

Agenda Item	<b>6.11</b>
Report No	<b>PLN/095/19</b>

## THE HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 26 November 2019

**Report Title:** 19/03930/S42: Organic Sea Harvest  
Site 1335M East of Seaforth, 9 Culnacnock, Isle of Skye

**Report By:** Acting Head of Development Management – Highland

### 1. Purpose/Executive Summary

**1.1 Description:** Marine Fish Farm, Atlantic Salmon, Application under Section 42 to develop the site other than in accordance with condition 1 of planning permission 17/04749/FUL by installing a feed barge of smaller dimensions than the model specified in condition.

**Ward:** 10 - Eilean A' Cheò

**Development category:** Local Development

**Reason referred to Committee:** Councillor Interest and 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.

### 2. Recommendation

**2.1** Members are asked to agree the recommendation to Grant planning permission as set out in section 11 of the report.

### 3. PROPOSED DEVELOPMENT

3.1 The application has been submitted under Section 42 of the Planning Act and is seeking approval for the non-compliance with Condition 1 (feed barge design) of planning permission 17/04749/FUL. The 17/04749/FUL planning permission is for a Marine Fish Farm consisting of 12 x 120m circumference circular cages. This permission was granted on 17 April 2018 by the North Area Planning Committee; as such the permission is extant but has not yet been implemented.

3.2 Condition 1 of 17/04749/FUL states:

*For the avoidance of doubt, the development shall not be carried out other than using a SM320 Comfort feed barge unless agreed in writing with the Planning Authority.*

*Reason: To minimise the visual impact and to help safeguard the integrity of Trotternish National Scenic Area and the Trotternish and Tianavaig Special Landscape Area.*

3.3 The applicant has requested the alteration to the condition as the specified design is no longer available to the company and they have now entered into a supply partnership with Gaelforce Marine. As such the application now proposes to use the Gaelforce SeaMate 350 concrete barge.

3.3 Pre Application Consultation: No pre-application consultation has been received

3.4 Supporting Information: Visualisations from two viewpoints have been submitted in support of this application.

3.5 Variations: No variations have been received during the course of this application.

### 4. SITE DESCRIPTION

4.1 The application site is located north of Invertote and just south of Brother's Point on the mid-east coast of the Trotternish peninsula, Isle of Skye. The coastline west of the site is dominated by the main road from Portree to Staffin (A855), with associated key viewpoints at Invertote and Brother's Point and the Culnacnoc settlement.

An adjacent fish farm (c1.8km to the south) was granted consent under 17/04735/FUL. There is an associated section 42 application (19/03940/S42) which is also being considered at this committee, as detailed below.

### 5. PLANNING HISTORY

5.1	14.03.2017	16/05501/PREAPP	Advice Issued
5.2	19.06.2017	17/02310/SCOP	Scoping Opinion Issued
5.3	17.04.2018	17/04749/FUL: New Fish Farm for Atlantic Salmon consisting of 12x120m circumference circular cages in an 80m mooring grid with associated feed barge	GRANTED

**Invertote site c.1.8km to the south of this application site.**

5.4	14.03.2017	16/05501/PREAP	Advice Issued
5.5	19.06.2017	17/02312/SCOP	Scoping Opinion Issued
5.6	24.04.2018	17/04735/FUL: Marine Fish Farm - Atlantic Salmon: New site comprising of 12 x 120m circumference circular cages an 80m mooring grid with feed barge	GRANTED
5.7		19/03940/S42: Marine Fish Farm, Atlantic Salmon, Application under Section 42 to develop the site other than in accordance with condition 1 of planning permission 17/04735/FUL by installing a feed barge of smaller dimensions than the model specified in condition	Pending determination – also being considered at this committee.

**6. PUBLIC PARTICIPATION**

6.1 Advertised: Unknown Neighbour – 14 days

Date Advertised: 09.09.2019

Representation deadline: 27.09.2019

Timeous representations: 7 (From 5 Households)

Late representations: 0

6.2 Material considerations raised are summarised as follows:

- a) Visual impact – impact for tourists
- b) Design and scale – more visually intrusive
- c) Application is misleading in saying that the feed barge is smaller – the height and width will increase only the length will decrease.

6.3 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](http://www.wam.highland.gov.uk/wam).

**7. CONSULTATIONS**

7.1 None required.

**8. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

8.1 **Highland Wide Local Development Plan 2012**

28 - Sustainable Design

30 - Physical Constraints

- 49 - Coastal Development
- 50 - Aquaculture
- 57 - Natural, Built and Cultural Heritage
- 61 - Landscape

8.2 **West Highlands and Islands Local Development Plan (WestPlan), 2019**

No specific policies apply.

8.5 **Highland Council Supplementary Planning Policy Guidance**

Special Landscape Area Citations (June 2011)

**9. OTHER MATERIAL POLICY CONSIDERATIONS**

9.1 Scottish Government Planning Policy and Guidance

National Marine Plan (2015)

9.2 Highland Aquaculture Planning Guidance (2016)

**10. PLANNING APPRAISAL**

10.1 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.

