

GRANT PLANNING PERMISSION
DELEGATED DECISION



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1997 (as amended) ("The Act")

Ref: 15/514/MAR

Cooke Aquaculture Scotland
C/o Miss Kirsty Brown
Crowness Rd
Hatston Industrial Estate
Kirkwall
KW15 1RG

With reference to your application registered on 27th October 2015 for planning permission for the following development:-

PROPOSAL: Install a 70 tonne feeding barge to service the existing site and increase the mooring containment area also install submerged maturation lighting to the cages

LOCATION: Carness Bay, Kirkwall, Orkney

Orkney Islands Council in exercise of its powers under the above Act, hereby **Grants Planning Permission subject to the attached terms and conditions and subject to the development hereby permitted commencing within three years of the date of this permission.**

The Council's reasoning for this decision is: The proposed development is located largely within the Broad Area of Search for aquaculture development as identified in the Aquaculture Supplementary Guidance Spatial Policy 1 which states that aquaculture developments within the Broad Area of Search will be supported in principle subject to proposals complying with Development Criteria 1-9. It considered that on balance, the proposed development is acceptable and would comply with relevant development plan policies SD1, N2, N3, N4, N5 & SD8 and the Aquaculture Supplementary Guidance. .

(For further detail you may view the Report of Handling for this case by following the Online Planning link on the Council's web page and entering the reference number for this application).

Please read carefully the Terms and Conditions on the following pages as failure to comply may result in enforcement action.

Decision date: 10th December 2015

Gavin Barr, BSc Hons, MSc URP, MRTPI, Executive Director, Development & Infrastructure, Council Offices, Kirkwall, Orkney, KW15 1NY

TERMS AND CONDITIONS

TERMS

- A. The development hereby approved must be carried out in accordance with the terms and conditions attached to this planning permission and with the approved plans and details identified in Schedule 1.
- B. Failure to implement the permission in accordance with the approved details and attached planning conditions may render the development unauthorised and may result in enforcement action.
- C. No development shall commence on the development hereby approved until the developer has formally advised the Planning Authority in writing of the intended start date. This should be done as soon as practicable. Take note that **failure to submit such a Notice would be a breach of planning control** under section 123(1) of the Act and could result in enforcement action.
- D. To accord with the provisions of Section 27B of the Act, once the development hereby approved is completed, and prior to the development being brought into use, the developer shall submit a completion notice to the Planning Authority.

(To comply with C & D above please use and submit the attached forms to ensure compliance with all of the statutory requirements in this regard. These forms are also available from the planning page on the Council's web site.)

- E. If, at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Planning Authority in advance of implementing any changes to establish whether the proposed changes require any further planning approval.
- F. It should be understood that this permission does not carry with it or supersede the need for any necessary consent or approval for the proposed development under any other statutory enactments, for example the Building (Scotland) Act, the Roads (Scotland) Act 1984, the Water (Scotland) Act 1980, and the Environmental Protection Act 1990.
- G. It is the responsibility of the developer to ensure that services including telephone and electricity lines, water mains and sewers are protected. You should contact the relevant service providers to check whether such services would be affected.

CONDITIONS

01. This site shall be marked by means of a lit yellow pole, flashing group four yellow every twelve seconds, (Fl(4) Y 12s) and fitted with a yellow multiplication cross topmark. The pole should be positioned at the midpoint of the most seaward side of the group of cages. The pole used should be at least 75mm in diameter and not less than 1 metre in height above the site equipment hand rails, the light should be installed on the top of the pole; the visible range of the light should be two nautical miles. The pole should be positioned such that it can be clearly seen by vessels approaching from all navigable directions. The multiplication cross should measure a minimum of 50cm in length by 7.5cm in width and be installed below the light.

Reason: In the interest of safe navigation

02. The feed barge hereby approved shall exhibit an all-round fixed white light, which should be exhibited from a point at least 1 metre above any obstruction. The visible range of the light should be 2 nautical miles.

Reason: In the interest of safe navigation

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

Reason: To minimise the visual impact of the development

04. In the event of barge or 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, the whole or any part of the equipment, as agreed, in writing, with the Planning Authority.

Reason: To ensure that the development does not cause a danger to other users of the area.

05. In the event that the associated fish farm which this feed barge will supply ceases to be in operational use for the growing of finfish for a period exceeding three years, equipment shall be wholly removed and the site restored to the satisfaction of the Planning Authority within 4 months of being notified, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the development is removed, in full, from the site once operational use has ceased ensuring the development will not adversely affect the area.

