



Head of Planning and Building Standards
The Highland Council
Glenurquhart Road
Inverness
IV3 5NX

27th November 2017

Dear Sir/Madam,

PROPOSAL: 17/04601/FUL,

Development of 18 hole golf course, erection of clubhouse, renovation of existing buildings for maintenance facility, pro-shop, caddy hut, workshop, administration building, information booth, formation of new private access from C1026 at Land 1700M NW Of Embo Community Centre School Street, Embo.

With reference to the planning application above, Plantlife wishes to **OBJECT** to the proposed development from Coul Links Limited for consent to develop a golf course and associated infrastructure for the following reasons:

- This proposal is contrary to the Highland Council's planning policies to protect internationally important sites for nature conservation as stated in the Highland-wide Local Development Plan Policy 57 Natural, Built and Cultural Heritage.
- There are serious flaws of assessment and interpretation in the Environmental Statement accompanying the proposal that have implications for the stated impacts of the proposed golf course and links dune system.
- The proposed mitigation measures are flawed and cannot be used to determine the future sustainability of the interlinked important dune habitat types.

Plantlife's objection is focussed on the potential impact to the range of internationally important dynamic sand dune habitats and the assemblages of vascular plants, non-vascular plants and fungi found therein.

In summary, the proposals would result in the direct loss and modification to the internationally important and protected sand dune habitats. Impacts such as direct destruction of significant habitats, fragmentation of interlinked habitats, changes in the hydrology of dune slack environment, water quality issues associated with bioicide and fertiliser spray drift and run-off, and intensified human activity are likely to result in significant negative impacts to the fragile dune habitat inter-relationships and the nationally and internationally important assemblages of species which they support.

The dune complex is a natural feature in balance with dynamic flows of water and sediment, and the interplay of different fungi, plant and animal species. This balance took many decades if not centuries to form and be sustained, and once destroyed cannot be replaced within a meaningful timescale, despite assertions to the contrary by the applicant.

The proposed translocation of dune heath as a functioning diverse community of plants and fungi is not feasible and would be detrimental to the biodiversity of site. It is a simple enough matter to grow heather *Calluna vulgaris* and some other coarse shrubby species on remade soil, but many other associated dune heath plant and fungi species would not survive the process and significant areas of dune heath and other dune habitats will be permanently lost. Likewise with the dune juniper population which is a nationally rare feature.



Legislation

The initial point underpinning our objection lies with Section 1 of the Nature Conservation (Scotland) Act 2004 which allows that it is the duty of every public body and office-holder to further the conservation of biodiversity so far as is consistent with the proper exercise of their functions. We urge The Highland Council to consider carefully whether the doubts raised by the proposal on the proper functioning of the entire dune system would further the conservation of species on the Scottish Biodiversity List present on site if approval were granted.

Designations

The nature conservation designations that protect this area show that it is of international and national importance on a number of counts. The SSSI citation notes saltmarsh, sand dune and vascular plant assemblages are of National Importance. The Environmental Statement states a complex mix of plant communities with 78 NVC sub-communities represented. This is exceptionally diverse by any standard. The point to consider here is that through the development of the course, ground disturbance will be widespread as soil and sand is banded and stored before reforming the landscape. The impact of tees, fairways and greens lies way beyond their final physical footprint: physically on soil and landform structure and associated hydrology, and biologically from irrigation, fertilisers and biocides. There is little objective information provided to inform the impact of chemicals on the plant assemblages.

There is an error in the Environmental Statement where there is an assumption that Ramsar designation be treated as equivalent to the SSSI status and therefore of national importance. Ramsar has a higher international significance as noted in Scottish Planning Policy paragraph 136, which states that all Ramsar sites are to be treated as Natura sites as well as SSSI. The significance of the impacts of the proposed development will be greater than stated in the ES.

Habitats

Only 17 Ramsar sites in Scotland include sand dunes. The range of sand dune habitats at Coul Links, with seven out of nine Annex 1 sand dune habitats present, shows the International Importance of the complete, unfragmented sand dune system. The Environmental Statement with the erroneous application of status to Ramsar sites assumes that dune habitats are only of national significance, without any contextual information on the rarity or uniqueness of complete dune systems in the UK or reference to the European significance of the sand dune types present.

In addition, Coul Links has a range of habitats associated with the dune habitats: wet heath, flushes, fen and woodland. This diversity of features enhances the value of the site, which can only be diminished by major landforming and chemical fertiliser inputs.

Each habitat type/NVC community is assessed separately and the effect of reducing the entire system as per the SSSI citation is not readily apparent. This 'salami-slicing' masks the overall impact as the interactions of the whole dune system are more than the sum of its parts.