**Determining Issues**

10.2 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.

**Planning Considerations**

10.3 As detailed above, planning permission for the Marine Fish Farm has already been granted in April 2018 under application 17/04749/FUL and is extant although yet to be implemented. Consequentially, the principle of a Fish Farm in this location has been accepted. The assessment of this application is therefore focussed on the non-compliance with condition 1 (feed barge design). In this regard the Planning Authority consider that the only relevant material considerations are:

- a) Compliance with the development plan and other planning policy
- b) Landscape and Visual Impact
- c) Noise Emissions
- d) Conditions and Time Direction

**Development plan/other planning policy**

10.4 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 proposed alteration to the feed barge design is not considered to have an unacceptable impact on the landscape and natural heritage, and therefore complies with this policy.

10.5 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;

As the proposal lies either within or close to the:

- Trotternish National Scenic Area (NSA);
- Trotternish and Tianavaig Special Landscape Area (SLA);
- Raasay and Rona SLA.

10.6 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:** Trotternish NSA; we will allow developments that can be shown not to compromise the natural environment, amenity and heritage resources;

As discussed in the report below, the proposed alteration to the feed barge design is not considered to have an unacceptable impact on the landscape and natural heritage, and therefore complies with this policy.

10.7 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 Trotternish NSA. As discussed in the report below, the proposed alteration to the feed barge design is not considered to have an unacceptable impact on the landscape and natural heritage, and therefore complies with this policy.

Other Planning Policy

10.8 National Marine Plan (2015): The principle of sustainable development and consideration of other coastal and marine interests is one of the key themes of the National Marine Plan. It notes that aquaculture development consents “are determined in accordance with the Local Development Plans and now with this Plan”.

10.9 The Highland Council Aquaculture Planning Guidance (2016) outlines a spatial strategy and six development criteria that outline the key considerations for marine fish farm applications. With regards to this section 42 application, Development Criterion 1 (DC1: Landscape, Seascape, Siting and Design) is particularly important.

## **Material Considerations**

### **Visual and Landscape Impact:**

- 10.10 The proposal lies c. 580m from the Trotternish National Scenic Area (NSA) boundary and is within the Trotternish and Tianavaig Special Landscape Area (SLA), which abuts the NSA, and is c. 5.7km from the Raasay and Rona SLA.
- 10.11 As part of 17/04749/FUL a diagram was provided which noted a “possible design of feed barge”; clarification was sought during the determination of the application, but nothing further was provided. Condition 1 was attached to ensure the final feed barge was no larger than that which had been assessed and referenced the model type submitted with the application.

The current application seeks to change the specified model of feed barge and install a feed barge of ‘smaller dimensions’. The applicants’ use of the term ‘smaller’ has met with a number of representations which consider this to be a misrepresentation of the proposal and the design and height will make the proposal more visually intrusive. The approx. dimensions of the approved AKVA AM320 feed barge were 28.5m x 10m x 4.5m, this equates to a sea area of 285m<sup>2</sup>. The proposed Gaelforce Seamate 350 Barge is 14m x 14m x 6m, this equates to an area of 140m<sup>2</sup>.

Whilst it is recognised that two of the dimensions are increasing it is considered that with the substantial reduction in length and overall scale and massing of the proposal will be reduced. Concerns have also been raised about the design, however, it is considered that the proposal still retains a boat shaped super structure and the increase in the height is not considered to be substantive and is unlikely to be discernible from wider public vantage points. It is therefore not considered that the change to the feed barge will have a greater impact upon the visual appearance of the development or undermine the integrity of the wider landscape designations.

Consequently, concerns raised by third parties about the impact of the change upon the increased visitor numbers to Brothers Point is not considered to be substantiated. Indeed this assessment is considered to be reinforced by the submission of the two visualisations which would seem to confirm a reduced visual impact when the change to the feed barge are viewed in isolation and when assessed cumulatively with the Invertote scheme approx. 1.8km to the south (19/03940/S42 and 17/04735/FUL).

However, no details of the external colour/finish have been submitted with this S42 application, it is therefore recommended that this is controlled by a planning condition.

### **Noise Emissions:**

- 10.12 No additional noise information has been submitted with the application. To ensure that noise does not become a nuisance to local communities, a condition limiting the noise levels is recommended, this is in line with the 17/04749/FUL consent. This condition will also help to minimise any cumulative impacts with the proposed Invertote (ref 17/04735/FUL).

### **Condition and Time Direction:**

- 10.13 The grant of permission under S42 of the Planning Act results in the issue of a fresh planning permission. Accordingly it is proposed to modify the timescale direction to reflect that relating to the extant consent. In addition, it is proposed to re-impose the planning conditions which were attached to the 17/04749/FUL consent.

