

# PRECOGNITION

of

Iain Donald Banks on behalf of Mrs & Mrs D. Banks and Messers. D. Milne, R. Davidson and M. Foote as objectors to the called in application for outline planning application for golf course and resort on land at Menie House, Balmedie, Aberdeen by Trump International Golf Limited Scotland – reference DPEA:CIN/ABS/001

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1 My name is Iain Donald Banks. I am employed as a Principal Consultant with a leading international provider of services for managing risk. I have lived on the edge of the Menie estate for 25 years and have enjoyed access to the estate, the surrounding land, the dunes and the beach unhindered for all that time.

2 I initially supported the Trump development, envisaging it as a quality development of an appropriate scale. I imagined a sensitive development, sympathetic to the landscape, with architecture appropriate to its location. The scale of the current proposal and its adverse impact forms the basis of my objection and that of others.

2.1 In my evidence I represent the views of a number of concerned individuals, (Banks, Milne, Davidson & Foote). We all live in the area of the proposed development and include a farmer, a teacher, a risk consultant, an HSE Manager and the director of a waste management company.

3 All of those individuals are members of a group known as Sustainable Aberdeenshire. This is a pressure group formed in response to the growing concern of a section of the Aberdeenshire community as the scale of the proposed development became apparent, and the location of the golf course on the SSSI became known.

3.1 Sustainable Aberdeenshire can be best described as a collective of those people (local and national) who felt so strongly that the development should not go ahead that they wrote letters of objection to their MSPs and councillors, signed petitions against the development, raised funds, devoted their time to researching the issues and took part in leafleting and awareness raising.

3.2 The group contains those from many walks of life, from university professors to quarry workers. Sustainable Aberdeenshire has no formal organisational structure or committees. Intra group communications have been through e-mail, web message boards and telephone conversations.

3.3 The Manifesto for Sustainable Aberdeenshire was agreed at a public meeting in October 2007 and published on the meniescotland website which publicised and supported Sustainable Aberdeenshire. The Manifesto states the following reasons why the development should be opposed:

3.4 “Inappropriate Development on Designated Undeveloped Coast & Biodiversity

- *The huge hotel, apartment blocks, and other large buildings are to be built in an area which is designated as Undeveloped Coast.*
- *9 holes of the golf course will be built over a Site of Special Scientific Interest (SSSI) which means it is of national importance and is protected under law.*
- *The dunes system is constantly moving and very few of these remain in Scotland—the development will stabilise or fix the dunes in place.*

- *The development will destroy the 4000 year old natural dune habitat.*
- *National policies protecting biodiversity will be contravened.”*

### 3.5 “Housing

- *The residential housing (500 units) should not be considered in this application but should be part of the Development Plan process which applies to all other developers.*
- *It is against planning policy for the sale of housing to be used to finance a business.*
- *The pressure put on existing infrastructure such as roads, sewers, schooling and local health facilities, will be immense.”*

### 3.6 “Environmental Impact

- *Road traffic levels will be significantly increased, adding to further congestion on roads leading into Aberdeen and adding to carbon emissions and noise pollution.*
- *The development is expected to increase air traffic, which will lead to more greenhouse gas emissions and more noise disturbance at a time when Aberdeenshire Council are committed to reducing emissions.*
- *Coastal ‘squeeze’ . A large residential development near the coast will have major implications for flood defences and coastal protection.”*

### 3.7 “Access is lost

- *The loss of a public coastal recreation area.*
- *Several walking routes, including one from the popular Balmedie car park, will be lost. Both the extensive housing and the golf course will severely limit the public’s right to enjoy the dunes via responsible outdoor access”*

### 3.8 “Economics Argument is Flawed

- *The development can only be justified on economic grounds of ‘national importance’. The benefits in terms of jobs have been exaggerated and the economic claims of the developer have not been independently reviewed.”*

4 The Statement of Case lodged on our behalf sets out our position with regard to development plan policies. Evidence concerning these policies will be given on our behalf by Mr W. Walton.

5 We support Scottish Natural Heritage, the Royal Society for the Protection of Birds, The Ramblers Association, Scottish Wildlife Trust and others in their opposition to the proposals with regard to potential adverse impacts on the landscape, protected sites and habitats, biodiversity and potential adverse impact on access.

6 The proposed development will have an adverse impact on the community. Many of the residents, who are forced into close proximity to the proposed development, chose to live in a rural environment rather than in the city or in a suburb.

6.1 Delfriggs, Pettens, Menie, Hatterseat, Foveran, Mains of Foveran are all small groups of farms and residences with their own histories and their own identities. The rural lifestyle combines the benefits of privacy with the opportunity to be part of a wider community with its own unobtrusive community spirit. It is

a community where if you so choose you can keep 'yourself to yourself' or take a more active role if you prefer, providing peaceful amenity and space, resulting a particular sense of place.

6.2 We now are faced with the prospect of losing that tranquil rural lifestyle to become part of a sprawling corridor of urban expansion. We will look out of our windows onto other people's houses and gardens. We will be affected by noise and light pollution from thousands of windows and street lights.

