

**THE HIGHLAND COUNCIL**

**NORTH PLANNING APPLICATIONS COMMITTEE**

**16 December 2014**

Agenda Item	6.2
Report No	PLN/086/14

**14/01595/FUL: Hjaltland Seafarms Ltd**

**West side of Ru Chorachan, near Uig Bay, Loch Snizort, Skye**

**Report by Head of Planning and Building Standards**

**SUMMARY**

**Description:** Proposed new salmon farm.

**Recommendation:** **GRANT** planning permission.

**Ward:** 11 – Eilean a' Cheò

**Development Category:** Marine Fish Farming Local (with EIA).

**Pre-determination hearing:** None

**Reason referred to Committee:** Objection from Statutory Consultee.

**1.0 PROPOSED DEVELOPMENT**

- 1.1 The proposed salmon farm, just south of Uig Bay, would consist of 10 circular cages, each 120m in circumference, in a 5 x 2 arrangement with a feed barge at the southern end of the cage group (see maps in Appendix A). An automated feeding system on the barge would be linked to each cage by feed pipes. The proposed barge, a Gael Force Seamate, would be 14m long x 10.5 m wide and would stand between 4 and 5.6m above the waterline according to its loading (see photo 3 in Appendix B). The barge would hold up to 220 tonnes of feed.
- 1.2 This is a larger configuration overall than that which was proposed when the company requested a screening & scoping opinion in 2012. At that time cages of 90m circumference were envisaged, and the surface area of the sea occupied by the fish farm would have been 6442 square metres. The larger 120m circumference cages proposed now mean that the surface area occupied by the fish farm would be 11,465 sq.m.

- 1.2 The proposed maximum standing biomass of fish on the site would be 2166 tonnes. The location for the shore base has still to be confirmed but the company says it is looking at the Uig area with a view to using an existing building there if possible. The mooring grid for the 120m circumference cages will use cells each 75m square. Underwater lights (3 x 400w per cage) will be fixed 4m below the surface and screened from above. These will be powered by barge generator and may be used from November through March in the first calendar year of each 2-year production cycle.

## **2.0 SITE DESCRIPTION**

- 2.1 The site is adjacent to a section of coast which runs between Ru Chorachan, the headland which forms the south side of the entrance to Uig Bay, and Poll na h-Eelaidh, the small inlet which lies 2 kms to the south. The adjacent terrain here forms an undulating ridge of rough pasture at a height of about 60-70m maximum. The proposed fish farm site is next to the highest section of this ridge, Cnoc Fadail, on its western side. The coastline here is steep and rocky and the shoreline is essentially inaccessible due to the steep cliffs which are about 50m in height.
- 2.2 Although the terrain immediately adjacent is uninhabited, it is visited by walkers from time to time. There are reasonably well-used, though generally narrow path lines along the cliff tops and the area provides attractive short walks from either Earlish or Cuidrach.

## **3.0 PLANNING HISTORY**

- 3.1 There is no history of aquaculture development on this particular site. Before submitting the current proposal, the applicant also considered two alternative sites on the opposite side of Loch Snizort – at Biod nan Laogh and Creagan Dearga (see map 1 in appendix A). The company obtained a screening and scoping opinion for these in May 2012. It considered the Ru Chorachan site a better prospect for development because its proximity to Uig meant that operation there would involve lower fuel costs. Also there would be less interaction with species of conservation importance. Furthermore the Ru Chorachan site is likely to be viewed by fewer people than the Biod nan Laogh site which is close to a significant landscape feature.

## **4.0 PUBLIC PARTICIPATION**

- 4.1 The application was advertised as EIA development on 11 July in the West Highland Free Press and on 04 July in the Edinburgh Gazette.

Representation deadline: 08 August 2014

Timeous representations: 5 (4 objections + 1 comment)

