



## Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland  
Nàdar air fad airson Alba air fad

Mr Bob Robertson  
Highland Council  
Drummuie Office, Golspie  
By email – [epc@highland.gov.uk](mailto:epc@highland.gov.uk)

1 August 2016  
Your ref: 16/00081/SCOP  
Our ref: CNS/EIA/Coul Links Golf Course/CEA 141985

Dear Mr Robertson,

### **The Town & Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 (as amended) Coul Links Golf Course proposal – Scoping Opinion**

Thank you for your letter dated 4 July 2016, requesting our comments on this scoping opinion.

#### **1. Summary**

The key issues relevant to our interests that will need addressed in the Environmental Impact Assessment (EIA) are as follows;

- The impact to waterfowl within the Dornoch Firth & Loch Fleet Special Protection Area (SPA).
- The impacts to birds linked to the Moray Firth proposed SPA (pSPA)
- The impact on the sand dune habitat, breeding bird assemblage and non-breeding eider within Loch Fleet Site of Special Scientific Interest (SSSI), and;
- The impact to Fonseca's seed fly.

#### **2. Background**

We provided pre-application and screening comments to Highland Council regarding the sensitivities of developing a golf course within a SPA and SSSI. We have provided advice on bird survey methods and recently provided comments on the scope of ecological surveys. All our previous advice is still valid and relevant for this EIA consultation. General guidance on producing an ES can be found on our website, see; <http://www.snh.gov.uk/docs/A1198363.pdf>.

#### **3. Our comments on the Scoping Report**

The views expressed below are site specific for Coul Links and are based on the information currently available. These comments are laid out as per the scoping report produced by Golder Associates;

##### *1.2 Purpose of the Scoping Report & EIA*

Through the EIA process it is normal practice to consider alternative options in order to reduce environmental impacts. We recommend that the Environmental Statement (ES) should include alternative options, including other land within Coul Farm. For example, the

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ES could explore developing the golf course on nearby grass fields. A similar approach to this was achieved at Castle Stuart, which recently hosted the Scottish Open.

### *3.1 Evaluation of significance of environmental effects*

We welcome that the ES will consider direct, indirect, secondary and cumulative effects, as well as the duration of the effect.

#### *4.2.1 Ecology/ornithology - guidance and advice*

We note that alternative solutions and mitigation will be identified should there be potential significant impacts upon important species or habitats, as a consequence of the development.

#### *4.2.2 Sensitive receptors*

##### *a) Moray Firth pSPA*

A public consultation has begun (from 4 July 2016), for a new SPA which its coastal boundary lies adjacent to the development area. The public consultation will run for 12 weeks until **26 September 2016**. More information on this consultation can be found at; <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/proposed-marine-spas/>. Information about this new proposed protected area was not made public until the consultation was announced on 4 July 2016.

Moray Firth pSPA has been identified for its important populations of waterbirds, including; European shag (breeding and wintering), common eider, common goldeneye, common scoter, velvet scoter, scaup, red-breasted merganser, long-tailed duck, red-throated diver, great-northern diver and Slavonian grebe (all non-breeding). More information on this pSPA can be found at; <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/proposed-marine-spas/moray-firth/>.

Although this new SPA is only 'proposed', it should still be fully considered within the ES, as it has full policy protection. The species which feed adjacent to the open shore at Coul Links and within Loch Fleet channel include; European shag, common eider, common goldeneye, red-breasted merganser and occasionally, long-tailed duck. The other species can be present off Embo, but tend to frequent waters further off-shore, and therefore should not be affected by the development.

##### *b) Loch Fleet SSSI*

An update on the condition of features shown for Loch Fleet SSSI, within Table 4 can be found on Site Link, see; [https://gateway.snh.gov.uk/sitelink/siteinfo.jsp?pa\\_code=984](https://gateway.snh.gov.uk/sitelink/siteinfo.jsp?pa_code=984). This facility can be used to show the current condition of all protected area features.

#### *4.2.3 Methods of data collection*

##### *c) Moray Firth pSPA*

We acknowledge that we have not previously mentioned the Moray Firth pSPA, as we were not fully aware of the timing of this consultation.

Alba Ecology has confirmed it has already collected bird survey data (October- March inclusive) for waterfowl species which has relevance for this pSPA. However, we recommend additional survey work for pSPA birds (August-September, inclusive); with particular reference to moulting eider in proximity of Loch Fleet channel. However, if the developer could guarantee that the north-east finger of the development site is avoided and receives no construction or additional recreational disturbance, then additional non-breeding bird survey work will not be required.

