

# 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

19.11.2018

Name in BLOCK LETTERS **Redacted**

### 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

Redacted

Title:

Trading Title (if appropriate): BLUE SHELL MUSSELS LIMITED

Address: SPARL  
BRAE

SUETLAND

ZE2 9QJ

Name of contact (if different):

Telephone No. (inc. dialing code): Redacted

Email: admin@blueshellmussels.co.uk

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)

NIA

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
06692/18/0	29.08.2024

#### 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	4 ADDITIONAL	300 METRES
Feed barges		
Feedpipes (to shore)		
Grid moorings	8 ADDITIONAL	
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):

2019

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

£ 400

(f) Location:

EAST OF STUKO CLETT,  
URAFIRTH,  
NORTHMAVINE,  
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	8	.	7	5	5	'N	0	0	1	°	2	8	.	2	1	0	'W
6	0	°	2	8	.	7	3	3	'N	0	0	1	°	2	8	.	1	1	1	'W
6	0	°	2	8	.	5	1	6	'N	0	0	1	°	2	8	.	3	3	1	'W
6	0	°	2	8	.	5	3	8	'N	0	0	1	°	2	8	.	4	3	1	'W
<b>Cage Group Area/Longline Position(s)</b>																				
		°			.				'N			°			.				'W	
		°			.				'N			°			.				'W	
		°			.				'N			°			.				'W	
		°			.				'N			°			.				'W	
		°			.				'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):

FARM IS SITED IN THE SAME LOCATION AS PREVIOUS SITE PERMITTED OVER 10 YEARS AGO. NO ISSUES TO NAVIGATION WERE HIGHLIGHTED WITH THIS, OUR INITIAL SITE, OR THE VARIOUS BODIES CONSULTED WITH PLANNING APPLICATION.

#### 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 CONSIDERED AND TO BE IMPLEMENTED WHERE PRACTICAL AND POSSIBLE.  
THE SHELLFISH FARM WILL BE OPERATED IN A RESPONSIBLE, SUSTAINABLE MANNER AND MAKE AN IMPORTANT CONTRIBUTION TO SCOTLAND'S FOOD SECURITY.  
THE FARM WILL USE UNOBTRUSIVE GREY FLOATS WHICH ARE DIFFICULT TO SEE AND HAVE A NEGLIGIBLE VISUAL IMPACT.

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

**8. Consultation**

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

NORTHERN LIGHTHOUSE BOARD  
NATURAL HERITAGE OFFICER  
SHETLAND SHELLFISH MANAGEMENT ORGANISATION  
ROYAL SOCIETY FOR PROTECTION OF BIRDS  
MARINE SCOTLAND SCIENCE  
SHETLAND PUBLIC VIA 'THE SHETLAND TIMES'

**9. Associated Works**

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

THIS IS AN EXTENSION TO EXISTING SITE 06692/18/0.

# 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	Redacted	Ref No.	
Forename		Forename	
Surname		Surname	
Company Name	BLUESHELL MUSSELS LTD	Company Name	
Building No./Name		Building No./Name	
Address	<div style="border: 1px solid black; padding: 5px; min-height: 80px;">           SPARL BRAE SHETLAND         </div>		
Postcode	Redacted	Postcode	
Telephone	Redacted	Telephone	
Mobile	Redacted	Mobile	
Fax	Redacted	Fax	
Email	Redacted	Email	
<b>3. Location of Proposed Development:</b> Please identify/describe the location of the site or sites:			
<div style="border: 1px solid black; padding: 10px; min-height: 60px;">           EAST OF STUCKO CLETT, URAFIRTH, NORTHMAVINE         </div>			
Grid reference (at mid-point of site):			
Easting:	-1° 28' 16.288032" W	Northing:	60° 28' 38.071272" N
Latitude/longitude position (at external corners or edges):	<div style="border: 1px solid black; padding: 5px;">             60° 28' 45.315228"N    001° 28' 12.625536"W    60° 28' 32.286568"N    001° 28' 25.857696"W              60° 28' 43.669104"N    001° 28' 08.6132"W              60° 28' 30.951588"N    001° 28' 19.832592"W           </div>		
<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

☐

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

Reference No: 2018/003/MAR

Date of decision: 18 APRIL 2018

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

CROWN ESTATE LEASE OPTION GRANTED FOR EXTENSION

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

Fin fish

☐

Species

Shellfish

☒

Species

MUSSELS

Other (Please specify)

☐

Species

**5. Description of the Proposal**

Please describe the proposal including any change of use:

TO EXTEND AN EXISTING MUSSEL FARM, WITH FOUR ADDITIONAL 300M TWIN-HEADLINE LONGLINES

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

Circular cages

☐

Square/rectangular cages

☐

Longlines

☒

Raft/grids

☐

Moorings

☒

Feed barges

☐

Feed pipes to shore

☐

Pontoons

☐

Accommodation on the marine installation(s)

☐

Other (please specify)

N/A

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			
	length(m)	Width(m)	(sq.m)	Total site area (hectares)
Existing surface area:	300	1 X 3	900	0.09
Proposed surface area:	400	1 X 4	1200	0.12
Existing moorings area:	420	50	21,000	2.1
Proposed moorings area:	420	100	42,000	4.2

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)	TWIN-HEADLINE LONGLINES	TWIN-HEADLINE LONGLINES
Number of units	3	4 ADDITIONAL
Shape(s) of units	LINEAR	LINEAR
Cage sizes/longline length	300	300
Number of cage/longline/raft/trestle group	1	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		
Lighting (underwater/ surface)		
Navigational equipment	AS PER NLB	AS PER NLB
Other equipment		

## 8. Production Information

	Existing	Proposed
Maximum stocked biomass (tonnes)	<input type="text" value="150"/>	<input type="text" value="350"/>
Maximum production biomass per cycle (tonnes)	<input type="text" value="150"/>	<input type="text" value="350"/>
Proposed production cycle (months)	<input type="text" value="36"/>	<input type="text" value="36"/>
Stocking densities	<input type="text"/>	<input type="text"/>
Fallow Periods	<input type="text"/>	

## 9. Operation of Facility /Landing/Servicing

How will the site be serviced?

