

The Scottish Salmon Company



Planning Statement

North Arran Marine Fish Farm

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EXECUTIVE SUMMARY

The Scottish Salmon Company Limited ("SSC", "the Applicant") is proposing to install and operate a marine fish farm in the Firth of Clyde off the coast of Arran ("the Site"). The Proposed Development would be located approximately 2 km southeast of Laggan and approximately 4.5 km north of Sannox. An application for planning permission ("the Application") is being submitted under the Town and Country Planning (Scotland) Act 1997 (as amended) to North Ayrshire Council ("the Council").

The Proposed Development, which would occupy a surface area of approximately 2.3 hectares ("ha") inclusive of barge moorings, involves the installation and operation of an Atlantic salmon fish farm, comprising two groups of 10 pens of 120 m circumference (19.1 m) radius ("the Site"). The total surface area of the moorings would be (1km²).

The pens would be held in two groups of 5 x 2 pens. The pens (feed pipes and SeaSpine) would be painted dark grey or black in colour to minimise visual intrusion and impact on the landscape.

This Planning Statement is intended to provide North Ayrshire Council with sufficient information to allow determination of the Application. Each of the subject areas is considered in light of the planning policy context, including the proposed North Ayrshire Council Local Development Plan (at examination) and current adopted North Ayrshire Council Local Development Plan ("NACLDP"). Other relevant material considerations are also summarised and assessed.

The detailed Environmental Impact Assessment Report ("EIAR") that accompanies the Application highlights any areas of environmental sensitivity and details methods of mitigation to reduce impacts where necessary. A review of the relevant policy and planning context found significant support for the Proposed Development at a national and local level with a balance having to be struck between environmental and economic priorities. The Applicant has sought to address environmental concerns through innovative design measures that will elevate the sustainability and environmental credentials of the Proposed Development.

The Proposed Development would support investment in jobs on Arran and the wider North Ayrshire Council area and the investment by SSC demonstrates the importance of the aquaculture industry throughout Scotland.

1 INTRODUCTION

1.1 Background

This Planning Statement ("the Statement") has been prepared to accompany a planning application ("the Application") submitted to North Ayrshire Council ("the Council") by Arcus Consultancy Services Ltd ("Arcus"), on behalf of The Scottish Salmon Company ("SSC", "the Applicant") for an Atlantic Salmon fish farm at North Arran ("the Proposed Development"). The Proposed Development, at its centre point, is located approximately 2km south-east from Laggan and approximately 4.5 km north from Sannox. The Application for the Proposed Development is made under the Town and Country Planning (Scotland) Act 1997¹, as amended by the Planning etc. (Scotland) Act 2006² ("the Planning Act").

1.2 The Applicant

The Scottish Salmon Company (SSC) is a leading Scotland based producer of fresh salmon. The Applicant employs over 600 staff across 60 Sites on the West Coast and Hebrides, with 35 full time staff employed at 8 Sites in the Highlands. The Applicant is focused on sustainable business Proposed Development to meet international demand for Scottish salmon, the UK's number one food export. The Applicant is engaged in all stages of the supply chain from smolt production through freshwater and marine farming to harvesting and processing, as well as sales and marketing; it therefore has the ability to plan, build and operate major aquaculture developments successfully.

The Applicant is committed to the communities in which it operates. This commitment is laid out in a Community Charter and demonstrated by initiatives such as:

- An award winning apprenticeship scheme,
- Supporting staff led local initiatives through a community fund,
- Sponsoring major local events and, local to the Proposed Development, supporting the RDA Arran Group.

In addition, SSC is committed to sourcing locally where possible, building relationships, and long term partnerships. In 2017, the Applicant spent £15 million with over 100 local suppliers in the western Highlands.

1.3 Proposed Development Overview

The Applicant is seeking planning consent for the installation and operation of an Atlantic salmon fish farm at North Arran, Firth of Clyde. The Proposed Development would consist of 20 circular pens each 120 m in circumference (19.1 m radius). The pens would be held in two groups of 5 x 2 pens.

All pens (feed pipes and the SeaSpine) would be painted dark grey or black in colour to minimise visual intrusion and impact on the landscape.

Innovation is at the heart of this development and SSC would be integrating innovative equipment design, developed in collaboration with a number of suppliers, with recognised industry best practice at the proposed site. These innovations and enhanced management measures include:

- Integrated pens and equipment design (the SeaQure Farm concept developed by Gael Force);
- Seal Pro nets (provided by W&J Knox);

¹ The Town and Country Planning (Scotland) Act 1997 (Online) Available at: <https://www.legislation.gov.uk/ukpga/1997/8/contents> (Accessed 12/08/2019)

² Planning etc. (Scotland) Act 2006 (Online) Available at: http://www.legislation.gov.uk/asp/2006/17/pdfs/asp_20060017_en.pdf (Accessed 12/08/2019)

- Freshwater treatments;
- Cleanerfish in stocked pens;
- Hydrolicer treatments; and
- Thermolicer treatments.

Incorporated as part of the SeaQure Farm concept design are; passive net fouling prevention, mort recovery, a live fish swim-through system for regular fish health treatment, and an air distribution system in each pen, all of which should optimise fish health and lower the relative environmental impact.

The Proposed Development layout is shown in Figure A2 (Appendix A of the EIAR) and would consist of the following key components which are discussed in detail in EIAR Chapter 3: Description of the Proposed Development:

- Pens – The Proposed Development would comprise two groups of 10 pens of 120 m circumference (19.1 m radius). The surface area would be approximately 2.3 hectares (ha). The total surface area of the moorings would be (1km²);
- Feed Barge – The feed barge would be fully automated, have a feed holding capacity of 600 tonnes and would potentially include an integrated 140 tonne freshwater treatment facility;
- Moorings – The pens would be secured within a rope and chain matrix arranged in a grid layout;
- Pen Nets – This site would utilise Seal Pro nets, which are designed to reduce the potential for seal interactions. The proposed net depth is 10 m;
- Pen Lighting – All pens (stocked with fish) would be fitted with low energy, long life underwater lights suspended at a depth of 6 m.
- Navigational Lighting – All lighting requirements would be agreed with the Northern Lighthouse Board (“NLB”);
- Bird Nets – These would be positioned over the top of each pen and supported by 16 x 5 m support poles per pen; and
- SeaSpine - A central spine would run between the pens and the feed barge, to allow transfer of the fish to the barge and back to the pens. There are also additional pipes in the spine, which would allow mort recovery.

A proposed production cycle based on 5000 tonnes maximum standing biomass is expected. The Proposed Development would operate for 22 out of every 24 months, ensuring that a two-month fallow period takes place prior to the introduction of the next input of smolts. Harvesting and processing would take place at SSC’s Ardyne and Cairndow sites respectively.

The husbandry practices of salmon farmers are strictly regulated by SEPA, through the Water Environment (Controlled Activities) (Scotland) Regulations (2011)³ as amended, and Marine Scotland, through the Aquaculture and Fisheries (Scotland) Act 2013⁴.

1.4 Site Selection and Description

The Applicant currently operates one other Site in the surrounding area, located at Lamlash Bay, off the south east coast of Arran. The Lamlash Site was assessed to determine whether increased production could be supported at this location, as well as examining other potential new Sites in the wider area.

³ Water Environment (Controlled Activities) (Scotland) Regulations (2011) (Online) Available at: <http://www.legislation.gov.uk/ssi/2011/209/contents/made> (Accessed 12/08/2019)

⁴ Aquaculture and Fisheries (Scotland) Act 2013 (Online) Available at: <https://www2.gov.scot/Topics/marine/Fish-Shellfish/bill> (Accessed 12/08/2019)

The Applicant is looking at Sites to support sustainable growth across the West coast of Scotland and the Outer Hebrides. In addition to company growth, the Applicant is looking to better balance production and to offer a consistent supply of fish to consumers.

The Site of the Proposed Development at North Arran was identified from initial surveys as being a suitable Site for the Proposed Development, with favourable bathymetry and hydrography. In addition, the Proposed Development would fill the gap in the Company's balance due to:

- The Site is in southern Scotland where there is a large market for supply and also capacity at existing processing facilities at Cairndow;
- The Site is able to be operated independently, in so much as the stock generation can be balanced across the year to maintain supply to customers and processing facilities; and
- The Site is close to SSC's existing harvesting Site at Ardyne, reducing well boat passage time (and fuel usage).

At many of the other locations where SSC operates, any new Sites or expansion of existing facilities is tied to a specific generation. The term 'generation' refers to the production levels on site and the total biomass of fish able to be harvested, in order to ensure a steady supply chain.

SSC has considered a number of alternative locations for deploying or expanding marine fish farming facilities. Several of these locations have been discounted from further consideration due to a range of environmental constraints which are considered not to be applicable to the Proposed Development. Further details of these locations are available in the EIAR under Chapter 4: Alternative Sites and Design Innovation.

1.5 Need for the Proposed Development

Farming of salmon is an important industry for Scotland directly supporting over 2,400 jobs, representing nearly 13% of Scotland's food and drink workforce. Salmon is the UK's largest food export with overseas sales of £600 million in 2017. Salmon producers contribute £390 million in expenditure to the local supply chain helping to sustain economic growth in rural and coastal communities, particularly in the north and west of Scotland. The Scottish Government is committed to supporting sustainable economic growth in Scotland and recognises that supporting aquaculture is a vital role for Marine Scotland. The Scottish Government has set objectives to double the economic contribution of the sector to £3.6 billion, and double the number of jobs to 18,000 by 2030. The Proposed Development would make a valuable contribution to these objectives, as it is anticipated to have a positive economic and social impact as set out in section 1.9.4 and Appendix P of the EIAR.

Positive economic and social impact: The Proposed Development would have a significant positive, inclusive impact across Scotland's aquaculture supply chain in Arran, Argyll and Bute, North Ayrshire and the Central Belt. GVA contribution to Scotland is calculated to be at least £8.61m per year.

Employment: In total it is projected that the Proposed Development would support a total of 61 jobs (FTE): 51 in the sector, and a further 10 in wider economic stimulus. Most of these jobs would be year-round and well paid (including engineering, farm management, manufacturing, and services).

1.6 North Ayrshire and Scottish Supply Chain

The wider socio-economic impact of the Proposed Development has been considered, including that of additional jobs in the North Ayrshire Council region, and across Scotland. One example of the wider job creation associated with aquaculture operations is W&J Knox in Kilbirnie (within the North Ayrshire region).

W&J Knox has been one of the biggest private employers in the town, with a current complement of 77 employees and a turnover of around £11 million. Should Knox be successful in obtaining the contract for supplying nets and maintenance to the North Arran Site, it would amount to approximately £500,000 in initial purchasing (CAPEX) and approximately £500,000 in maintenance contracts over a period of 5 years. This would equate to around 1-2 extra jobs (or Full Time Equivalents) or £120,000 per year (turnover) in Kilbirnie. However, overall around 95% of the Knox business relates to the aquaculture sector, meaning that over 70 jobs there are reliant on the sector.

Construction of the barge and pen system by Gael Force Group would take place in Corpach, Fort William (for the barge), with pen work likely in or between the Oban area (Barcaldine) and Inverness. The SeaQure system is seeking to be the best-in-class model to minimise negative impacts cited in recent reports (primarily the 2018 Parliamentary Inquiry) and which were reflected as a concern amongst many Arran residents, driving some negative perceptions of the sector which in turn has affected views about this Site.

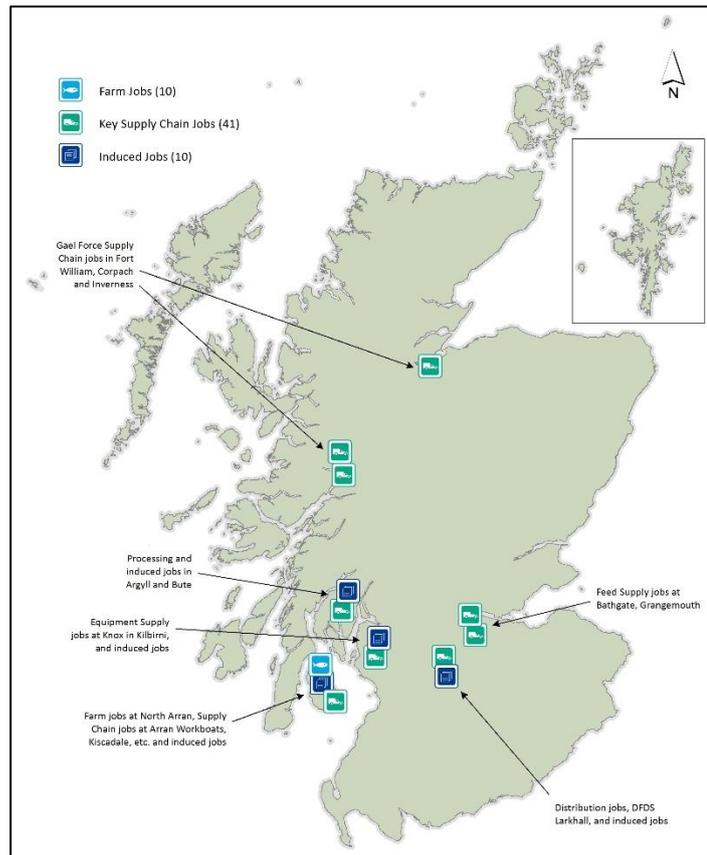
1.7 Wider Supply Chain Impacts for Scotland

SSC has highlighted their work with Arran Workboats (Kiscadale Engineering), based in Whiting Bay. While it is unclear whether the firm will secure a contract to produce workboats directly relating to the Proposed Development (though it is likely to be the case), it is important to consider their links with the rest of the sector. Arran Workboats have won contracts to supply SSC with workboats being delivered to Lewis and across the Highlands, and supplying the sector is now their core business.

While these income and employment streams to Arran Workboats are not relating directly to the Proposed Development, they are an illustration that economic impacts work both ways, in that there are indirect benefits to Arran from the aquaculture sector throughout Scotland, and equally there would be indirect impacts in areas elsewhere in Scotland throughout the supply chain from the production emanating from the Proposed Development. These are likely to include supporting and/or creating jobs and GVA in:

- Fort William, Inverness and Kilbirnie (equipment supply – Gael Force and Knox);
- Larkhall (distribution – DFDS);
- Grangemouth / Bathgate (feed – Biomar, EWOS);
- Arran (transport and engineering – Kiscadale, Arran Haulage, Paddy McHale);
- Cairndow (processing – within SSC processing operations); and
- Ardyne Harvest Station (freshwater treatment facility covering Loch Striven, Arran and the lower end of Loch Fyne).

