

Agenda Item	5.2
Report No	PLN 003/18

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 23 January 2018

Report Title: 17/02707/FUL: Marine Harvest (Scotland) Ltd
Site 2130M East of Sconser Quarry, Sconser

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Marine Fish Farm - Atlantic salmon - New site consisting of 12 x 120m circumference circular cages plus installation of a feed system

Ward: 10 - Eilean A' Cheò

Development category: N08C - Marine Finfish Farming Local (with EIA)

Reason referred to Committee: Number of objections

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

Recommendation

Members are asked to agree the recommendation to grant as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is for a new Marine Fish Farm consisting of 12 x 120m circumference circular cages, a feedbarge and Wavemaster raft.
- 1.2 The application was previously screened for Environmental Impact Assessment (EIA) purposes (17/00572/SCRE & 17/00573/SCOP). It was determined that an Environmental Statement was required. The application was also screened for Habitats Regulations purposes, determining that an Appropriate Assessment was required.
- 1.3 This area has been discussed with the Highland Council over a number of years as a better alternative to the current Balmeanach Bay site.
- 1.4 **Variations:**
- Landscape and Visual Impact Assessment submitted 19 June 2017
 - Acoustic Deterrent Device (ADD) information submitted 14 July 2017
 - Further sealice information submitted 14 July 2017
 - Response to concerns/objections submitted 18 September 2017
 - Further information on sea lice treatments and source of cleaner fish submitted 9 September 2017
 - Additional operational information submitted 11 October 2017

2. SITE DESCRIPTION

- 2.1 The location is Caol Mor, at the southern end of Raasay Sound, to the west of the entrance to Loch Ainort and east of the mouth of Loch Sligachan, Isle of Skye. The coastline west of the site is dominated by main road and infrastructure developments at Sconser related to the Raasay ferry.
- 2.2 There are three existing fish farm sites in the general vicinity;
- Maol Ban – about 430m to the south of the proposal – consists of 12 x 100m circular cages + 2 x 100m circular freshwater storage cages + feedbarge
 - Cairidh - Loch Ainort – c. 2.7km to the south of the proposal – consists of 12 x 100m circular cages + work-raft + feedbarge
 - Balmeanach Bay – c. 3 km to the north-east – consists 12 x 24m square pens + Storvik feed system

3. PLANNING HISTORY

- 3.1 17/00572/SCRE New Marine Fish Farm - Atlantic Salmon - 12 x 120m circle cages and feedbarge: 16 February 2017
- 3.2 17/00573/SCOP New Marine Fish Farm - Atlantic Salmon - 12 x 120m circle cages and feedbarge: 15 March 2017

4. PUBLIC PARTICIPATION

- 4.1 Advertised and re-advertised twice: Environmental Impact Assessment Regulations 2017 and Unknown neighbour: 19 Aug 2017
Representation deadline : 19 Aug 2017
Timeous representations : 10
Late representations : 0
- 4.2 Material considerations raised are summarised as follows:
- Noise: Potential for increased noise levels from servicing the proposal, including cumulative impacts with nearby fish farms.
 - Landscape: impacts on the landscape: e.g. spoiling iconic views, light pollution.
 - Biodiversity: the impacts on wild salmonids due to sea lice and escapes are unacceptable; impacts on the seabed, marine pollution, including chemical inputs; disturbance to cetaceans from Acoustic Deterrent Devices;
 - Tourism/Amenity impacts: perceived negative impacts on the tourist industry around Skye, including the Skye Trail and tourist accommodation, along with impacts on individual and community residential amenity; potential for additional litter;
 - Cumulative impacts: there are a number of existing fish farms close to the proposal therefore the cumulative impacts on all of the above need to be considered.
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal, which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

- 5.1 (E) Environmental Health : no objection; no concerns
- 5.2 (E) Sconser Community Council: no response
- 5.3 (E) Historic Environment Scotland: no objection; no comments to make on the proposal
- 5.4 (E) Marine Scotland Science: no objection; asked again for information that had originally been requested at the scoping stage to be supplied with the full planning application.
- 5.5 (E) Scottish Natural Heritage: no objection; Natura and landscape advice provided
- 5.6 (E) SEPA: no objection; modelling of benthic and water column impacts likely to be acceptable
- 5.7 (E) District Salmon Fishery Board Skye: no objection; raised query re cumulative impacts.
- 5.8 (E) Trunk Roads Network Management Directorate: no objection
- 5.9 (E) Scottish Water: no objection
- 5.10 (E) Ministry Of Defence, Defence Estates: no objection

- 5.11 (E) Northern Lighthouse Board: no objection; advised on lighting/navigational requirements.
- 5.12 (E) Crown Estates Commission: no response

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application.

6.1 Highland Wide Local Development Plan 2012

- 28 Sustainable Design
- 30 Physical Constraints
- 49 Coastal Development
- 50 Aquaculture
- 57 Natural, Built & Cultural Heritage
- 58 Protected Species
- 59 Other important Species
- 60 Other Importance Habitats
- 61 Landscape
- 63 Water Environment

6.2 West Highland and Islands Local Plan (2012) (as continued in force)

7. OTHER MATERIAL CONSIDERATIONS

7.1 Draft Development Plan

Westplan: proposed plan (2017)

7.2 Highland Council Supplementary Planning Policy Guidance

Highland Historic Environment Strategy (Jan 2013)
Highland's Statutorily Protected Species (March 2013)
Special Landscape Area Citations (June 2011)

7.3 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (The Scottish Government, June 2014)
National Marine Plan (2015)

7.4 Other

Highland Aquaculture Planning Guidance (2017)
Highland Coastal Development Strategy (2010)

8. 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.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 **Development Plan Policy Assessment**

The key considerations are:

- a) compliance with the development plan and other planning policy
- b) any other material considerations.

8.4 Policy 50 (Aquaculture) within the Highland-wide Local Development Plan (HwLDP) states that the Council will support the sustainable development of finfish and shellfish farming subject to there being no significant adverse effect, directly, indirectly or cumulatively on the natural, built and cultural heritage and existing activity. As discussed in the report below, the proposal would have an acceptable impact on the landscape and natural heritage. The proposal would therefore comply with this policy.

8.5 Policy 28 (Sustainable Design) includes, among other things, the requirement to assess proposals on the extent to which they have an impact on:

- individual and community residential amenity;
- including pollution and discharges, particularly within designated areas, species, marine systems and landscape.

As the proposal lies either within or close to the:

- Cuillin Hills National Scenic Area (NSA);
- Trotternish and Tianavaig Special Landscape Area (SLA);
- Raasay and Rona SLA;
- Inner Hebrides and the Minches candidate Special Area of Conservation (cSAC);
- Cuillins Special Protected Area (SPA);
- Various Priority Marine Features,

careful consideration will be required of the likely impacts.

8.6 Policy 57 (Natural, Built and Cultural Heritage) requires all development proposals to be assessed taking into account features of:

- **local/regional importance:** there are a number of amenity and cultural heritages resources in the vicinity of the proposal, as well as the Trotternish and Tianavaig/Raasay and Rona SLAs;
- **national importance:** Cullin Hills NSA; we will allow developments that can be shown not to compromise the natural environment, amenity and heritage resources;
- **international importance:** the proposal lies within the Inner Hebrides and the Minches candidate SAC and close to the Cuillins SPA. For features of international importance, developments likely to have a significant effect on a site, either alone or in combination with other plans or projects, and which are not directly connected with or necessary to the management of the site for nature conservation will be subject to appropriate assessment (see Appendix 2).

From a broad planning perspective, it would appear that the impacts on the above designations can be accommodated in terms of policies 28 and 57.

8.7 Policy 58 (Protected Species) states, among other things, that development that is likely to have an adverse effect, individually and/or cumulatively, on European Protected Species, will only be permitted where:

- there is no satisfactory alternative;
- The development is required for preserving public health or public safety...;
- The development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in the natural range.