BY WORKBOAT

Where will the site be served from? Details of the shore base location(s)

SPARL, BRAE

Normal daily operational hours of site (feeding, deliveries etc)

0600 -1800

Operational activities during harvesting and stocking periods (method of delivering stock etc)

LIMITED ACCESS REQUIRED FOR SAMPLING, HARVESTING AND DEPLOYMENT – AS EXISTING

## 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.*

EXISTING BIO SECURITY PLAN IN PLACE AT THIS SITE, WHICH IS FULLY APPROVED BY 'MARINE SCOTLAND-SCIENCE' WOULD BE ESTABLISHED AT THE NEW SITE

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.*

UNLIKELY, BUT IN ANY INSTANCE, WILL BE IN FULL COMPLIANCE WITH RSPB, SNH, ETC

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?

EXISTING JOBS SAFEGUARDED

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

REMOVAL OF ALL EQUIPMENT

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.*

SHELLFISH FARMING HAS A LOW ECOLOGICAL IMPACT

#### 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

Redacted

AUGUST 2018

### 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:

### 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

THE CROWN ESTATE

Address where notification sent

6 BELLS BRAE, EDINBURGH, EH4 3BJ

Date Notified

11/09/2018

(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

Address where notification sent

Date Notified

### 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)  | <input type="checkbox"/>            |
| Signed and dated Land Ownership Certificate  | <input checked="" type="checkbox"/> |
| Location plan including north point and scale (Site boundary shown in red)                                   | <input checked="" type="checkbox"/> |
| Admiralty chart showing the application site   | <input checked="" type="checkbox"/> |
| Site plan or block plan (showing the layout of the site, equipment and grid reference and co-ordinates)      | <input checked="" type="checkbox"/> |
| Plans and sections of the cages/cultivation equipment, including all ancillary equipment                     | <input checked="" type="checkbox"/> |
| Photographs and/or photomontages<br>(where these have been specified as necessary by the planning authority) | <input type="checkbox"/>            |

Provide copies of the following documents if applicable:

- |  |                          |
|--|--------------------------|
| Environmental statement  | <input type="checkbox"/> |
| Landscape and visual impact assessment   | <input type="checkbox"/> |
| Design statement   | <input type="checkbox"/> |
| Pre-application consultation report (required when sites with a surface area of 2 hectares or above) | <input type="checkbox"/> |
| Water Quality report   | <input type="checkbox"/> |

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:

Name:

Redacted

Date:

11/09/2018

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.

# PUBLIC NOTICES

## Happiness is a postal subscription to The Shetland Times

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Please note: We reserve the right to adjust entry dates if postage rates increase.

### FIRST REGISTRATION OF A CROFT

Mr Graham Henry has registered the croft 1 Croft, Orkney, Uist, on the Crofting Register held by the Registrar of Crofts.

Any person who wishes to challenge the registration may apply to the Crofting Commission, 28/29 St John's Street, Glasgow, G1 1JN, Scotland, by 28th June 2019.

Dates of the registration can be found at [www.crofting.gov.uk](http://www.crofting.gov.uk) or by contacting the Registrar of Crofts on 01846 32382.

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## MAIRIE (SCOTLAND) ACT 2010 NEW FINFISH FARM - DURY VOE, SHETLAND

Notice is hereby given that Scottish Sea Farms Ltd has applied to the Scottish Ministers of the Scottish Government, under Part 4 of the Marine (Scotland) Act 2010, in respect of a new finfish farm at:

Cost	£376,000	
Location	Latitude	Longitude
Dury Voe, Shetland	59° 20,656' N	001° 05,150' W
	59° 20,670' N	001° 08,255' W
	60° 20,348' N	001° 08,246' W
	60° 20,354' N	001° 09,237' W

Plans showing the position of the works may be inspected at Brae Post Office, Hillside, Shetland, ZE3 9QG.

Objections relating to safety of navigation in respect of the application should be made in writing to:

Licensing Operations Team, Marine Scotland, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB within 28 days of the date of this notice.

Objections relating to safety of navigation should be made in writing to: Scottish Maritime Safety, 375 Victoria Road, Aberdeen, AB11 9DB.

### Fair Processing Notice

The Scottish Government's Marine Scotland Licensing Operations Team (MSLOT) determine applications for marine licences. As part of the MSLOT's data processing activities, it may collect, store and use personal information about you in the outcome of the application process. Any person holding an interest in the outcome of the application may make representation to MSLOT. The representation may contain personal information, for example a name or address. This representation will only be used for the purpose of determining an application and will be stored securely in the Scottish Government's official corporate record. Representatives will be shared with the applicant and/or agent acting on behalf of the applicant, and where necessary, be published online. However, personal information will be removed before publishing.

A full privacy notice can be found at: <http://www.gov.scot/topics/marine/marine-scotland/marine-scotland-privacy-notice>. If you are unable to access this, or you have any queries or concerns about how your personal information will be handled, contact MSLOT at: [marine.mscotland@gov.scot](mailto:marine.mscotland@gov.scot) or Marine Scotland - Licensing Operations Team, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB.

### Shetland Islands Council

These applications, associated plans and documents can be examined, 08.00-17.00, Mon-Fri, at Shetland Islands Council, Planning Department, Tain Shetland, Grenista Industrial Estate, Grenista, Shetland, ZE1 0PX. Please call 742633 to make an appointment if you wish to discuss any application. Applications, associated plans and documents can also be viewed on the Council website at [www.shetland.gov.uk](http://www.shetland.gov.uk).

**Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013**

**Formal Notice to Propose and Address**

2018/02/04/18: To extend an existing shellfish farm by adding an additional 300m wide headland to be used for on-growing of mussels; East of Salsburgh, Uist, North Harris.