Late representations: 0

4.2 Material considerations raised by members of the public are summarised as follows:

- GENERAL CONCERN RE THE SUSTAINABILITY OF OPEN-MESH FISH FARMING - open-mesh fish farm cages allow fish farm effluent (faecal matter and chemical treatments) to pollute the sea and are inherently unsustainable. Marine farms should become land-based and use closed containment facilities where controls on all aspects of fish and environmental health would reassure the general public and mean much less impact on wildlife. Such farms could be sited adjacent to suitable transport hubs and would have more scope for using non-polluting renewable energy sources;
- POOR QUALITY SEABED SURVEY - the seabed survey report and ROV video footage supplied by the applicant is poor quality and makes it difficult to gauge the likely impact on the seabed;
- THREAT TO WILD SALMONID FISHERY - the proposed fish farm's location close to the River Snizort (regarded as the best salmon fishing river on Skye) would threaten the wild salmonid fishery in this river if the fish farm generates elevated levels of sea lice [*one respondent expressed the view that Hjaltland has a particularly poor record for managing levels of sea lice infestation*];
- VISUAL INTRUSION - the proposed development would spoil a scenic coastal walk which has not been taken into account in the applicant's EIA. This is an attractive stretch of natural coastline where there is a cliff top footpath which is waymarked from the nearby settlement of Earlish. The spectacular and wild view of coast, cliffs, sea and mountains, would be spoiled by the industrial appearance of the fish farm in the foreground and its associated noise effects. Two locations which have been proposed for fish farms on the opposite side of Loch Snizort in recent years [*at Creagan Dearga and Biod nan Laogh*] do not appear to have any coastal footpaths nearby so development there would be preferable from a visual impact/amenity point of view;
- POTENTIAL CONFLICT WITH, AND HARM TO LOCAL SEAL POPULATIONS - The proposed fish farm location is within the normal foraging range of several areas within Loch Snizort which are important for grey seals – Eilean Mór and Eilean Beag at the mouth of Loch Greshornish (3 kms away), the Waternish coast on the opposite side of Loch Snizort (6 kms away) and the Ascrib Islands (a marine Special Area of Conservation for seals) (7 kms away). This could result in various adverse interactions:
  - The concentration of salmon in the fish farm could attract the seals leading to a conflict of interest. There is no mention within the lethal control policy of what action might be taken if there are grey seal attacks. Given previous culling statistics, the policy may be open to abuse in a remote area of coastline. [*Two respondents expressed the view that Hjaltland has a poor record of non-lethal seal control*]

*elsewhere (eg Shetland) and said they had no confidence in the company's estimate that it would only shoot one seal per year on this site]*

- Acoustic Deterrent Devices (ADD's) may reduce the requirement for lethal control but they cause seals and cetaceans pain and deprive them of valuable feeding opportunities.
- The proposed development would displace harbour seals from safe haul-out sites which they normally use in this area. This could reduce the seals' foraging grounds and leave them more exposed to disease;

4.3 Names and addresses are set out within Appendix C. All letters of representation can be viewed on the Planning and Development Service ePlanning portal at <http://wam.highland.gov.uk/wam/> using reference number 14/01595/FUL .

## 5.0 CONSULTATIONS

5.1 **SEPA** has no objection to the proposed development. It said the applicant's video survey footage of the seabed at the site was "not of particularly high quality". However, it felt that an assessment of the seabed could be made and this assessment did not raise any concerns. In terms of water column impacts, this is quite an open, well-flushed site and SEPA does not think there will be any significant impact on the water body.

5.2 **Scottish Natural Heritage** does not regard the proposal as raising any issues of national importance and has expressed no significant reservations. It has however provided detailed advice for the Council to consider in the context of its own policies. This advice is useful also when considering the weight to be attached to representations from members of the public (see above), which majored on sustainability and impacts on wildlife and the landscape.

5.3 **SEALS** - SNH states that all common seals within Loch Snizort should be regarded as part of the population of the Ascrib, Isay and Dunvegan SAC (Special Area of Conservation). It therefore supports the fish farm company's commitment to avoid lethal control methods if at all possible. SNH advocates the use of well-tensioned cage nets, seal blinds, and regular removal of morts (dead fish) as the best method of avoiding conflicts with seals.

5.4 **SEABED CHARACTER** - Like SEPA, SNH has drawn attention to shortcomings in the applicant's visual survey and video footage of the seabed. However, it regards the footage as good enough to identify broad habitat types and some larger organisms, and SNH believes it unlikely that any Priority Marine Features are present. It considers that the seabed area likely to be affected by the proposal is neither of national or regional importance.

5.5 **EAGLES** - The proposed fish farm site lies within an established White-tailed eagle territory and whilst there are no known nest sites of this species nearby, there could be some displacement of hunting eagles during the establishment

phase of the fish farm. SNH believes that once the fish farm is operational the eagles would become accustomed to its presence. However, eagle usage of an area can change and SNH recommends that the fish farm company should keep this under review and seek legal advice if unsure. It is an offence to intentionally or recklessly harass such birds.

