

Gillian Pearson
Planning Service
The Highland Council
Sent by email to eplanning@highland.gov.uk



13 March 2023

Dear Gilian,

23/00580/FUL | Construction of an 18 hole golf course, practice area, access, parking, ancillary infrastructure and the change of use of existing buildings to form clubhouse, pro shop, maintenance shed and ancillary facilities | Land 1700M NW Of Embo Community Centre School Street Embo

The Scottish Wildlife Trust Objects to the above application.

The Scottish Wildlife Trust and other members of the Conservation Collation strongly opposed the original proposal to develop Coul Links as a golf course with associated infrastructure. You can read our [full objection to the original proposal here](#), as well as our objection to a separate application for [a reservoir on the site](#).

Unfortunately, the new application looks very similar. Some environmental information has been redacted or has not been made available for public viewing on the website. However, from the information available it is clear that the development would have an unacceptable impact on the important habitats which are part of internationally and nationally protected sites and the proposed mitigation will not make it acceptable.

We still think the proposals will have a significant adverse effect on:

- Dornoch and Loch Fleet Special Protection Area (SPA)
- Dornoch and Loch Fleet Ramsar Site, including the features at Coul links which give this site a unique value within the UK Ramsar site series
- The unique sand dune habitats and breeding bird assemblage of Loch Fleet Site of Special Scientific Interest (SSSI)
- An endemic invertebrate, Fonseca's fly of international importance
- Waxcap fungi (*Hygrocybe* spp) of European importance
- The second most important population of juniper on sand dunes in Britain
- A nationally rare bryophyte, a nationally rare lichen, and several nationally rare species of invertebrate

Designated sites exist for many reasons, but one particularly useful aspect from a developers perspective is that they sign-post areas on which large scale development of this kind is completely inappropriate. We would urge the Highland Council to reject this second application.

What's changed?

As stated, we don't think the application has changed much. However, the policy and scientific context has moved on significantly. The Scottish Government has declared both a climate and nature emergencyⁱ as has the Highland Council specificallyⁱⁱ. The Highland Council reiterated its commitment to protect biodiversity last year when it met with NatureScot and signed up to the Edinburgh Declarationⁱⁱⁱ.

The Scottish Government has committed to tackle the climate and nature emergency and halt biodiversity loss by 2030. Key policy documents, not least the new National Planning Framework 4 (NPF4), reflect the imperative to act and emphasise the role the planning system and developers have to play. One outcome which NPF4 requires is "Securing positive effects for biodiversity".

Protecting Scotland's wildlife for the future

NPF4 states that for proposed developments of this type and scale, *“development will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks, so they are in a demonstrably better state than without intervention”*. The intention of Policy 3 Biodiversity is to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. This policy states that *“an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements”*. The current proposal clearly does not comply with this policy as the golf course would result in direct and indirect negative impacts on nationally and internationally protected sites for nature.

Part a) of policy 4 Natural Places states that *“Development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.”*

The intent of policy 30 on Tourism is, *“To encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland.”* The emphasises the fact that recreational and tourism development must be located in the right place to have long term benefits and are not to be supported if they would run contrary to other key policy aims and commitments.

In addition to legislative and policy change, new funds have been made available under the Scottish Government Nature Restoration Fund for landowners to develop *“projects that restore wildlife and habitats on land and sea and address the twin crises of biodiversity loss and climate change”*. If the desire is to improve the area for nature this would be a more logical approach than building a golf course on such a sensitive area.

Developing a golf course on a triple designated site is not a not the way to protect the site for nature, it would make a mockery of the declaration of a nature emergency and would disregard the legal obligation under the NPF4 to secure positive effects for biodiversity.

Please keep us updated regarding this application.

Yours Sincerely

Bruce Wilson
Head of Policy

ⁱ <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2022/12/scottish-biodiversity-strategy-2045-tackling-nature-emergency-scotland/documents/scottish-biodiversity-strategy-2045-tackling-nature-emergency-scotland/scottish-biodiversity-strategy-2045-tackling-nature-emergency-scotland/govscot%3Adocument/scottish-biodiversity-strategy-2045-tackling-nature-emergency-scotland.pdf>

ⁱⁱ <https://www.highland.gov.uk/news/article/15103/council-confirms-new-list-of-species-champions-as-part-of-fight-against-biodiversity-loss#:~:text=Highland%20Council%20declared%20an%20ecological,%2C%20iconic%2C%20and%20threatened%20species.>

ⁱⁱⁱ <https://www.highland.gov.uk/news/article/14990/council-leader-and-officials-meet-naturescot-ceo-to-sign-edinburgh-declaration-and-discuss-biodiversity>