2018/02/18/18: To erect new Phase 2a, 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2i, 2j, 2k, 2l, 2m, 2n, 2o, 2p, 2q, 2r, 2s, 2t, 2u, 2v, 2w, 2x, 2y, 2z, 2aa, 2ab, 2ac, 2ad, 2ae, 2af, 2ag, 2ah, 2ai, 2aj, 2ak, 2al, 2am, 2an, 2ao, 2ap, 2aq, 2ar, 2as, 2at, 2au, 2av, 2aw, 2ax, 2ay, 2az, 2ba, 2bb, 2bc, 2bd, 2be, 2bf, 2bg, 2bh, 2bi, 2bj, 2bk, 2bl, 2bm, 2bn, 2bo, 2bp, 2bq, 2br, 2bs, 2bt, 2bu, 2bv, 2bw, 2bx, 2by, 2bz, 2ca, 2cb, 2cc, 2cd, 2ce, 2cf, 2cg, 2ch, 2ci, 2cj, 2ck, 2cl, 2cm, 2cn, 2co, 2cp, 2cq, 2cr, 2cs, 2ct, 2cu, 2cv, 2cw, 2cx, 2cy, 2cz, 2da, 2db, 2dc, 2dd, 2de, 2df, 2dg, 2dh, 2di, 2dj, 2dk, 2dl, 2dm, 2dn, 2do, 2dp, 2dq, 2dr, 2ds, 2dt, 2du, 2dv, 2dw, 2dx, 2dy, 2dz, 2ea, 2eb, 2ec, 2ed, 2ee, 2ef, 2eg, 2eh, 2ei, 2ej, 2ek, 2el, 2em, 2en, 2eo, 2ep, 2eq, 2er, 2es, 2et, 2eu, 2ev, 2ew, 2ex, 2ey, 2ez, 2fa, 2fb, 2fc, 2fd, 2fe, 2ff, 2fg, 2fh, 2fi, 2fj, 2fk, 2fl, 2fm, 2fn, 2fo, 2fp, 2fq, 2fr, 2fs, 2ft, 2fu, 2fv, 2fw, 2fx, 2fy, 2fz, 2ga, 2gb, 2gc, 2gd, 2ge, 2gf, 2gg, 2gh, 2gi, 2gj, 2gk, 2gl, 2gm, 2gn, 2go, 2gp, 2gq, 2gr, 2gs, 2gt, 2gu, 2gv, 2gw, 2gx, 2gy, 2gz, 2ha, 2hb, 2hc, 2hd, 2he, 2hf, 2hg, 2hi, 2hj, 2hk, 2hl, 2hm, 2hn, 2ho, 2hp, 2hq, 2hr, 2hs, 2ht, 2hu, 2hv, 2hw, 2hx, 2hy, 2hz, 2ia, 2ib, 2ic, 2id, 2ie, 2if, 2ig, 2ih, 2ii, 2ij, 2ik, 2il, 2im, 2in, 2io, 2ip, 2iq, 2ir, 2is, 2it, 2iu, 2iv, 2iw, 2ix, 2iy, 2iz, 2ja, 2jb, 2jc, 2jd, 2je, 2jf, 2jg, 2jh, 2ji, 2jj, 2jk, 2jl, 2jm, 2jn, 2jo, 2jp, 2jq, 2jr, 2js, 2jt, 2ju, 2jv, 2jw, 2jx, 2jy, 2jz, 2ka, 2kb, 2kc, 2kd, 2ke, 2kf, 2kg, 2kh, 2ki, 2kj, 2kk, 2kl, 2km, 2kn, 2ko, 2kp, 2kq, 2kr, 2ks, 2kt, 2ku, 2kv, 2kw, 2kx, 2ky, 2kz, 2la, 2lb, 2lc, 2ld, 2le, 2lf, 2lg, 2lh, 2li, 2lj, 2lk, 2ll, 2lm, 2ln, 2lo, 2lp, 2lq, 2lr, 2ls, 2lt, 2lu, 2lv, 2lw, 2lx, 2ly, 2lz, 2ma, 2mb, 2mc, 2md, 2me, 2mf, 2mg, 2mh, 2mi, 2mj, 2mk, 2ml, 2mm, 2mn, 2mo, 2mp, 2mq, 2mr, 2ms, 2mt, 2mu, 2mv, 2mw, 2mx, 2my, 2mz, 2na, 2nb, 2nc, 2nd, 2ne, 2nf, 2ng, 2nh, 2ni, 2nj, 2nk, 2nl, 2nm, 2nn, 2no, 2np, 2nq, 2nr, 2ns, 2nt, 2nu, 2nv, 2nw, 2nx, 2ny, 2nz, 2oa, 2ob, 2oc, 2od, 2oe, 2of, 2og, 2oh, 2oi, 2oj, 2ok, 2ol, 2om, 2on, 2oo, 2op, 2oq, 2or, 2os, 2ot, 2ou, 2ov, 2ow, 2ox, 2oy, 2oz, 2pa, 2pb, 2pc, 2pd, 2pe, 2pf, 2pg, 2ph, 2pi, 2pj, 2pk, 2pl, 2pm, 2pn, 2po, 2pp, 2pq, 2pr, 2ps, 2pt, 2pu, 2pv, 2pw, 2px, 2py, 2pz, 2qa, 2qb, 2qc, 2qd, 2qe, 2qf, 2qg, 2qh, 2qi, 2qj, 2qk, 2ql, 2qm, 2qn, 2qo, 2qp, 2qq, 2qr, 2qs, 2qt, 2qu, 2qv, 2qw, 2qx, 2qy, 2qz, 2ra, 2rb, 2rc, 2rd, 2re, 2rf, 2rg, 2rh, 2ri, 2rj, 2rk, 2rl, 2rm, 2rn, 2ro, 2rp, 2rq, 2rr, 2rs, 2rt, 2ru, 2rv, 2rw, 2rx, 2ry, 2rz, 2sa, 2sb, 2sc, 2sd, 2se, 2sf, 2sg, 2sh, 2si, 2sj, 2sk, 2sl, 2sm, 2sn, 2so, 2sp, 2sq, 2sr, 2ss, 2st, 2su, 2sv, 2sw, 2sx, 2sy, 2sz, 2ta, 2tb, 2tc, 2td, 2te, 2tf, 2tg, 2th, 2ti, 2tj, 2tk, 2tl, 2tm, 2tn, 2to, 2tp, 2tq, 2tr, 2ts, 2tt, 2tu, 2tv, 2tw, 2tx, 2ty, 2tz, 2ua, 2ub, 2uc, 2ud, 2ue, 2uf, 2ug, 2uh, 2ui, 2uj, 2uk, 2ul, 2um, 2un, 2uo, 2up, 2uq, 2ur, 2us, 2ut, 2uu, 2uv, 2uw, 2ux, 2uy, 2uz, 2va, 2vb, 2vc, 2vd, 2ve, 2vf, 2vg, 2vh, 2vi, 2vj, 2vk, 2vl, 2vm, 2vn, 2vo, 2vp, 2vq, 2vr, 2vs, 2vt, 2vu, 2vv, 2vw, 2vx, 2vy, 2vz, 2wa, 2wb, 2wc, 2wd, 2we, 2wf, 2wg, 2wh, 2wi, 2wj, 2wk, 2wl, 2wm, 2wn, 2wo, 2wp, 2wq, 2wr, 2ws, 2wt, 2wu, 2wv, 2ww, 2wx, 2wy, 2wz, 2xa, 2xb, 2xc, 2xd, 2xe, 2xf, 2xg, 2xh, 2xi, 2xj, 2xk, 2xl, 2xm, 2xn, 2xo, 2xp, 2xq, 2xr, 2xs, 2xt, 2xu, 2xv, 2xw, 2xx, 2xy, 2xz, 2ya, 2yb, 2yc, 2yd, 2ye, 2yf, 2yg, 2yh, 2yi, 2yj, 2yk, 2yl, 2ym, 2yn, 2yo, 2yp, 2yq, 2yr, 2ys, 2yt, 2yu, 2yv, 2yw, 2yx, 2yy, 2yz, 2za, 2zb, 2zc, 2zd, 2ze, 2zf, 2zg, 2zh, 2zi, 2zj, 2zk, 2zl, 2zm, 2zn, 2zo, 2zp, 2zq, 2zr, 2zs, 2zt, 2zu, 2zv, 2zw, 2zx, 2zy, 2zz, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 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2911, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2995, 2996, 2997, 2998, 2999, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3