The geographic spread of these wider supply chain impacts is illustrated visually in the diagram below.



1.8 Supporting Arran’s Objectives

It is important to acknowledge North Ayrshire’s direct interests and to recognise their strategic importance for Scotland. Understanding the total value of Arran’s knock-on contribution to the Scottish economy, and their integration with it, would make a clearer case for investment in ferry services which involve public service obligations (PSO) and other local priorities. This would in turn improve utilisation of limited housing stock, i.e. if it is to be used for tourism, it should be as fully used, year-round, as possible. Such virtuous circles could be possible with continued engagement in the relationship between fish farming and communities.

The following policy documents set out the context for the rationale for the Proposed Development. In summary, the Proposed Development is strongly supported by Scottish Planning Policy and various policies on Marine and Aquaculture sector growth.

1.9 Benefits of the Proposed Development

Gael Force are developing the SeaQure Farm, a fully integrated farm which includes a number of benefits whilst building on innovation. The desire is to deliver all this innovation and assure that the SeaQure farm delivers on a number of fronts.

Table 1.1 Innovative Development Components

Innovation	Description	Environmental Benefit
Passive Net Cleaner	Aeration system to ensure automatic cleaning of nets to allow for a good flow through of water and to reduce algal growth on the netting.	Reduction in manual handling Reduction in Work boats/Staff deployment, improved O ₂ , reduced Carbon footprint Mitigation of mortalities caused by algae/plankton.

Mort recovery (to pen side)	Fast automatic mort removal from sea. Using sensors on the camera systems already used in pens, the LIFTUP technology will automatically start to carry morts directly to the barge via a network of self-contained pipes. After de-watering, the mortalities will be kept inside a controlled environment where further mort processing can take place in a safe and sealed environment	Reduction in Work boat/Staff deployment, Reduced Carbon footprint
Mort processing	Create a value adding solution to treat morts to create product with value – Food (pet), Oil extraction, etc	Reduction in Work boat/Staff deployment, protein/value gain from current costly controlled waste, Reduced Carbon footprint
Fish/Mort transfer	Centralised spine to transfer live/dead fish (separately) between cage side and relevant treatment/process facility (on Barge)	Reduction in Work boat/Staff deployment, Reduced Carbon footprint, significant stress reduction on fish
Barge based Fish welfare	Connected to central spine a fish welfare facility mounted in the barge to passively treat fish (Gill, Lice etc) and mort processing	Reduction in Work boat/Staff deployment, reduction on medicinal treatments, Reduced Carbon footprint, significant stress reduction on fish

All the above are the headline engineering innovations of the SeaQure Farm. There are numerous work packages associated with the design of these aspects.

All of these concepts have been tried and tested individually. One of the aims of this project is to combine as many of these aspects as possible in order to drive and deliver improvements.

In addition to these engineering designs, SSC would also incorporate a number of enhanced management measures:

- **Ensuring Good Husbandry:** Daily fish inspections by Site staff and biologists, regular monitoring and reporting;
- **Cleaner Fish;** Lumpsumers and Wrasse are a natural & sustainable alternative in the control of sea lice. Using cleaner fish utilises a natural symbiosis and **90% of our cleaner fish are from farmed origin**, 10% of our cleaner fish are wild caught ballan wrasse from sustainable sources
- **Hydrolicers:** Hydrolicers use low pressure water to remove sea lice from the salmon. This system reduces the lice burden without medicines (which has environmental benefits). Sea lice are filtered out and destroyed. There is one dedicated hydrolicer for southern operations.
- **Freshwater Treatments:** SSC have invested heavily in freshwater treatments, primarily for AGD/gill health but these can also be used for sea lice. Fish are transferred into a wellboat containing freshwater, where they are held for an allotted time period.
- **Nutrition:** SSC has a dedicated team of nutritionists working with leading feed suppliers to source the best quality feed. Vitamins and minerals are added to feed to support the fish's immune system and disease resistance is promoted with new generation of functional feeds focussing on skin healing and mucous production.
- **Environmental Management Plan:** The EMP details the measures that would be taken to minimise potential impacts on wild salmonids, in particular through the effects of sea lice and escapes. The plan also outlines monitoring that would take

place to assess effectiveness of these measures, including both onsite and offsite monitoring protocols.

- **Ardyne Freshwater Facility:** Ardyne Freshwater Facility is one of the key investments in freshwater treatment which SSC have recently made. This is an onshore facility which has planning permission for a storage centre capable of storing 5,000m³ of freshwater. The facility would cover Loch Striven, Arran and the lower end of Loch Fyne, providing freshwater which is then pumped into wellboats in order to facilitate the treatment of fish against amoebic gill disease (“AGD”) and sea lice.

1.9.1 Innovation

As suggested in the Strategic Plan for Farming Scotland’s Seas (see Section 4.8 below), Scotland has the opportunity to be a world leading player in an industry that is vital for future food security and has one of the lowest carbon footprints in animal protein production.

SSC, in collaboration with Gael Force and its suppliers, would seek to underpin this Proposed Development with innovation. The primary objectives underpinning this innovation include:

- Operating in higher energy Sites;
- Improving fish health and welfare;
- Enhancing the safety of our people and equipment; and
- Ensuring environmental impacts are assessed, mitigated and monitored.

1.9.2 Operating in higher energy (exposed) Sites

SSC has collected current meter data in this area and the data indicates that the Proposed Development is a moderately flushed Site. The dominant current direction in the observed data was towards the south-east with relatively modest contribution towards the north-west.

A number of criteria have been identified as innovation, one of these concepts is a movement to new production models, including higher energy, deeper and more exposed Sites.

The Rural Economy and Connectivity Committee Salmon Farming in Scotland, report 2018, recommended that *work to examine the scope for siting salmon farms in suitable offshore and other locations where there are higher energy water flows should also be treated as a high priority by the industry.*

SSC are confident that this Site is in line with the above Recommendation 54 and the Strategic Plan for Farming Scotland’s Seas. The benefits associated operating in the higher energy (more exposed) environment potentially include:

- Reducing gill health issues;
- Reducing sea lice problems; and
- Reducing disease risks.

1.9.3 Economic/Employment Benefits

The Social and Economic benefits of the Proposed Development have been summarised within a report produced by Imani. This report sets out the anticipated social and economic benefits of developing the Site in North Arran and should be read in conjunction with other assessments including the original Scoping Report and EIAR.

The report summarised a number of key findings in terms of the impact of the Proposed Development upon the surrounding area. These can be found listed below:

- **Positive economic and social impact:** The Proposed Development would have a significant positive, inclusive impact across Scotland's aquaculture supply chain in Arran, Argyll and Bute, North Ayrshire and the Central Belt. GVA contribution to Scotland is calculated to be at least £8.61 million per year;
- **Employment:** In total it is projected to support a total of 61 jobs (FTE): 51 in the sector, and a further 10 in wider economic stimulus. Most of these jobs would be year round and well paid (including engineering, farm management, manufacturing and services);
- **Benefit to Arran:** The degree of social and economic benefit to Arran depends largely on the affordability of physical housing stock on the island, its effect on available labour, and the effectiveness of stakeholders in addressing constraints (including positive support from SSC as an option);
- **Natural Capital:** As long as environmental compliance is achieved through the EIA and the Site is managed in accordance with best practice, optimal husbandry/welfare standards, and emerging regulatory frameworks, there appear to be no significant impacts on the natural capital of Arran, and a positive case can be made for the Proposed Development's positive contribution to low carbon animal protein production;
- **Adding value:** There are ways in which SSC can improve and mitigate current challenges on Arran, for example through upgrading coastal path infrastructure, supporting housing development, and supporting the business case for better ferry services through increased commercial traffic.

Overall, the Proposed Development would make a significant positive contribution to the policy objectives for growing the GVA contribution to and grow employment opportunities within the Scottish Aquaculture sector.

2 THE PROPOSED DEVELOPMENT

An overview of the Proposed Development was provided in Section 1.3; further detail is provided below with descriptions of each component of the Proposed Development set out.

The Proposed Development would be located off the north-east coast of Arran in the Firth of Clyde, Site centre Grid Reference approx. Easting 199819, Northing 650189.

2.1.1 Pens

The Proposed Development would comprise two groups of 10 pens of 120 m circumference (19.1 m radius), with a surface area of 22,922 m² or approximately 2.3 hectares (ha). The pens would be orientated along the coastline. The pens would be designed to be capable of withstanding the environmental conditions likely to be experienced at the Site (visual representations of the equipment can be found in Appendix B of the EIAR).

Sinker tubes would be used at the Proposed Development, these are rigid circular structures, manufactured of high density plastic and filled with chain or steel wire, which are attached to the pen structure and held level with the base of the nets. The pen nets attach to the sinker tubes at regularly spaced fixing points, this ensures nets are highly tensioned and pen volume and structure is maintained. This allows for improved water flow through the nets, improved net integrity and an improved efficiency of net cleaning operations. Further information is available within the Design Statement which accompanies this Application.

Innovation:

- **Mort recover (to cage side):** Fast automatic mort removal from sea, reduces vessel deployment, reduced carbon footprint.
- **Fish/Mort transfer:** Centralised spine to transfer live/dead fish (separately) between cage side and relevant treatment/processing facility (on the feed barge). This would result in a reduction in work vessels, a reduced carbon footprint, and significant stress reduction on fish.
- **Enhanced Safety and Fish Welfare:** Passive net fouling prevention; a fish transfer system from pen to barge in order to allow freshwater treatment, improving the health and wellbeing of fish; live fish swim through system which allows for an increased level of movement within the water flow in each pen, reducing the potential effects of harmful plankton species.

2.1.2 Pen Nets

The proposed net depth of the Proposed Development would be 10 m. Nets would be specifically designed to suit Site conditions and husbandry requirements and they would be regularly tested (strength testing). As an innovation Site, SSC intends to trial a passive net washing solution that would ensure nets are continually cleaned allowing good flow-through of water. This innovation would reduce growth on the nets, such as algae and should help improve fish health and welfare, reducing susceptibility to disease and reducing sensitivity during higher stress operations.

Nets are fully traceable and a database of net location and service history is hosted by the manufacturer. Further information is available within the Design Statement which accompanies this Application.

Innovation:

- **Passive Net Cleaner:** This would involve an aeration system to ensure automatic cleaning of nets and would reduce the need for manual handling, reduce the use of work vessels, improve water flow for fish, reduce the carbon footprint and mitigate mortalities caused by algae/plankton.
- **Seal Pro Nets:** SSC intends to install Seal Pro nets supplied from Knox nets. These nets are designed to withstand seal predation.

2.1.3 Bird Nets

The site would use tensioned 2" mesh nets in conjunction with bird net supports in accordance with RSPB recommendations, to reduce predation and the risk of bird entanglement. These would be positioned over the top of each pen and supported by 16 x 5 m high support poles. Poles would be light grey. The nets would be highly tensioned in order to deter predation from diving birds and small mesh to minimise risk of entanglement.

Top nets are inspected and re-tensioned on a daily basis and maintenance would be conducted as required, minimising the potential risk of accidental entanglement to birds. Further information is available within the Design Statement which accompanies this Application.

2.1.4 Feed Barge

The Proposed Development involves the installation of an automated feed barge, which would be located between the two groups. The proposed barge would be approximately 7.8 m height above sea level when loaded (9.5 m height unloaded), 35.5 m length and 12.5 m width. It would have a feed holding capacity of 600 tonnes and would include an integrated 140 tonne freshwater treatment facility. This is the maximum size of barge (in terms of capacity and dimensions) which SSC proposes to install at the Site.

The day to day operations would be managed from the control room where feeding behaviour can be monitored and feed dosing controlled appropriately.

The proposed barge would have a number of innovation design functions in order to facilitate enhanced fish health and welfare and green energy management.

The innovation concept for the barge is to have the ability to treat fish in the installed freshwater facility of 140 tonnes, the overall benefit of this innovation is the reduction of medicinal bath treatments. This method of freshwater treatment would be facilitated through a swim-through system.

In addition to the swim-through systems, well boats would also be available for additional freshwater treatments. Further information is available within the Design Statement which accompanies this Application.

Innovation:

- **Fish/Mort transfer:** Centralised spine to transfer live/dead fish (separately) between cage side and relevant treatment/process facility (on Barge). Reduced work vessels, reduced Carbon foot print, significant stress reduction on fish.
- **Mort recover (to cage side):** Fast automatic mort removal from sea, reduces vessel deployment, reduced Carbon foot print.
- **Wellboats:** Fish are taken out of their pens and would swim in freshwater in order combat amoebic gill disease (AGD) and sea lice.

2.1.5 SeaSpine

A central spine ("SeaSpine") would run between pens and the feed barge, returning the fish to the barge and back to the pens. There would also be additional pipes in the spine, which would allow mort recovery.

The central spine and pipes are made of high density polyethylene ("HDPE") which is a proven, reliable and robust product. This, combined with the addition of sensor technology within the system, would minimise any risk of fish being pumped out of the sealed system. The system would be fully valved to ensure only the open lines are operating. Further information is available within the Design Statement which accompanies this Application.

2.1.6 Moorings

The pens would be secured within a rope and chain grid matrix. Moorings would be specifically designed to meet the meteorological, hydrological and topographical conditions predicted at the Site. The moorings system would be checked as part of the daily containment checks on Site, a full inspection of component parts is also undertaken by trained staff at the end of every production cycle. Mooring check methodologies are outlined in a Standard Operating Procedure for the Site and the program for checks is outlined in the Escapes Prevention and Contingency Plan for the Site.

The proposed moorings area would be 1km², inclusive of the barge moorings. Further information is available within the Design Statement which accompanies this Application.

2.1.7 Pen Lighting

As part of the production cycle it may be necessary during periods of reduced daylight hours to use underwater lighting for the pens. Typically, underwater lights at farm Sites are used during the first winter of the marine production cycle but they may also be used outwith these times, dependent on available daylight.