- 5.6 CETACEANS - There are recent records of cetaceans visiting the wider area around the fish farm site (minke whale, porpoise and common dolphin). However, SNH believes there is nothing to suggest that the fish farm site itself is of particular importance to these species. It says the relatively open nature of Loch Snizort, combined with the fish farm company's commitments regarding how it will use ADD's (Acoustic Deterrent Devices), are sufficient to minimise impacts on these species.
- 5.7 FRESHWATER PEARL MUSSELS - Although SNH has not commented on wild salmonids directly, it notes that freshwater pearl mussels, which are present in one of the rivers draining into Loch Snizort, are dependent on salmonids for part of their life cycle.
- 5.8 LANDSCAPE - Despite the applicant having to revise the photomontages which were first submitted, SNH felt the revised versions were still inaccurate and therefore not useful for assessing the visual impact of the proposals. However, on the basis of visits to this section of coast, SNH thinks it unlikely that the fish farm would impinge on important coastal views or have a significant effect on the landscape setting of Uig Bay. In this respect the proposal would not compromise the qualities of the Trotternish & Tianavaig Special Landscape Area. However, by introducing man-made structures and increasing the amount of human activity at this location, SNH recognises that the development would erode the undeveloped and tranquil character of this section of isolated coast. Interestingly though, SNH does not consider this to be an area of wild land. In relation to its own siting and design guidance for aquaculture, SNH says that the proposed location and layout of the fish farm fits well: "The proposal has a simple linear design with a horizontal emphasis. The cages relate to the eastern shore of the loch. The proposal is inferior in scale to the loch and the adjacent cliffs, and the dominance of the open water is maintained."
- 5.9 **Skye District Salmon Fishery Board (SDSFB) objects** to the proposal for the following reasons:

- The applicant company recently imported Norwegian salmon smolts into Scottish waters without quarantine, in breach of the SSPO (Scottish Salmon Producers Organisation) voluntary code of practice. This represents a threat to native stocks. If any of the Norwegian stock escaped, it could, through inter-breeding, compromise the genetic viability of the native stocks;

*[SDSFB admits that it does not know where in Scottish waters the Norwegian smolts were put but it is clearly objecting on at least a precautionary basis];*

- Increased risk of sea lice infestation in wild salmonid stocks – high sea lice counts were regularly reported by Marine Harvest at its Loch Greshornish fish farm when a fish farm was operating in Uig Bay. That fish farm was significantly smaller than the one now proposed for the Ru Chorachan site;
- The significance and vulnerability of the Loch Snizort catchment – 8 rivers which contain juvenile salmonids flow into Loch Snizort but the populations in several of these are critically low. Maintenance and recovery of these wild fish populations would be threatened if another salmon farm were to be sited near the head of Loch Snizort because it would mean increased risk of sea lice infestation and fish disease;
- Skye Area Management Agreement (AMA) - the applicant company regards itself as a signed-up member of the agreement but has not fulfilled all its obligations. Signatories are expected to provide lice-count data for each of their existing fish farm sites in the Skye area. However, since signing in 2011 the applicant has not done this

5.10 **Marine Scotland Science (MSS)** has given this application close scrutiny, having asked for further information or details from the applicant on three successive occasions (17<sup>th</sup> July, 12<sup>th</sup> September, and 21<sup>st</sup> October 2014). This has presumably been because (a) the applicant, Hjaltland, is a relatively new operator in the Skye area, (b) the proposed site is quite an exposed one and it is relatively close to the most important salmonid river on Skye, and (c) the company proposes to use the largest size of fish farm cages currently in use in Scotland (120m circumference),.

5.11 Interestingly, the Fish Health Inspectorate reported that to its knowledge there is no history of sea lice affecting the health of farmed fish in the Snizort farm management area (FMA). However, since the current validity of the wider Skye Area Management Agreement is in question, MSS has stressed the need for at least a Farm Management Agreement (FMAg) with the other operator in the Loch Snizort area (Marine Harvest). This is primarily to ensure that sea lice treatments, stocking and fallowing are managed in a co-ordinated way across the area. MSS has also been keen to see formal attestations that the equipment to be used on the proposed site will be fit for purpose at that specific location (the site is open to prevailing winds from the southwest, west and northwest). MSS has furthermore sought assurances from the applicant that the company is capable of effectively conducting bath treatments in the large (120m circumference) cages which are proposed.

