



## **SHETLAND ISLANDS COUNCIL**

### **Town and Country Planning (Scotland) Acts Town and Country Planning (General Permitted Development) (Scotland) Orders**

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With reference to the application for **Planning Permission** (described below) under the above Acts and Orders, the Shetland Islands Council in exercise of these powers hereby **GRANT Planning Permission** for the development, in accordance with the particulars given in, and the plans accompanying the application as are identified; subject to the condition(s) specified below.

#### **Applicant**

Andrew Barrie  
Scottish Sea Farms  
Barcaldine Hatchery  
Barcaldine  
Argyll  
PA37 1SQ

#### **Agent**

Ian Hutchison  
Aquatera  
The Charles Clouston Building  
Back Road  
Stromness  
Orkney  
KW16 3AW

**Reference Number:** 2025/006/MAR

**Development:** To redevelop and expand an existing consented salmon farm by siting up to 12 x 160m-circumference pens in a 110m mooring grid and a 39m x 13m feed barge

**Location:** Fish Holm Fish Farm, Yell Sound, Shetland

## **IMPORTANT INFORMATION**

If you are aggrieved by any of the conditions on the grant of planning permission made by the Planning Authority, you may appeal to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of appeal should be addressed to: Planning and Environmental Appeals Division, Scottish Government, Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR. They will provide you with the necessary forms, or alternatively they can be found on the Scottish Government's website at [www.scotland.gov.uk](http://www.scotland.gov.uk). Appeals can also be submitted electronically using the Online Appeal and Application system, ePlanning, the address for which is [www.eplanning.scot](http://www.eplanning.scot).

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 the 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.

The applicant, or a third party with sufficient interest, may petition the Court of Session for judicial review of the decision of the Planning Authority within three months beginning with the date of this notice. Further information on judicial review, including how to raise an action, can be found on the website of the Scottish Courts Service at [www.scotcourts.gov.uk](http://www.scotcourts.gov.uk) or through the Citizens Advice Bureau at [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk).

## **Environmental Impact Assessment**

Regulation 3 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, ('the EIA Regulations'), prohibits the granting of permission for EIA development unless an environmental impact assessment has been carried out and that the environmental information has been taken into account when undertaking an assessment of the development proposal.

The application has been subject to Environmental Impact Assessment under the terms of the EIA Regulations and the applicant has submitted an Environmental Impact Assessment (EIA) Report. The environmental information contained within this, and the comments made on the application by consultees, and representations made by members of the public following advertisement of the application and EIA Report in The Shetland Times and The Edinburgh Gazette on 14 March 2025, and advertisement of the EIA Report Addendum in those publications on 16 October 2025 and 17 October 2025 respectively, carried out in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, ('the 2013 Regulations'), have been taken into account in coming to this decision.

The results of the consultation responses gathered pursuant to the EIA Regulations are set out below:

- NatureScot - Initial objection in relation to the red-throated diver feature of East Mainland Coast, Shetland Special Protection Area (SPA) was subsequently withdrawn. NatureScot are now satisfied that the proposed development will not adversely affect East Mainland Coast, Shetland SPA, Yell Sound Coast Special Area of Conservation (SAC) or any SPAs with the qualifying feature gannet, subject to appropriate planning conditions which are attached to this decision notice. NatureScot are also content that the proposal is acceptable with regards Priority Marine Features (PMFs).
- Scottish Water - No objection.
- Scottish Environment Protection Agency (SEPA) - No objection. The final biomass and quantities of sea lice medicines will be determined as part of the Controlled Activities Regulations (CAR) licence application which is currently under determination. The risk to wild salmon and sea trout from sea lice from the farmed fish will also be assessed and managed under the CAR process with appropriate mitigation and/or monitoring applied as appropriate.

- Historic Environment Scotland (HES) - No objection.
- Scottish Government Marine Directorate (on behalf of Scottish Ministers) - No objection. All information requests were satisfactorily responded to by the applicant. SGMD highlight that SEPA and the Marine Directorate will regulate relevant aspects of the proposed development under their respective statutory processes.
- Delting Community Council - No objection.
- Nesting & Lunnasting Community Council - Offered no comments.
- Yell Community Council - Offered no comments.
- Public representations analysed and taken account of.