T: +44  
Email:

Our ref: FFP-18-071  
Your ref: 2018/020/2018

28/09/2018

Dear Redacted,

**To extend an existing shellfish farm by siting an additional four 300m twin-headline longlines to be used for on-growing of mussels at East of Stucko Clett, Urafirth by Blueshell Mussels Ltd.**

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

#### **Environmental Impacts**

This application for an additional 4 x 300m twin headed longlines with a proposed maximum biomass of 350 tonnes would result in a site with permission for 7 x 300m twin headed longlines. This should not result in unacceptable impacts in Urafirth, although it is noted that the total number of longlines has the potential to accommodate a maximum biomass higher than that which has been applied for if all longlines were in place and being operated at maximum capacity.

#### **Shellfish Hygiene**

East of Stucko Clett, Urafirth is located within the shellfish production area of Ura Firth, North Marine which was previously classified for mussels in 2002 as Class 'B'; and for scallops in 2006 as Class 'A'. As regards the biotoxin risk no information is available as for Ura Firth no samples have been analysed since 2006. There is a currently classified shellfish production area approx. 2 km to the south east called Hamar Voe which is currently classified for mussels as Class 'A' April 2018 – end March 2019. As regards the biotoxin risk, Hamar Voe is considered as low risk, however data is only available since 2015, this does not mean that no biotoxins were present, just that there was a low risk of the area being closed for extended time periods for shellfish production due to the presence of toxins over the regulatory limit.

#### **Aquaculture Animal Health**

##### **Site Location**

There is currently one site registered with Marine Scotland Science within 1000m of the site to be modified (see map on page 3). It is situated 142m south east of the site to be modified and is an active Atlantic salmon site, operated by Grieg Seafood Shetland Ltd. This site was visited by the FHI in 2016 at which time it was reported that the site would follow in April 2016 with no further farming planned at the site. However the site remains active on the register.

To the knowledge of the FHI, there are currently no sites proposed in the planning system within 1000m of the site to be modified.

*It should be noted that all measurements are taken from the mid point of site coordinates.*

##### **Authorisation**

Blueshell Mussels 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.

##### **Summary of information required**

There does not appear to be any negative implications on fish or shellfish health from the proposed modifications, to increase the number of longlines from three, 300 metre, twin-headline longlines to seven at the East of Stucko site in Urafirth Shetland. No further information is required.



Notes to applicants:

*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 apply for authorisation for an APB or to amend details of an existing APB or any site that an APB is authorised to operate at, you are advised to contact the FHI as follows: Fish Health Inspectorate, Marine Scotland Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: [REDACTED]; Email: [REDACTED]*