5.12 Although the applicant has not yet produced a draft FMAg, the company has committed to operate synchronously with the existing Marine Harvest fish farm in Loch Snizort. In its fourth response to the Council on this application (7<sup>th</sup> November), MSS has therefore finally accepted the application as satisfactory on all counts “as far as can reasonably be foreseen”.

## **6.0 DEVELOPMENT PLAN POLICY**

6.1 The following policies are relevant to the assessment.

### **The Highland wide Local Development Plan 2012:**

Policy 28 – Sustainable Design

Policy 29 – Design Quality and Place-Making

Policy 49 – Coastal Development

Policy 50 - Aquaculture

Policy 57 – Natural, Built and Cultural Heritage

Policy 58 – Protected Species

Policy 59 – Other Important Species

Policy 60 – Other Important Habitats

Policy 61 – Landscape

## **7.0 OTHER MATERIAL POLICY CONSIDERATIONS**

### **Scottish Planning Policy (2014)**

7.1 The Scottish Government has a target to grow marine finfish production sustainably to 210,000 tonnes by 2020. Scottish Planning Policy (2014) sees the role of the planning system as being to guide development to coastal locations which best suit industry needs with due regard to the marine environment. The SPP presumes in favour of development which contributes to sustainable development.

7.2 In remote and fragile areas and island areas outwith defined small towns, SPP states that “the emphasis should be on maintaining and growing communities by encouraging development that provides suitable sustainable economic activity, while preserving important environmental assets such as landscape and wildlife habitats that underpin continuing tourism visits and quality of place”. SPP notes that “direct or indirect effects on statutorily protected sites will be an important consideration, but designation does not impose an automatic prohibition on development”.

### **Highland Coastal Development Strategy (2010)**

7.3 The coastline adjacent to the proposed fish farm is classified as “Isolated” in the Coastal Development Strategy – part of a 7 km stretch of coast with that classification which runs from the headland of Ru Chorachan south to the outskirts of Kingsburgh. The new SPP does not include a policy statement for this category of coast but its general sensitivity has been acknowledged in previous Scottish Government documents. The Council’s strategy for the West Coast “supports the development of aquaculture which is compatible with other coastal interests, tailored to the potential and sensitivities of respective sites and at a scale which is within the visual and biological carrying capacity

of the areas concerned". On balance, the current proposal would appear to be in keeping with this strategy and the main thrust of the Scottish Planning Policy.

## **8.0 PLANNING APPRAISAL**

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan in this case comprises the Highland-wide Local Development Plan.

### Determining Issues

8.2 The determining issues are:

- do the proposals accord with the development plan?
- if they do accord, are there any compelling reasons for not approving them?
- if they do not accord, are there any compelling reasons for approving them?

### Planning Considerations

8.3 In order to address the determining issues, the Committee must consider whether the proposals will have an unacceptable impact in terms of relevant planning considerations. The following issues have therefore been considered in preparing this report: (a) development plan, (b) national policy, (c) economy, (d) landscape, visual amenity and noise, (e) built and cultural heritage, (f) Scotland River Basin Management Plan, (g) habitats and species - including wild fish populations, (h) biological carrying capacity, benthic and water column impacts, (i) commercial inshore fishing grounds, (j) existing and consented aquaculture sites, (k) harbours, anchorages and navigation, transport infrastructure, (l) location of pipelines, outfalls and discharge points, (m) access, and (n) transport infrastructure.

### Development Plan Policy - principle of development

8.4 Policy 50 (Aquaculture) of the Highland-wide Local Development Plan supports the sustainable development of finfish and shellfish farming and is the key policy consideration in assessing this application. However, various considerations and safeguards are built into the policy wording. Policies 28 (Sustainable Design), 57 (Cultural and Built Heritage), 58 (Protected Species) and 61 (Landscape) in particular are relevant to this application and require to be given due weight.

8.5 Salmon farming has been established in the sheltered inner reaches of Loch Snizort (ie in Loch Greshornish and Uig Bay) since the 1980's and early 90's respectively. However, only in recent years has there been interest in developing salmon farms in the more open area of the loch. While there is therefore a general precedent for this type of development nearby (in Uig Bay) not as yet at the proposed site on the west side of Ru Chorachan.



- 8.6 The development plan supports the broad principle of development in this location. Providing that the impacts of the development are not considered to be significantly detrimental either directly, indirectly or cumulatively on the natural, built and cultural heritage and existing activity and amenity, the proposals would comply with the Development Plan.

