

**THE 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 AT LAND AT MENIE HOUSE, BALMEDIE, ABERDEEN**

**DPEA REF: CIN/ABS/001**

**WRITTEN SUBMISSION  
ON BEHALF OF  
TRUMP INTERNATIONAL GOLF LINKS SCOTLAND**

**TRANSPORT**

**21 May 2008**

## **Introduction:**

The first part of this submission responds to the Written Statement prepared on behalf of Transport Scotland – Trunk Road Network Management Directorate (TRNMD) dated 1 May 2008. TRNMD have confirmed that they will advise the Scottish Ministers that they have no objection to the proposed development subject to the imposition of the 21 conditions listed in their Statement. The applicants' response to those conditions is set out below.

## **Proposed Conditions:**

### **General:**

1. The list of component parts of the development should include a reference to the Hotel Spa and Conference Centre. The predicted traffic generation for the development was based on the St Andrews Bay hotel complex, which also includes a spa and conference centre, so this addition to the Phase 1 list should not create any difficulty from a transport assessment perspective.

The phasing of the development reflects the phasing considered as part of the transport assessment process. Although it is acceptable to the applicants, it appears that it does not reflect the phasing used by the planning authority as a basis for the remaining planning conditions. Subject to any adjustment necessary to achieve consistency between the two approaches to phasing, (if any) the applicants accept the approach of Transport Scotland.

2. The definition of 'works' should exclude any works relating to the construction of the two championship golf courses, as listed in Condition 1. The applicants therefore suggest the insertion of the words "*except works related to the construction of the two championship golf courses*" in line 1 after the word "works". This will allow preparatory landscape works to be undertaken as soon as reasonably practicable after approval of the relevant reserved matters.
3. As with condition 2, we suggest the same exception relating to the construction of the two championship golf courses.
4. We suggest the insertion of the words "*except works related to the construction of the two championship golf courses*" in line 1 after the word 'site'.
5. This condition is acceptable to the applicants.
6. The requirement to produce a Travel Plan usually relates to occupation rather than development of the building. However, the applicants will accept the condition as drafted subject to insertion of the words "*except works related to the construction of the two championship golf courses*" in line 1 after the word "site".
7. We suggest the insertion of the words "*except works related to the construction of the two championship golf courses*" in line 1 after the word 'development'.

### **Phase 1**

8. This condition is acceptable to the applicants.

9. This condition is not acceptable to the applicants. The Stage 1 Development Access Strategy (paragraph 10.2.14) (document T63) specifies closure of the access 'approximately 200 m' from the A90 junction' in order to maintain access to existing residential properties. We suggest the insertion of the words "*at a point approximately 200m from the point where it joins the A90 (T)*", in line 2 after the word "closed". It is not clear which road is to be reinstated in terms of this condition.
10. This condition is generally acceptable to the applicants. However, it is not clear which road is to be reinstated in terms of this condition.
11. This condition is not acceptable to the applicants. The Stage 1 Development Access Strategy recommended maintenance of local access but stopping up access through to the Menie Estate. We recommend that agreement be reached on the appropriate point for stopping up the road. It is not clear which road is to be reinstated in terms of this condition.
12. This condition is acceptable to the applicants.
13. We suggest the insertion of the words "*except works related to the construction of the two championship golf courses*" in line 1 after the word 'development'.
14. We suggest that the word 'modifications' be replaced with the words '*mitigation proposals*' in line 2. The applicants would like to retain the option of making a financial contribution to the planning authority in lieu of mitigation measures. Obviously the amount of the contribution would have to be acceptable to the planning authority in consultation with TS-TRNMD.
15. As for condition 14.

## **Phase 2:**

16. We suggest the insertion of the words "*except works related to the construction of the two championship golf courses*" in line 1 after the word 'development'.
17. We suggest that the word 'modifications' be replaced with the words '*mitigation proposals*' in line 2. The applicants would like to retain the option of making a financial contribution to the planning authority in lieu of mitigation measures. Obviously the amount of the contribution would have to be acceptable to the planning authority in consultation with TS-TRNMD.
18. We suggest that the word 'modifications' be replaced with the words '*mitigation proposals*' in line 2. The applicants would like to retain the option of making a financial contribution to the planning authority in lieu of mitigation measures. Obviously the amount of the contribution would have to be acceptable to the planning authority in consultation with TS-TRNMD.

## **Phases 3 & 4:**

19. This condition is not acceptable to the applicants. There has been no discussion of any relationship between the proposed development and the AWPR between the applicants transport consultants and TS-TRNMD. It is unreasonable to link the proposed development to this proposal which is still to be the subject of a public inquiry, the outcome of which is unknown.
20. This condition is acceptable to the applicants.

21. This condition is not acceptable to the applicants. It is not a matter that has been discussed during consideration of the Transport Assessment and it provides no certainty as to the extent of the obligation being imposed on the development.

**Additional Submission from Transport Scotland**

Following consideration of the above points, Transport Scotland circulated an additional submission dated 21 May 2008. We confirm that the applicants accept the conditions proposed by Transport Scotland in their additional submission.

**Dundas & Wilson CS LLP**

**on behalf of**

**Trump International Golf Links Scotland**

**21 May 2008**