It is proposed that low energy, long life 240W LED lights (1000 W halogen lights equivalent) would be used per pen, and all pens stocked with fish would be fitted with lights, suspended at a depth of 6 m. This lighting produces a dim, greenish glow which is visible at close range and can appear more pronounced from an elevated viewpoint, but is not visible at distance. Further information is available within the Design Statement which accompanies this Application.

2.1.8 Production Cycle

It is planned that the Site would operate for 22 months out of every 24 months, ensuring that a two-month fallow period takes place prior to the introduction of the next input of smolts. A proposed production cycle for the 2500 tonnes ("T") maximum biomass for each part of the Site is expected, with the total being 5000T.

A SEPA Controlled Activity Regulation Licence ("CAR") has been drafted for the Proposed Development for a Maximum Standing Biomass of 2500T x 2, and this is being finalised at the time of planning application submission.

Over the fallow period essential maintenance and any repairs would be carried out at the Site to prepare for the introduction of the next cycle of fish. Following the end of each cycle, all the nets would be removed from the pens and sent to the manufacturer for testing, cleaning, disinfection, inspection, repair and antifouling. Following inspection and repairs as necessary, nets that achieve specific quality standards would be cleaned and disinfected before being returned to the Site. The mooring legs and pen mooring grid components would be inspected and any and any necessary maintenance, repair or replacement work would be carried out by competent personnel. Further information is available within the Design Statement which accompanies this Application.

2.1.9 Stocking

At the start of the production cycle, a well boat would be used to stock the Site with smolts. Wellboat deliveries would be required to stock the Site and the deliveries would take place over a period of 1 – 2 months. Further information is available within the Design Statement which accompanies this Application.

2.1.10 Food and Feeding

Feed supply rate is determined by time of year and time of day, stage in fish growth cycle, and feed guides. The proposed automated feeding system is computer controlled and supported by underwater monitoring cameras, however this system can be appropriately adjusted manually, in response to poor or unexpected feeding behaviour. Consumption varies in reaction to health or environmental variables, and feed rates can be altered based on visual observation by trained husbandry staff. This feeding system allows a greater control of feed input and results in reduced feed wastage. Feeding may also be supplemented with hand feeding of stock by farm staff for a short period each day where possible, in order to check on fish appetite and feeding response.

Feed would be delivered directly to the barge by boat from the manufacturers' plant and would be stored on board the barge in silos.

The proposed feeding mechanism would be fully automated; the feeding system would have an inbuilt detection system to ensure minimal waste. This would be supported by

state of the art underwater cameras to monitor feeding and general fish health and welfare. Further information is available within the Design Statement which accompanies this Application.

2.1.11 Grading

Grading occurs at all SSC Sites at key points in the production cycle, to separate out different sizes of fish. This is to ensure a smooth and even growth profile across the entire stock production, and reduce the risk of aggression developing within the stocked population. Standard grading operation procedures and associated risk assessments are currently undertaken at all SSC Sites and these would also be used at the Site. Fish are first crowded within the pen net, before being pumped onto a well boat, they pass over a de-watering table, then a grading table where size selectors enable different sizes of fish to be separated out. The different size groups are then returned to separate pens, being counted on exit.

Fish are graded approximately 2-3 times during the production cycle. Fish health is checked prior to grading operations by SSC Biology staff. Whilst fish are graded they would be continuously monitored to ensure they are not experiencing unacceptable levels of stress or welfare issues. The manager would determine if mitigation measures need to be taken to maintain good welfare during grading, such as increasing the volume of space available to the fish. Further information is available within the Design Statement which accompanies this Application.

2.1.12 Harvesting

Harvesting would usually take place over six months in the second year of production. During these harvesting months the harvest boat activity would be around 10 trips a month, and no activity at all other times. Boat activities during harvesting would have a low impact on the maritime traffic in the vicinity of the Proposed Development and have been scoped out of further assessment as part of the EIA process.

To maintain a high level of welfare, the maximum length of time that fish can be crowded in the net for is limited. Once on board the well boat, fish would be transported live to the SSC harvest station located at Ardyne. Conditions within the wells are monitored by camera and oxygen levels and temperature are controlled. During transport, fish are chilled in order to reduce stress levels on arrival at the harvest station. At the harvest station, fish are pumped ashore and killed by unrecoverable stunning. They would then be transported onto the Cairndow (Argyll) processing plant for primary processing and filleting.

2.1.13 Site Servicing

The Proposed Development would be serviced from a feed barge moored alongside the pens. It is proposed to supply feed, fuel and fish to the Proposed Development by boat. There would be no requirement for access or servicing from the shoreline of North Arran.

2.1.14 Veterinary Treatments and Medicines

SSC has a dedicated team of biologists who are responsible for regular health checks, and monitoring and managing biosecurity issues throughout the company's operations. The company employs a dedicated veterinarian and certain veterinary services are also contracted out to the Fish Vet Group who has clinical responsibilities for fish stocks. SSC focus is on the prevention of disease through effective monitoring and biosecurity controls.

Final decisions regarding the requirement to treat and appropriate type of treatment are made by the company veterinarian.

A SEPA CAR licence for a full suite of sea lice treatments has been applied for, and drafted, subject to final determination.

2.1.15 Mortalities

Mortalities would be removed from the pens on a regular basis using a sea spine and also by conventional methods. Mortalities collect at the bottom of the pen net, in the centre, and are pumped up a collection pipe on a regular basis.

Any morts would be transferred through the SeaSpine, sent to the barge for processing. In addition to this, there would be a regular diver inspection of the pens. The waste from the barge would then be transferred to a specialist contractor. In the event of a mass mortality SSC would follow the Site Fish Mortality Plan as shown within Appendix F of the EIAR.

Details of mortalities (e.g. suspected cause and number) are recorded by Site staff and are reviewed regularly by biology staff throughout the production cycle. This, together with regular health monitoring, assists with early detection of particular health challenges.

3 EIA REGULATIONS AND SCOPING OPINION

3.1 EIA Criteria

Regulation 2 (1) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations (2017)⁵ ('the EIA Regulations') defines EIA Development as either:

- Schedule 1 Development: development of a type listed in Schedule 1 always requires EIA; or
- Schedule 2 Development: development of a type listed in Schedule 2 requires EIA if it is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Finfish farms are listed within Schedule 2 of the EIA Regulations and the Proposed Development would meet all three of the applicable thresholds as it:

- Is designed to produce more than 10 tonnes of dead fish per year;
- Is in marine waters and is designed to hold a biomass of more than 100 tonnes; and
- It would extend to more than 0.1 ha of the surface area of the marine area.

The requirement for an EIA is determined by considering the Selection Criteria detailed within Schedule 3 of the EIA Regulations. The Selection Criteria in Schedule 3 include an assessment of the following:

- Characteristics of the Proposed Development;
- Location of the Proposed Development; and
- Characteristics of the Potential Impacts.

Due to its potential impacts on the environment, the Proposed Development has been subject to an EIA.

3.2 Scoping Opinion and Responses

On 1st May 2019, SSC received an EIA scoping opinion from the Council (application 19/00182/EIA) in regard to the Proposed Development. Key elements highlighted in the response were as follows:

- Consideration of Alternatives: The EIA Regulations require that all EIA Reports should include an outline of the reasonable alternatives study. This should include the main reasons for selecting the chosen option. The alternatives should include Site location and layout and other design considerations.
- Site Selection: Detailed assessment of the specific selection of the Site. This should include operational considerations, landscape and visual considerations, nature conservation, navigational and hydrological interests. Awareness should be shown

of known constraints presented by local and national landscape, nature conservation and special scientific designations.

- Landscape / Visual Impacts: The landscape / seascape assessment should consider the fit and scale of the Proposed Development to the coastal character of the north coast of the Isle of Arran. Particular regard should be had to the qualities of the Isolated Coast and Arran National Scenic Area. The area is adjacent to an Area of Panoramic Quality (APQ) and the effects on this need to be assessed. This should include identifying the qualities of this area. Given the environmental sensitivity in this regard, it is considered that a Landscape and Visual Impact Assessment should be carried out. The Zone of Theoretical Visibility (ZTV) should inform the selection of representative viewpoints, which should then be the subject of photomontages. Cognisance of the Seascape/Landscape Assessment of the Firth of Clyde (March 2013) should be shown. Consideration of cumulative impacts along with a Coastal Character Assessment, Landscape Character Assessment and consideration of the landscape experience would be required.
- Nature Conservation: The EIA Report should include an assessment of potential changes to benthic habitats and species, transmission of disease to wild fish species and risk of entanglement and displacement of bird species of conservation importance, including red-throated divers. An assessment should be made of any potential impact on cetaceans, otters, seal and basking shark. An assessment should be made of impact on Priority Marine Features, including Burrowed Mud and the species living in it.
- Water Environment: The EIA Report should address the consequences of the Proposed Development in terms of hydrological, waste management and pollution control considerations. An extended baseline benthic survey and a standard baseline visual survey will be required along with modelling, and a modelling report including hydrodynamic and in-feed chemotherapeutant modelling. All modelling should have regard to cumulative impact from other existing and proposed aquaculture development and be undertaken to satisfy published SEPA guidance.
- Operational Measures: Details of stocking, annual production, fallowing, working procedures and practices and contingencies should be documented to demonstrate how effects upon the receiving environment will be minimised. An escapes prevention contingency plan and a predator control plan should be submitted along with details of containment measures tailored to Site-specific conditions, including appropriate manufacturer attestations.
- Noise: A Noise Impact Assessment should be produced that identifies the noise generating activities arising from the operation of the Proposed Development. The assessment should demonstrate the likely impact on any noise sensitive receptors and impact on noise level at the nearest part of the coast. Any noise considered to have an impact on noise sensitive receptors, shall be assessed in accordance with BS4142:2014. An assessment of noise levels on recreational users of the area and protected wildlife should be made.
- Historic Environment: Historic Environment Scotland advise that they agree with the assessment that the Proposed Development would not significantly alter the coastal setting of the nearby scheduled monument. This may be scoped out of any assessment.
- Socio-Economic Effects: The effects of the Proposed Development in terms of direct and indirect employment along with supply chain benefits during the construction and the operation of the Site should be assessed. Details of the location and impact of the shore-based operations, including any physical development proposed, is required. The impact of the proposals on the recreational and tourist economy of

Arran should be assessed. This is with particular reference to impact on the walking route of the Arran Coastal Way, sea kayaking and recreation in relation to geological features. Details of any pre-application consultation with relevant interests should be recorded as should any community consultation.

- **Structure of the Document:** The EIA should concentrate on those elements likely to have 'significant' consequences for the receiving environment. It should make passing reference to other issues of lesser importance to indicate that they have been considered. Short-term and long-term consequences should be identified with an indication of expected degree of magnitude and any mitigation measures advanced along with the degree of confidence as to the efficacy of such measures. Where significant effects are anticipated, mitigation measures should be identified and provided. This should include proposals for implementation and monitoring of those measures. A summarised table of the measures should be provided within the EIA report. In accordance with the requirements of the Regulations, the EIA Report should be accompanied by a non-technical summary of the issues addressed in the main document.

The considerations raised as part of the scoping responses have been appropriately addressed in the EIA Report accompanying the Application.

4 POLICY AND PLANNING CONTEXT

4.1 Introduction

According to The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009⁵, the Proposed Development is classed as a Major development, as the surface area of water covered is or exceeds 2ha. The Planning Act states that decisions on planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. The process for determining a planning application can be defined as:

- Identification and consideration of the key provisions within the Development Plan;
- Clarification of whether the Proposed Development is in accordance with the Development Plan;
- Identification and consideration of relevant material considerations; and
- Conclusions on whether planning permission is justified.

This Section reviews the key planning policies that are applicable to the Proposed Development. The aim of this Section is to establish the key implications of the Proposed Development and consider its compliance with the relevant policies in order to aid the Council during the determination process.

4.2 Scottish Planning Policy (2014)⁶

Scottish Planning Policy (SPP) sets out national planning policies which reflect Scottish Ministers' priorities for the operation of the planning system and for development and use of land. SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. SPP is a material consideration in the determination process for planning applications. SPP highlights the Scottish Government's support for the sustainable growth of the aquaculture sector and the significant contribution it makes to the Scottish economy, particularly for coastal and island communities.

⁵ The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations (Online) Available at: <http://www.legislation.gov.uk/sdsi/2009/9780111001714/contents> (Accessed 03/06/2019)

⁶ Scottish Planning Policy (Online) Available at: <https://www.gov.scot/Resource/0045/00453827.pdf> (Accessed 03/06/2019)

In relation to supporting aquaculture the key policy principles listed are that the planning system should:

- Play a supporting role in the sustainable growth of the finfish and shellfish sectors to ensure that the aquaculture industry is diverse, competitive and economically viable;
- Guide development to coastal locations that best suit industry needs with due regard to the environment; and
- Maintain a presumption against further finfish farm development on the north and east coasts to safeguard migratory fish.

SPP is a non-statutory document which sets out the Scottish Government's policy on land use planning and therefore should be afforded significant weight in the determination process for planning applications.

It is considered that the ***Proposed Development is fully supported by and complies with SPP***, as it would support and diversify the Scottish finfish industry and the wider aquaculture sector by bringing new technology which reduces the impacts on the environment, whilst contributing to the objectives for economic growth in this sector.

4.3 National Planning Framework 3 (2014)⁷

National Planning Framework 3 (NPF 3) is the most recent expression of Scottish Government strategy for long-term spatial development. Its findings, including its reiteration of support for growth of the aquaculture sector, should be afforded significant weight in the determination of planning applications, as it represents the Government's vision for spatial development across Scotland.