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

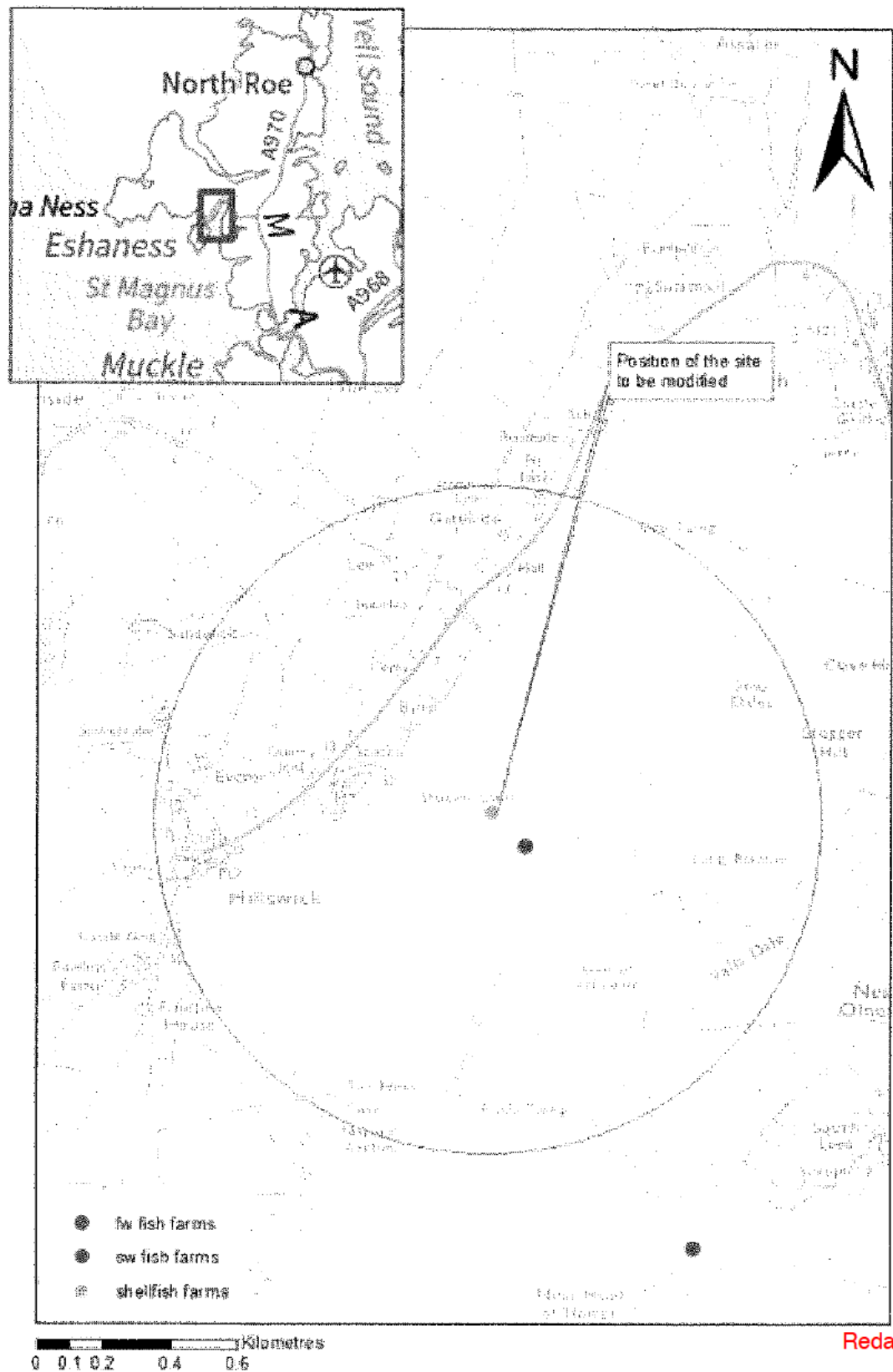
Yours sincerely

Marine Scotland Science

Appended:

Map: Aquaculture sites in the vicinity of the site to be modified, East of Stucko, Urafirth, Shetland by Blueshell Mussels Ltd.

Map showing aquaculture sites in the vicinity of the site to be modified. East of Stucko, Urafirth, Shetland by Blueshell Mussels Ltd.



Reda



05 October 2018

Redacted

Coastal Zone Management Service,  
Shetland Islands Council Planning Service,  
Train Shetland,  
North Gremista Industrial Estate,  
Lerwick,  
Shetland  
ZE1 0PX

Dear Redacted

Planning Application Ref: 2018/020/MAR

**Proposal:** To extend an existing shellfish farm by siting an additional four 300m twin-headline longlines to be used for on-growing of mussels, East Of Stucko, Clett, Urafirth, Northmavine

**Applicant:** Redacted

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). The presence of one or more mussel farms, by providing an abundant food source, can attract eiders into areas where they were formerly scarce, particularly in spring
- 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 70% to a current population of about 4,600 individuals.
- 1.4 Eiders are fully protected under the Wildlife and Countryside Act 1981 and Nature Conservation (Scotland) Act 2004.

Shetland Office  
Sumburgh Head Lighthouse  
Vikie  
Shetland  
ZE3 9JN

Tel: [Redacted]  
Fax: [Redacted]  
Twitter: [Redacted]  
RSPB: [Redacted]



The RSPB is part of BirdLife International,  
a partnership of conservation organisations  
working to give nature a home around the world.

## 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 and I should be grateful if you would let me know the outcome of this application.

Yours sincerely



Redacted

Assistant Conservation Officer

**From** Redacted  
**Sent:** 16 Oct 2018 14:43:37 +0100  
**To:** Redacted  
**Subject:** Planning application 2018/020/MAR

After consultation with our licensed members, Shetland Shellfish Management Organisation have no objection to planning application 2018/020/MAR provided that the site is adequately marked and lit for navigational safety.

Redacted

Redacted

SSMO

Shetland Seafood Centre

Stewart Building

LERWICK

ZE1 0LL



# Northern Lighthouse Board

Your Ref: 2018/020/MAR  
Our Ref: AL/OPS/ML/F081\_18

54 George Street  
Edinburgh EH2 3DA

Switchboard:

Pass:

Website: [www.nlb.org.uk](http://www.nlb.org.uk)

Email:



Mr Redacted  
Planning Officer  
Shetland Island Council  
8 North Ness Business Park  
Lerwick  
ZE1 0LZ

21 September 2018

Dear Redacted

**TOWN & COUNTRY PLANNING (SCOTLAND) ACTS  
BLUESHELL MUSSELS LTD – EXISTING SITE EXTENSION – EAST OF STUCKO  
CLETT, URAFIRTH, SHETLAND**

Thank you for your e-mail correspondence dated 21<sup>st</sup> September 2018 regarding the application by Blueshell Mussels Ltd to extend their existing mussel farm East of Stucko Clett, Urafirth, Shetland.

We note that this proposal will extend the site further into Urafirth. However, it is considered there is still sufficient sea room to the east of the site, and therefore does not restrict navigation significantly.

Northern Lighthouse Board has no objections to the proposed extension and recommends the following:

- The existing lighting and marking requirements (re-stated below) remain valid, with the two lit yellow Special Mark buoys being re-positioned to reflect the addition of four longlines to the site.
- The site should be marked with 2 lit yellow Special Mark buoys fitted with yellow 'X' topmarks.
- Each light should display a character of group flash (four) yellow every twelve seconds (Fl(4) Y 12s) with a nominal range of 2 nautical miles, and be installed above the 'X' topmark.
- The buoys should be positioned seaward of the Easterly and Southerly extents of the Easterly longline.
- The buoy diameter should be approximately 1 metre at the waterline with the focal plane of the light 2 metres above that level, the 'X' topmark should be ≥ 50cm length by 7.5cm width.
- A weekly check of the site's marking equipment shall be performed and records kept of its physical and working status for audit purposes.
- Outlying anchor points should not be marked with buoys, unless specifically requested by local users, and alternative means to locate anchors should be utilised.

