



## **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**

Scottish Sea Farms Ltd  
Blacksness Pier  
Blacksness  
Scalloway  
Shetland  
ZE1 0TQ

**Reference Number:** 2012/009/MAR

**Development:** To modify an existing mussel farm by changing growing equipment from sixteen 500m smartfarm units to twelve 220m double-headrope longlines

**Location:** Aith Voe (West), Aith Voe

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

- Location Plan 704/143  
Stamped Received 24.04.2012
- Admiralty Chart  
Stamped Received 24.04.2012
- Location Plan Zoomed-in 704/14.2  
Stamped Received 24.04.2012

Development Services  
Shetland Islands Council  
Grantfield  
Lerwick  
Shetland  
ZE1 0NT

<p><b>PLEASE LOOK AT THE IMPORTANT INFORMATION ON THE BACK OF THIS SHEET AND ON THE ATTACHED SHEET</b></p>
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## **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.



- Site & Section Plan 704/14.1  
Stamped Received 24.04.2012

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

( 1.) Aquaculture development at this location and in the general locality has been established with the granting of various marine finfish and shellfish farm developments. The modification from a large smartfarm development to a significantly smaller longline development will not result in any further significant landscape and visual impact and will potentially lessen any adverse impact in respect of breach of biological carrying capacity in the voe, whilst also potentially improving recreational use of the voe by virtue of the reduced surface area of the farm. The proposal complies with policies G1, G2, M1, S4 and S7 of the Shetland Islands Council Interim Policy for Marine Aquaculture.

### **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 development hereby permitted shall be commenced within three years of the date of this permission.

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

( 3) 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).

(4) All equipment and associated moorings approved by this permission shall be located as indicated on the Admiralty Chart received by the Planning Authority on 24.04.2012 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° 17' 38.773" N -1° 22' 42.945" W  
Extremity 1: 60° 17' 47.695" N -1° 22' 46.668" W  
Extremity 2: 60° 17' 48.379" N -1° 22' 37.870" W  
Extremity 3: 60° 17' 29.180" N -1° 22' 39.202" W  
Extremity 4: 60° 17' 30.779" N -1° 22' 48.043" W

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

(5) 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.

(6) A maximum of twelve 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.

(7) The following navigational marks shall be provided:

The most northeasterly and most southeasterly extremities of any deployed group of longlines shall each be marked by a lit yellow conical buoy, exhibiting a yellow flashing light, character flash one every 5 seconds (Fl Y 5s), and fitted with a yellow multiplication cross topmark. The buoys shall have a diameter of approximately 1 metre at the waterline with the focal plane of the lights some 2 metres above that level. The nominal range of the lights shall be 2 nautical miles. The multiplication crosses shall measure a minimum of 75cm in length by 15cm in width;

The above navigation lights 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 shellfish 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 notice by the planning authority, unless agreed otherwise in writing by the planning authority.

Reason: To ensure that the site does not become a navigational hazard or source of marine litter.

### **Notes to Applicant:**

#### **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

## **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

## **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 in writing quoting the following reference number: SD/OPS/ML/F030-12.