### **Non-material considerations**

- 10.14 The issue of the principle of a new fish farm in this location is not a material planning consideration - As detailed above; planning permission for the Marine Fish Farm has already been granted in April 2018 under application 17/04749/FUL and is extant although yet to be implemented. Consequentially, the principle of a Fish Farm in this location cannot be revisited as part of this application.
- 10.15 Representations have raised concerns regarding Staffin Slipway and its ability to serve the development once completed. These matters will need to be addressed by the applicant and land owners is due course. However, this is not a material planning consideration for a change in feed barge design.
- 10.16 Representations have raised concerns regarding impact of the development on the marine environment, wildlife and protected species. Whilst the proposed change to condition 1 and the feed barge design is not considered to give rise to any ecological concerns beyond those considered under the 17/04749/FUL. It is important that these matters are suitably addressed long term and as the result of a S42 application is the issuing of a fresh planning permission, the conditions attached to the 17/04749/FUL safeguarding ecological interests will again continue to be attached to this permission.

### **Matters to be secured by Section 75 Agreement**

- 10.17 None

## **11. CONCLUSION**

- 11.1 All relevant matters have been taken into account when appraising this application. The non-compliance with condition 1 of the extant planning permission and the change to the feed barge design does not raise any substantive visual or amenity concerns and is considered to accord with the Development Plan and is acceptable in terms of all other applicable material considerations.

## **12. IMPLICATIONS**

- 12.1 Resource: Not applicable
- 12.2 Legal: Not applicable
- 12.3 Community (Equality, Poverty and Rural): Not applicable
- 12.4 Climate Change/Carbon Clever: Not applicable
- 12.5 Risk: Not applicable

12.6 Gaelic: Not applicable

### 13. RECOMMENDATION

**Action required before decision issued** N

**It is recommended that this application for non-compliance with condition 1 is GRANTED subject to the following Conditions and Reasons**

1. No development shall commence until details of the external colour and finish for the feed barge has been submitted to an approved in writing by the Planning Authority. Thereafter the development shall not be carried out other than in accordance with these details.

**Reason:** To minimise the visual impact and to help safeguard the integrity of Trotternish National Scenic Area and the Trotternish and Tianavaig Special Landscape Area.

2. All plant, machinery and equipment associated with this development shall be so installed, maintained and operated such that the following standard is met: -

The operating noise Rating level must not exceed the Background noise level by more than 5dB(A) including any characteristics penalty at any noise-sensitive premises. Terms and measurements to be in accordance with BS 4142: 2014 Methods for Rating Industrial and Commercial Sound.

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 and 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.

3. No deployment or use of any acoustic deterrent device (ADD) shall take place until an ADD Deployment and Usage Plan has been submitted to and approved in writing by the planning authority. This plan shall include the following information;

- i. full technical details of the sound output of the devices to be used including source level and their operating frequency(s),

- ii. how many of these devices are to be deployed and in what locations,

- iii. confirmation that they will only be triggered in the presence of predators - manually or by sensor - and that this triggering will only result in a single finite operation of the device, details of which shall be submitted, with no continuous or auto-intermittent operation possible,



- iv. confirmation that a log will be kept recording the exact dates when the devices were operated, how often they were operated on that date, for what duration and what the cue for their manual or auto-sensor operation was,
- v. details of any predation events by seals and any predation measures, including ADD deployment, in use at that time should be logged,
- vi. details of the person or persons responsible for maintaining the log,
- vii. an undertaking that a regular meeting (at least annually) will be held with the Planning Authority and SNH to review the log and the ADD Deployment and Usage Plan and adopt a revised Plan if deemed necessary by the Planning Authority.

No deployment or use of any ADD on the site shall take place unless it is in strict accordance with the provisions of the ADD Deployment and Usage Plan as may be approved.

**Reason:** In recognition of the legal responsibilities of both the applicant and the planning authority in respect of the Inner Hebrides and the Minches Special Area of Conservation (SAC) selected for its harbour porpoise.

- 4. No operations shall take place at the site outwith the hours of 06.00 - 18.00 hours.

**Reason:** To comply with MOD requirements.

- 5. All surface equipment, with the exception of navigational markers and safety equipment, shall be finished in a dark, matt neutral colour. 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 Trotternish National Scenic Area and the Trotternish and Tianavaig Special Landscape Area.

- 6. 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.

- 7. 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 equipment and methods available, triggers/thresholds and associated actions in order to secure that any risks to local wild fish populations and freshwater pearl mussel are 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 and an assessment and monitoring of associated impacts on Freshwater Pearl Mussel;
- 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, along with an assessment of the availability and suitability of the site for cleaner fish;
- 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.

o) details of where records of sea lice counts will be made publically available to view in as close to real time as is practicable.

**(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:

- o net strength testing;
- o details of net mesh size;
- o net traceability;
- o system robustness;
- o predator management; and
- o 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 or Fresh Water Pearl Mussel 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 and Freshwater Pearl Mussels in particular; in accordance with the Planning Authority's biodiversity duty.

8. No anti-predator netting shall be installed on the farm hereby approved.

**Reason:** To minimise impacts on biodiversity.

9. 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.

10. 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.

#### **REASON FOR DECISION**

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.

#### **TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION**

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 by 17<sup>th</sup> April 2021. If development has not commenced within this period, then this planning permission shall lapse.

