



PLANNING PERMISSION

Reference No: 11/03278/FUL

To:
Hjaltland Seafarms Ltd
Gremista
Lerwick
Shetland
ZE1 0PX

Town & Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) 2006 Act

DECISION NOTICE

**Marine Fish Farm - Atlantic Salmon - Relocation and Extension of Existing Salmon Farm
Leinish Loch Dunvegan Totaig Dunvegan**

The Highland Council in exercise of its powers under the above Acts **grants planning permission** for the above development in accordance with the particulars given in the application and the following plans/drawings:

Type of Plan	Plan Number	Version No.	Date Plan Received
Location Plan	000001		06.09.2011
Location Plan	000002		06.09.2011
Location Plan	000003		06.09.2011
Site Layout Plan	000004		06.09.2011
Elevations	000005		06.09.2011
Section Plan	000006		06.09.2011
Environmental Assessment	Impact		06.09.2011

This permission is granted subject to the following conditions: -

- (1) Except as otherwise provided for and amended by the terms of this approval, the operator shall construct and operate the development in accordance with the provisions of the application, the submitted plans and amendments, enclosed documents and the Environmental Statement.

Reason: To ensure that the appropriate mitigation measures, strategies and procedures detailed in the application are undertaken (e.g. in relation to minimising the visual impact of the fish farm)

- (2) All surface equipment, with the exception of navigational markers, shall be finished in a dark matt colour unless alternative finishes are agreed in advance with the Planning Authority.

Reason: To minimise the visual impact of the installation.

Dated: 21st December 2011

.....
[Redacted Signature] of Planning and Building Standards

- (3.) Underwater lights are only permitted to be used during the first winter of each production cycle i.e. the period from 01 November until 31 March but in any case for a total period of no more than 5 months out of each 24 month production cycle. When in use, lights shall be shielded from above to prevent vertical transmission of light and they shall be supplied with electricity generated by the silenced generator housed within the feed barge.

Reason: To ensure that the use of underwater lights does not result in a prolonged unacceptable source of light pollution.

- (4.) All lighting above the water surface and not required for safe navigation purposes should be directed downwards by shielding. It should be extinguished when not required for the purpose for which it has been installed. If lighting is required for security purposes, infra red lights and cameras should be used.

Reason: In the interests of visual amenity, to ensure that lights left on in the day time do not draw the eye towards the site and at night do not present unnecessary sources of light pollution.

- (5.) In the event of equipment falling into disrepair or becoming damaged, adrift, stranded, abandoned or sunk in such a manner as to cause an obstruction or danger to navigation, the site operator shall carry out or make suitable arrangements for the carrying out of all measures necessary for lighting, buoying, raising, repairing, moving or destroying, as appropriate, the whole or any part of the equipment so as to remove the obstruction or danger to navigation.

Reason: to prevent the site becoming a navigational hazard or an having a increased visual impact

- (6.) At least three months prior to cessation of use of the site for fish farming, a scheme for the decommissioning and removal of all equipment shall be submitted to and agreed in writing with the Planning Authority. Upon cessation the approved scheme shall be implemented.

Reason: to ensure that decommissioning of the site takes place in an orderly manner and to ensure proper storage and disposal of redundant equipment in the interest of amenity and navigational safety.

- (7.) Once installed on the site, the feed barge shall be serviced by sea from a location outwith Loch Dunvegan.

Reason: to ensure that vehicular movement and operations associated with the fish farm are directed away from Dunvegan Pier.

- (8.) Fish shall be harvested from the site to a wellboat and landed at a location outwith Loch Dunvegan.

Reason: to ensure that vehicular movement and operations associated with the fish farm are directed away from Dunvegan Pier.

Dated: 21st December 2011

Head of Planning and Building Standards

Variations

During the processing of the application the following variations were made to the proposal:

1. None.

Section 75 Agreement

An Agreement in terms of Section 75 of the 1997 Planning Act relates to this development. The terms of the Section 75 Agreement are as follows:

1. None.

The full Section 75 Agreement can be inspected at the relevant planning office.

FOOTNOTE TO APPLICANT RELATIVE TO APPLICATION 11/03278/FUL

1. The development to which this planning permission relates must commence **WITHIN** three years of the date of this decision notice.
2. No development shall start on the site until the completed Notice of Initiation of Development (NID) form attached to this decision notice has been submitted to and acknowledged by the Planning Authority.
3. Upon completion of the development the completed Notice of Completion form attached to this decision notice shall be submitted to the Planning Authority.
4. The installation should be marked and lit in accordance with the requirements of the Northern Lighthouse Board as set out in its consultation response to the Council (see copy attached).
5. No road haulage operations to take place on the Dunvegan Pier road for deliveries of fish feed or the transportation of harvested fish. Skips or similar occupancy will not be permitted within the road boundary - within 3.0m of the public road running surface. Ongoing use of the shorebase and the Dunvegan Pier Road is to be considerate of the needs of the public and the need to maintain access to the pier head.