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



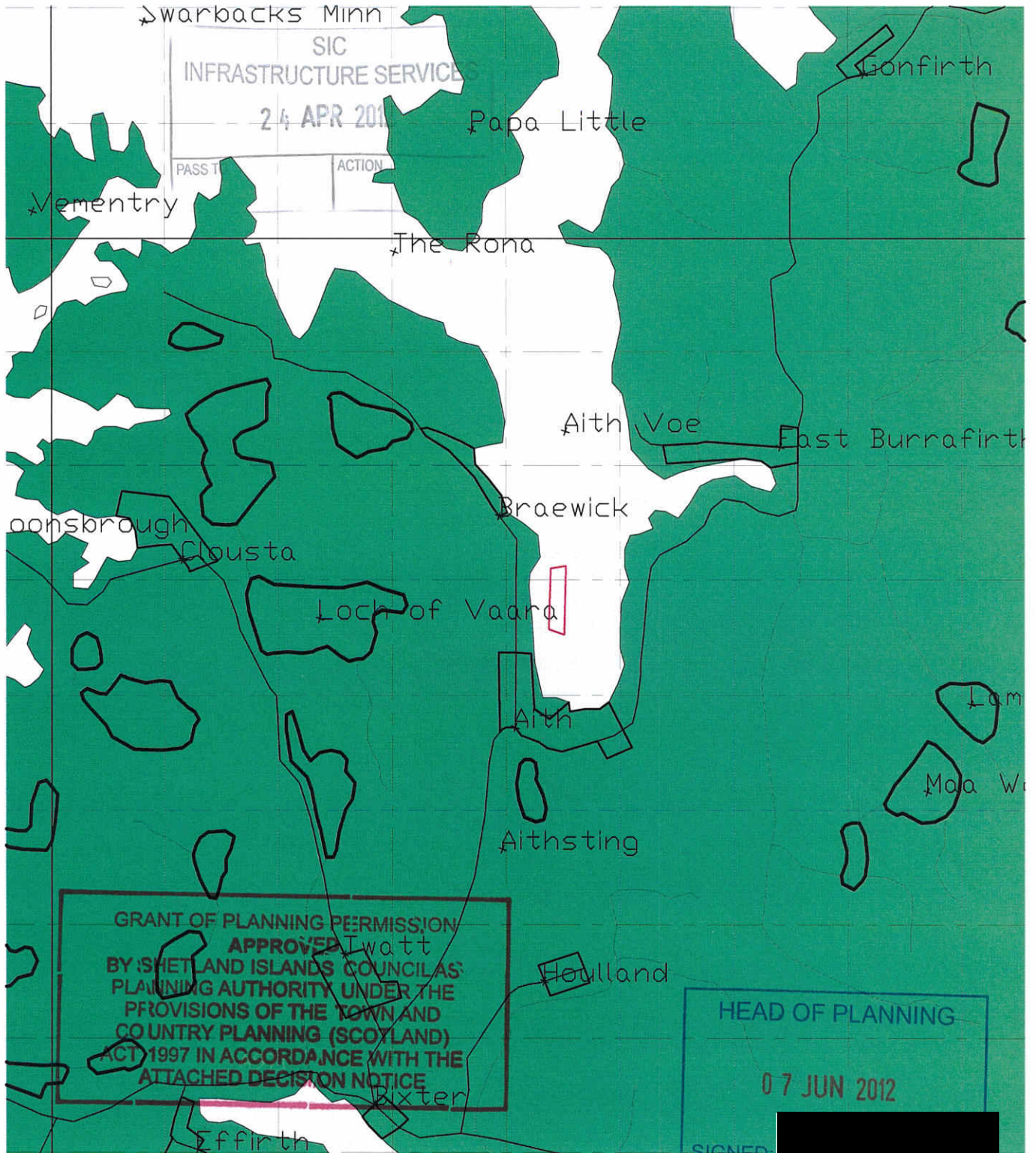
## **Notification of Completion**

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.

