

marinescotland

T: +44 (0)1224 295579
E: ms.marinelicensing@gov.scot



Marine Licence Application for Finfish and Shellfish Farms

Version 1.0

Marine (Scotland) Act 2010



Acronyms

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

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

Explanatory Notes

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

1. Applicant Details

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

2. Agent Details

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

3. Payment

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

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

4. Application Type

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

5. Marine Farm Details

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

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

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

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

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

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

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

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

6. Planning Permission

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

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

7. Scotland's National Marine Plan

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

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

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

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

9. Associated Works

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

Marine Licence Application for Finfish and Shellfish Farms

Version 1.0

Marine (Scotland) Act 2010

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

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

Public Register

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

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

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

WARNING

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

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

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

Declaration

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

Signature



Date

04.04.2021

Name in BLOCK LETTERS

John Michael Laurenson

Application Check List

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

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

1. Applicant Details

Title: **Mr** Initials: **I H** Surname: **Johnson**

Trading Title (if appropriate):

Address: **8 Skelladale, Brae, Shetland, ZE2 9QQ**

Name of contact (if different):

Telephone No. (inc. dialing code): **01806522367**

Email:

Statutory Harbour Authority? YES ☐ NO ☒

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

2. Agent Details (if any)

Title: **Mr** Initials: **J M** Surname: **Laurenson**

Trading Title (if appropriate): **Blueshell Mussels Limited**

Address: **Sparl, Brae, Shetland, ZE2 9QJ**

Name of contact (if different):

Telephone No. (inc. dialing code): **01806520000**

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
(enlargement of existing site)	

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	330 metre twin-headline
Feed barges		
Feedpipes (to shore)		
Grid moorings		8
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):

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

£1200

(f) Location:

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

(g) Is the marine farm located within the jurisdiction of a statutory harbour authority

YES ☐ NO ☒

If YES, please specify statutory harbour authority:

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

The site has been in existing location since 2011.

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

6. Planning Permission

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

YES ☒ NO ☐

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

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

7. Scotland's National Marine Plan

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

YES ☒ NO ☐

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

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

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

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

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

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

N/a

8. Consultation

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

Shetland Shellfish Management Organisation
Shetland Fishermen's Association
Marine Scotland: Science
Local Community Council
Northern Lighthouse Board
Naturescot
Shetland Public through advert in 'The Shetland Times'
Shetland Islands Council Ports & Harbours

9. Associated Works

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

N/a

T: +44 (0)131 244 4013 F: +44 (0)131 244 0944
Email: MS.FFPlanning@gov.scot

Our ref: FFP-22-008
Your ref: 2022/004/MAR

17/02/2022

Dear Mr Leask

To extend an existing 4 x 200m twin-headline longline shellfish farm (planning permission 2011/014/NS) by increasing longline length to 330m in a northerly direction to be used for the production of mussels, Stromness Voe (Site 1) Shetland.

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

Environmental Impacts

This application for 4 x 330m twin headed longlines has a proposed biomass of 240t, however it is noted that longlines of this length have the potential to support a biomass slightly higher than that being proposed.

MSS would normally recommend caution if shellfish farming has the potential to filter >50% of the water exchanged by tidal process in a region of restricted exchange such as a Shetland Voe. From the information available to us the (potential) biomass would have the potential to filter 50% - 60% of the water exchanged in Stromness Voe.

It is noted that the applicant has submitted an additional application for this site (2022/005/MAR) to vary Condition 7 of planning permission 2011/041/NS by deleting the first two bullet points of the condition relating to the requirement for sequential deployment of longlines at the site and restrictions relative to operation of Site 2, Stromness Voe respectively. In addition, there have also been applications submitted in relation to Site 2, Stromness Voe which seek permission to increase mussel longline length (2022/006/MAR) and also to vary condition no. 7 of planning permission 2011/013/VS by deleting the second sentence of the condition relating to the requirement for sequential deployment of longlines at the site (2022/007/MAR). MSS would normally recommend caution if shellfish farming has the potential to filter >50% of the water exchanged by tidal process in a region of restricted exchange such as a Shetland Voe. From the information available to us the (potential) biomass would have the potential to filter 70% of the water exchanged in Stromness Voe should permission be granted for all applications relating to Site 1 and Site 2.

Shellfish Hygiene

Site 1 & 2 South Stromness Voe, Whiteness are located within the shellfish production area of Stromness Voe which is currently classified for mussels as Class 'A' April 2021 – end March 2022. As regards the biotoxin risk, Stromness Voe is considered low risk, this does not mean that no biotoxins are present, just that there is 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 are currently three sites registered with Marine Scotland Science within 1000m of the site to be modified (see map on page #). The first is situated ~300m south of the site to be modified and is an inactive salmon site, operated by Scottish Sea Farms Ltd. The second is situated ~600m north of the site to be modified and is an inactive salmon site, operated by Scottish Sea Farms Ltd. The third is situated ~900m south west of the site to be modified and is an active mussel site, operated by Pund Shellfish.

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

The site is authorised with Marine Scotland under the business Pund Shellfish. If this site is to be included under Blueshell Mussels Ltd in the future please contact the Fish Health Inspectorate at Marine Scotland to update the business authorisation. The company should ensure that any changes to operations on site do not contradict the authorisation conditions. There does not appear to be any negative implications on fish or shellfish health from the proposed modifications, to extend the 4 longline by 130m in a northerly direction at the Site 1, South Stromness Voe site in Shetland.

Summary

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: 0131 244 3498; Email: ms.fishhealth@gov.scot

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 0300 244 5046.

Marine Laboratory, 375 Victoria Road,
Aberdeen AB11 9DB
www.gov.scot/marinescotland