NOTIFICATION TO APPLICANT

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed local development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to:
Highland Council Review Body Administration Team, Chief Executive's Service, Council Headquarters, Glenurquhart Road, Inverness.

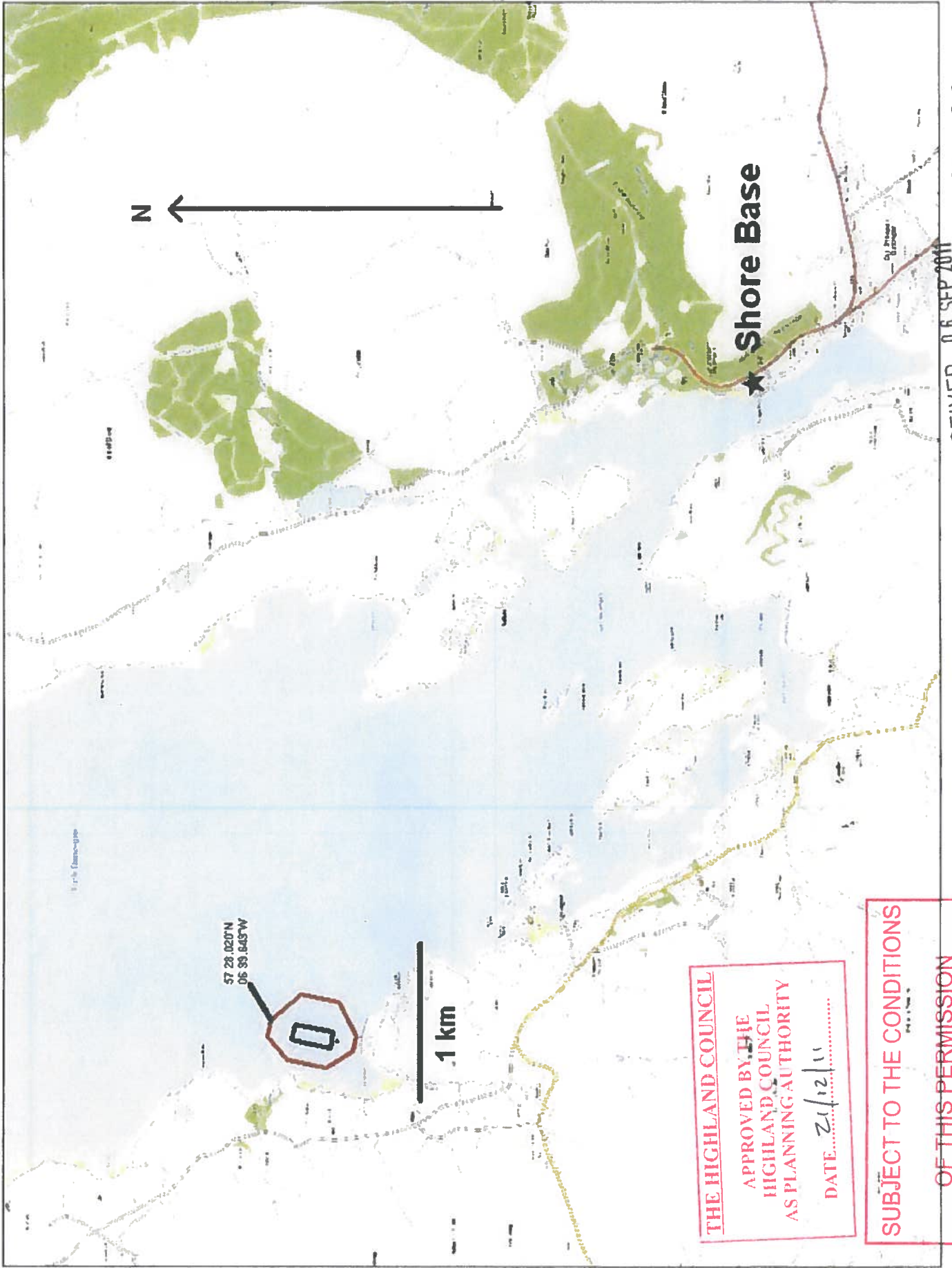
Dated: 21st December 2011

Head of Planning and Building Standards

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Dated: 21st December 2011

[Redacted] Head [Redacted] Planning [Redacted] and Building Standards
[Redacted]



