

PRIOR APPROVAL GRANTED

Reference No: 25/01582/PNO

To:
Mowi Scotland Ltd
Per Agent

Per:
Mowi Scotland Ltd
Per: Sarah Harvey
Farms Office
Glen Nevis Business Park
Fort William
PH33 6RX

**Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (As Amended)
Town and Country Planning (Scotland) Act 1997 (As Amended)
Planning Etc. (Scotland) Act 2006**

DECISION NOTICE

PART 6A – FISH FARMING

Removal of 14 x 24m square pens and installation of 8 x 36m square pens; repositioning of 6 x 24m pens

Mowi Scotland Ltd, Invasion Bay Fish Farm, Ardgour, Fort William, PH33 7AF

The Highland Council in exercise of its powers under the above Acts and Article 3 and the aforementioned Part of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) **grants prior approval** for the above development.

The development can now proceed in accordance with the particulars given in the application and the following documents:

Document Type	Document No.	Version No.	Date Received
Location/Site Layout Plan (Annex 1)			16.04.2025
Location/Site Layout Plan (Annex 2)			16.04.2025

CONDITIONS & REASONS

This approval is subject to the following conditions and reasons:

1. The development to which this decision relates must be carried out within **THREE YEARS** of the date of this decision notice. If the development has not been carried out within this period, then this permission shall lapse.

Reason: In accordance with the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended).

Dated: 31st October 2025

[Redacted]

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Area Planning Manager

- 2. The development hereby approved shall not be operated other than with a top net ceiling mesh size of 100mm or less.

Reason: In the interest of protecting Gannet from entanglement.

- 3. No development shall commence until a wildlife entanglement/entrapment record keeping and notification plan has been submitted to and approved in writing by the planning authority.

The submitted plan should include a standardised proforma and a commitment to submit regular (typically six-monthly) returns to the planning authority, copied to NatureScot. In addition, the plan shall commit to immediate notification by operators to both the planning authority and NatureScot in event of any significant entrapment or entanglement of gannets (e.g. involving three or more birds of any named species on any one day and/or a total of ten or more birds in the space if any seven-day period and/or or repeat incidents involving one or more birds on four or more consecutive days).

The plan shall also detail adaptive management options (such as changing net mesh sizes and/or top-net design) in the event that NatureScot identify a possible adverse effect on the site integrity of any gannet SPA. Thereafter the development shall be operated in accordance with the approved plan at all times.

Reason: In the interest of protecting Gannet from entanglement.

- 4. All surface equipment, with the exception of navigational markers, shall be finished in a dark, matt neutral colour unless alternative finishes are agreed in advance in writing with the Planning Authority. Pipes between the automated feed barge and the cages shall be neatly bundled to minimise clutter.

Reason: To minimise the visual impact of installation.

- 5. 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: To ensure landscape and visual impact of the development.

- 6. 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, buoys, 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 amenity and navigational safety.

Dated: 31st October 2025

[Redacted]

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Area Planning Manager

7. 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.

ROADS AUTHORITY CONSENT

You should note that the Consent of the Roads Authority (the Highland Council, or the Trunk Roads Authority) may be required for your proposed works, and that this needs to be in place before any works commence on site. Roads Authority Consent is covered by separate legislation and is in addition to Planning Consent and may require the consideration of additional matters.

Building Regulations

Please note that Building Regulations and/or a Building Warrant may be applicable to some or all of the works described in this decision notice. You must check with the Council's Building Standards service prior to work commencing to establish what compliance or approval is necessary. If a warrant is required, you must not commence work until one has been applied for and issued. For more information, please contact Building Standards at eBuildingStandards@highland.gov.uk or on 01349 886608.

Land Ownership/Planning Permission

For the avoidance of doubt, the existence of planning permission does not affect or supersede an individual's ownership or other legal rights. Please be advised that this permission does not entitle you to build on, under or over ground outwith your ownership or to enter private ground to demolish, construct or maintain your property.

Accordance with Approved Plans & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action.

Dated: 31st October 2025

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RIGHT OF APPEAL

1. If the applicant is aggrieved by the decision to refuse prior approval for, or approval required by a condition in respect of, the proposed development, or to grant prior approval subject to conditions, the applicant may appeal to the Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997 (as amended) **within three months** beginning with the date of this notice. The notice of appeal should be addressed to:

Directorate for Planning and Environmental Appeals
Scottish Government
Ground Floor
Hadrian House
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR

Appeals can also be lodged online via the ePlanning Portal at:

<https://www.eplanning.scot>

2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, 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 (as amended).

Dated: 31st October 2025

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Area Planning Manager