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## **Marine Licence Application for Finfish and Shellfish Farms**

Version 1.0

### **Marine (Scotland) Act 2010**

## Acronyms

Please note the following acronyms referred to in this application form:

<b>MHWS</b>	Mean High Water Springs
<b>MS-LOT</b>	Marine Scotland – Licensing Operations Team
<b>WGS84</b>	World Geodetic System 1984

## Explanatory Notes

The following numbered paragraphs correspond to the questions on the application form and are intended to assist in completing the form. These explanatory notes are specific to this application and so you are advised to read these in conjunction with the Marine Scotland Guidance for Marine Licence Applicants document.

### 1. Applicant Details

The person making the application who will be named as the licensee.

### 2. Agent Details

Any person acting under contract (or other agreement) on behalf of any party listed as the applicant and having responsibility for the control, management or physical deposit or removal of any substance(s) or object(s).

### 3. Payment

Indicate payment method. Cheques must be made payable to: The Scottish Government.

**Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.**

### 4. Application Type

Indicate if the application is for a new marine farm site or an existing marine farm site. Provide the existing or previous consent/licence number and expiry date if applicable.

### 5. Marine Farm Details

- (a) Indicate the type of marine farm, either finfish or shellfish.
- (b) Indicate the deposits of marine farm component parts/equipment as a number (e.g 4 ring cages). Provide details of any component parts/equipment not included in the list and specify the quantity as a number.
- (c) If applicable, indicate the removals of marine farm component parts/equipment as a number (e.g 4 ring cages). Provide details of any component parts/equipment not included in the list and specify the quantity as a number.
- (d) Provide the proposed start date for installation of the marine farm. The start date will not be backdated, since to commence a project for which a licence has not been obtained will constitute an offence, which may result in appropriate legal action. A licence is normally valid for 6 years. **Target duration for determination of a marine licence application is 14 weeks.**
- (e) Provide the cost of the works seawards of the tidal limit of MHWS. This estimate should only cover work taking place below the tidal level of MHWS and must take into consideration the cost of materials, labour fees etc.
- (f) Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the moorings area and for each of the component parts of the marine farm, including sub-surface equipment. WGS84 is the World Geodetic System 1984 and the reference co-ordinate system used for marine licence applications. Co-ordinates taken from GPS equipment should be set to WGS84. Coordinates taken from recent admiralty charts will be on a WGS84 compatible datum. Ordnance survey maps do not use WGS84.

**Example:** For positions read from charts the format should be as in the example: 55°55.555'N 002°22.222'W (WGS84). The decimal point specifies that decimals of minutes are used and the datum is stated explicitly. If seconds are used then the format should be as in the example: 55°55'44"N 2°22'11"W (WGS84).

**It is important that the correct positions, in the correct format, are included with this application, as any errors will result in the application being refused or delayed.**

To supplement your application, please provide a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which must be marked to indicate:

- o the full extent of the works in relation to the surrounding area;
- o latitude and longitude co-ordinates defining the location of the works;
- o the level of MHWS;

Drawings and plans will be consulted upon. If they are subject to copyright, **it is the responsibility of the applicant to obtain necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.**

- (g) Indicate if the marine farm is located within the jurisdiction of a statutory harbour authority and provide details of the statutory harbour authority where relevant.
- (h) Provide assessment of the potential impacts the works may have on navigation, including interference with other uses of the sea.

Where there are potential impacts from the works, please provide details of proposed mitigation in response to potential impacts.

## 6. Planning Permission

Indicate if you have, or if you are in the process of applying for, planning permission for the marine farm. Provide the reference number for the planning application if applicable and/or supply a copy of the planning permission along with the completed application form.

**Marine licence applications will not be determined without valid planning permission.**

## 7. Scotland's National Marine Plan

Scotland's National Marine Plan has been prepared in accordance with the EU Directive 2014/89/EU, which came into force in July 2014. The Directive introduces a framework for maritime spatial planning and aims to promote the sustainable development of marine areas and the sustainable use of marine resources. It also sets out a number of minimum requirements all of which have been addressed in this plan. In doing so, and in accordance with article 5(3) of the Directive, Marine Scotland have considered a wide range of sectoral uses and activities and have determined how these different objectives are reflected and weighted in the marine plan. Land-sea interactions have also been taken into account as part of the marine planning process. Any applicant for a marine licence should consider their proposals with reference to Scotland's National Marine Plan. A copy of Scotland's National Marine Plan can be found at: <http://www.gov.scot/Publications/2015/03/6517/0>

Indicate whether you have considered the project with reference to Scotland's National Marine Plan and provide details of considerations made including reference to the policies that have been considered. If you have not considered the project with reference to Scotland's National Marine Plan please provide an explanation.

## 8. Consultation (other than carried out under pre-application consultation)

Provide details of all bodies consulted and give details of any consents issued including date of issue.

## 9. Associated Works

Indicate whether the application is associated with any other marine projects (e.g. pontoon, moorings etc). If this is the case, provide reference/licence number for the related marine projects.

# Marine Licence Application for Finfish and Shellfish Farms

Version 1.0

## Marine (Scotland) Act 2010

It is the responsibility of the applicant to obtain any other consents or authorisations that may be required.

Under Section 54 of the Marine (Scotland) Act 2010, all information contained within and provided in support of this application will be placed on a Public Register. There are no national security grounds for application information not going on the Register under the 2010 Act.

### Public Register

Do you consider that any of the information contained within or provided in support of this application should not be disclosed:

- (a) for reasons of national security; YES  NO
- (b) for reasons of confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest? YES  NO

If **YES**, to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld.

## WARNING

It is an offence under the Act under which this application is made to fail to disclose information or to provide false or misleading information.

Target duration for determination is 14 weeks. Please note that missing or erroneous information in your application and complications resulting from consultation may result in the application being refused or delayed.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

### Declaration

I declare to the best of my knowledge and belief that the information given in this form and related papers is true.

Signature **Redacted**

Date **31.05.2022**

Name in BLOCK LETTERS

**CHRISTOPHER KEITH ROBERTSON**

### Application Check List

Please check that you provide all relevant information in support of your application, including but not limited to the following:

- Completed and signed application form
- Project Drawings
- Maps/Charts
- Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a statutory harbour authority)
- Copy of planning permission (if applicable)
- Additional information e.g. photographs, consultation correspondence (if applicable)
- Payment (if paying by cheque)

**1. Applicant Details**

Title: **Mr**                      Initials: **C K**                      Surname: **Robertson**

Trading Title (if appropriate):    **Olnafirth Sea Farm Limited**

Address: **Lower Voe, Voe, Shetland, ZE2 9ND 9 Px**

Name of contact (if different):

Telephone No. (inc. dialing code):    **01806588392**

Email: **ckr@krshet.plus.com**

Statutory Harbour Authority?        YES  NO

If **YES**, please provide a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the area of harbour jurisdiction using Appendix 01 Additional Co-ordinates form if necessary.

**2. Agent Details (if any)**

Title:                                      Initials:                                      Surname:

Trading Title (if appropriate):

Address:

Name of contact (if different):

Telephone No. (inc. dialing code):

Email:

**3. Payment**

Enclosed Cheque                       Invoice

Contact and address to send invoice to:

Applicant                       Agent                       Other

If **OTHER**, please provide contact details:

Title:                                      Initials:                                      Surname:

Address:

Email:

**4. Application Type**

Is this application for a new marine farm site or an existing marine farm site:

New Site  Existing Site

If an **EXISTING SITE**, please provide the consent/licence number and expiry date:

Consent/Licence Number	Expiry Date
05913/16/0	05.06.2022

**5. Marine Farm Details**

(a) Type of marine farm:

Finfish  Shellfish

(b) **Deposits** of component parts/equipment:

Component Parts/Equipment	Quantity	Dimensions (metres)
Ring cages		
Square pens		
Longlines	7	220 metre twin-headline
Feed barges		
Feedpipes (to shore)		
Grid moorings	18	
Boat moorings		
Rafts		
Pontoons		
Marked Buoys		
Other (please specify)		

(c) **Removals** of component parts/equipment (if applicable):

Component Parts/Equipment	Quantity	Dimensions (metres)
Ring cages		
Square pens		
Longlines		
Feed barges		
Feedpipes (to shore)		
Grid moorings		
Boat moorings		
Rafts		
Pontoons		
Marked Buoys		
Other (please specify)		



(d) Proposed start date (Target duration for determination of a marine licence application is 14 weeks):

existing site

(e) Cost of the works seawards of the tidal limit of MHWS:

£

(f) Location:

Bight of Cliffs  
Olnafirth  
South Delting  
Shetland

Latitude and Longitude co-ordinates (WGS84) defining the boundary points of the moorings area and each of the component parts, including sub-surface equipment, of the marine farm (continue on Appendix 01 Additional Co-ordinates form if necessary):

Latitude										Longitude										
<b>Moorings Area</b>																				
6	0	°	2	1	.	8	4	1	'N	0	0	1	°	1	7	.	3	8	6	'W
6	0	°	2	1	.	6	6	8	'N	0	0	1	°	1	7	.	2	1	0	'W
6	0	°	2	1	.	6	1	9	'N	0	0	1	°	1	7	.	4	0	4	'W
6	0	°	2	1	.	7	9	3	'N	0	0	1	°	1	7	.	5	8	0	'W
<b>Cage Group Area/Longline Position(s)</b>																				
		°			.				'N				°			.				'W
		°			.				'N				°			.				'W
		°			.				'N				°			.				'W
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		°			.				'N				°			.				'W
		°			.				'N				°			.				'W
<b>Feedbarge/Feedpipe Position(s)</b>																				
		°			.				'N				°			.				'W
		°			.				'N				°			.				'W
<b>Boat Mooring Position(s)</b>																				
		°			.				'N				°			.				'W
		°			.				'N				°			.				'W
<b>Raft Position(s)</b>																				
		°			.				'N				°			.				'W
		°			.				'N				°			.				'W
<b>Pontoon Position(s)</b>																				
		°			.				'N				°			.				'W
		°			.				'N				°			.				'W
<b>Marked Buoy Position(s)</b>																				
		°			.				'N				°			.				'W
		°			.				'N				°			.				'W

(g) Is the marine farm located within the jurisdiction of a statutory harbour authority YES  NO

If YES, please specify statutory harbour authority:

(h) Potential impacts the works may have on navigation and proposed mitigation in response to potential impacts (continue on separate sheet if necessary):

The site has been in existing location since 2003.

No issues to navigation have been highlighted during this time period.