#### National Policy

- 8.7 Scottish Planning Policy and the draft National Marine Plan support the expansion of sustainable fish farming to assist the economic development of Scotland as a whole.

#### Economy

- 8.8 Prospects for the salmon farming industry are currently good and the applicant expects the fish farm to generate 4 new full-time jobs locally. The development would also generate work and income for contractors, both locally and elsewhere in Highland (eg at the supply base at Kishorn, and the feed plant in Invergordon).

#### Landscape, visual amenity and noise

- 8.9 The site falls within the Trotternish & Tianavaig Special Landscape Area (SLA). The citation for this designation lists various sensitivities to change. Two of these are relevant to this application:

- development on remote uninhabited areas of coastline which could detract from the feeling of tranquillity and isolation or which would impinge on views out to sea;
- introduction of marine-based installations in nearshore waters could fall within important coastal views or introduce built elements in areas remote from habitation.

- 8.10 The site is on an open section of coast but it is fairly unobtrusive and should impact on few people. The fish farm would not be visible from any of the nearest settlements – Earlish, Cuidrach, and Uig – because of the intervening terrain. Passengers on the Western Isles ferry which runs between Harris and Uig would be able to see the fish farm at a distance (2 kms minimum) but this would only be in passing and it would be from a low angle, near sea level, and the fish farm would be seen end-on. The settlements with a direct view of the site are all distant. Flashader/Kildonan on the east side of Loch Greshornish is 6-7 kms away. Geary, on the opposite side of Loch Snizort, is at least 10 kms away. As well as being distant from these settlements, the fish farm would be difficult to see from these points because it would be set against a steep and fairly dark cliff backdrop.

- 8.11 The main sensitivity and value of this area in landscape terms is the wide and open view which it affords across the full breadth of Loch Snizort - to the Ascrib Islands, the islands at the mouth of Loch Greshornish, and beyond (see photograph 1 in Appendix B). The compact mountain massif of the Cuillins is

at one extremity of this panorama whilst the long, undulating profile of the Western Isles is at the other. This is an attractive stretch of isolated coast because of its natural/unspoilt character and outward views but it is not in itself especially striking or distinctive.

- 8.12 The proposed fish farm site is secluded enough not to be obtrusive and use of the cliff top area by recreational walkers seems to be fairly light. The proposed fish farm would change the character of the coast over a localised area but at its currently proposed scale it should not damage the scenic values here or in the wider Trotternish & Tianavaig SLA to a significant extent (see photo 2 in Appendix B). Also there have been very few representations from the local community to suggest that they place a high value on the area in the immediate vicinity of the proposed fish farm site. Whilst birds of prey do range across this area and the wider area of Loch Snizort, there are no significant seabird colonies on the cliffs. The applicant's EIA demonstrates that noise from the fish farm should not be significantly above background levels.
- 8.13 The proposed fish farm is to be situated quite well out (350-450m) from the shore. To keep it in scale with its surroundings along this relatively short stretch of coast, further expansion of the cage group may not be acceptable.

#### Built and Cultural Heritage

- 8.14 Neither Historic Scotland nor the Council's Historic Environment Team have indicated that the application will impact on any features of built or cultural heritage interest.

#### Scotland River Basin Management Plan

- 8.15 The site is contained within a coastal water body known as Loch Snizort. This is shown as being of "Good" status (with a high level of confidence) in the Scotland River Basin Management Plan with the target of remaining at "Good" status during subsequent RBMP cycles. The Plan notes that no pressures exist on this water body.

#### Habitats and species (including designated sites and protected species)

##### Wild fish populations

- 8.16 The nearest river with significant fishing interests is the River Snizort, the mouth of which is 12 kms from the proposed fish farm site. There are also two smaller rivers nearby - the Hinnisdal 3 kms to the south, and the Conon at Uig 4 kms to the northeast - both of which are likely to contain juvenile salmonids. The Skye District Salmon Fishery Board's (SDSFB) main concern in this respect is the increased risk of sea lice infestation which could arise with an increasing concentration of farmed fish in Loch Snizort. Marine Scotland Science has however checked carefully the robustness of the proposed fish farm equipment for the site in question and the arrangements for management of sea lice. It has concluded that these are "satisfactory as far as can

reasonably be foreseen". Provided they match expectations, it would seem reasonable to assume that there should not be any significant adverse effect on wild fish populations.