Shetland Islands Council, ('the Council'), is satisfied that the requirements of the EIA Regulations have been met.

The EIA Report submitted with the application has considered the impacts on Benthic and Water Quality Impacts, Species or Habitats of Conservation Importance, Interaction with Wild Salmonids, Seascape, Landscape and Visual Impacts and Commercial Inshore Fisheries. The environmental information as contained within the EIA Report and otherwise presented as additional information, and the comments made on the application by the consultees, and representations received following advertisement of the application, have been considered, fully and carefully, and taken into account. It is concluded that the proposed development will not give rise to any significant or unacceptable environmental effects, subject to appropriate mitigation measures being implemented to ameliorate effects. The proposal incorporates the necessary environmental design and mitigation measures to minimise adverse environmental impacts. These include measures to address impacts generally including embedded mitigation, and also specifically in relation to benthic and water quality, species or habitats of conservation importance and interactions with wild salmonids.

These and other measures to mitigate/ monitor impacts can be secured by means of appropriate controlling planning conditions to ensure that there are no unacceptable adverse impacts arising, either as a result of construction related activities, or during the operational use of the development. SEPA will likewise manage, mitigate and monitor impacts within their regulatory remit through the CAR licence process. Where consultees have proposed conditions to mitigate/ monitor impacts, these have been included as planning conditions. In the absence of any unacceptable or significant environmental impacts the proposal is acceptable in EIA terms, and a description of the proposal's accordancy, or otherwise, with the statutory 'Development Plan' for Shetland and the National and Regional Marine Plans is provided below under 'Reasons for Council's decision'.

The Council's assessment of the information presented within the EIA Report and other environmental information in relation to the development, and material representations which resulted from the public notification and consultation process carried out in accordance with the 2013 Regulations, together with the Council's reasoned conclusions on the significant effects of the development on the environment, are contained within the Report of Handling for the planning application dated 11 February 2026 required under the 2013 Regulations.

The Council is satisfied that this reasoned conclusion is still up to date.

The Council is further satisfied that the significant effects can be addressed by way of mitigation. A detailed description of the proposed mitigation is contained within the EIA Report identified above and the Report of Handling dated 11 February 2026, with the latter including any necessary additional mitigation that may have been identified.

The Council has incorporated the requirement for adherence to a schedule of mitigation within the conditions of this permission. Requirements for monitoring measures have been identified and are detailed within the conditions of this permission, and include ones specifically relating to ornithological and marine mammal interests.

All documents can be viewed online at <https://pa.shetland.gov.uk/> and searching using the case reference number.

## **Details of Approved Plans and Drawings**

- Location Plan - Received 17.02.2025
- Admiralty Chart - Received 17.02.2025
- Site Plan - Received 17.02.2025
- Fish Holm Coordinates - Received 17.02.2025
- 160m Pen Elevation - Received 17.02.2025
- Pen and Top Net Illustration - Received 17.02.2025
- Feed Barge Elevation and Sections - Received 17.02.2025
- Feed Barge General Arrangement Plan - Received 17.02.2025
- Schedule of Mitigation (Annex D of the Fish Holm EIA Report) - Received 17.02.2025
- Yell Sound Farm Management Statement (Annex J1 of the Fish Holm EIA Report) - Received 17.02.2025
- Fish Holm Predator Exclusion Plan (Annex J2 of the Fish Holm EIA Report) - Received 17.02.2025
- Emergency Procedures Manual (Annex J5 of the Fish Holm EIA Report) - Received 09.10.2025
- Marine Waste Management Plan (Annex J7 of the Fish Holm EIA Report) - Received 17.02.2025
- Non-Native Species Biosecurity Plan (Annex J8 of the Fish Holm EIA Report) - Received 17.02.2025
- Fish Holm Decommissioning Plan - Received 14.01.2026
- Fish Holm Climate Change Mitigation and Adaptation Plan - Received 20.01.2026
- Fish Holm Biodiversity Enhancement Plan - Received 20.01.2026