**6. Planning Permission**

Do you have planning permission for the marine farm?  
If **YES**, please supply a copy of the planning permission

YES  NO

If **NO**, please provide details of planning application, including reference number:

**Marine licence applications will not be determined without valid planning permission.**

**7. Scotland's National Marine Plan**

Have you considered the application with reference to Scotland's National Marine Plan?

YES  NO

If **YES**, provide details of considerations made including reference to the policies that have been considered:

Objectives and policies applicable have been implemented where possible and achievable.

The site has proven to be economically viable and contributes to Scotland's food security, whilst minimizing environmental impact.

The development avoids adverse impacts on the landscape and visual amenity of the area and follows SNH guidance on the siting and design of aquaculture sites.

The farm operates in accordance with a bio-security plan that has been fully approved by Marine Scotland: Science.

If **NO**, please provide an explanation of why you haven't considered the National Marine Plan?

N/a

## 8. Consultation

List all bodies you have consulted and provide copies of correspondence:

Shetland Shellfish Management Organisation  
SEPA  
RSPB  
Delting Community Council  
Shetland Fishermens Association  
Marine Scotland: Science  
Delting Community Council  
Northern Lighthouse Board  
Scottish Natural Heritage  
The Crown Estate Scotland  
Shetland Public through advert in 'The Shetland Times'

## 9. Associated Works

Provide details of other related marine projects, including reference/licence numbers (if applicable):

N/a



SIC  
INFRASTRUCTURE SERVICES

- 5 APR 2013

HEAD OF PLANNING

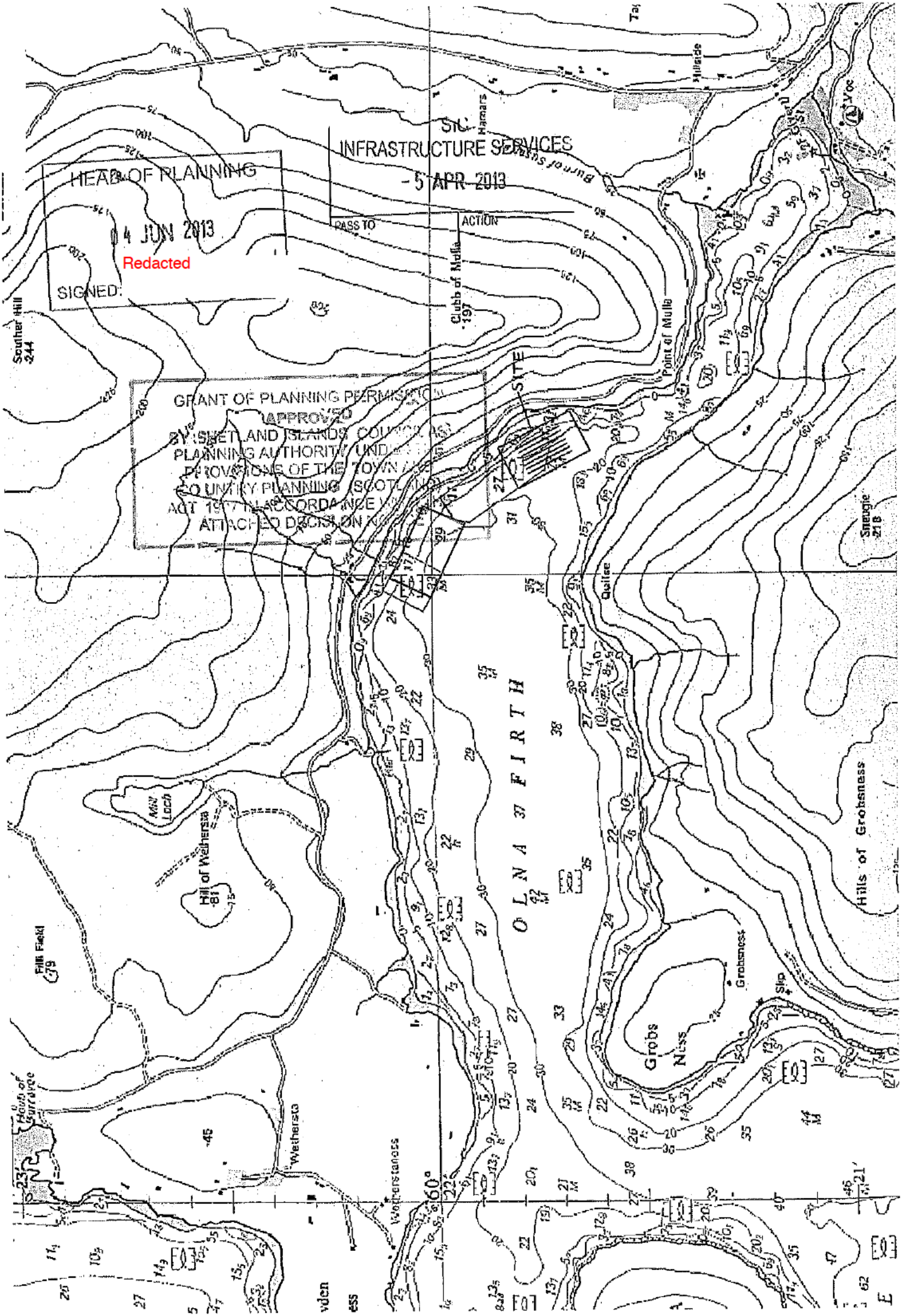
4 JUN 2013

Redacted

SIGNED:

GRANT OF PLANNING PERMISSION  
APPROVED  
BY SHETLAND ISLANDS COUNCIL  
PLANNING AUTHORITY UNDER  
PROVISIONS OF THE TOWN AND  
COUNTRY PLANNING (SCOTLAND)  
ACT 1977 IN ACCORDANCE WITH  
ATTACHED DECISION

OLNA 37 FIRTH



SIG  
INFRASTRUCTURE SERVICES  
- 5 APR 2013

PASS TO

ACTION

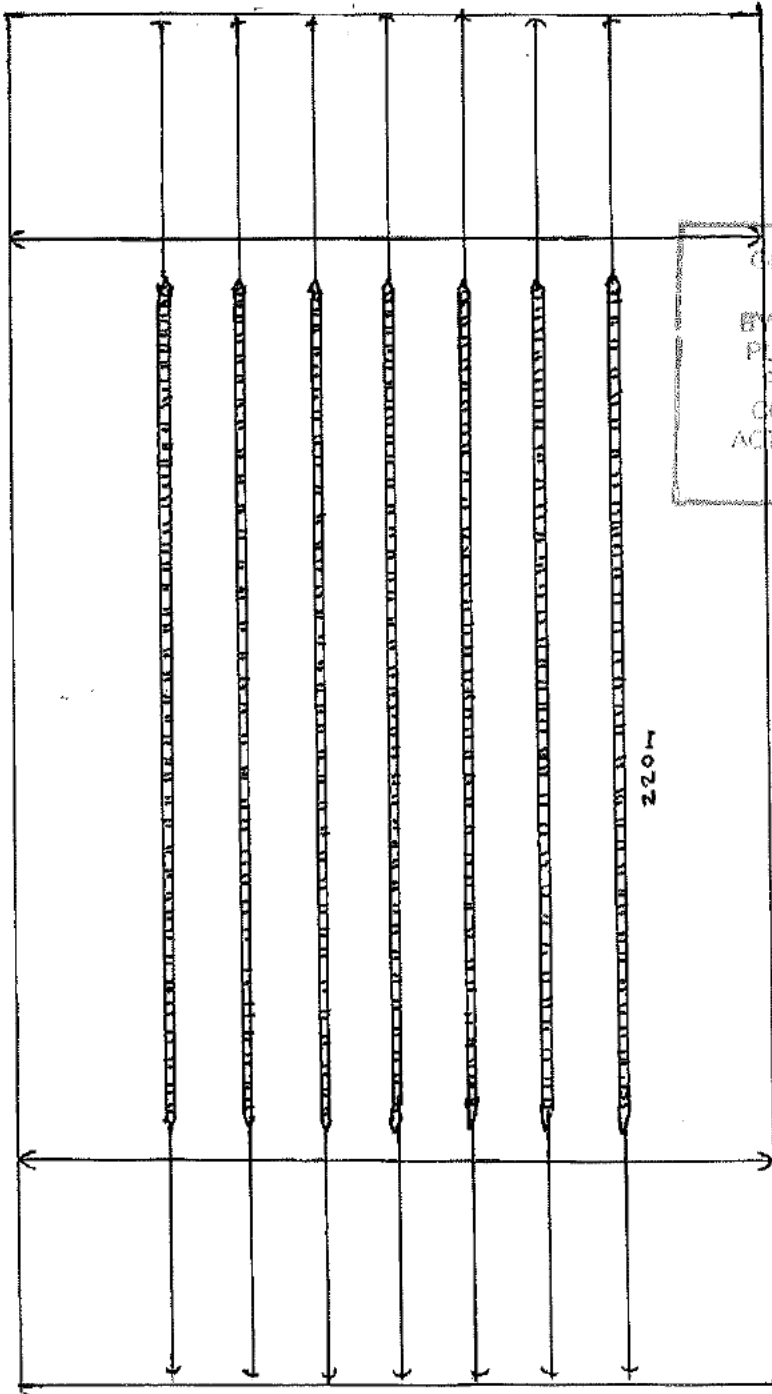
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04 JUN 2013

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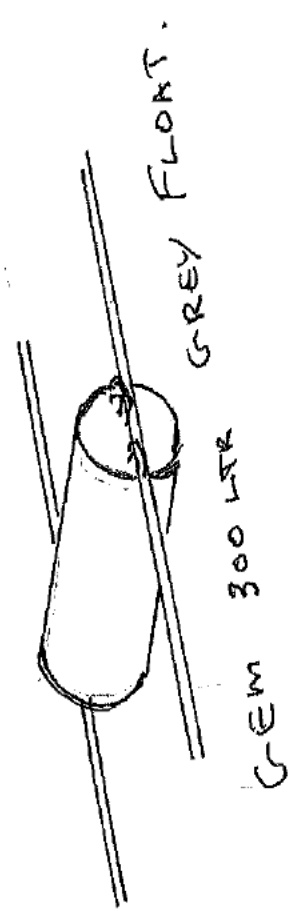
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GRANT OF PLANNING PERMISSION  
APPROVED  
BY SHETLAND ISLANDS COUNCIL AS  
PLANNING AUTHORITY UNDER THE  
PROVISIONS OF THE TOWN AND  
COUNTRY PLANNING (SCOTLAND)  
ACT 1987 IN ACCORDANCE WITH THE  
ATTACHED DECISION NOTICE