#### **FOOTNOTE 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 and 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\\_for\\_working\\_on\\_public\\_roads/2](http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2)

### **Mud and Debris on Road**

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

**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

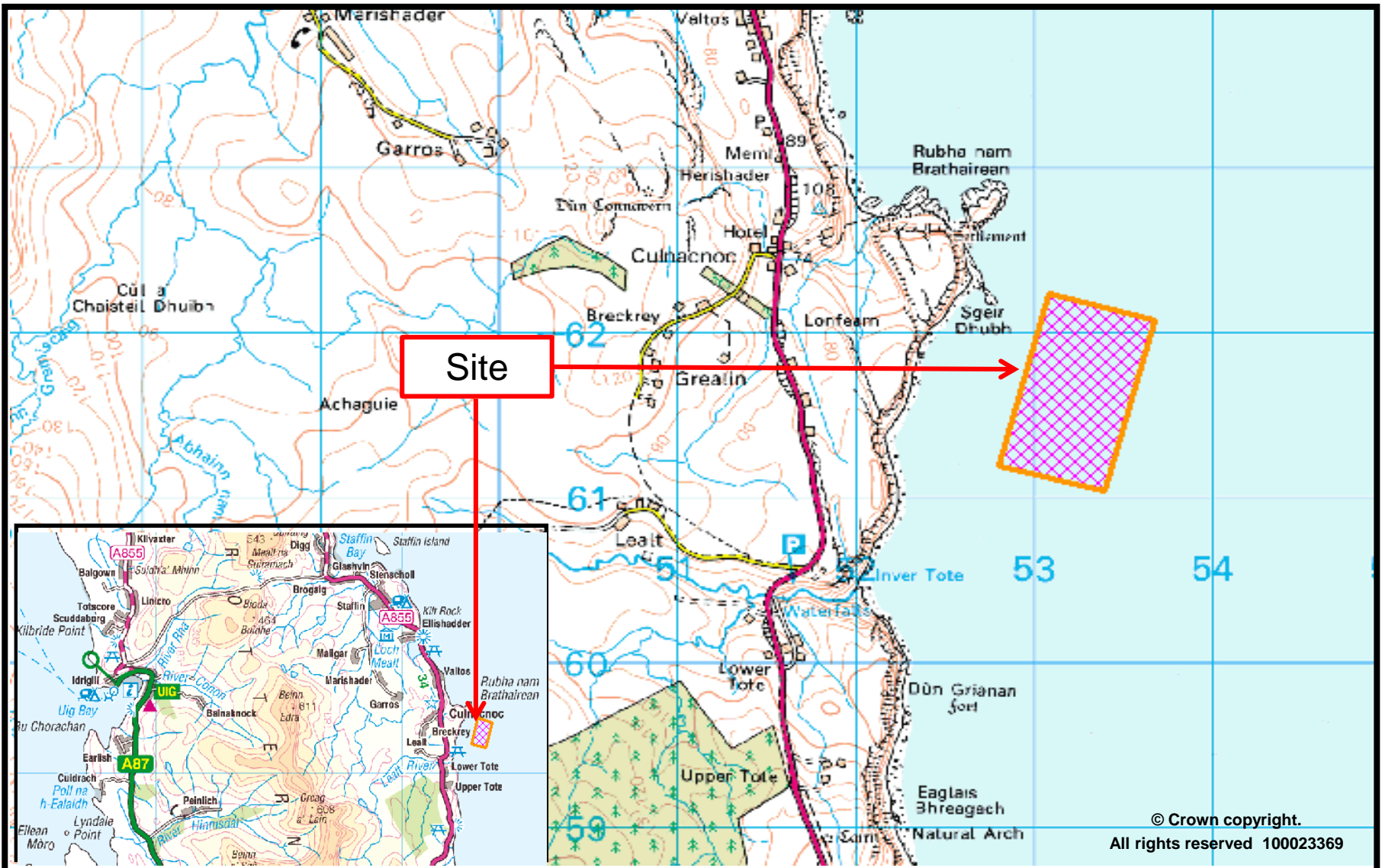
under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action. If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under 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](mailto: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](http://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.

Designation: Acting Head of Development Management – Highland  
Author: Mark Harvey  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 - FIGURE 3 - SITE LAYOUT PLAN  
Plan 2 - FIGURE 4 – SITE LAYOUT PLAN  
Plan 3 - FIGURE 6 - SITE LAYOUT PLAN BARGE KEY POSITIONS  
Plan 4 - GFE\_SM\_SSC\_350\_GA\_00001 REV A SHEET 1 of 3 FEED BARGE DESIGN  
Plan 5 - GFE\_SM\_SSC\_350\_GA\_00001 REV A SHEET 2 of 3 FEED BARGE DESIGN  
Plan 6 - GFE\_SM\_SSC\_350\_GA\_00001 REV A SHEET 3 of 3 FEED BARGE DESIGN



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**The Highland Council**  
**Comhairle na Gàidhealtachd**

