marinescotland
Aquaculture Planning Policy

[redacted]
E: fishfarmreview@scotland.gsi.gov.uk

The Scottish Government

Cooke Aquaculture Scotland Ltd
(formerly Meridian Salmon Farms Ltd)
Crowness Road
Hatston
Kirkwall
Orkney
KW15 1RJ

21 October 2014

Dear Sirs

GRANT OF PLANNING PERMISSION

The Scottish Ministers, having considered your application dated 01 February 2013, hereby grant planning permission under section 31A of the Town and Country Planning (Scotland) Act 1997 (as amended).

APPLICANT:	Cooke Aquaculture Scotland Ltd (formerly Merifdian Salmon Farms Ltd)
APPLICATION No:	FFR/ORK/013
NAME / LOCATION OF DEVELOPMENT:	Pegal Bay, Scapa Flow, Orkney Position: N58 51.685 W3 12.525
NATURE OF DEVELOPMENT:	8 cages of 70m circumference including ancillary cage grid and all moorings. To be used for the farming of atlantic salmon.

This is subject to the development being in accordance with the plans submitted and attached hereto as stamped and approved, and to the attached conditions.

Yours faithfully

[redacted]

Bridget Bryden

SCOTTISH GOVERNMENT PLANNING PERMISSION No FFR/ORK/013

SCHEDULE OF CONDITIONS

Condition 1

Subject to Conditions 2 to 9, the equipment shall be as set out in the application and submitted plans and the site operator shall operate the development in accordance with the provisions of the application, submitted plans and all supporting information.

Reason: To ensure that the appropriate mitigation measures, strategies and procedures detailed in the application are implemented in continuing to operate this site.

Condition 2

At all times when equipment is on site the following navigational marks shall be provided:

This site shall be marked by 2 lit yellow poles, flashing group four yellow every twelve seconds, (Fl(4) Y 12s) and fitted with a yellow multiplication cross topmark.

The poles used should be at least 75mm in diameter and not less than 1 metre in height above the site equipment handrails, the light should be installed on the top of the pole; the visible range of the light should be two nautical miles. The poles should be positioned such that they can be clearly seen by vessels approaching from all navigable directions. The multiplication cross should measure a minimum of 50cm in length by 7.5cm in width and be installed below the light.

The poles should be positioned at the most Northeasterly and Southeasterly corners of the group of cages.
If a feed barge is to be installed on the site it will be required to exhibit an all-round fixed white light, which should be exhibited from a point at least 1 metre above any obstruction. The nominal range of the light should be 2 nautical miles.

Reason: In the interests of navigational safety.

Condition 3

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 developer shall carry out or make suitable arrangements for the carrying out of all measures necessary for lighting, buoying, raising, repairing, moving or destroying, the whole or any part of the equipment to the satisfaction of the Planning Authority within a period of 24 hours of notification of the danger to the operator/developer unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the development does not cause a danger to other users of the area.

Condition 4

In the event that the fish cages or associated equipment approved by this permission cease to be in operational use for the growing of finfish for a period exceeding three years, they shall be wholly removed and the site restored to the satisfaction of the Planning Authority within 4 months of being notified, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the development is removed, in full, from the site once operation use has ceased ensuring the development will not adversely affect the area.

Condition 5

All equipment and associated moorings approved by this permission shall be wholly contained within the area identified on the Admiralty Chart received as part of this submission, the approved mooring containment area being:

Extent of moorings	N58 51.766 W3 12.631
Extent of moorings	N58 51.765 W3 12.422
Extent of moorings	N58 51.604 W3 12.421
Extent of moorings	N58 51.604 W3 12.630
Cage grid corner	N58 51.738 W3 12.472
Cage grid corner	N58 51.738 W3 12.576
Cage grid corner	N58 51.631 W3 12.473
Cage grid corner	N58 51.632 W3 12.577

Reason: To ensure the development in moored in accordance with the submitted co-ordinates.

Condition 6

The finished surfaces of all equipment above the water surface including surface floats and buoys associated with the development hereby permitted (excluding those required to comply with navigational requirements) shall be non-reflective and finished in a dark muted colour unless otherwise agreed in advance with the Planning Authority.

Reason: In the interest of visual amenity.

Condition 7

All lighting above the water surface and not required for safe navigation purposes should be directed downwards by shielding and be extinguished when not required for the purpose for which it is installed on the site.

No maturation lighting shall be used unless otherwise agreed in writing with the Planning Authority.

Reason: To minimise visual impact.

Condition 8

The development shall be constructed and implemented in accordance with the "Predator Defence and Mitigation Policy" for Pegal Bay, Scapa Flow, attached to and forming part of this consent, and thereafter operated and maintained in accordance with the "Predator Defence and Mitigation Policy" throughout the life time of the development unless otherwise agreed in writing with the Planning Authority.