## **Reasons for Council's decision**

( 1.) In so far as they relate to planning matters, the location, scale and nature of the proposed development is considered to be acceptable and will have no significant adverse impact on the natural and historic environment, nor upon the landscape and visual amenity of the site and surrounding area, and on balance is considered to be acceptable with regards impacts on other marine users when account is taken of socio-economic effects, in accordance with the following policies of the statutory 'Development Plan' for Shetland:

- National Planning Framework 4 (2023) Policies 1 (Tackling the climate and nature crisis); 2 (Climate mitigation and adaptation); 3 (Biodiversity); 4 (Natural places); 7 (Historic assets and places); 12 (Zero waste); 23 (Health and safety); 25 (Community wealth building); 29 (Rural development) and 32 (Aquaculture);
- Shetland Local Development Plan (2014) Policies NH4 (Local Designations); NH7 (Water Environment); HE1 (Historic Environment); HE4 (Archaeology); HE5 (Gardens and Designed Landscapes) and CST1 (Coastal Development); and
- Shetland Islands Council Supplementary Guidance - Aquaculture (2017) Policy G1 (General Factors to be considered).

Furthermore, there are no material considerations which outweigh the proposals accordance with the above Development Plan policies.

Although contrary to Policies F1 and G2 of Supplementary Guidance - Aquaculture (2017) regarding minimum separation distance between aquaculture farms, the Planning Authority considers the proposed development to be an acceptable and non-significant departure from those policies on the following grounds:

- At 920m, the current distance between the existing Fish Holm and Setterness North planning permissions does not comply with the Council's separation distance policies. Furthermore, the reduced distance of 780m between the proposed Fish Holm site and the existing Setterness North site that will occur as a result of the proposed development is comparable to the current distances between other active consented fish farms in the locality that are presently operated by the applicant;
- The levels of pollution and the risk of disease transfer (the principal matters the Council's separation distance policies were founded on) that will arise from the proposal appear to be within acceptable limits as far as can reasonably be foreseen, but in any case will be appropriately regulated by the Scottish Environment Protection Agency and the Scottish Government Fish Health Inspectorate under their statutory processes;
- The Planning Authority concurs with the material considerations presented by the applicant in their Planning Statement to support a departure from the Council's separation distance policies in this instance.

The proposal is also considered to be in accordance with the relevant policies of Scotland's National Marine Plan (2015) and Shetland Islands Regional Marine Plan (2025).

### **Conditions**

( 1.) The development hereby permitted shall be commenced within three years of the date of this permission.

Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 20 of the Planning etc. (Scotland) Act 2006.

( 2.) The development hereby permitted shall not be carried out other than wholly in accordance with the approved plans and details (as may be amended and/or expanded upon by a listed document following afterward) unless previously approved in writing by the Planning Authority.

Reason: For the avoidance of doubt as to what is being authorised by this permission.

( 3.) Prior to commencement of the development hereby permitted, a pre-installation moorings survey shall be carried out in the northwest corner of the mooring containment area to establish the presence of any large horse mussels clumps in this area. Should the survey reveal the presence of any horse mussel clumps, micro-siting of all anchors and mooring infrastructure in this area shall be undertaken in order to avoid this habitat.

The development hereby permitted shall not commence until a report of the survey, which will include a plan for any such micro-siting of anchors and mooring infrastructure, has been submitted to and approved in writing by the Planning Authority.

Reason: To prevent physical damage to possible horse mussel clumps that may exist in the vicinity of the site.

( 4.) The development hereby permitted shall not commence until the seabed at the development site has been cleared of all remaining equipment connected to previous development consented by planning permission FFA/ZET/015, with written confirmation provided to the Planning Authority that such full site de-equipment has taken place.

For the avoidance of doubt, completion of such action will result in the aforementioned planning permission ceasing to have effect.

Reason: For the avoidance of doubt as to what is being authorised by this permission and to ensure disposal of redundant equipment in the interest of amenity and navigational safety.