7 June 2012



Executive Manager - Planning



# LOCATION PLAN

Scale 1:50,000



**Scottish  
Sea Farms**

**VEGA TECHNICAL SERVICES**  
Architectural, Land Surveying and Civil Engineering CAD drafting



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Project

**SCOTTISH SEA FARMS LIMITED**  
Aith Voe West - Mussel farm

Drawing Title

Location plan

Drawing Status

**PLANNING**

Drawing Number

704 / 143

Date Drawn

11.4.12

Scale(s) @ A4

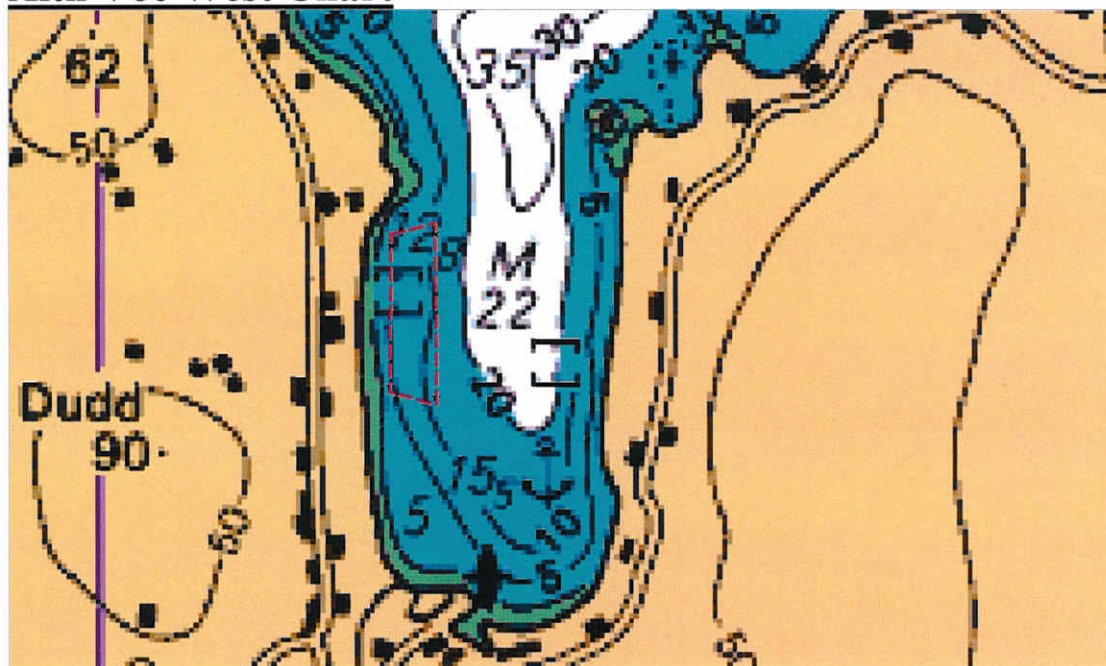
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Revision

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## Aith Voe West Chart



SIC  
INFRASTRUCTURE SERVICES  
24 APR 2012

PASS TO

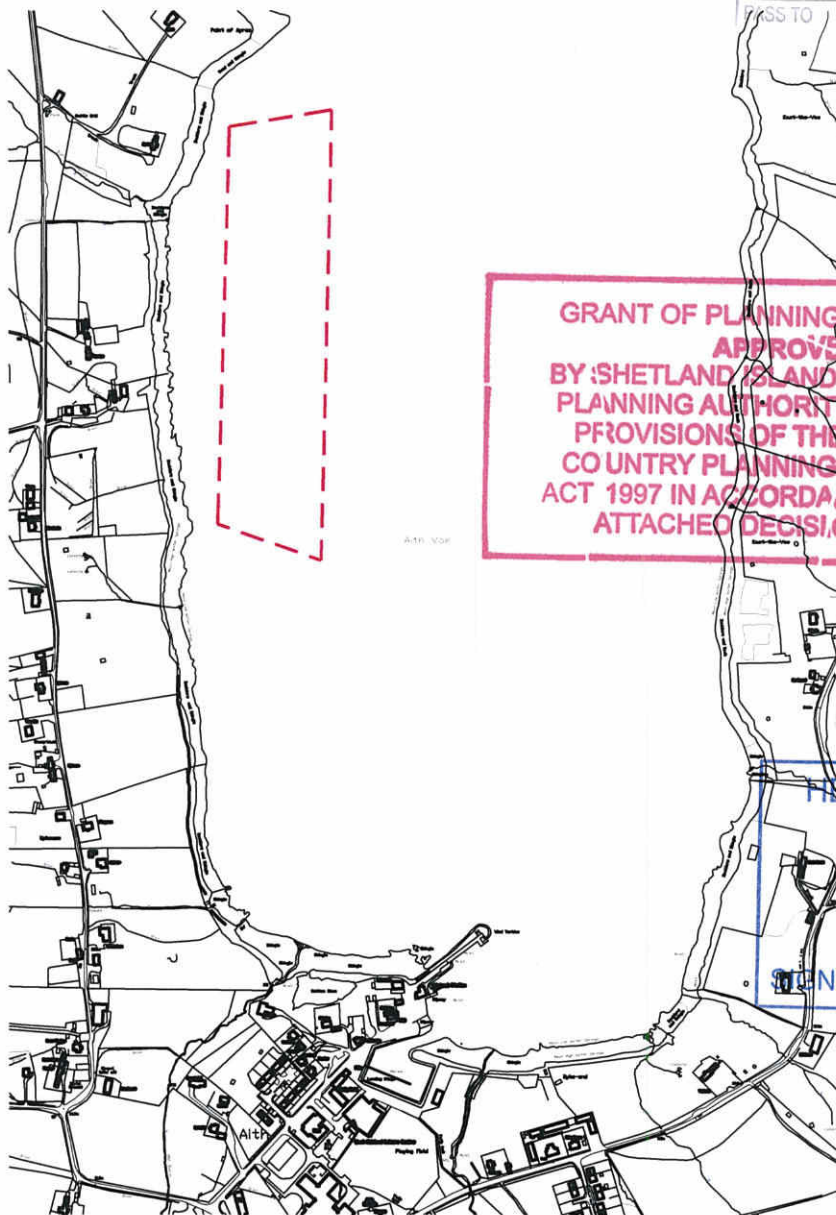
ACTION

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

HEAD OF PLANNING

07 JUN 2012

SIGNED: [REDACTED]



