



11 June 2018

Councillor Maxine Smith
Chair, North Planning Applications Committee
The Highland Council

Dear Chair

17/04601/FUL

Loch Fleet Site of Special Scientific Interest

Dornoch Firth & Loch Fleet Special Protection Area and Ramsar wetland

Not Coul would urge Highland Councillors to *consider* the following with respect to the proposed golf course on **Coul Links** before rushing to a final judgment.

Tuesday 5 June was WORLD ENVIRONMENT DAY. In your committee meeting that day no member spoke in favour of conserving Coul Links but a third of members were minded to favour approval, against the carefully considered recommendation of the Planning Officer and SNH, two large and many smaller NGOs, plus a substantial majority of the public who have expressed an opinion. From the sidelines, your Committee appeared to be working at odds with its officers and THC's own environmental policies, ignoring expert advice, all the legal protections bestowed by mature society in the form of legal designations, and all the precepts of good stewardship. The outcome leans heavily towards granting permission for a golf course development on land which at present supports over 1200 species.

You will not see all of this in the EIA, but the majority of these species are resident, and many are dependent on the site at different times of the year. A good number are species of high conservation priority, with restricted distribution and special habitat requirements. Unlike golfers, they have no choice but to live on Coul Links and will be reduced, eradicated or endangered by golf course construction and management. The commoner species are also important to the representative ecology of the site, which has a *unique character* in the UK that future generations will not see again in its near natural and largely undamaged state.

On 5 June, an SNH senior manager was pressed to put a precise figure on the percentage of development "damage" but, because he admitted he couldn't, that was treated as if it were a weakness in his argument, when he was actually being cautious and scientific. I would urge you to listen to his response and those of some of your committee again and consider which was the more impressive.

Chair, evidence is what counts here. The site does not need golf in order to secure sound ecological and access management. No independent ecologists would accept that the damage to the site will only be 1-2 % of Loch Fleet SSSI (predominantly estuary) or just 7-8% of its dune habitats. Collateral damage would be substantial and long-term, as SNH has advised.

DEFRA and JNCC translocation policy states that it is the view of all UK statutory conservation agencies that relocation of species is '*not an acceptable alternative to in situ conservation*' within an SSSI. This was re-iterated and accepted by the developer at the Menie public inquiry in 2008. Most of the mitigation will not work for the target habitat and species. It will not contribute to biodiversity gain on Coul Links because it would actually displace species and habitats on the proposed translocation host sites within the SSSI.

More fundamentally, as explained by SNH at the planning meeting, translocating heath with all its plants (lichens, orchids, crowberry, etc), insect burrows and larvae, and soil fungi is impossible to do successfully. Much of the ling heather (*Calluna*) at Coul is infested with heather beetle which translocation would weaken further. A dry spell of weather and inadequate watering would kill off even the most robust plants and any lichen transplanting would be an unmitigated disaster. It would be shambolic and more destructive than the felled Lodgepole Pine plantation host site, which is recovering strongly without interference.

We cite one further example, namely the "feasibility" of moving 95 – 100 rare dune junipers from small whips to a bush 5 metres wide, with an extensive fankle of interconnected roots, all to make way for golf. How would that work? Of course, it wouldn't, and they will die.

Ecology is about the *natural* relationships between species and habitats. The site is conserved *by law* for its ecological and landscape heritage, not as a semi-artificial landscaped wildlife garden for golfers.

The sums required for management *now* are small. The landowner has rejected £230,000 of grant aid from SNH in eight years. He has also refused permission for research on the site's rarest known endemic species, yet Coul Links Ltd offers to research this *as an incentive* for allowing golf, which is a retrogressive approach to science, and therefore, by definition, unscientific.

Society works hard to create manageable protections for those on this planet who do not have a voice of their own - our flora and fauna. We legislate. We issue guidance and policies. We devise structures nationally, and internationally. The EU sometimes intervenes. We deploy experts whose general watchword is "*allow development where you can but be careful. Don't cross the line*". We give everything circumspect consideration and care, until the lure of money causes some to sidestep the protections. We expect planning authorities, acting in the public interest, to respect those parameters, and not fall prey to the blandishments of wealthy men, realising private dreams.

The Coul proposal is nationally unpopular. Not everyone signs petitions, even when they agree with the cause. Nearly 90,000 people throughout the UK, six times more people than

live in Sutherland, have signed one petition opposing this golf course. Many of the signatories are environmental scientists and naturalists, and a good number are from broadcasting. About 2,000 of the signatories are from Highland Council's region. About 70,000 signatures are from the UK outside Scotland, but their views are valid for what is an issue of more than national importance: as you know only too well, the protection designations are UK (SSSI), European (SPA) and international by the Ramsar Convention. Each of these has *precise objectives* which this *proposed* development would override and consign to history.

Consider also the weight of all those detailed and cogent objections from conservation and access NGO's and charities, which are most accessible from the *Not Coul* website. *Not Coul* also argues that the damage to Coul Links would be greater than that at Foveran Links SSSI, a site that may now be denotified as an SSSI. *Not Coul* includes in its membership well informed local people, an environmental lawyer, an experienced golf greenkeeper and two ecological surveyors with a total of more than 80 years of accumulated experience. One has surveyed 95% of Scotland's dune and machair landscapes for SNH. These people are not naysayers, simply because they are afraid of change. They deal in change every single day. They speak with authority and the weight of collective wisdom.

In reality, there is little community benefit, beyond the possible provision of construction jobs, and golf course maintenance jobs. Of course, there will be some golfers as well. Coul Links is semi-inundated for three to six months of each winter, so jobs would by necessity be seasonal, irrespective of the disturbance to wintering wildfowl, itself made illegal by the Ramsar Convention. We would suggest that some of your members have been mesmerised by an investor who has hypnotised them into thinking that Coul Links is going to be protected for generations to come. It won't be. What will be protected is the ability to play golf. The extent of gorse and the ecological value of bracken have both been misrepresented to leverage the development. The funder's activities in Oregon, as described on *Not Coul's* website, paint a different, less rosy picture.

The developer's ecological surveys have been *shown by experts* to be very inadequate. SNH has been critical of their inaccuracies and lack of detail and has maintained its objection. On this subject, consider also the RSPB, the British Lichen Society, Buglife and the Scottish Wildlife Trust's objections, all shown on the *Not Coul* website. Each has had powerful points to make. Further material submitted to SEPA on this matter and new information on possible contaminated land near Embo (ignored in the EIA, but presented timeously by *Not Coul*), is under consideration. SNH was very informative about the real threat to natural sea defences. All this advice has apparently been ignored by members, as it has been downplayed by the developers. That is plain irresponsible and does not present a balanced picture, allowing a judgment in the public interest.

The least the site deserves is a proper appraisal and not one based on wishful thinking about the absence of species that the developer's surveys didn't find, wrongly classified wetlands, and manifestly incorrect evidence about the local economy. All of this must be seen in the context of a locality with a more than adequate supply of golf courses in Scotland (a declining

activity nationally), and where an alternative site has been suggested and scoped, and would actually make a finer, better placed golf course which would conserve the natural heritage.

Without question, the ecological consensus is that this proposal has the capacity to be one of the most serious and fundamental environmental mistakes of our lifetime. Responsible people who live in, and love East Sutherland, and wish it well for what it is, are saying this. As Trustees for all of us, we ask you and your members to do the same.

Yours sincerely

Tom Dargie

Dr Tom Dargie CEnv MCIEEM

Chair, Not Coul

www.notcoul.com