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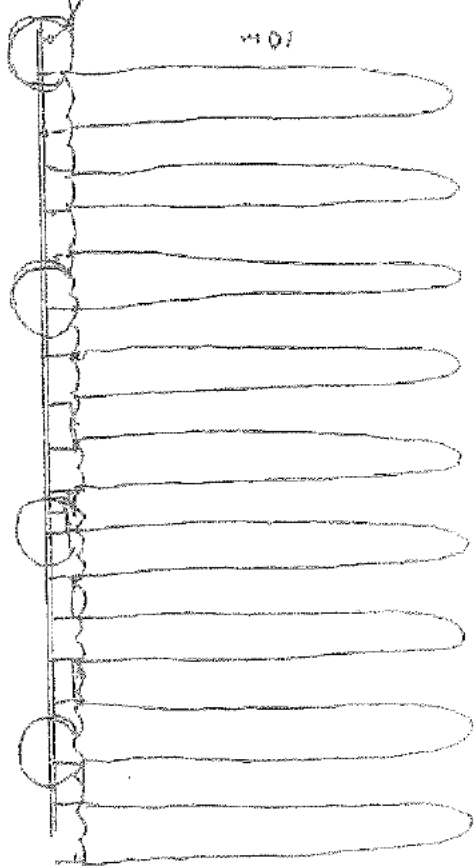
32mm 32mm STEEL LINK CHAIN

SIC  
INFRASTRUCTURE SERVICES  
- 5 APR 2013  
PASS TO ACTION

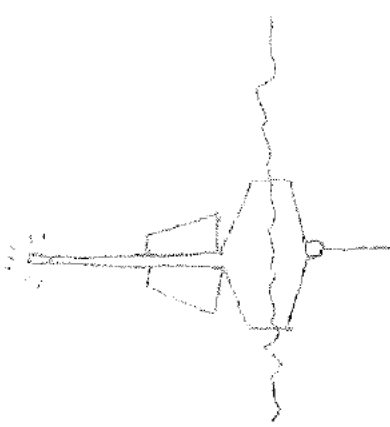
HEAD OF PLANNING  
04 JUN 2013  
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SIGNEL

GRANT OF PLANNING PERMISSION  
APPROVED  
BY SHETLAND ISLANDS COUNCIL AS  
PLANNING AUTHORITY UNDER THE  
PROVISIONS OF THE TOWN AND  
COUNTRY PLANNING (SCOTLAND)  
ACT 1997 IN ACCORDANCE WITH THE  
ATTACHED DECISION NOTICE

32mm SEA STEEL ROPE



CONTINUOUS MUSSEL GROWING ROPE



MARKER BUOY TO  
N.L.B. SPECIFICATION

## **Delegated Report of Handling**

**Development:** To modify an existing mussel farm by relocating site and by changing growing equipment from twelve 110m twin-headline longlines to seven 220m twin headline longlines

**Location:** Parkgate, Olnafirth

**By:** Olnafirth Sea Farms Ltd

**Application Ref:** 2013/017/MAR

**Development:** To modify an existing mussel farm by relocating site and by changing growing equipment from sixteen 110m twin headline longlines to seven 220m twin headline longlines

**Location:** Bight of Cliffs, Olnafirth

**By:** Olnafirth Sea Farms Ltd

**Application Ref:** 2013/018/MAR

### **1. Introduction**

This report relates to two planning applications by Olnafirth Sea Farms Ltd for proposed modifications to two adjacent mussel farms in Olnafirth as identified on the screenshot at the end of this report (existing approved sites shown in yellow, proposed sites shown in red). The applications are connected in terms of production biomass and separation distance and as such they are reported for consideration together.

Both mussel farms are currently consented by planning permission issued by Scottish Ministers following the Marine Scotland audit/review process. The recent discovery that the 110m longlines and associated moorings permitted at each site are currently deployed outwith or partly outwith the relevant consented development site boundaries combined with the applicant's desire to change to use of 220m longlines has resulted in the applications as proposed. If the applications were approved and development took place accordingly, total headline length across the two sites would remain the same whilst the distance between site boundaries would increase from 230m to 290m. To enable the existing 110m longlines to remain in their existing position until they are harvested and for some of the new 220m longlines to be deployed for spat collection at the proposed locations, a phased schedule of works is proposed over a period of up to two years whereby equipment will be deployed as existing and as proposed. By the end of this two year period, all 110m longlines currently deployed would be removed. The sites are to be serviced from a shorebase at Sparl, Brae.

### **2. Relevant Policies**

**Shetland Islands Council Planning Policy for Aquaculture (2007) Policies**

PPAG1 - General Factors to be considered



PPAG2 - Views of all interested parties, including competent and relevant bodies and local communities  
PPAM1 - Modifications where separation distance to adjacent sites is closer than minimum required  
PPAS1 - Minimum Separation Distance Between Sites (Shellfish)  
PPAS4 - Maximum Surface Works Area (Shellfish)  
PPAS7 - Biological Carrying Capacity (Shellfish)

### **Marine Spatial Plan for the Shetland Islands (2012) Policies**

MSPGEN1 - Wider Considerations  
MSPGEN2 - Impacts on Other Sectors  
MSPHER3 - Important Species and Habitats Outwith Designated Nature Conservation Areas  
MSPHER4 - Safeguarding Seascape Character and Visual Amenity  
MSPAQ1 - Aquaculture

### **3. Safeguarding**

Designated Shellfish Growing Waters - Olna Firth

Locational Guidelines - Olna Voe Category 2 Area

### **4. Consultations**

Environmental Health was consulted on 8 April 2013. There was no response from this consultee at the time of report preparation.

Ports And Harbours Operations was consulted on 8 April 2013. There was no response from this consultee at the time of report preparation.

Delting Community Council was consulted on 8 April 2013. Their comments dated 26 March 2013 can be summarised as follows:

No objections as long as navigation is not restricted.

The Crown Estate was consulted on 8 April 2013. Their comments dated 15 April 2013 can be summarised as follows:

No objections.

Marine Scotland Science was consulted on 8 April 2013. Their comments dated 24 April 2013 can be summarised as follows:

No objections.

The NLB was consulted on 8 April 2013. Their comments dated 15 April 2013 can be summarised as follows:

The sites should each be marked by means of a lit yellow can buoy, flashing group four yellow every twelve seconds (Fl(4) Y 12s) and fitted

with a yellow multiplication cross topmark. For Parkgate, the buoy should be positioned at the most westerly extremity of the site and for Bight of Cliffs, the buoy should be positioned at the most southerly extremity of the site. All marks must be installed at the same time as the site equipment:

The RSPB was consulted on 8 April 2013. Their comments dated 8 April 2013 can be summarised as follows:

No objections as long as the proposals will not result in carrying capacity being exceeded. Recommend that no lethal methods (including shooting and the use of anti-predator nets, deployed in such a way that eiders may become entangled) of reducing eider predation of mussels should be used at this or any other mussel farm in Shetland.

SNH was consulted on 8 April 2013. Their comments dated 18 April 2013 can be summarised as follows:

These proposals are not likely to have a significant effect on any species of national importance; we therefore have no objection to these proposals. These proposals are not within or near to any designated sites and are not likely to have a significant effect on any European Protected Species. The area around the proposal sites is known to contain the Priority Marine Feature (PMF) horse mussel beds, which are sensitive to both benthic deposits and damage caused by anchors. The visual benthic survey undertaken during this application indicates that there are very few live horse mussels at the proposal sites, so we consider that these proposals are not likely to have a significant effect on this PMF.

Shetland Amenity Trust was consulted on 8 April 2013. There was no response from this consultee at the time of report preparation.

SEPA Dingwall was consulted on 8 April 2013. Their comments dated 19 April 2013 can be summarised as follows:

No objections. We can advise that from 2008 to 2012, this designated shellfish growing waters area has consistently complied with guideline standards for faecal coliforms in biota; also the guideline and imperative standards for metals and organics in biota and water, as set out in EC Directive 2006/113/EC for Shellfish Growing Waters. The proposed site lies within the Olna Firth shellfish harvesting production area (Area I.D. 889, FSAS production area 232) which has been classified "A" from April 2013 to March 2014 in the FSA's 2005 Shellfish Classification scheme.

## **5. Statutory Advertisements**

The application was advertised in the Shetland Times on 12.04.2013.

**6. Representations**

None.

**7. Report**

There are policies against which this application has to be assessed and these are listed at paragraph 2 above. The determining issues to be considered are whether the proposal complies with Council Policy, or if there are any other material considerations which would warrant the setting aside of Council Policy.

Full consultation has been undertaken with all interested parties, including competent and relevant bodies and local communities.

In terms of sensitive species or habitats, the area around the proposed sites is known to contain horse mussel beds, a Priority Marine Feature (PMF), which are sensitive to both benthic deposits and damage caused by anchors. A visual benthic survey was undertaken by the applicant prior to submission of the planning applications which indicates that there are very few live horse mussels in the vicinity of the proposed sites. As stated by SNH, the proposals are therefore unlikely to have a significant effect on this PMF.

The proposals will eventually result in deployed surface equipment changing from 28 no. 110m longlines moored in three separate blocks as existing to two blocks of 7 no. 220m longlines as proposed. As with the existing site layouts, the proposed sites comply with SNH's siting and design guidance for aquaculture meaning that any change in landscape or visual impact will be negligible. During the transition period (max 2 years) when both 110m longlines and 220m longlines will be deployed, there may be a degree of increased landscape and visual impact but this will be temporary in nature.

With a maximum surface works area of 27,940m<sup>2</sup> per site, the proposals comply with Policy S4.

Harvesting and removal of the existing longlines and deployment of the new longlines will be undertaken by Blueshell Mussels Ltd. A letter from Blueshell Mussels dated 28 March 2013 outlining a schedule of such works was submitted with the planning applications. The letter explains how the transition from the existing developments to the proposed developments, including a period of overlap, will take up to two years to complete. It also states that the total amount of equipment (headline length) in the water at any one time during this period and beyond will not exceed that applied for under the two planning applications. Condition no. 6 as attached to both permissions will ensure no additional impact in terms of biological carrying capacity whilst also ensuring only one planning permission per site can be utilised at any one time beyond the transition period.

In light of all of the above, the proposal is deemed to be compliant with Policies G1, G2, S4, S7, GEN1, GEN2, HER3, HER4 and AQ1.

The proposals are in effect the creation of two new mussel farms spaced 290m apart. However, they will replace two existing mussel farms which are only 230m apart meaning the proposals are an acceptable departure from policies M1 and S1 given this increased distance.

## 8. Recommendation

Application Ref: 2013/017/MAR - Parkgate

Grant subject to conditions

### Reasons for Council's decision:

(1.) The application process has demonstrated that, subject to appropriate planning conditions, the proposed development can be accommodated without having an unacceptable detrimental impact on the built and natural environment in the vicinity of the development site. The proposal complies with policies G1, G2, S4 and S7 of the Shetland Islands Council Interim Policy for Marine Aquaculture. Although contrary to policies M1 and S1, the fact the proposals will ultimately result in increased separation distance between adjacent mussel farms means they are a justifiable departure from Council policy.