Reason: In order to safeguard the natural heritage and biodiversity interests in the area.

Condition 9

The site shall be managed in accordance with the "Escape Prevention and Response Plan Emergency Procedure – Pegal Bay", attached to and forming part of this consent, throughout the life time of the development unless otherwise agreed in writing with the Planning Authority.

Reason: In order to safeguard the biodiversity interests in the area.

Informative

1. Northern Lighthouse Board wish to discourage the practice of marking outlying anchor points with buoys (unless specifically requested by local users), and recommend that alternative means to locate anchors are utilised. Allowing loose floating lines around site equipment is also strongly discouraged as this can cause serious safety implications for other mariners.

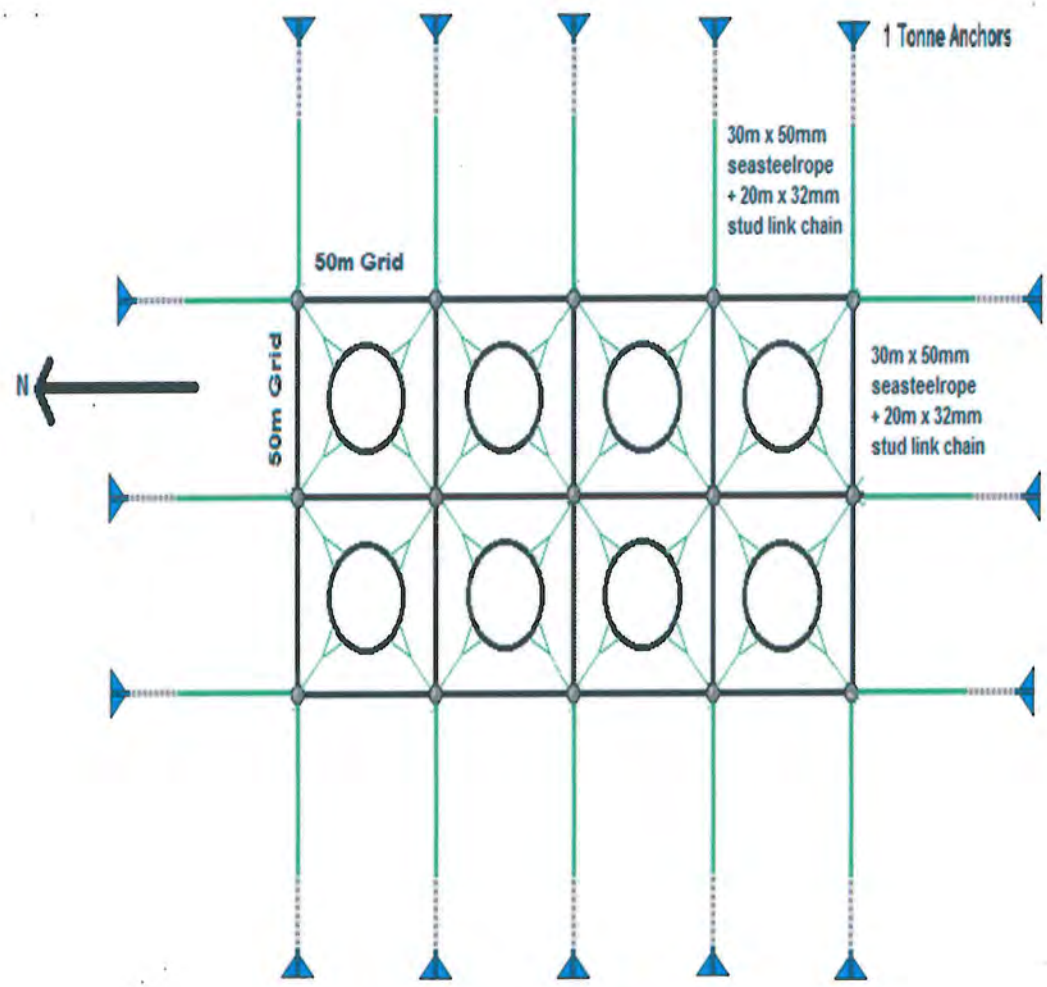
The UK Hydrographic Office should be notified by Meridian Salmon Farms Ltd (or its successor in title) and all information regarding site positions forwarded in order that Charts BA2584 can be correctly updated.

If the site does not hold an up to date Coastal Protection Act consent from the Scottish Government, Northern Lighthouse Board would encourage Meridian Salmon Farms Ltd (or its successor in title) to rectify this situation. This consent is concerned solely with the safety of navigation and would include the information given above. For further information and application forms please go to the web site link given below.
http://www.scotland.gov.uk/Topics/Transport/ferries-ports-canals/17699/9608

2. Marine Scotland Fish Health Inspectorate (FHI) under the Aquaculture and Fisheries (Scotland) Act 2007 carry out inspections of fish farms to ascertain the levels of sea lice and the measures in place for the prevention, control and reduction of sea lice on the farmed fish, Unsatisfactory control measures or records may result in a further enhanced inspection of the farm, issuing of advice and/or recommendations, or implementing enforcement action.