( 5.) The developer shall submit a written 'Notice of Initiation of Development' to the Planning Authority at least 7 days prior to the intended date of commencement of development. Such a notice shall:

(a) include the full name and address of the person intending to carry out the development;

(b) state if that person is the owner of the land to which the development relates and if that person is not the owner provide the full name and address of the owner;

(c) where a person is, or is to be, appointed to oversee the carrying out of the development on site, include the name of that person and details of how that person may be contacted; and

(d) include the date of issue and reference number of the notice of the decision to grant planning permission for such development.

Reason: To ensure that the developer has complied with the pre-commencement conditions applying to the consent, and that the development is carried out in accordance with the approved documents, in compliance with Section 27A of The Town and Country Planning (Scotland) Act 1997 (as amended).

( 6.) The double pen net system hereby approved shall be operated strictly in accordance with the following:

- Checks for entanglement or entrapment of diving birds shall be undertaken as part of regular net cleaning operations on a fortnightly basis, and as part of inspection and maintenance of underwater pens undertaken by divers on a minimum monthly basis. In addition, a weekly Remotely Operated Vehicle (ROV) survey of two of the four outer corner pens will also be monitored, rotated so that two different corner pens are checked each week and so each corner pen is monitored every two weeks.

- A minimum of fortnightly records of wildlife entanglement or entrapment shall be maintained using the standardised NatureScot proforma, available at: <https://www.nature.scot/doc/naturescot-entanglement-and-entrapment-standardised-proforma>, with regular returns of these records to be submitted to the Planning Authority, copied to NatureScot, on a six-monthly basis.
- Images/short video clips of any entanglement or entrapment incidents shall be retained and attached to the returns, to assist in identification.
- Immediate notification by the site operator to both the Planning Authority and NatureScot in the event of any significant entrapment or entanglement of gannets, great northern diver, red-throated diver, Slavonian grebe, common guillemot, Atlantic puffin, razorbill, or other single bird species in any nets. Significant should be interpreted as involving two or more birds on any one day, and/or a total of three or more birds in the space of any fourteen day period, and/or repeat incidents involving one or more birds on three or more consecutive days).
- Should NatureScot deem that the returns or reported events highlight entanglement/entrapment issues with the subsurface predator exclusion nets, the Planning Authority shall consult with NatureScot and the site operator to agree an adapted monitoring plan to increase the frequency of pen checks for a limited period of time, or throughout the life of the subsurface predator exclusion nets, unless otherwise agreed in writing by the Planning Authority.
- Should an event or events be notified in accordance with the above, the Planning Authority shall consult with NatureScot and the site operator to agree any mitigation measures required and any such measures shall be implemented within a timescale determined by the Planning Authority and shall be retained throughout the life of the sub-surface predator exclusion nets, unless otherwise agreed in writing by the Planning Authority.
- For the avoidance of doubt, any and all modifications, amendments and revocations of the above operation of the double pen net system shall be agreed in writing with the Planning Authority, in consultation with NatureScot, in advance of any such changes to the approved details occurring on site.

Reason: As the double pen net system is currently not in widespread use, robust monitoring and reporting is required to minimise the risk of significant entanglement or entrapment of diving birds and marine mammals.

( 7.) The pole-mounted top net system hereby approved shall be operated strictly in accordance with the following:

- The NatureScot proforma, available at: <https://www.nature.scot/doc/naturescot-entanglement-and-entrapment-standardised-proforma>, shall be used to maintain daily records of wildlife entanglement and entrapment incidents at the site and thereafter used to

submit reports of all wildlife entanglement and entrapment incidents at the site to the Planning Authority, copied to NatureScot, on a biannual basis covering the periods January-June and July-December.