### List of approved plans:

- Admiralty Chart Location Plan  
Stamped Received 05.04.2013
- Site Plan  
Stamped Received 05.04.2013
- Longline Section  
Stamped Received 05.04.2013
- Blueshell Mussels Ltd letter of 28.03.2013  
Stamped Received 05.04.2013

### Conditions:

(1.) 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.

(2.) 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).

(3.) All equipment and associated moorings approved by this permission shall be located as indicated on the Admiralty Chart received by the Planning Authority on 05.04.2013 and shall be wholly contained within the red line boundary therein identified, the coordinates, in WGS84 projection, of the approved mooring containment area being:

Mid Point: 60° 22' 0.917" N -1° 17' 52.785" W  
Extremity 1: 60° 22' 6.345" N -1° 18' 0.782" W  
Extremity 2: 60° 22' 1.403" N -1° 17' 39.435" W  
Extremity 3: 60° 21' 55.484" N -1° 17' 44.787" W  
Extremity 4: 60° 22' 0.410" N -1° 18' 6.133" W

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

(4.) The development hereby permitted shall relate to the longline culture of mussels. Details of any other species to be on-grown shall be submitted to the Planning Authority for prior approval.

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

(5.) A maximum of seven 220m double-headrope longlines shall be permitted at any one time.

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

(6.) The development hereby permitted shall be carried out in accordance with the schedule of works and timescales as stated in the letter from Blueshell Mussels Ltd dated 28.03.2013 and received by the Planning Authority on 05.04.2013. Thereafter, deployment of the equipment hereby approved is only permitted if the approved overlapping mussel farm (planning permission ref: SFA/ZET/132) remains undeveloped.

**Reason:** To ensure compliance with Shetland Islands Council Interim Policy for Marine Aquaculture 2007 Policy S7, to allow a transition period whereby equipment is removed from the existing Parkgate mussel farm and installed at the site hereby approved, and for the avoidance of doubt as to what is being authorised by this permission.

(7.) The following navigational marks shall be provided:

The most westerly extremity of any deployed group of longlines shall be marked by a lit yellow can buoy, exhibiting a yellow flashing light, character group 4 yellow every twelve seconds (Fl(4) Y 12s), and fitted with a yellow multiplication cross topmark. The buoy shall have a diameter of approximately 1 metre at the waterline with the focal plane of the light some 2 metres above that level. The nominal range of the light shall be 2 nautical miles. The multiplication cross shall measure a minimum of 50cm in length by 15cm in width;

The above navigation light must be installed at the same time as the site equipment.

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

(8.) All surface floats and buoys, excluding those required to comply with navigational requirements, shall be coloured dark grey, black or blue.

**Reason:** In the interest of visual amenity and to minimise the impact of the development on the wider landscape setting.

(9.) Any necessary predator control measures shall be non-lethal and non-destructive in accordance with the guidance provided by Scottish Natural Heritage (see Note to Applicant below for guidance). If anti-predator nets are used, they must be properly installed and maintained to ensure effective and predator-friendly protection. Any changes to permitted anti-predation measures shall be submitted to the Planning Authority for consideration and approval prior to any installation and use.

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.

(10.) 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 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.

(11.) In the event that the longlines or associated apparatus approved by this planning permission ceases to be in operational use for the growing of mussels for a period exceeding three years, they shall be wholly removed 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: For the avoidance of doubt as to what is being authorised by this permission and to ensure that the site does not become a navigational hazard or source of marine litter.

Application Ref: 2013/018/MAR – Bight of Cliffs

Grant subject to conditions

**Reasons for Council's decision:**

(1.) The application process has demonstrated that, subject to appropriate planning conditions, the proposed development can be accommodated without having an unacceptable detrimental impact on the built and natural environment in the vicinity of the development site. The proposal complies with policies G1, G2, S4 and S7 of the Shetland Islands Council Interim Policy for Marine Aquaculture. Although contrary to policies M1 and S1, the fact the proposals will ultimately result in increased separation distance between adjacent mussel farms means they are a justifiable departure from Council policy.

**List of approved plans:**

- Admiralty Chart Location Plan  
Stamped Received 05.04.2013
- Site Plan  
Stamped Received 05.04.2013
- Longline Section  
Stamped Received 05.04.2013
- Blueshell Mussels Ltd letter of 28.03.2013

**Conditions:**

( 1.) 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.

( 2.) 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).

( 3.) All equipment and associated moorings approved by this permission shall be located as indicated on the Admiralty Chart received by the Planning Authority on 05.04.2013 and shall be wholly contained within the red line boundary therein identified, the coordinates, in WGS84 projection, of the approved mooring containment area being:

Mid Point: 60° 21' 43.820" N -1° 17' 23.723" W  
Extremity 1: 60° 21' 50.482" N -1° 17' 23.174" W  
Extremity 2: 60° 21' 40.075" N -1° 17' 12.582" W  
Extremity 3: 60° 21' 37.150" N -1° 17' 24.270" W  
Extremity 4: 60° 21' 47.575" N -1° 17' 34.823" W



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

( 4.) The development hereby permitted shall relate to the longline culture of mussels. Details of any other species to be on-grown shall be submitted to the Planning Authority for prior approval.

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

( 5.) A maximum of seven 220m double-headrope longlines shall be permitted at any one time.

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

( 6.) The development hereby permitted shall be carried out in accordance with the schedule of works and timescales as stated in the letter from Blueshell Mussels Ltd dated 28.03.2013 and received by the Planning Authority on 05.04.2013. Thereafter, deployment of the equipment hereby approved is only permitted if the approved overlapping shellfish farm (planning permission ref: SFA/ZET/084) remains undeveloped.

Reason: To ensure compliance with Shetland Islands Council Interim Policy for Marine Aquaculture 2007 Policy S7, to allow a transition period whereby equipment is removed from the existing Bight of Cliffs shellfish farm and installed at the site hereby approved, and for the avoidance of doubt as to what is being authorised by this permission.

( 7.) The following navigational marks shall be provided:

The most southerly extremity of any deployed group of longlines shall be marked by a lit yellow can buoy, exhibiting a yellow flashing light, character group 4 yellow every twelve seconds (Fl(4) Y 12s), and fitted with a yellow multiplication cross topmark. The buoy shall have a diameter of approximately 1 metre at the waterline with the focal plane of the light some 2 metres above that level. The nominal range of the light shall be 2 nautical miles. The multiplication cross shall measure a minimum of 75cm in length by 15cm in width;

The above navigation light must be installed at the same time as the site equipment.

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

( 8.) All surface floats and buoys, excluding those required to comply with navigational requirements, shall be coloured dark grey, black or blue.

Reason: In the interest of visual amenity and to minimise the impact of the development on the wider landscape setting.

(9.) Any necessary predator control measures shall be non-lethal and non-destructive in accordance with the guidance provided by Scottish Natural Heritage (see Note to Applicant below for guidance). If anti-predator nets are used, they must be properly installed and maintained to ensure effective and predator-friendly protection. Any changes to permitted anti-predation measures shall be submitted to the Planning Authority for consideration and approval prior to any installation and use.

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.

(10.) 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 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.

(11.) In the event that the longlines or associated apparatus approved by this planning permission ceases to be in operational use for the growing of mussels for a period exceeding three years, they shall be wholly removed 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: For the avoidance of doubt as to what is being authorised by this permission and to ensure that the site does not become a navigational hazard or source of marine litter.

#### **Notes to Applicant (both permissions):**

##### **Commencement of Development**

The development hereby permitted must be commenced within 3 years of the date of this permission in order 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.

##### **Anti-predator netting**

It is recommended that you consider the following as guidelines with regard to installation of anti-predator netting:

- Monofilament netting must not be used under any circumstances. Brightly coloured thick mesh should instead be used in order to make the netting visible to diving birds and minimise the risk of entanglement and drowning;
- Only vertical anti-predator netting panels should be used. Horizontal panels must not be used as they increase the potential for entanglement and drowning of diving birds;
- The anti-predator netting must be properly tensioned. Nets that are not properly installed and maintained pose a potential hazard to wildlife, in particular diving birds such as eider ducks may become entangled and drown;
- The anti-predator netting must have a mesh size of 70mm to avoid entangling and drowning diving birds;
- Netting should only be deployed on site between February and April when year one mussels are most vulnerable to predation by eiders. After this time all netting must be removed from the water and stored at a recognised location above Mean High Water Springs;
- The operator should keep records of any animals that are by-caught in the anti-predator netting and submit an annual report to the Council and Scottish Natural Heritage.

#### 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 Marine Scotland Marine Laboratory. To achieve authorisation, you are advised to contact the FHI as follows: Fish Health Inspectorate, Marine Scotland Marine Laboratory, PO Box 101, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: 01224 295525; Email: [ms.fishhealth@scotland.gsi.gov.uk](mailto:ms.fishhealth@scotland.gsi.gov.uk)

#### Marine Licensing

Under the Marine (Scotland) Act 2010, a Marine Licence concerning safety of navigation and/or discharge of chemotherapeutants from wellboats relative to operation of a marine fish farm is required from Marine Scotland - Licensing Operations Team (MS-LOT). To ensure compliance, you are advised to contact MS-LOT as follows: Marine Scotland Licensing Operations Team, Marine Laboratory, PO Box 101, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: 01224 295579; Email: [MS.MarineLicensing@scotland.gsi.gov.uk](mailto:MS.MarineLicensing@scotland.gsi.gov.uk)

#### 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 the Crown Estate as follows:

Aquaculture Lease Co-ordinator, The Crown Estate, 6 Bell's Brae,  
Edinburgh EH4 3BJ. Tel: 0131 260 6070; Email:  
Charlene.McPake@thecrownestate.co.uk

#### Marking outlying anchors

The Northern Lighthouse Board wish to discourage the practice of marking outlying anchor points with buoys (unless specifically requested by local users), and recommend that alternative means to locate anchors are utilised. Allowing loose floating lines around site equipment is also strongly discouraged as this can cause serious safety implications for other mariners.

#### Notification of deployment of equipment

Once the equipment and navigational marks have been established, the Northern Lighthouse Board has requested that you inform them by letter or email at [navigation@nlb.org.uk](mailto:navigation@nlb.org.uk) quoting the following reference number: SD/OPS/ML/F045-13.

The UK Hydrographic Office should also be notified and all information regarding site positions forwarded in order that Chart BA3295 can be correctly updated.