Paragraph 2.36, under the heading 'A sustainable, successful place', aquaculture is identified as '*...an important aspect of the economy across parts of coastal Scotland supporting many jobs – often in small communities – and representing a significant element of Scotland's exports. The industry has identified ambitious growth targets which we want to see realised.*'

NPF 3 identifies that support for the sustainable growth of the aquaculture sector, including through the work of the Ministerial Group for Sustainable Aquaculture, is a key long-term goal for the Scottish Government. ***It is therefore considered that the Proposed Development fully accords with the provisions of NPF 3, as it would directly address the objectives for growth of the aquaculture sector.***

4.4 Scotland's National Marine Plan (2015)

Scotland's National Marine Plan was published in 2015⁸ and outlines the Scottish Government's framework for managing Scotland's inshore and offshore waters. This National Marine Plan sets out strategic policies for the sustainable development of Scotland's marine resources out to 200 nautical miles. The Plan outlines the following objectives for Scotland's aquaculture industry:

- An aquaculture industry that is sustainable, diverse, competitive and economically viable and which contributes to food security whilst minimising environmental impact;

⁷ Scottish Government (2014) National Planning Framework 3 (Online) Available at: <https://www.gov.scot/Resource/0045/00453683.pdf> (Accessed 03/06/2019)

⁸ The Scottish Government (2015) Scotland's National Marine Plan: A Single Framework for Managing Our Seas (Online) Available at: <https://www.gov.scot/publications/scotlands-national-marine-plan/> (Accessed 03/06/2019)

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- With due regard to the marine environment and carrying capacity, support for the industry's target to grow marine finfish (including farmed Atlantic salmon) production sustainably to 210,000 tonnes by 2020;
 - A proportionate and transparent regulatory framework within which the industry can achieve these targets;
 - Quality employment and sustainable economic activity in remote and rural areas, as well as more widely in Scotland;
 - Improve business confidence and industry investment and reduce environmental impact by identifying areas where sustainable aquaculture growth is optimal, taking account of key resource and constraints considerations;
 - Maximise benefits to Scotland and to local communities from Scottish aquaculture value chain; and
 - Support research and development, including trials and technical innovation, to improve knowledge and understanding of the requirements for sustainability of the industry, with a particular focus on the issues of sea lice, containment and interaction with other activities.

The Proposed Development has been designed and sited in a way to minimise the effects on ecology, landscape and seascape, cultural heritage and other environmental aspects.

The National Marine Plan contains 14 policies relating to aquaculture. Those which are directly relevant to the Proposed Development are as follows:

- Aquaculture 5: *Aquaculture developments should avoid and/or mitigate adverse impacts upon the seascape, landscape and visual amenity of an area, following SNH guidance on the siting and design of aquaculture* (refer to Chapter 14: Seascape, Landscape and Visual Assessment of the EIAR);
- Aquaculture 6: *New aquaculture sites should not bridge Disease Management Areas although boundaries may be revised by Marine Scotland to take account of any changes in fish farm location, subject to the continued management of risk* (refer to Chapter 16: Other Issues of the EIAR);
- Aquaculture 7: *Operators and regulators should continue to utilise a risk based approach to the location of fish farms and impacts on wild fish* (refer to Chapter 10: Impacts on Wild Salmonids of the EIAR);
- Aquaculture 8: *Guidance on harassment at designated seal haul out sites⁷⁷ should be taken into account and seal conservation areas should also be taken into account in site selection and operation. Seal licences will only be granted where other management options are precluded or have proven unsuccessful in deterrence* (refer to Chapter 9: Interactions With Predators of the EIAR);
- Aquaculture 9: *Consenting and licensing authorities should be satisfied that appropriate emergency response plans are in place* (please refer to the Environmental Management Plan ("EMP") Appendix C of the EIAR)
- Aquaculture 10: *Operators should carry out pre-application discussion and consultation, and engage with local communities and others who may be affected, to identify and, where possible, address any concerns in advance of submitting an application* (refer to Chapter 5: Consultation and GAP Analysis of the EIAR);
- Aquaculture 12: *Applications which promote the use of sustainable biological controls for sea lice (such as farmed wrasse) will be encouraged* (refer to Chapter 3: Description of the Proposed Development of the EIAR); and
- Aquaculture 14: *The Scottish Government, aquaculture companies and Local Authorities should work together to maximise benefit to communities from aquaculture development* (refer to Chapter 15: Social and Economic Assessment of the EIAR).

The Proposed Development would make a significant economic contribution both locally and industry-wide as identified in Section 1.6. ***The Proposed Development therefore accords with the above policy principles, as it is designed to support the industry targets for growth, whilst having due regard of the environment. Additionally, as indicated above, the Proposed Development also accords with a number of the 14 Aquaculture policies included within the National Marine Plan.***

4.5 A Fresh Start: The Renewed Strategic Framework for Scottish Aquaculture (2009)

The renewed Strategic Framework for Scottish Aquaculture⁹ published by the Scottish Government in 2009 sets out the shared vision of the Ministerial Working Group on Aquaculture for the sustainable growth of the industry and provides a platform to ensure a strong future for the industry in Scotland. It has five key themes:

- Healthier fish and shellfish;
- Improved systems for licensing aquaculture and Proposed Developments;
- Improved containment;
- Better marketing and improved image; and
- Improved access to finance.

Issues and desired outcomes are identified under each theme. The framework also sets out a more flexible approach for delivery through a smaller Ministerial Group on Aquaculture.

The Proposed Development incorporates a highly innovative, modern and fit for purpose design. As is demonstrated throughout the EIAR documents as well as within this Statement, one of the key aspects of the SeaQure Farm system is its ability to produce healthier fish that are contained within a sustainable and well treated environment. Throughout the application consultation process, SSC have also committed to a detailed and transparent level of interaction with statutory consultees and the local community, helping to demonstrate the benefits of the innovative technology being implemented.

4.6 Supporting Aquaculture Growth and Protecting Scotland's Environment (2017)

The joint ministerial statement¹⁰ published by the Scottish Government confirms that aquaculture is a key contributor to Scotland's rural economy. It provides employment and investment, particularly in some of the most remote coastal communities. The Scottish Government also recognises that a sustainable aquaculture sector is a carbon efficient means of producing animal protein and contributes to national food security. The policy statement sets out how the Scottish Government and its agencies will work constructively with the sector, and others, to operate a policy framework to enable sustainable growth whilst balancing economic, environmental and social responsibilities. In particular, the Scottish Government will promote:

- Low-impact production systems which manage fish health challenges and enable continued growth while protecting marine ecology; and
- Collaborative and constructive relationships between the sector and its neighbours.

⁹ Scottish Government (2009). A Fresh Start: The renewed strategic framework for Scottish aquaculture (Online) Available at: <https://www.gov.scot/Resource/Doc/272866.pdf> (Accessed 03/06/2019)

¹⁰ Scottish Government (2017). Supporting Aquaculture Growth and Protecting Scotland's Environment (Online) Available at: <https://www2.gov.scot/Topics/marine/Fish-Shellfish/MinStatement> (Accessed 03/06/2019)

As demonstrated within section 1.5 and Chapter 15: Social and Economic Assessment of the EIAR, the Proposed Development will contribute significantly to the local economy as well as further add to the already well established Atlantic Salmon industry in Scotland.

4.7 Aquaculture Growth to 2030 (2016)

The Scottish Government supports the delivery of the Aquaculture Industry Leadership Group growth strategy¹¹, which aims to double the economic contribution of the sector from £1.8 billion in 2016 to £3.6 billion by 2030 and double the number of jobs to 18,000 over the same timeframe. To achieve these aims, the strategic priorities for the sector are identified and 20 specific actions recommended. The delivery of these 20 recommendations should permit the sector to achieve significant long term social and economic benefits for Scotland.

As stated previously in section 4.6, section 1.5 and Chapter 15: Social and Economic Assessment of the EIAR demonstrate that the Proposed Development will contribute significantly to the local economy as well as further add to the already well established Atlantic Salmon industry in Scotland.

4.8 Aquaculture Growth to 2030: A Strategic Plan for Farming Scotland's Seas¹²

In 2016, a Working Group of leading aquaculture businesses and organisations came together to create a growth strategy for aquaculture in Scotland to 2030. The aim was to deliver an ambitious, industry-led plan for sustainable growth across the entire aquaculture value chain.

Aquaculture in Scotland is diverse, from the farming of salmon and other finfish species, to the production of mussels and oysters, to the harvesting of seaweed. It contributes over £1.8bn annually to Scotland's economy and sustains the economic and social fabric of the Highlands and Islands in particular. But the potential contribution of farming Scotland's seas is far greater. Research points to a potential annual contribution of £3.6bn or more by 2030. The number of jobs supported by the sector could reach 18,000.

The Working Group recommended three actions considered to be critical to the sustainable growth of aquaculture in Scotland:

- The formation of an Industry Leadership Group (ILG) to drive sector growth and ensure alignment between industry and government;
- An examination of the role of Marine Scotland as both regulator and policy advocate for proposed development. There is an opportunity to align with other food and drink sectors in Scotland by moving the development role into the Scottish Government's Food, Drink & Rural Communities Division; and
- The introduction of Innovation Sites, to allow controlled trials and development of innovative equipment, technologies, disease control measures, and regulation.

The Proposed Development aligns with the aims of the above strategy, particularly in regards to the Innovative technology that is at the heart of its design. The SeaQure design is a fully integrated farm which includes a number of benefits whilst building on innovation, to ensure a greater level of health and wellbeing for fish.

4.9 The Development Plan

The Development Plan is the primary consideration when determining planning applications, and forms the basis for the assessment of the Proposed Development in this

¹¹ Scottish Salmon Producers' Organisation (2016). Aquaculture Growth to 2030 (Online) Available at: <http://scottishsalmon.co.uk/wp-content/uploads/2016/10/aquaculture-growth-to-2030.pdf> (Accessed 03/06/2019)

¹² Scotland Food and Drink (2016) Aquaculture Growth to 2030: A Strategic Plan for Farming Scotland's Seas (Online) Available at: <http://scottishsalmon.co.uk/wp-content/uploads/2016/10/aquaculture-growth-to-2030.pdf> (Accessed 05/06/2019)

Statement. The weight which is to be given to relevant material planning considerations is a matter for the decision-maker in respect of each planning application.

The Proposed Development falls under the jurisdiction of North Ayrshire Council as the local planning authority, therefore, the statutory North Ayrshire Council Development Plan, adopted 20 May 2014¹³ ("NACLDP") is applicable at submission of the Application.

However, North Ayrshire Council are currently in the process of replacing the NACLDP with a new, updated Local Development Plan¹⁴ ('the Proposed Plan') having been through consultation and examination. At the point of submission, the Proposed Plan has completed the examination stage and is likely to be adopted by North Ayrshire Council around mid-October. As such, the Proposed Plan must be considered as providing the key policy considerations in the assessment of any new development proposals in the North Ayrshire Council area, including the Proposed Development.

Consideration has been given to the relevant policies contained within the Proposed Plan and NACLDP during the design of the Proposed Development. Individual policies are not quoted in full (for full policy wording please refer to the Development Plan documents available on the North Ayrshire Council website). The following policies are considered to be of relevance to the Proposed Development, and each policy has been assessed in section 4.10 as follows:

4.10 North Ayrshire Council Proposed Local Development Plan (2019)

The North Ayrshire Council Proposed Local Development Plan ('Proposed Plan') is set to be adopted in autumn 2019. The Proposed Plan will be used by the Council as a significant material consideration in the determination of planning applications until such time as it is adopted. The report following the examination of the Proposed Plan was issued on 10th July 2019. The modifications recommended by the Reporter are referred to below in relation to relevant policies.

Given that the Proposed Plan is set to be adopted during the determination period of the Application, the Proposed Plan should be considered as the primary document used for the determination of the Application.

The following proposed policies are considered to be of relevance to the Proposed Development, and they are accompanied by a brief assessment:

Strategic Policy 1: Spatial Strategy – The Coast Objective

Development proposals should not result in damage to our coastal environment, particularly sensitive or remote coastal areas, unless the economic benefit arising from the proposal outweighs the environmental impact. The natural and environmental policies in this Plan set out areas of our coastline we will want to protect from development.

From analysis undertaken by Imani Enterprise Ltd. Assessing Operation Impact through a Sustainable Livelihoods Approach (SLA), the Proposed Development is consistent with the above statement; the social and economic benefits, both in North Ayrshire and to an even greater extent for the Scottish economy, outweigh any negative environmental impacts.

A range of uses will be supported to support our coastal economy. In principle, we will support development proposals that:

¹³North Ayrshire Council (2014) Local Development Plan (online) Available at: <https://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/LocalProposedDevelopmentPlan/post-examination/adopted-LDP-policy.pdf> (Accessed 05/06/2019)

¹⁴North Ayrshire Council (2019) Proposed Local Development Plan (online) Available at: <https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/ldp2.aspx> (Accessed 05/06/2019)

Specifics	Project Input
<p>a) <i>Are consistent with Policy 24: Alignment with Marine Planning policy;</i></p>	<p>The Proposed Development is consistent with the above statement as the economic impacts will provide substantial benefits to outweigh environmental impacts, both in North Ayrshire and the wider Scottish economy.</p>
<p>b) <i>Assist to develop and strengthen North Ayrshire's coastal economy and marketability;</i></p>	<p>This Proposed Development would support a total Scotland-wide economy contribution of 61 jobs and give a total GVA contribution expecting to exceed £8-10 million per year.</p> <p>It is expected that the Proposed Development would use suppliers based in North Ayrshire including CAPEX and ongoing OPEX contracts.</p> <p>This Proposed Development is likely to strengthen the North Ayrshire economy in Arran by providing year-round salaries, and external engineering contracts. It is likely to strengthen the mainland North Ayrshire economy through supply chain contracts such as net supply and maintenance, estimated at around £500,000 in initial product sales then £500,000 in ongoing service contracts over 5 years.</p>
<p>c) <i>Improve accessibility to visit and explore North Ayrshire's coast and islands;</i></p>	<p>No significant impacts have been identified through the SLA.</p>
<p>d) <i>Improve the physical connections between settlements for all abilities and multi user access;</i></p>	<p>The Proposed Development is not likely to have any impact on this aspect, but could contribute to the business case for improved seasonal ferry provision with increased commercial use.</p> <p>Coastal boat tours could include the Site in any North Arran trip if agreed between SSC and operators.</p>
<p>e) <i>Enhance existing strategic coastal marine assets and infrastructure – particularly where the Proposed Development would address a qualitative deficiency in North Ayrshire's coastal tourism infrastructure;</i></p>	<p>Due to the remote location of the Site and limited visual impact, there is a small risk that some economic opportunities in tourism may be negatively impacted. These are considered easily mitigated through supporting and enhancing the infrastructure on the route past the Site Proposed Development, including:</p>

Specifics	Project Input
	<ul style="list-style-type: none"> • Footpaths; • Viewing Points; and • Information Boards.
<i>f) Provide improved step ashore facilities for marine activity and tourism;</i>	The Proposed Development is not likely to have any impact on this aspect
<i>g) Provide jobs to North Ayrshire communities; and</i>	SSC jobs associated with the Proposed Development would be sited within North Ayrshire, though it is not guaranteed that they would be filled by North Ayrshire residents. North Ayrshire supply chain jobs are likely, e.g. in engineering on Arran, transport on the North Ayrshire mainland and net servicing in Kilbirnie.
<i>h) Complement the function of our town centres and improve viability and vibrancy of town centres.</i>	<p>The Proposed Development is likely to have limited impact on town centres, though it may:</p> <ol style="list-style-type: none"> 1) Contribute to Kilbirnie through employment and income, and 2) Contribute to Arran salaries that could support families basing themselves on the island year-round. 3) Support the economic and social argument for improving (and for funding) affordable housing provision, which in turn would help Arran retain its current permanent residents and attract new ones.

