

**Connelly, Beth**

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**From:** Christina Bell [Christina.Bell@snh.gov.uk]  
**Sent:** 06 August 2012 17:28  
**To:** centralvalidationteam  
**Subject:** Gometra Fish Farm - SNH response  
**Attachments:** Microsoft Word - A730758.pdf

F.A.O. Mr Richard Kerr

Hi Richard,

Please find attached our now long-overdue response to the Gometra fish farm consultation. Sorry it is so late - Colin had hoped to get it to you before he went on leave a couple of weeks back, but didn't manage. I've finished it and had Andrew Campbell sign it off. Give us a ring if you'd like to discuss either of these two current Mull fish farm cases.

Kind regards,

Christina

Christina Bell  
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Thoiribh an aire airson adhbharan gnothaich, 's dòcha gun tèid sùil a chumail air puist-dealain a' tighinn a-steach agus a' dol a-mach bho SNH

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**Scottish Natural Heritage  
Dualchas Nàdair na h-Alba**

All of nature for all of Scotland  
Nàdar air fad airson Alba air fad

By email to: [centralvalidationteam@argyll-bute.gov.uk](mailto:centralvalidationteam@argyll-bute.gov.uk)

Mr Richard Kerr  
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Planning Services,  
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Whitegates Road,  
Lochgilphead,  
PA31 8SY

Your Ref: 12/01176/MFF  
Our Ref: CONS/MFF/AB/Gometra

6<sup>th</sup> August 2012

Dear Mr Kerr

**Town and Country Planning (Scotland) Act 1997  
Proposed Fin Fish Farm, North Gometra, Loch Tuath, Isle Of Mull, Argyll and Bute**

I write in response to your consultation dated 28<sup>th</sup> May 2012 requesting comment from Scottish Natural Heritage (SNH) regarding the above development proposal. Thank you for granting an extension to the consultation period for this development.

**1. Summary**

- There is insufficient information to determine whether the proposal will have an adverse effect upon the integrity of the Loch na Keal National Scenic Area or the qualities for which it has been designated. We disagree with the conclusions drawn within the Environmental Statement (ES) and we advise that this proposal could have significant adverse landscape and visual impacts. We consider that this proposal raises natural heritage issues of national interest. We therefore **object** to this proposal until further information as detailed in section 3.1 is provided. We will comment further once this information is available.
- The fish fish farm proposal will not have a likely significant effect upon the Mingarry Burn Special Area of Conservation, the Treshnish Isles Special Area of Conservation, Treshnish Isles Special Protection Area or the Cnuic agus Cladach Mhuile Special Protection Area.
- Cetaceans are European Protected Species. No species protection plan has been submitted with the application and the proposed use of acoustic deterrent devices as part of the predator control proposals will result in local and intermittent displacement of cetaceans from the fish farm and its surrounds. The applicant will therefore be required to apply to SNH for a licence to disturb cetaceans prior to activating ADDs on site.

**Scottish Natural Heritage, Cameron House, Albany Street, Oban, Argyll PA34 4AE  
Tel 0300 244 9360 Fax 0300 244 9361 [www.snh.org.uk](http://www.snh.org.uk)**

**Dualchas Nàdair na h-Alba, Taigh Chamshron, Sràid Albany, An t-Òban, Earra- Ghàidheal  
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- We recommend that Argyll and Bute Council produce an aquaculture framework plan to assist in the delivery of strategic planning for Aquaculture in Argyll.

## **2. Background**

The significance of the Gometra landscape in the context of the Loch na Keal National Scenic Area (NSA) was highlighted to the applicant during pre-application discussions in 2011. In our formal response to the screening and scoping we reiterated our concerns regarding the possible landscape impacts, the scale of a fish farm in this location and the potential unsuitability for a development in this location. We note that the formal planning application has been lodged with an unchanged proposal for a 16 cage fish farm with associated feed barge.