Planning and Development Service

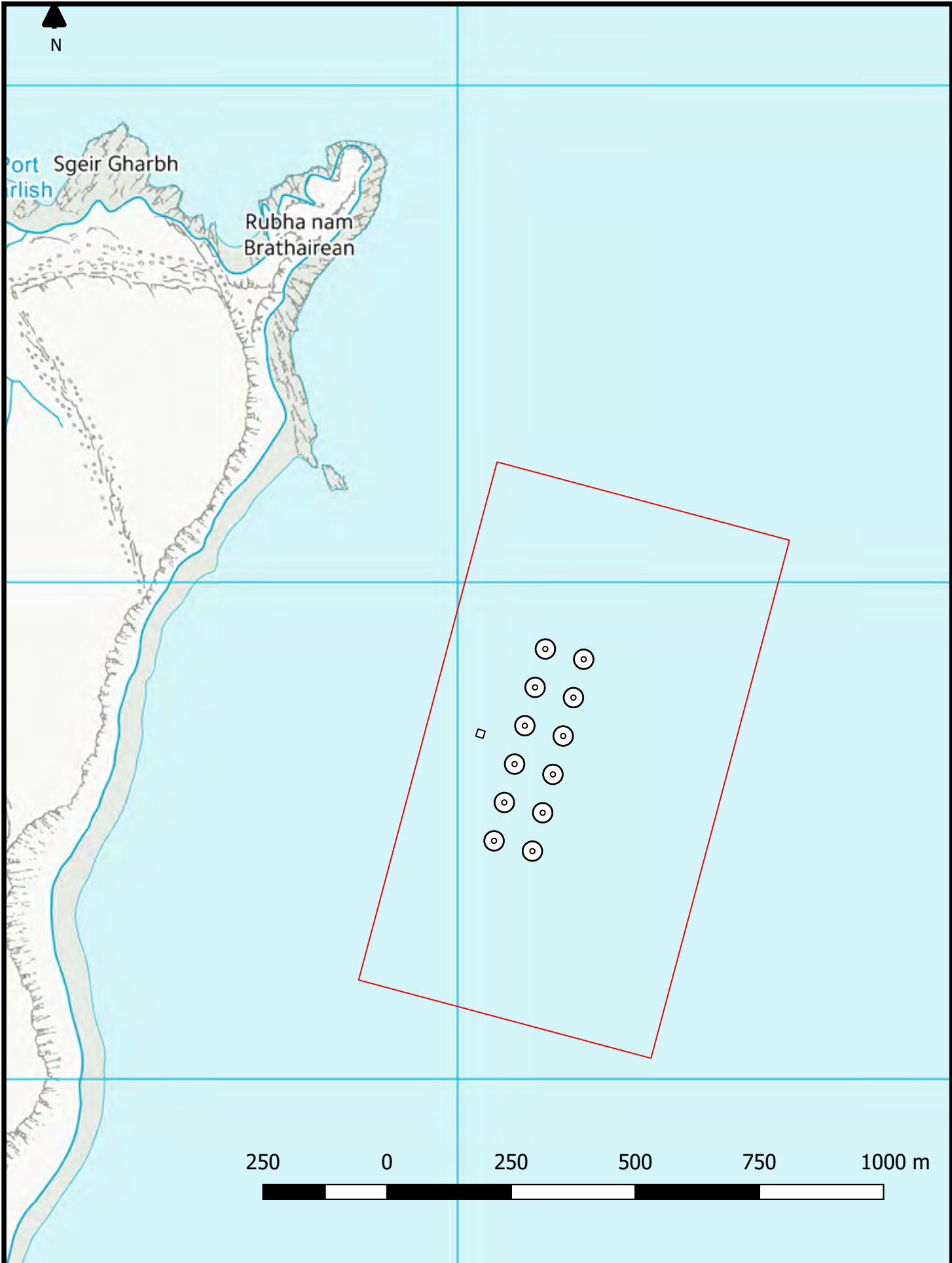
Location Plan  
19/03930/S42

**MARINE FISH FARM- Marine Fish Farm, Atlantic Salmon, Application under Section 42 to develop the site other than in accordance with condition 1 of planning permission 17/04749/FUL by installing a feed barge of smaller dimensions than the model specified in condition.**