#### Notification of Completion

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.

#### 9. Further Notifications Required

None.

#### 10. Background Information Considered

None.

Delegated\_Report\_of\_Handling.doc  
Officer: Mr John Rosie  
Date: 4th June 2013



## **SHETLAND ISLANDS COUNCIL**

### **Town and Country Planning (Scotland) Acts**

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With reference to the application for **Planning Permission** (described below) under the above Acts, 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**

Olnafirth Sea Farm Ltd  
Lower Voe  
Voe  
Shetland  
ZE2 9PX

**Reference Number:** 2013/018/MAR

**Development:** To modify an existing mussel farm by relocating site and by changing growing equipment from sixteen 110m twin headline longlines to seven 220m twin headline longlines

**Location:** Bight Of Cliffs, Olnafirth,

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

- Admiralty Chart Location Plan  
Stamped Received 05.04.2013
- Site Plan  
Stamped Received 05.04.2013
- Longline Section  
Stamped Received 05.04.2013
- Blueshell Mussels Ltd letter 28.03.2013  
Stamped Received 05.04.2013

**Development Services**  
**Shetland Islands Council**  
Grantfield  
Lerwick  
Shetland  
ZE1 0NT

**PLEASE LOOK AT THE IMPORTANT INFORMATION ON THE BACK OF THIS SHEET  
AND ON THE ATTACHED SHEET**

## **IMPORTANT INFORMATION**

If you are aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, you may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of review should be addressed to:

Shetland Islands Council  
Marine Planning Service  
Development Services  
Grantfield  
Lerwick  
Shetland  
ZE1 0NT

The necessary form can be obtained upon request from the same address.

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.

**Reasons for Council's decision:**

- (1.) The application process has demonstrated that, subject to appropriate planning conditions, the proposed development can be accommodated without having an unacceptable detrimental impact on the built and natural environment in the vicinity of the development site. The proposal complies with policies G1, G2, S4 and S7 of the Shetland Islands Council Interim Policy for Marine Aquaculture. Although contrary to policies M1 and S1, the fact the proposals will ultimately result in increased separation distance between adjacent mussel farms means they are a justifiable departure from Council policy.

**Conditions:**

- (1) 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.

- (2) 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).

- (3) All equipment and associated moorings approved by this permission shall be located as indicated on the Admiralty Chart received by the Planning Authority on 05.04.2013 and shall be wholly contained within the red line boundary therein identified, the coordinates, in WGS84 projection, of the approved mooring containment area being:

Mid Point: 60° 21' 43.820" N -1° 17' 23.723" W  
Extremity 1: 60° 21' 50.482" N -1° 17' 23.174" W  
Extremity 2: 60° 21' 40.075" N -1° 17' 12.582" W  
Extremity 3: 60° 21' 37.150" N -1° 17' 24.270" W  
Extremity 4: 60° 21' 47.575" N -1° 17' 34.823" W

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

- (4) The development hereby permitted shall relate to the longline culture of mussels. Details of any other species to be on-grown shall be submitted to the Planning Authority for prior approval.

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

- (5) A maximum of seven 220m double-headrope longlines shall be permitted at any one time.

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

- (6) The development hereby permitted shall be carried out in accordance with the schedule of works and timescales as stated in the letter from Blueshell Mussels Ltd dated 28.03.2013 and received by the Planning Authority on 05.04.2013. Thereafter, deployment of the equipment hereby approved is only permitted if the approved overlapping shellfish farm (planning permission ref: SFA/ZET/084) remains undeveloped.

Reason: To ensure compliance with Shetland Islands Council Interim Policy for Marine Aquaculture 2007 Policy S7, to allow a transition period whereby equipment is removed from the existing Bight of Cliffs shellfish farm and installed at the site hereby approved, and for the avoidance of doubt as to what is being authorised by this permission.

- (7) The following navigational marks shall be provided:

The most southerly extremity of any deployed group of longlines shall be marked by a lit yellow can buoy, exhibiting a yellow flashing light, character group 4 yellow every twelve seconds (Fl(4) Y 12s), and fitted with a yellow multiplication cross topmark. The buoy shall have a diameter of approximately 1 metre at the waterline with the focal plane of the light some 2 metres above that level. The nominal range of the light shall be 2 nautical miles. The multiplication cross shall measure a minimum of 75cm in length by 15cm in width;

The above navigation light must be installed at the same time as the site equipment.

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



- (8) All surface floats and buoys, excluding those required to comply with navigational requirements, shall be coloured dark grey, black or blue.

Reason: In the interest of visual amenity and to minimise the impact of the development on the wider landscape setting.

- (9) Any necessary predator control measures shall be non-lethal and non-destructive in accordance with the guidance provided by Scottish Natural Heritage (see Note to Applicant below for guidance). If anti-predator nets are used, they must be properly installed and maintained to ensure effective and predator-friendly protection. Any changes to permitted anti-predation measures shall be submitted to the Planning Authority for consideration and approval prior to any installation and use.

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.

- (10) 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 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.

- (11) In the event that the longlines or associated apparatus approved by this planning permission ceases to be in operational use for the growing of mussels for a period exceeding three years, they shall be wholly removed 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: For the avoidance of doubt as to what is being authorised by this permission and to ensure that the site does not become a navigational hazard or source of marine litter.

### **Notes to Applicant:**

#### **Commencement of Development**

The development hereby permitted must be commenced within 3 years of the date of this permission in order 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.

#### **Anti-predator netting**

It is recommended that you consider the following as guidelines with regard to installation of anti-predator netting:

- Monofilament netting must not be used under any circumstances. Brightly coloured thick mesh should instead be used in order to make the netting visible to diving birds and minimise the risk of entanglement and drowning;
- Only vertical anti-predator netting panels should be used. Horizontal panels must not be used as they increase the potential for entanglement and drowning of diving birds;
- The anti-predator netting must be properly tensioned. Nets that are not properly installed and maintained pose a potential hazard to wildlife, in particular diving birds such as eider ducks may become entangled and drown;
- The anti-predator netting must have a mesh size of 70mm to avoid entangling and drowning diving birds;
- Netting should only be deployed on site between February and April when year one mussels are most vulnerable to predation by eiders. After this time all netting must be removed from the water and stored at a recognised location above Mean High Water Springs;
- The operator should keep records of any animals that are by-caught in the anti-predator netting and submit an annual report to the Council and Scottish Natural Heritage.

### 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 Marine Scotland Marine Laboratory. To achieve authorisation, you are advised to contact the FHI as follows: Fish Health Inspectorate, Marine Scotland Marine Laboratory, PO Box 101, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: 01224 295525; Email: [ms.fishhealth@scotland.gsi.gov.uk](mailto:ms.fishhealth@scotland.gsi.gov.uk)

### Marine Licensing

Under the Marine (Scotland) Act 2010, a Marine Licence concerning safety of navigation and/or discharge of chemotherapeutants from wellboats relative to operation of a marine fish farm is required from Marine Scotland - Licensing Operations Team (MS-LOT). To ensure compliance, you are advised to contact MS-LOT as follows: Marine Scotland Licensing Operations Team, Marine Laboratory, PO Box 101, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: 01224 295579; Email: [MS.MarineLicensing@scotland.gsi.gov.uk](mailto:MS.MarineLicensing@scotland.gsi.gov.uk)

### 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 the Crown Estate as follows: Aquaculture Lease Co-ordinator, The Crown Estate, 6 Bell's Brae, Edinburgh EH4 3BJ. Tel: 0131 260 6070; Email: [Charlene.McPake@thecrownestate.co.uk](mailto:Charlene.McPake@thecrownestate.co.uk)

### Marking outlying anchors

The Northern Lighthouse Board wish to discourage the practice of marking outlying anchor points with buoys (unless specifically requested by local users), and recommend that alternative means to locate anchors are utilised. Allowing loose floating lines around site equipment is also strongly discouraged as this can cause serious safety implications for other mariners.

#### Notification of deployment of equipment

Once the equipment and navigational marks have been established, the Northern Lighthouse Board has requested that you inform them by letter or email at [navigation@nlb.org.uk](mailto:navigation@nlb.org.uk) quoting the following reference number: SD/OPS/ML/F046-13.

The UK Hydrographic Office should also be notified and all information regarding site positions forwarded in order that Chart BA3295 can be correctly updated.

#### Notification of Completion

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.

4 June 2013



Executive Manager - Planning

SIC INFRASTRUCTURE SERVICES - 3 MAY 2013	
PASS TO	ACTION



Our ref: PCS/126330  
Your ref: 2013/018/MAR

If telephoning ask for:  
Andrea Dilley

3 May 2013

Mr John Rosie  
Shetland Islands Council  
Marine Planning Service  
Grantfield  
Lerwick  
Shetland  
ZE1 OUN

By email only to: [marine.planning@shetland.gov.uk](mailto:marine.planning@shetland.gov.uk)

Dear Mr Rosie

**Town and Country Planning (Scotland) Acts**

**Planning application: 2013/018/MAR**

**To modify and existing mussel farm by relocating site and by changing growing equipment from sixteen 110m twin headline longlines to seven 220m twin headline longlines**

**Bight of Cliffs, Olnafirth**

Thank you for your e-consultation which SEPA received on 25 April 2013.

We have **no objection** to this planning application but wish to highlight the following information and advice.

**Advice for the planning authority**

**1. Shellfish Waters (2006/113/EEC)**

- 1.1 Shellfish farms are dependent upon good water quality in order to produce shellfish which meets required food standards. Areas designated under the Shellfish Waters Directive 2006/113/EC are 'protected areas' under the Water Environment and Water Services (Scotland) Act 2003. As part of our regulatory remit we monitor waters to check compliance with relevant standards (including faecal coliforms) and ensure that discharges to the water environment will not adversely impact on the protected area.
- 1.2 The proposed site does lie within the East of Burki Taing designated shellfish growing waters area.
- 1.3 We can advise that from 2008 to 2012, this designated shellfish growing waters area has consistently complied with guideline standards for faecal coliforms in biota; also the guideline and imperative standards for metals and organics in biota and water, as set out in EC Directive 2006/113/EC for Shellfish Growing Waters.



Chairman  
David Sigsworth  
Chief Executive  
Jmes Curran

Dingwall Office  
Graesser House, Fodderty Way,  
Dingwall Business Park, Dingwall, IV15 9XB

## **2. Shellfish Harvesting Area (91/492/EEC)**

- 2.1 The proposed site lies within the Olna Firth shellfish harvesting production area (Area I.D. 889, FSAS production area 232) which has been classified "A" from April 2013 to March 2014 in the FSA's 2005 Shellfish Classification scheme.
- 2.2 The proposed site also lies within 3 km of two shellfish harvesting areas as follows:
  - Busta Voe Lee North (Area I.D. 870, FSAS production area 327), which has been classified "A" from April to August 2013, "B" from September to December 2013, and "A" from January to March 2014 in the FSAS 2005 Shellfish Classification scheme.
  - Busta Voe Lee South (Area I.D.871, FSAS production area 328) which has been classified "A" from April 2013 to March 2014 in the FSA's 2005 Shellfish Classification scheme.