The Proposed Development is in accordance with the relevant policies of Strategic Policy 1 - (a), (b), (g) and (h) – and should therefore benefit from support under Strategic Policy 1.

Policy 15: Landscape and Seascape (including the modifications recommended by the Reporter on pages 66 of his Examination Report on the Proposed Plan dated 10 July 2019 ('Examination Report'), assuming that these recommended modifications will be made)

We will support development that protects and/or enhances our landscape/seascape character, avoiding unacceptable adverse impacts on our designated and non-designated landscape areas and features. In particular, we will consider the following:

a) National Scenic Areas

Development that affects the North Arran National Scenic Area including the need to protect existing sport and recreation interests, will only be supported where:

- i. The objectives of the designation and the overall integrity of the area will not be compromised; or*

-
- ii. *Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance*

b) *Special Landscape Areas*

We will only support development which affects Special Landscape Areas where it would not have an unacceptable impact on their special character, qualities and setting.

c) *Wild Land*

- d) *We will only support development within Wild Land areas where any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.*

d) *Local Landscape Features*

Where appropriate, development should take into consideration its individual and cumulative impacts on landscape features, including:

- i. *Patterns of woodlands, fields, hedgerows and trees;*
- ii. *Lochs, ponds, watercourses, wetlands, the coast and wider seascape;*
- iii. *Settlement setting, including approaches to settlements;*
- iv. *The setting of green network corridors, such as important transport routes and the cycle and footpath network*
- v. *Historic, natural and recreational features of interest, skylines and hill features, including important views to, from and within them.*

For all development with the potential to have an impact on either Landscape Character or Landscape features (including their setting), appropriate mitigation measures should be considered as part of any planning application. Where there is potential for development to result in significant adverse landscape/visual impact, a landscape and visual impact assessment (LVIA) will be required. The Ayrshire Landscape Character Assessment (SNH, 1998) and North Ayrshire Settlement Development Strategy (Entec, 2008) provide further information on designations such as Local Landscape Character Areas and the Potential Limit of Development Expansion areas as shown on the map on page XX and on our online proposals map. These landscape assessment documents, and any new or updated landscape assessments, will be key considerations in determining whether development proposals would be acceptable within the landscape.

A detailed Landscape, Seascape and Visual Assessment, available in Chapter 14 of the EIAR, has been carried out to assess the potential effects of the Development on the Landscape, Seascape and Visual Amenity surrounding the Site.

The Proposed Development would be located within the North Arran Scenic Area (NSA). The low-lying, inconspicuous nature of the Proposed Development and the lack of requirement for a shore base mean that the Proposed Development would not compromise the objectives of the designation and overall integrity of the NSA. Chapter 14 of the accompanying EIA Report identifies that the overall magnitude of change is considered to be negligible and the significance is considered to be **moderate/minor**. The effects are considered to be adverse as the Proposed Development introduces man-made features into the NSA/SLA, however the isolated location and temporary nature of the Proposed Development means that any impacts are reversible.

The Proposed Development is not expected to have any unacceptable impacts on the special character, qualities and settings of the surrounding area, including the isolated coast

and wider seascape, as it has been designed and sited to take account of the surrounding environment. The following mitigation measures such as have been introduced to minimise any potential effects:

- The Proposed Development is limited to 20 finfish pens to ensure that it is proportionate to the receiving landscape;
- The feed barge has been designed to emulate a fishing vessel to help assimilate the structure into the seascape;
- The Proposed Development is set out as a uniform grid;
- The Proposed Development is orientated along the coastline in a compact and regular form;
- The pens are low in profile, circular and will be coloured dark grey or black to blend into the water and against the backdrop of the coast line;
- The associated infrastructure of feed augers and buoys has a very minimal visual impact due to their size and location within the water; and
- The Proposed Development would be serviced from the existing shore base at Lamlash without need for expansion of shore based infrastructure or land based infrastructure near the pens and feed barge.

The effects of the Development are outweighed by the economic and social benefits that the Development would generate both locally and nationwide. The development would make a significant contribution to the aquaculture sector objectives, and on balance it is considered to be acceptable in terms of Policy 15.

There are no settlements immediately adjacent to the Proposed Development. The nearest settlement is Darven Cottage B & B located at Sannox, approximately 4.5 km to the south-east of the Proposed Development. Given the distance between the Proposed Development and the nearest settlement, it is unlikely that the Proposed Development would represent any significant impacts to the setting of the dwellings in the area.

There is an existing Core Path¹⁵ that runs along the shoreline approximately 200 m to the south of the Proposed Development. As the Proposed Development would require no access from the shoreline via a shore base and would be exclusively serviced by boat, it would not result in any changes or diversions to the Core Path network. The pens (the feed pipes and the SeaSpine) would be painted dark grey or black to limit the visual impact of the Proposed Development, and would result in a limited view from the Core Path.

Chapter 14 of the EIA Report does identify some limited significant adverse effects on the experience of users of the Arran Coastal Path. It is assessed that whilst such effects occur, the nature of the Proposed Development is characteristic of a coastal location and the receiving landscape is of such a scale that it has the capacity to absorb a development of this nature. The SLVIA concludes that whilst there will be some significant effects, such effects occur across a relatively small section (1-3 km) are limited by direction of travel and decrease very quickly by distance from the Proposed Development. Further details of the Visual effects on Core Paths, specific viewpoints, roads and users are available in the SLVIA.

A review of the datasets held by Historic Environment Scotland ('HES') and West of Scotland Archaeological Service ('WoSAS') revealed two scheduled monuments within the vicinity of the Proposed Development, one Historic Environment Record ('HER').

Laggantuin (SM4882), is a deserted settlement from the 17th to 19th century. This scheduling includes a main building of 21 m x 6 m, and four other ruinous buildings. Torr

¹⁵ North Ayrshire Core Paths Plan (2009) [Online] Available at: https://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/LocalProposed_DevelopmentPlan/CorePathsPlanDocument.pdf (Accessed 05/06/2019)

an t'Sean Chiasteil fort (SM412) is a prehistoric domestic and defence fort. Its location on raised ground overlooking the Sound of Bute is important to its understanding and the proximity of the water provides its setting.

There are no Sites of historical interest located at the coastline directly adjacent to the Proposed Development. The closest Sites of historical interest are:

- Laggantuin, Deserted Settlement (Scheduled Monument) located approximately 0.4km to the west of the Site;
- Laggantuin, Sheepfold (Canmore) located approximately 0.4km to the west of the Site;
- Laggantuin, Measured Mile Marker (Canmore) located approximately 0.4km to the west of the Site; and
- Laggantuin, Corn Drying Kiln, Lazy Beds, Rig and Furrow, Township, Track (Canmore) located approximately 0.4km to the west of the Site.

It is assessed that the Proposed Development would not have any impacts on these nearby historical sites. In addition, a scoping response was returned from Historic Environment Scotland (HES) confirming that the impacts on Cultural Heritage can be scoped out of the Environmental Impact Assessment, as the Proposed Development would not result in a significant alteration to the coastal setting of these assets.

The Proposed Development is therefore considered to be acceptable in so far as it applies to **Policy 15**.

Policy 16: Protection of our Designated Sites (including the modifications recommended by the Reporter on page 67 of the Examination Report), assuming that these recommended modifications will be made)

We would support development which would not have an unacceptable adverse effect on our valuable natural environment as defined by the following legislative and planning designations;

a) Nature Conservation Sites of International Importance

Where an assessment is unable to conclude that a development will not adversely affect the integrity of a site, development will only be permitted where there are no alternative solutions; there are imperative reasons of overriding public interest; and suitable compensatory measures are provided to ensure that the overall coherence of the Natura Network is protected.

b) Nature Conservation Sites of National Importance

Development affecting Sites of Special Scientific Interest will not be permitted unless it can be demonstrated that the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social, environmental or economic benefits of national importance

c) Nature Conservation Sites of Local Importance

Development adversely affecting Local Nature Reserves or Local Nature Conservation Sites will generally not be permitted unless it can be demonstrated the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of local importance.

d) Marine Protected Areas

Development likely to have an adverse effect on the protected features of South Arran MPA will not be supported. Proposals are also required to consult with the Clyde Marine Planning Partnership (CMPP)

e) Biodiversity Action Plan Habitats and Species

Development adversely affecting priority habitats or species set out in the North Ayrshire Local Biodiversity Action Plan will not be permitted unless it can be demonstrated the impacts are clearly outweighed by social or economic benefits of local importance

f) Protected Species

Development likely to have an unacceptable adverse effect on;

- i. European Protected Species (see Schedules 2 & 4 of the Habitats Regulations 1994 (as amended) for definition); Birds, Animals and Plants listed on Schedules 1, 5 and 8 (respectively) of the Wildlife and Countryside Act 1981 (as amended); or badgers, will only be permitted where the applicant can demonstrate that a species licence is likely to be granted.*
- ii. The Scottish Biodiversity List (SBL) of animals, plants and habitats that Scottish Ministers considered to be of principle importance for biodiversity conservation in Scotland.*

The Proposed Development is located within approximately 1.5km of the Arran Moors SPA Site. The Arran Moors SPA regularly supports a population of European importance of the Annex I species Hen Harrier *Circus cyaneus*. Breeding birds defend nesting territories but forage widely across the whole Site. A diverse range of other upland birds occurs on the moorlands, although not at levels of European importance.

Given the nature of the Proposed Development and the intervening distance between the Proposed Development and the SPA Site, the Proposed Development is unlikely to have an adverse impact on the integrity of the Site.

The Proposed Development is not located within a Marine Protected Area (MPA). The closest MPA is the South Arran MPA, located approximately 13 km to the south of the Proposed Development. Due to the distance between the Site and the South Arran MPA, no adverse effects are expected as a result of the Proposed Development.

The Proposed Development is therefore considered to be compliant with **Policy 16**.

Policy 22: Water Environment Quality (no modifications recommended to paragraphs quoted below by the Reporter in the Examination Report)

We will support development that helps achieve the objectives of the Water Framework Directive and the River Basin Management Plan for Scotland. Generally, development which would lead to the deterioration of the water environment will be resisted unless it would deliver significant social, environmental or economic benefits.

Development will be required to ensure no unacceptable adverse impact on the water environment by:

- a) Protecting and enhancing the ecological status and riparian habitat, natural heritage, landscape values and physical characteristics of water bodies (including biodiversity and geodiversity);*

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- b) *Protecting and enhancing existing flood plains; protecting opportunities for public access to and recreation and enjoyment on and around lochs, rivers, burns, wetlands and the coastal marine area; and*
 - c) *Having regard to any designated Bathing Waters. Where engineering works are required in or near water bodies, there will be a presumption in favour of soft engineering techniques and against the culverting of watercourses, unless there is no suitable alternative. Proposals for culverting of watercourses for land gain may only be justified if the applicant can demonstrate that:*
 - o *No other practical option exists that would allow the watercourse to remain open; and*
 - o *The proposed development is of over-riding public interest...*

The Proposed Development is not expected to lead to the deterioration of the water environment. The ecological status of the area would be protected through various mitigation strategies.

Public access to the Site would not be impacted by the Proposed Development. The Proposed Development does not require the construction of a shore base or access road to the coast, as the Site would be serviced exclusively by boat. Therefore the Site would remain easily accessible to the public.

There are no designated Bathing Waters within the Site boundary or in close proximity to the Site. The closest designated Bathing Water is at Saltcoats/Ardrossan, located approximately 18km to the south-east of the Proposed Development. Due to the distance between the Site and the designated Bathing Water, it is unlikely to be impacted by the Proposed Development.

The Proposed Development is therefore considered to be compliant with **Policy 22**.

Policy 24: Alignment with Marine Planning

We will, in principle, support developments with a marine component or implication (such as marinas, ports, harbours, marine tourism and recreation, fish farming, and land based development associated with offshore energy projects and defence establishments) where they are within a recognised developed coastal location and provided they are consistent with Scotland's National Marine Plan and the emerging Regional Marine Plan for Clyde Marine Region.

All marine proposals should identify environmental impacts and mitigate against these to ensure there are not any unacceptable adverse impacts.

Developments on coastal areas with significant constraints will be supported, in principle, only where they would also contribute to the economic regeneration or well-being of communities whose livelihood is dependent on marine or coastal activities.

Developments on undeveloped sections of coast which possess special environmental or cultural qualities, such as wild land will generally be resisted unless there would be a significant economic value of the proposed development and that environmental impact issues can be satisfactorily addressed.

Generally development requiring new defences against coastal erosion or coastal flooding will not be supported except where there is a clear justification for a departure from the general policy to avoid development in areas at risk or where a scheme has already been identified in the Spatial Strategy or the current Ayrshire Shoreline Management Plan.

The Proposed Development is considered to be compliant with **Policy 24**, in line with the aspects of paragraphs 3 and 4, particularly as a result of its economic benefits and

the ability for any environmental issues to be addressed, as is demonstrated throughout the EIA documents.

The Proposed Development has been assessed as compliant with Scotland's National Marine Plan, as assessed in Section 1.5, and with the Emerging Clyde Regional Marine Plan, assessed in section 5.6.

The Proposed Development has been assessed against the Ayrshire Shoreline Management Plan in section 5.1.3. Specifically to the area where the Site is located (Policy Unit A1.2 Lochranza to Sannox), the shoreline management plan advises that the plan for this area is to allow the shoreline to function naturally with no active intervention to tackle flood risk. No assets have been identified to be at risk of coastal flooding or erosion, and the Proposed Development does not require any coastal flooding defences.

The EIA Report accompanying the Application has identified the environmental impacts of the Proposed Development and details the mitigations which would be employed to ensure there are no unacceptable adverse impacts.