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## LOCATION PLAN

Scale 1:10,000



**VEGA TECHNICAL SERVICES**  
Architectural, Land Surveying and Civil Engineering CAD drafting



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Project

**SCOTTISH SEA FARMS LIMITED**  
Aith Voe West - Mussel farm

Drawing Title

Location plan

Drawing Status

**PLANNING**

Drawing Number

704 / 14.2

Date Drawn

11.4.12

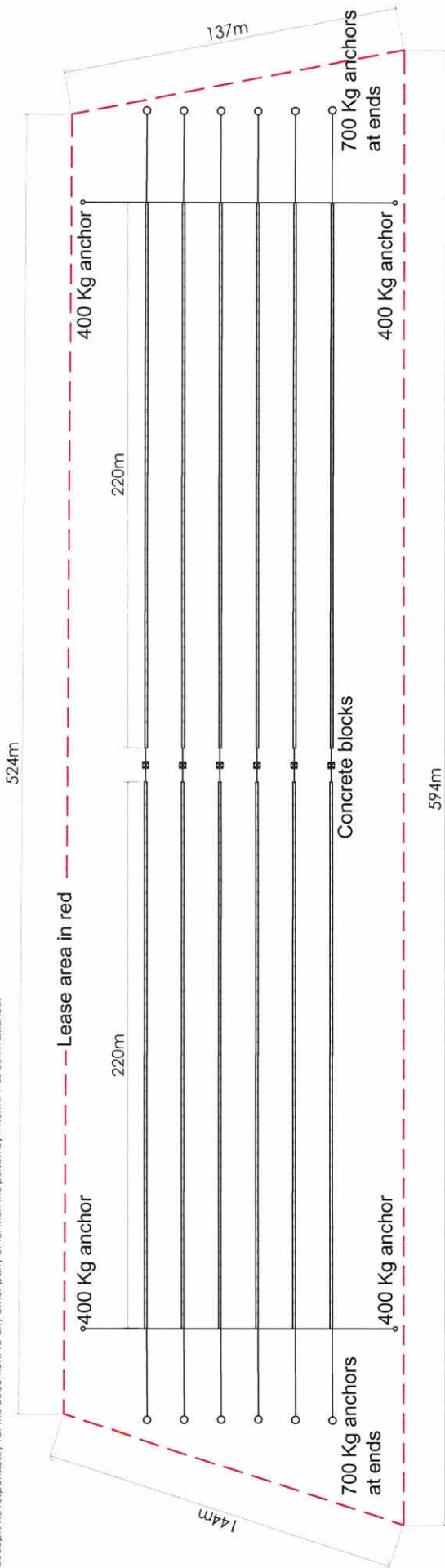
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Revision

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### SITE PLAN

Scale 1:2500



### TYPICAL SECTION

Scale 1:2500

SIC  
INFRASTRUCTURE SERVICES  
24 APR 2012

PASS TO ACTION

GRANT OF PLANNING PERMISSION  
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BY SHETLAND ISLANDS COUNCIL AS  
PLANNING AUTHORITY UNDER THE  
PROVISIONS OF THE TOWN AND  
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<b>VEGA TECHNICAL SERVICES</b> Architectural, Land Surveying and CIVIL Engineering CAD drafting	Project <b>SCOTTISH SEA FARMS LIMITED</b> Aith Voe West - Mussel farm		Date Drawn 11.4.12
	Drawing Title Site plan		Scale(s) @ A4 1:2500
	Drawing Status <b>PLANNING</b>		Revision -
HOSWICK VISITOR CENTRE • SANDWICK • SHETLAND • ZE2 9HL Tel: (01950) 431 502/279 Mob: 07770 854 578 E-mail: michael@vegatech.plus.com	Drawing Number <b>704 / 14.1</b>		