November 2019



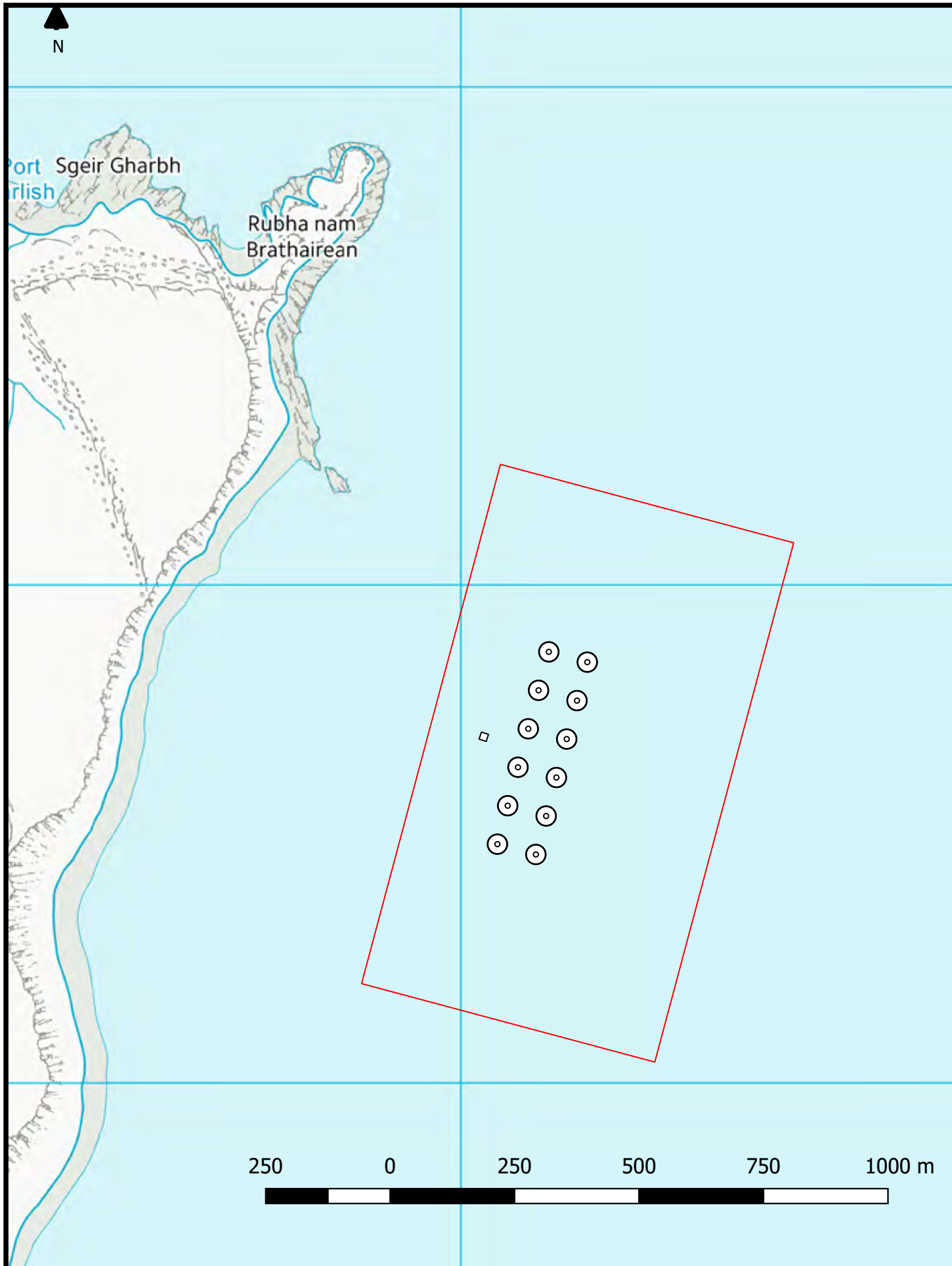
Scale:



Organic Sea Harvest  
 Proposed Culnacnoc Site  
 FIG 3. Site Plan (OS Base) (REV2019)

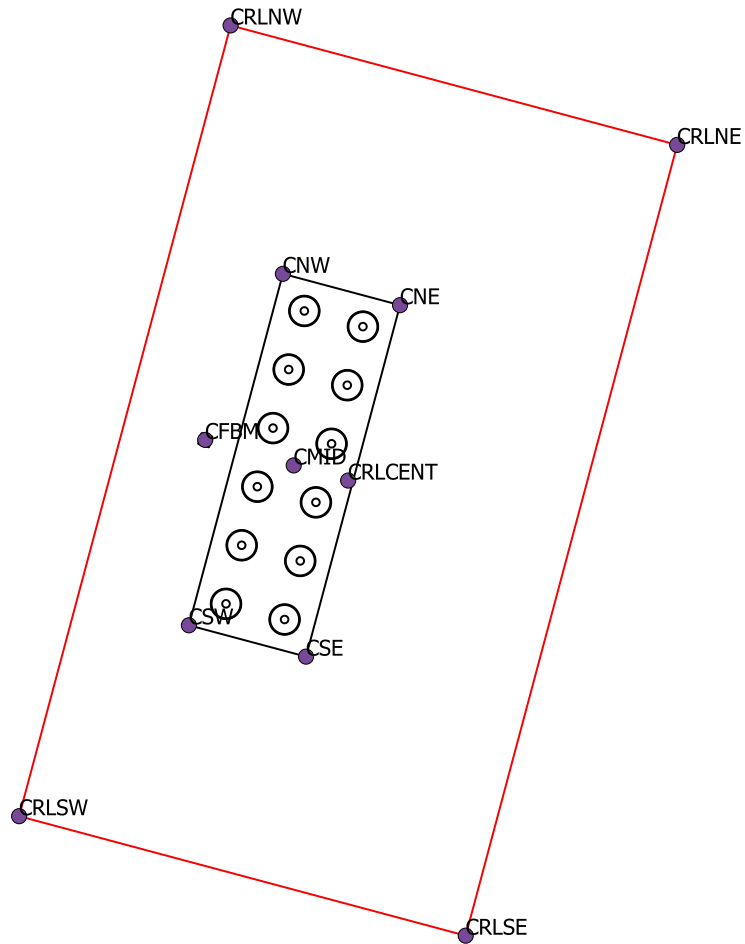
Ordnance Survey Opensource data. © Crown copyright and database right 2015. UKHO Chart Data supplied by EMAPSITE © Crown Copyright, 2016. All rights reserved. License No. EK001-EMS-366113.  
 NOT TO BE USED FOR NAVIGATION



