

TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997

TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURES) (SCOTLAND)
RULES 1997 AS AMENDED



**OUTLINE PLANNING PERMISSION FOR GOLF COURSE AND RESORT
DEVELOPMENT ON LAND AT MENIE HOUSE, BALMEDIE, ABERDEEN**

ECOLOGY

REBUTTAL PRECOGNITION OF

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(DPEA REFERENCE: CNS/ABS/001)

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Introduction

1. The purpose of this statement is to rebut certain specific assertions of identified witnesses and productions in respect of SNH in the absence of my principal precognition explicitly dealing with such matters.

Precognition of Dr T Dargie for TIGLS

2. Dr Dargie's precognition states with regard to mitigation (section 4), "*that translocation will be about 65% successful in the short term (1- 5 years) and nearly 100% successful in the medium to long term following further remediation*". I am concerned that this statement does not appear to be substantiated. In the consideration of "like for like" habitat re-creation through translocation, I consider the figures to be unduly optimistic as they do not take into account the difficulties in re-creating all the factors that are required for successful translocation and re-establishment. In particular, there appears to be a lack of detailed consideration of the complexity and inter-relatedness of the environmental factors influencing this site's geomorphology and the habitats it supports. It also appears to give insufficient consideration to some of the additional effects on the site's environment that would arise from the use and management of the development.
3. He further adopts the view (section 8.1) that mitigation can be achieved, however this optimism appears to be at odds with Production (T50), which expresses less certainty as to the long term success of this mitigation. I consider that the sand dunes are a highly dynamic system, with the geomorphological interests underpinning the ecological interests. The continuing interaction between changing wind and water conditions contribute to a very complex environment resulting in difficult conditions in which to undertake successful mitigation.
4. As part of Dr Dargie's precognition he considers impacts arising from the development on these habitat interests and also presents recommendations and further consideration in relation to mitigation (section 7 and T50). However even after the very recent receipt of the latest course design and accompanying data, SNH is unable to reconcile the assertions relating to mitigation with the limited information available. In particular, the assertions relating to the percentage success of mitigation, lack any supportive evidence relating to UK dunes, a difficulty exacerbated by the paucity of information relating to course construction methodology and the complete absence of even a general layout of the second course. This concern applies not just to the area of the development within the SSSI, but also to the area of sand dunes outwith the SSSI.
5. In section 8.2, Dr Dargie argues that there is "*sufficient ground available... to re-establish all habitats likely to be lost to development*". No details have been provided on drainage, irrigation and water in relation to the golf course construction and management. This lack of information is reinforced by both SEPA's written and supplementary written statement, in which they object to the development due to insufficient information to assess the impacts of the development on the groundwater resources. I do not believe that sufficient

examination or understanding of the dune processes has been given when identifying the receptor areas, to fully identify whether the proposed mitigation is likely to succeed or not. Assumptions are also provided in relation to the impacts arising from the proposed second course, to which SNH have not yet seen any details. (Sections 8.12 &13).

6. I consider also that habitat modification is the loss of existing habitat and that translocation of habitats on the “sand dome” is not mitigation. It is also unclear both from this precognition and also that of Professor Ritchie, what is proposed in terms of the sand stabilisation. Such confusion provides difficulty in ascertaining the nature and extent of impacts. The key aim however is stated as maintaining a vegetation pattern (zonation) (section 8.20). I consider that Dr Dargie has taken a botanical approach to mitigation and makes no reference to development and succession which is what is expected in a dynamic dune approach.
7. It is my contention that in order to maintain the current interests of this site habitats and species should be conserved *in situ*. This development would result in adverse impacts which, if consented, would diminish the national resources of a Site of Special Scientific Interest and also a dynamic sand dune habitat, which supports a significant resource of Annex 1 European Habitats, both priority and non priority. These impacts would not be offset by the proposed mitigation measures and would therefore compromise the integrity of the Foveran Links SSSI features at North Menie.
8. The very unusual level of sediment and dune slack dynamism would be seriously compromised by course construction and management, in turn seriously impacting Annex 1 habitats on a large scale. Even if the ambitious offsetting measures succeeded in maintaining a form of these habitats, these would be highly artificial, in that attempts to emulate the critically important environmental processes would require intensive management.
9. A large part of the proposed mitigation is experimental or selective in the results that are reported, e.g. trialing of specialist machinery (8.27), small scale excavations and turf stripping (8.29). These mitigation options have not been tested in habitat types similar to those at Menie, and the examples stated are not comparable to Menie. I do not believe that translocation will restore, on a like for like basis, habitats which will be destroyed or damaged, if the development is consented. New habitats will be created, which will not replicate the extent of existing habitats or rehabilitate the dynamic processes lost. The result of translocation will be a highly modified dune habitat mosaic of which important Annex 1 habitats will be lost and will not be reproduced due to the stabilisation of the dynamic dune processes currently operating. The integrity of the ecology interests of the SSSI at north Menie would be severely compromised through the stabilisation of the geomorphological interests if the development was consented.