06. The feed barge and extended moorings containment area approved by this permission shall be wholly contained within the area identified on the Admiralty Chart received as part of the Planning Application submission, the approved mooring containment area being:

MCA NE extremity: 59 00.714 N 02 55.153 W
 SE extremity: 59 00.774 N 02 55.355 W
 SW extremity: 59 00.468 N 02 55.432 W
 NW extremity: 59 00.527 N 02 55.631 W

Barge 59.00.527N 02 55.510W

Reason: To ensure the development is moored in accordance with the submitted co-ordinates.

07. Each cage shall be fitted with no more than 3 x 400w maturing lights, suspended a minimum of 2m under the water surface and used only between the period December 1st to April 1st and between the hours of 4pm and 9am daily.

Reason: In the interest of visual amenity.

08. The feed barge shall be retained in its present colour grey, throughout its lifetime, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of the visual amenity of the area.

Informatives

01. 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 HealthInspectorate, Marine Scotland Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: 01224 295525; Email: ms.fishhealth@gov.scot

02. 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; or calling 01224 295 579.

SCHEDULE 1 – PLANS, VARIATIONS AND ANY OBLIGATION

1. Plans and Drawings

The plans and drawings to which this decision relates are those identified below:

Location Plan	OIC-01	1
Site Plan	OIC-02	1
Site Plan	OIC-03	1
Elevations	OIC-04	1
Other	OIC-05	1

2. Variations

If there have been any variations made to the application in accordance with section 32A of the Act these are specified below:

Date of Amendment:
Reasons

3. Legal Obligation

Has any obligation been entered into under section 75 of the Act? – N

If such an obligation has been entered into, the terms of such obligation or a summary of such terms may be inspected by contacting Legal Services.

RIGHT TO SEEK A REVIEW

If you are unhappy with the terms of this decision you have a right to ask for a review of your planning decision by following the procedure specified below.

PROCEDURE FOR REQUESTING A REVIEW BY THE LOCAL REVIEW BODY

1. If the applicant is aggrieved by the decision of the Appointed Officer to:
 - a. Refuse any application, or
 - b. Grant permission subject to conditions.

In accordance with the Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations, the applicant may apply to the Local Review Body within three months from the date of this notice for a review of that decision.

2. Forms to request a review are available from either address below, or from <http://www.orkney.gov.uk/Service-Directory/D/appeal-a-decision.htm>.

Completed forms to request a review should be submitted to the address below:

Committee Services
Chief Executive's Service
Orkney Islands Council
Council Offices
School Place
KIRKWALL
Orkney
KW15 1NY

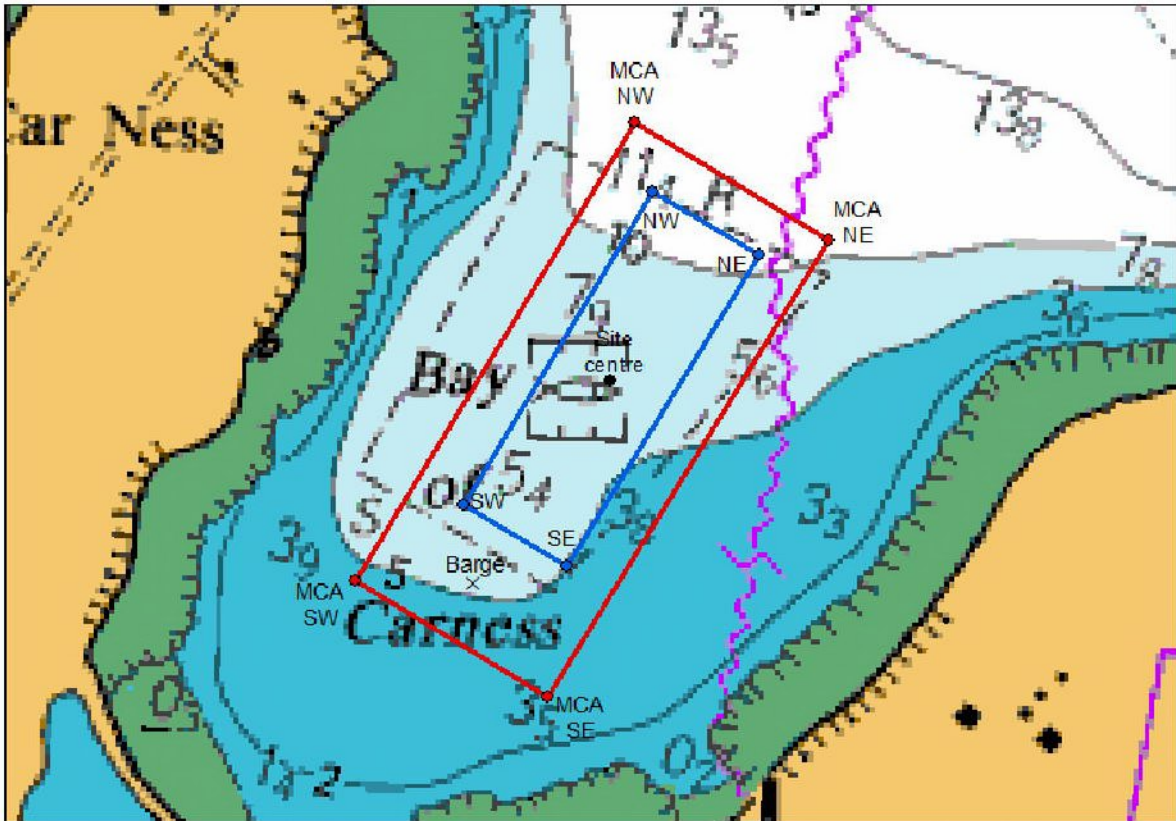
and at the same time a copy of the notice for a review should be sent to:

Planning Manager (Development Management)
Development and Infrastructure
Orkney Islands Council
Council Offices
School Place
KIRKWALL
Orkney
KW15 1NY

Email: planning@orkney.gov.uk

3. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by 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 Act.

Admiralty Chart showing proposed Carness Bay coordinates



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- Site Centre
- × Barge
- Cage Corners
- MCA
- Cage Corners
- MCA

Coordinate System: WGS 1984 Transverse Mercator
 Projection: Transverse Mercator
 Datum: WGS 1984
 false easting: 0.0000
 false northing: 0.0000
 central meridian: -1.3500
 scale factor: 1.0000
 latitude of origin: 0.0000
 Units: Meter

		Latitude	Longitude
MCA	NE	59° 00.714' N	02° 55.153' W
	NW	59° 00.774' N	02° 55.355' W
	SE	59° 00.468' N	02° 55.432' W
	SW	59° 00.527' N	02° 55.631' W
Cage Corners	NE	59° 00.705' N	02° 55.225' W
	NW	59° 00.737' N	02° 55.335' W
	SE	59° 00.538' N	02° 55.415' W
	SW	59° 00.569' N	02° 55.522' W
Barge		59° 00.527' N	02° 55.510' W
Site Centre		59° 00.637' N	02° 55.374' W

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 Town & Country Planning
 Planning (Scotland) Acts

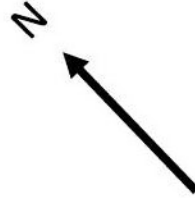
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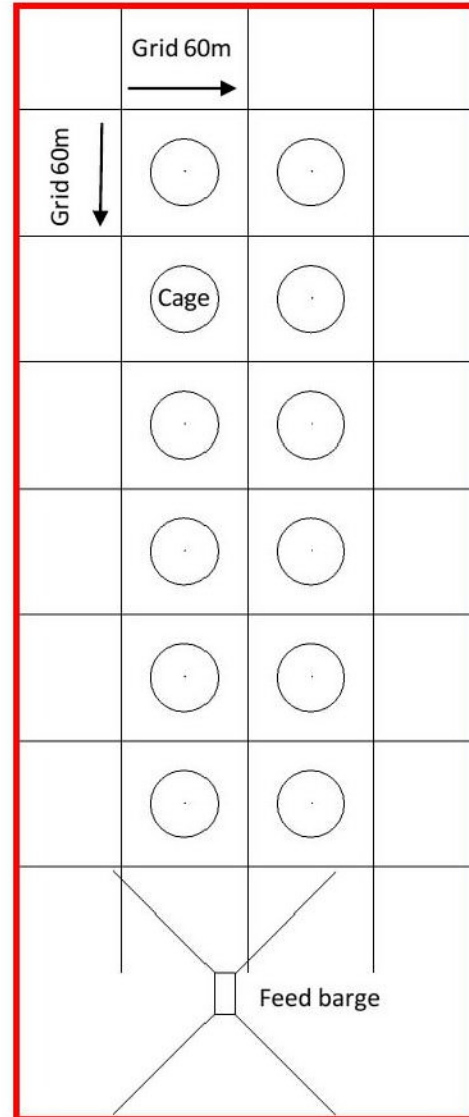
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CARNESS SITE PLAN