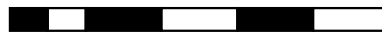


Organic Sea Harvest  
 Proposed Culnacnoc Site  
 FIG 4. Site Plan (Chart Base) (REV2019)

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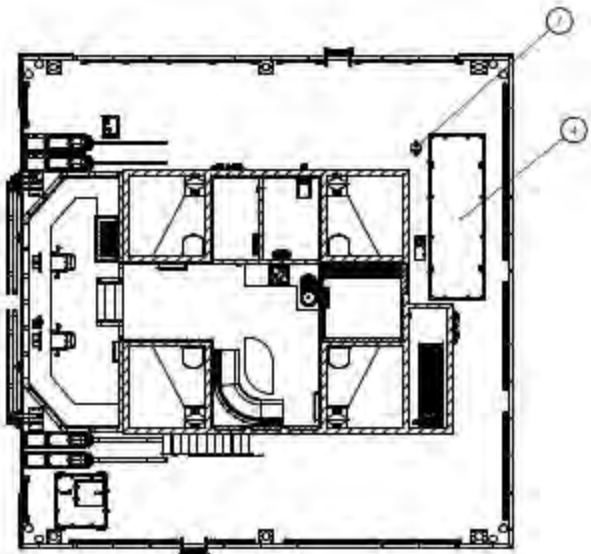
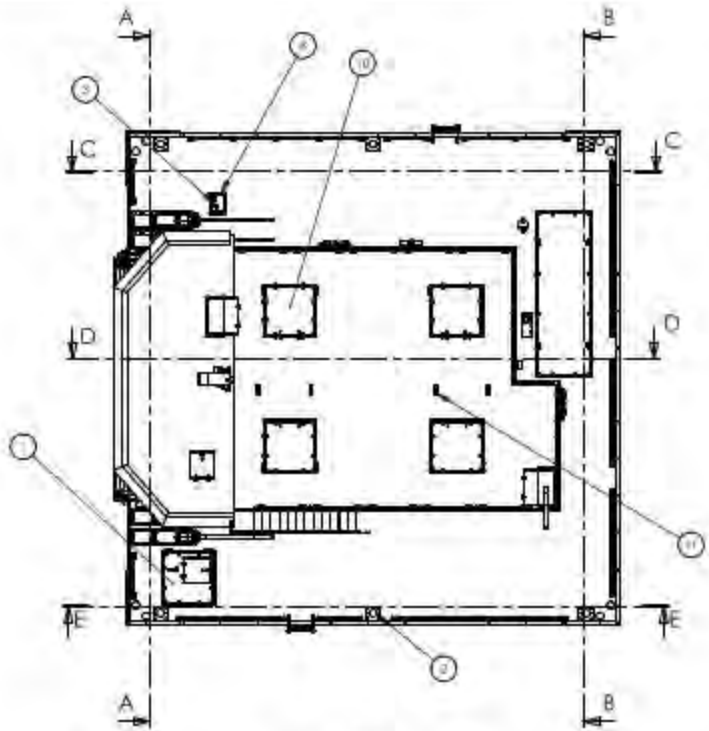


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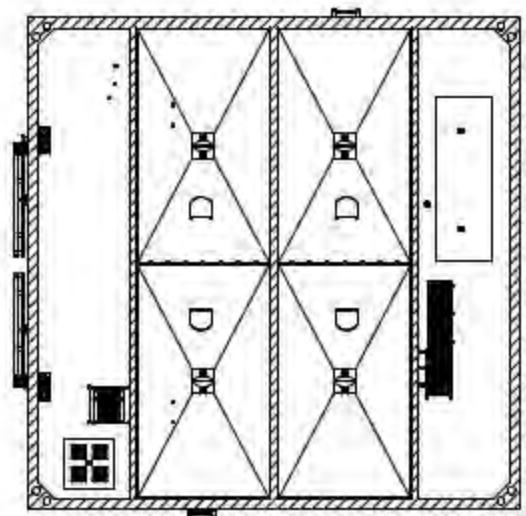
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CNE	153303.72	861872.56	57° 34.757'N	6° 7.701'W	57.579279	-6.128346
CSE	153179.69	861408.86	57° 34.504'N	6° 7.797'W	57.575057	-6.129943
CSW	153025.13	861450.2	57° 34.521'N	6° 7.954'W	57.575343	-6.132562
CNW	153149.15	861913.9	57° 34.774'N	6° 7.858'W	57.579565	-6.130965
CMID	153163.45	861661.13	57° 34.639'N	6° 7.829'W	57.577308	-6.13047
CRLNW	153080.17	862241.64	57° 34.948'N	6° 7.947'W	57.582463	-6.13245
CRLNE	153669.45	862084.02	57° 34.883'N	6° 7.348'W	57.581373	-6.12246
CRLSE	153390.39	861040.7	57° 34.313'N	6° 7.564'W	57.571874	-6.126055
CRLSW	152801.11	861198.32	57° 34.378'N	6° 8.163'W	57.572964	-6.136042
CRLCENT	153235.28	861641.17	57° 34.631'N	6° 7.756'W	57.577169	-6.129252
CFBM	153046.64	861694.79	57° 34.653'N	6° 7.948'W	57.577546	-6.132452



