

23/00580/FUL

THE GOLF COURSE PROPOSED AGAIN AT COUL LINKS

REMEMBER, A VERY SIMILAR COURSE WAS REFUSED PLANNING PERMISSION IN 2020, ON MULTIPLE SERIOUS ENVIRONMENTAL GROUNDS, AFTER A 2019 4-WEEK INQUIRY BEFORE TWO REPORTERS

EVIDENCE FOR OBJECTING

This is a working document[†] and will be updated in March and April 2023 as our evidence assembly and assessment[†] of applicant work progresses. That evidence is tested using the findings of the 2019 Coul Public Local Inquiry for a similar golf course largely on protected land. See [DPEA \(www.gov.scot\)](http://www.gov.scot). That very similar golf course proposal was refused planning permission by Scottish Ministers in 2020 – see <https://tinyurl.com/2b2rkmcj>

[†]Assessment is based on planning policies in Caithness & Sutherland, Highland Region and NPF4 (2023 National Planning Framework 4). In particular see

1. Highland-wide Local Development Plan (HWLDP) at www.highland.gov.uk/info/178/development_plans/199/highland-wide_local_development_plan, especially Policy 57, page 111
2. For NPF4, "download" at www.gov.scot/publications/national-planning-framework-4/documents/, especially Policies 3 and 4 on pages 38-41

Objecting: Getting it started, making it clear

Are you in a rush, really wanting to object but not sure how to start and have little time to read everything?

Why not re-work the **'generic' objection** below, to make it 'yours'?

NB See separate instructions (How to Object) on submitting an objection online, or by letter, or by email (if >5000 characters online)

Ensure your name and address are entered, state application reference: 23/00580/FUL

Dear Sir, I object to this planning application for a golf course, much of which is on protected land at Coul Links. Or is it two courses? - that is unclear. Most of the big course is on triple-protected land (SSSI, SPA, Ramsar) and approval is likely to be against Policy 57 in the HWLDP. It is obviously contrary to policies on the climate and biodiversity crises in our latest guidance: NPF4 (Policies 3 and 4).

An earlier very similar 2017 proposal (17/04601/FUL) was not recommended for approval by your own officials in 2018, a view vindicated by Scottish Ministers' refusal of permission in 2020 for a very long list of environmental reasons. The 2019 Inquiry over 4 weeks heard a host of experts, the likely adverse environmental impacts were thoroughly explored. The decision in 2020 should have been final. There was no appeal.

My specific concern(s) on this very similar application is/are : *(that is 899 characters with spaces – room for plenty more before 5000 limit)*

[†]This is a working document – what does that mean?

If necessary, Not Coul will change the information here as it prepares its detailed objection, and if it receives a reliable challenge. We want the information here to be correct, sound content, for use by fair-minded people. It will be updated with additional evidence, comment and assessment as that is produced.

N.B. Not Coul is receiving opinion from independent professional experts

These are people of national or international standing; Highlights from that advice will be detailed here, once they are received

The fees for those experts have to be paid. Please help by DONATING to Not Coul at www.notcoul.org

SUMMARY TABLE: REASONS FOR OBJECTING

<p>IMPACT ASSESSED 2019 COUL INQUIRY</p>	<p>INQUIRY ASSESSMENT OF LIKELY OUTCOME 2019/2020</p>	<p>C4C EIAR EVIDENCE AND ASSESSMENT 2023 Items in red are challenged as incorrect by Not Coul [in black] based on field-checked or desktop evidence</p>	<p>NOT COUL EVIDENCE 2020-2023</p>	<p>NOT COUL DECISION/GROUNDS</p>
<p>Water Environment (Hydrology)</p>		<p>23_00580_FUL_EIARReport-2946031</p>		<p>Expert opinion awaited on GWDTE assessment and statements that there is hydrological disconnect between Coul slacks and groundwater</p>