For the safety of all

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

1000000000

- Loose floating lines around site equipment are strongly discouraged as this can cause serious safety implications for other mariners.
- The UK Hydrographic Office should be notified by **Blueshell Mussels Ltd** and all information regarding the site positions forwarded in order that Chart BA 3295 can be correctly updated.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Redacted

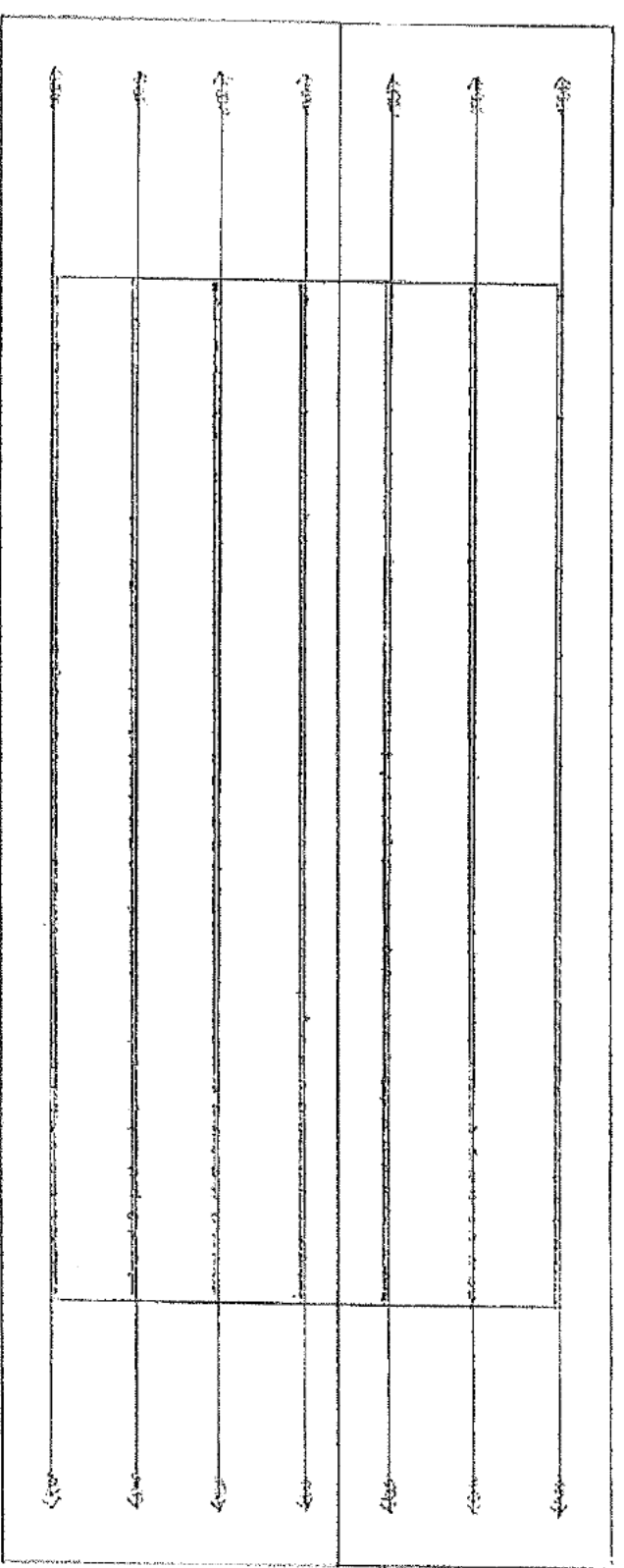






450

W x M - 2.4  
 100  
 20 x M - 2.4 x 2



10  
 25  
 25  
 15

15  
 60  
 300

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

SITE PLAN FOR EXTENSION TO EXISTING SITE AT WATFORD NORTHMANUS SCALE 1:2000

HEAD OF PLANNING  
 15 NOV 2018  
 SIGNED  
 Redacted

CROSS SECTION OF SITE SHOWING CONTINUOUS COLLECTOR OF WASTEWATER ROADS WITHIN



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  
MATERIAL DECISION NOTICE

HEAD OF PLANNING

15 NOV 2018

SIGNED:

Redacted

URAFIRTH, NORTHMAVINE

ANCHORS: 1000kg Single Fluke Fish-farm Anchors

CHAIN: 27.5m x 36mm chain

ANCHOR ROPE: 40m x 40mm Seasteel Rope

HEADLINES: 300m x 32mm Black 3 strand rope

HEADLINE SPACING: 25 metres

FLOATS: Dark Grey or Black GEM or XPLORA make at up to one per metre

DROPPERS: Single or continuous spaced minimum distance of 300mm at depth up to 1 metre less than distance to seabed

GRANT OF PLANNING PERMISSION  
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COUNTRY PLANNING (SCOTLAND) ACT  
1997 IN ACCORDANCE WITH THE  
ATTACHED DECISION NOTICE

HEAD OF PLANNING

15 NOV 2018

Redacted

SIGNED



## **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**

Blueshell Mussels Ltd  
Sparl  
Brae  
Shetland  
ZE2 9QJ

**Reference Number:** 2018/020/MAR

**Development:** To extend an existing shellfish farm by siting an additional four 300m twin-headline longlines to be used for on-growing of mussels

**Location:** East Of Stuko Clett, Urafirth, Northmavine

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

- |                                    |                             |
|------------------------------------|-----------------------------|
| • Admiralty Chart Location Plan 01 | Stamped Received 17.09.2018 |
| • Site Plan 02 Stamped             | Received 17.09.2018         |
| • Longline Section 03              | Stamped Received 17.09.2018 |
| • Longline Specification 04        | Stamped Received 17.09.2018 |

Development Services  
Shetland Islands Council  
8 North Ness Business Park  
Lerwick  
Shetland  
ZE1 0LZ

<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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Redacted

## **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  
8 North Ness Business Park  
Lerwick  
Shetland  
ZE1 0LZ

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.) Marine development in this locality has been previously established with the granting of planning permission for aquaculture development. The application process has demonstrated that the proposed mussel farm subject to appropriate planning conditions is, on balance, an acceptable use of the site. In particular, condition no. 4 will ensure landscape and visual impacts will not be significant whilst condition no. 5 will ensure that the development will not have an unacceptable adverse effect on natural environment interests. Furthermore, there are no known historic environment assets of national or local importance in the immediate vicinity of the application site and the siting of the farm as proposed is not likely to result in any significant conflict with any other established marine use.