Development that is likely to have an adverse effect, individually and/or cumulatively, on other protected animals and plants, will only be permitted where the development is required for preserving public health or public safety.

This policy therefore includes the freshwater stage of wild Atlantic Salmon (*Salmo salar*), which are listed on Appendix III of the Bern Convention and Annex II and V of the EC Habitats & Species Directive. It also includes the common and grey seals (*Phoca vitulina* and *Halichoerus gyrfus* respectively) and otters (*Lutra lutra*).

MSS and the Wester Ross Area Salmon Fishery Board (WRASFB) outline the existing sea lice problems with this and adjacent sites, but MSS note that changes to sea lice management have been successful, therefore the impacts, including the cumulative impacts, of the proposal upon wild Atlantic salmon are deemed acceptable with regard to this policy, as discussed in sections 8.32 - 8.50 below.

8.8 Policy 59 (Other Important Species): this policy requires the council to have regard to the presence of, and any adverse effect of development proposals, either individually and/or cumulatively, on the Other Important Species ... if these are not already protected by other legislation or by nature conservation site designations. Thus, as the multi-sea-winter component of the Atlantic salmon population is included in the UK Biodiversity Action Plan Priority Species List, and this species is also a Priority Marine Feature, for the reasons outlined above, the proposal is also acceptable with regard to this policy.

8.9 Policy 61(Landscape) states, among other things, that the council would wish to encourage those undertaking development to include measures to enhance the landscape characteristics of the area. This will apply particularly where the condition of the landscape characteristics has deteriorated to such an extent that there has been a loss of landscape quality or distinctive sense of place. The proposal lies close to the Cullins NSA. Given the location, nature and scale of the proposal, it is considered acceptable with regard to this policy, as discussed below.

8.10 **Material Considerations**

The main elements of this proposal can be considered under two main headings: landscape and biodiversity. The various aspects of each will be considered, including four key elements that require detailed assessment:

1. Landscape, Seascape and Visual impacts, including noise, lighting and historic environment assets;

2. Biodiversity impacts on the seabed, water column and on the SAC/protected species, particularly the impact of Acoustic Deterrent Devices;
3. Biodiversity impacts of sea lice on wild salmonids

Each issue will be considered in turn in relation to the individual Sconser Quarry proposal, taking the various aspects of the proposal on its merits. The cumulative impacts of each of these three factors above in relation to the three nearby farms at Balmeanach Bay, Maol Ban and Cairidh (Loch Ainort) will also be assessed. Note that the existing Balmeanach Bay site is also sometimes referred to in some of the submitted documentation as the 'Sconser' site.

8.11 **Landscape:** The proposal lies c. 2.4km from The Cuillin Hills National Scenic Area (NSA) and c. 2.6km from the Trotternish and Tianavaig Special Landscape Area (SLA) and c. 4.3km from the Raasay and Rona SLA.

8.12 The Landscape, Seascape and Visual Impact Assessment (LSVIA) submitted appears to generally be of good quality, but note the co-ordinates provided in the photosets were wrong on viewpoints (VP) 3-5; these were subsequently amended on 18 Aug 2017. The LSVIA considered the potential for significant impacts affecting a number of key receptors, including the immediate vicinity of the proposal, key views from the Maol road and the A87, along with lesser effects from southern Raasay. It also assessed the cumulative impacts, especially with the adjacent site at Maol Ban.

8.13 In summary, the LSVIA acknowledges the scenic quality of the area by noting there are "expansive views of diverse coastal landscape with a backdrop of impressive mountains to the west and coastal panoramas. It notes the views from settlements in Sconser, Balmeanach, Raasay and all along the coast are generally of high quality, along with views from the Sconser-Raasay ferry (para 94). It goes on (para 95) to emphasise that the immediate area of the proposal is not in The Cuillin Hills National Scenic Area (NSA), nor the Trotternish and Tianavaig Special Landscape Area (SLA). However, given the proposal is visible from the NSA at key receptors, these impacts have to be duly considered.

8.14 When considered on its own, the proposal has no immediate receptors other than from the relatively little used Maol Ban road. The nearest properties are c. 3.3 km away at Peinachorrain and c. 1.5 km away at Suisnish, Raasay. The proposal would be visible from A87 from Ard Dorch, but would be partly shielded by the headland for much of the rest of the way along the A87 to the north.

8.15 As there is an existing fish farm adjacent to the site (Maol Ban), as well as two others in the vicinity, the cumulative impacts are also a key consideration. Given the very close proximity of the existing Maol Ban site in particular, the proposal would be a substantial addition to the immediate landscape, which is currently dominated by the Maol Ban site. This adjacent site also had a recent application granted (17/03382/FUL) to add two cages to the middle of the existing group to hold freshwater and extend the existing planning boundary to contain c. 1.3km of pipework to bring freshwater from the Moll River. The cumulative seascape and landscape effects appear to be underplayed given the actual distance between the

southern-most Sconser Quarry cages and the northern most Maol Ban cages is only c. 700 m.

- 8.16 However, only a few receptors on Raasay would see a higher density of cages in combination with the Maol Ban site, as highlighted in the photomontage from view point 6 on the minor public road above Rubha na Cloiche. Again, whilst they are clearly visible, it is considered that they do not dominate the view given their relatively low profile and dark backdrop and existing perception of a fish farming seascape; the eye is mainly drawn to the open mountain views.
- 8.17 SNH advised that the proposal will not have an adverse effect on the integrity of the NSA or the qualities for which it has been designated. They highlight that with regards to the cumulative impacts, especially the Maol Ban site, whilst giving a likely perception of fish farming seascape, the proposal is not within a regionally or nationally designated landscape. Most receptors for the Sconser Quarry site, especially those along the A87, are less pronounced than either the Maol Ban or Balmeanach Bay (Sconser) site.
- 8.18 The LSVIA is considered to underplay the impacts on the settlements at Peinchorran and Balmeanach, which it terms collectively as Balmeanach Bay. As the LVIA flagged from the photomontages, the existing pens at Balmeanach Bay (aka Sconser) dominate the views. The eye then tends to be drawn across to the proposed new site at Sconser Quarry. Thus, whilst the Sconser Quarry site does add visual impact, it is not considered to be significant in landscape terms; it is the existing site that dominates the landscape in this area.
- 8.19 Lighting: The effect of underwater lighting (used periodically to alter maturation times) suggests the key impacts would be along the Moll Road and, to a lesser extent, from Raasay, including cumulative impacts from the Maol Ban site. Any receptors from the Balmeanach Bay area do not appear to have been considered, perhaps due to the distances involved. Surface lighting will also draw the eye to the development. To minimize the impacts of lighting, a condition is proposed to control the manner in which any lighting is installed.
- 8.20 Noise: as part of the EIA Scoping process, a noise assessment was required as part of the LVIA; however this has not been done. The LVIA notes “Noise is addressed elsewhere in the EIA” (LVIA para. 38), but goes on to provide a general paragraph on man-made noise, with reference to a loch in Argyle and Bute (LVIA para 370). Section 5.8 of the ES notes that as all generators and compressors within the feedbarge have acoustic protection, there should not be any significant impacts on key receptors. To ensure noise impacts are controlled, a condition can be applied to set a maximum sound level at surrounding receptors.
- 8.21 Historic Environment Assets: Whilst there are a number of historic environment features in the vicinity, particularly on Raasay, given the relative distances it is unlikely the proposal will have a significant effect on their setting.
- 8.22 Landscape conclusion: All the equipment, other than that required for safety/navigational markers, will be low profile, except the feedbarge, and will be of dark, matt colours, which will help minimize the visual impacts. Given the dominance of existing sites at Balmeanach Bay and Maol Ban, the cumulative

impacts on key receptors for this proposal are not considered significant. The proposal is therefore deemed acceptable in relation to landscape aspects of Policy 28 and is acceptable in relation to Policy 61.

