

Mr Colin Bell
DPEA
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East Cothill Croft
Balmedie
Aberdeenshire
AB23 8YH

21st May 2008

Dear Mr Bell,

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS)
(SCOTLAND) DIRECTION 2007
OUTLINE PLANNING PERMISSION FOR GOLF COURSE AND RESORT
DEVELOPMENT ON LAND AT MENIE HOUSE, BALMEDIE, ABERDEEN**

As residents living close to the Menie Estate (our home is along the Hatterseat road just to the north of the estate) we are submitting this further representation now to the PLI in the light of new information and to reference our previous letters of objection. We address our letter to you Mr Bell and the Reporters.

1. Please refer primarily to the three letters that we have previously submitted to the area planning office. We list them as follows:
 - The first (7 February 2007) objects to the outline planning application and highlights our concerns.
 - The second (12 May 2007) is our response to the subsequent Environmental Statement which recognised the severe negative impacts of the proposed development but failed to seek less damaging alternatives.
 - The third (28 October 2007) expresses our concern at the inadequacy of the proposed Section 75 conditions to provide adequate safeguards, and puts forward additional conditions for consideration.

We would ask you verify that you have copies of all three letters, particularly the third one as it does not appear in any of the pdf files that currently appear on the original planning page of Aberdeenshire Council's website. In case the third letter has not been forwarded to you by the planning office, please request a formal copy from them. If they cannot provide a copy, we will be pleased to provide one for you.

2. We will not repeat all the points we have already made in our three letters to date, and would ask you to please read those letters in their entirety and take into full consideration the concerns and objections we have put forward in some detail.

Although our letters cover a period going back some 16 months from the present time, all of our comments and objections remain as relevant today as they were when we wrote them, due to the applicant's apparent unwillingness to make any meaningful or significant changes to reduce or mitigate the most damaging and contentious aspects of their plans.

3. Indeed with new information coming to light some of them are even more relevant now. We refer for example to the precognition submitted to the PLI by Dyce & Stoneywood Community Council, which reinforces our own concerns (noted in our first letter) about the inevitable proliferation of private helicopter flights that will be used to transfer visitors between the resort and Aberdeen Airport. This is a serious omission from the applicant's Environmental Statement and Transportation Statement.

Additionally, helicopter excursions between the resort and other golf courses in the North-east and beyond are predicted, similar to those already promoted on the web page cited as supporting document number 2 in the above-mentioned precognition. Also, helicopter golf excursions will naturally be a two-way phenomenon, meaning that as well as golfers staying at Menie resort flying off to other golf courses, there will be similar or perhaps even greater numbers of excursion flights bringing in golfers from other resorts to play at Menie. So the overall impact on the amenity and safety of residents in the Menie and Balmedie area (including the new residents of the 500 proposed homes and the 400 staff accommodation) will be even greater than the very substantial impact of the 150 helicopter 'transfer' flights per day anticipated between Dyce and Menie alone. Not to mention the impact on communities near all those other resorts and courses.

We would also like to state from our own experience that the noise generated by a private helicopter coming in to land or taking off from the vicinity of Menie House roughly half a mile away from our home is a far greater noise level and causes far greater disturbance than the regular oil-related helicopters as they cruise past at a couple of thousand feet on their way to and from the rigs.

We therefore fully support the submission by Dyce & Stoneywood Community Council.

4. We trust that you will be very well informed of the main issues at stake (and will not necessarily believe everything that has been printed in the media), but we would like to highlight in particular a few of the key points as we see them:

Natural Heritage and habitat loss - It's time to draw a line in the sand and uphold its protected status - say 'no' to further loss of Scotland's precious natural heritage.

The applicant has ignored the findings of his own environmental impact assessment and the advice of SNH, SEPA, RSPB, SWT and many other

respected experts, by pressing on regardless with their plans to build half of their championship golf course in Foveran Links SSSI and to stabilise its dynamic dune system. This will negate the prime reason for its SSSI designation, and contravenes local and national planning policies and the UK Biodiversity Action Plan under which it is a priority habitat. Please do not accept that the destruction of an SSSI is a necessary evil of developing a golf course. The golf course can be constructed elsewhere on the estate. The SSSI cannot.

Building the course elsewhere on the estate could be done at a much reduced cost that would not (allegedly) require the massive subsidy from the sale of 500 luxury homes. If the current applicant is not prepared to do this, then perhaps he should sell the estate to a developer who is.

Landscape impact - In this designated Area of Landscape Significance, all buildings should be in harmony with the landscape character, not in conflict with it.

The massive scale, style and prominent siting of the hotel and the four holiday apartment blocks will totally dominate and overpower the rural landscape in an attempt to make an 'iconic statement' to reflect the applicant's massive ego.

Housing development - The same rules should apply to this application as to any other housing development, large or small.

Permitting a development of 500 luxury homes (and no infrastructure) with the sole 'justification' of funding the applicant's latest real estate development will create a dangerous and unsupportable precedent. It will throw the planning system into turmoil and uncertainty. Why should the same concessions not be granted to every other developer in Aberdeenshire and beyond? And what happens when the applicant comes back seeking permission to build even more houses 'or they will pull out'? It will open the door to unstoppable further development of the remainder of Foveran Links SSSI all the way to Newburgh, and indeed any other undeveloped areas along the North East coast and beyond.

Rhetoric vs reality - The rhetoric cannot be trusted.

- The applicant says he cares for the environment. The reality is that in October 2007 (as reported to Aberdeenshire Council at the time), a large tracked bulldozer engaged in survey operations created deep ruts and large back-filled holes over an extensive area of fragile dunes and vegetation in the Menie - Pettens links. The ruts and damaged vegetation are still very clearly visible and will likely take many years to recover. We hope you will be allowed to see the damaged areas during your site visit. This damage is inexcusable and amounts to environmental vandalism.
- The applicant's submissions claim that the championship course will need no more than 50,000 cubic metres of sand or soil to be moved. The reality is that the cut & fill layout that was submitted for the championship course

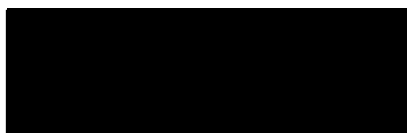
(APP/2007/1517) stated a total cut & fill of almost 600,000 cubic metres. The outline plan was massively understating the extent of earthmoving that would have been involved. We are aware that the original layout has recently been withdrawn by the applicant and a new layout has been put forward. Please scrutinise the new plan to see whether the total cut & fill figures are now consistent with the claimed 50,000 cubic metres.

- The applicant claims through the media that 92% of the population support the application. The reality is that after the ISC recommended refusal, Aberdeen Journals ran an online poll which, before it was taken off the website, was indicating that almost 60% of respondents supported the ISC's decision.
5. Through the course of the various stages of this planning application, it seems that the environment is seen by many of those who support the application as something that is 'nice to have' but doesn't really matter when a high-profile developer comes along and says they 'need' it for development. In this age of enlightened public awareness of environmental issues, Scotland's planning policies have evolved to no longer support that view. These policies are there for very good reasons and should not be brushed aside.

We have heard it said many times that this is an exceptional application. We completely agree - it is exceptional in the extent of its contravention of planning policies.

We trust that you will take the time to read our letters and will give due consideration to our concerns. We ask you in this case to please uphold the North East's planning policies and in doing so ensure the protection of this special area for future generations, by recommending against this planning application.

Yours sincerely,

A solid black rectangular box redacting the signature of Mr & Mrs R P Menlove.

Mr & Mrs R P Menlove