The proposal complies with the Scottish Planning Policy (2014), policies GEN 1, GEN 2, GEN 3, GEN 4, GEN 7, GEN 9, GEN 21, AQUACULTURE 1 and AQUACULTURE 5, of Scotland's National Marine Plan (2015), with policy CST1 of the Shetland Local Development Plan 2014, with policies G1, S1 and S3 of Shetland Islands Council Supplementary Guidance - Aquaculture (2017) and with policies MSP HER4, MSP HER6, MSP HER9, MSP HER10, MSP FISH1 and MSP AQ1 of Shetland Islands' Marine Spatial Plan Supplementary Guidance (Fourth Edition 2015).

### **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) The following navigational marks shall be provided:

The site shall be marked with 2 lit yellow Special Mark buoys fitted with yellow 'X' topmarks.

Each light shall display a character of group flash (four) yellow every twelve seconds (Fl(4) Y 12s) with a nominal range of 2 nautical miles, and be installed above the 'X' topmark.

The buoys shall be positioned seaward of the Easterly and Southerly extents of the Easterly longline.

The diameter of the buoys shall be approximately 1 metre at the waterline with the focal plane of the lights 2 metres above that level, the 'X' topmarks shall be 50cm length by 7.5cm 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.

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

Reason: To minimise the visual impact of the development.

- ( 5) 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.

- ( 6) In the event of any equipment approved by this permission falling into disrepair or becoming damaged, adrift, stranded, abandoned or sunk in such a manner as to cause an obstruction or danger to navigation, the developer shall carry out or make suitable arrangements for the carrying out of all measures necessary for lighting, buoying, raising, repairing, moving or

destroying, as appropriate, the whole or any part of the equipment so as to remove the obstruction or danger to navigation.

For the avoidance of doubt, where the surface/ sub-surface equipment approved by this permission is wholly removed for the purposes of cleaning, repair, replacement, fallowing or any other reason, any anchors which remain in situ must be marked with surface buoys.

Reason: In the interest of navigational safety.

- ( 7) 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 along with all moorings and anchors and the site restored to the satisfaction of the Planning Authority within 4 months of being notified, unless agreed otherwise in writing by the Planning Authority. For the avoidance of doubt, under such circumstances the permission so granted will cease.

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

#### **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:

- o 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;
- o 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;
- o 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;
- o The anti-predator netting must have a mesh size of 70mm to avoid entangling and drowning diving birds;
- o 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;



- o The operator should keep records of any animals that are by-caught in the anti-predator netting and submit an annual report to the Planning Authority 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 apply for authorisation for an APB or to amend details of an existing APB or any site that an APB is authorised to operate at, you are advised to contact the FHI as follows: Fish Health Inspectorate, Marine Scotland Marine Laboratory, PO Box 101, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: 01224 295525; Email: [ms.fishhealth@gov.scot](mailto:ms.fishhealth@gov.scot)

### **Marine Licensing**

All marine farms, whether finfish, shellfish or algal, are required to apply for a marine licence under Part 4 of the Marine (Scotland) Act 2010. To apply for a marine licence, or to amend details of an existing marine licence (formally Coast Protection Act 1949 - Section 34 consent), please visit the Scottish Government's website at <http://www.gov.scot/Topics/marine/Licensing/marine/Applications> where application forms and guidance can be found. Alternatively you can contact the Marine Scotland Licensing Operations Team (MS-LOT) by emailing [MS.MarineLicensing@gov.scot](mailto:MS.MarineLicensing@gov.scot); or calling 01224 295 579.

### **Seabed Lease**

Under the terms of the Crown Estate Act 1961, a seabed lease is required for the development hereby permitted. To obtain or update a seabed lease you are advised to contact Crown Estate Scotland as follows: Aquaculture Lease Co-ordinator, Crown Estate Scotland, 6 Bell's Brae, Edinburgh EH4 3BJ. Tel: 0131 260 6078; Email: [emma.riach@crownestatescotland.com](mailto:emma.riach@crownestatescotland.com)

### **Non-marking anchors (equipment deployed)**

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: AL/OPS/ML/F081\_18.

The UK Hydrographic Office should also be notified and all information regarding site positions forwarded in order that Chart BA 3295 can be correctly updated.

#### **Notice of completion of development**

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

14 November 2018

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<b>Planning Ref:</b>	2018/020/MAR
<b>Proposed Development:</b>	To extend an existing shellfish farm by siting an additional four 300m twin-headline longlines to be used for on-growing of mussels
<b>Applicant:</b>	Blueshell Mussels Ltd
<b>Planning Officer:</b>	Redacted

## Natural Heritage Officer Consultation Response

The proposed development is an extension to the site under application 2018/003/MAR that I responded to earlier this year and my comments on that application are relevant to this application so I attach them below. There will be correspondingly greater landscape impacts from the larger farm.

In response to the question on the application form "What methods will be used to control the impacts of predatory wildlife" the applicant states: "UNLIKELY, BUT IN ANY INSTANCE, WILL BE IN FULL COMPLIANCE WITH RSPB, SNH, ETC". Prior to determining this application please ask for a full specification of what is intended to be used, since you cannot condition compliance with other bodies' policies or practices so the Council will not be able to enforce any non-compliance. Also, I cannot assess any impact in terms of what I said previously at paragraph 2, below. Please let me have sight of these details.

