

PROPOSAL OF APPLICATION NOTICE (PAN)

Reference: 23/01581/PAN

Applicant: Loch Long Salmon Limited

Proposal: Proposal of application notice for the installation and operation of Lurignish Fish Farm and associated infrastructure

Site Address: Lurignish Fish Farm, Land Adjacent To Lurignish Farm, Appin

1.0 INTRODUCTION

Proposal of Application Notices only relate to National and Major Applications as defined by the Government's planning hierarchy and are a statutory requirement prior to the submission of the planning application. The PAN heralds the start of a minimum 12 week period to allow for community consultation before an application can be lodged.

In considering this item, Members should restrict comments to issues relating to the material considerations which may be relevant in the determination of the proposed development and should refrain from expressing opinion as to the likely acceptability of development in advance of any subsequent application being presented for determination. Any opinions or views expressed by Councillors at the pre-application stage must be made mindful of the overarching requirements of fairness, impartiality and of keeping an open mind. The process provides opportunity for Officers to give feedback to the prospective applicant on issues which Members would wish to see addressed within the planning application submission.

The submitted information includes:

- Proposal of Application Notice
- Location Plan

The Proposal of Application Notice describes the proposed development as *"Installation and operation of Lurignish Fish Farm and associated infrastructure. The development would involve the construction and operation of a closed containment at sea (often called semi-closed containment) fish farm and other related marine and shore base structures, located approximately 0.5km west of Lurignish Farm"*

The applicant has confirmed the following consultation steps will be undertaken:

- a) Consultation letters to be sent to Appin Community Council, Duror and Kentallen Community Council, Lismore Community Council and Ardgour Community Council.
- b) Two public meetings will be held; one at Duror and Kentallen Community Centre on 14th September 2023 and one at Appin Village Hall on 24th October 2023.

- c) A press notices will be placed in the Oban Times and Edinburgh Gazette no later than 7th September 2023 for the first event and no later than 17th September for the second public event.

Officers consider that the steps set out in the PAN are acceptable.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

Based on the description of the development contained within the proposal of application notice, the forthcoming application is anticipated to comprise of the following

- A semi closed containment marine fish farm;
- Supporting shore base with associated new access and landscaping.

3.0 SITE DESCRIPTION

The fish farm would be located in Loch Linnhe with the shore base element being located off the A828 adjacent to the marine element at Lurignish which is located north of Shuna Island and the settlement of Appin. The terrestrial site is located within a countryside zone within an area designated as an Area of Panoramic Quality. The Lynn of Lorn National Scenic Area lies approximately 1.4km to the south of the proposed development.

4.0 DEVELOPMENT PLAN POLICY

This is not a planning application and therefore does not require evaluating and determining in accordance with Section 25 of the Planning Act against the Development Plan and its policies. However, in considering the merits of this PAN, a number of Development Plan Policy considerations are relevant. The policies to be considered include:

National Planning Framework 4 (Adopted 13th February 2023)

Part 2 – National Planning Policy

NPF4 Policy 1 – Tackling the Climate and Nature Crises
NPF4 Policy 2 – Climate Mitigation and Adaption
NPF4 Policy 3 – Biodiversity
NPF4 Policy 4 – Natural Places
NPF4 Policy 5 – Soils
NPF4 Policy 6 – Forestry, Woodland and Trees
NPF4 Policy 7 – Historic Assets and Places
NPF4 Policy 10 – Coastal Development
NPF4 Policy 12 – Zero Waste
NPF4 Policy 13 – Sustainable Transport
NPF4 Policy 14 – Design, Quality and Place
NPF4 Policy 22 – Flood Risk and Water Management
NPF4 Policy 23 – Health and Safety
NPF4 Policy 25 – Community Wealth Building
NPF4 Policy 26 – Business and Industry
NPF4 Policy 29 – Rural Development

Argyll and Bute Local Development Plan adopted March 2015

LDP STRAT 1 – Sustainable Development
LDP DM1 – Development within the Development Management Zones
LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment
LDP 4 – Supporting the Sustainable Development of our Coastal Zone
LDP 5 – Supporting the Sustainable Growth of Our Economy
LDP 8 – Supporting the Strength of Our Communities
LDP 9 – Development Setting, Layout and Design
LDP 10 – Maximising Our Resources and Reducing Consumption
LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance

SG LDP ENV 1 – Development Impact of Habitats, Species and Our Biodiversity (i.e. biological diversity)
SG LDP ENV 2 – Development Impact on European Sites
SG LDP ENV 6 – Development Impact on Trees / Woodland
SG LDP ENV 7 – Water Quality and the Environment
SG LDP ENV 12 – Development Impact on National Scenic Areas (NSAs)
SG LDP ENV 13 – Development Impact on Areas of Panoramic Quality (APQs)
SG LDP ACE 1 – Area Capacity Evaluation
SG LDP ENV 16(a) – Development Impact on Listed Buildings
SG LDP ENV 19 - Development Impact on Scheduled Ancient Monuments
SG LDP SERV 5(b) – Provision of Waste Storage and Collection Facilities within New Development
SG LDP BUS 2 – Business and Industry Proposals in the Countryside Development Management Zones
SG LDP BAD 1 – Bad Neighbour Development
SG LDP Sustainable - Sustainable Siting and Design Principles
SG LDP SERV 1 – Private Sewerage Treatment Plants and Wastewater (i.e. drainage) systems
SG LDP SERV 3 – Drainage Impact Assessment (DIA)
SG LDP SERV 5(b) – Provision of Waste Storage and Collection Facilities within New Development
SG LDP SERV 6 – Private Water Supplies and Water Conservation
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development
SG LDP Sust Check – Sustainability Checklist
SG LDP TRAN 1 – Access to the Outdoors
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes
SG LDP TRAN 5 – Off-Site Highway Improvements
SG LDP TRAN 6 – Vehicle Parking Provision

SG LDP CST 1 - Coastal Development
SG LDP AQUA 1 – Aquaculture Development
Annex A – Planning Process for Aquaculture Development
Annex B – Council Adopted Marine and Coastal Plans
Annex C – Responsibilities of Statutory Authorities in Relation to Aquaculture Development
Annex D – Marine Planning Area for Aquaculture Development

Emerging Local Development Plan (LDP2)

The emerging Local Development Plan (LDP2) will replace the current Local Development Plan 2015, once adopted. On 13th June 2023, the Scottish Government's Planning and Environmental Appeals Divisions issued their Report of Examination on the Council's LDP2. At the time of writing this Pre-application report, the LDP 2015 remains the adopted Local Development Plan, however, the Examination Report of the Draft LDP2 is a material consideration of significant weight and may be used as such until the conclusion of the LDP2 adoption process.

Policy 02 – Outwith Settlement Areas
Policy 04 – Sustainable Development
Policy 05 – Design and Placemaking
Policy 06 – Green Infrastructure
Policy 08 – Sustainable Siting
Policy 09 – Sustainable Design
Policy 10 – Design: All Development
Policy 14 – Bad Neighbour Development
Policy 19 – Scheduled Monuments
Policy 21 – Sites of Archaeological Importance
Policy 22 – Economic Development
Policy 28 – Supporting Sustainable Aquatic and Coastal Development
Policy 32 – Active Travel
Policy 35 – Design of New and Existing, Public Roads and Private Access
Policy 36 – New Private Accesses
Policy 39 – Construction Standards for Private Access
Policy 40 – Vehicle Parking Provision
Policy 41 – Off Site Highway Improvements
Policy 55 – Flooding
Policy 58 – Private Water Supplies and Water Conservation
Policy 59 – Water Quality and the Environment
Policy 60 – Private Sewage Treatment Plants and Wastewater Drainage Systems
Policy 61 – Sustainable Drainage Systems (Suds)
Policy 62 – Drainage Impact Assessments
Policy 63 – Waste Related Development and Waste Management
Policy 73 – Development Impact on Habitats, Species and Biodiversity
Policy 77 – Forestry, Woodland and Trees
Policy 78 – Woodland Removal
Policy 79 – Protection of Soil and Peat Resources

Other Relevant Policy Considerations:

- ABC Technical Note – Biodiversity (Feb 2017)

- Marine Planning Policy

As part of the proposed development extends into the marine environment, the Council as a public body is required to take authorisation decisions in accordance with the National Marine Plan (NMP), unless relevant considerations indicate otherwise.

The proposal must also be considered against the Marine Planning Policies of the National Marine Plan.

5.0 POTENTIAL MATERIAL CONSIDERATIONS

In respect of this proposal, it is considered that the following matters will be material considerations in the determination of any future planning application:

- Landscape, seascape and visual issues;
- Benthic Impact;
- Water Quality;
- Wild Fish Interactions;
- Impacts on natural, built and / or historic or archaeological sites and their settings;
- Impacts on designated sites, habitats and species;
- Traffic and transport;
- Amenity impacts (waste, noise, light and odour);
- Impacts on commercial and recreational activity;
- Public access;
- Economic Impact.

6.0 CONCLUSION

The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations, against which any future planning application will be considered as well as potential material considerations and key issues based upon the information received to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

7.0 RECOMMENDATION

That Members note the content of the report and submissions and provide such feedback as they consider appropriate in respect of this PAN to allow these matters to be considered by the applicants in finalising any future planning application submission.

Author of Report: Sandra Davies

Date:

Reviewing Officer: Peter Bain

Date: 7 September 2023

Fergus Murray
Head of Development and Economic Growth