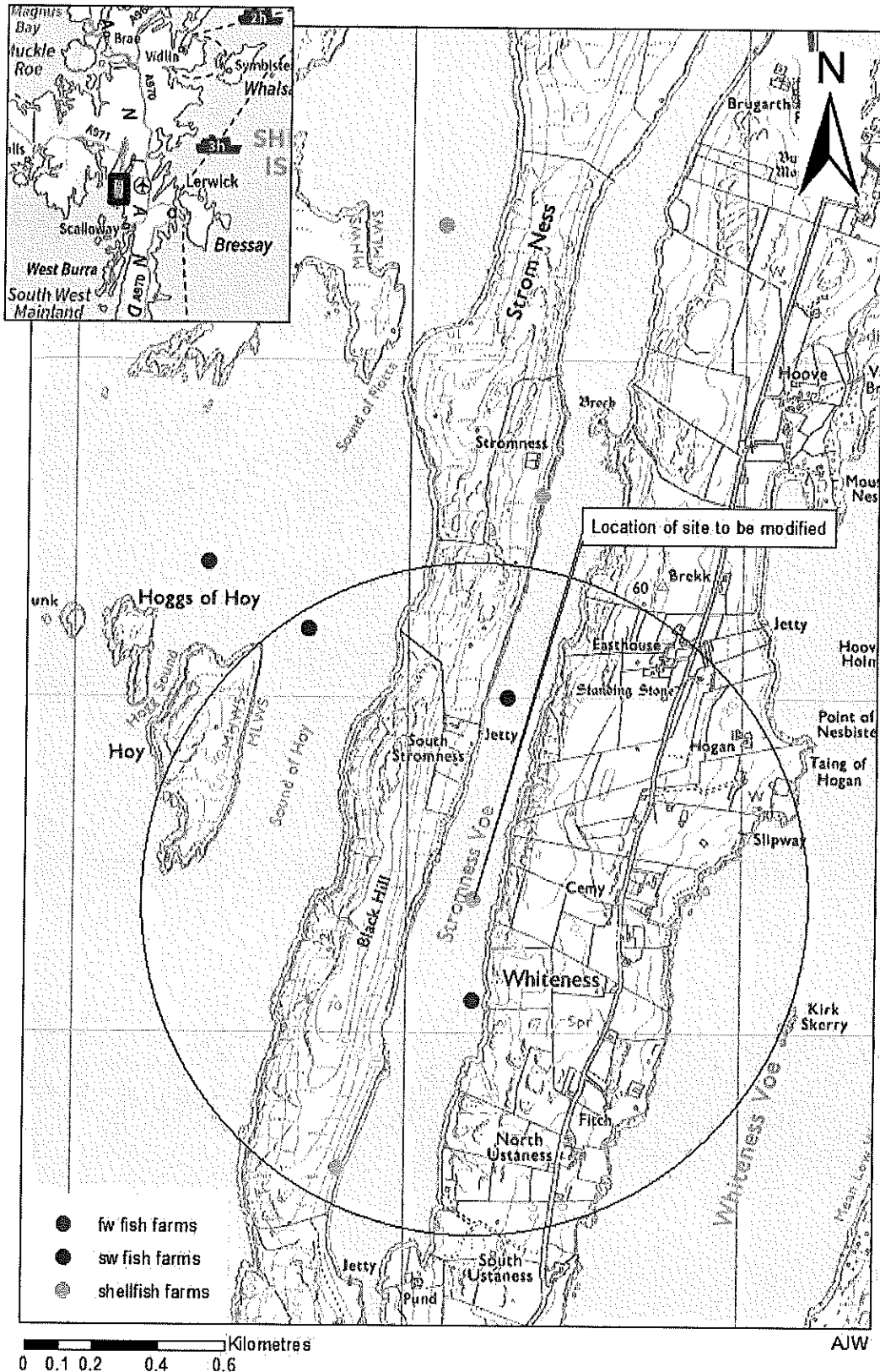
Yours sincerely

Marine Scotland Science

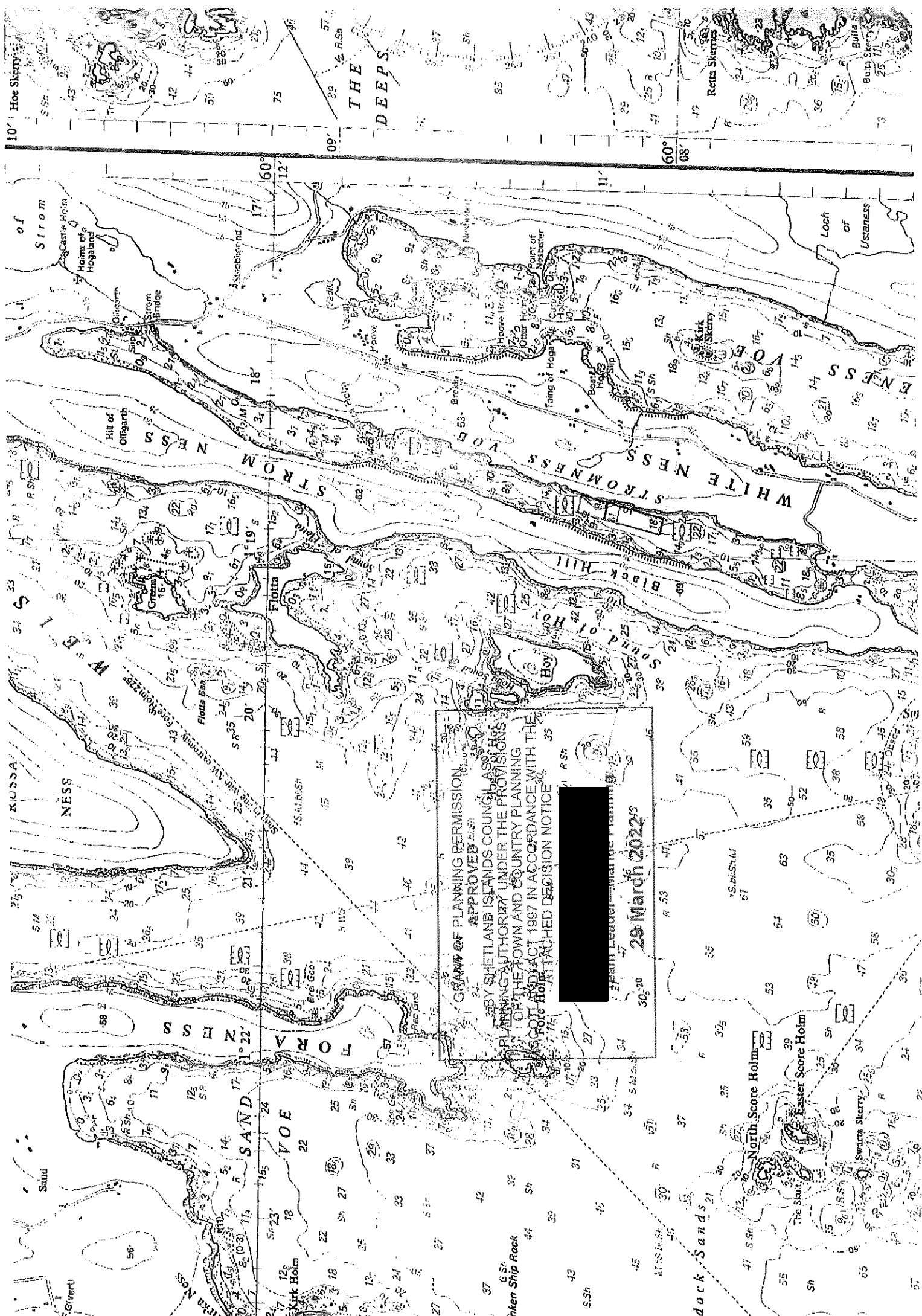
Appended:

Map: Aquaculture sites in the vicinity of Stromness Voe (Site 1), Shetland.