### Comments on application 2018/003/MAR

1. The proposed development is located approx. 2 km south-east of the Local Nature Conservation Site at Long Ayre and the Wadill, designated for locally rare and nationally scarce plant species. I cannot envisage that the proposed development would in any way impact upon this site. There are no other natural heritage designations in the vicinity of the proposed development.

2. With regard to Eider, this species is considered to have low sensitivity to visual disturbance caused by vessel movements. At the same time, mussel farms create new feeding opportunities for eiders, which are attracted to the ropes to feed on the mussels themselves and other associated species. I have no knowledge of whether Eider are regularly present at this location but would assume there is, at least, the potential for interaction that may be negative in its impacts. I note RSPB's comments dated 9 March 2018 regarding Eider, especially with regard to its request that the proposed development does not use lethal methods of reducing eider predation of mussels (including shooting and the use of anti-predator nets, deployed in such a way that eiders may become entangled). I should echo that request but I note that I do not see in the application any information about how interactions with eiders will be dealt with. I feel that it would be most helpful if the applicants could specify their anti-predator strategy and I would state that it should utilise only non-lethal methods

3. The proposed development is located approx. ½ km north of the northern boundary of the Esha Ness area of the Shetland Islands National Scenic Area, particularly that part formed by the Ness of Hillswick. As such, it will be visible from the west shore of Urafirth to the north of the development site, looking south. Here it will be viewed in the foreground to middle distance (depending on one's position), with the NSA as a backdrop. Similarly, it will be visible from within the NSA when looking north from the

Ness of Hillswick, which is a popular area for walking and informal recreation. From here the views will include Ronas Hill, which is notified as Wild Land and also a proposed Local Landscape Area under the Shetland Local Development Plan. The extreme west coastal edge of Nibon and Mangaster proposed LLA will also be visible from some viewpoints along the west shore of Ura Firth looking south-south-east with the proposed development in the foreground to middle distance and the reverse is true from the coast of the proposed LLA, looking NNE.

4. When looking south over the proposal site, towards the NSA, the special qualities that appear to be particularly relevant to my consideration of this proposal as regards this area of the NSA are:

Coastal views both close and distant  
A sense of remoteness, solitude and tranquillity  
Northern light

5. Looking north, into the NSA, the view is of fairly low-lying and distant coast becoming relatively higher and more rolling as one's position moves north. The proposed mussel farm will be visible and will appear somewhat alien; it may also disproportionately impact one's views of Muckle Roe (also an NSA area), the southern shore of St Magnus Bay and Papa Stour to the south simply because, from some viewpoints in this area, these are so low lying and distant on the horizon (15-20 km away) that the mussel floats may appear a similar scale, due to perspective, when viewed from certain points. However, I do not feel that it will be sufficiently intrusive overall to cause significant adverse impact on coastal views of the area. Similarly, the proposal is unlikely to have more than a minor impact on the area's sense of remoteness, solitude and tranquillity. I couldn't find details of the proposed development's navigation lighting but should expect it will only have a minimal impact on one's appreciation of the area's northern light. Overall, it will not significantly affect those special qualities of the NSA from these viewpoints.

6. When looking north, from the NSA along Ura Firth and towards Ronas Hill, the views are more spectacular and varied, with the settled area from Gateside to Swarthoull appearing to be nestled below Ronas Hill and the settlement of Urafirth on the lower slopes of The Dale, to the east. Ronas Hill is designated Wild Land, however, I do not feel that the proposal will have a measurable impact on the qualities for which the area was notified, either in terms of views towards the Wild Land area or in terms of views from the Wild Land area towards the proposed development. As such, no formal assessment of impact on the Ronas Hill Wild Land area is required.

7. Ronas Hill is also a proposed Local Landscape Area, which was approved by the Council on 10/12/2012 for consultation with the public and stakeholders as part of the draft Supplementary Guidance; that SG has not yet been adopted. The Key characteristics of the LLA are:

- A Shetland landmark, the highest point of the islands
- Distinctive red granite geology is clearly expressed
- Largely empty, uninhabited hills and moors
- Rocky plateau, steep cliffs, and other rugged features

8. I do not believe the proposal will have any measurable impact on any of these key characteristics, either in terms of views towards the proposed LLA or looking out from the proposed LLA towards the proposed development.

9. Regarding the Nibon and Mangaster proposed LLA, the key characteristics relevant to my consideration of this application are:

- Sequence of long views along voes and sudden opening of wide panoramas.
- Intricate coastal edge with an array of features and colours.
- Panoramic views across St Magnus Bay.

10. Whilst the development may appear somewhat alien when viewed from the west coast of Ura Firth or, perhaps, from within the proposed LLA, I do not feel there will be any significant impact on any of these key characteristics.

11. Finally, the development will be visible in the landscape as a whole and will have some impact on the landscape features and interactions around Ura Firth. However, it will generally be viewed at a distance and, though it may appear somewhat alien from some of these viewpoints, I do not feel that it will be sufficiently intrusive to cause significant adverse impact in the landscape as a whole.

## DESIGN STATEMENT

- 1) The site will use light grey mussel floats placed at equal spacing to form a neat linear shape and reduce visual impact
- 2) The line shall be aligned with the shore as per recommendations
- 3) The site continues the similar pattern of established approved sites
- 4) The site will be serviced from an existing harbour at Sparl. As a result, no new access roads or parking will be required and in turn, the viability, maintenance and existence of current facilities will be supported
- 5) The site will have less visual impact and much less activity than the salmon activity that also takes place in the area
- 6) The site is positioned to blend the longlines into the shore landform
- 7) Mussels provide environmental enhancement by their normal water filtration
- 8) Mussel lines provide a sheltered habitat and protection for juvenile fish and birds. This is well proven by the numbers of small fish observed on sites and fledgling birds resting on the floats whilst adapting their flying skills. Wildlife such as birds and even seals regularly use lines as a resting points and their existence preserves the seabed.
- 9) The site will provide economic development by a renewable method. The site will be designated as 'Friend of the Sea' and 'Marine Stewardship Council' as the rest of Blueshell Mussels managed sites.