## **3. Natural Heritage Impacts Appraisal**

### **3.1 Loch na Keal National Scenic Area**

The development site lies within the Loch na Keal National Scenic Area (NSA); and represents a very large scale aquaculture development with associated structures and activities, in an area where development should only be permitted where it will not adversely affect the integrity of the area or the special landscape qualities for which it has been designated. The special qualities for which it is designated are found here:

<http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/national-designations/nsa/special-qualities/>

We advise that in coming to its conclusions the LVIA underestimates the value and significance of both the landscape character affected and the viewpoints from which the development will be seen. We consider the scenic quality and value of the coastal landscape to be high and its sensitivity to this type of development to be high. The landscape surrounding the proposed location of the site is described as 'very sensitive countryside' within the Argyll and Bute Local Plan 2009 and thus constitutes 'isolated coast'. We confirm that the development will be visible from a number of viewpoints. We believe the changes resulting from this development which will be experienced by those viewing the scenery will have a significant impact upon the integrity of the NSA and its landscape qualities.

We advise that the applicant has failed to demonstrate that this development will not have a significant and adverse impact upon the integrity of the NSA or its special qualities. We advise that the applicant has omitted to undertake a number of significant and key assessments that would help inform the decision making process regarding the location's suitability for development in principle, and the scale of any such development were it to be deemed suitable in principle.

The first omission regards the lack of a detailed impact assessment upon the local coastal landscape character or seascapes for which the area is designated as being nationally important. A localised study, rather than a regional one as used within the study, allows the development's impact upon the integrity of the relevant special NSA qualities to be detailed, assessed and the significance of impacts concluded.

Consideration of cumulative and sequential cumulative landscape impacts have also not been considered, even though they were requested at scoping. This information was requested to ascertain how this proposal will impact upon the NSA's capacity, and therefore integrity, to accommodate further significant aquaculture development in the light of that already existing.

We advise that the LVIA does not provide an assessment of impacts on wild land experience, but it does conclude that the impacts on experience of wildness will only be slight /not significant. SNH does not concur with this conclusion, and considers that the proposed development is will have a noticeable adverse impact on perceived qualities and experience of remoteness as it will bring large scale structure and associated activities into an otherwise undeveloped area

In the absence of the above detailed assessments it is not possible to determine the suitability of this site for this scale of development proposed, or to determine that it will not have significant adverse impact on the Special Landscape Qualities of Loch na Keal NSA.

### 3.2 European Designations

The proposal has the potential to affect those areas detailed below which are designated as Special Area of Conservation or Special Protection Area. The sites status means that the requirements of either the Conservation (Natural Habitats & c.) Regulations 1994 as amended, apply. See <http://www.snh.gov.uk/docs/A423286.PDF> for a summary of the legislative requirements.

#### 3.2.1 Treshnish Isles SPA

The Treshnish Isles archipelago is located approximately 6 -10km from the fish farm proposal. The isles are classified as SPA for their breeding storm petrel and roosting Greenland barnacle geese populations. Given the distance from the SPA, and the lack of any direct/ indirect disturbance to nesting and roosting birds, or significant direct/ indirect displacement to foraging grounds, we confirm that the proposal will not have a likely significant effect directly or indirectly upon any of the qualifying interests of the site. An appropriate assessment is therefore not required.

#### 3.2.2 Treshnish Isles SAC

The Treshnish Isles SAC is designated for its grey seal population and its offshore reef habitats. At its nearest point the SAC comes within 5km of the Gometra fish farm proposal. We are satisfied that the operation of the fish farm, including maintenance, boat movements, discharge etc will have no impacts upon either interests of the site at this distance. An appropriate assessment is therefore not required.

Please note, the predator prevention plan does state that a licence to shoot grey seal would be applied for as a last resort. SNH are the competent authority regarding the licensing of such activity and as part of the process we will apply the relevant legislative Natura tests to inform the decision on any application.

### 3.2.3 *Cnuic agus Cladach Mhuile SPA*

Gometra fish farm is located 11km from the SPA boundary, which is designated for its golden eagle interest. Our scoping response highlighted as a precaution that helicopter flights to and from the fish farm had the potential to disturb nesting golden eagle within the SPA, depending upon flight path, flight frequency and timing. The applicant has confirmed that no such flights will occur and all operations will be undertaken by boat, none of which are within or adjacent to the SPA. We are satisfied that the proposed development will not have a likely significant effect on the SPA and therefore an appropriate assessment is not required.