Map showing aquaculture sites in the vicinity of the site to be modified at Site 1, Stromness Voe by Blueshell Mussels

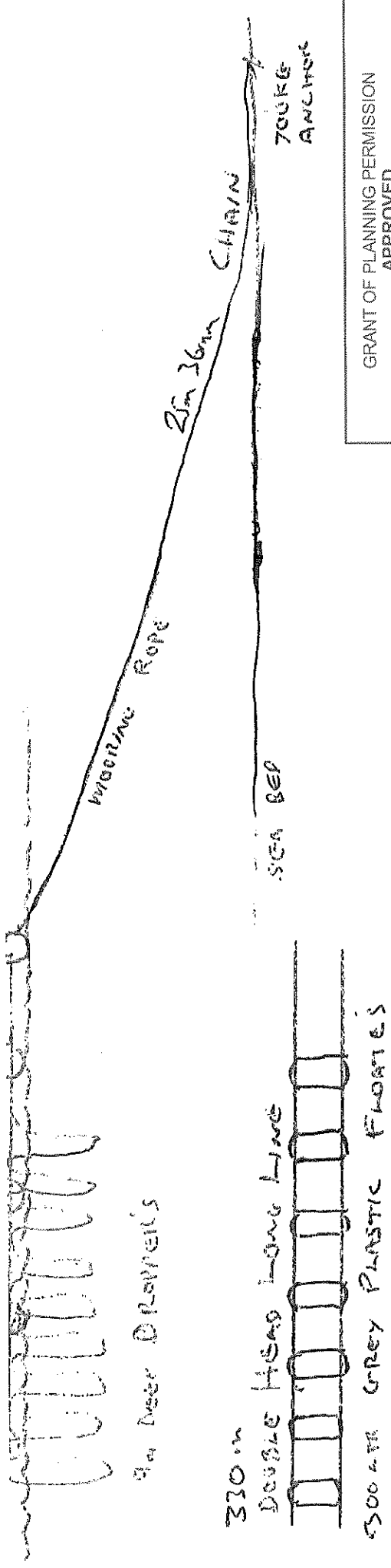


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GRAPHIC OF PLANNING PERMISSION
APPROVED BY SHETLAND ISLANDS COUNCIL AS OF 1997.
PLANNING AUTHORITY UNDER THE PROVISIONS
OF THE TOWN AND COUNTRY PLANNING
ACT 1997 IN ACCORDANCE WITH THE
ATTACHED DECISION NOTICE.

29 March 2022

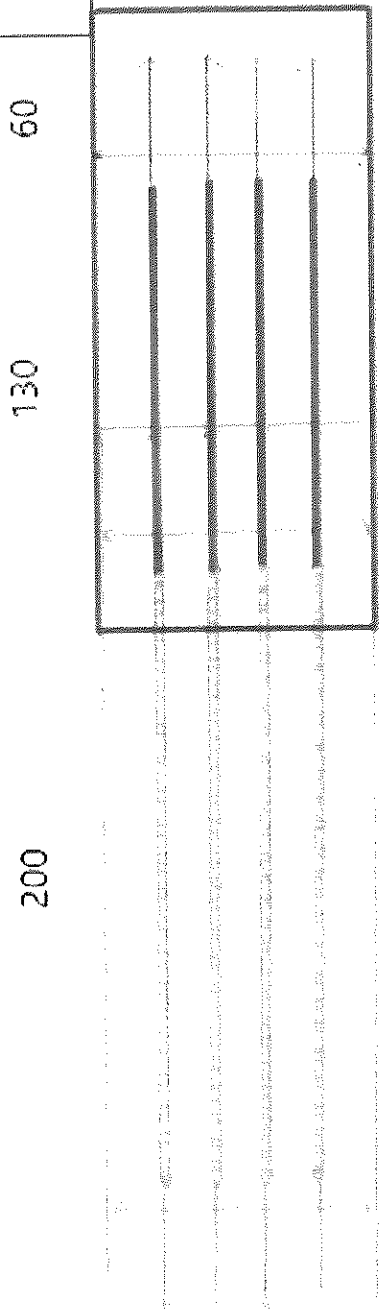


Site 1, Stromness Voe
Site Plan - Proposed site extension

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

[Redacted Signature]

Team Leader—Marine Planning
29 March 2022



230

470

All dimensions in metres



SHETLAND ISLANDS COUNCIL

Town and Country Planning (Scotland) Acts

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

Mr Hamish Johnson
8 Skelladale
BRAE
Shetland
ZE2 9QQ

Agent

Mr John Michael Laurenson
Sparl
BRAE
Shetland
ZE2 9QJ

Reference Number: 2022/004/MAR

Development: To extend an existing 4 x 200m twin-headline longline shellfish farm by increasing longline length to 330m in a northerly direction to be used for the production of mussels

Location: Stromness Voe (Site 1), Shetland

Details of Approved Plans and Drawings:

- Admiralty Chart 01 Received 02.02.2022
- Site & Section Plan 02 Received 02.02.2022

Reasons for Council's decision:

The proposed development is considered to be in accordance with the relevant policies of the Shetland Local Development Plan 2014, and there are no material considerations which outweigh the proposals accordance with the Development Plan. The proposal is also considered to be consistent with the policies and objectives of Scotland's National Marine Plan 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 a yellow 'X' topmarks.

The lights shall display a character of single flash (yellow) every five seconds (Fl. Y. 5s) with a nominal range of 2 nautical miles and be installed above the 'X' topmark.

The buoys shall be positioned at the Northwestern and Southwestern extremity of the longlines.

The buoy diameter shall be approximately 1 metre at the waterline and the 'X' topmark shall be greater than or equal to 50cm length by 7.5cm width

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) Predator control measures shall not be deployed at the site without the prior written consent of the Planning Authority. Furthermore, any changes to permitted predator control measures shall be agreed in writing with the Planning Authority in advance of any such changes occurring on site. In all cases, anti-predator control measures must be non-lethal and non-destructive (with regards to anti-predator netting please refer to the relevant Note to Applicant below).

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 navigational safety, 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

- If proposed for use they must be properly installed and maintained to ensure effective and wildlife friendly protection;

- Monofilament netting is not permitted. Brightly coloured thick mesh should be used to maximise the visibility 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 no more than 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 Planning Authority and NatureScot.

Invasive Non-Native Species

Developers are expected to ensure that appropriate mitigation measures are in place aimed at preventing the introduction, and reducing the spread, of invasive non-native species. It is recommended that you follow the guidance in this regard as outlined in "A Biosecurity Plan for the Shetland Islands" (NAFC Marine Centre, 2015).

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

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; or calling 300 244 5046.

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

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, you should inform the Northern Lighthouse Board by letter or email at navigation@nlb.org.uk quoting the following reference number: AL/OPS/ML/F007-22.

The UK Hydrographic Office should also be notified and all information regarding site positions forwarded in order that the admiralty charts for the area 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.