North Moorings: 34m x 50mm Seasteel rope + 14m x 48mm Studlink chain + 1 tonne anchor (2m). Total horizontal length = 50m



West Moorings: 34m x 50mm Seasteel rope + 14m x 48mm Studlink chain + 1 tonne anchor (2m). Total horizontal length = 50m



East Moorings: 34m x 50mm Seasteel rope + 14m x 48mm Studlink chain + 1 tonne anchor (2m). Total horizontal length = 50m

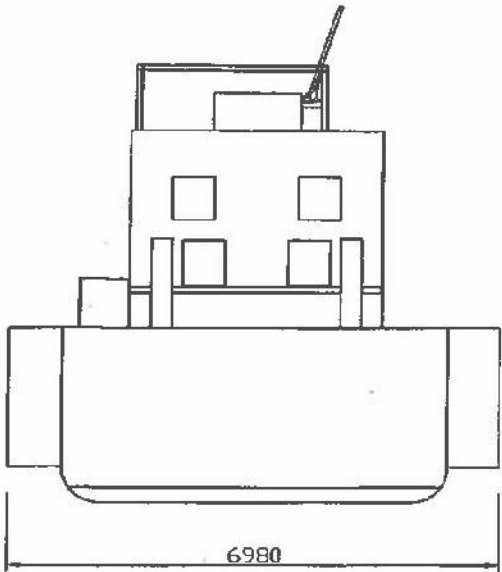
MCA 530 x 220m

Cage: 100m circumference ($r = 19m$)

Feed barge moorings (per corner mooring):
22m x 32mm riser tube + 44m x 48mm ground chain + 1 tonne anchor (2m). Total horizontal length = 68m



South Moorings: 34m x 50mm Seasteel rope + 14m x 48mm Studlink chain + 1 tonne anchor (2m). Total horizontal length = 50m