### 3.2.4 *Mingarry Burn SAC*

The SAC is located approximately 25 km from the Mingarry Burn SAC, which is designated for its freshwater pearl mussel interests. Wild salmonids are an integral part of the freshwater pearl mussel life cycle and any development that has the potential to impact upon wild salmonid populations within the Mingarry Burn needs to be considered as part of the planning decision process.

Having reviewed the Environmental Statement and the relevant annexes we are satisfied that the proposal will not have a likely significant effect upon the SAC. The fish farm is located 25 km from the SAC and is not located within the sea loch leading to the Mingarry Burn, whilst it is also separated from the Mingarry Burn by a number of coastal headlands, inlets and freshwater catchments.

We are satisfied that the design and selection of the infrastructure, the implementation of an escapee contingency plan, and the fish husbandry strategies will minimise the risk of fish escapes, the spread of disease and an increase in localised lice burdens that could affect wild salmonid populations utilising the Mingarry Burn catchment. An appropriate assessment is therefore not required.

To further improve the sea lice management strategy further we advise that the target of zero ovigerous lice on farmed salmon proposed as part of the sea lice treatment proposal during the salmonid migration period be extended to cover lice burdens throughout the year, ensuring sea trout populations fully benefit from the proposed strategic lice management.

## 3.4 European Protected Species

Cetaceans, which are European Protected Species, are recorded within Loch Tuath, the waters between Gometra and the Treshnish Isles, and within Loch na Keal. As part of the site specific predator control plan acoustic deterrent devices (ADD) will be utilised, where necessary, to disturb seals from the area. Cetaceans are also disturbed and displaced by ADDs and we would expect disturbance, displacement and behavioural change to occur in the waters surrounding the site. We would advise that the fish farm proposal in principle will not impact adversely on the favourable conservation status of cetaceans in Scottish waters. However, the Conservation (Natural Habitats and c) Regulations 1994 make it an offence to disturb any cetacean without a licence and therefore the applicant must obtain a licence prior to the activation of ADDs on site. For further information on the legal framework and licensing procedures: <http://www.snh.gov.uk/protecting-scotlands-nature/protected-species/legal-framework/habitats-directive/euro/>

### 3.5 Benthic Interest

We can confirm that there are no habitats of national importance recorded on the sea bed below or adjacent to the proposed fish farm location.

### 4. Strategic Aquaculture Framework

SNH has set out a vision of what Scotland could be like based on sustainable management and use of our natural heritage. Our Natural Heritage Futures prospectuses detail distinctive considerations for each region in Scotland and the objectives and actions required to pursue that vision. There are two specific prospectuses that are relevant to the Gometra proposal, these being the national prospectus "Coasts and Seas" and the local prospectus "Argyll West and Islands" both of which recommend that aquaculture framework plans should be prepared by local authorities to help deliver a more strategic approach to Aquaculture. The documents confirm that this is "urgently needed".

The SNH Natural Heritage Futures Vision for coasts and aquaculture recommends a future where "Aquaculture development planning is carried out in a strategic manner and a strategic approach to development planning allows some areas to be free of Aquaculture infrastructure to retain a wild seascape character and the perception of remoteness from human influence". Further information on Natural Heritage Futures can be found on our website:

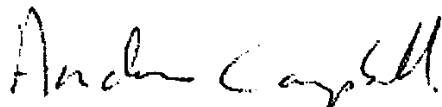
<http://www.snh.gov.uk/about-snh/what-we-do/nhf/>

### 5. Conclusion

The applicant has failed to demonstrate that this proposal would not have a significant adverse effect on the integrity / special qualities of the Loch na Keal National Scenic Area. We consider that this proposal raises natural heritage issues of national interest. We therefore object to this proposal until further information as detailed in section 3.1 is provided. We will comment further once this information is available.

If the planning authority intends to grant planning permission against this advice you must notify Scottish Ministers.

Yours sincerely



ANDREW CAMPBELL  
Operations Manager  
Argyll and Outer Hebrides