Contextual information on pSPA birds, especially eider, could be sought from various sources, including; RSPB, Wetland Bird Survey (WeBS) and the local Bird Recorder. This also has relevance for the Dornoch Firth & Loch Fleet SPA.

d) *Loch Fleet SSSI – sand dune*

The sand dune vegetation survey should be undertaken by someone who is experienced in surveying this habitat. In addition, the NVC survey should employ British Plant Communities - Volume 5, which is the published guidance for coastal habitats. The data provided for the ES should allow us to overlay NVC survey results with our existing mapping data sets. Therefore, mapping should be properly referenced and in a format that can be read with ARCGIS.

e) *Protected species - bats*

We previously advised (30 June 2016) that bat surveys will be required as part of the EIA process (see Annex A). Surveys undertaken now could help inform the layout of the development and may help to prevent delays further down the line. The Scoping Report indicates that this EIA development includes all relevant aspects linked to the golf course project, such as refurbishment of existing buildings. Therefore, we advise that a bat survey is included within the ES.

#### 4.2.4 Conservation importance and sensitivity

f) *SPAs*

There does not appear to be any reference to Habitats Regulation Appraisals (HRAs) or appropriate assessments within the Scoping Report for both SPAs. To see more information on this process go to; <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/international-designations/natura-sites/hra-appropriate-assessment/>.

The wintering bird survey work already completed, suggests that this proposal will have a likely significant effect on the Dornoch Firth & Loch Fleet SPA. It has been confirmed through pre-application discussion, that the dune slack wildfowl habitat will be retained for future use. However, the potential for increased disturbance to waterfowl as a result of the golf course should be explored within the ES. Disturbance effects should consider not only golf course users, but what effect the proposed access network will have on SPA birds, including within the dune slacks and along the coast. Therefore, detailed information and mitigation plans will be required to inform an appropriate assessment within the ES. The Conservation Objectives to inform this assessment can be found at: [https://gateway.snh.gov.uk/sitelink/documentview.jsp?p\\_pa\\_code=8490&p\\_Doc\\_Type\\_ID=29](https://gateway.snh.gov.uk/sitelink/documentview.jsp?p_pa_code=8490&p_Doc_Type_ID=29).

The ES should consider any potential impacts for the Moray Firth pSPA, as several qualifying birds use the Loch Fleet channel (see 4.2.2 above). Eider can regularly feed close-in and occasionally rest on the Coul beach. Disturbance potential should be explored and assessed within the ES (as above). It is unknown if this proposal will have a significant effect on the Moray Firth pSPA at this stage. Detailed information will be required (and possibly mitigation plans) to gauge what, if any, impact the proposal might have. The Conservation Objectives for this pSPA can be found within the following management document (pages 10-12); <http://www.snh.gov.uk/docs/A2019189.pdf>.

g) *Sand dune habitat – Loch Fleet SSSI*

We were of the understanding that the golf course layout will be minimal in its design, with only small landing areas instead of extensive fairways, similar to Sand Hills, Nebraska. We cannot find information within the Scoping Report to confirm that this approach will be adopted. Instead, the report confirms the design intended for Coul Links will mimic Bandon Dunes, Oregon, which shows extensive fairways, not too dissimilar to a traditional golf course. We recommend that the ES presents a course design which reduces SSSI impacts to a minimum.

It will be important to detail areas of habitat loss and modification for all the different NVC sand dune habitats, including different aspects of course construction and subsequent course maintenance. For example, this should include; green-keeping vehicle routes, rough management and golfing walk-ways, etc. It is important that any course layout clearly shows the location and size of any cut and fill approaches proposed during construction.

A policy on herbicide and pesticide use should be included within the ES. Locations of use should be specified and information supplied on how the impact of these will be confined to target areas. The ES should also identify any impacts on the sand dune habitat from the installation and subsequent use of the irrigation system, including the water bore hole and how this will affect the site's hydrology linked to the SSSI dune slack system (and use by SPA waterfowl). We support SEPAs preference for water to be sourced from either the public supply or recycled from SUDS systems.

