agree the reason for departing from the Development Plan with regard to the environmental and housing policies as being the extenuating economic circumstances to assist in diversifying the economy and supporting the development of tourism.

Christine Gore
Director of Planning and Environmental Services
Author of Report: Lesley Aitken LA/
21/11/2007