- The Planning Authority and NatureScot shall be immediately notified in the event of any significant\* entrapment or entanglement of gannets, gulls (any species), shags, cormorants or other single bird species (\*significant should be interpreted as involving three or more birds on any one day and/or a total of ten or more birds in the space of any seven day period and/or repeat incidents involving one or more birds on four or more consecutive days).
- Should any such significant incidence of entrapment or entanglement arise, the Planning Authority, in consultation with NatureScot, may require the site operator to undertake adaptive management measures to mitigate impacts so as to ensure compliance with the Habitats Regulations including modification of the top nets if necessary to avoid risk, including cumulative and/or in-combination risk, in respect to the aforementioned bird species.
- For the avoidance of doubt, any such required mitigation measures shall be implemented within a timescale determined by the Planning Authority and shall be retained throughout the life of the pole-mounted top net system, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure a robust monitoring and reporting protocol is in place in the interests of minimising the risk of significant entanglement or entrapment of diving birds, and to protect wildlife in general.

( 8.) In respect of anti-predation systems including all nets, the development hereby permitted shall be constructed, implemented and managed strictly in accordance with the Fish Holm Predator Exclusion Plan attached as Annex J2 to the Fish Holm EIA Report received by the Planning Authority on 17 February 2025.

**For the avoidance of doubt, deployment of acoustic deterrent devices at the site is not currently permitted.**

The development shall thereafter be operated and maintained in accordance with the aforementioned Predator Exclusion Plan throughout the lifetime of the development, unless otherwise agreed in writing with the Planning Authority. For the avoidance of doubt any and all modifications, amendments and revocations of this document requires to be agreed in writing with the Planning Authority in advance of any such changes to the approved details occurring on site.

In any event, all deployed anti-predation systems shall be non-lethal and non-destructive in accordance with the guidance provided by NatureScot (see Note to Applicant below for guidance).

Reason: In the interest of protecting wildlife within the area and for the avoidance of doubt as to what is being authorised by this permission.

( 9.) The development hereby permitted shall be carried out in accordance with the Fish Holm Biodiversity Enhancement Plan received by the Planning Authority on 20 January 2026.

For the avoidance of doubt, the “Bug Hotel” aspect of the aforementioned plan must be implemented prior to the commencement of the development hereby permitted with written confirmation provided to the Planning Authority to that effect. The bug hotel shall thereafter be maintained through the lifetime of the development.

Reason: In order to protect biodiversity, reverse biodiversity loss, deliver positive biodiversity effects and strengthen nature networks in accordance with the requirements of Policy 3 of National Planning Framework 4 (2023).

( 10.) The development hereby permitted shall be constructed, implemented and managed strictly in accordance with the following documents and plans either attached as appendices to the Fish Holm EIA Report received by the Planning Authority on 17 February 2025 (or other date stated) or received separately by the Planning Authority on the dates specified:

- Schedule of Mitigation (Annex D of the Fish Holm EIA Report);
- Yell Sound Farm Management Statement (Annex J1 of the Fish Holm EIA Report) or any subsequent Farm Management Agreement;
- Emergency Procedures Manual (Annex J5 of the Fish Holm EIA Report) - received by the Planning Authority on 09 October 2025;
- Marine Waste Management Plan (Annex J7 of the Fish Holm EIA Report);
- Non-Native Species Biosecurity Plan (Annex J8 of the Fish Holm EIA Report);
- Fish Holm Decommissioning Plan - received by the Planning Authority on 14 January 2026; and
- Fish Holm Climate Change Mitigation and Adaptation Plan - received by the Planning Authority on 20 January 2026.

The development shall thereafter be operated and maintained in accordance with these documents and plans throughout the lifetime of the development, unless otherwise agreed in writing with the Planning Authority. For the avoidance of doubt any and all modifications, amendments and revocations of these documents and plans require to be agreed in writing with the Planning Authority in advance of any such changes to the approved details occurring on site.

Reason: For the avoidance of doubt as to what is being authorised by this permission, to secure mitigation measures identified in the EIA Report and to ensure compliance with the relevant policies contained in National Planning Framework 4 (2023), Shetland Local Development Plan (2014), Shetland Islands Council Supplementary Guidance - Aquaculture (2017), Scotland’s National Marine Plan (2015) and Shetland Islands Regional Marine Plan (2025).