29 March 2022



Executive Manager – Planning

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

Delegated Report of Handling

Development: To extend an existing 4 x 200m twin-headline longline shellfish farm by increasing longline length to 330m in a northerly direction to be used for the production of mussels

Location: Stromness Voe (Site 1), Shetland

By: Mr Hamish Johnson,

Application Ref: 2022/004/MAR

1. Introduction

This report relates to a planning application by Mr Hamish Johnson to extend an existing 4 x 200m twin-headline longline shellfish farm by increasing longline length to 330m in a northerly direction, to be used for the production of mussels. The permission will be used in conjunction with existing planning permissions 2011/014/NS & 2022/005/MAR. The site will have 60m moorings at the northerly end and use 20m spacing between longlines. The site will be serviced from Scalloway.

2. Relevant Policies

Scotland's National Marine Plan (2015)

GEN1 - General planning principle
GEN7 - Landscape/seascape
GEN9 - Natural heritage
GEN10 - Invasive non-native species
GEN 21 - Cumulative impacts
AQUACULTURE1 - Appropriate locations - carrying capacity
AQUACULTURE 4 - Sustainable expansion of shellfish farms in designated shellfish waters
AQUACULTURE 5 - Avoidance and/or mitigation of adverse impacts upon the seascape, landscape and visual amenity of an area

Shetland Local Development Plan 2014

CST1 - Coastal Development

Supplementary Guidance – Aquaculture (2017)

G1 - General Factors to be considered
S1 - Minimum Separation Distance Between Sites (Shellfish)
S3 - Biological Carrying Capacity (Shellfish)

Supplementary Guidance Shetland Islands' Marine Spatial Plan (Fourth Edition 2015)

MSP HER6 - Protection of Wild Birds Outwith Designated Sites
MSP HER9 - Safeguarding National Scenic Areas (NSAs) and Local Landscape Areas (LLAs)
MSP HER10 - Safeguarding Seascape Character and Visual Amenity
MSP DEV1 - Marine Developments
MSP FISH1 - Safeguarding Fishing Opportunities
MSP AQ1 - Aquaculture
MSP REC1 - Safeguarding Marine Recreation
MSP HER7 - Priority Marine Features
MSP INNS1- Reducing the Spread of Invasive Non-Native Species
MSP SHIP1 - Safeguarding Navigation Channels and Port Areas

3. **Safeguarding**

National Scenic Area - National Scenic Area: 1

Landscape Character Assessment - Landscape Character Assessment: Farmed and Settled Voes and Sounds

Shellfish Water Protected Area - Shellfish Water Protected Area: Stromness Voe

Locational Guidelines - Stromness Voe

4. **Consultations**

Ports & Harbours Operations was consulted on 4 February 2022. Their comments dated 7 February 2022 can be summarised as follows:

Ports & Harbours have no comments to make on planning applications ref 2022/002/MAR, 2022/003/MAR, 2022/004/MAR & 2022/006/MAR

Northern Lighthouse Board was consulted on 4 February 2022. Their comments dated 8 February 2022 can be summarised as follows:

Northern Lighthouse Board have no objection to the proposed works and advise the following;

- o The site should be marked with 2 lit yellow Special Mark Buoys fitted with a yellow 'X' topmarks.
- o The lights should display a character of single flash (yellow) every five seconds (Fl. Y. 5s) with a nominal range of 2 nautical miles and be installed above the 'X' topmark.
- o The buoys should be positioned at the Northwestern and Southwestern extremity of the longlines.
- o The buoy diameter should be approximately 1 metre at the waterline and the 'X' topmark should be greater than or equal to 50cm length by 7.5cm width

- o A weekly check of the site's marking equipment shall be performed and records kept of its physical and working status for audit purposes.
- o Outlying anchor points should not be marked with buoys, unless specifically requested by local users, and alternative means to locate anchors should be utilised.
- o Loose floating lines around site equipment are strongly discouraged as this can cause serious safety implications for other mariners.
- o On completion of the development the UK Hydrographic Office (sdr@ukho.gov.uk) must be notified and supplied with the mooring grid co-ordinates to enable the update of appropriate navigational publications.

The Shetland Fishermen's Association was consulted on 4 February 2022. Their comments dated 4 March 2022 can be summarised as follows:

Thank you for your email correspondence dated 4 February 2022, regarding the planning permission application by Mr Hamish Johnson for the extension of the site at Stromness Voe (Site 1), Shetland.

The Shetland Fishermen's Association (SFA) wish to appeal to the SIC to recognise and apply the precautionary principle when considering approval of this planning application.

Our members are concerned that the cumulative impact of aquaculture developments has reached a stage where there is a significant displacement to their fishing efforts, and earnings, and a potential impact on the natural eco-system. They feel there is a need to pause the approval of this and future development until the impacts can be quantified. Members appeal that all seafood producers be given the space to succeed in a sustainable manner, ask for a discussion on proportionate development.

Whilst our members recognise that this is an application to extend a site which already exists they feel the pause for assessment should also be applied to this application.

Our members also have concerns over the maintenance of some mussel farms. They need assurances from the body which has authority, that appropriate steps be established to ensure aquaculture sites are maintained to avoid stray floating ropes and marker buoys causing a threat to navigation, and appropriate lighting is in place. Poor maintenance cause serious dangers to small inshore fishing vessels.

Shetland Shellfish Management Organisation was consulted on 4 February 2022. Their comments dated 4 March 2022 can be summarised as follows:

Shetland Shellfish Management Organisation (SSMO) has not received specific objections from licence holders regarding loss of fishing opportunities if these two extensions were to be approved. However, the SSMO has been asked to voice licence holders' growing concerns about incremental loss of inshore waters for the purposes of aquaculture developments.

Both sectors try to work alongside each other and SSMO members fully recognise the importance of the marine-related jobs that fish farming has brought to rural communities. However, there has been a large cumulative impact on shellfish catching opportunities and many SSMO licence holders wish to express the view, via the SSMO, that too many fish farm sites have been allowed around Shetland already.

Recently, the SSMO received four applications for new or extended mussel farms in a single day and it is known that more fish farm expansions and alterations are in the pipeline.

In relation to mussel farms specifically, SSMO licence holders attempting to catch velvet crab and buckies are concerned about the ecological impacts of starfish which they report in vast numbers around mussel sites. It is reported to the SSMO that the starfish swarm into, and clog up, creels and buckie pots, rendering them useless by eating the bait and killing the catch (see photo of creel jammed with starfish from close to a local mussel site).

There is a view among SSMO licence holders that some fish farmers are already overstretched in their capacity to keep existing sites up to the required standard for lighting and safe moorings. They report incidences close to mussel and salmon farms of sunken ropes floating up some distance away and fouling propellers, or discarded chains and anchors being hauled up inadvertently and damaging boats. This sort of incident puts the lives of fishermen at real risk.

The SSMO asks that you give due consideration to these concerns from its affected licence holders in your assessment of this planning application.

NatureScot was consulted on 4 February 2022. Their comments dated 18 February 2022 can be summarised as follows:

Summary

We advise that this proposal will not have an adverse effect on the integrity of Shetland National Scenic Area or the objectives of the designation.