- 8.23 **Biodiversity Impacts** : As stated at 8.10 above, given the nature and the scale of the proposal, it is likely it will have a significant effect on the biodiversity of the area, which therefore requires assessment. This includes an appraisal of any impacts on the candidate Inner Hebrides and the Minches Special Area of Conservation, Priority Marine Features and other protected species, as discussed below.
- 8.24 Natura sites: The proposal lies within the Inner Hebrides and the Minches candidate Special Area of Conservation. The qualifying interest for which the site is proposed to be designated is porpoise. As the proposal aims to use Acoustic Deterrent Devices (ADDs), an Appropriate Assessment (see Appendix 2) is needed to conform to the Habitats Regulation requirements, as the proposal is likely to have a significant effect on the porpoises.
- 8.25 The conclusions of the Appropriate Assessment are that the use of ADDs will not be significantly harmful to harbour porpoise so long as ADD use is strictly controlled both in terms of the equipment employed and frequency with which it is activated.
- 8.26 Further information submitted by the applicant notes that the draft ADD plan subsequently submitted would be approved by SNH before ADDs were utilised at the site. A condition will ensure this is in place prior to the commencement of development. By employing best practice at this site, it can be concluded it is acceptable in terms of impacts on the candidate SAC. Wider discussions on this topic in relation to cumulative impacts are ongoing between SNH and the aquaculture industry.
- 8.27 The proposal also lies c. 2.4km from the Cuillins Special Protected Area (SPA). The qualifying feature is Golden Eagle (*Aquila chrysaetos*). SNH did not provide comments on this aspect. In addition, as the council have not received any reports of any adverse effects from the current fish farms nearby, it is likely that the proposal would not have any significant additional adverse effect on the eagles. An Appropriate Assessment is therefore not required for this SPA.
- 8.28 SNH also advise that other cetacean species also use the Caol Mor area, particularly Bottlenose dolphin (*Tursiops truncatus*). All cetaceans are European Protected Species (EPS). Similar issues regarding disturbance/habitat exclusion apply to those species and effects on them would also be mitigated by the measures outlined in the Appropriate Assessment (Appendix 2).
- 8.29 Benthic/water column impacts: The baseline data shows the existing site has a relatively rich seabed community, as could be expected from an undeveloped site with no history of previous fish farming. SEPA note the numbers of taxa, species richness and diversity scores were all high, indicating normal communities. They also state that a Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) application (known as a 'CAR application') for a new licence has been submitted (at the time of writing). However, the exact biomass and

quantities of sealice therapeutants have yet to be determined. The current planning assessment has been made on the maximum biomass as applied for i.e. 2,500 tonnes. SNH advise that the proposals do not raise any issues of national interest regarding Priority Marine Feature habitats or species in relation to benthic species.

8.30

SEPA notes the fish farm is located in the Sound of Raasay Water Framework Directive water body (200494), which has been classified as having “Good” status in the 2015 classification year. No comments provided by SEPA suggest there would be an unacceptable impact on the water column. MSS states that the proposed biomass should not result in unacceptable impacts to the water column, either at the site or cumulatively within the wider water body. MSS also advise that any impacts on the farmed fish from blasting at Sconser Quarry are unlikely to be a consideration; this aspect was raised by one of the objectors.

8.31

From the above expert advice, it can be concluded the impacts on the seabed and water column are acceptable.

8.32

Biodiversity impacts of sea lice on wild salmonids. The discussion below outlines:

1. Protection status of wild salmonids (section 8.33)
2. Why sea lice are a problem for aquaculture and wild salmonids (section 8.34 – 8.37)
3. How sea lice data are reported and an assessment of the proposal, including cumulative impacts, on wild salmonid river populations (sections 8.38 – 8.44)
4. Why the mitigation suggested, including the use of an Environmental Management Plan or similar, would be sufficient to allow the proposal to proceed (sections 8.45 – 8.48).

8.33

Wild salmonids i.e. wild salmon and trout, are protected species. Among other designations, the Atlantic salmon is listed on Appendix III of the Bern Convention and Annex II and V of the EC Habitats & Species Directive and are listed on Schedule 3 of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) whilst in freshwater. The multi-sea-winter component of the Atlantic salmon population is included in the UK Biodiversity Action Plan Priority Species List. This species is also a Priority Marine Feature. Trout (*Salmo trutta*) are on the UK Biodiversity Action Plan Priority Species List and received some protection within the fisheries acts relating to the protection of ‘salmon’. The Council also has a Biodiversity Duty under the Conservation of Nature (Scotland) Act 2004 to protect them. Clearly therefore, any impacts on these species must be considered. However, none of the rivers in the proximity of the development are designated as a Special Area of Conservation (SAC) for their salmon populations; nor are there any SACs designated for Fresh Water Pearl Mussel (FWPM) (*Margaritifera margaritifera*) in the vicinity.

8.34

Sea lice: The key sea louse species of concern is *Lepeophtheirus salmonis*. They are parasites found in the wild, which can infect farmed salmon. Given the high numbers of fish in the cages, the population of the lice can rapidly increase and affect both the farmed fish and infect/re-infect the wild population. In addition,

numerous studies have shown that sea lice in the receiving environment tend to be higher during second years of production of a fish farm and therefore pose a greater risk to wild salmonids at that time. For clarity, marine fish farms tend to operate on two-year production cycles, then all remaining fish are harvested out and the site is left fallow for several weeks or months prior to re-stocking. Once re-stocked, the lice levels are generally low for at least the first few months, then if there is a sea lice issue in the area, the numbers can build up as the farmed fish grow bigger. The volumes of fish proposed for this application, in conjunction with nearby applications and existing fish farms, could therefore act as additional hosts for sea lice.

- 8.35 Biomass and sea lice: The maximum stocked biomass proposed for the site is 2,500 tonnes. The main impacts of biomass are assessed by SEPA in relation to benthic impacts and water quality. They have determined that a Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as Amended) licence, generally known as the 'CAR licence' is likely to be issued, but the exact biomass is yet to be determined. This implies the impacts on the farmed salmon are acceptable in relation to SEPA's remit, including its biodiversity duty.
- 8.36 Whilst most biomass elements are considered by SEPA, with input from MSS, there may also be implications regarding impacts on wild salmonids, therefore it is also a material planning consideration in relation to the Council's biodiversity duty and conservation policies for this proposal.
- 8.37 The Wester Ross DSFB, whose boundaries are adjacent to those of the Skye DSFB, objected to the application on the grounds of the impacts of sea lice on wild salmonids. Their concerns relate to the potential impacts on migratory wild salmonids mainly in relation to the Sligachan, Broadford and Applecross rivers. They note that larval sea lice can move up to 40km in the water column and therefore have the potential to impact many other rivers further afield. The cumulative impacts with the current and other proposed fin fish sites in the area add to their concerns. Note the Skye District Salmon Fisheries Board (DSFB), a statutory consultee, chose not to provide detailed comments on the application, but requested comments on the likely outcomes posed by the possibility of a simultaneous sea louse infestation on all the existing and the proposed site if it coincided with salmonid migration.
- 8.38 Sea lice data: These data in relation to fish farms are published by the Scottish Salmon Producers Organisation (SSPO). These are not site-specific data but are based on Farm Management Areas (FMA), which are located within named regions. These areas adopt similar farming practices such as stocking the same year class of fish and synchronised fallowing of farms at the end of a production cycle. The current proposal lies within the Skye and Small Isles North reporting region. The other four active farms in this FMA are the adjacent Maol Ban, Balmeanach Bay, Cairidh (Loch Ainort), Muck and Portree; the first four are operated by the applicant, Marine Harvest Scotland, whilst the Portree site(s) are operated by the Scottish Salmon Company. Marine Harvest (MH) has started to publish site-specific sea lice data but these are only available from January 2017 and are not directly comparable to the SSPO data as it reports different information; SSPO report on average adult female lice but MH only report average gravid (fertile) females. The SSPO data are therefore more useful as any of the

females may have the potential to become/or have been gravid, whilst the MH data only reports those that are currently gravid.