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Habitats and Vegetation: Dune Heath	Significant adverse	<p>23_00580_FUL_EIARReport-2946031 All material is poorly written and is littered with errors and poor description. Too much to list. Key points below.</p> <p>P30 Proposed Mitigation Reduced site development area will reduce impact on dune heath. [Impact will still be significant adverse]</p> <p>Re-design of holes avoids the most sensitive high dune. [Incorrect- Hole 2 is just as sensitive]</p> <p>Site area of development footprint within the SSSI reduced to 1.5 hectares. [Incorrect – excludes fairways which will likely destroy existing Dune Heath – that area needs to be added to 1.5 ha. Table B16 states 0.82 ha for Dune Heath alone, maybe 5% of the protected Coul resource. The document does not seem to separate clearly SSSI and non-SSSI]</p>	<p>The removal of 2017 Hole 4, siting 2023 Hole 4 further north, has not avoided Dune Heath loss. That will be particularly severe at Holes 2,5,9 and 11.</p> <p>Habitat loss due to green and tee construction will destroy small areas of Dune Heath.</p> <p>Mowing fairways will destroy Dune Heath due to its structure: tall mainly mature Heather over a near-100% carpet of moss. There is a little Sand Sedge in the vegetation but <1% grass (Wavy hair-grass <i>Avenella flexuosa</i>). The fine-leaved fescues and bent grass are simply not there. There will be no championship playing surface for golf. Heather will die, moss will desiccate without irrigation. Uncontrolled wind erosion of sand is quite likely.</p> <p>Habitat Condition and Invasive Species 2022 Not Coul results show that the habitat set in the Dune Heath northern dome is in favourable condition. C4C assertions that Gorse and Birch scrub are excessively invasive are exaggerated.</p>	<p>Total area of Dune Heath destroyed is likely reduced but is still significant.</p> <p>Significant adverse direct impact is still likely. It cannot be mitigated.</p> <p>Also, championship-quality fairways are most unlikely and there is a risk of uncontrolled dune erosion by wind due to loss of vegetation without irrigation to maintain sufficient vegetation cover. <i>This is therefore a threat to the economic viability of the whole Coul Golf project.</i></p> <p>This is one of the most serious adverse impacts on the Coul protected environment proposed in 2023.</p>

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Habitats and Vegetation: Dune Heath (continued)	Significant adverse	<p>23_00580_FUL_EIARReport-2946031</p> <p>2.7.3 Fairways On cutting and mowing: “until a satisfactory surface for golf is produced using existing vegetation and grasses” [There is almost no grass present in most H11 Dune Heath, including Hole 2]</p> <p>2.7.3.1 Underlying all fairway footprints are fine fescue and bent grasses [Not true at all – little grass in most H11 Dune Heath, coarse bunch grasses elsewhere, finest <i>Avenella flexuosa</i> mows poorly and will drought easily without irrigation. Fairways in Dune Heath will fail]</p> <p>1.1.2 Management Plan “This will serve to reverse the evident decline in the condition of the dune heath system” [Not Coul has evidence that the dune heath system is in favourable condition. Also, a Management Agreement is already in place. Gorse and Scrub Birch clearance has started, without requiring stated Management Plan.]</p>	<p>Mowing fairways will destroy Dune Heath due to its structure: tall mainly mature Heather over a near-100% carpet of moss. There is a little Sand Sedge in the vegetation but <1% grass (Wavy hair-grass <i>Avenella flexuosa</i>). The fine-leaved fescues and bent grass are simply not there. There will be no championship playing surface for golf. Heather will die, moss will desiccate without irrigation. Uncontrolled wind erosion of sand is quite likely.</p>	<p>Significant adverse direct impact is still likely. It cannot be mitigated. See above</p>