( 11.) At all times when equipment is deployed on site the following navigational marks shall be in place and in full working order:

#### Pens

- The pens shall be marked with two lit yellow Special Mark Poles fitted with a yellow ‘X’ topmarks.

- The lights shall display a character of flash yellow every five seconds (FI Y 5s) with a nominal range of 2 nautical miles and be installed above the 'X' topmarks.
- The poles should be positioned at the most Easterly and Southerly seaward corners of the cage group.
- Where possible, the poles shall be mounted onto the corner cushion buoys or alternatively onto the pen guardrails, depending upon mounting equipment available, to give good visibility on approach to the site.
- The poles shall be greater than or equal to 75mm diameter, the 'X' topmarks shall be greater than or equal to 75cm length by 15cm width.

### Feed Barge

- The feed barge shall exhibit an all-round fixed white light with a nominal range of 2 nautical miles, which shall be mounted above any other obstruction. Where possible, the light shall be powered by solar charged batteries to ensure it operates independently of barge mains power.

Furthermore, outlying anchor points shall not be marked with buoys and alternative means to locate anchors should instead be utilised. Loose floating lines and ropes around site equipment are also strictly prohibited as this can cause serious safety implications for other mariners.

Reason: In the interest of navigational safety and to comply with the guidelines laid down by the Northern Lighthouse Board.

( 12.) The finished surfaces of all equipment above the water surface including surface floats and buoys associated with the development hereby permitted (excluding those required to comply with navigational requirements) shall be non-reflective and shall be finished in a dark, muted colour unless otherwise previously approved in writing by the Planning Authority.

Reason: To minimise the visual impact of the development.

( 13.) All lighting above the water surface at the development hereby permitted not required for safe navigation or security purposes, shall be directed downwards by shielding and be extinguished when not required for the purpose for which it is installed on the site.

Reason: To avoid unnecessary lighting in the interests of visual amenity and to minimise impacts on the natural environment.

( 14.) In the event of any equipment approved by this permission 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 developer 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: In the interest of navigational safety.

(15.) Notwithstanding the Decommissioning Plan approved by condition no. 10 of this permission or any subsequent amended version thereof, at least three months prior to cessation of use of the site for fish farming, an up to date scheme for the decommissioning and removal of all equipment from the site shall be submitted to and approved in writing by the Planning Authority. Upon cessation, the approved scheme shall be implemented within an agreed timescale.

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.

(16.) In the event that the cages or associated apparatus approved by this planning permission ceases to be in operational use for the growing of salmon for a period exceeding three years, they shall be wholly removed along with all moorings and anchors and the site restored to the satisfaction of the Planning Authority within 4 months of being notified, unless agreed otherwise in writing by the Planning Authority. For the avoidance of doubt, under such circumstances the permission so granted will cease.

Reason: In the interest of visual amenity and navigational safety, and to ensure that redundant development does not sterilise capacity for future development within the same water body.

## **Notes to Applicant**

### **Anti-predation systems**

It is recommended that you consider the following guidelines with regard to installation of anti-predation systems:

- All anti-predation systems must be effective, non-lethal and seek to deter or dissuade wildlife through exclusion;
- Top nets must be fitted to deter and exclude birds and small mammals;
- Predator nets (both top and submerged) must be of a size which prevents access but does not result in entanglement;
- Tensioned cage nets (utilising some combination of sinker tubes/concrete weights, pulleys and rope) is the preferred anti-predation option;
- Secondary predator nets should only be used where it is impractical to use a cage net tensioning system;
- Monofilament netting must not be used under any circumstances. Secondary predator nets should instead be made of brightly coloured thick mesh in order to make the netting visible to predators and minimise the risk of entanglement and drowning. The nets must be tensioned by using suspended weights;
- All nets must be regularly checked and maintained;

- The operator should keep records of any animals that are by-caught in any anti-predator netting and submit an annual report to the Planning Authority and NatureScot;
- Permission to use Acoustic Deterrent Devices (ADD's) may require a licence from the Scottish Government and the Planning Authority should be notified in writing of any such request;
- ADD's should only be deployed in conjunction with exclusion nets where there is a persistent problem, unless otherwise specified by SNH;
- ADD's should be set and operated in such a manner as to cover the whole site and should be capable of emitting a random and variable signal.