From analysis undertaken by Imani Enterprise Ltd. Assessing Operation Impact through a Sustainable Livelihoods Approach (SLA), it is clear that the Proposed Development should be supported in terms of Paragraph 3 and the resistance set out in Paragraph 4 to development of the Site due to its special environmental qualities is overcome by the fact that there are significant economic benefits from the Proposed Development, both in North Ayrshire and to an even greater extent for the Scottish economy, and the EIA Report accompanying the Application demonstrates that the environmental impact issues can be satisfactorily addressed.

The policy on aquaculture and marine planning has evolved since the NACLDP, and the Proposed Policy 24, **supports the development of fish farming, as long as the effects on the environment are appropriately mitigated which is the case with the Proposed Development**, and the Proposed Development also creates significant economic value, as set out in section 1.6.4. Therefore, the Proposed Development draws strong support from Policy 24, and it is considered to align with its key principles.

Policy 25: Supporting Aquaculture

We will, in principle, support aquaculture development where it accords with Marine Scotland's locational guidelines (updated quarterly by the Scottish Government) for aquaculture and would result in economic and social benefits for local communities and the ongoing sustainable development of the aquaculture industry. Proposals for new development will be supported where there are no unacceptable adverse impacts (including cumulatively) on the following:

Landscape, seascape and visual amenity: *The effects of landscape, seascape and visual amenity are assessed in the SLVIA, and a summary is available under Policy 15, where on balance the Development has been found acceptable.*

Biological Carrying Capacity: *The Water Column Impacts have been assessed in Section 8 of the EIA. Chapter 8 concludes that the total nutrient levels released in the area as a result of the Proposed Development are low, averaging 1.30% of SEPA EQS for dissolved inorganic nitrogen loading.*

The level of nitrogenous waste estimated to be released from the Proposed Development can be considered a "worst case scenario" as it has been assumed that all the nitrogen will be dispersed in the surrounding waters at mean low water spring tidal levels. Additionally, the source rate includes both dissolved and particulate nitrogen; however, the EQS is only set for dissolved available nitrogen, with the result that a higher nitrogen loading has been used for comparisons with the SEPA EQS.

There has been concern regarding the contribution from fish farms to the total coastal nutrient budget and the carrying capacity of any specific region, and for these reasons the ECE equation has been developed. The data presented here suggest that the total impact from the nitrogen input of a fish farm releasing nutrients into an open water system is minimal and is not significant in terms of the EIA Regulations

Protection of Amenity: *As above, the effects of the Development on amenity have been assessed in the EIAR and the effects of the Development have been found acceptable.*

Coastal and Marine Species: *The impacts of the Development on species and habitats of conservation importance are assessed in Section 11 of the EIAR. In summary, protected species known to be present in the local marine area around the Proposed Development with the potential to be impacted by the Proposed Development, are limited to common cetacean species and basking shark, all of which are considered likely to be only present seasonally or occasionally. As a result, the risk of potential impacts to these protected species is considered to be low, and any perceived effect is considered likely to be of low magnitude and temporary. Furthermore, the implementation of embedded mitigation measures would further reduce the likelihood of detrimental effects arising. The above assessment is considered to be sufficiently robust, and the effects on cetacean species and basking shark, both individually and cumulatively, are considered not significant in terms of the EIA Regulations.*

Historic Environment and the seabed: *The effects of the Development on the Historic environment have been summarised under Policy 15, identifying that there are likely to be no significant effects on archaeological and culture heritage assets.*

Following discussions with SEPA through the CAR application process, SSC has undertaken additional ROV survey work at the Proposed Development. SEPA has assessed this footage and confirmed that it is of acceptable quality. The footage indicates that there are no features of significant conservation importance in the development area. Further details are available in section 7.1.2 of the EIAR.

The North Arran Seabed Video Report and additional report were used to inform EIA. The Seabed Report and Video are available in appendices J and I of the EIAR.

Navigation *A baseline assessment of marine activities (shipping, fishing and recreation) in the vicinity of the Proposed Development, which is available in Appendix N Marine Activity Baseline Report of the EIAR.*

There is a very low volume of shipping traffic passing through the proposed mooring area. The Proposed Development is out with the high density route going east-west, and to the south of densely populated general boating area in Inchmarnock Water. As such it will have no effect on navigation in these heavily used routes.

Mooring lines will be kept to the minimum appropriate length and SSC will follow the NLB's recommendations on site marking. The recommended markings will be installed at the same time as the site equipment.

A Marine Licence will be acquired for the Proposed Development and the relevant bodies will be consulted as standard.

Commercial Fisheries: *The Proposed Development is not within the vicinity of landing ports and on average one fishing vessel per day passed through the study area. There was a very low activity within the mooring area, approximately one fishing vessel every 6 days (based on estimate 50:50 fishing/recreation vessels passing through). Fishing vessels tend also to travel through the outer edges of the mooring area i.e. not where the pens will be located. In relation to the activity in the wider area this is a low magnitude of effect and is not significant in relation the EIA regulations.*

SSC will inform fishermen of new mooring positions and keep moorings as short as is safe to do so, in order to maximise the available fishing area.

Consultation with the West Coast Regional Inshore Fisheries Group (WCRIFG) has been initiated by SSC, although at the time of writing no response had been received. Consultation has been undertaken with CFA as noted in Table 5.2 of the EIAR

Recreational Routes and Tourism: *The location of the Proposed Development is not a general boating area and on average one to two recreational vessel per day passed through the study area. There was very low activity within the mooring site (about one vessel every 6 days) (based on estimated split of 50:50 fishing/recreation vessels). A number of these did pass where the pens will be located, but the Proposed Development does not present an obstacle to recreation vessels moving around the coast. In relation to the activity in the wider area, particularly within the general boating areas to the north this is a low magnitude of effect and is not significant in relation the EIA regulations.*

The principle of the Proposed Development is supported by Policy 25. The Proposed Development has been assessed as compliant with the national and regional marine policy and guidance throughout sections 1.5 and 5. As already set out in section 1.6, the Proposed Development will create significant socio-economic benefits, such as GVA growth and employment opportunities, whilst supporting the growth of the aquaculture regionally and nationwide.

The effects of the Proposed Development on the environment have been appropriately assessed in the EIA Report.

The effects of the Proposed Development are assessed as acceptable, and therefore the Proposed Development complies with **Policy 25**.

4.11 North Ayrshire Council Local Development Plan (2014)

The North Ayrshire Council Local Development Plan (NACLDP) is currently the primary document used for the determination of developments in the North Ayrshire Council area. This document is set to be replaced by the Proposed Plan imminently, after which point it will no longer form a key factor in the determination of planning applications.

The following NACLDP policies are considered to be of relevance to the Proposed Development.

Policy ENV 11: Aquaculture

Proposals for aquaculture (landward and marine fish farm) Developments shall accord with the LDP subject to the proposal having no unacceptable impacts (including cumulatively) on:

- a) Communities, settlements and their settings;*
- b) Landscape character, scenic quality and visual amenity;*
- c) North Arran National Scenic Area and Special Landscape Areas;*
- d) The isolated coast;*
- e) Statutory protected nature conservation Sites, habitats or species, including seabird colonies along with wild fish populations;*
- f) Navigational interests;*
- g) Sites of historic or archaeological interest and their settings;*
- h) Existing aquaculture Sites with planning permission or Sites engaged in the Environmental Assessment process;*

-
- i) Water quality and the carrying capacity of land and water bodies including lochs and river systems; and*
 - j) Access to and along the foreshore for recreational purposes and established anchorages and harbours*

All proposals will require to accord with the National Marine Plan and subsequent regional plans, when developed and the Scottish Government/ Marine Scotland Locational Guidelines for the Authorisation of Marine Fish Farms in Scottish Waters.

Applicants for fish farm Developments may be required to submit an Environmental Statement in accordance with the Environmental Impact Assessment (Scotland) 66 Regulations 1999 and related Circulars 1/2007 Planning Controls for Marine Fish Farming and 8/2007 The Environmental Impact Assessment (Scotland) Regulations 1999.

Developers are advised to seek early pre-application consultation with Marine Scotland, the District Salmon Fishery Board, Scottish Natural Heritage and SEPA.

STRAT2: Employment

An ambitious Economic Development & Regeneration Strategy has been published by the Council, which sets a target to create 13,000 new jobs in North Ayrshire by 2020. The LDP has a role to play in this, by safeguarding key business and industrial Sites, and the Plan also sets out how we will support areas for specific new residential Development to cross fund new or improved employment space.

STRAT5: Environment

Rural, coastal and island areas will be protected and promoted for recreation and biodiversity. The Central Scotland Green Network will be promoted as a resource for tourism, economic Development, health and wellbeing, and habitat creation. Development which retains and attracts people to Arran and Cumbrae, or builds on their rural economy whilst recognising their outstanding environment, will be encouraged.

General Policy (a): Siting, Design and External Appearance

- Siting of Development should have regard to the relationship of the Development to existing buildings and the visual effects of the Development on the surrounding area and landscape.*
- Design should have regard to existing townscape and consideration should be given to size, scale, form, massing, height, and density.*
- External appearance should have regard to the locality in terms of style, fenestration, materials and colours.*
- Development be required to incorporate the principles of 'Designing Streets' and 'Designing Places'.*
- The particularly unique setting of North Ayrshire's rural, coastal, neighbourhood and town centre areas, and those with similar characteristics, necessitates that all Development proposals reflect specific design principles unique to these areas. Coastal, Rural, Neighbourhood and Town Centre Design Guidance (four separate documents) are Supplementary Guidance to the Plan and contain further details.*
- Consideration should be given to proper planning of the area and the avoidance of piecemeal and backland development.*
- Design should have regard to the need to reduce carbon emissions within new buildings.*

General Policy (b): Amenity

Development should have regard to the character of the area in which it is located. Regard should be given to the impact on amenity of:

- *Lighting;*
- *Levels and effects of noise and vibration;*
- *Smell or fumes;*
- *Levels and effects of emissions including smoke, soot, ash, dust and grit or any other environmental pollution;*
- *Disturbance by reason of vehicular or pedestrian traffic.*

Development should avoid significant adverse impact on biodiversity and upon natural heritage resources, including those outwith designated Sites and within the wider countryside. Development proposals should further have regard to the preservation and planting of trees and hedgerows, and should also have regard to their potential to contribute to national and local green network objectives.

General Policy (c): Landscape Character

In the case of Development on edge of settlement Sites, substantial structure planting will generally be required to ensure an appropriate boundary between town and country is provided. Such proposals should include native tree planting, retain natural features where possible and make provision for future maintenance.

Development should seek to protect the landscape character from insensitive Development and the Ayrshire Landscape Character Assessment shall be used to assist assessment of significant proposals.

General Policy (h): 'Natura 2000' Sites

Any Development likely to have an adverse effect on the integrity of a 'Natura 2000' Site will only be approved if it can be demonstrated, by means of an 'appropriate assessment', that the integrity of the 'Natura 2000' Site will not be significantly adversely affected.

General Policy (i): Waste Management

Applications for Development which constitutes "national" or "major" Development under the terms of the Planning Etc. (Scotland) Act 2006 will require the preparation of a Site Waste Management Plan (SWMP), which will be secured by a condition of the planning consent.

Policy Ind 13: Business Proposed Development on Arran and Cumbrae

Proposals for Development in the settlements for new or extended business falling within Class 4 Business use shall accord with the LDP subject to being of a scale and character which is not detrimental to the amenity of the locality.

Policy HE 1: Conservation Areas

(a) Development within Conservation Areas:

Proposals for Development which would adversely affect the visual amenity or historical/architectural character of a conservation area, including its setting, buildings, open space or trees, shall not accord with the LDP.

(b) Development adjacent to Conservation Areas:

Proposal for Development adjacent to a conservation area which has a significant adverse effect on its architectural and historical character and wider setting shall not accord with the LDP.

Policy HE 2 Listed Buildings

(a) Development, alteration or extension to a listed building

Proposals for a Development of a listed building or its setting, which would have an adverse impact on a listed building or its setting or on any features of special architectural or historic interest which it possesses shall not accord with the LDP.

Policy HE 4 Scheduled Ancient Monuments and Archaeological Sites

(a) Scheduled Ancient Monuments

Proposals for Development, which would adversely affect the Site or setting of a scheduled Ancient Monument, shall not accord with the LDP.

(b) Archaeological Sites

Proposals for Development which may have an unacceptable impact on Sites of archaeological significance, including industrial archaeological locations, shall not accord with the LDP.

Policy HE 5: Historic Landscapes

(a) Historic Gardens and Designed Landscapes

Proposals for Development which would adversely affect historic gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes in Scotland shall not accord with the LDP.

(b) Local landscapes of historic interest

The Council shall take account of landscapes identified by the Garden History Society as of local historic interest and of value to the heritage of the area when assessing Proposed Development proposals in these areas.

Policy ENV 1: New Proposed Development in the Countryside (Excluding Housing)

Proposals for new Development within the countryside (excluding housing) shall not accord with the LDP unless the following criteria can be satisfied:

- a) The Development is necessary non-residential Development associated with agriculture, forestry operations or other established rural businesses and is of a scale proportionate to the operational need of the rural business it is associated with; OR*
- b) The Development is a small-scale business falling within Class 4 that has a specific locational need to be located on Site; OR*
- c) The Development is essential public infrastructure that has a specific operational need to be located on Site or where a range of alternative Sites have been examined within settlements and no suitable Site can be made reasonably available; OR*
- d) The Development is within an existing village on mainland North Ayrshire, Arran or the Isle of Cumbrae, and would not constitute ribbon, backland or sporadic Development; OR*
- e) The Development is a tourism proposal acceptable under Policy TOU 1; OR*
- f) The Development is outdoor sport and recreation with a specific operational need to be located within the countryside.*

Development proposals should take account of the Council's approved Rural Design Guidance and include landscaping proposals.