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Habitats and Vegetation: Dune Heath (continued)	Significant adverse	<p>23_00580_FUL_EIARReport-2946031 2.7.8.1 Green Construction, discussing Felled Woodland enclosure.</p> <p>Table B.16 Predicted Habitat Loss 0.82 ha direct habitat loss for H11 vegetation</p> <p>[This does not discriminate between SSSI and non-SSSI land. Some Dune Heath is outside the SSSI sector. Not Coul suspects the figure quoted excludes the mown fairway component. The likely mowing destruction of H11 vegetation could be much larger than 0.82 ha.]</p>	<p>Not Coul comment: Proposals here seem unaware that Dune Heath is re-appearing here rapidly, 11 years after felling. This area was Dune Heath in 1975 aerial photography which shows trees being planted. Survey in 2022 recorded 0.57 ha of H11 Dune Heath here, scattered as expanding and coalescing small areas on dry ground, especially hummock summits. That is a 3.6% increase in this habitat (presently 15.5%). Habitat loss is certain here under the footprint of the 2023 Holes here (9, 11). This new-old habitat will be adversely affected.</p> <p>Not Coul has used GIS to lay its H11 Dune Heath information over the applicant course, after georeferencing the layout pdf. Loss (including mown fairways) will be highest at Hole 2 but notable amounts will go for Holes 5, 9 and 11. The quoted 0.82 ha loss is 5.3% of the Coul SSSI sector resource for Dune Heath (NVC H11).</p>	<p>Significant adverse direct impact is still likely. It cannot be mitigated. See above</p>

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Habitats and Vegetation: Lichens	Significant adverse	<p data-bbox="972 405 1299 427">23_00580_FUL_EIARReport-2946031</p> <p data-bbox="972 464 1312 515">[Content on lichens is not based on NatureScot advice in Scoping]</p> <p data-bbox="972 639 1272 719">Mitigation Proposed P30 Avoidance of most sensitive areas</p> <p data-bbox="972 847 1256 927">P30 Mowing will enable favourable habitat for pioneer species to colonise</p> <p data-bbox="972 1054 1305 1193">2.7.7 "opportunities for lichens and similar bare sand loving plants to establish has diminished in recent years" [This is only assertion, it is not evidenced].</p> <p data-bbox="972 1289 1290 1337">P151 ECoW will microsite to avoid lichen interest</p>	<p data-bbox="1346 464 1686 635">C4C was advised to contact expert lichen expertise in Scoping (22/01330/SCOP). Not Coul has been told by those stated experts that there has been no contact. All lichen detail therefore inadequate.</p> <p data-bbox="1346 671 1686 810">Only in part: Yes, Hole 4 moved off lichen interest but nationally rare species remain in Hole 2 footprint (data in Dr Coppins Not Coul evidence at 2019 Inquiry)</p> <p data-bbox="1346 847 1675 1018">Yes, but some existing nationally-important lichen interest at Coul will be destroyed by mowing because it has not been identified at Hole 2. Loch Fleet SSSI is the best UK coastal dune lichen site.</p> <p data-bbox="1346 1054 1675 1257">Not Coul 2022 line transect NVC/Other Cover survey found many patches of bare sand. Many known elsewhere too. Not Coul considers that future opportunities have increased recently, not diminished.</p> <p data-bbox="1346 1294 1659 1367">Inadequate. Few, if any, EcoWs have sufficient expertise. Expert contact would have stated that.</p>	<p data-bbox="1727 464 2022 544">Significant adverse direct impact is still likely. It cannot be mitigated.</p> <p data-bbox="1727 616 2029 722">The nationally-important best-in-UK lichen interest at Loch Fleet SSSI remains endangered by this 2023 golf development.</p> <p data-bbox="1727 759 2029 839">EIAR proposals are inadequate and lack expert advice which was recommended in Scoping.</p>

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Habitats and Vegetation: Dune Slacks				
Habitats and Vegetation: Dune Juniper				
Habitats and Vegetation: Dune Heath				
Habitats and Vegetation: Dune Grassland				
Overall Dune Habitat System				
Birds Wintering Birds				
Birds Breeding Birds				
Invertebrates				
Conservation Designations Loch Fleet SSSI				
Conservation Designations Dornoch Firth and Loch Fleet SPA (Special Protection Area)				
Conservation Designations Dornoch Firth and Loch Fleet Ramsar Wetland of International Importance				
Public access and enjoyment of the Links				
Other environmental impacts		C4C 2023 Management Plan		
Cultural Heritage				
Traffic and Transport				