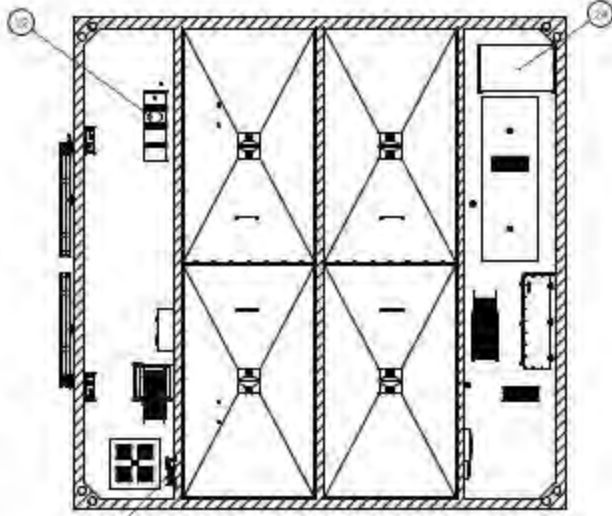


SECTION F-F

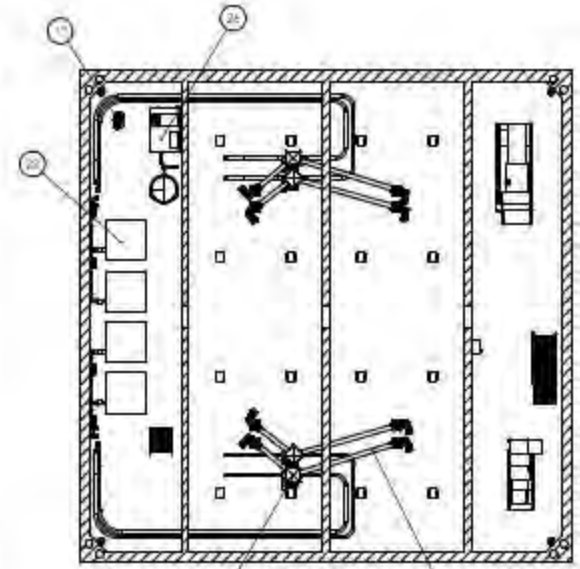
NO.	QTY	DESCRIPTION
1	1	BUSWELL PATCH
2	1	300 LAMPS
3	1	HYDRALUC 400
4	1	GENERATOR W/ALU
5	1	GENERATOR T/MATCH CLIPPER
6	1	TV PANE
7	1	CEILING FAN
8	1	FRESH WATER PUMP
9	1	NO PRESSURE SENSOR
10	1	DUCT FAN
11	1	SLO JID SUPPORT
12	1	FRESH WATER TANK
13	1	PAC DRINK LINE
14	1	STEEL W/ SUPPLY
15	1	HOT WATER CO LARGER
16	1	MECH TOP
17	1	BATH PUMP
18	1	BATH W/ IN
19	1	COMPRESSOR
20	1	SLIP
21	1	GENERATOR
22	1	WATER PUMP
23	1	SLIP
24	1	FUEL TANK
25	1	DVP 2
26	1	LIQUID PRESSURE



SECTION G-G



SECTION H-H



SECTION I-I

<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		NO.	DATE	DESCRIPTION										<p>PROJECT NO. 115</p> <p>DATE 11/11/2011</p> <p>SCALE 1:100</p> <p>SECTION NO. 115</p> <p>SECTION NAME: SECTION F-F</p> <p>SECTION NO. 115</p> <p>SECTION NAME: SECTION F-F</p> <p>SECTION NO. 115</p> <p>SECTION NAME: SECTION F-F</p>	<p>PROJECT NO. 115</p> <p>DATE 11/11/2011</p> <p>SCALE 1:100</p> <p>SECTION NO. 115</p> <p>SECTION NAME: SECTION F-F</p> <p>SECTION NO. 115</p> <p>SECTION NAME: SECTION F-F</p> <p>SECTION NO. 115</p> <p>SECTION NAME: SECTION F-F</p>	<p>THE NATIONAL ENGINEERING COUNCIL OF NIGERIA</p>
NO.	DATE	DESCRIPTION														