Policy ENV 6: Economic Proposed Development or Diversification in Rural Areas

Proposals for Economic Development or Diversification in rural areas, not provided for by any other policy in the Plan, shall accord with the Plan where the Development can demonstrate a Site specific locational need and where Development complies with the following criteria:

- a) There is a demonstrable economic benefit to the area and such benefit, including any related to social, community and educational advantages, outweighs any adverse environmental impacts of the Development; AND*
- b) The proposal can be suitably located in the rural area and is of an appropriate nature and scale; AND*
- c) It is demonstrated that account has been taken of the possibility of locating a new building either on appropriate land within a settlement or on a brownfield or derelict or degraded land, or of converting, rehabilitating or replacing an existing building in the countryside; AND*
- d) The proposal is accompanied by a robust business plan which clearly demonstrates the viability of the proposal in the long term; AND*
- e) Consideration has been given to the potential for any future Development and expansion; AND*
- f) The proposal is not located within an area of 'sensitive countryside'.*

Policy ENV 7: Special Landscape Areas

Within the identified Special Landscape Area, which includes the National Scenic Area in North and Central Arran and Clyde Muirshiel Regional Park, as defined on the LDP Map, the Council shall pay special attention to the desirability of safeguarding or enhancing the character or appearance of the landscape in the determination of proposals. Development should be sited so as to avoid adverse impacts upon wild land. There is a presumption against Development in these areas unless it can be demonstrated that the proposal:

- (a) Meets the needs of agriculture or forestry; OR*
- (b) Is a recreation, leisure or tourism proposal which will bring a level of social and economic benefit to the area which outweighs the needs to protect the area from Development; OR*
- (c) Is a renewable energy generation Development; AND*
- (d) Is appropriate in design and scale to its surroundings; AND*
- (e) Has no unacceptable direct, indirect or cumulative impacts on the landscape character and/or the natural and built heritage resource; AND*
- (f) Has no unacceptable impacts on the visual amenity of the area; AND*
- (g) Has taken cognisance of the Council's Rural Design Guidance, where applicable.*

In addition to the above criteria, proposals for Development which would affect the National Scenic Area, as identified on the LDP Map, shall not accord with the LDP unless:

- (h) The objectives of designation and the overall integrity of the National Scenic Area will not be compromised; OR*
- (i) Any significant adverse impacts on the qualities for which the National Scenic Area has been designated are clearly outweighed by social or economic benefits of national importance.*

Policy ENV 8: Coastal Zone

To protect the environmental and recreational value of the coastal zone, as identified on the LDP Map:

1. Within the developed coast:

Development which requires a coastal location and which would enhance the developed coast shall accord with the LDP. The Council will give priority to the reuse of redundant land and buildings which will restore or enhance degraded coastal environments. The Council will avoid approving Development which would result in coalescence of Development along the coast.

2. Within the undeveloped coast:

Development shall not accord with the LDP unless it is within a settlement, or is associated with an existing Development, or there are specific operational needs for the proposal to be located on the Site, or there are no feasible alternative Sites available and the social and economic benefits outweigh the environmental loss.

3. Within the isolated coast:

Development shall not accord with the LDP.

Note: Proposals for Development will be required to take cognisance of the Council's Coastal Design Guidance and demonstrate that they require a coastal location and on the undeveloped and isolated coasts are likely to require an environmental statement.

Policy ENV 9: Nature Conservation

1. International Designations

Proposals for Development likely to have a significant effect on Natura 2000 Sites, as identified on the LDP Maps, will be subject to an Appropriate Assessment of the implications for the Site's conservation objectives. Proposals shall not accord with the LDP unless the Appropriate Assessment indicates that:

(a) They will not adversely affect the integrity of the Site; or

(b) There is no alternative solution; and there are imperative reasons of overriding public interest including those of a social or economic nature; and subject to any necessary compensatory measures being provided to ensure that the overall coherency of the Natura 2000 network is protected.

2. National Designations

Proposals for Development which would affect national designations such as Sites of Special Scientific Interest, as identified on the LDP Maps, shall not accord with the LDP unless:

(a) the objectives of designation and the overall integrity of the area will not be compromised; or

(b) Any unacceptable impacts on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

3. Local Designations

Proposals for Development which could affect Local Nature Conservation Sites (LNCS), as listed in Supporting Information Paper 3, and Sites of local importance as wildlife habitats or wildlife corridors, will be assessed:

(a) to ensure that appropriate measures are proposed to conserve, as far as possible, the Site's wildlife or habitat interest including the retention of open

watercourses and provide for replacement of habitats or features where damage is unavoidable;

(b) to determine their effect on the management of features of the landscape which are of importance for wildlife, for wild flora and fauna; and

(c) with a view to complementing the ecological coherence of the Natura 2000 network.

Proposals for Development affecting a Site covered by the provisions of this policy are likely to require an Environmental Statement.

Where Development is permitted, the Council may apply specific conditions or a Section 75 or other agreement to secure the protection of wildlife habitats.

For the avoidance of doubt, where Policy ENV9 applies to a Development proposal it shall have primacy over the other policies of the Plan.

Policy ENV 12: Proposed Development of Open Space

Development of land identified on the LDP Maps as protected open space, including school playing fields, and small areas of recreational and amenity open space, not individually identified on the LDP Maps, shall not accord with the LDP unless the following criteria can be satisfied:

- 1. Where the proposed Development is for an outdoor recreation or physical activity use, it will:*
 - a) Improve the quality and range of outdoor recreation or physical activity facilities within the LDP area; AND*
 - b) Not lead to an unacceptable net loss of open space (including playing fields); OR*
- 2. Where the proposed Development is for a use other than outdoor recreational or physical activity purposes, it will not set an undesirable precedent for further incremental loss of open space.*

The following criteria apply to all proposals for Development of open space:

- 3. The proposed Development will not unacceptably impact upon the recreational and/or amenity value of any area of active or passive open space when considered in relation to the overall level of provision in the local area; AND*
- 4. Where the loss of open space has a material effect on the quality, function or playing capacity of a facility, alternative provision of similar or improved community benefit and accessibility will be made available in a location which is convenient for its users.*

4.12 Policy Assessment

This section sets out the assessment of the Proposed Development against the relevant planning policies identified in the North Ayrshire Local Development Plan (2014).

4.12.1 Aquaculture

- Policy ENV 11 Aquaculture
- General Policy i: Waste Management

The Proposed Development is not located in close proximity to any residences, the closest being Darven Cottage B & B located at Sannox, approximately 4.5 km to the south-east of the Proposed Development. Given the distance between the Proposed Development and the nearest community, it is unlikely that the Proposed Development would represent any significant changes or disruption to the community.

The Proposed Development is unlikely to result in any substantial and unacceptable impacts to the visual amenity of the NSA. The Proposed Development would be low-lying, with the pens (feed pipes and SeaSpine) painted dark grey or black to allow for easier integration into the landscape. Therefore, the Proposed Development is not predicted to damage the scenic quality of the area.

The Proposed Development is located within the North Arran National Scenic Area (NSA), and in close proximity to the Laggan Site of Special Scientific Interest (SSSI) and the Arran Moors Special Protection Area (SPA) Natura 2000 Site, approximately 1.5km south-west of the Site.

The Proposed Development is located off the coast of North Arran, in an area categorised by the LDP as the isolated coast. The Proposed Development does not include the construction of a shore base and would be serviced exclusively by boat, therefore causing minimal change to the isolated coast. Considering the economic benefit the Proposed Development would bring locally and to the aquaculture industry, and its limited footprint, it is considered that the Proposed Development would not have any unacceptable impacts on the isolated coast.

Protected species known to be present in the local marine area around the Proposed Development with the potential to be impacted by the Proposed Development, are limited to common cetacean species and basking shark, all of which are considered likely to be only present seasonally or occasionally. As a result, the risk of potential impacts to these protected species is considered to be low, and any perceived effect is considered likely to be of low magnitude and temporary. Furthermore, the implementation of embedded mitigation measures would further reduce the likelihood of detrimental effects arising.

Navigational Interests are assessed in Chapter 13 of the EIAR. The EIAR concludes that there is a very low volume of shipping traffic passing through the proposed mooring area. The Proposed Development is out with the high density route going east-west, and to the south of densely populated general boating area in Inchmarnock Water. As such it will have no effect on navigation in these heavily used routes.

Mooring lines will be kept to the minimum appropriate length and SSC will follow the NLB's recommendations on site marking. The recommended markings will be installed at the same time as the site equipment.

A Marine Licence will be acquired for the Proposed Development and the relevant bodies will be consulted as standard.

There is one other finfish Site located on Arran, this being the Applicant's Lamlash salmon farm, located approximately 19 km to the south-east of the Proposed Development. There are a number of additional aquaculture Sites within the surrounding waters of the Proposed Development. These being: Loch Fad, (a freshwater loch Site on the neighbouring Isle of Bute), Tarbert South (operated by the Applicant), and Eilean Grianain. Due to the distance between the Sites it is unlikely that any notable cumulative impacts of aquaculture upon the Proposed Development would be recorded.

4.12.2 Water quality and carrying capacity

Short term and long term organic and sea lice medicine deposition rates have been predicted for the Proposed Development based on feed and medicine inputs, water depth and current data. The modelling results indicate that short term deposition of waste is restricted to the area beneath the pen groups. Beyond the immediate area no measurable impact is predicted due to the flushing characteristics of the Site.

The likely increase in nutrient levels within the water column and the cumulative overall proposed increase in nutrient tonnage as a result of the Proposed Development have been determined by an Equilibrium Concentration Enhancement (ECE) calculation. The ECE

calculation shows that the nutrient input from the Proposed Development is not significant and is unlikely to cause enrichment of the Firth of Clyde.

Notwithstanding the low nutrient input, feed waste and the potential for nutrient enrichment would be minimised. This would be achieved by the use of automated computer controlled feeding systems with feed-back loops and feed guides to ensure excess feed is not released. In addition, routine monitoring of the seabed would be undertaken, as required by the SEPA Controlled Activity Regulations (CAR) licence within set Environmental Quality Standards. The monitoring would include indicators of nutrient enrichment, allowing the Site to be assessed for its assimilative capacity and for biomass tonnages to be adjusted accordingly.

4.12.3 Access

The Proposed Development would not result in any changes in access to and along the foreshore for recreational uses. There are no requirements for a shore base as part of the Proposed Development, therefore limiting the impact to the shoreline. The closest anchorage is located approximately north of North Sannox. A submarine exercise area is also located to the southeast of the Site. The Proposed Development is not considered to be within close enough proximity to have significant impacts on either of these Sites.

The Proposed Development is therefore considered to be compliant with **Policy ENV 11**.

A Site Waste Management Plan has been produced and is available alongside this Statement as. The Plan discusses mitigation strategies for any waste produced on Site.

The Proposed Development is therefore considered to be acceptable in relation to **General Policy (i)**.

4.12.4 Economic

- Policy IND 13
- Policy ENV 6

The Proposed Development is considered to be new business development on Arran. The scale of the Proposed Development can be accommodated in the surrounding environment, and would serve to diversify business on North Arran. The character of the Proposed Development is not predicted to be detrimental to the amenity of the locality, and is therefore considered to be in compliance with **Policy IND 13**.

Due to the nature of the Proposed Development, there is a specific locational need to be situated offshore with favourable exposure, bathymetry (water depth) and hydrography in order for the Proposed Development to function efficiently.

Due to the low lying nature of the Proposed Development and mitigation strategies used to limit any visual impacts, the Proposed Development is considered to be suitably located and is of an appropriate nature and scale.

The Proposed Development would provide economic benefits to the area during both the construction and operational phases of Proposed Development. The Proposed Development would result in contract opportunities for local and regional suppliers both for the initial installation activities and throughout the supply chain during operation. The Proposed Development would make a valuable contribution to the Scottish Aquaculture sector, in line

with the Scottish Government objectives to double the economic contribution of the sector to £3.6 billion, and double the number of jobs to 18,000 by 2030¹⁶.

Positive economic and social impact: The Site would have a significant positive, inclusive impact across Scotland's aquaculture supply chain in Arran, Argyll and Bute, North Ayrshire and the Central Belt. GVA contribution to Scotland is calculated to be at least £8.61m per year.

The total medium term (to 2030) GVA is £36m from direct Site production, and a total of £94m across production, supply chain and the wider Scottish economy.

This Statement is accompanied by a Social and Economic Impact of the SSC North Arran Aquaculture Report. The report highlights that the Site would have a significant positive, inclusive impact across Scotland's aquaculture supply chain in Arran, Argyll and Bute, North Ayrshire and the Central Belt. GVA contribution to Scotland is calculated to be at least £8.61m per year. In total it is projected to support a total of 61 jobs (FTE): 51 in the sector, and a further 10 in wider economic stimulus. Most of these jobs would be year-round and well paid (including engineering, farm management, manufacturing, and services).

The Proposed Development is therefore considered to be acceptable in relation to **Policy ENV 6**.

4.12.5 Landscape and Visual

- General Policy a
- General Policy b
- General Policy c
- Policy ENV 1
- Policy ENV 7
- Policy ENV 8
- Policy ENV 12

The Proposed Development location was chosen following a comprehensive Site selection process, through various constraints analysis. The Applicant currently operates one other Site in the surrounding area, located at Lamlash Bay, 19km south-east off the coast of Arran. This Site was assessed to determine whether an expansion of population could be supported, as well as examining other potential new Sites in the wider area.

The Site at North Arran was identified from initial desk based assessment and surveys as being suitable for the Proposed Development, with favourable bathymetry and hydrography. The Proposed Development is located adjacent to a sparsely populated area of isolated coast. There is an existing Core Path¹⁷ that runs along the shoreline approximately 200 m to the west of the Proposed Development. As the Proposed Development would require no access from the shoreline and would be exclusively serviced by boat, it would not result in any changes to the Core Path network. The pens (feed pipes and the SeaSpine) would be painted dark grey or black to limit the visual impact of the Proposed Development, and would result in a limited view from the Core Path.

The Proposed Development has gone through a rigorous design evolution process to determine a suitably low impact design for the Site. The finalised design is considered

¹⁶The Scottish Government (2019) Aquaculture [online] Available at: <https://www2.gov.scot/Topics/marine/Fish-Shellfish> (Accessed 26/06/2019)

¹⁷ North Ayrshire Core Paths Plan (2009) [Online] Available at: https://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/LocalProposed_DevelopmentPlan/CorePathsPlanDocument.pdf (Accessed 26/02/2019)

to be in keeping with the local surroundings, and would have a limited impact on the visual amenity of the Site. The Proposed Development is therefore considered to be in compliance with **General Policy (a)**.

The Proposed Development is located approximately 0.4km from the Laggan Site of Special Scientific Interest (SSSI), a 6 ha Site of foreshore and adjacent rock above the high water mark, designated for its internationally important paleobotany. The Proposed Development is also within 1.5km of the Arran Moors Special Protection Area (SPA), a 10737 ha area of extensive moorland covering much of the southern half of Arran and extending up to the northeast coast.

