



Our objection to the Trump development

Background

On 27th November 2006, Trump International Golf Links Scotland Limited (TIGLS) applied to Aberdeenshire Council for outline planning permission for a golf resort on land at Menie House, Balmedie, Aberdeen. The proposal (subsequently amended) was originally for a golf resort comprising two 18-hole courses, a clubhouse and ancillary facilities, a 450-room hotel with conference centre and spa, 950 holiday apartments 36 'golf villas', 500 houses, accommodation for 400 staff, road access and parking.

Part of the golf resort was to be located within the spectacular sand dune system at Menie Links including one third of Foveran Links Site of Special Scientific Interest. This highly sensitive and dynamic dune ecosystem is recognised as one of the top five dune habitats in the whole of the UK.

The very high nature conservation value of this coastline is recognised at both a European (five priority European habitats are present) and national level ('coastal sand dunes' are listed as a priority habitat in the UK Biodiversity Action Plan). Indeed, the whole stretch of coastline hosts a rich assemblage of specially adapted higher and lower plants and other wildlife, including a diverse breeding bird community and otters.

Of even greater concern, the location of one of the golf courses would result in the destruction of over a third of Foveran Links Site of Special Scientific Interest (SSSI), which is important nationally for both its biological and geological features.

Even TIGLS recognise the unique nature of Foveran Links SSSI, ironically declaring that the dramatic dune topography make it a key feature in the design of the championship golf course. They have stated on numerous occasions that a course which avoided the SSSI would not achieve the applicant's 'ambitions.' The development could still go ahead without including the SSSI if Mr Trump chose to amend the application.

Why we objected to the development

The location of the championship golf course, which is part of Trump International Golf Links Scotland Limited (TIGL) proposed development, would result in the destruction of 40% of the Foveran Links Site of Special Scientific Interest (SSSI), which is important nationally for both its biological and geological features.

An important element of Foveran Links SSSI is its dynamic nature. The wind-blown sand creates new landforms and areas of bare ground which provide opportunities for new plants to colonise. In other areas, vegetation may become completely covered up by the wind-blown sand. Thus, the higher and lower plant communities are forever changing. The

shifting habitat attracts a variety of different species, depending on the conditions. The accompanying animal communities react in a similarly dynamic way.

Foveran Links SSSI has been described as one of the best examples of this type of shifting sand dune system in North Western Europe.

As the creation of the golf course requires the stabilisation of the dune system, this would effectively 'freeze' it in a constant state. Crucially, the dynamic processes that have created Foveran Links SSSI and which are necessary for specialist vegetation communities to thrive would be lost forever.

The Scottish Wildlife Trust is strongly opposed to the Trump development and objected primarily on the grounds that there would be severe and irreversible damage to the Foveran Links SSSI, and surrounding wildlife.

Even Trump's developers have admitted that there would be substantial damage to the flora and fauna of the SSSI.

Also of great concern to the Trust is the fact that development on such a highly sensitive and protected site would send out completely the wrong message about Scotland's planning system; specifically, its ability to protect the best examples of its natural heritage for both people and wildlife.

Granting planning consent also contravenes the Nature Conservation (Scotland) Act 2004, which places a duty on every public body and office-holder to further the conservation of biodiversity. The development is also at odds with local and national biodiversity targets, numerous statutory planning policies, and Aberdeenshire Council's local plan.

The public local enquiry

On 29 November 2007, Aberdeenshire Council initially agreed with the Trust's objection and refused the application by Trump International Golf Links Scotland Limited (TIGLS) for development of the golf resort on the Menie Estate. The refusal was a clear acknowledgment of the unacceptable level of environmental impact associated with the proposal.

However, celebrations were to be short lived. A week later, Scottish Ministers took the unprecedented decision to 'call in' the Trump application in order to further scrutinise the proposal. The reason for this was that the proposed development raised questions of national importance. On 28 February 2008, the Scottish Government announced their decision to hold a Public Local Inquiry which ran from 10 June to 4 July 2008.

During the inquiry, the Scottish Wildlife Trust joined forces with the Royal Society for the Protection of Birds Scotland and the Botanical Society of the British Isles to make a robust scientific case for the protection of the Foveran Links Site of Special Scientific Interest (SSSI). Jonny Hughes, formerly the Trust's Head of Policy (now Director of Conservation) and Martin Auld, RSPB Regional Director, gave oral evidence at the inquiry on 24 June.

They presented a compelling case that urged the Reporters to recommend refusal of the golf resort on environmental grounds, or if they were minded to grant outline planning permission, it should at the very least be on condition that the golf resort was located outwith the SSSI.

In an attempt to reach a potential win-win scenario, the Trust and RSPB Scotland commissioned a respected golf course architect, Mike Wood, to design two alternative championship-standard golf on the Menie Estate, but away from Foveran Links SSSI. The re-design showed that it was easily possible to build two world class courses on the Menie Estate without destroying the SSSI.

However, the Trump team rejected the idea of an alternative golf course location on the grounds that a course which avoided the SSSI would not achieve Mr Trump's 'ambitions'. How ironic that the unique and unspoilt character of the SSSI appears to have led to its downfall.

After considering the evidence, the Reporters concluded that the economic benefits of the proposed golf resort outweighed the damaging environmental effects and they recommended that Scottish Ministers approve outline planning permission subject to a number of important planning conditions.

Speaking immediately after the Scottish Government's announcement, Jonny Hughes, Director of Conservation at the Scottish Wildlife Trust, said:

"The Scottish Wildlife Trust is extremely disappointed about this decision. We have stood alongside RSPB as well as the Scottish Government's own conservation advisors [Scottish Natural Heritage] and the many concerned members of the local community in demanding that the Government assesses the development not only on its economic merits, but also on the considerable detrimental environmental impacts.

"This is a huge blow for the environment and sustainable development. The sad thing is that there could easily have been both golf and environmental protection at Menie. Instead, Government ministers have failed to deliver the sustainable part of their professed central purpose of 'sustainable economic growth'. This decision will mean needless destruction to a unique and nationally important site."

On 3 November 2008, Cabinet Secretary John Swinney granted outline planning permission for the proposed golf resort.

The situation post planning-permission

The Trust maintains its objection to the development of the golf resort by Trump International Golf Links Scotland Limited (TIGLS) on the Menie Estate on the grounds of its irreversible and unjustified impact on an important dune system, particularly the designated features of the Foveran Links Site of Special Scientific Interest.

Now that outline planning permission has been granted, the Trust believes it is crucial that all the conditions of planning consent are met (as stated in the Section 75 Agreement), to minimise the extent of the damage caused by the development to the SSSI and biodiversity features therein.

In September 2009, we objected to a new planning application by TIGLS for marram grass planting, preparatory earthworks and chestnut pale fencing on the inner dunes at Menie Links. We believe that the planning application is in clear breach of the conditions set out in the Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997.

By starting work before submitting a full Environmental Management Plan, the Trust believes TIGLS are ignoring the planning conditions agreed with Aberdeenshire Council.

We have recommended that Aberdeenshire Council refuse planning permission until all the conditions in the Section 75 Agreement, but sadly – in this particular case – they have granted permission for work to start.

The Scottish Wildlife Trust continues to keep a close eye on TIGLS activities and will raise any further breaches of the planning conditions as they arise.

Further information

If you wish to speak to the Scottish Wildlife Trust about this case, please contact Tony King (Head of Policy) or Dr. Maggie Keegan (National Planning Co-ordinator) on 0131 312 7765.