We advise that the developer provides information to show what, if any, "background management" will take place over the whole part of development area within the SSSI. This should also include sand dune habitat not affected by the golf course proposal. Positive management previously encouraged on this area included; control of scrub, as well as invasive species (e.g. thistles, nettles and bracken, etc.), and maintaining appropriate stock grazing. Information on any rabbit control and new fencing, indicating its location and function, should be included within the ES.

Sand dune restoration possibilities could be explored within the ES, involving non dune habitats, such as scrub and bracken areas, if conditions allow. Information on size of areas identified for restoration and likelihood of success should be provided, in addition to determining the potential quality of sand dune restoration. It would appear that parts of the felled conifer plantation are starting to show some signs of reverting back to dune habitat. This area may form a useful indicator for potential habitat recovery.

We recommend that you consider the implications of coastal erosion as part of the EIA. This is to ensure that the final course layout is resilient to coastal climate change impacts. We cannot find information on coastal erosion or climate change within the Scoping Report. Coastal erosion currently influences the sand dune habitats at Coul Links. In this regard, we highlight that sea levels are rising across Scotland and Scottish Golf's Coastal Erosion Guidelines (2016) recognise that '*Most of Scotland's beaches are constantly changing and eroding as part of natural hydrological processes, but as our climate changes and our severe weather events increase, many golf clubs are finding erosion or storm deposits are having an increased impact on their course*'. Our comments about coastal processes are still relevant (see Annex A).

#### *h) Breeding bird assemblage - SSSI*

Habitat loss, potential displacement and disturbance of breeding birds linked to this assemblage should be considered at all stages of the development, including post-construction. Along with a breeding bird survey (see Annex A), an assessment of the birds' supporting habitats will be required within the course design and wider dune management.

Golfers and walkers can inadvertently disturb breeding birds. The ES should determine whether the golf course will result in an increase or decrease of people using the dunes and foreshore and what the impacts of this are likely to be for SSSI breeding birds. Mitigation should be identified if an increase of use will cause disturbance to breeding birds.

Any potential to enhance the breeding bird assemblage on Coul Links within the Habitat Management Plan (HMP) could be explored (e.g. little terns). See our guidance on HMPs for development (March 2016); <http://www.snh.gov.uk/docs/A1187633.pdf>.

#### *i) Eider (non-breeding) – SSSI*

Our comments on eider within 4.2.4 are also relevant for this SSSI.

#### *j) Saltmarsh - SSSI*

It is our understanding, from previous discussion, that the saltmarsh habitat on Coul Links will remain unaffected by this development. Clarification on this should be provided within the ES.

*k) Biodiversity – Fonseca’s seed fly*

This species is rare and localised on the Sutherland coast. If the presence of this rare fly is confirmed at Coul Links, the ES should outline the likely impacts and include a species protection plan.

*l) General assessments for all relevant SSSI and nationally important features*

Sites of Special Scientific Interest have national importance within the context of EIA and planning. For further information see; *Guidance for Developers and Consultants* <http://www.snh.gov.uk/docs/A1583961.pdf>.

The impacts of this proposal should be assessed against each appropriate SSSI feature, as outlined in our previous responses. The assessment should conclude whether the proposed golf course will affect the integrity of the SSSI interests. To help make this assessment, the following aspects should be considered;

- The extent to which adverse impacts (direct and indirect) undermine the management objectives for the site, as set out in the Site Management Statement, see; [https://gateway.snh.gov.uk/sitelink/documentview.jsp?p\\_pa\\_code=984&p\\_Doc\\_Type\\_ID=3](https://gateway.snh.gov.uk/sitelink/documentview.jsp?p_pa_code=984&p_Doc_Type_ID=3).
- The extent to which the impacts might affect the condition of the SSSI interests;
- The permanence of the impacts; and
- Impacts in combination with other proposals or activities.

It may help to consult Site Condition Monitoring (SCM) targets for each relevant SSSI interest to help reach a conclusion. We can provide these SCM assessments on request.

*4.5 Landscape*

We are content for Highland Council to lead on assessing any landscape impact of this proposal.

**Concluding remarks**

Please note we can only process file sizes of around 10MB, so we recommend the ES is divided into sections of this size or smaller, for ease of use. Please contact me should you wish to discuss any of the above, or if you require any further information.