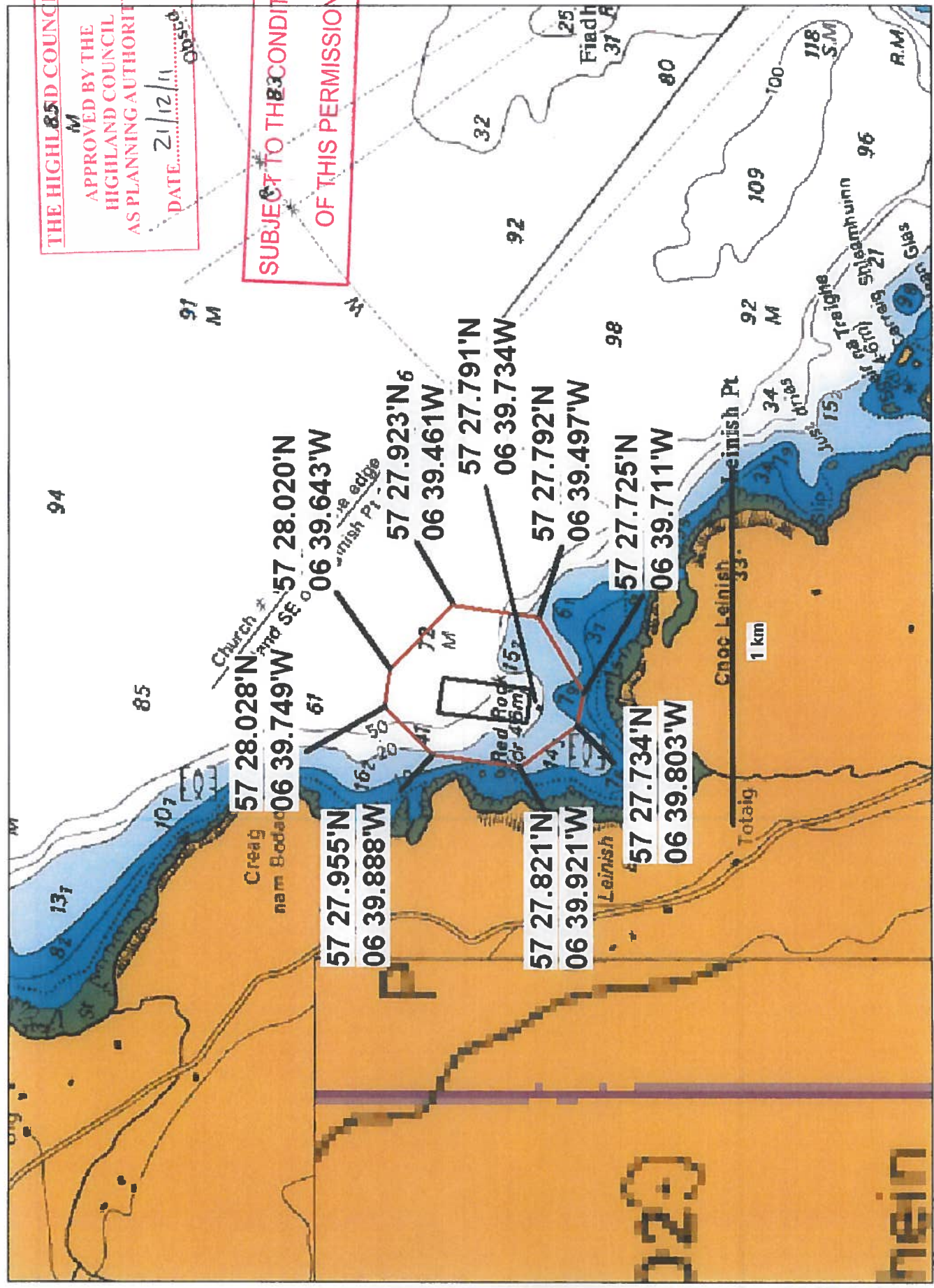
THE HIGHLAND COUNCIL
 APPROVED BY THE
 HIGHLAND COUNCIL
 AS PLANNING AUTHORITY
 DATE 24/12/11

SUBJECT TO THE CONDITIONS
 OF THIS PERMISSION

RECEIVED 06 SEP 2011 000001

THE HIGHLAND COUNCIL
 APPROVED BY THE
 HIGHLAND COUNCIL
 AS PLANNING AUTHORITY
 DATE 21/12/11

SUBJECT TO THE CONDITIONS
 OF THIS PERMISSION



000002

RECEIVED 16 SEP 2011

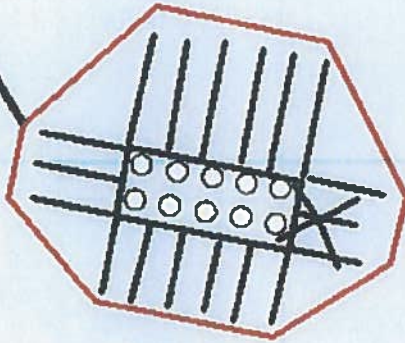
THE HIGHLAND COUNCIL

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DATE 21/12/11

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