- 8.17 The SDSFB's concern regarding importation of Norwegian smolts without quarantine is not relevant to the Council's consideration because (a) this is primarily an issue for the Fish Health Inspectorate, and (b) our understanding is that the aforesaid smolts were imported into Shetland rather than Skye.

#### Other species and habitat

- 8.18 Although not objecting to the proposal RSPB has concerns due to the area being known to be an integral part of a white-tailed eagle breeding territory. The organisation says the applicant's data on the eagle interest is unsatisfactory because it fails to give a clear picture of eagle use of the area and only covers the latter part of the year. RSPB's own information indicates that the area is important during the breeding season and during September-November when offspring are being taught to hunt before they disperse. Like SNH, RSPB believes the birds would become used to the fish farm presence over time but they would probably be discouraged from using the area during periods of high activity around the fish farm, particularly construction and harvesting. RSPB therefore suggests phased construction of the fish farm to avoid disturbance and disruption of the eagles' breeding activity and the critical early dispersal period of the juveniles. It suggests the least intrusive periods for construction of the fish farm would be August and December-February.
- 8.19 SNH regards the proposed predator control arrangements as acceptable, bearing in mind the relative proximity of designated seal interests and the likelihood that cetaceans will pass this area from time to time. The applicant's EIA points out that the large cages which would be used on this site can be tensioned more effectively than smaller ones (as more weight can be applied) reducing the potential for seals to predate on the stock.

#### Biological carrying capacity, benthic and water column impacts

- 8.20 SEPA and Marine Scotland Science have both checked the calculations of likely benthic and water column impacts from the proposed fish farm and they find these acceptable.

#### Commercial inshore fishing grounds

- 8.21 No issues have been raised by commercial fishing interests. On the date of site visit there was little evidence of creel fishing activity in the vicinity of the proposed fish farm site – just one buoy on the surface indicating a creel or fleet of creels about 300m to the south.

### Existing and consented aquaculture sites

- 8.22 The nearest active fish farm is about 6 kms away at Loch Greshornish, operated by Marine Harvest. That company has lodged no objection to Hjaltland's current proposal. Marine Harvest also has an old undeveloped lease of longstanding at Seal Rock, Loch Snizort Beag. This was being reviewed by the Scottish Government in 2009 and it consulted the Council about EIA requirements at that time. To our knowledge however, no screening or scoping opinion has since been produced and the site, which is relatively shallow and quite close to the mouth of the River Snizort, may now have dropped out of consideration.
- 8.23 A salmon farm was active in Uig Bay up to around 2005 and the lease holder (Ewen Grant) this year obtained a screening and scoping opinion from the Council for a proposal which would involve reinstalling a (somewhat larger) fish farm there. Hjaltland acted as the agent for this screening/scoping request and if a planning application is subsequently submitted and approved, it would likely be the operator for the site. There should not therefore be any conflict of interest between the two sites.

### Harbours, anchorages and navigation, transport infrastructure

- 8.24 The proposed fish farm will be serviced on a day-to-day basis from Uig but the bulk delivery of feed will be direct from Kishorn by sea once every three weeks. The fish farm will not impinge on the Skye/ Western Isles ferry route and the day-to-day movement of small service boats should be within the capacity of the anchorage at Uig Bay. The Northern Lighthouse Board has specified lighting and marking requirements for the fish farm in the normal manner and has raised no concerns about the position of the farm. No issues have been raised by transport interests.

### Location of pipelines, outfalls and discharge points

- 8.25 There are no pipelines, outfalls or discharge points in the vicinity of the proposed fish farm site. The nearest are likely to be in Uig Bay.

### Access

- 8.26 As noted above, access to the proposed fish farm would be by sea – from Uig or from more distant supply bases such as Kishorn. There are no requirements for terrestrial access. Part of the core path network runs between Cuidrach and Earlish but this is on the opposite side of the hill ridge Cnoc Fadail rather than in close proximity to the proposed fish farm site.

## **9.0 CONCLUSION**

- 9.1 In reaching a view on this planning application all relevant planning policies and guidance have been considered, along with the applicant's supporting information, consultee responses and public comments.

9.2 While the proposed development could impact on various types of wildlife in a localised or temporary sense this should not be to a significant degree. Similarly, the development would have a localised impact on the landscape character of a section of this coast, but this impact should be contained by the neighbouring topography and should not detract significantly from people's enjoyment of the coastal walk around Ru Chorachan and Cnoc Fadail.