Yours sincerely,

**David Patterson**

Operations Officer, Sutherland.  
Northern Isles & North Highland Area

Attached

- Annex A – Previous comments on Scope of Ecological Surveys (30 June 2016)

## **Annex A – Previous comments on Scope of Ecological Surveys**

Mr Bill Sheridan  
Golder Associates (UK) Ltd  
Edinburgh, EH12 9LB  
**By Email – [Bsheridan@golder.com](mailto:Bsheridan@golder.com)**

30 June 2016  
Our Ref: CNS/DC/Coul Links Golf Course/GEN 141749

Dear Mr Sheridan

### **Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 Coul Links Golf Course Proposal - Scope of Ecological Surveys**

Thank you for your email dated 8 June 2016 requesting our initial comments on the scope of ecology surveys, following our pre-application meeting on 3 June 2016. I could not find a study area map (described as figure 1) attached to your email.

We have the following comments which we hope are not too late to inform survey methods currently being used;

#### **1. Vegetation and habitat surveys**

It is important that the vegetation survey follows the baseline NVC survey as amended by Tom Dargie, through the Sand Dune Vegetation Survey of Scotland (see links below). These reports should be used as an important reference and should help to make maximum use of your Coul Links habitat survey and subsequent outputs.

Vol 1 - [http://www.snh.org.uk/pdfs/publications/research/124\\_1.pdf](http://www.snh.org.uk/pdfs/publications/research/124_1.pdf)

Vol 2 - [http://www.snh.org.uk/pdfs/publications/research/179\\_2.pdf](http://www.snh.org.uk/pdfs/publications/research/179_2.pdf)

Vol 3 - [http://www.snh.org.uk/pdfs/publications/research/181\\_3.pdf](http://www.snh.org.uk/pdfs/publications/research/181_3.pdf)

Coul Links supports a large population of rockrose plants (*Helianthemum nummularium*), which is unusual for a sand dune system in Sutherland. This plant grows on low dune hummocks and flowers vigorously when the rabbit population is low. Notably, this plant supports a coastal population of northern brown argus butterfly.

Coul Links was a Scottish Wildlife Trust (SWT) Nature Reserve for 25 years up until 2010. We recommend that you contact SWT for any notable background information on species or habitats.

#### **2. Breeding bird surveys**

The O'Brien & Smith bird survey methodology is more suited to surveying lowland breeding birds, than the proposed Brown & Shepherd bird survey method being proposed. For example, the O'Brien & Smith methodology recommends dawn/dusk survey visits, which are more likely to register breeding species such as shelduck and grasshopper warbler, etc. We therefore advise there is potential for under-recording some bird species if Brown & Shepherd is used at Coul Links, as the methodology only requires bird survey visits between 08.30 and 18.00.

For a list of coastal bird species which feature as part of the breeding bird assemblage of 'sand dune and saltmarsh' for Loch Fleet SSSI, see page 10; [http://jncc.defra.gov.uk/pdf/SSSI\\_Chptr17\\_Birds2015June.pdf](http://jncc.defra.gov.uk/pdf/SSSI_Chptr17_Birds2015June.pdf). Let us know if you would like some background information on breeding birds for Loch Fleet SSSI, which may be of some use, as some species do not breed on the site every year (e.g. little terns).

#### **3. Protected terrestrial mammals**

The range of protected mammal surveys proposed is generally adequate. However, bats should also be included (see below). For timing of surveys and other information, see our concise species planning notes, see - <http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/protected-animals/>.

Bat surveys are likely to be required should stone farm buildings require modification/demolition, as was described at our last meeting. Survey methods should follow Good Practice Guidelines (3<sup>rd</sup> Edition), see - [http://www.bats.org.uk/publications\\_download.php/1412/Bat\\_Survey\\_Guidelines\\_2016\\_NON\\_PRINTABLE.pdf](http://www.bats.org.uk/publications_download.php/1412/Bat_Survey_Guidelines_2016_NON_PRINTABLE.pdf).

We are aware that otters regularly use the sand dune system on Coul Links, where their signs are more evident during the non-summer months.

#### **4. Fonseca's seed fly**

The overall survey principles for this rare species are adequate. However, the survey plan is short on detail, for example more information could be supplied on; sampling period, sample sizes and which type of dune habitats are going to be assessed. We anticipate being able to comment on proposals for avoidance measures and mitigation, etc., when we are consulted on the Scoping Report.

#### **5. Coastal geomorphology**

A coastal geomorphology survey will not be required if the golf course layout is proposed within the core area of the dunes, away from the coastal edge. At our last pre-application meeting, the draft course layout location shown would not require a coastal survey.

