

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

DIRECTORATE FOR PLANNING AND ENVIRONMENTAL APPEALS

REF: CIN/ABS/001

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

ABERDEENSHIRE COUNCIL PLANNING APPLICATION

REF: F/APP/2006/4605

TRANSPORT SCOTLAND

TRUNK ROAD NETWORK MANAGEMENT DIRECTORATE (TRNMD)

WRITTEN STATEMENT

1. This Written Statement refers to the application for outline planning permission by Trump International Golf Links Scotland, submitted to Aberdeenshire Council on 27th November 2006. The application relates to outline planning permission for a Golf Course and Resort Development at a site on land at Menie House, Balmedie, Aberdeen.

Transport Scotland Involvement in the Planning Process

2. The proposed development site lies adjacent to the A90(T). Under the terms of Article 15(1) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992, Transport Scotland, were consulted by Aberdeenshire Council. The consultation form (TR/NPA/1) for the above planning application was received by TRNMD on 23rd April 2007.
3. Transport Scotland TRNMD is one of two divisions responsible for the trunk road network. As part of their overall management role, Transport Scotland TRNMD have an interest in any developments that may impact upon the trunk road network, and in the delivery of a sustainable, integrated transport network, which provides a genuine choice of alternative travel modes, consistent with government policy. The policy is aimed at:
 - Supporting the function of the Trunk Road network in carrying long distance traffic;
 - Ensuring development is sustainably located;
 - Encouraging alternative means of travel with less environmental impact; and
 - Reducing reliance on the private car.

4. In advance of the submission of the Planning applications to Aberdeenshire Council, Transport Scotland TRNMD had been involved in pre-application discussions with the Applicant's representatives since an initial meeting held on 16th May 2006. The pre-application discussions included consideration of the potential for development access to the A90(T) and the progress of the A90(T) Balmedie to Tippetty upgrade.
5. SPP17 Planning for Transport indicates that there is a general presumption against new junctions onto the trunk road network. Where a new access to the trunk road is being considered within the transport accessibility assessment for a specific land use allocation, full and detailed justification of such a strategy will require to be provided to Transport Scotland. This may initially take the form of a development appraisal examining the decision process undertaken regarding the allocation of the particular land use. The Appraisal is intended to enable TRNMD to determine if it is appropriate to set aside current policies with regard to access in this particular instance. This was highlighted within a letter from JMP Consultants Ltd (as term consultants to Transport Scotland TRNMD) to W A Fairhurst and Partners dated 15th September 2006.
6. A Final Development Appraisal report, dated 3rd October 2007, was submitted to Transport Scotland TRNMD in support of a new development access to the existing A90(T).
7. Transport Scotland TRNMD responded to W A Fairhurst and Partners in a letter dated 29 October 2007, indicating that the audit of the Development Appraisal indicates a development which makes a strong contribution to the economic objective in terms of job creation and productivity impacts. In view of this Transport Scotland confirmed that a new access to the A90(T) trunk road would be allowed to service the proposed development. The most appropriate form of access would be confirmed through further discussions with Transport Scotland.
8. Transport Scotland TRNMD responded to Aberdeenshire Council in the form of an email dated 16 November 2007, recommending that should the Council seek to grant planning permission in advance of conclusion of trunk road issues, that the development phasing should be constrained to phases 1 and 2 until after the opening of the new A90(T) Balmedie to Tippetty dual carriageway upgrade.
9. Transport Scotland continued to request outstanding information from W A Fairhurst & Partners on transportation matters in connection with the proposed development, including a formal request letter dated 4 February 2008, which outlined the information received by Transport Scotland to date and the outstanding information still to be submitted to Transport Scotland.
10. A Transport Scotland letter to the Directorate for Planning and Environmental Appeals dated 17 March 2008 identified that the above position remained current and that Transport Scotland would seek to conclude negotiations in advance of the inquiry and would intend to rely on written submissions in support of the planning application.

11. A Transport Assessment dated April 2008 was submitted to Transport Scotland on 23rd April 2008 seeking to conclude the outstanding information that had been requested. JMP Consultants Ltd (JMP as Term Consultants to Transport Scotland undertook an audit of the submitted report.

Summary of Case for TRNMD

12. Transport Scotland will be advising Scottish Ministers that Transport Scotland TRNMD should have no objection to the proposed development subject to the following conditions being attached to any planning consent granted.

General

1. Unless otherwise agreed in writing by the planning authority, after consultation with Transport Scotland – Trunk Road Network Management Directorate, the proposed residential land use class within the development shall not exceed the following limits for the development: -
 - Phase 1 - Maintenance Building;
Two Championship Golf Courses;
Clubhouse;
Starters Hut;
Caddyshack;
Practice Facilities and Driving Range;
Resort Hotel (450 bed Hotel);
36 Golf Villas;
Staff Accommodation (400 bed);
 - Phase 2 - 100 Private Dwellings;
 - Phase 3 - 100 Private Dwellings (construction during Phase 2);
2 Holiday Apartment Buildings (476 Apartments)
(construction during Phase 2);
200 Private Dwellings;
1 Holiday Apartment building (237 Apartments);
 - Phase 4 - 100 private dwellings;
1 Holiday Apartment Building (237 Apartments).
2. Prior to commencement of any works a plan showing the extent of the modifications proposed on the A90(T), necessary to mitigate Phase 1 of the development, shall be submitted to and approved by the planning authority, in consultation with Transport Scotland, Trunk Roads – Network Management Directorate (TS-TRNMD).
3. Prior to commencement of any works a plan showing the extent of the modifications proposed on the A90(T), necessary to mitigate the Phase 2 shall be submitted to and approved by the planning authority in consultation with Transport Scotland, Trunk Roads – Network Management Directorate (TS-TRNMD).