Appraisal of the Likely Impacts of the proposal on Natural heritage Interests:

The proposal lies within the Shetland NSA. The proposal continues to be aligned with the coastline, which reflects our aquaculture design guidance. Landscape visual impact will be minimised by the use of grey floats. The narrow nature of Stromness Voe means that an increase in length of more than a third will result in the site further dominating the channel. However, given the limited visibility of the site, the increase in size is unlikely to result in significant visual impacts on views from within the NSA.

In our view, the objectives of designation and the overall integrity of the area will not be compromised.

Marine Scotland Science was consulted on 4 February 2022. Their comments dated 18 February 2022 can be summarised as follows:

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

Environmental Impacts

This application for 4 x 330m twin headed longlines has a proposed biomass of 240t, however it is noted that longlines of this length have the potential to support a biomass slightly higher than that being proposed.

MSS would normally recommend caution if shellfish farming has the potential to filter >50% of the water exchanged by tidal process in a region of restricted exchange such as a Shetland Voe. From the information available to us the (potential) biomass would have the potential to filter 50% - 60% of the water exchanged in Stromness Voe.

It is noted that the applicant has submitted an additional application for this site (2022/005/MAR) to vary Condition 7 of planning permission 2011/041/NS by deleting the first two bullet points of the condition relating to the requirement for sequential deployment of longlines at the site and restrictions relative to operation of Site 2, Stromness Voe respectively. In addition, there have also been applications submitted in relation to Site 2, Stromness Voe which seek permission to increase mussel longline length (2022/006/MAR) and also to vary condition no. 7 of planning permission 2011/013/VS by deleting the second sentence of the condition relating to the requirement for sequential deployment of longlines at the site (2022/007/MAR). MSS would normally recommend caution if shellfish farming has the potential to filter >50% of the water exchanged by tidal process in a region of restricted exchange such as a Shetland Voe. From the information available to us the (potential) biomass would have the potential to filter 70% of the water exchanged in Stromness Voe should permission be granted for all applications relating to Site 1 and Site 2.

Shellfish Hygiene

Site 1 & 2 South Stromness Voe, Whiteness are located within the shellfish production area of Stromness Voe which is currently classified for mussels as Class 'A' April 2021 - end March 2022. As regards the biotoxin risk, Stromness Voe is considered low risk, this does not mean that no biotoxins are present, just that there is 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 are currently three sites registered with Marine Scotland Science within 1000m of the site to be modified (see map on page #). The first is situated ~300m south of the site to be modified and is an inactive salmon site, operated by Scottish Sea Farms Ltd. The second is situated ~600m north of the site to be modified and is an inactive salmon site, operated by Scottish Sea Farms Ltd. The third is situated ~900m south west of the site to be modified and is an active mussel site, operated by Pund Shellfish.

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

The site is authorised with Marine Scotland under the business Pund Shellfish. If this site is to be included under Blueshell Mussels Ltd in the future please contact the Fish Health Inspectorate at Marine Scotland to update the business authorisation. The company should ensure that any changes to operations on site do not contradict the authorisation conditions.

There does not appear to be any negative implications on fish or shellfish health from the proposed modifications, to extend the 4 longline by 130m in a northerly direction at the Site 1, South Stromness Voe site in Shetland.

Summary

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: 0131 244 3498; Email: ms.fishhealth@gov.scot

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 0300 244 5046.

Appended:

Map: Aquaculture sites in the vicinity of Stromness Voe (Site 1), Shetland.

Tingwall Whiteness & Weisdale Community Council Clerk was consulted on 4 February 2022. Their comments dated 21 February 2022 can be summarised as follows:

No Comment

Consultees Who Provided No Response

The following consultees were consulted on 4 February 2022, but provided no response at the time of report preparation:

- Environmental Health
- Crown Estate Scotland
- RSPB

5. Statutory Advertisements

The application was advertised in the Shetland Times on 11.02.2022.

6. Representations/ Submissions

The consultees SFA and SSMO have submitted representations which are detailed under section no.4 and addressed in section no. 7.

The applicant's agent submitted a response to the representations on 18th March 2022 which is copied below:

Regarding the extension to these 2 sites at Strom Voe, we note the following:

There are no fishermen who have raised specific objections for the site changes, the general comments seem to be standard in 4 recent

applications, which is more about losing potential seabed for fishermen, ecological impact of mussel farming, and finally site husbandry.

On the first point and second points, losing seabed and the environmental effects or benefits of mussel farming verses other utilisation of sites, this is really a policy decision to be taken by the Scottish Government and not applicable to individual site variations working within policy.

On the third point, these sites are operated and equipped to the standards contained in the Planning Permission and Crown Lease, the sites are frequently monitored and audited by Local and National Government Organisations and NGOs. Some of these standards include:

- Marine liability insurance – requiring visual checks on site for moorings etc*
- SIC Planning Permission checks*
- Marine Scotland Science – site audits and Marine Licences*
- Crown Estate – Lease conditions*
- Cefas samplers (weekly in summer, monthly in winter)*
- SEPA – chemical analysis*
- MSC – fishery accreditation*
- NLB – lighting of sites*
- Supermarket – (Audits) using third party accreditors.*

It is worth pointing out that these are 2 of the longest producing mussel sites in Shetland and these have been no complaints about poor husbandry or dilapidated equipment.

7. Report

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) states:

Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise to be made in accordance with that plan.

There is statutory development plan policy and associated supplementary guidance policies against which this application has to be assessed and these are listed at paragraph 2 above. The determining issues to be considered are whether the proposal complies with development plan policy and associated supplementary guidance policies, or if there are any other material considerations which would warrant the setting aside of those policies.

Site History/Background

The Stromness site has a history of aquaculture development dating back to 2011. Currently there are two valid planning permissions in place:

- Planning permission 2011/014/NS for a mussel/oyster farm using 4 x 200m twin-headline longlines was granted by Shetland Islands Council on 30.03.2011.
- Planning Permission 2022/005/MAR to vary a condition by removing sequential deployment and a restriction on use with Stromness Voe Site 2, was granted by Shetland Islands Council on 24.03.2022.

Although the two planning permissions above are currently valid, it is thought the recently approved planning permission 2022/005/MAR will be used in conjunction with this proposal, as 2022/005/MAR removed restrictions on production as detailed above on the site.

Landscape and Visual Amenity

As with any development the proposal has the potential to result in a degree of landscape and visual impact. The application site is within the Shetland National Scenic Area (NSA). The application follows the existing site by being aligned with the coastline, thus followed NatureScot guidance. Grey floats are proposed which will also minimise visual impact. NatureScot agree and summarize that "given the limited visibility of the site, the increase in size is unlikely to result in significant visual impacts on views from within the NSA. In our view, the objectives of designation and the overall integrity of the area will not be compromised."

In conclusion, I am minded any landscape and visual impacts will not be significant subject to use of muted coloured surface equipment as required by condition no. 4 attached.

The proposal therefore complies with policies GEN 7, AQUACULTURE 5, MSP HER 9 and MSP HER10.