<p>Economics and Socio-economics</p>		<p>23_00580_FUL_EIARReport-2946031</p> <p>It is impossible to judge this part of the EIAR due to excessive redaction by The Highland Council</p> <p>EIAR pages 260 to 261 state that 73.5 FTS's will be required, including caddies. This will rise over time to >100 FTE's. [Nowhere is there consideration of labour supply in the EIAR. It is required, to assess labour supply risk to the sustainability of this application.]</p>	<p>Local retail and tourism businesses find it difficult to recruit staff. The local area can be considered to have full employment.</p> <p>The NC500 has had a considerable local impact. It has probably contributed to the present labour supply problem.</p> <p>There has been a recovery from Covid impacts on the local economy but the present cost-of-living crisis now affects many individuals and families in Dornoch. Long-term high fuel poverty levels have worsened into crisis. Inflation has reduced purchasing power. Wages from seasonal tourist jobs, even at living-wage rates, are insufficient to cover outgoings unless second or third jobs are held.</p> <p>A further issue, if jobs are to go to local families, will be wages to afford rent/mortgage plus childcare costs, only now being identified nationally as a major constraint on labour supply for mothers and partners.</p>	
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			<p>Local rents and house prices are high, even if there might be a small fall in house prices.</p> <p>C4C social media jobs estimates suggest 175 – 250 (?) positions required, with the majority seasonal. There is not the local labour supply to fill those posts. For example, seasonal caddies will need to be brought in.</p> <p>Pay and Play golf developments aimed mainly at the American luxury golf vacation market inflate local house prices and only benefit high-end retail and accommodation businesses. The local labour enabling business function will be unable to afford to live in Dornoch as independent family units. The supply of social housing is limited and a modest likely planned increase is completely inadequate.</p>	

Dune Habitats Analysis: Invasive Species Exaggeration and Critique of C4C NVC Work

There are **serious flaws** in C4C NVC habitat information – see Table 2 below. Not Coul discovered that by using the same method and lines used in 2017. That used an overlay of Not Coul line records of habitat in GIS with the habitats mapped by C4C in a 2022 NVC survey. Earlier similar flaws were revealed in 2017/18 regarding the earlier 2017 application. They were covered in the 2019 Coul Inquiry.

However, despite the flaws, a key plank in much C4C argument can be rejected using either C4C or Not Coul NVC data: *Test if the SSSI Dune Heath feature is in bad (unfavourable) condition due to excessive extents of some characteristic heathland species.* If an unfavourable result is found, such species can be described as invasive.

Table 1 Invasive Species: Not a sufficiently serious problem to create Unfavourable Condition

CSM habitats in test for scrub + gorse + bracken CSM test See https://tinyurl.com/3392n42y	C4C data, % cover in Coul SSSI sector Based on 2022 Not Coul survey using 12 line transects recording habitats under each line segment. % cover = line habitat length divided by total line length. C4C results obtained by NC line to C4C NVC GIS layer spatial join	Not Coul data % cover Coul SSSI sector Based on 2022 Not Coul survey using 12 line transects recording habitats under each line segment. % cover = line habitat length divided by total line length.
Gorse <i>Ulex europaeus</i> (W23)	2.29	3.87
Bracken <i>Pteridium aquilinum</i> (U20 C4C or W25 NC)* * Bracken in the Coul SSSI sector is not invading the main Dune Heath habitat set in the north of the site. Arguably, it should not be used in calculating any test for favourable condition.	3.71	3.15
Scrub: Dry Woodland (W10, W17)	0.88	1.39
Fixed Dune (Grey Dune: U2 in C4C data, SD12z Marram <i>Ammophila arenaria</i> variant only – Wavy hair-grass <i>Avenella flexuosa</i> (formerly <i>Deschampsia flexuosa</i>) is an important constituent of this NVC type	0.32	11.11
Dune heath (H11)	17.81	15.50
Bare sand plus lichen and/or bryophyte interest	Not mapped	0.10
Total, All Heath Habitats within Coul Dune Heath ecosystem	25.01	35.12
Total, excluding Bracken	21.39	31.97
Gorse + Bracken + Scrub combined	6.88	8.41
Gorse + Scrub, excluding Bracken	3.17	5.26
TEST: Gorse + Bracken + Scrub combined	27.51	23.95
Gorse + Scrub combined as % of All Habitats total >25% = Unfavourable Condition	14.82	16.45

The tests are based on Common Standards Monitoring (CSM), prescribed by the JNCC (Joint Nature Conservation Committee). One key CSM test is applied in Table 1 using JNCC Lowland Heath CSM guidance – see <https://tinyurl.com/3392n42y>. Dune heath is specified by JNCC to be assessed using Lowland Heath guidance.