8.38

Marine Scotland Science (MSS) assesses benthic, water quality and aquaculture animal health i.e. impacts on the farmed fish. In addition, it provides some general information in relation to the potential increased risk to wild salmonids. MSS suggests that performance of existing farms within an area could act as a guide for future performance. Interestingly, in contrast to this advice, the applicant notes that historic data are no longer indicative of a site's ability to control lice. Whilst new approaches to sea lice management for farmed fish are constantly being trialled/used, the main, current readily available proxy for assessing the impact of sea lice on *wild* salmonids is the likely numbers emanating from the farmed fish, along with the Scottish Government trend data on rod catches of wild salmonids; both of these aspects are discussed below.

8.39

Farmed Fish Lice Levels: Data from the Scottish Salmon Producers Organisation (SSPO) shows that sea lice levels in the past few years for the existing farms in this area have reduced from a high of 14 - 16 times over the Code of Good Practice (CoGP) levels in 2014, but remain around 2.5 - 4 times over the recommended levels. The CoGP states that average levels of 0.5 adult female lice per fish between February and June and 1.0 adult female lice per fish between July and January should be sought. MSS state that adherence to the suggested criteria for treatment of sea lice stipulated in the industry CoGP may not necessarily prevent release of substantial numbers of sea lice from aquaculture installations.

8.40

Wild Salmonid Catches: Data from MSS on salmonid fisheries in the Sligachan Statistical District (the wider area in which the proposal lies) shows an overall decline in salmon and trout catches, particularly since the 1980s. Data from the WRASFB provided greater detail on the last ten year trends for this and for adjacent areas. They have provided evidence that catches have fluctuated in correlation with the existing salmon farm production cycles and their corresponding sea lice infestation.

8.41

Proposed sea lice mitigation: Information supplied by the applicant on potential methods to manage sea lice impacts includes:

- a) Good husbandry practices: fallow periods; single year class stocking/production areas; lice counts; communications between companies; coordinated treatments between neighbouring farms; national treatment strategy; regional health managers; site-specific veterinary health plan.
- b) Biological control: use of cleaner fish
- c) Mechanical/Thermic Control: Hydrolicers and Thermolicers
- d) Freshwater treatments
- e) Medicinal control
- f) Hydrogen peroxide

These various generic methods of controlling sea lice were outlined by the applicant but it was unclear which methods would actually be used on site. Subsequent discussions with the applicant on wider sea lice issues confirmed that all the measures outlined above would be available for this site as required.

8.42

A separate sea lice management strategy was requested at the scoping stage. MSS also requested detailed information regarding addressing how the risks to

effective sea lice management would not be increased in the Farm Management Area (FMA) by the proposed new site. They requested specific information detailing how treatments will be synchronised within the FMA, given the increased number of biomass and pens. Given the very close proximity of the Maol Ban site in particular, and the proposal for another new farm at Scalpay, the ability to treat sea lice effectively before cages/sites are re-infected is therefore a key consideration.

- 8.43 An example treatment plan was submitted on 13 September 2017. The submitted draft Farm Management Statement notes the use of sea lice skirts but these have not been included in the planning application therefore any additional visual impacts, along with any other impacts whether positive or negative, have not been assessed. The final information required by MSS was eventually provided on 9 October 2017.
- 8.44 MSS notes the potential increased risk to wild salmonids from lice emanating from fish farms generally but conclude that “suitable measures for the control of parasites would remain in place in the Farm Management Area despite the increase in biomass and pens as far as can be reasonably foreseen.”
- 8.45 Given all of the above, it is considered that the planning authority can be confident that sea lice numbers in the area, although higher than desired, are under control and there is no reason to conclude that the current proposal will alter this state of affairs in a detrimental manner. However, it is considered appropriate to recommend an Environmental Management Plan as a condition of the application. This is based on consideration of recent fish farm appeal decisions in the Highland area which also addressed this issue. Decisions granting approval for farms near the mouth of Loch Pooltiel in north-west Skye and in Loch Torridon on the mainland both included conditions requiring the submission and approval of an environmental management plan. These consisted of a sea lice management plan and an escape management plan and stipulated the form these should take.
- 8.46 However, these stipulations also included a requirement to carry out wild fish monitoring and an obligation to provide the planning authority with summary data on sea lice levels and notification of any losses or escapes. The reporter justified the wild fish monitoring requirement on the basis that the protection of wild fish was the ultimate purpose of the EMP and to fail to even attempt to monitor its impact would mean that the EMP was achieving nothing more than the existing Fish Health Inspectorate (FHI) regime. This could not therefore be regarded as discharging the planning authority biodiversity duty. Furthermore, the condition could not be seen to meet the enforceability requirements of Circular 4/1998 unless the local authority were provided with the sea lice count and escapes data to base their on-going assessment of the farm sea lice control performance upon.
- 8.47 It is considered that the approach taken by the reporter in these appeals is relevant to this application. It would allow a recommendation of approval in the knowledge that the authority would remain sufficiently informed at any time during the lifetime of the permission to take action if the operations of the farm were considered to be causing material harm to wild salmonids. A condition modelled upon those in the reporter’s decision notices for these two appeals is recommended. These measures will go some way to mitigating any increased pressure on wild

salmonids.

- 8.48 From the information provided by the applicant and the consultees, as summarised above, it can be concluded that, with appropriate mitigation, the development could proceed, with regard to sea lice considerations.
- 8.49 Escapes: Escaped fish could have an impact on wild salmon by competing for space and genetic dilution of wild stock. Equipment attestations, along with the containment and escapes contingency plan, provided by the applicant provides some assurance that should any escapes occur, they will be dealt with appropriately. MSS note the suitability of the equipment proposed for use on the site is satisfactory as far as can reasonably be foreseen and condition 4 would provide further reassurance.
- 8.50 Biodiversity summary: the various modelling and advice from the statutory consultees suggests proposal would likely be acceptable in relation to impacts on the water column and the sea bed. Any impacts on the candidate SAC, given the mitigation proposed, show these are not considered to be significant and therefore acceptable. There remain some concerns regarding the likely impact of the biomass on wild salmonids due to sea lice issues. These can be mitigated by the control measures proposed and conditions that require an Environmental Management Plan, but any further increase in biomass may not be supported.
- 8.51 **Other Material Considerations: Tourism/amenity/jobs**
Although the MOD uses the wider area for a submarine exercise area and a firing practice area, it advised it has no safeguarding objections to this proposal.
- 8.52 The applicant's proposed intention is to close the Balmeanach Bay (Sconser) site once there has been a successful production cycle at the Sconser Quarry site, therefore both sites would be running concurrently; the current application has been assessed on that basis. However, it is recognised that the removal of the Balmeanach Bay farm would be a positive outcome which would only improve the environmental impact of fish farming in the area from both a visual and sea-lice control point of view.
- 8.53 It is not considered necessary or appropriate to make the operation of the proposed site conditional on the removal of the Balmeanach Bay operation.
- 8.54 Whilst the operator notes that jobs would be created by the proposal, if the Balmeanach Bay (Sconser) site did close, it is likely there would be little net gain of new jobs.
- 8.55 With the mitigation proposed by conditions on the application, the proposal is deemed acceptable in terms of policy 28 in relation to tourism and amenity factors.
- 8.56 **Other Considerations – not material**
- Request for moratorium on new fin fish farms
 - Ownership of fish farms
 - Request for closed-containment fish farming
 - Commercial impacts

- Health and safety impacts for Braes Beach users
- Adjacent fish farm site is leased

9. CONCLUSION

9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

- 10.1 Resource – Not applicable
- 10.2 Legal – Not applicable
- 10.3 Community (Equality, Poverty and Rural) – Not applicable
- 10.4 Climate Change/Carbon Clever – Not applicable
- 10.5 Risk – Not applicable
- 10.6 Gaelic – Not applicable

11. RECOMMENDATION

Action required before decision issued N

Subject to the above, it is recommended the application be **Granted** subject to the following conditions, reasons and notes to applicant :

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. Pipes between the automated feed barge and the cages shall be neatly bundled to minimise clutter.
Reason: To minimise the visual impact of the installation and to help safeguard the integrity of The Cuillin Hills National Scenic 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. Prior to the commencement of development, the final Acoustic Deterrent Device Plan shall be submitted and agreed in advance in writing with the Planning Authority.