## **3. Benthic impact**

- 3.1 Mussel farms impact on the seabed due to the deposition of mussel shell debris and pseudo faeces. However, the area of impact tends to be within the immediate vicinity of the farm, which we consider to be within the Allowable Zone of Effect.

## **4. Natura 2000 designations**

- 4.1 There are no marine sites, designated under the N2K Regulations, of concern within a search radius of 3km from the site.

## **5. Scottish Water Assets and other discharges**

- 5.1 The nearest Scottish Water assets (foul drainage discharges) are situated near Tagon, approximately 1.5km SE of the site, and a pumping station at Voe approximately 2km SE of the site. There are also a number of private sewage treatment works to the north, west and south of the site.
- 5.2 Additionally, where livestock graze on neighbouring land there is the possible input of coliforms into the firth from run-off from the land.

## **6. Aquaculture in the area**

- 6.1 There are two finfish farms within a 2km radius of the site currently authorised by SEPA under the Controlled Activities Regulations (CAR) with a combined biomass of 1300 tonnes of fish, however one is currently not active. There are also four other shellfish farms currently in use within 3km of the proposed site.

### **Good practice advice for the applicant**

We encourage waste minimisation and reuse/recycling whenever possible. There is a guidance document available "Aquaculture Waste Minimisation Guide" specifically for the aquaculture industry which the applicant may find useful and can be downloaded from our website at [www.sepa.org.uk/waste/resource\\_efficiency/sector\\_specific\\_information/aquaculture.aspx](http://www.sepa.org.uk/waste/resource_efficiency/sector_specific_information/aquaculture.aspx)

Details of other good practice advice for the applicant can be found on our website at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx). If you are unable to find the advice you need for a specific

regulatory matter, please contact a member of the operations team in your local SEPA office at:  
The Esplanade, Lerwick ZE1 0LL Tel: [REDACTED]

If you have any queries relating to this letter, please contact me by telephone on [REDACTED] or  
e-mail at [REDACTED]

Yours sincerely

Andrea Dilley  
Planning Officer  
Planning Service

Copy to: (Applicant)  
Mr C.K. Robertson, Olnafirth Sea Farm Ltd, Lower Voe, Voe, Shetland ZE2 9PX

*Disclaimer*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue.*

**Smith Kimberley@Infrastructure Svs**

---

**From:** Alison Foyle [REDACTED]  
**Sent:** 26 April 2013 22:17  
**To:** Marine Planning@Infrastructure Svs  
**Subject:** Marine Consultation - 2013/018/MAR - To modify and exisiting mussel farm by relocating site and by changing growing equipment from sixteen 110m twin headline longlines to seven 220m twin headline longlines

Dear sir or madam

Delting Community Council have no objections to the above planning application as long as this doesn't restrict navigation in the area.

Yours faithfully

Alison Foyle.

Alison Foyle, Clerk  
Delting Community Council  
Telephone: [REDACTED]  
E-mail [REDACTED]

---

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SIC	
INFRASTRUCTURE SERVICES	
23 APR 2013	
ASS TO	ACTION

T: [REDACTED] (Ext) F: [REDACTED]  
Email: [REDACTED]



Our ref: FFP-13-049  
Your ref: 2013/018/MAR

Dear Mr Rosie,

We have reviewed the application submitted, and offer the following comment:

**Environment:**

The proposed development should not result in any unacceptable environmental impacts at this location.

**Fish Health**

**Authorisation**

Olnafirth Sea Farms Ltd are already authorised to farm at this location. The company should ensure that any changes to operations on site do not contradict the authorisation conditions.

There does not appear to be any negative implications on fish or shellfish health from the proposed modifications, (removing existing 16x 110m longlines and replacing with 7x 220m longlines) at the Bight of Cliffs site in South Delting, Shetland.

**Summary**

No further information is required.

Yours sincerely

Anna Donald  
Marine Scotland Science  
24/04/2013





## Scottish Natural Heritage

All of nature for all of Scotland

Mr John Rosie  
Marine Planning  
Shetland Islands Council  
Grantfield  
Lerwick  
Shetland  
ZE1 0NT

18 April 2013

Our ref: CNS/MFF/SI/AQUA/2013

SIC INFRASTRUCTURE SERVICES	
18 APR 2013	
PASS TO	ACTION

Dear John

### Town and Country Planning (Scotland) Acts

**2013/018/MAR & 2013/017/MAR: To modify existing mussel farms by relocating sites and by changing growing equipment from sixteen 110m twin headline longlines to seven 220m twin headline longlines.**

**Applicant: Olnafirth Sea Farm Ltd**

Thank you for your email of 8<sup>th</sup> April consulting us on the above proposals.

### Summary

These proposals are not likely to have a significant effect on any species of national importance; we therefore have **no objection** to these proposals.

### Appraisal of the impacts of the proposal and advice

These proposals are not within or near to any designated sites and are not likely to have a significant effect on any European Protected Species.

The area around the proposal sites is known to contain the Priority Marine Feature (PMF) horse mussel beds, which are sensitive to both benthic deposits and damage caused by anchors. The visual benthic survey undertaken during this application indicates that there are very few live horse mussels at the proposal sites, so we consider that these proposals are not likely to have a significant effect on this PMF.



INVEST FOR US PEOPLE

Scottish Natural Heritage, Ground Floor, Stewart Building, Alexandra Wharf, Lerwick, ZE1 0LL

**We have no objection to this proposal and are content for it to progress without further input from SNH.**

**Yours sincerely**

**Afra Skene**

Operations Officer  
Scottish Natural Heritage  
Northern Isles and North Highland  
Lerwick  
Shetland  
[REDACTED]

**Smith Kimberley@Infrastructure Svs**

---

**From:** McPake, Charlene [REDACTED]  
**Sent:** 15 April 2013 14:49  
**To:** Marine Planning@Infrastructure Svs  
**Subject:** 2013/017/MAR & 2013/018/MAR

SIC INFRASTRUCTURE SERVICES	
15 APR 2013	
PASS TO	ACTION

Dear John,

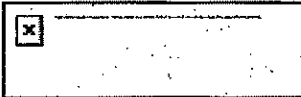
The Crown Estate have no objections to the above proposed developments.

Kind regards

charlene

---

**Charlene McPake**  
Aquaculture Co-ordinator



6 Bell's Brae, Edinburgh, EH4 3BJ

[REDACTED]

Please think - do you need to print this email?

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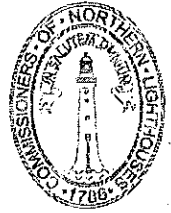
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# Northern Lighthouse Board

Your Ref: 2013/018/MAR  
Our Ref: SD/OPS/ML/F046-13

84 George Street  
Edinburgh EH2 3DA



John Rosie  
Planning Officer  
Marine Planning Service  
Development Services  
Shetland Islands Council  
Grantfield  
Lerwick  
Shetland  
ZE1 ONT

SIC INFRASTRUCTURE SERVICES	
15 APR 2013	
PASS TO	ACTION

15 April 2013

Dear John

## APPLICATION FOR MARINE FISH FARM PLANNING PERMISSION TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

We are in receipt of your email correspondence dated 08 April 2013 regarding **Olna Firth Sea Farm Ltd's** application to modify their mussel farming site at Olna Firth, Bight of Cliffs, South Delting, Shetland.

We recommend that this site should be marked by means of a lit yellow can buoy, flashing group four yellow every twelve seconds, (Fl(4) Y 12s) and fitted with a yellow multiplication cross topmark.

The buoy should be positioned at the most Southerly extremity of the site.

The buoy should have a diameter of approximately 1 metre at the waterline with the focal plane of the light some 2 metres above that level. The nominal range of the light should be 2 nautical miles. The multiplication crosses should measure a minimum of 50cm in length by 7.5cm in width.

The navigation recommendation given above must be installed at the same time as the site equipment.

Northern Lighthouse Board wish to discourage the practice of marking outlying anchor points with buoys (unless specifically requested by local users), and recommend that alternative means to locate anchors are utilised. Allowing loose floating lines around site equipment is also strongly discouraged as this can cause serious safety implications for other mariners.

The UK Hydrographic Office should be notified by **Olna Firth Sea Farm Ltd** and all information regarding site positions forwarded in order that Chart BA3295 can be correctly updated.

If the site does not hold an up to date Marine Licence from the Scottish Government, Northern Lighthouse Board would encourage **Olna Firth Sea Farm Ltd** to rectify this situation. This consent is concerned solely with the safety of navigation and would include the information given above. For further information and application forms please go to the web site link given below.

<http://www.scotland.gov.uk/Topics/marine/Licensing/marine/cpa>

*For the safety of all*

Certified to: ISO 9001:2000 - The International Safety Management Code (ISM) - OHSAS 18001

2

Marine Planning Service

15 April 2013

Yours sincerely



Peter Douglas  
Navigation Manager

Monday 22nd April	1330	1430	Public
	1630	1730	Staff Drop In
	1800	1900	Community Council
	1930	2030	Public

Chief Executive  
Shetland Islands Council  
12 April 2013

**SHETLAND ISLANDS COUNCIL  
ROADS SERVICE  
SURFACE DRESSING  
SEASON 2013**



**PUBLIC ROADS**

The Roads Service intends to undertake a programme of surface dressing on Shetland's roads over the summer months. This essential maintenance is a simple and cost effective method of improving skid resistance, sealing the road surface and preventing further deterioration.

The public should be aware that journey times will be increased due to these works, particularly on single track roads where delays of up to 15 minutes can be expected. Traffic control consisting of a convoy system, traffic lights and mandatory 10 mph speed limits will operate when work is in progress. This will be followed by a 20 mph speed limit requiring drivers to reduce their speed until loose surfacing chips have been removed from the road. This is necessary to protect the new dressing and to prevent damage to vehicles.

In the interests of road safety we would ask the public to obey these speed limits. Shetland Islands Council apologises for any inconvenience these essential works cause and would also like to thank road users for their co-operation in this matter.

**ACCESSES AND PRIVATE ROADS**

Members of the general public who are interested in having their roads surface dressed between MAY and AUGUST 2013 are asked to complete and return the appropriate request form. The form can be obtained from the following address and should be returned no later than 20th May 2012. **Applications received after this date may not be considered for this year's works.** The Roads Service will assess your request, on receipt of the form, and confirm to you whether or not it can undertake the surface dressing of your access/road.