A 25% cover of C4C 'invasive species' is specified to be the CSM threshold for unfavourable condition, as a combination of Gorse + Bracken + Scrub (Birch >1m high at Coul) + exotics (rare at Coul).

The results in Table 1 show that is not happening in 3 tests. A fourth shows marginal invasion, but only when Bracken is included – but at Coul Bracken is not invading Dune Heath, it is only displacing some Dune Grassland in the south west of the SSSI sector.

A Coul landowner – NatureScot Management Agreement signed in 2021 has also allowed gorse and some Birch scrub to be cleared in 2021/22. One large area of scrub Birch and several smaller patches have been mapped by Not Coul. All locations showing gorse removal (visible stumps) have been recorded (Fig. 1), as well as mapping areas of Bracken treated with herbicide, well away from the Dune Heath area in the north of Coul Links.

Conclusions

- Field evidence based on 2022 Not Coul and C4C NVC data show that Dune Heath is, under national guidance rules, in favourable condition.
- There is a need for control of scrub (Birch) and Gorse on dry ground within the Dune Heath system.
- Control has already started – the 2021 Management Agreement between the Coul landowner and NatureScot has already started control, to reduce Birch and Gorse to quantities typical of good Dune Heath. Most cut gorse had stumps treated with herbicide to stop regrowth.
- C4C emphasis on a degraded site which is being overrun by invasive species is exaggerated, both in terms of extent of Birch and Gorse and control which has already started, without requiring funding from a golf course.

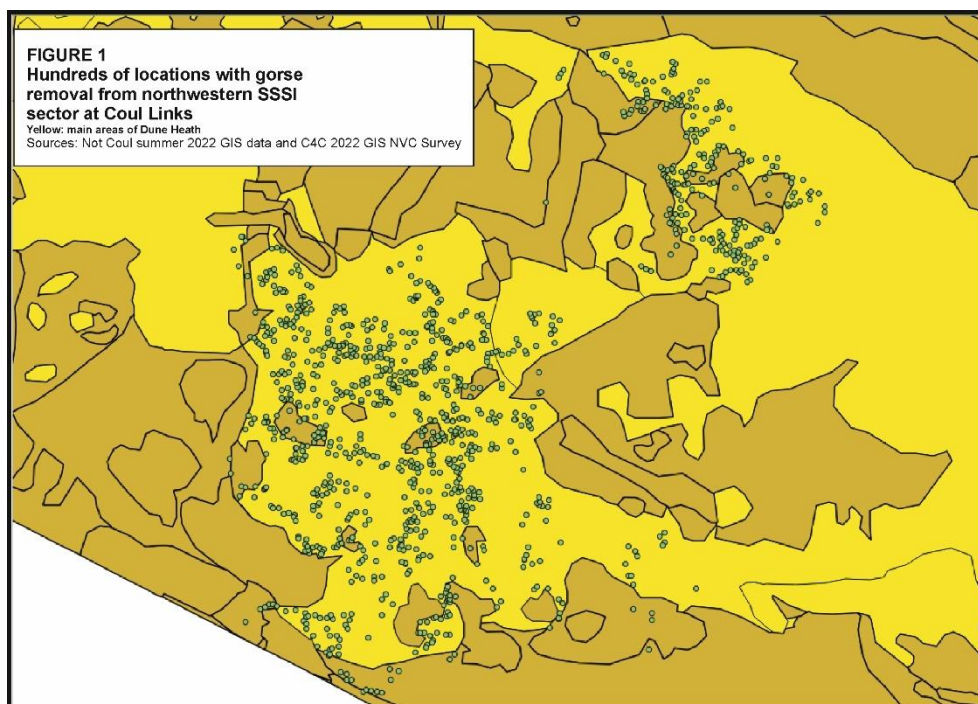


Table 2: Field results and C4C NVC flaws based on 2022 Not Coul line transects compared to C4C 2022 NVC mapping[†]