MAINSTREAM
4 HOPPER FEED BARGE
MAY 2008

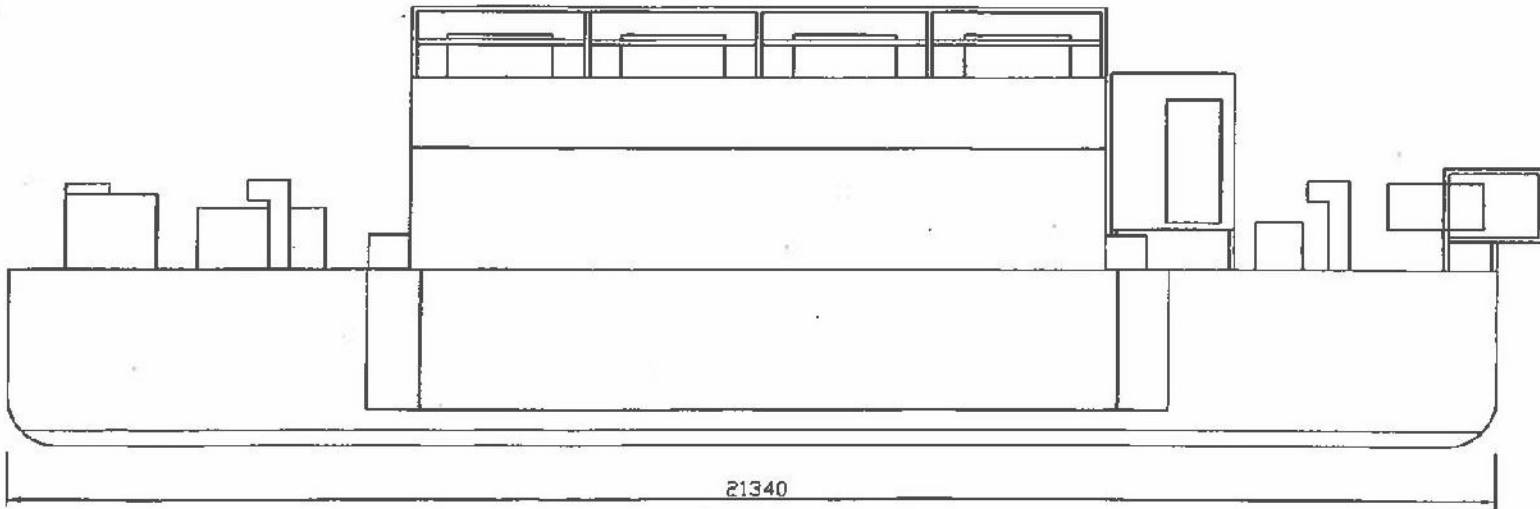
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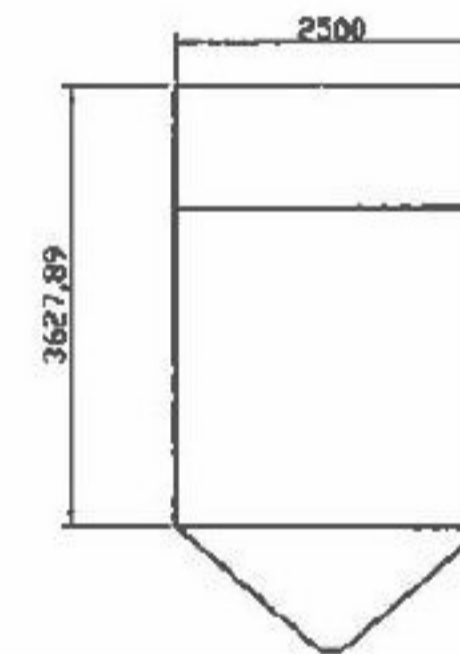