Reason: To minimise the impact on the Inner Hebrides and the Minches candidate Special Area of Conservation.

4. Prior to the commencement of development and notwithstanding the information submitted with this application, an Environmental Management Plan (EMP), or similar document, will be submitted to and approved in writing by the Planning Authority and should include adequate details to address how compliance can be assessed. This should also detail triggers/thresholds and associated actions in order to secure that any risk to local wild fish populations is minimised. Upon commencement the development and ongoing operation of the site must be carried out in accordance with the EMP as approved.

The EMP shall be prepared as a single, stand alone document, which shall include the following:

(1). Sea Lice Management in relation to impact on wild fish

- a) A method statement for the regular monitoring of local wild fish populations based on available information and/or best practice approaches to sampling;
- b) details of site specific operational practices that will be carried out following the stocking of the site in order to manage sea lice and minimise the risks to the local wild fish population;
- c) details of site specific operational practices that will be carried out in order to manage the incidence of sea lice being shed to the wider environment through routine farming operations such as mort removal, harvesting, grading, sea lice bath treatments and well boat operations;
- d) details of the specification and methodology of a programme for the monitoring, recording, and auditing of sea lice numbers on the farmed fish;
- e) details of the person or persons responsible for all monitoring activities;
- f) an undertaking to provide site specific summary trends from the above monitoring to the Planning Authority on a specified, regular basis;
- g) details of the form in which such summary data will be provided;
- h) details of how and where raw data obtained from such monitoring will be retained by whom and for how long, and in what form;
- i) an undertaking to provide such raw data to the Planning Authority on request and to meet with the planning authority at agreed intervals to discuss the data and monitoring results;
- j) details of the site specific trigger levels for treatment with sea lice medicines. This shall include a specific threshold at which it will be considered necessary to treat on-farm lice during sensitive periods for wild fish;
- k) details of the site specific criteria that need to be met in order for the treatment to be considered successful;
- l) details of who will be notified in the event that treatment is not successful;
- m) details of what action will be taken during a production cycle in the event that a specified number of sea lice treatments are not successful;
- n) details of what action will be taken during the next and subsequent production

cycles in the event that sea lice treatment is not successful.

(2). Escape Management to minimise interaction with wild fish

- a) details of how escapes will be managed during each production cycle;
- b) details of the counting technology or counting method used for calculating stocking and harvest numbers;
- c) details of how unexplained losses or escapes of farmed salmon will be notified to the Planning Authority;
- d) details of an escape prevention plan. This shall include:
 - net strength testing;
 - details of net mesh size;
 - net traceability;
 - system robustness;
 - predator management; and
 - record-keeping methodologies for reporting of risk events. Risk events may include but are not limited to holes, infrastructure issues, handling errors and follow-up of escape events; and
- e) details of worker training including frequency of such training and the provision of induction training on escape prevention and counting technologies.

(3). Procedure in event of a breach or potential breach.

a) A statement of responsibility to "stop the job/activity" if a breach or potential breach of the mitigation / procedures set out in the EMP or legislation occurs. This should include a notification procedure with associated provision for the halt of activities in consultation with the relevant regulatory and consultation authorities in the event that monitoring demonstrates a significant and consequent impact on wild fish populations as a result, direct or otherwise of such a breach.

(4). Requirement for update and review

a) The development and operation of the site, shall be carried out in accordance with the approved EMP unless changes to the operation of the site dictate that the EMP requires amendment. In such an eventuality, a revised EMP will require to be submitted to, and approved in writing by the Planning Authority beforehand. In addition, a revised EMP shall be submitted to and approved in writing by the Planning Authority every 5 years, as a minimum, following the start date, to ensure it remains up to date and in line with good practice.

Reason : To ensure that good practice is followed to mitigate the potential impacts of sea lice loading in the marine environment in general and on wild salmonids in particular; in accordance with the Planning Authority's biodiversity duty.

5. 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, 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 interests of amenity and navigational safety.

6. 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.

7. All plant, machinery and equipment shall be so installed, maintained and operated such that any associated operating noise does not exceed NR 20 when measured or calculated within any noise-sensitive premises with windows open for ventilation purposes. For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat or static residential caravan.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

TIME LIMITS

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTES TO APPLICANT

Initiation and Completion Notices: The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning

Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans & Conditions: You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Local Roads Authority Consent: In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:
<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:
http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_or_working_on_public_roads/2

Construction Hours and Noise-Generating Activities: You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended). Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your

Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species – Halting of Work: You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: www.snh.gov.uk/protecting-scotlands-nature/protected-species

Lighting and Licences: The development should be lit in accordance with Northern Lighthouse Board requirements and obtain any marine licences as required.

Signature:	Dafydd Jones
Designation:	Area Planning Manager - North
Author:	Shona Turnbull
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 – Location Plan Plan 2 – Planning Boundary and cage layout Plan 3 – Cage Elevations Plan 4 – Feed Barge Elevations
Appendix 1:	List of letters of representation
Appendix 2:	Appropriate Assessment

Appendix 2: Appropriate Assessment

Porpoise cSAC

Marine Fish Farm - Atlantic Salmon - New site consisting of 12 x 120m circumference circular cages plus installation of a feed system

**Site 2130M East Of Sconser Quarry Sconser Sound of Raasay, Isle of Skye
17/02707/FUL**

CONSIDERATION OF PROPOSALS AFFECTING EUROPEAN SITES

The status of the **Inner Hebrides and the Minches candidate Special Area of Conservation** under the EC Directive 92/43/EEC, the 'Habitats Directive' means that the Conservation (Natural Habitats, etc.) Regulations 1994 (as amended), apply, as Scottish Planning Policy 2014 (para 210) requires candidate SACs to have the same level of protection as designated ones.

This means that where the conclusion reached by the Council on a development proposal unconnected with the nature conservation management of a Natura 2000 site is that it is likely to have a significant effect on that site, it must undertake an Appropriate Assessment of the implications for the conservation interests for which the area has been designated. The need for Appropriate Assessment extends to plans or projects out with the boundary of the site in order to determine their implications for the interest protected within the site.

This means that the Council, as competent authority, has a duty to:

- Determine whether the proposal is directly connected with or necessary to site management for conservation; and, if not,
- Determine whether the proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; and, if so, then
- Make an Appropriate Assessment of the implications (of the proposal) for the site in view of that site's conservation objectives.

The competent authority can only agree to the proposal after having ascertained that it will not adversely affect the integrity of the site. If this is not the case and there are not alternative solutions, the proposal can only be allowed to proceed if there are imperative reasons of overriding public interest, which in this case can include those of a social or economic nature.

It is evident that the proposal is not connected with or necessary to site management for conservation, hence further consideration is required. The proposed feed-plant and associated jetty extension has the potential to have a likely significant effect on the qualifying interests. The Council is therefore required to undertake an Appropriate Assessment of the implications of the proposal for the Inner Hebrides and the Minches candidate SAC in view of the site's conservation objectives.

APPROPRIATE ASSESSMENT

While the responsibility to carry out the Appropriate Assessment rests with the Council, advice contained within Circular 6/1995 is that the assessment can be based on the information submitted from other agencies. In this case, the Appropriate Assessment is informed by information supplied by SNH.