9.3 Subject to a conditions to ensure that construction of the fish farm takes place outwith times which are sensitive for the white-tailed sea eagles in this area (the breeding season and autumn months) and securing muted colours for all surface equipment (apart from navigational markers) and neatly bundled feed pipes, it is considered that the development would have no significant detrimental impact, either directly, indirectly or cumulatively on the natural, built and cultural heritage or existing activity/amenity within the locality. In light of this, the proposal is considered to accord with the terms of the Highland-wide Local Development Plan.

## 10.0 Recommendation

It is recommended that the application is GRANTED subject to the following conditions:

1. All surface equipment, with the exception of navigational markers, shall be finished in a dark matt neutral colour unless alternative finishes are agreed in advance in writing with the Planning Authority. In particular, the top nets, and netting along walkways shall be matt grey. Pipes between the automated feed barge and the cages shall be neatly bundled to minimise clutter and routed below water where it is practical to do so.

**Reason:** to minimise the visual impact of the installation and to help safeguard the integrity of the Trotternish & Tianavaig Special Landscape Area.

2. All lighting above the water surface and not required for safe navigation purposes should be directed downwards by shielding. It should be extinguished when not required for the purpose for which it has been installed. If lighting is required for security purposes, infra red lights and cameras should be used.

**Reason:** to minimise the visual impact of the installation; to ensure that lights left on in the daytime do not draw the eye towards the site and at night do not present unnecessary sources of light pollution.

3. Construction of the fish farm should take place outwith times which are sensitive for white-tailed sea eagles in this area (ie the breeding season and autumn months). To this end, the applicant should seek advice from RSPB and SNH and follow their guidance in this respect.

**Reason:** to safeguard the protected bird interest in this area.

4. In the event of equipment falling into disrepair or becoming damaged, adrift, stranded, abandoned or sunk in such a manner as to cause an obstruction or danger to navigation, the site operator shall carry out or make suitable arrangements for the carrying out of all measures necessary for lighting, buoys, 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 interests of amenity and navigational safety.

5. At least three months prior to cessation of use of the site for fish farming, a scheme for the decommissioning and removal of all equipment shall be submitted to and agreed in writing with the Planning Authority. Upon cessation the approved scheme shall be implemented.

**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.

Signature: Malcolm MacLeod

Designation: Head of Planning and Building Standards

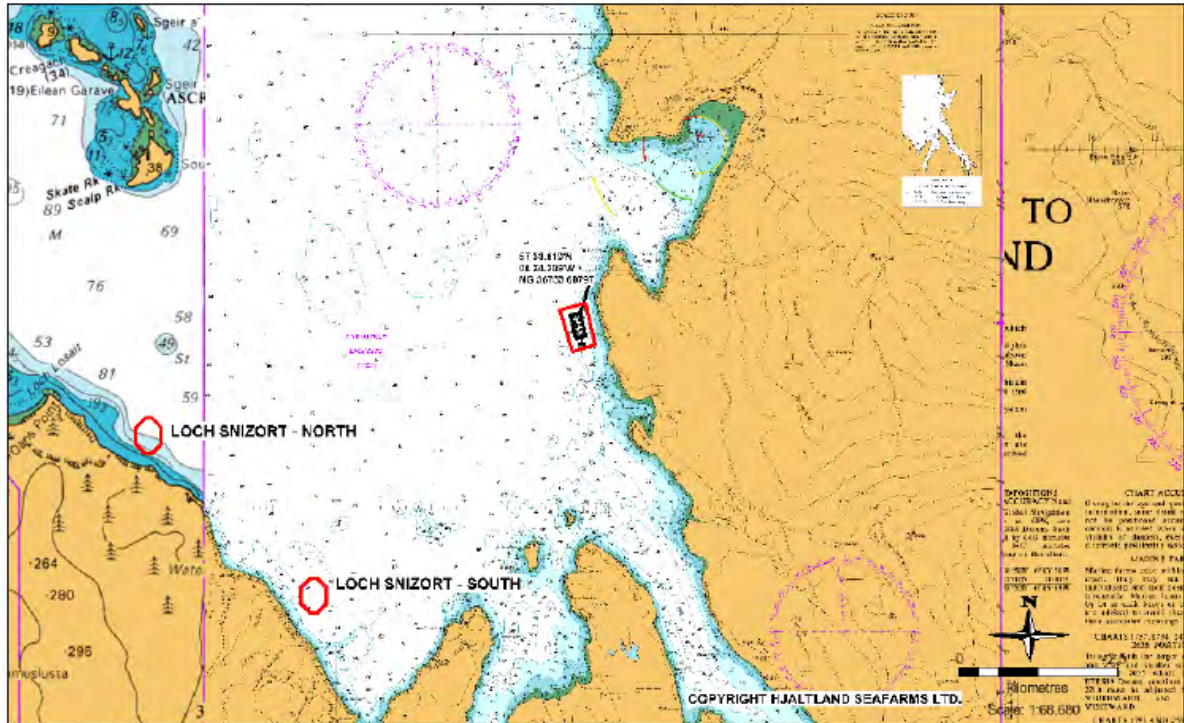
Author: Colin Wishart, Principal Planner, Coastal Planning Team