Environmental Impact

The application site is not located in or near to any other sites designated for its biological features or Priority Marine Features (PMF's).

In regard to the threat of invasive species, any longlines will be newly made and deployed on to the site, so any threat is very low. But a Note to Applicant will be added for the applicant to follow "A Biosecurity Plan for Shetland Islands" (NAFC Marine Centre 2015).

The SFA and SSMO raise the issues of environmental impact from aquaculture in general, in particularly starfish are raise as an issue. Star fish will feed on mussels that fall from mussel farms and may thus proliferate under a site. But this may not happen at all sites or at a

larger level, also star fish can proliferate where there are no mussel farms. There is not enough scientific studies, especially those relevant to UK waters to prove if star fish is an issue that would warrant refusal for this application or other mussel developments at this time.

The proposal is therefore compatible with policies GEN 9, GEN 10, MSP HER7 and MSP INNS1.

Wildlife Impact

Eider ducks, which are protected under the Wildlife and Countryside Act 1981 and the Nature Conservation (Scotland) Act 2004, are likely to be present in the vicinity of the application site. Mussels are one of the main foods of Eiders. Mussel farms create new feeding opportunities for Eiders as they are attracted to the ropes to feed on the mussels themselves and other associated species. Should anti-predator netting be in use at a mussel farm, the potential exists for entanglement and drowning of Eiders and other diving birds. With regards proposed anti-predator controls at the application site, the application states they are unlikely to be required but in any instance would be in full compliance with the requirements of the regulatory authority. Standard condition no. 5 requiring non-lethal predator control measures and the relevant related Note to Applicant concerning anti-predator netting guidelines, as attached, should ensure that any impacts arising from the proposed development on wild birds will not be significant.

The proposal therefore complies with policies GEN 9 and MSP HER6.

Biological Carrying Capacity

The application site is located within the Stromness Voe marine waters area. MSS would normally recommend caution if shellfish farming has the potential to filter >50% of the water exchanged by tidal process in a region of restricted exchange such as a Shetland Voe. Concurrent with this application, a planning application to vary Condition 7 of planning permission 2011/014/NS by deleting the first two bullet points of the condition relating to the requirement for sequential deployment of longlines at the site and restrictions relative to operation of Site 2, Stromness Voe respectively (ref: 2022/005/MAR which was approved 24/03/2022). In addition, applications to similarly vary the production condition at Site 2 Stromness Voe (ref: 2022/007/MAR which was approved 25/03/2022) and extend the longlines at that site from 100m to 220m (ref: 2022/006/MAR) have also been submitted. Should all four applications be granted, MSS advise that the (potential) biomass would have the potential to filter 70% of the water exchanged in Stromness Voe. Whilst this is above the 50% threshold MSS advise caution on, it is below the 75% threshold where the Planning Authority consider carrying capacity of a Shetland waterbody to be 'significantly exceeded' in terms of policy S3 and as advised to Seafood Shetland in correspondence dated 24 August 2020. I am therefore minded that

the proposal is deemed to be acceptable in terms of biological carrying capacity. The proposal is therefore compliant with policies GEN 21, AQUACULTURE 1 and S3.

Designated Shellfish Waters

The site is within the Stromness Voe Shellfish Water Protected Area so is compatible with policy AQUACULTURE 4.

Safety of Navigation

The SFA and SSMO raised representations in their consultations on the issue of the development impacting on safe navigation, poor site management and disrepair.

The nature and location of the proposal is such that it will not impede or adversely affect the safe movement and navigation of vessels using the area subject to site being marked with a special mark buoy as requested by the NLB (condition no. 3 attached). Any threat of debris or parts of the development impeding on navigation is subject to condition no. 6 attached. Thus the proposal is deemed to be compatible with policy MSP SHIP1.

Inshore Fishing

Both the SFA and the SSMO submitted representations in their consultation against the proposal on general fishing issues, no specific species were raised.

There were issues of the impact of aquaculture in general brought up in the representations. These were not site specific and were aquaculture wide. This report is just in relation to the specific proposal for an extension to a shellfish site at Site 1 Stromness Voe and cannot be used to address these wider points, such as a moratorium. These issues will be addressed out with this application between all interested parties.

The issue of starfish were also highlighted as impacting on fishing, these are discussed under the heading "Environmental Impact". There is not enough current relevant evidence of starfish impact on fishing from mussel farms.

None of the existing site or proposed site extension is located within a fishery area as identified in the Shetland Islands' Marine Spatial Plan (SIMSP).

I am therefore minded that the application site is not an 'important fishing area' (as defined in policy MSP FISH1) as there is not enough evidence it is such and that approval of this application will not result in any additional significant adverse effects on inshore fishing. The proposal is therefore compatible with policy MSP FISH1.

Cultural Heritage

There are no known historic environment assets of national importance within or close to the footprint of the proposed development.

Recreation

Stromness Voe is an area used for kayaking as identified in the SIMSP. The extension to the existing site will not significantly impede anyone wishing to kayak in the voe or any other recreational use. The proposal is therefore compatible with policy MSP REC1.

Separation Distance Policy

The proposal is not within 500m of any approved shellfish or finfish sites so is within policy on separation distance. It thus complies with policy S1.

Policy Appraisal Summary

An appraisal of the proposal's compatibility with a number of specific Local Development Plan (LDP) and National Marine Plan (NMP) policies has been undertaken above. There are also a number of general LDP and NMP policies relevant to this application, parts of which duplicate the scope of the aforementioned specific policies, and the proposal is likewise considered to be broadly compliant with those general policies namely CST1, G1, MSP DEV1, MSP AQ1 and GEN 1.

8. Recommendation

Grant subject to conditions

Reasons for Council's decision:

(1.) The proposed development is considered to be in accordance with the relevant policies of the Shetland Local Development Plan 2014, and there are no material considerations which outweigh the proposals accordance with the Development Plan. The proposal is also considered to be consistent with the policies and objectives of Scotland's National Marine Plan 2015.

List of approved plans:

- Admiralty Chart 01 Received 02.02.2022
- Site & Section Plan 02 Received 02.02.2022

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 a yellow 'X' topmarks.

The lights shall display a character of single flash (yellow) every five seconds (Fl. Y. 5s) with a nominal range of 2 nautical miles and be installed above the 'X' topmark.

The buoys shall be positioned at the Northwestern and Southwestern extremity of the longlines.

The buoy diameter shall be approximately 1 metre at the waterline and the 'X' topmark shall be greater than or equal to 50cm length by 7.5cm width

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.) Predator control measures shall not be deployed at the site without the prior written consent of the Planning Authority. Furthermore, any changes to permitted predator control measures shall be agreed in writing with the Planning Authority in advance of any such changes occurring on site. In all cases, anti-predator control measures must be non-lethal and non-destructive (with regards to anti-predator netting please refer to the relevant Note to Applicant below).