7 The proposed development will result in loss of farmland. Some of the land, particularly that designated for the residential element of the development, is good arable and pasture, which should not be taken out of productive use to be replaced by recreation and dense residential use. These fields are needed for the provision of food for the UK, as we move away from products with high 'food miles' to those grown locally. The farmland itself is an essential characteristic of a rural community such as Hatterseat or Delfriggs, where residences adjoin productive fields.

8 The proposed development will result in loss of access. Residents and visitors have had the right under Scottish tradition to roam responsibly on private property. These rights and responsibilities are now defined in the Land Reform (Scotland) Act 2003.

8.1 Previous owners of the Menie estate and surrounding land have put no obstacles in the way of those walkers and birdwatchers etc. who chose to roam on the land. There is a network of paths and tracks used in the area, including historic routes such as the old Aberdeen to Ellon route and the Green Ladies route from Menie House to Pettens Church. The impact of the proposed development will be considerable. The golf course itself will restrict access, limiting it to access through the golf course on predetermined pathways, in the name of safety. Due to the density of the hotel and associated buildings, the areas defined as curtilage will be so substantial that large area will become 'no go areas' on the grounds of privacy. The housing estates will due to their density remove many tens of acres of land from access by walkers.

9 The proposed development will result in adverse impact on wildlife. A long established and complex environment will be re-profiled, stabilised, drained, fertilised, manicured and maintained. Thousands of square feet of hotel buildings, clubhouse, conference centre, roads, lights, helipad, and the marching feet and buggy tracks of thousands of visitors will transform a place where you can currently hear insects buzz and hawks call into a busy resort.

9.1 The sand dunes will be partially stabilised. The complex plant, bird and animal communities they currently support will be adversely affected. The deer, brown hare, buzzards and owls that are found in the woods and farmland will have to move on or die. The geese which fill the evening sky in their thousands (making a sound which lifts your heart) will have to move on.

10 The proposed development will result in adverse impact on the landscape character and appearance and the visual amenity of the area. The height of the larger buildings will dominate the landscape for miles around and loom over the beach and those who use it. The size and scale of the buildings is totally inappropriate to the particular subtle undulating landscape in which they are proposed to be set and which has shaped the vernacular architecture of the 'shire.

10.1 They will also have a severe impact on those residences which will be overlooked and menaced by these huge multi-storey buildings. The light pollution from this sort of density of building will transform the star filled night sky which we presently enjoy to the orange glow of an urban night sky.

11 The proposed development will result in severe adverse impact on the beach and dunes. The dunes and beaches deserve a special mention. They are spectacular and dramatic. Many visitors comment that they are

surprised that such remarkable dunes are not better known. “I have never seen such an unspoilt and dramatic sea side landscape” is a quotation attributed to Mr Donald Trump on the TIGL website.

11.1 As stated in the Visit Scotland website “The coastline of the north-east of Scotland is one of the most fascinating, unspoilt and varied stretches of any in Britain”.

11.2 The dunes can be enjoyed on many levels; as fun places to run and hide in summer and for sledging in winter by children, for their sheer aesthetic splendour by those stimulated by natural features, or just as a varied route for walking by the seaside. They are used by residents, by horse riders and dog walkers, by orienteers, by people taking that part of the North Sea Coastal Trail from Newburgh to Balmedie, by those with specialised interest in bird life, plants, insects and fungi.

11.3 They are a resource which needs to be recognised as such and protected for the future not exploited by one real estate developer for short term gain.

12 The proposed development will result in adverse impact to the broader environment. The resort is being promoted as an attraction for high income foreign visitors. Nearly all of those visitors will undertake both long-distance and short-haul flights to and from Aberdeen. The adverse impact of these flights is obvious, and directly undermines Aberdeenshire Council’s Sustainability Charter Action Programme which states that “We have a long term goal to significantly reduce the production of greenhouse gases by 2050”. Whatever else may be said the proposal will certainly increase reliance on private car use.

12.1 Aberdeenshire Council’s web page on Green Living says: “We [the council] will ensure that long-term and global impacts like greenhouse gases and loss of species have greater weighting than short-term, local effects. Where there is a potential threat to the environment or to communities, the precautionary principle will be given precedence.”

13. The proposed development will result in the destruction of the SSSI to the North and the SINs to the South and other environmentally sensitive areas. I rely on SNH, SWT, RSPB and others with the necessary competence to fully identify the reasons why the Trump approach is not acceptable.

13.1 I am not an environmentalist but I do advise on risk management. In environmental risk management there are a number of recognised steps. Firstly the potential for harm must be identified and the effects assessed (the environmental impact assessment).

13.2 There is then a hierarchy of actions which take place in order of diminishing effectiveness. Firstly and most importantly is to try and eliminate the need for environmental harm through the design process – changing the location and then changing the design plan as necessary. Only after exhausting those possibilities should the applicant look at harm reduction and mitigation measures. TIGL have correctly identified that their plans have harmful effects on the environment. They have not however chosen to address these issues through amending or refining the design of the development. Indeed apart from some untested proposals to re-locate parts of the dune vegetation the only real proposal is the formation of the MEMAG.