[†]Coul SSSI Sector GIS data supplied by NatureScot upon request, with thanks

C4C NVC SURVEY COUL LINKS SSSI SECTOR ONLY Habitat (NVC codes in brackets)	% total line transect length (6435.17 metres) Blue: disputed by Not Coul: not accurately identified or mapped Red: Proportion regarded as part of good or high habitat quality, important for site biodiversity and integrity		Area, hectares (calculated as percentage line length as fraction of C4C SSSI NVC total area) The NVC total area (C4C SSSI NVC data) in the Coul SSSI Sector = 152.93 ha	
So-called 'invasive' species & poorer habitats on dunes NB Gorse, bracken and scrub woodland with a total cover of <25% is regarded as favourable condition in Common Standards Monitoring for Lowland Heath in the UK. Dune heath condition is assessed using those standards. The dune heath at Coul is <u>not in unfavourable condition</u> using that rule for the set of habitats which are characteristic of heath. See Table 1 for application of the 25% test. See https://tinyurl.com/3392n42y for CSM Lowland Heath guidance.	C4C	NC	C4C	NC
Burnet rose <i>Rosa spinosissima</i>	2.36	1.18	3.61	1.80
Gorse <i>Ulex europaeus</i> (W23)	2.29	3.87	3.50	5.92
Bracken <i>Pteridium aquilinum</i> (U20 C4C or W25 NC)	3.71	3.15	5.67	4.82
Dry Woodland (W10, W17)	0.88	1.39	1.35	2.13
Wet Woodland (W2 C4C W4 NC&B Avertis)	2.58	1.99	3.95	3.04
Dry forestry brash	Not mapped	0.35		0.54
Wet forestry brash	Not mapped	0.04		0.06
Nettle, thistles, Sand spurrey, Bramble with Raspberry (W24, OV4, OV25)	Not mapped	0.33		0.50
Rank neutral & improved grassland (MG1, MG6, MGh, MG7)	12.42	0.40	18.99	0.61
Wet grassland (MG9, MG9/MG10, MG11, MG13)	0.83	2.68	1.27	4.10
Rush pasture (M6, MG10)	0.19	0.29	0.29	0.44
Meadowsweet Fen <i>Filipendula vulgaris</i> (M27)	8.70	0.46	13.30	0.70
Meadowsweet-altered dune slack (SD15/SD16/SD17 plus M27 - also entered as C4C and NC Dune slack below)	0.83	7.47	1.27	11.43
Total	34.79	23.60	53.20	36.10

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Good Dune (and intertidal) habitats				
Bare intertidal sand	0.83	0.04	1.27	0.06
Saltmarsh (SM13, SM16*) *Extensive where present, strangely missed by C4C	0.98	1.40	1.50	2.14
Strand & embryo dunes (SDxx, SD2, SD4)	0.03	0.19	0.05	0.29
Mobile dune	1.10	0.61	1.68	0.93
Semi-fixed (Grey Dune: SD7)	5.34	5.82	8.17	8.90
Fixed Dune (Grey Dune: SD9, SD12)	27.22	36.96	41.63	56.52
Dune heath (H11)	17.81	15.50	27.24	23.70
Bare sand plus lichen and/or bryophyte interest	Not mapped	0.10		0.15
Dune slack & swamp (SD15, SD16*, SD17, S19) *NB not recorded in SSSI by C4C, 6.67 ha recorded in Not Coul work - SD16 has to be present in every slack unless shaded out by Meadowsweet. That is a fundamental feature of UK dune habitat zonation, SD16 is uppermost, least flooded, driest.	5.40	17.52	8.26	26.79
Dune juniper	Not mapped	0.01		0.02
Total	58.71	78.15	89.79	119.51