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 navigational safety, 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

- o If proposed for use they must be properly installed and maintained to ensure effective and wildlife friendly protection;
- o Monofilament netting is not permitted. Brightly coloured thick mesh should be used to maximise the visibility 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 no more than 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 NatureScot.

Invasive Non-Native Species

Developers are expected to ensure that appropriate mitigation measures are in place aimed at preventing the introduction, and reducing the spread, of invasive non-native species. It is recommended that you follow the guidance in this regard as outlined in "A Biosecurity Plan for the Shetland Islands" (NAFC Marine Centre, 2015).

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

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; or calling 300 244 5046.

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

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, you should inform the Northern Lighthouse Board by letter or email at navigation@nlb.org.uk quoting the following reference number: AL/OPS/ML/F007-22.

The UK Hydrographic Office should also be notified and all information regarding site positions forwarded in order that the admiralty charts for the area 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.

9. Further Notifications Required

Anyone that submitted a representation must be informed of the decision to approve the application.

10. **Background Information Considered**

None.

Delegated_Report_of_Handling.doc
Officer: Mr Ryan Leask
Date: 29/03/2022

From:tww.communitycouncil@googlemail.com
Sent:Mon, 21 Feb 2022 12:17:19 -0000
To:Development Management@Development
Subject:2022/004/MAR

TWWCC submits the following response to planning application 2022/004/MAR: ☐No
comment☐.

Karl Mills - Clerk

Tingwall, Whiteness and Weisdale Community Council

Pundston

Levenwick

ZE2 9HX





NatureScot

Scotland's Nature Agency
Buidheann Nàdair na h-Alba

Iain McDiarmid
Development Services
Shetland Islands Council

Our Ref: CDM165898

Marine.planning@shetland.gov.uk

Date: 18 February 2022

Dear Iain,

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 (Regulation 25).

2022/004/MAR - To extend an existing 4 x 200m twin-headline longline shellfish farm (planning permission 2011/014/NS) by increasing longline length to 330m in a northerly direction to be used for the production of mussels. Stromness Voe (Site 1) Shetland

Thank you for your email of 4 February 2022, consulting us on the above application.

Summary

We advise that this proposal will not have an adverse effect on the integrity of Shetland National Scenic Area or the objectives of the designation.

Appraisal of the Likely Impacts of the proposal on Natural heritage Interests:

The proposal lies within the Shetland NSA. The proposal continues to be aligned with the coastline, which reflects our aquaculture design guidance. Landscape visual impact will be minimised by the use of grey floats. The narrow nature of Stromness Voe means that an increase in length of more than a third will result in the site further dominating the channel. However, given the limited visibility of the site, the increase in size is unlikely to result in significant visual impacts on views from within the NSA.

In our view, the objectives of designation and the overall integrity of the area will not be compromised.

Please contact me if you require any further information.

Yours sincerely,

Rach Cartwright
Operations Officer
Northern Isles & North Highland

Ground Floor, Stewart Building, Alexandra Wharf, Lerwick, Shetland ZE1 0LL

01463 667600 north@nature.scot nature.scot

NatureScot is the operating name of Scottish Natural Heritage



Shetland Islands Council

Applications, associated plans and documents can be viewed on the Council website at www.shetland.gov.uk. Please call 744293 to make an appointment if you wish to discuss any application.

Town and County Planning (Development Management Procedure) (Scotland) Regulations 2013

Format: Ref No; Proposal & Address

2022/020/PPF; Refurbish external building elements to Adies place, including roofing, windows, doors and stonework render. External works are also proposed to upgrade surface water drainage routes and building accessibility; Adie's Buildings, Main Street, Scalloway, Shetland ZE1 0TJ.

2022/005/PPF; Proposed Change of Use, conversion and extension of former St Clements Hall to form four townhouse dwelling units; St Clements, St Olaf Street, Lerwick, Shetland ZE1 0ES.

2022/002/MAR; To develop a new mussel farm comprising of 6 x 260m twin-headline longlines; SE of Roesound Skerry, Selivoe, Shetland.

2022/003/MAR; To develop a new mussel farm comprising of 4 x 330m twin-headline longlines; Tur Ness, Urafirh, Shetland.

2022/004/MAR; To extend an existing 4 x 200m twin-headline longline shellfish farm (planning permission 2011/014/NS) by increasing longline length to 330m in a northerly direction to be used for the production of mussels; Stromness Voe (Site 1), Shetland.

2022/005/MAR; Vary Condition 7 of planning permission 2011/041/NS by deleting the first two bullet points of the condition relating to the requirement for sequential deployment of longlines at the site and restrictions relative to operation of Site 2, Stromness Voe respectively; Stromness Voe (Site 1), Shetland.

2022/006/MAR; To extend an existing 4 x 100m twin-headline longline shellfish farm (planning permission 2011/013/VS) by increasing longline length to 220 in a northerly direction to be used for production of mussels; Stromness Voe (Site 2), Shetland.

2022/007/MAR; Vary condition no.7 of planning permission 2011/013/VS by deleting the second sentence of the condition relating to the requirement for sequential deployment of longlines at the site; Stromness Voe (Site 2), Shetland

2022/023/PPP; Change of use from Agricultural land to house site and access road (Planning Permission in Principle); Site A, Ayres of Selivoe, Bridge of Walls, Shetland.

Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email development.management@shetland.gov.uk by 25/02/2022.

Town and Country Planning (Scotland) Act 1997 and Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987

2022/020/PPF; Refurbish external building elements to Adies place, including roofing, windows, doors and stonework render. External works are also proposed to upgrade surface water drainage routes and building accessibility; Adie's Buildings, Main Street, Scalloway, Shetland ZE1 0TJ.

2022/005/PPF; Proposed Change of Use, conversion and extension of former St Clements Hall to form four townhouse dwelling units; St Clements, St Olaf Street, Lerwick, Shetland ZE1 0ES.

Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email development.management@shetland.gov.uk by 04/03/2022.



Northern Lighthouse Board

84 George Street
Edinburgh EH2 3DA

Tel: 0131 473 3100
Fax: 0131 220 2093

Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk

Your Ref: SIC – 2022/004/MAR
Our Ref: AL/OPS/ML/F007-22

Mr John Rosie
Shetland Islands Council
Planning Services
8 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ

8 February 2022

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

2022/004/MAR – Mr H Johnson – Extension of an Existing Mussel Farm – Stromness Voe (Site 1), Shetland

Thank you for your e-mail correspondence dated 4th February 2022 relating to the application submitted by Mr H Johnson for consent to extend the existing mussel farm at Stromness Voe (Site 1), from the existing 4 x 200m longlines to 4 x 330m longlines. It is noted that the additional 130m of length will be added in a northerly direction.