Appraisal

In its response to the Council SNH has advised that in their view this proposal will not adversely affect the integrity of the site when proposed mitigating conditions are applied. The council has undertaken an appraisal assisted by the information supplied.

Decision

On the basis of this appraisal, it can be concluded that the proposal will not adversely affect the integrity of Inner Hebrides and the Minches candidate SAC.

HIGHLAND COUNCIL APPRAISAL OF THE PROPOSAL

- The proposal is not directly connected with or necessary to site management for conservation;
- The proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; therefore;
- An Appropriate Assessment of the implications (of the proposal) for the site in view of that site's conservation objectives is provided below.

Interests of European Importance – the Inner Hebrides and the Minches candidate SAC

The qualifying interest for which the site is proposed to be designated is porpoise. The cSAC is the largest protected area in Europe for harbour porpoise and covers over 13,800 km² and supports over 5000 individuals. The SAC Selection Assessment Document on the SNH websiteⁱ describes the pSAC as having the following attributes:

6. Site summary

The Inner Hebrides and the Minches site is located within the West Scotland harbour porpoise MU and is an area with high predicted and observed densities of harbour porpoise. The area included within the site covers important summer habitat, where the density of animals has been shown to be consistently above average by both Heinänen and Skov (2015) and the work from Booth *et al.* (2013). Additionally, work by Embling *et al.* (2010) and Marubini *et al.* (2009) also indicate that locations within this proposed site support high densities of harbour porpoise in summer and thus could be suitable as a protected area for the species. No modelling work was undertaken for the winter season for the West Scotland management unit because there were insufficient data available. Although there are more data from summer months, harbour porpoise are present throughout the year (Paxton *et al.* 2016), and thus the designation applies year round.

The Inner Hebrides and the Minches site comprises an area of 13801.99km². The site's northern boundary crosses the North Minch between the Point of Stoer and Tolsta Head. A simple boundary follows the coastline of the Outer Hebrides to Rubha na h-Ordaig on South Uist. From there it crosses the Sea of the Hebrides to the northern tip of Coll, and then runs from Port a' Mhùrain on the south west of Coll, down to Rubha Bholsa on the north coast of Islay. It has a southern boundary between the Rhuba na Tràille at the southern end of Jura and the mainland coast near Ballochroy. From Ballochroy it follows the mainland coastline back to the Point of Stoer including the Sound of Mull and Kyle Rhea. It encompasses the islands of Skye, Mull, Lismore, the island group within the Firth of Lorn and Colonsay.

The Advice to Support Management document on the SNH Websiteⁱⁱ notes:

Aquaculture - finfish

In assessing likely impact, our focus has been on the equipment on site, likely vessel routes, and the use of Acoustic Deterrent Devices (ADDs) which together represent the main interactions between aquaculture developments and harbour porpoise.

There are numerous finfish farms within or immediately adjacent to the pSAC, mainly close to the shore. Map 2 shows the distribution of aquaculture developments within or close to the boundary of the pSAC.

Aquaculture farm equipment includes pens, nets, moorings and can include floating buildings. We consider that there is a low risk of entanglement for harbour porpoise from aquaculture infrastructure.

Finfish farms often use ADDs as part of their anti-predator measures, however, these may result in disturbance/habitat exclusion of harbour porpoise. The evidence of impacts on cetaceans from ADDs currently in use is varied and is dependent on many variables (e.g. noise characteristics of device, how the device is used, the topography, animal behaviour and importance of the area/habitat where the ADD is being used). We are aware there are ongoing trials and research relating to new ADDs for which noise emissions do not overlap with the most sensitive range of harbour porpoise hearing. Further research is required but these new devices may in the future provide a suitable alternative seal defence mechanism which is more compatible with the conservation objectives of the site.

The conservation objectives for the Inner Hebrides and the Minches candidate SAC are yet to be determined but are being considered in a proposed Conservation Strategyⁱⁱⁱ. SNH have advised:

- An overview of the sightings and modelling data used to inform cSAC selection is available at: <http://www.snh.gov.uk/docs/A1918277.pdf> . This demonstrates that Caol Mor is an important part of the cSAC for harbour porpoise. Caol Mor connects the Inner Sound and Sound of Raasay which both have very high levels of predicted and observed harbour porpoise activity and Caol Mor is likely to be important for animals moving from one part of the cSAC to another.
- A range of alternative predator control measures will be used before ADDs are considered.
- MHS have proposed exclusively using the Ace Aquactec TR1 ADDs at the Sconser Quarry site (if ADDs are required). The scientific trials for this device have not been completed but based on the currently available information we expect this low frequency transducer to have lower impacts on cetaceans than the US3 currently used on adjacent fish farms.
- The ADD deployment guidance indicates that ADDs will not be used constantly: they will only be turned on when stock mortalities attributed to seals occur. Their use will be reviewed daily by the Site Manager and weekly by the Area Manager. They will be switched off promptly when there are no stock mortalities attributed to seals.
- MHS have committed to maintain a record of the ADD used, settings and deployment dates and to make that information available to SNH and THC (although there is no specific commitment to organising regular meetings).
- MHS operate three other fish farms in the Caol Mor area which currently use, or have the option to use, ADDs. In discussion with SNH and as part of their 'cumulative assessment' document they have committed to: operating their Sconser, Cairidh and Maol Ban sites using the same 'ADD deployment guidance' as at Sconser Quarry; logging and reviewing ADD use; using the TR1 device in preference to the US3 in the first instance. Taken together these measures would be likely to reduce the noise output from the existing farms in comparison with previous production cycles.

Cumulative and in-combination effects:

As outlined above, there is a commitment by the applicant to review ADD use at the nearby sites and operate best practice across all these sites. This will help ensure that any cumulative or in-combination effects are minimized.

Qualifying Species:

- Porpoise

Highland Council's appraisal of the effect of the proposal on species integrity

The development may directly cause negative impacts due to the individual and cumulative impacts of ADDs if used on this and the adjacent fish farms in the vicinity. However, scientific advice provided indicates that as long as a condition on the planning application such that the number and type of ADDs should only be used in such a manner

to minimise the individual and cumulative effects, the proposal will not adversely affect the integrity of the candidate SAC.