4. Prior to the commencement of any development on the site details of the provision of either new or extended bus services within the development, including details of operating hours, frequency of service, route and timescale for introduction, together with evidence of an agreement with a public transport operator to provide this service, (in accordance with the proposed service outlined within the Fairhurst Transport Report Dated April 2008) shall be submitted to and approved in writing by the planning authority, after consultation with Transport Scotland – Trunk Road Network Management Directorate.
5. In concomitant of the phases of development the agreed bus services referred to in Condition 4 shall be introduced.
6. Prior to the commencement of any development on site a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall be submitted to and approved in writing by the planning authority, in consultation with Transport Scotland Trunk Road Network Management Directorate (TS-TRNMD). The Travel Plan shall identify measures to be implemented; the system of management, monitoring, review and reporting; and the duration of the plan.
7. No development shall take place until details of the road lighting/ road drainage have been submitted to and approved by the planning authority, in consultation with Transport Scotland Trunk Road Network Management Directorate (TS-TRNMD).

Phase 1

8. Prior to the occupation of Phase 1 of the development hereby permitted the proposed A90 (T)/ Development Access roundabout (generally, but not exactly, as indicated in the Fairhurst Drawing No: 71236/00001), shall be implemented to the satisfaction of the planning authority, in consultation with the Transport Scotland, Trunk Roads – Network Management Directorate (TS-TRNMD).
9. The development hereby permitted shall not be occupied until the existing A90 (T)/ Menie House Access has been permanently closed and the road properly reinstated.
10. The development hereby permitted shall not be occupied until the existing A90 (T)/ Hill of Menie Access has been permanently closed and the road properly reinstated.
11. The development hereby permitted shall not be occupied until the existing A90/ Pettens Access has been permanently closed and the road properly reinstated.

12. Prior to the occupation of Phase 1 of the development hereby permitted the modifications to the A90 (T) Ellon Road/ B999 roundabout, (generally, but not exactly, as indicated in the Fairhurst Transport Assessment dated April 2008) shall be implemented to the satisfaction of the planning authority, in consultation with the Transport Scotland, Trunk Road Network Management Directorate (TS-TRNMD). A scale plan at 1:500 shall be submitted as part of the reserved matters application showing the modifications to the A90 (T) Ellon Road/B999 roundabout to be constructed in accordance with a specification to be agreed with the planning authority in consultation with Transport Scotland, Trunk Road Network management Directorate.
13. Prior to commencement of the development a scheme of proposals to mitigate the proposed development impact at the A90 (T) Parkway/ A956 roundabout shall be submitted to and approved in writing by the planning authority, in consultation with Transport Scotland Trunk Road Network Management Directorate (TS-TRNMD).
14. A scale plan at 1:500 shall be submitted as part of the reserved matters application showing the modifications to the A90 (T) Parkway/ A956 roundabout to be constructed in accordance with a specification to be agreed with the planning authority in consultation with the Transport Scotland, Trunk Road Network Management Directorate (TS-TRNMD).
15. Prior to the occupation of Phase 1 of the development hereby permitted the modifications to the A90 (T) Parkway/ A956 roundabout, shall be implemented to the satisfaction of the planning authority, in consultation with the Transport Scotland, Trunk Road Network Management Directorate (TS-TRNMD).

Phase 2

16. Prior to commencement of the development a scheme of proposals to mitigate the proposed development impact at the A90 (T) Parkway/ Scotstown Road roundabout shall be submitted to and approved in writing by the planning authority, in consultation with Transport Scotland Trunk Road Network Management Directorate (TS-TRNMD).
17. A scale plan at 1:500 shall be submitted as part of the reserved matters application showing the modifications to the A90 (T) Parkway/ Scotstown Road roundabout to be constructed in accordance with a specification to be agreed with the planning authority in consultation with the Transport Scotland, Trunk Road Network Management Directorate (TS-TRNMD).
18. Prior to the occupation of Phase 2 of the development hereby permitted the modifications to the A90 (T) Parkway/ Scotstown Road roundabout, shall be implemented to the satisfaction of the planning

authority, in consultation with the Transport Scotland, Trunk Road Network Management Directorate (TS-TRNMD).

Phase 3 & 4

19. No additional development shall be occupied in excess of phase 1 and 2, as defined within the Fairhurst Transport Assessment dated 8th October 2007, and indicated below until after the opening of the new Aberdeen Western Peripheral Route (AWPR) is in place.
20. No additional development shall be occupied in excess of phase 1 and 2, as defined within the Fairhurst Transport Assessment dated 8th October 2007, and indicated below until after the opening of the new A90 (T) Balmedie to Tippetty dual carriageway upgrade.
21. No additional development shall be occupied in excess of phase 1 and 2, until a junction assessment showing the impact of the proposed development on the WPR junction has been submitted to and approved by the planning authority in consultation with Transport Scotland, Trunk Roads – Network Management Directorate (TS-TRNMD).

Attendance at the Public Local Inquiry

13. In light of the above, It will not be the intention of Transport Scotland to attend the inquiry.

TRANSPORT SCOTLAND
TRUNK ROAD NETWORK MANAGEMENT DIRECTORATE
BUCHANAN HOUSE, GLASGOW
1st MAY 2008