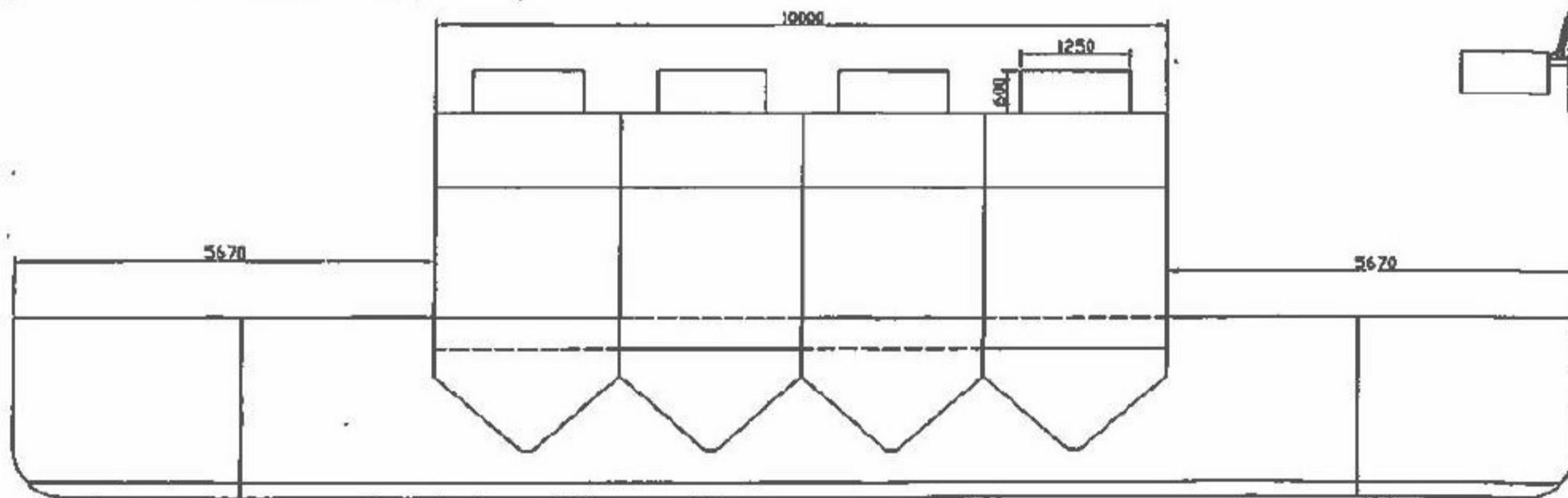
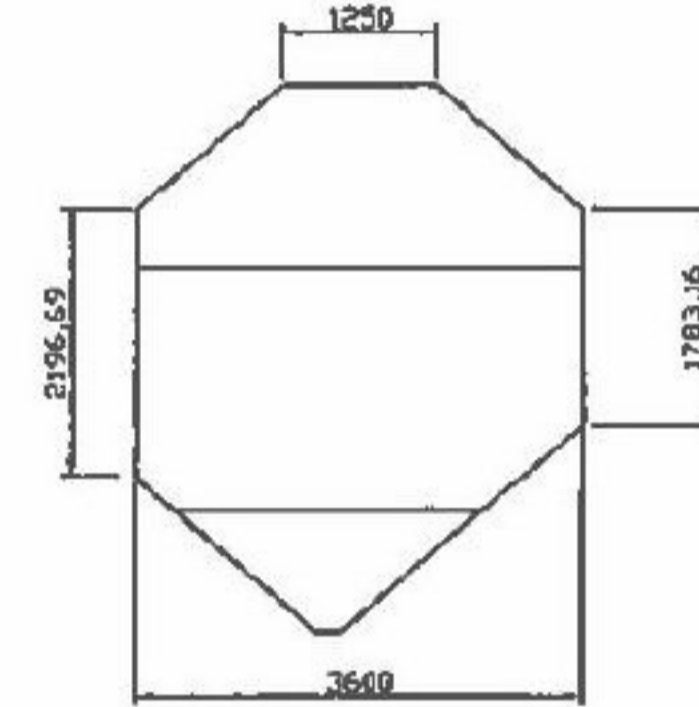
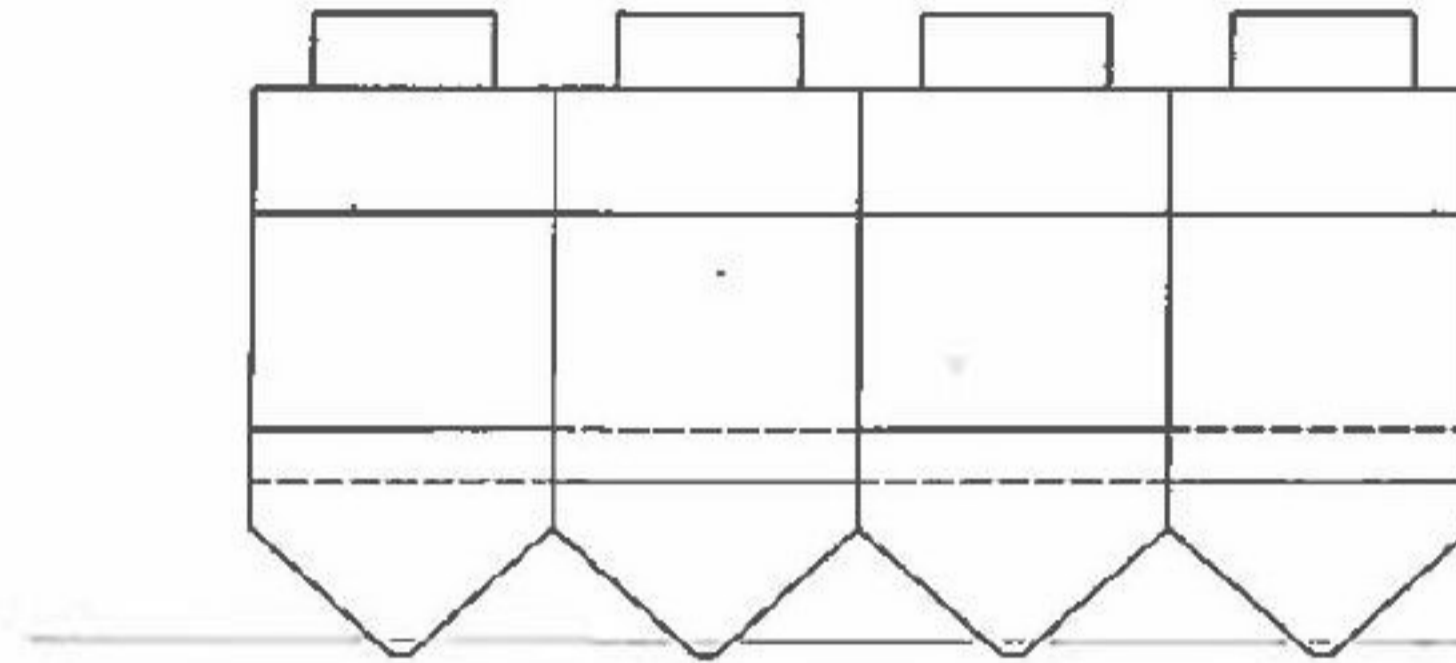
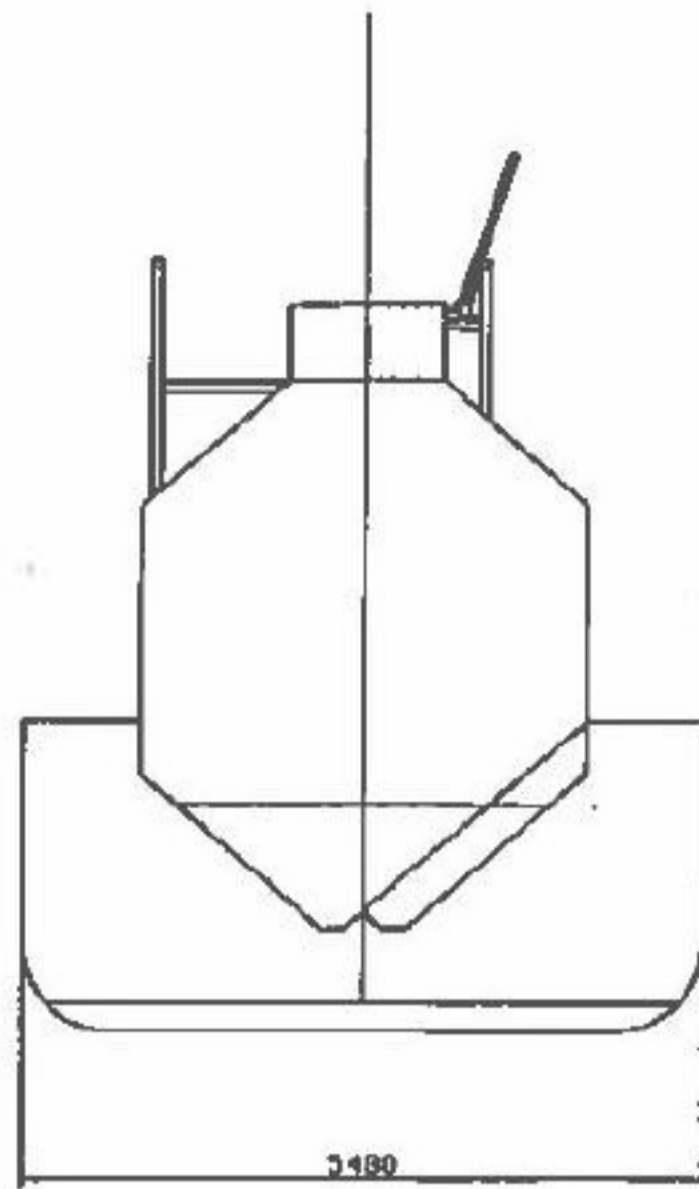