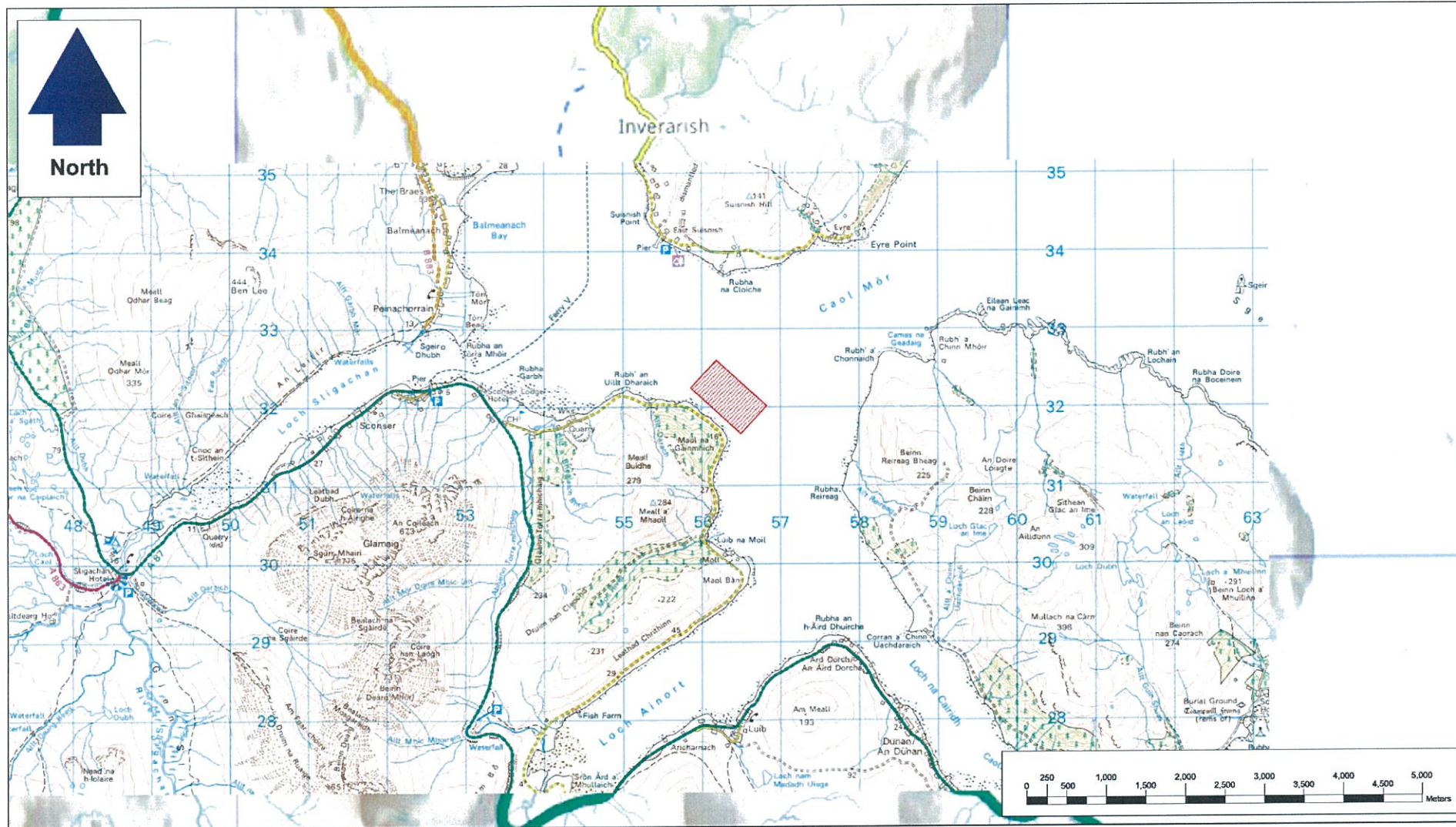
Conclusion to scientific appraisal


The proposal is unlikely to have a significant effect of the integrity of the qualifying feature of the Inner Hebrides and the Minches candidate SAC.

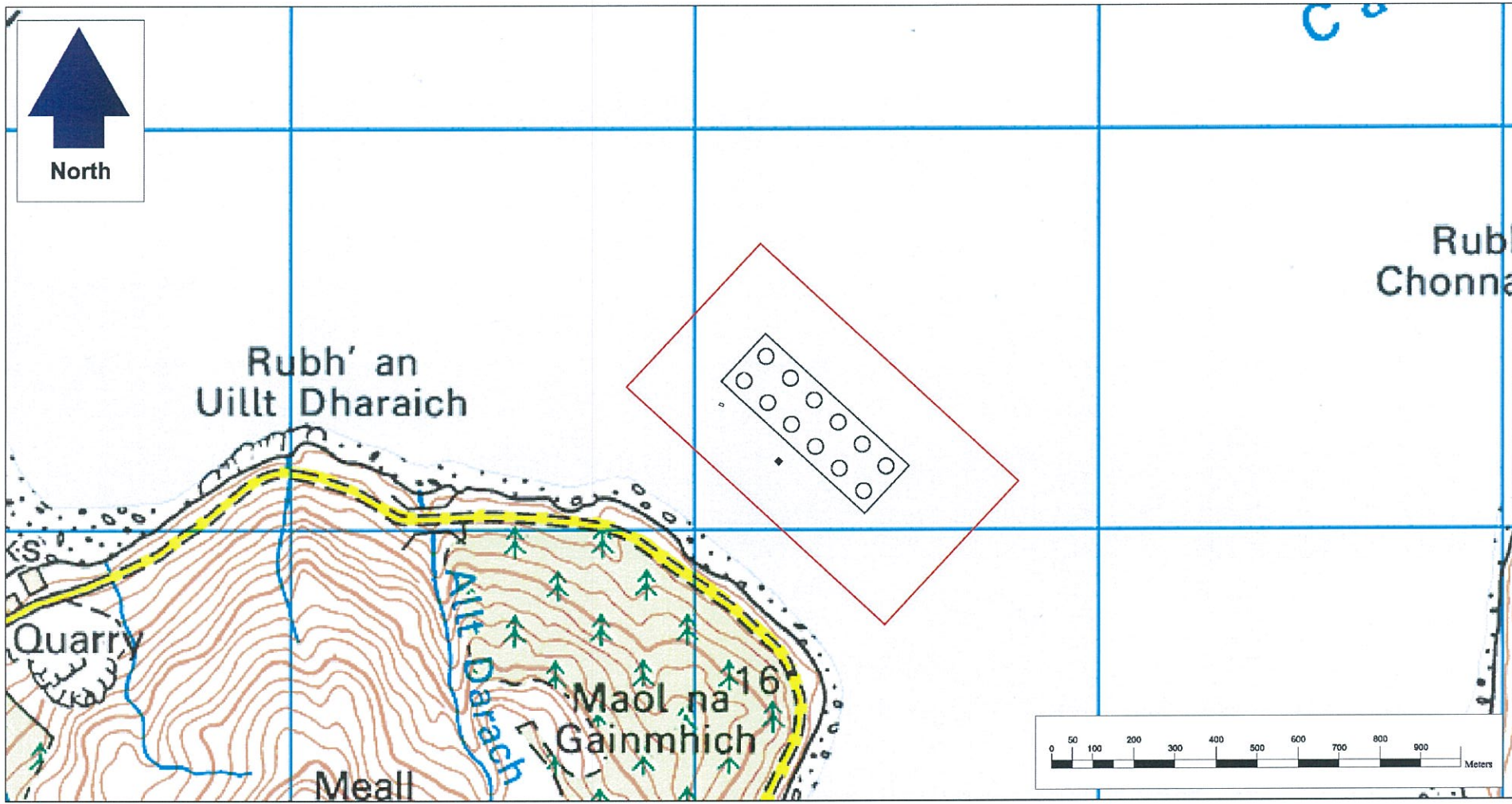
ⁱ <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/2016-harbour-porpoise-consultation/>





ⁱⁱ <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/2016-harbour-porpoise-consultation/>