Date: 2 December 2014

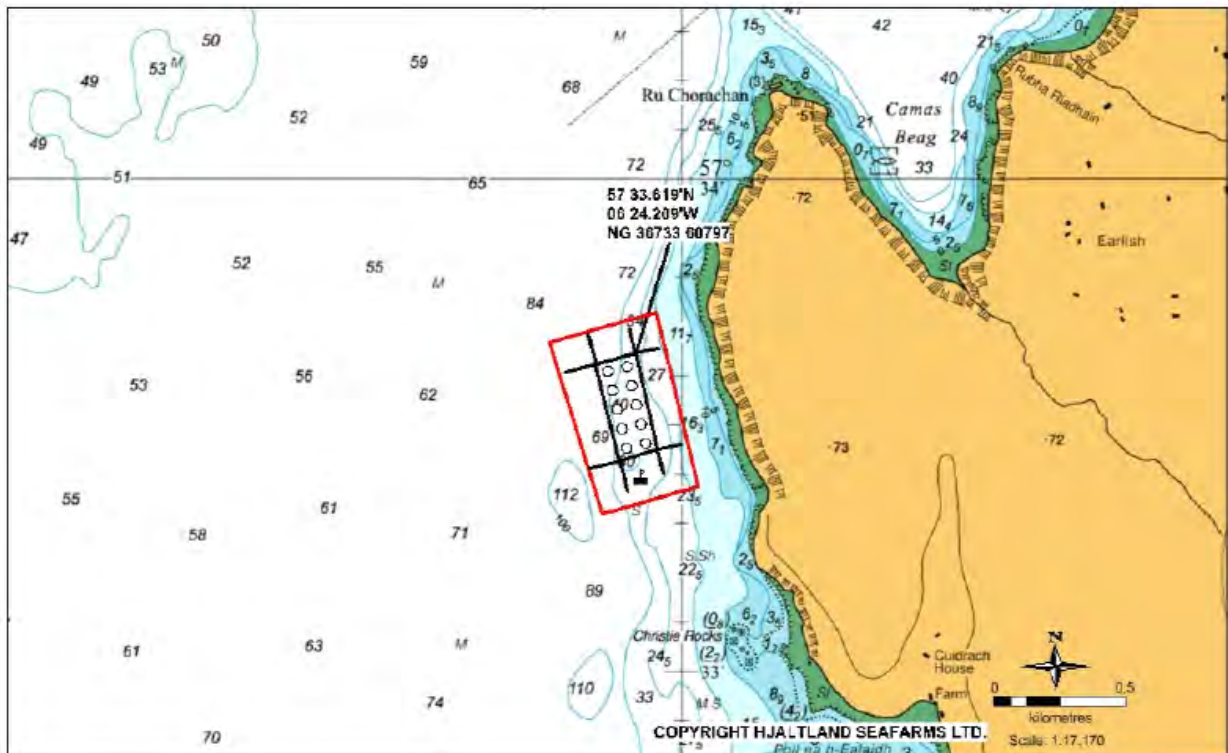
Appendices: A: Maps – location and site layout;  
B: Photographs and photomontages;  
C: List of Representations

## Appendix A: Maps

### 1. Location of proposed fish farm and alternative sites which were considered



### 2. Arrangement of proposed pens and moorings





## Appendix B: Photographs and photomontages

### 1. Site photograph by objector Donald Bruce



### 2. Applicant's photomontage of fish farm as it might be seen from Cnoc Fadail





3. Applicant's photograph of the type of barge to be used at Ru Chorachan (here photographed at one of Hjaltland's sites in Shetland)



4. Site photograph by objector Donald Bruce