Additionally, an area of 23800 ha is recognised as the North Arran National Scenic Area (NSA), designated on the basis of its special landscape features.

The accompanying EIA Report identifies that the overall magnitude of change is considered to be negligible and the significance is considered to be **moderate/minor**. The effects are considered to be adverse as the Proposed Development introduces man-made features into the NSA/SLA, however the isolated location and temporary nature of the Proposed Development means that any impacts are reversible. The Proposed Development is not considered to have significant impacts on the amenity of the areas highlighted. In order to limit the visual impact of the Proposed Development, the proposed pens would be circular, constructed of non-reflective material and low profile on the water, and aligned parallel with the shoreline.

Underwater lights would be used in each pen at specific times throughout the production cycle, during periods of reduced daylight hours. No surface lighting would be used on the Proposed Development, apart from that required by the Marine Licence and to light the working deck for health and safety purposes during occasional short term staff visits outside daylight hours.

The noise associated with the Proposed Development is not predicted to have a significant impact on the amenity of area. Due to the distance between the Site and nearby noise receptors, the impact of noise is considered to be negligible.

The Proposed Development is not considered to have any significant impact on the amenity of the area, and is therefore in compliance with **General Policy (b)**.

The Proposed Development is located approximately 1.5km to the east of the Arran Moors SPA Natura 2000 Site. The predominant habitats include extensive areas of wet and dry heaths, wet and dry blanket bogs, and unimproved acid grassland. There are small areas of broad-leaved woodland, typically associated with river valleys, and several lochs. Large parts of the Site have been subjected to past management by burning and drainage, and this is still prevalent in some areas. These forms of management have modified the habitats in many places, encouraging grassland formation.

The Arran Moors SPA regularly supports a population of European importance of the Annex I species Hen Harrier (*Circus cyaneus*). Breeding birds defend nesting territories but forage widely across the whole Site. A diverse range of other upland birds occurs on the moorlands, although not at levels of European importance.

Given the distance between the Proposed Development and the Natura 2000 Site, Proposed Development is unlikely to have an adverse impact on the integrity of the Site.

The Proposed Development is therefore considered to be compliant with **General Policy (h)**.

The Site is classified under the NACLDP as being adjacent to an area of isolated coast. The nature of the Proposed Development necessitates that it be located offshore in a coastal area. As set out in section 1.4, other Sites in the area were considered however the Proposed Development location held the most favourable bathymetry and hydrography – required for the Proposed Development to operate efficiently – and therefore relocation to another area of developed or undeveloped coast would not be possible. A number of other factors were considered when investigating the proposed location for the Proposed Development including but not limited to environmental designations (MPA’s, SAC, and SPA etc) and Disease Management Areas. On balance the Proposed Development location avoids a significant number of environmental constraints making it a suitable location for development.

It is indicated that the Proposed Development be serviced primarily by boat from the Firth of Clyde or Lamlash/Brodick. The Proposed Development would therefore not require a (land) shore base on the isolated coast, which would limit any negative impacts from construction and management of the Proposed Development on the isolated coast itself. Furthermore, the feed barge would have the capability to be operated remotely, which would minimise any traffic and disruption associated with the Proposed Development.

The Proposed Development is therefore considered to be in compliance with **Policy ENV 8**.

4.12.6 Ecology

- General Policy h
- Policy ENV 9

The Proposed Development is located within approximately 1.5km of the Arran Moors SPA Site. The Arran Moors SPA regularly supports a population of European importance of the Annex I species Hen Harrier *Circus cyaneus*. Breeding birds defend nesting territories but forage widely across the whole Site. A diverse range of other upland birds occurs on the moorlands, although not at levels of European importance.

Given the nature of the Proposed Development and the intervening distance between the Proposed Development and the SPA Site, the Proposed Development is unlikely to have an adverse impact on the integrity of the Site.

The Proposed Development is not located within a Marine Protected Area (MPA). The closest MPA is the South Arran MPA, located approximately 13 km to the south of the Proposed Development. Due to the distance between the Site and the South Arran MPA, no adverse effects are expected as a result of the Proposed Development.

The Proposed Development is therefore considered to be compliant with **Policy ENV 9**.

4.12.7 Archaeology and Cultural Heritage

- Policy HE 1: Conservation Areas
- Policy HE 2: Listed Buildings
- Policy HE 4: Scheduled Ancient Monuments and Archaeological Sites
- Policy HE 5: Historic Landscapes

According to Pastmap¹⁸, there are no conservation areas, listed buildings and historic landscapes in the vicinity of the Site, therefore, the Proposed Development would not have an impact on any of these assets.

¹⁸ <https://pastmap.org.uk/map>

Due to the topography of the area and intervening distances and features, the Proposed Development would not be visible from other designated assets along the coast.

A review of the datasets held by Historic Environment Scotland ('HES') and West of Scotland Archaeological Service ('WoSAS') revealed two scheduled monuments within the vicinity of the Proposed Development, one Historic Environment Record ('HER'). Laggantuin (SM4882), is a deserted settlement from the 17th to 19th century. This scheduling includes a main building of 21 m x 6 m, and four other ruinous buildings. Torr an t'Sean Chiasteil fort (SM412) is a prehistoric domestic and defence fort. Its location on raised ground overlooking the Sound of Bute is important to its understanding and the proximity of the water provides its setting.

A scoping response was returned from Historic Environment Scotland (HES) confirming that the impacts on Cultural Heritage can be scoped out of the Environmental Impact Assessment, as the Proposed Development would not result in a significant alteration to the coastal setting of these monuments.

In addition, the LVIA has assessed the effects the Proposed Development may have on the visual amenity surrounding the Site. The Proposed Development is low lying in its nature, with only the pens – painted dark grey or black – being visible. The Proposed Development is unlikely to adversely affect the visual amenity or character of the area.

The Proposed Development is therefore considered to be in compliance with **Policy HE 1, HE 2, HE 4 and HE 5.**

5 RELEVANT MATERIAL CONSIDERATIONS

The Proposed Development is assessed in this section for compliance against the following key material planning considerations.

5.1 North Ayrshire Council Supplementary Planning Guidance

5.1.1 Coastal Design Guidance

North Ayrshire Council's Coastal Design Guidance¹⁹ document provides guidance on the design principles associated with developments in coastal areas of North Ayrshire. The guidance applies to planning applications within the Local Plan allocated 'developed coast' – which includes Arran and Millport as well as the mainland coast. It also applies to any significant development affecting coastal routes or setting, and any identified as having a significant influence on coastal, landscape setting.

5.1.2 Ayrshire Shoreline Management Plan (2018)

The Ayrshire Shoreline Management Plan²⁰ was published in September 2018. This document provides a broad-scale assessment of the risks associated with coastal processes and helps to inform the management of these risks to people and the developed, historic and natural environment. The scope of the Plan extends from the northern boundary of the North Ayrshire Council area to the southern boundary of the South Ayrshire Council area, including the islands of Great Cumbrae and Arran. The management plan is mainly intended to provide advice and guidance on flood risk related matters. Specifically to the area where the Site is located (Policy Unit A1.2 Lochranza to Sannox), the shoreline management plan advises that the plan for this area is to allow the shoreline to function

¹⁹Irvine Bay Regeneration & NAC. Coastal Design Guidance [online] Available at: <https://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/LocalProposedDevelopmentPlan/CoastalDesignGuidance.pdf> (Accessed 26/06/2019)

²⁰ North Ayrshire Council & South Ayrshire Council [Online] Available at: <https://www.north-ayrshire.gov.uk/Documents/FloodProtection/ayrshire-smp.pdf> (Accessed 07/11/2018)

naturally with no active intervention to tackle flood risk. No assets have been identified to be at risk of coastal flooding or erosion. Therefore, the Proposed Development would not interfere with any future plans for coastal defence.

5.2 North Ayrshire Council Environmental Sustainability and Climate Change Strategy

The North Ayrshire Council Environmental Sustainability and Climate Change Strategy (2017)²¹ outlines the Council's ambition for sustainability across the authority, making sustainability an integral part of the Council's business operations. This document encourages sustainability through increasing local food production to avoid importing products unnecessarily. The Proposed Development would result in significantly increased local food production in terms of Atlantic salmon, and would decrease the UK's reliance as a whole on importing foreign fish. Therefore, the Proposed Development draws strong support from the Environmental Sustainability and Climate Change Strategy.

5.3 Ayrshire Landscape Assessment (1998)

The Ayrshire Landscape Assessment²² was published by Scottish Natural Heritage in 1998. The aim of the Assessment is to provide a landscape character assessment with a commentary on landscape change to support Development Plans for the area, to assist funding partners in policy Proposed Development or change within the study area. The Assessment examines eight different Regional Character Areas, one of these being Arran.

The Assessment represents a key material consideration in evaluating developments in relation to the protection of landscape character from insensitive development. It has been taken into account in Chapter 14 of the EIA Report accompanying the Application.

5.4 Firth of Clyde Marine Spatial Plan (2010)

The Firth of Clyde Marine Spatial Plan²³ establishes an overarching policy framework to facilitate the sustainable Development of activities within the Firth of Clyde. The Plan is a framework based on the aspirations of stakeholders and regulators within the Clyde which sets out how an agreed vision can be achieved. Its purpose is to give direction and guide the sustainable development of activities, by both the public and private sectors, within the Firth of Clyde.

Specifically to Mariculture, the Clyde Marine Spatial plan proposes that:

Finfish farming has a significant presence in the Clyde, but also with active salmon farming Sites in Arran. There has been a consolidation of finfish activities into fewer more efficient units. The use of the units for production and fallow periods is synchronised across an area which helps to maintain effective sea lice and disease control and management. Companies therefore require a number of Sites across the Firth of Clyde since not all are used at the same time (para. 237).

Para. 244 goes on to state that:

"There is significant potential for growth of the mariculture sector in the Firth of Clyde. This potential will depend, in particular, upon having an effective network of appropriate locations for Developments. There is a need for the often negative perception that

²¹ North Ayrshire Council (2017) Environmental Sustainability and Climate Change Strategy [Online] Available at: <https://www.north-ayrshire.gov.uk/Documents/CorporateServices/Finance/environmental-sustainability-climate-change-strategy.pdf> (Accessed 17/06/2019)

²² Scottish Natural Heritage [Online] Available at: <https://www.nature.scot/Sites/default/files/2018-01/Publication%201998%20-%20SNH%20Review%2011%20-%20Ayrshire%20landscape%20character%20assessment.pdf> (Accessed 26/06/2019)

²³ Firth of Clyde Marine Spatial Plan [Online] Available at: <http://www.clydemarineplan.scot/wp-content/uploads/2016/06/SSMEI-Marine-Spatial-Plan-July-2010.pdf> (Accessed 26/06/2019)

mariculture installations impact upon the seascape and landscape of an area to move towards these Developments being viewed as part of a sustainable Scottish industry that is a natural part of our land and seascape."

To achieve this, Policy MAR 1 Sustainable Development of mariculture proposes that:

"The Development of an integrated and co-ordinated strategy for mariculture within the Firth of Clyde incorporating environmental, seascape/landscape and navigation safety issues of both national and regional relevance, will ensure sustainable mariculture Development at appropriate locations."

5.5 Emerging Clyde Regional Marine Plan

The Proposed Development has been sited and designed in a way to avoid where possible and minimise any effects on the landscape and seascape character, with the likely effects assessed in the EIA Report. Following the assessment against other relevant policies on landscape, seascape, and aquaculture development, the Proposed Development has been found acceptable. The Proposed Development would not interfere with shipping and navigation. Therefore, the Proposed Development is considered to meet the objectives of the Clyde Marine Spatial Plan.

The Marine (Scotland) Act allowed for the creation of 11 Scottish Marine Regions by the Scottish Marine Regions Order 2015. The Clyde Marine Region area extends from the Normal Tidal Limit of the River Clyde in Glasgow City centre, seawards to the outer firth in Argyll and Ayrshire. It includes the Mull of Kintyre, the Clyde's sea lochs, and the islands of Arran, Bute and the Cumbraes. The Emerging Clyde Regional Marine Plan will provide a policy framework for marine planning activities within the Clyde Marine Region area.

5.6 Assessment of Relevant Material Considerations

The material considerations are considered to provide weight in favour of the Proposed Development. The effects of the Proposed Development would not be significant and are outweighed by the benefits of the Proposed Development, particularly the contribution to the sustainable economic growth of the North Ayrshire area. The Proposed Development would also support the sustainable development of the Firth of Clyde, and the delivery of the Scottish Government's targets for growth of the aquaculture sector.

The material considerations seek to protect the Ayrshire Coast from unacceptable development in Landscape, Design and Visual terms. The Proposed Development has been carefully designed to minimise any landscape and visual effects on the coast. Taking into account the economic benefit of the Proposed Development and its limited environmental footprint, on balance, it is considered that the Proposed Development is acceptable and is supported by the material considerations.

6 CONCLUSION

In accordance with the Planning Act, the Proposed Development should be determined in accordance with the Development Plan unless material considerations indicate otherwise. This Statement demonstrates that the Proposed Development complies with the relevant policies of the Proposed Plan (expected to be adopted Autumn 2019), the existing NACLDP and Supplementary Guidance. There is regional and national support through the Firth of Clyde Marine Spatial Plan, the National Marine Plan, Scottish Planning Policy and other material considerations. The Proposed Development would result in economic benefits including new employment, opportunities for local and regional contractors and support for existing aquaculture operations in the region.

Many of the technical elements such as operational procedures and mitigation have been addressed in the EIAR, and other accompanying technical submissions.

The design and assessment process adopted by the Applicant has represented a good practice approach to the reasonable development of marine aquaculture. All potential areas of significant interaction between the Proposed Development and the environment have been addressed, resulting in a well-designed development incorporating appropriate mitigation measures, at a suitable site.

The Proposed Development complies with, and is supported by, the aims and objectives of both national policy and the Development Plan, and would make a valuable contribution towards the ambitious growth targets set for the aquaculture industry.

It is considered that the Proposed Development complies with the Development Plan and is acceptable in all other respects and there are no material considerations that would outweigh these conclusions. Given the above, it is respectfully requested that planning permission is granted for the Application.