13.3 The MEMAG group can not be regarded as a mitigation measure. It is a proposal for a talking shop which might, or might not find methods of reducing the damage caused by the development. SNH have stated that in their view mitigation is not possible. The inclusion of RSPB and others in MEMAG (whether they have agreed or not) does not give this any greater claim to genuine mitigation.

14 The housing element is not acceptable. For the reasons set out in the Statement of Case and other submissions on our behalf, we do not accept the case for the 500 houses and in addition we consider the 950 holiday apartments and accommodation block for 400 employees to be excessive in scale and number.

15 The economic advantages of the proposed development are not proven. Kenneth J. Thomson, Emeritus Professor of Agricultural Economics, University of Aberdeen in his letter of 05/06/07 to the Planning and Environmental Services makes some telling points about the economics of the TIGL application.

15.1 Strategic forecasts made in 2003 (i.e. well before the current proposals and against a background of lower oil prices than recently) for the period up to 2021 state that “*The local economy is expected to be relatively stable in the short to medium term*” with a fall off in resident employment occurring only after 2016 mainly due to a decline in the energy sector. “Total non-energy employment is likely to rise by around 1.8% between 2003 and 2011, followed by a 2% fall between 2011 and 2021.” There is thus no case for the development being required to compensate for an expected dip in the regional economy.

15.2 Unemployment in Aberdeen City has been persistently low for many years; the latest available figures are 1.4% in January 2007, compared to 2.8% for Scotland and 2.6% for the UK. The unemployment rate for Aberdeenshire was even lower, at 0.9%. Unemployment claims by females in January 2007 were particularly low, at 0.7%, and over half of all claimants had been employed for less than 3 months. Median gross weekly earnings in the City during 2006 were £358.80, over 10% greater than the equivalent Scottish figure.

15.3 On 19<sup>th</sup> May 2007 the Reed Employment website for Aberdeen and Aberdeenshire showed 27 job vacancies in the ‘Leisure & Recreation’ category and 28 in the ‘Hospitality & Catering’ category. It seems highly likely that most employees of the TIGLS development will be in-migrants, and thus require housing and other services. Most of the TIGLS jobs will be relatively low-paid, and some (perhaps most) will be seasonal.

15.4 There is currently an anecdotal shortage of construction labour in the City and Shire, and this will be exacerbated with the construction of the WPR. Labour for the construction period will have to be heavily supplemented by an immigrant workforce who historically have send a large proportion of their income back to their families, reducing the benefits of their temporary employment to the ‘shire.

16 The proposed development seeks to promote golf tourism and does not recognise that wildlife tourism (or ecotourism) rely on an unspoilt landscape. Golf tourism is only one of the tourist strategies promoted by Visit Scotland. Wildlife or ecotourism is recognised as having particular potential for Scotland.

16.1 To quote the study Review of Wildlife Tourism in Scotland by Prof Roger Wheater, Chairman of the Tourism and Environment Forum. “Visitors consistently rank beautiful scenery, wild landscapes, nature and wildlife amongst Scotland’s top five tourism assets.”

16.2 While golf tourism and wildlife tourism can be seen to co-operate together, the Trump development by its refusal to move from the SSSI is forcing Aberdeenshire and indeed Scottish Ministers to choose between its environmental credibility and its commitment to golf tourism. This is a zero sum game. The development is so controversial that to choose a golf development which insists on damaging a special environment marks us as a country where the environment is for sale to the highest bidder. North East Scotland will not be credible as a wildlife tourist destination. This is said notwithstanding the recent indicative layout showing less of the golf course being laid out on the SSSI. This raises the question that if some of the golf course can be constructed off the SSSI, why can it not all be moved.

16.3 The precautionary principle should apply here to tourism as well as the environment. It is always possible to add buildings and developments should they become necessary for the tourism industry. It is not possible to replace the delicate ecosystems which are needed in order to produce the conditions needed for wildlife tourism, once they have been corrupted or destroyed.

17 In conclusion, and speaking in behalf of Banks, Milne, Davidson, Foote, I would like to conclude with the same suggestions with which I closed my representation at the Departure hearing in Balmedie in September 2007.

17.1 I am not in principle against a golf course and development in the area of land currently owned by the Trump organisation. I do not feel however that the development should go ahead in its current form.

17.2 Menie Estate, initially around eight hundred acres, now almost one thousand four hundred acres, is a large enough area to relocate the golf course and still have sufficient land to build a reasonably large hotel complex without causing irreparable damage to wildlife and the dunes. The golf course must be moved off the SSSI and all measures taken to ensure that the environment is the primary design driver for both the golf course and the associated building development.

17.3 Ownership of the apartments must in some way be restricted so that at no time in the future can they become residential, rather than holiday apartments.

17.4 The indicative scale and height of the hotel, apartments and accommodation block should be reduced and the design made appropriate to the landscape and location.

17.5 The housing should not be allowed to cross finance the development

17.6 Access to the dunes and beach must be guaranteed and free from all restrictions other than those specified in legislation.