However, we emphasise that the coast at Coul Links is vulnerable to erosion. The web maps on the National Coastal Change Assessment website shows the Mean High Water Spring position along this coastline has altered within  $\pm 2\text{m}$  since 1970 to the present day, see - <http://www.dynamiccoast.com/webmap.html>. With rising sea levels, and limitations in tidal sediment supply, we anticipate this section of soft coast will experience future periods of erosion. We recommend that you consider the implications of coastal erosion as part of the EIA to ensure that the final course layout is resilient to coastal climate change impacts.

#### **6. Concluding comments**

We welcome your commitment to provide an EIA Scoping Report to Highland Council, and we look forward to providing you with additional comments in due course. Feel free to give me a call if you require further information.

Yours sincerely

**David Patterson**

Operations Officer – Sutherland  
Northern Isles & North Highland



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Mr Bob Robertson  
Highland Council  
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By email – [epc@highland.gov.uk](mailto:epc@highland.gov.uk)

15 September 2016  
Your ref: 16/00081/SCOP  
Our ref: CNS/EIA/Coul Links Golf Course/CEA 142632

Dear Mr Robertson,

### **The Town & Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 (as amended) Coul Links Golf Course proposal – Scoping Opinion (Addendum)**

Thank you for your letter dated 24 August 2016, requesting our comments on the scoping addendum.

#### **1. Summary**

The additional key issues that will need addressed in the Environmental Impact Assessment (EIA) are as follows;

- The impact to dune hydrology which may affect the function of the dune slack habitats.
- The impacts on sand dune habitat from coastal erosion, if parts of the course are proposed close to the dune edge.
- The impact on the sand dune from habitat fragmentation.

#### **2. Comments on the scoping addendum**

This response should be read in context to our previous scoping advice (dated 1 August 2016) based on the main Scoping Report. We also include some points of clarity on our previous advice.

##### *Dune hydrology – Dornoch Firth & Loch Fleet SPA and Loch Fleet SSSI*

The relevant guidance and advice section should include legislation relating to the natural heritage, such as; The Habitats Directive.

It is possible that the development could affect the subsoil hydrology which may contribute to re-charging water bodies on Coul Links that support waterfowl and dune slack habitats. We would like to highlight that groundwater is considerably more complex than surface water within dune systems. The hydrology report provided by Golder Associates (dated 18 December 2015) does not provide any information on subsoil hydrology. This indicates that work on groundwater is required to fully understand whether the development could affect the hydrological function of protected area interests. Useful information on dune function, including hydrology, can be found within; Packham, J.R. & Willis, A.J. (1997) *Ecology of dunes, saltmarsh and shingle*. Chapman & Hall, London.

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### *Geomorphology – Loch Fleet SSSI*

The developer states that the golf course is '*located entirely on land west of the established fore dune*'. Therefore, a coastal survey will not be required. However, as this section of coast is susceptible to erosion (see link to journal article below – soon to be published), our previous scoping advice remains relevant to inform this EIA. It will be in the developer's interest to be proactive and consider the implications of coastal erosion and to ensure that the final course layout is resilient to climate change. See; [James M. Fitton, Jim D. Hansom, Alistair F. Rennie, A national coastal erosion susceptibility model for Scotland, Ocean & Coastal Management, Volume 132, November 2016, Pages 80-89.](#)

### **3. Additional scoping advice**

#### *Conservation importance and sensitivity for sand dune habitat – Loch Fleet SSSI*

Dune heath and dune slack vegetation, both of which are very extensive on Coul Links, should be avoided as much as possible when considering the golf course layout and associated impacts on dune habitats.

Our previous scoping response, provided advice on detailing areas of dune habitat loss. In addition to this, we also recommend that an assessment is provided within the EIA covering impacts from habitat fragmentation. Disruption to habitat connectivity will affect the functionality of the dune habitat. Therefore, the impact on this could be greater than the total sum of habitat loss. For background information, see the following;

[https://www.researchgate.net/publication/281408475\\_Habitat\\_connectivity\\_in\\_biodiversity\\_conservation\\_A\\_review\\_of\\_recent\\_studies\\_and\\_applications.](https://www.researchgate.net/publication/281408475_Habitat_connectivity_in_biodiversity_conservation_A_review_of_recent_studies_and_applications)

### **4. Concluding remarks**

Please contact me should you wish to discuss any of the above, or if you require any further information.

Yours sincerely

#### **David Patterson**

Operations Officer, Sutherland.  
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