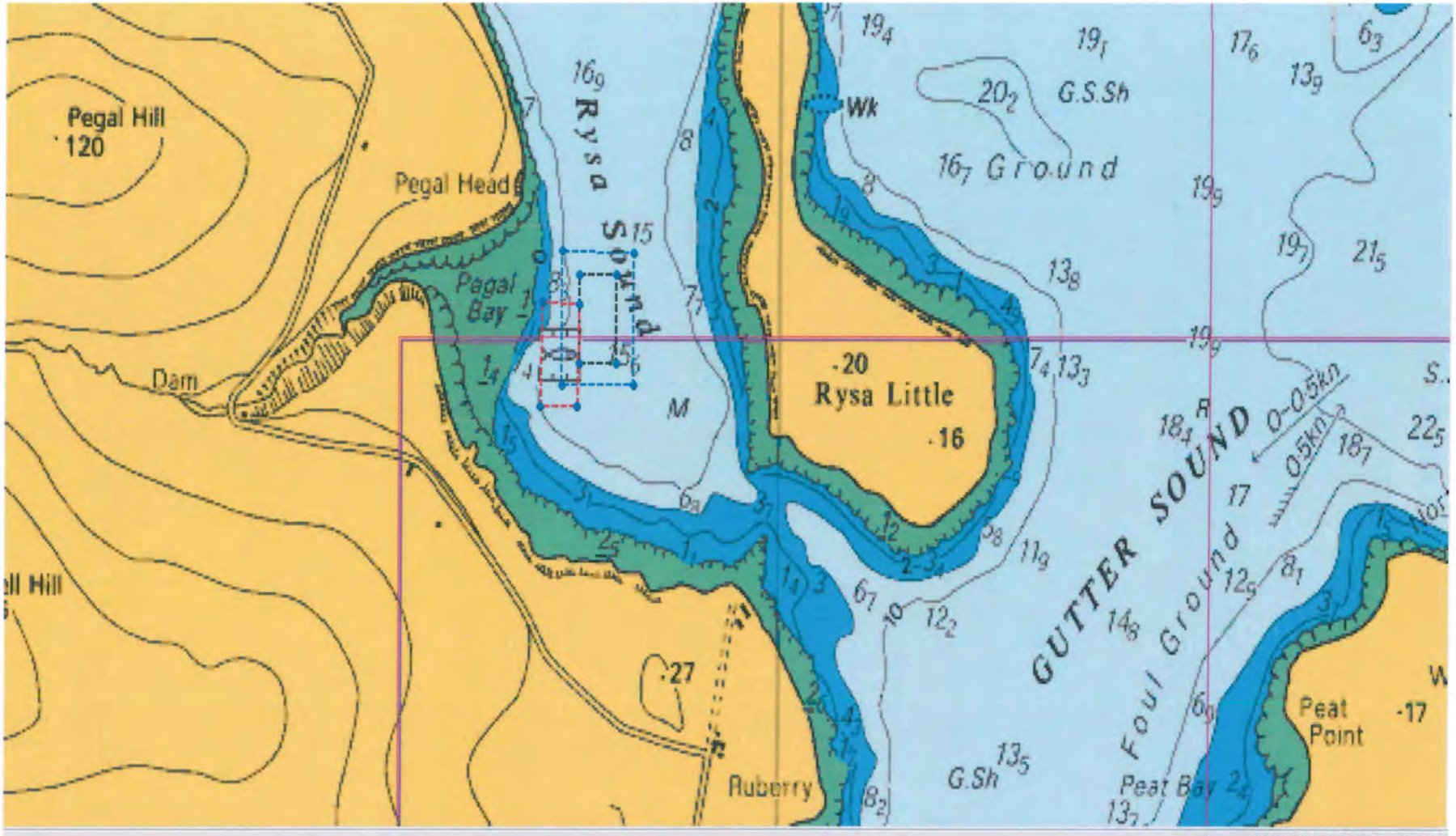
3. The developer will be responsible for ensuring that the farm accords with the Code of Good Practice for Scottish Finfish Aquaculture (National Strategy for sea lice control).

4. You are advised that there may be underwater archaeological remains within, or in the vicinity of, the mooring area of the development site of the application hereby approved. If any potential archaeological features/materials are uncovered whilst carrying out the works hereby approved, you should contact the County Archaeologist on 01856 569 341 immediately.



Pegal Bay
Mooring Plan

SCOTTISH GOVERNMENT
Application Ref No: FFR/ORK/013
APPROVED by Scottish Ministers
(subject to the conditions of the attached permission)
8/10/14 [redacted]



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