Should you have any queries regarding surface dressing please contact Neil Hutcherson at the following address:

Roads Service, Infrastructure Services Department  
Shetland Islands Council, Gremista, Lerwick, ZE1 0PX  
Tel No: 01595 744882

**Shetland Islands Council**

These applications, associated plans and documents can be examined, 09.00-17.00, Mon-Fri, at: Shetland Islands Council, Development Services Department, Grantfield, Lerwick, ZE1 0NT. Please call 744800 to make an appointment if you wish to discuss any application.

Town and County Planning (Development Management Procedure) (Scotland) Regulations 2008

Format: Ref No; Proposal & Address

- 2013/058/PPF; Change hill land to garden and erect a garage, Wethersta, Brae.
  - 2013/104/AMSC; To erect new house and garage, Plot 11, Camp, Brae, Shetland.
  - 2013/110/PPF; Erect 12m high, 6kw wind turbine & lay associated cables, Fjell, Westing, Unst
  - 2013/115/PPF; Construction of ramp, West Dykes, Stoneydale, Bridge of Walls.
  - 2013/112/PPF; To erect dwellinghouse, Houlland, Exnaboe, Virkie.
  - 2013/114/PPP; Erection of dwellinghouse, Vaster, Tingwall.
  - 2013/011/MAR; To develop a new mussel farm, Bunya Sand, Mid Yell Voe, Yell.
  - 2013/012/MAR; To modify an existing mussel farm by moving/removing longlines, increasing longline length and deploying a pontoon, Langsund, Burra.
  - 2013/013/MAR; To deploy a single 220m twin-headline mussel longline, Sell Voe, Sand.
  - 2013/014/MAR; To deploy a single 220m twin-headline mussel longline, Inner Colla Firth, Deiting.
  - 2013/015/MAR; To deploy a single 220m twin-headline mussel longline, West of Langa, Scalloway Islands.
  - 2013/016/MAR; To deploy a single 220m twin-headline mussel longline, Moo Ness, Papa Little, The Rona, Aithness.
  - 2013/017/MAR; To modify an existing mussel farm by relocating site and by changing growing equipment from twelve 110m twin-headline longlines to seven 220m twin-headline longlines, Parkgate, Olnafirth.
  - 2013/018/MAR; To modify an existing mussel farm by relocating site and by changing growing equipment from sixteen 110m twin-headline longlines to seven 220m twin-headline longlines, Blight of Cliffs, Olnafirth.
- Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email [planning.control@shetland.gov.uk](mailto:planning.control@shetland.gov.uk) by 26/04/2013.

**BURRA ISLES  
COMMON GRAZING**

There will be a meeting of shareholders of the common grazings in Burra on Thursday 18th April 2013, at 8pm in the Bridge-End Hall. A grazing committee is to be elected.

**EARLYBIRDS PARENT &  
TODDLER GROUP  
AGM**

Will be held on Tuesday 30th April, 2013 at 8pm in the St Magnus Church Hall. A new committee to be elected. All welcome.

**SHETLAND YOAL ROWING  
ASSOCIATION  
AGM**

Will be held on Sunday 28th April, 2013, at 2.30pm in Lerwick Boating Club. A representative from each club wishing to compete this year should attend.

**SHETLAND TEXTILE MUSEUM  
TRUST  
AGM**

Will be held on Friday 26th April 2013, at 2pm in the boardroom at the Shetland Amenities Trust, Garthspool. All welcome.

**TINGWALL AGRICULTURAL  
MUSEUM & HERITAGE CENTRE  
AGM**

Will be held in Tingwall Hall, on Wednesday 24th April, at 7.30pm. All welcome.

**PROPOSED ASSIGNATION  
OF A CROFT**

William Dougal Fraser is applying to the Crofting Commission for consent to assign the tenancy of the croft at 1 Uyeasound, Unst to Derek Anthony Jamieson, of Hoversta, Uyeasound, Unst, ZE2 9DL.

If you have an interest in this application, you may submit comments on the proposal in writing or some other permanent form to the Crofting Commission, Great Glen House, Leachkin Road, Inverness IV3 8NW (e-mail [info@crofting.scotland.gov.uk](mailto:info@crofting.scotland.gov.uk)) within 28 days from the date of publication of this advert.

Please note that any comments you provide are part of an open process and will be made available to interested parties. Your comments would also be released under a Freedom of Information enquiry.

**ANNUAL  
The S**

We reserve the right to  
52 weeks 1  
52 weeks 2  
26 weeks 1  
26 weeks 2  
Surface Ma  
Americas (A  
Australasia  
Europe (Air  
Payment by  
**Tel.**  
e-mail: adv



**EMERGEN  
AGM**

Monday, 29th April, 2013  
Herrialea House Ho

After a very difficult ti club needs renewed su anyone is interested in with the club in any way contact the club via email: [shetlandridingclub.com](mailto:shetlandridingclub.com)

**PROPOSED ASSIGNA  
OF A CROFT**

John C. Jeromson is apply Crofting Commission for to assign the tenancy of th Stensland, Walls, Shetland, Jeromson of Buraland, Walls,

If you have an interes application, you may submit on the proposal in writing other permanent form to th Commission, Great Glen Hou kin Road, Inverness IV3 8N [info@crofting.scotland.gov.uk](mailto:info@crofting.scotland.gov.uk) days from the date of publicat advert.

Please note that any com provide are part of an open and will be made available to parties. Your comments wou released under a Freedom of I enquiry.



nature's voice

RSPB SCOTLAND

08 April 2013

John Rosie  
Coastal Zone Management Unit  
Marine Development Department  
North Atlantic Fisheries College  
Port Arthur  
Scalloway  
ZE1 0UN

SIC INFRASTRUCTURE SERVICES	
08 APR 2013	
PASS TO	ACTION

[pete.ellis@rspb.org.uk](mailto:pete.ellis@rspb.org.uk)

Dear John

Planning Ref: 2013/017/MAR

Planning Ref: 2013/018/MAR

**Proposed Development: To modify and existing mussel farm by relocating site and by changing growing equipment from sixteen 110m twin headline longlines to seven 220m twin headline longlines, Bight Of Cliffs, Olnafirth**  
**Applicant: Olnafirth Sea Farm Ltd**

Thank you for consulting us about this application. We have no objection to the above development, so long as these changes would not result in the carrying capacity of the areas concerned being exceeded. We should like to make the following comments:

1. Introduction

- 1.1. The RSPB is a registered charity incorporated by Royal Charter. Its principal objective is the conservation of wild birds and their habitats. It is the largest voluntary nature conservation organisation in Europe with a membership of over 1,010,000, of which 70,000 are in Scotland, and manages 93,000 ha of nature reserves in the UK.
- 1.2. Mussels are one of the main foods of the eider duck (dunter). This general area can hold significant numbers of eiders.

Shetland Office  
Scribborough Head  
Lighthouse  
Vekke  
Shetland ZE3 9JH

Tel: [redacted]  
Fax: [redacted]  
Email: [redacted]  
[www.rspb.org.uk/scotland](http://www.rspb.org.uk/scotland)



- 1.3. The Shetland population of the eider is isolated from those in the rest of Britain. Since 1977, the Shetland eider population has declined by about 65% to a current population of about 5,700 individuals.
- 1.4. Eiders are fully protected under the Wildlife and Countryside Act 1981 and Nature Conservation (Scotland) Act 2004.

## **2. Recommendations**

- 2.1. **This Society recommends that no lethal methods (including shooting and the use of anti-predator nets, deployed in such a way that eiders may become entangled) of reducing eider predation of mussels should be used at this or any other mussel farm in Shetland.**
- 2.2. **The developer should consider the use of properly installed anti-predator nets. Any anti-predator nets should comply with the following guidelines:**
  1. **The anti-predator netting should hang vertically in the water and must be properly tensioned. Nets that are not properly installed and maintained and horizontal nets pose a potential hazard to wildlife; in particular diving birds such as eiders may become entangled and drown.**
  2. **The anti-predator netting must have a mesh size of 70mm to avoid entangling and drowning diving birds.**
  3. **Brightly coloured, thick mesh netting (as opposed to monofilament netting) should be used in order to make the netting visible to diving birds and minimise the risk of entanglement and drowning.**
  4. **The operator should keep records of any animals that are by-caught in the anti-predator netting and submit an annual report on this to SIC and SNH.**

I hope you find these comments helpful. I will pass this letter on to the developer. I should be grateful if you would let me know the outcome of this application.

Yours sincerely



Peter M. Ellis  
Shetland Area Manager





# APPLICATION FOR MARINE FISH FARM PLANNING PERMISSION

Town and Country Planning (Scotland) Acts

Please refer to the accompanying Guidance Notes when completing this application  
Limited space is available on the form, provide additional information on a separate sheet of paper

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	
Forename	CHRISTOPHER KEITH	Forename	
Surname	ROBERTSON	Surname	
Company Name	OLNAFIRTH SEA FARM LTD	Company Name	
Building No./Name		Building No./Name	
Address	OLNAFIRTH SEA FARM LTD LOWER VOE VOE SHETLAND ZE2 9PX	Address	SIC INFRASTRUCTURE SERVICES - 5 APR 2013 PASS TO   ACTION
Postcode	ZE2 9PX	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
<b>3. Location of Proposed Development:</b> Please identify/describe the location of the site or sites:			
BIGHT OF CLIFFS OLNAFIRTH SOUTH DELTING			
Grid reference (at mid-point of site): 60° 21' 43.820" N - 1° 17' 23.723" W			
Easting:		Northing:	
Latitude/longitude position (at external corners or edges):			
60° 21' 50.482" N - 1° 17' 23.174" W 60° 21' 40.075" N - 1° 17' 12.582" W 60° 21' 37.150" N - 1° 17' 24.270" W 60° 21' 47.575" N - 1° 17' 34.823" W			
<b>4. Type of Application</b>			
What is the application for? Please select one of the following:			
New site			<input type="checkbox"/>
Change of Use of Existing site (including species change)			<input type="checkbox"/>
Alterations/extension to existing site			<input checked="" type="checkbox"/>
Variation or removal of condition			<input type="checkbox"/>

\*If there have been previous planning permissions on this site please provide the reference number of the most recent one:

Reference No: SFA/ZET/084

Date of decision: 9/1/2013

Please provide details of any other consent for the site (i.e. Crown Estate, Scottish Ministers)

**4a. Species (if mixed use please indicate)**

Fin fish	<input type="checkbox"/>	Species	<input type="text"/>
Shellfish	<input checked="" type="checkbox"/>	Species	<u>MUSSELS</u>
Other (Please specify)	<input type="checkbox"/>	Species	<input type="text"/>

**5. Description of the Proposal**

Please describe the proposal including any change of use:

REMOVE EXISTING 110m LONG LINES  
REPLACE WITH 220m LONG LINES

Please tick the relevant boxes for the type(s) of equipment which will be involved (see notes for full explanation)

Circular cages	<input type="checkbox"/>	Square/rectangular cages	<input type="checkbox"/>	Longlines	<input checked="" type="checkbox"/>
Raft/grids	<input type="checkbox"/>	Moorings	<input type="checkbox"/>	Feed barges	<input type="checkbox"/>
Feed pipes to shore	<input type="checkbox"/>	Pontoons	<input type="checkbox"/>		
Accommodation on the marine installation(s)	<input type="checkbox"/>				

Other (please specify)

Have the works already been started? Yes  No

If yes, please state date and, if completion, the completion date:

Date started:  Date completed:

If yes, please explain why work has already taken place in advance of making this application

### 6. Development Area

Please state the dimensions of the site in metres and the total site area in both square metres and hectares:

	Site dimensions		(sq.m)	Total site area (hectares)
	length(m)	Width(m)		
Existing surface area:	110	1x16	1,760	0.176
Proposed surface area:	220	1x7	1,540	0.154
Existing moorings area:			85,560	8.556
Proposed moorings area:	360	200	72,000	7.2

Is the surface area of the site 2 hectares or above?