## **Controlled Activities Regulations**

Under the terms of The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (or CAR), a CAR licence is required for point source discharges from fish farms. To obtain or update a CAR licence, you are advised to contact the Scottish Environment Protection Agency (SEPA) as follows: Shetland Office, Esplanade, Lerwick, Shetland, ZE1 0LL. Tel: 01595 696926.

## **Disease Control**

The Aquatic Animal Health (Scotland) Regulations 2009 requires the authorisation of all Aquaculture Production Businesses (APB's) in relation to animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals. The authorisation procedure is undertaken on behalf of the Scottish Ministers by the Fish Health Inspectorate (FHI) at the Marine Directorate Marine Laboratory. To apply for authorisation for an APB or to amend details of an existing APB or any site that an APB is authorised to operate at, you are advised to contact the FHI as follows: Fish Health Inspectorate, Marine Directorate Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: 0131 244 3498; Email: [ms.fishhealth@gov.scot](mailto:ms.fishhealth@gov.scot)

## **Marine Licensing**

All marine farms, whether finfish, shellfish or algal, are required to apply for a marine licence under Part 4 of the Marine (Scotland) Act 2010. To apply for a marine licence, or to amend details of an existing marine licence (formally Coast Protection Act 1949 - Section 34 consent), please visit the Scottish Government's website at <http://www.gov.scot/Topics/marine/Licensing/marine/Applications> where application forms and guidance can be found. Alternatively you can contact the Marine Directorate Licensing Operations Team (MD-LOT) by emailing [MD.MarineLicensing@gov.scot](mailto:MD.MarineLicensing@gov.scot); or calling 0300 244 5046.

## **Seabed Lease**

Under the terms of the Crown Estate Act 1961, a seabed lease is required for the development hereby permitted. To obtain or update a seabed lease you are advised to contact Crown Estate Scotland as follows: Assistant Aquaculture Asset Manager, Crown Estate Scotland, Quartermile Two, 2nd Floor, 2 Lister Square, Edinburgh, EH3 9GL; Tel: 0131 206 6070; E-mail: [aqualeasing@crownestatescotland.com](mailto:aqualeasing@crownestatescotland.com)

## **Non-statutory publications**

All fish farm operators are expected to comply with relevant codes of best practice, including the Code of Good Practice for Scottish Finfish Aquaculture and the Joint Government/Industry Working Group on ISA Code of Practice to Avoid and Minimise the Impact of ISA.

All operators of aquaculture sites in the South Yell Sound area are expected to conform to the actions outlined in the Aquaculture Management Plan for Yell Sound Coast Special Area of Conservation, signed on 22/23 August 2018. In particular, action points 4, 8 and 11 relating to suspension of non-routine and non-essential site operations during sensitive periods, adherence to exclusion zones around designated seal haul out sites during sensitive periods and vessel transit routes respectively should be strictly adhered to.

## **Safety of Navigation**

In addition to the requirements of condition no. 11, the Northern Lighthouse Board advise the following:

- A weekly check of the site's marking equipment shall be performed, and records kept of its physical and working status for audit purposes.
- On completion of the development hereby permitted, the UK Hydrographic Office ([sdr@ukho.gov.uk](mailto:sdr@ukho.gov.uk)) must be notified and supplied with the as built drawings and mooring grid co-ordinates for the Fish Holm site and also the details relating to any relinquishing and removal of the associated Collafirth 3 site, to enable the update of appropriate navigational publications.

## **Invasive Non-Native Species**

Developers are expected to ensure that appropriate mitigation measures are in place aimed at preventing the introduction, and reducing the spread, of invasive non-native species. It is recommended that you follow the guidance in this regard as outlined in "A Biosecurity Plan for the Shetland Islands" (NAFC Marine Centre, 2015).

## **Notice of completion of development**

As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.

11 February 2026

[Redacted]

Executive Manager - Planning