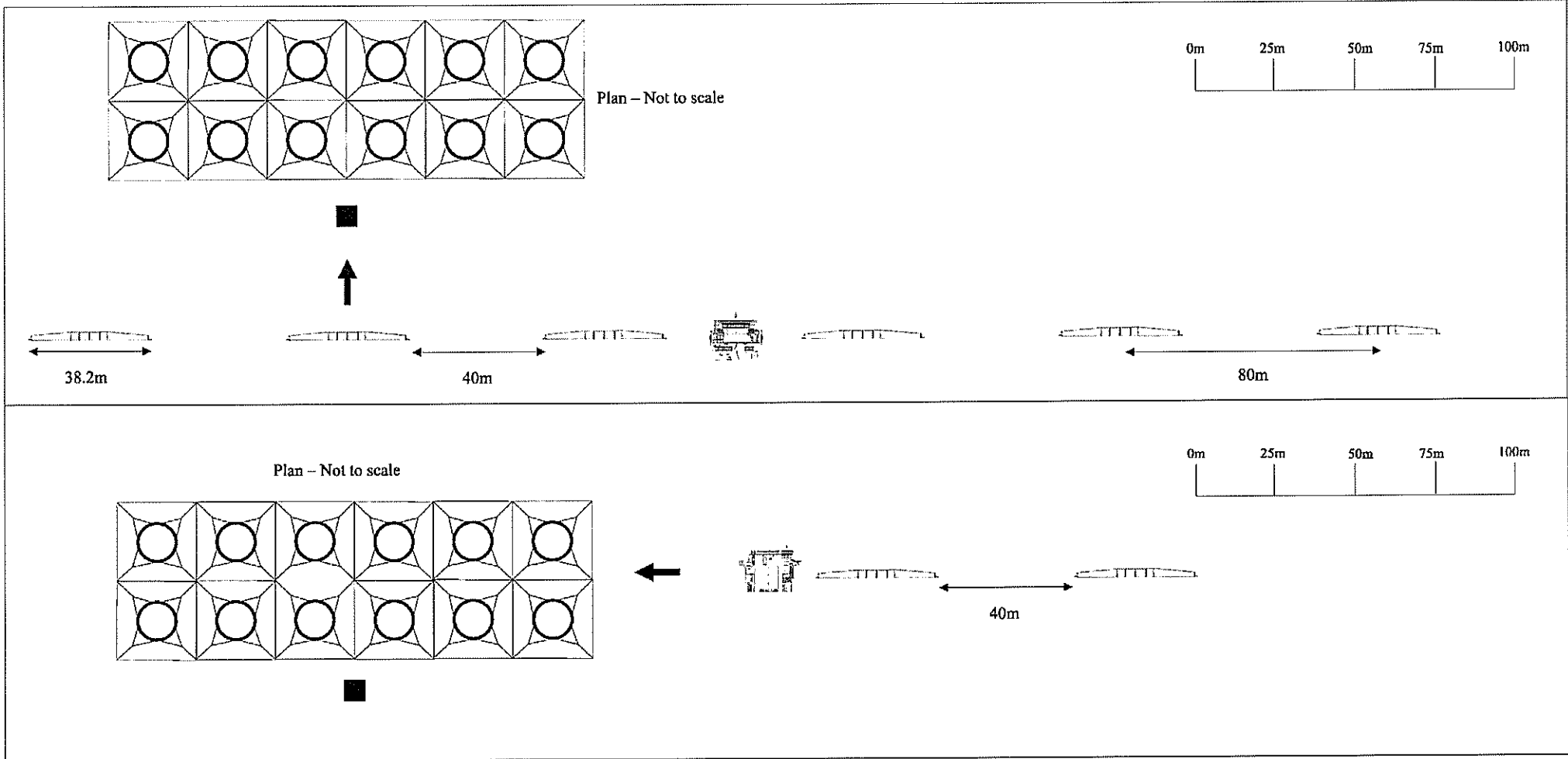
ⁱⁱⁱ <http://www.gov.scot/Topics/marine/marine-environment/mpanetwork/harbourporpoisesacs/conservestrat>



PROPOSED:	SCONSER QUARRY SALMON FARM, ISLE OF SKYE	Key:  Site Location & Planning Boundary Area	1:50,000	17/05/2017	KAS	DM/AC	0001	Final
LOCATION PLAN:	ORDNANCE SURVEY MAP		Scale	Date	Drawn	Checked	Revision No.	Status
Figure 3	General view of Sconser Quarry Salmon Farm							



PROPOSED:	SCONSER QUARRY SALMON FARM, ISLE OF SKYE	Key:	 Planning Boundary & moorings area  Pens within pen matrix  Feed barge  Wavemaster raft	1:10,000	18/05/2017	KAS	DM/AC	0001	Final
LOCATION PLAN:	ORDNANCE SURVEY MAP			Scale	Date	Drawn	Checked	Revision No.	Status
Figure 5	Detailed view of Sconser Quarry 12 circular plastic pens 120m circumference								




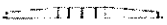
**PROPOSED: SCONSER QUARRY SALMON FARM,
ISLE OF SKYE**

ELEVATIONS - SITE CONFIGURATION

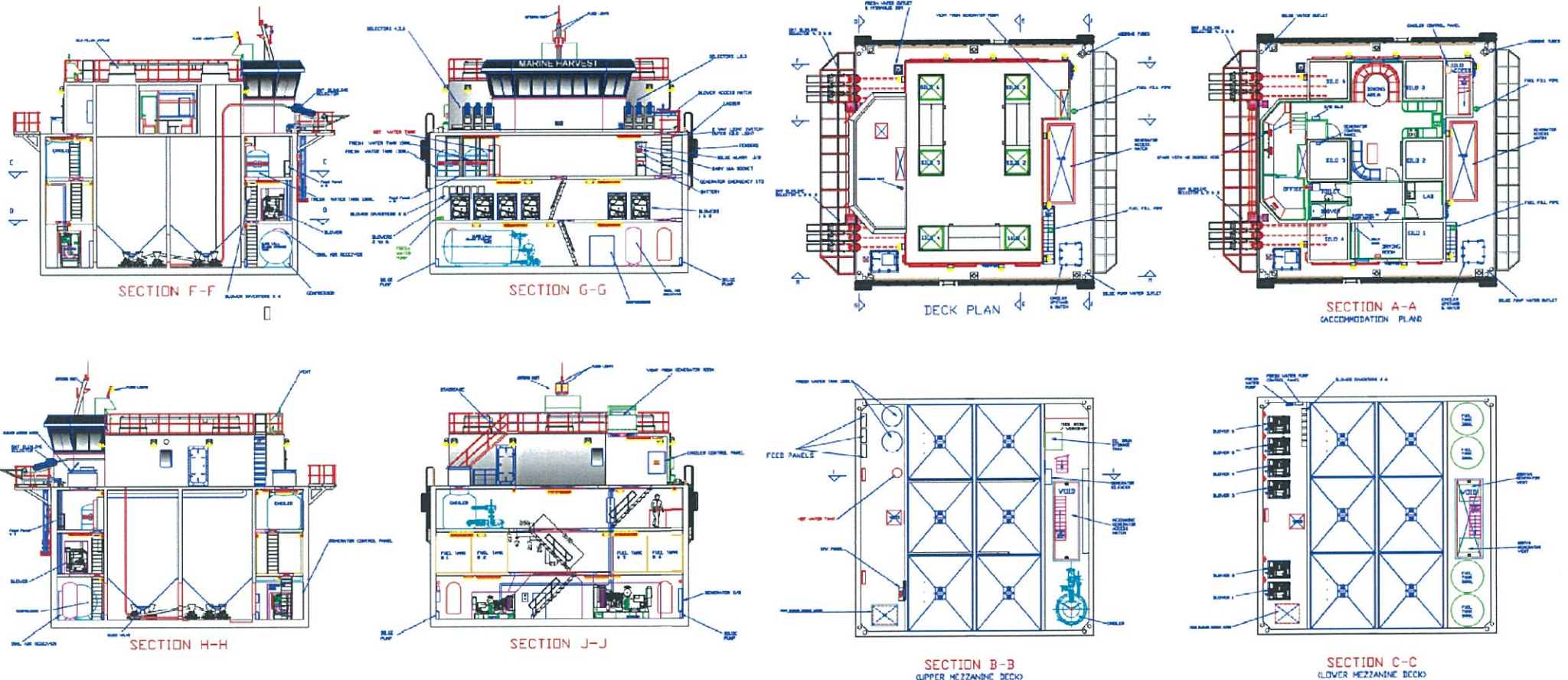
Figure 1 Surface Cross section view of 12 circular plastic pens of 120m circumference in a 80m matrix grid

Key:

 Feed System

 Typical Pen Design

1:1,250	20/02/2017	CLH	KS	0001	Final
Scale	Date	Drawn	Checked	Revision No.	Status



<p>PROPOSED: SCONSER QUARRY SALMON FARM, ISLE OF SKYE</p> <p>PLAN & ELEVATIONS – FEED SYSTEM DESIGN</p>	Key:	Not to Scale	20/02/2017	KAS	CLH	0001	Final
		Scale	Date	Drawn	Checked	Revision No.	Status

Figure 4 Manufacturers Diagram