Northern Lighthouse Board have no objection to the proposed works and advise the following;

- The site should be marked with 2 lit yellow Special Mark Buoys fitted with a yellow 'X' topmarks.
- The lights should display a character of single flash (yellow) every five seconds (Fl. Y. 5s) with a nominal range of 2 nautical miles and be installed above the 'X' topmark.
- The buoys should be positioned at the Northwestern and Southwestern extremity of the longlines.
- The buoy diameter should be approximately 1 metre at the waterline and the 'X' topmark should be $\geq 50\text{cm}$ length by 7.5cm width

NLB respects your privacy and is committed to protecting your personal data.
To find out more, please see our Privacy Notice at www.nlb.org.uk/legal-notices/

- 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.
- Loose floating lines around site equipment are strongly discouraged as this can cause serious safety implications for other mariners.
- On completion of the development the UK Hydrographic Office (sdr@ukho.gov.uk) must be notified and supplied with the mooring grid co-ordinates to enable the update of appropriate navigational publications.

Yours sincerely



Peter Douglas
Navigation Manager

From:Maitland Greg@Marine and Air Operations
Sent:Mon, 7 Feb 2022 13:51:29 +0000
To:Marine Planning@Development Services
Cc:Gordon Ross@Marine and Air Operations;Clifton Ben@Marine and Air Operations
Subject:MARINE PLANNING CONSULTATION Ref 2022/002/MAR, 2022/003/MAR, 2022/004/MAR & 2022/006/MAR

Good Afternoon,

Ports & Harbours have no comments to make on planning applications ref 2022/002/MAR, 2022/003/MAR, 2022/004/MAR & 2022/006/MAR

Kind Regards

Greg

Captain Greg Maitland, MNI

Executive Manager - Harbour Master

Marine & Air Operations

Shetland Islands Council

Port Administration Building

Sella Ness, Sullom Voe

Shetland, ZE2 9QR

T 01806 244209



F 01806 244291

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	<input type="text" value="MR"/>	Ref No.	<input type="text"/>												
Forename	<input type="text" value="HAMISH"/>	Forename	<input type="text" value="JOHN MICHAEL"/>												
Surname	<input type="text" value="JOHNSON"/>	Surname	<input type="text" value="LAURENSEN"/>												
Company Name	<input type="text"/>	Company Name	<input type="text" value="BLUESHELL MUSSELS"/>												
Building No./Name	<input type="text"/>	Building No./Name	<input type="text"/>												
Address	<input type="text" value="8 SKELLADALE
BRAE
SHETLAND"/>	Address	<input type="text" value="SPARL
BRAE
SHETLAND"/>												
Postcode	<input type="text" value="ZE2 9QQ"/>	Postcode	<input type="text" value="ZE2 9QJ"/>												
Telephone	<input type="text" value="REDACTED"/>	Telephone	<input type="text" value="01806522020"/>												
Mobile	<input type="text"/>	Mobile	<input type="text"/>												
Fax	<input type="text"/>	Fax	<input type="text"/>												
Email	<input type="text" value="admin@blueshellmussels.co.uk"/>	Email	<input type="text" value="admin@blueshellmussels.co.uk"/>												
3. Location of Proposed Development: Please identify/describe the location of the site or sites:															
<input type="text" value="SITE 1
STROMNESS VOE
SHETLAND"/>															
Grid reference (at mid-point of site):															
Easting:	<input type="text" value="001° 18' 44.032752" w"=""/>	Northing:	<input n"="" type="text" value="60° 11' 1.382172"/>												
Latitude/longitude position (at external corners or edges):	<table style="width: 100%; font-size: small;"> <tr> <td><input n<="" td="" type="text" value="60° 11' 5.37648"/> <td><input td="" type="text" value="001° 18' 45.285684" w<=""/> <td><input n<="" td="" type="text" value="60° 10' 58.157436"/> <td><input td="" type="text" value="001° 18' 48.070512" w<=""/> </td></td></td></td></tr> <tr> <td><input n<="" td="" type="text" value="60° 11' 4.62228"/> <td><input td="" type="text" value="001° 18' 39.094992" w<=""/> <td></td> <td></td> </td></td></tr> <tr> <td><input n<="" td="" type="text" value="60° 10' 57.38772"/> <td><input td="" type="text" value="001° 18' 42.717312" w<=""/> <td></td> <td></td> </td></td></tr> </table>			<input n<="" td="" type="text" value="60° 11' 5.37648"/> <td><input td="" type="text" value="001° 18' 45.285684" w<=""/> <td><input n<="" td="" type="text" value="60° 10' 58.157436"/> <td><input td="" type="text" value="001° 18' 48.070512" w<=""/> </td></td></td>	<input td="" type="text" value="001° 18' 45.285684" w<=""/> <td><input n<="" td="" type="text" value="60° 10' 58.157436"/> <td><input td="" type="text" value="001° 18' 48.070512" w<=""/> </td></td>	<input n<="" td="" type="text" value="60° 10' 58.157436"/> <td><input td="" type="text" value="001° 18' 48.070512" w<=""/> </td>	<input td="" type="text" value="001° 18' 48.070512" w<=""/>	<input n<="" td="" type="text" value="60° 11' 4.62228"/> <td><input td="" type="text" value="001° 18' 39.094992" w<=""/> <td></td> <td></td> </td>	<input td="" type="text" value="001° 18' 39.094992" w<=""/> <td></td> <td></td>			<input n<="" td="" type="text" value="60° 10' 57.38772"/> <td><input td="" type="text" value="001° 18' 42.717312" w<=""/> <td></td> <td></td> </td>	<input td="" type="text" value="001° 18' 42.717312" w<=""/> <td></td> <td></td>		
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4. Type of Application															
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: 2011/014/NS

Date of decision: 25.03.2011

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

4a. Species (if mixed use please indicate)

Fin fish

☐

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 4 x 200m twin-headline longline shellfish farm (planning permission ref: 2011/014/NS) by increasing longline length to 330m in a northerly direction to be used for production of mussels

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:	200	1X4	800	0.08
Proposed surface area:	330	1X4	1320	0.132
Existing moorings area:	300	80	24000	2.4
Proposed moorings area:	450	80	36000	3.6

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	4	4
Shape(s) of units	LINEAR	LINEAR
Cage sizes/longline length	200	330
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)	160	240
Maximum production biomass per cycle (tonnes)	160	240
Proposed production cycle (months)	36	36
Stocking densities		
Fallow Periods		

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)

SCALLOWAY

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 ☒

WE PLAN TO FOLLOW THE DOCUMENT 'A BIO-SECURITY PLAN FOR THE SHETLAND ISLANDS'

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 WHICH IS FULLY APPROVED BY 'MARINE SCOTLAND-SCIENCE'

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 CASE, WOULD BE FULLY COMPLIANT WITH REGULATIONS

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

JOHN ROSIE
OCTOBER 2021

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

CROWN ESTATE SCOTLAND

Address where notification sent

QUARTERMILE 2, 2ND FLOOR, 2 LISTER SQUARE

Date Notified

EDINBURGH, EH3 9GC 18.10.2021

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

Provide copies of the following documents if applicable:

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

Other, please specify:

DECLARATION

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

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

Signature:



Name:

JOHN MICHAEL LAURENSEN

Date:

27.12.2021

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.

