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Ms Ann Faulds
Dundas & Wilson CS LLP
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Dear Ann

Trump International Golf Links Scotland (TIGLS)

As indicated, I am writing further to our meeting on 28 May to summarise the actions agreed between us. I will do so under the item headings indicated by yourself at the beginning of the meeting.

1. Stabilisation of Dunes

TIGLS wish to carry out this work during the planting season for marram grass starting in November 2009. [REDACTED] will confirm with SNH that their requirement is for the terms of Condition 11 of the planning consent to be met prior to this taking place, and TIGLS will speak to [REDACTED] to ascertain the timescale for this. The position can then be reviewed in light of the progress made in relation to satisfaction of the other reserved matters. The Council acknowledges the desire to make an early start on site and will work positively with TIGLS to facilitate this.

2. Masterplanning

It was confirmed at the meeting that the original plan submitted with the outline planning application has no status other than to define the boundaries of the site for which permission has been granted.

The masterplanning work in fulfilment of Condition 3 of the consent, to determine the detailed layout, scale and design of the development, is progressing well and the involvement of Architecture and Design

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Scotland in a positive manner is extremely beneficial.

3. Planning Applications/Compulsory Purchase Orders

Five planning applications for the sites not currently in TIGLS' ownership were deposited on 27 May 2009. The projected date for these to be considered by the Formartine Area Committee is 1 September 2009. Should any or all of these applications require to be considered by the Full Council, there is a meeting on 1 October 2009.

TIGLS are continuing to work towards a negotiated settlement with the owners of these sites but the request for the Council to consider exercising its powers of compulsory purchase still stands. The position will be kept under review during the processing of the planning applications.

4. Planning Conditions

TIGLS are committed to the conditions which relate to environmental protection but wish to review some of the 'commercial conditions'. Specifically:

Condition 4: it was confirmed that 'community facilities' in this context means facilities to serve the residential element of the scheme. Facilities which are ancillary to the resort element are covered by the overall terms of the planning permission. The proposed equestrian centre may require a separate planning permission depending upon its scale and the manner in which it is proposed to be operated.

Condition 7: TIGLS wish to review the phasing of the housing and holiday accommodation in the context of the masterplan and current economic conditions. Proposals will be brought forward for discussion at a future date. The connection between the phasing and the transport conditions must be borne in mind in this context. TIGLS confirmed that while they wish to review the phasing of the housing and holiday accommodation the commitment to complete what is identified as Phase 1 of the development is unaffected by this.

Condition 8: it was clarified that the bond in relation to the championship golf course will need to provide for the removal of man-made structures. As far as the restoration of the dunes is concerned, SNH has indicated informally that nature should be allowed to take its course. Negotiation on the amount of this bond needs to be finalised in consultation with SNH.

Condition 10: It was agreed that this condition relates only to golf buggies and that vehicles required for maintenance purposes will be allowed on to the golf course.

Condition 33: TIGLS wish to review the nature and scale of the holiday accommodation and will bring forward proposals for discussion at a later date. The importance of the economic benefit case associated with this element of the scheme was acknowledged.

Transport Conditions: any review of these requires to be undertaken by TIGLS in discussion with Transport Scotland, in the first instance.

5. Section 75 Agreement

TIGLS wish to review this in light of the current economic situation. It was clarified that the requirements of the Section 75 Agreement reflect the impact of the development upon the surrounding area, its infrastructure and facilities, and the Council's policy that this shall be mitigated at the developer's expense. The changed economic situation is acknowledged, but any renegotiation of the 'package' must take place with [REDACTED] the Council's Planning Gain Co-ordinator.

I trust that this is an accurate reflection of our discussion and look forward to discussing progress on these and other matters pertaining to this development at the Steering Group meeting on 26 June 2009.

Yours sincerely

Christine Gore

Christine Gore
Director of Planning and Environmental Services