Yes/No

If yes please include with your application a pre application consultations report along with a design statement

### 7. Equipment

#### 7a. Primary Equipment:

	Existing	Proposed
Type of units (eg cages/pens/longlines/rafts/trestles)	LONGLINES	LONGLINES
Number of units	16	7
Shape(s) of units		
Cage sizes/longline length	110	220
Number of cage/longline/raft/trestle group	2	1
Mooring grid dimensions for each unit (circular cages)		

Other equipment – specify below

#### 7b. Ancillary Equipment:

	Existing	Proposed
Barge/feeding station type (e.g. automated feed barge)		
Capacity of feed barge(tonnes)		
Number, type and colour of buoys	518 XPLOKA 400 LTR CREM 300 LTR	518 XPLOKA 400 LTR BLACK CREM 300 LTR GRAY
Lighting (underwater/ surface)		
Navigational equipment		FLASH/WR MARKER

**8. Production Information**

	Existing	Proposed
Maximum stocked biomass (tonnes)	392	392
Maximum production biomass per cycle (tonnes)	392	392
Proposed production cycle (months)	30	30
Stocking densities		-
Fallow Periods	-	

**9. Operation of Facility /Landing/Serviceing**

How will the site be serviced?  
By Boat from BLUESHELL PIER AT SPARK BAE

Where will the site be served from? Details of the shore base location(s)  
BLUESHELL PIER AT SPARK BAE

Normal daily operational hours of site (feeding, deliveries etc)  
THERE WONT BE DAILY OPERATIONS BUT WILL BE  
APPROX 4 HOURS PER WEEK

Operational activities during harvesting and stocking periods (method of delivering stock etc)  
HARVESTING 12 WEEKS PER YEAR.

**10. Supporting Information**

Will the site be used in a rotational basis with other sites? Yes  No

Are there agreements in place with other nearby fish farms and/or fishing interests? Yes  No   
Please provide details.

What operational and management practices are to be put in place to ensure site containment and disease control? Please provide details.

MAXIMUM DISTANCE BETWEEN LINES

What methods will be used to control the impacts of predatory wildlife (e.g. top nets, anti-predator nets or Acoustic Deterrent Devices. With ADD's provide name of the manufacturer and the model, also the proposed pattern of use (ie continuous/ scare-response/ seasonal). Please provide details.

HUMAN PRESENCE

Note: site-specific strategy on predator control may be required which takes account of conservation legislation. Data on protected species in the area may also be required. These should be provided as an attachment.

What level of local employment will be generated directly as a result of the proposal?

ONE FULL TIME

What restoration works are proposed in the event of cessation of operations?

REMOVE EQUIPEMENT

Nutrient enhancement calculations, benthic impact, water column and assimilative capacity along with impacts on biodiversity are all issues that are of interest to consultees in the planning process and it may aid their ability to comment on the application if information on these matters are included within your application. Please provide this information or any other relevant information below.

### 11. Discharges (not required for shellfish developments)

Has an application been made to SEPA under The Water Environment (Controlled Activities) (Scotland) Regulations 2005

Yes  No

If yes, please give the date of approval and the maximum biomass approved.

### 12. Water Quality

Has a water quality report been prepared?

Yes  No

If yes, please attach a copy of the report with your application

If a shellfish proposal, please indicate status of water (e.g. is it shellfish waters)

**13. Environmental Assessment**

Has the development been the subject of a screening and or scoping opinion under the Environmental Impact Assessment (Scotland) Regulations 1999(as amended)? Yes  No

*If yes, please provide a copy of the screening and or scoping opinion*

Was an Environmental Assessment required? Yes  No

*If yes, please submit the environmental statement along with the application*

**14. Pre-Application Discussion**

Have you received any advice from the planning authority in relation to this proposal? Yes  No

If yes, in what format was the advice given?

Meeting  Telephone call  Letter  Email

Please indicate who you discussed this proposal with: name & date

JOHN ROSIE  
15/3/2013

**15. Planning Service Employee/Elected Member Interest**

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the Council? Yes  No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes  No

If you have answered yes please provide details:

[Empty box for details]

**16. Land Ownership Certificate (includes seabed)**

(a) I hereby certify that 21 days before the date of the application: (tick one box only)

1. No person (other than the applicant) was the owner of any of the land, including the seabed, to which the application relates, or an agricultural tenant.

Or

2. The applicant does not own all the land involved, including the seabed, in the application site, but has given a copy of the requisite notice under Regulation 15(1) to the owner(s) or agricultural tenants of any of the application site.

*They are:*

Name of Owner: CROWN ESTATE  
Address where notification sent: 6 BELLS BRAE EDINBURGH  
Date Notified: EH 4 3 BJ

(b) I further certify that 21 days before the date of the application: (tick one box only)

1. None of the land formed part of an agricultural holding.

Or

2. The applicant has given notice to every person who was a tenant of an agricultural holding, any part of which formed part of the application site.

*These persons are:*

Name of tenant: [Empty]  
Address where notification sent: [Empty]  
Date Notified: [Empty]

## CHECKLIST

Please complete the following checklist to make sure you have provided all the necessary information in support of your application. Failure to submit all this information may result in your application being deemed invalid.

- Appropriate fee (please refer to the guidance notes or Scale of Fees)
- Signed and dated Land Ownership Certificate
- Location plan including north point and scale (Site boundary shown in red)
- Admiralty chart showing the application site
- Site plan or block plan (showing the layout of the site, equipment and grid reference and co-ordinates)
- Plans and sections of the cages/cultivation equipment, including all ancillary equipment
- Photographs and/or photomontages
- (where these have been specified as necessary by the planning authority)

Provide copies of the following documents if applicable:

- Environmental statement:
- Landscape and visual impact assessment
- Design statement
- Pre-application consultation report (required when sites with a surface area of 2 hectares or above)
- Water Quality report

Other, please specify:

## DECLARATION

I, the applicant/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

Signature: [REDACTED] Name: C. KEITH ROBERTSON Date: 27/3/2013

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

SIC  
INFRASTRUCTURE SERVICES

- 5 APR 2013

PASS TO

ACTION

**Olnafith Sea Farm LTD**

**Site alternation in olnafirth**

**The three existing blocks of mussel lines of 28 at 110m long lines is being proposed to change to two sites of 7+7 at 220m longlines**

**This would give more space between the lines and better separation distances**

**C..Keith Robertson**



# Blueshell Mussels Ltd

Sparl, Brae, Shetland, ZE2 9QJ

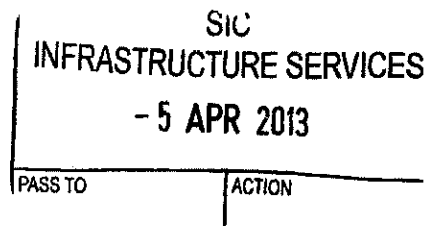
Telephone: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]



Olnafirth Seafarm  
Lower Voe  
Voe  
Shetland.  
28/3/2013



Dear Keith

**Reference: Mussel sites Olnafirth: Parkgate, Bight of Clifts North and Bight of Clifts South.**

I understand that your business is applying to amend and alter the approvals from the aforementioned sites to a new application for 2 sites each with a capacity of 7 x 220m mussel lines.

Blueshell Mussels Ltd are supportive of the variation as it will not increase carrying capacity in the area, it is our opinion and experience that having longer lines with further apart spacing will assist biomass carrying capacities.

Blueshell Mussels Ltd, who will be removing the old equipment and deploying the new equipment, will take steps to ensure:

1. Anchors are positioned in place accurately with minimum impact on the seabed, lowered to place using a winch. This is precautionary good practice in case there are any horse mussels in the area.
2. As lines are harvested new lines will be deployed, there will be a period of temporary overlap where there is a mix of equipment on the existing and the new sites. We will seek to minimise the time scale of this overlap and not deploy new equipment on old lines as they become harvested out. During this transitional period we will ensure that site mussel biomass (determined by the total equipment in the water) does not increase above either the existing and the new licensed biomass consent (whichever is the lower of these two figures, if there is a variance)
3. Our experienced boatmen will completely remove old equipment from sites for recycling/ disposal (as appropriate)
4. Aesthetically the final end result should be visually less on an impact.

We would broadly propose to carry out the works as per the proposed schedule.

1. Bight of Clifts North 8 x 110m lines and Bight of Clifts South. 8 x 110m lines:

7 lines from Bight of Clifts South to be moved to South end of new site.

7 lines from Bight of Clifts North joined onto the 7 lines above. Line 8 on both sites removed. Timescale: 3 months' work.

2. Parkgate:

New 220m lines deployed South of existing block within new surface works area. As lines are harvested and removed from existing Parkgate site new lines deployed on new site. Timescale for overlap to be minimised as soon as lines are harvested but to be within a maximum of 2 years.

Should you need further information please do not hesitate to get in touch.

Yours sincerely



Michael Laurensen  
(Managing Director)

# Blueshell Mussels Ltd



Olnafirth Seafarm  
Lower Voe  
Voe  
Shetland.  
28/3/2013

SIC	
INFRASTRUCTURE SERVICES	
- 5 APR 2013	
PASS TO	ACTION

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Michael Laurensen  
(Managing Director)

# OLNAFIRTH SEA FARM LTD

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