The applicant's Environmental Statement plays down the significance of development on the waxcap grassland. Waxcap grassland is 'ancient' grassland, equivalent in importance to ancient woodland. This is a habitat type that CANNOT be replaced as it takes many decades to develop. There is no clear assessment of the extent of waxcap grassland in Scotland, which makes the assertion that it is of regional significance difficult to assess in context.

The disturbance to subsoil mycorrhizal fungi is significant here and cannot be mitigated. To state that it is certain to have an impact but that impact has a negligible effect demonstrates that the whole waxcap ecosystem has been overlooked and that fertilizer spray and biocides can cause more than a non-significant impact.

Plant and fungi assemblages

The SSSI citation states that the sand dune vegetation is a qualifying feature of national importance. This vascular plant assemblage is not exhaustively listed in the citation - it is the interplay between the range of species that is of national importance. The applicant in the Environmental Statement selects only on the Nationally Scarce flowering plants which are a subset of the rich assemblage that is the qualifying feature. The assessment in the ES that states that the assemblage is not of national importance is therefore erroneous, in that the SSSI qualifying feature is the whole plant assemblage, not a selection of species.

There are questions to be asked about the assessment of the importance placed by the applicant on specific vascular plant species. For example the Environmental Statement asserts that Purple Milk-vetch *Astragalus danicus* is “widespread, particularly in the east of the UK”. It is true that the east coast of the UK is where Purple Milk-vetch may be more readily observed as it is a species of thin sandy soils which are predominantly found in eastern Britain. The New Atlas of the British & Irish Flora (Preston, Pearman & Dines 2002) states that it is found in 129 10km² in the whole of the UK. It is therefore a stretch of imagination to say that this is widespread given that in Scotland alone there are 771 10 km². In addition, the Scottish population is predominantly clustered along the eastern seaboard is therefore wrong to infer that it is of local importance, as the concentration of distribution makes each location of a higher importance in Scotland.

With regard to Lesser Butterfly Orchid *Platanthera bifolia*, although it may be argued that it may be geographically widespread in Scotland, the reality is that “it is found mostly in small numbers, often in widely scattered groups of a few flowering spikes. At the majority of Scottish sites less than 10 flowering spikes appear each year. Populations of more than 100 are unusual.” (Lesser Butterfly Orchid management guide, SNH2016). It is classified as ‘vulnerable to extinction’ on the Vascular Plant Red Data List for Great Britain (2005) and the UK stronghold for Lesser Butterfly-orchid occurs within Scotland making this a highly important area for its future conservation. A statement saying that it is widespread and of local importance is therefore potentially misleading.

Juniper *Juniperus communis* - The Environmental Statement asserts that translocation of juniper bushes from zones of disturbance to reshaped landforms will reduce impact. This is one of largest areas of juniper on dunes in Scotland. The ES does not give the context for juniper scrub on dunes in Scotland. Table B23 significantly plays down the impacts on juniper. Records of successful translocations of Juniper are not available to back this up and this mitigation proposal must be seriously questioned along with the subsequent impact significance, which is likely to be revised upwards.

Mitigation measures

Dune heath restoration - Dune heath is the connection and the interactions of a range of fungi, lichens and bryophytes as well as vascular plants and invertebrates. A re-created heather sward on a reformed sand landform cannot replicate a complex ecosystem. It replaces but is not a replacement as it will be species-poor for years to come.

Assurances in the Environmental Statement on the stability and integrity of post-construction landforms and habitat types are open to doubt. Impact by weather and climatic variation on a much disturbed self-regulating coastal dune system will be complex and chaotic and open to great uncertainties which the ES cannot predict.

Future management aspirations are just that and cannot be taken into account in assessment of impact unless fully costed and supported by a financial bond in the control of THC or SNH. We would urge The Highland Council to look at other large-scale golf course developments on dune systems that have been approved in the past and to assess how feasible the restoration proposals in the application have turned out in reality, regarding hydrology and stability, and subsequent biodiversity enhancement.

In conclusion, we are of the opinion that the applicant fails to properly appreciate the value and international importance of the assemblages of dune habitat types, plants and fungi, the scarcity of complete dune systems remaining in Scotland, and the uncertainty of mitigation proposals to fully compensate for impacts. To further the conservation of biodiversity at this location, as demanded by the Biodiversity Duty laid out in the Nature Conservation (Scotland) Act 2004, we urge The Highland Council to refuse this proposal in consideration of the legacy of coastal habitats for future generations in Scotland.

Yours sincerely



Davie Black
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Plantlife Scotland