



SHETLAND ISLANDS COUNCIL

Town and Country Planning (Scotland) Acts Town and Country Planning (General Permitted Development) (Scotland) Orders

With reference to the application for **Planning Permission** (described below) under the above Acts and Orders, 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 John M. Laurenson
Blueshell Mussels
Sparl
Brae
Shetland
ZE2 9QJ

Reference Number: 2025/023/MAR

Development: To develop a new mussel farm comprising of 6 x 220m twin-headline longlines

Location: East Of Hildasay, Scalloway Islands, Shetland

Details of Approved Plans and Drawings:

- | | |
|--|---------------------|
| • Site Plan 2025/023/MAR -03 | Received 02.12.2025 |
| • Climate Change Mitigation and Adaptation Plan 2025/023/MAR -06 | Received 09.01.2026 |
| • Decommissioning Plan 2025/023/MAR -07 | Received 09.01.2026 |
| • Admiralty Chart 2025/023/MAR -01 | Received 02.12.2025 |
| • Cross Section 2025/023/MAR -02 | Received 02.12.2025 |
| • Specifications 2025/023/MAR -04 | Received 02.12.2025 |
| • Waste Management Plan 2025/023/MAR -08 | Received 26.01.2026 |

Reasons for Council's decision:

Subject to compliance with the attached conditions, the development will accord with the relevant provisions of the National Planning Framework 4 (2023) and the Shetland Local Development Plan (2014) including Aquaculture Supplementary Guidance (2017), and there are no material considerations that would justify a departure from these provisions.

The development is also considered to be in accordance with the relevant provisions of Scotland's National Marine Plan (2015) and Shetland Islands Regional Marine Plan (2025).

Conditions:

- (01) The development hereby permitted shall be commenced within three years of the date of this permission.

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

- (02) 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.

- (03) 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).

- (04) The development hereby permitted shall be constructed, implemented and managed strictly in accordance with the following plans:
- o Climate Change Mitigation and Adaptation Plan - received by the Planning Authority on 09 January 2026;
 - o Decommissioning Plan - received by the Planning Authority on 09 January 2026; and
 - o Waste Minimisation & Management Plan - received by the Planning Authority on 24 January 2026

The development shall thereafter be operated and maintained in accordance with these plans throughout the lifetime of the development, unless otherwise agreed in writing with the Planning Authority. For the

avoidance of doubt any and all modifications, amendments and revocations of these plans require to be agreed in writing with the Planning Authority in advance of any such changes to the approved details occurring on site.

Reason: For the avoidance of doubt as to what is being authorised by this permission and to ensure compliance with the relevant policies contained in National Planning Framework 4 (2023), Scotland's National Marine Plan (2015) and Shetland Islands Regional Marine Plan (2025).

- (05) At all times when equipment is deployed on site the following navigational marks shall be in place and in full working order:
- o The site shall be marked by two lit yellow Special Mark buoys fitted with yellow 'X' topmarks.
 - o The lights shall display a character of flash yellow every 5 seconds (Fl Y 5s) with a nominal range of 2 nautical miles and be installed above the 'X' topmarks.
 - o Buoys to be positioned at the most Northeasterly and Southeasterly ends of the most seaward longline.
 - o The buoy diameter should be approximately 1 metre at the waterline and the 'X' topmark should be greater than or equal 50cm length by 7.5cm width.

Furthermore, outlying anchor points shall not be marked with buoys and alternative means to locate anchors should instead be utilised. Loose floating lines and ropes around site equipment are also strictly prohibited as this can cause serious safety implications for other mariners.

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

- (06) 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.

- (07) 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.

- (08) 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.

Reason: In the interest of navigational safety.

- (09) Notwithstanding the Decommissioning Plan approved by condition no. 4 of this permission or any subsequent amended version thereof, at least three months prior to cessation of use of the site for mussel farming, an up to date scheme for the decommissioning and removal of all equipment from the site shall be submitted to and approved in writing by the Planning Authority. Upon cessation, the approved scheme shall be implemented within an agreed timescale.

Reason: To ensure that decommissioning of the site takes place in an orderly manner and to ensure proper storage and disposal of redundant equipment in the interest of amenity and navigational safety.

- (10) In the event that the longlines or associated apparatus approved by this planning permission ceases to be in operational use for the growing of mussels for a period exceeding three years, they shall be wholly removed 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

Anti-predator netting

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

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

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 Directorate Licensing Operations Team (MD-LOT) by emailing MD.MarineLicensing@gov.scot; or calling 300 244 5046.

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

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: Assistant Aquaculture Asset Manager, Crown Estate Scotland, Quartermile Two, 2nd Floor, 2 Lister Square, Edinburgh, EH3 9GL; Tel: 0131 206 6070; E-mail: aqualeasing@crownestatescotland.com

Safety of Navigation

In addition to the requirements of condition no. 5, the Northern Lighthouse Board advise the following:

- 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 On completion of the development hereby permitted, the UK Hydrographic Office (sdr@ukho.gov.uk) must be notified and supplied with the as built drawings and mooring grid co-ordinates for the site to enable the update of appropriate navigational publications.

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).

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.

26 February 2026

[Redacted]

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