



Town and Country Planning (Scotland) Act 1997
The 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**

PUBLIC LOCAL INQUIRY: Ref CIN/ABS/001

SUMMARY OF PRECOGNITION

**of
JONATHAN HUGHES
FOR
Scottish Wildlife Trust**

1. My name is Mr Jonathan Hughes. I have worked in the field of nature conservation for over 16 years after graduating with a Masters degree in Ecology in 1991. I am currently Head of Policy at the Scottish Wildlife Trust and have formerly held positions including policy adviser on ancient woodland to the Forestry Commission England and, pertinent to this inquiry, wildlife reserve manager for a coastal sand dune complex and estuarine basin in north east Scotland – Loch Fleet in Sutherland. I have also worked as an independent ecological consultant, mainly on specialist invertebrate surveys and vegetation surveys to National Vegetation Classification standards.
2. I will cover the following matters in this summary precognition:
 - a. Summary of the Objection
 - b. Sustainable Development and Biodiversity Conservation
 - c. The importance of geomorphology and ecology at Menie Links
 - d. Planning conditions and legal agreement

3. SWT / RSPB / BSBI

4. The purpose, history and activity of the RSPB / SWT / BSBI, relevant to this application, and a summary of our responses submitted to the Council, were set out in the joint Statement of Case, submitted on 5th May 2008, so I will not repeat them here.

5. Summary of the objection

6. In summary, and as expressed in our joint Statement of Case, the SWT, RSPB and BSBI considers that the likely adverse environmental impacts of this development are unacceptable, irreversible and not outweighed by any over-riding strategic need or national interest. The damage to the integrity of the Foveran Links SSSI and to biodiversity, over the whole site, is so severe that we believe strongly the application should not be permitted. The main purpose of the SSSI network - to defend nationally important sites against damaging developments and operations - would be severely compromised if these proposals were to be consented.

7. Sustainable Development and Biodiversity Conservation

8. In the full precognition we have outlined the need for Scotland to deliver on it's commitment to sustainable development as outlined in the current Government's Economic Strategy and Scotland's Sustainable Development Strategy. We make

reference to the stark warnings from the Millennium Ecosystem Assessment which concluded that if unsustainable development continues at current rates then the projected future species extinctions rate will be ten times higher than the current level – which itself is already over a 1000 times the background rate.

9. I explain that in Scotland, only a third of UK Biodiversity Action Plan habitats are in an improving or in a stable condition. Specifically within the Coastal Sand Dunes Habitat Action Plan there are commitments to protect the existing UK sand dune resource of around 54,000 hectares from “further losses to anthropogenic factors”. Allowing this development to proceed as proposed would therefore not only undermine SSSI legislation, but also undermine the whole biodiversity policy process, including efforts of this and previous administrations to “halt the loss of biodiversity” by 2010.
10. I also make the point that it is taxpayers’ money which pays for the management and administration of the SSSI network and that loss of part of a SSSI would therefore represent a significant loss of this public investment.
11. I go on to make further reference to the current Government’s central purpose as stated in its Economic Strategy; namely to increase “sustainable economic growth”, pointing out that the sustainable part of this phrase is equally important as the growth part. I conclude that the development as proposed would not contribute to the Government’s central purpose. However, I also contend that it could contribute to this central purpose if it was redesigned away from the SSSI, and the right planning conditions and Section 75 agreement are put in place for the rest of the site.
12. I also make the point in the main precognition that the development as proposed contravenes almost every planning policy, environmental policy and Government strategy in the national canon; including the sustainability objectives in the National Planning Framework, SPP1, NPPG 14, the approved North East Scotland Together Structure Plan, and the adopted Aberdeenshire Local Plan. These and other documents are fully referenced in the full precognition.
13. I then contend that the development as proposed will damage Scotland’s global reputation by sending a message that Scotland wantonly disregards its most precious environmental assets, and will happily set aside democratically agreed policy and legislation, so long as the development comes with a big enough economic carrot.

14. The importance of geomorphology and ecology at Menie Links

15. Whilst much of the detailed evidence in support of SWT / RSPB / BSBI's objection is contained within our written statements and earlier representations, the full precognition draws out some key issues.
16. The first regards the spectacular and almost unique nature of certain parts of the sand dune system at Menie Links. I make the point that the technical language used in our objection and written submissions cannot really convey the sheer scale and impressiveness of the sand dune features. I then draw on evidence provided to us by Professor John McManus, Emeritus Professor at the School of Geography and Geosciences, University of St Andrews. Professor McManus believes the Menie dunes contain “exceptionally interesting characteristics” which in the Foveran Links SSSI area are very dynamic in nature. He has explained to me that the active sands around the sand dome receive material blown from the beach along access corridors in the south, and that this process is vital to the integrity of the living dune system. Any attempt to interfere with these natural processes, or any efforts to stabilise the dune surfaces with artificial coatings or introduced vegetation would lead to the loss of the dynamic processes which make the dunes so unique and important.
17. Backed again by evidence from Professor McManus, I then go on to explain that it is not just the destruction of the *current* geomorphological, and linked ecological, interest which is at stake here, but the value of the area as a window on the past – as a place where we can learn more about the development of Scotland’s coastal processes and ecology over the past 12,000 years. I also make reference to a recent geomorphological report commissioned by Scottish Natural Heritage which also concluded that this area is of international significance for its scientific value and “relatively unique in a Northwest European context”.
18. The second key point relates to the interdependency of the dynamic nature of the dunes and the nature conservation value of the site. I emphasize the point that it is the highly dynamic, shifting nature of the system which has created the geomorphological interest upon which the habitats and species present are entirely dependant. Any disruption of this dynamism, through for example the proposed stabilisation measures, will, as the Environmental Statement acknowledges “terminate the natural succession of the plant communities and prevent the future natural succession of habitats which rely on the dynamics of dune formation and sand mobility.”

19. I further explain that the individual components of the sand dune system - the species and habitats – although vitally important in their own right are not in themselves as important as the integrity of the whole system, which is of primary concern. I contend that switching off the natural functioning of the system will eventually lead to profound and irreversible changes to the ecology of the site, including the loss of individual habitats and species components. It is not therefore possible to mitigate against environmental damage by for example, re-routing a fairway to avoid a rare plant, when the integrity of the whole system has already been compromised. No amount of species micromanagement for mitigation will offset the effective functional breakdown of the living system.

20. Planning Conditions and legal agreement

21. Regarding planning conditions and the legal agreement, I explain that as they currently stand, these would not resolve the concerns of SWT / RSPB / BSBI. We have listed these concerns in further detail in our written submissions so I will not go into detail in this summary precognition. I propose that SWT / RSPB / BSBI are open to constructive dialogue with the developer on these issues but express concern that our respective organisations have not received (at the time of writing) any draft agreement regarding the proposed Menie Environmental Management Advisory Group. I also express concerns, in the main precognition, over the efficacy of this group which will only ever be a monitoring body with little power to prevent avoidable harm to the dunes.