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Pisces 400

Cage lighting for photoperiod manipulation.

Pisces 400 is a submersible, pendant, fish cage illuminator with an outstanding record of reliability season after season.

The luminaire embodies a 400 watt, metal halide lamp, offering an output closely resembling natural daylight. It is self contained, streamlined and corrosion proof.

Pisces is designed for vertical suspension, with a lifting eye alongside the cable entry point. The power feed cable presents a polyurethane jacket against corrosion and abrasion by fish stock. The cable interfaces with the luminaire body at a diving industry proven connector assembly, allowing replacement of the cable in the event of damage. Topside termination of the power cable is generally at a Cee type I.P.67 connector.

SPECIFICATION

> Weight in air	11.5 Kg (25.4lb)
> Approx. weight in water	7 Kg (15.4lb)
> Dimensions	750mm overall length (including handle) x 155mm dia.
> Max. depth of operation	30 metres
> Construction	Worked borosilicate wellglass. All plastic body and handle
> Working voltage	230v AC + 6% max -6% min. 50Hz. Power should be fed to the luminaire via a current circuit breaker, housed within a waterproof enclosure & attached to the topside cage structure
> Start up current	3.1 amps
> Running current	2.0 amps
> Lamp type	Type P3-400 MH Metal halide E40 Coated
> Light output	33,900 lumens @ 100hr
> Lamp colour temperature	3700 K
> Typical warm up time	4 mins
> Light pattern	Vertical plane: + 20° through 340° Horizontal plane: 360°



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