

**THE CROWN ESTATE
INTERIM SCHEME FOR THE AUTHORISATION OF MARINE
FISH FARMS IN SCOTTISH WATERS**

PROPOSED FINFISH FARM AT ANNAT BAY, near ULLAPOOL

**Reporter: John H Henderson BA DipTP MRTPI
Date of Site Inspection: 11 August 2005**

ABBREVIATIONS

The following abbreviations are commonly used throughout this report:

ABM	Annat Bay Marine Ltd.
AMA	Area Management Agreement
ASFB	Association of Salmon Fishery Boards
AST	Atlantic Salmon Trust
CEC	Crown Estate Commissioners
cSAC	candidate Special Area for Conservation
ES	Environmental Statement
FRS	Fisheries Research Services
HC	Highland Council
MCA	Marine & Coastguard Agency
NSA	National Scenic Area
RIB	Rigid Inflatable Boat
SEERAD	Scottish Executive Environment & Rural Affairs Division
SEIRU	Scottish Executive Inquiry Reporters Unit
SEPA	Scottish Environmental Protection Agency
SNH	Scottish Natural Heritage
WRFT	Wester Ross Fisheries Trust
WRS	Wester Ross Salmon

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Our ref: IQC/35/19

September 2005

**REPORT INTO APPLICATION BY ANNAT BAY MARINE LTD. TO
ESTABLISH A FINFISH FARM AT ANNAT BAY, near ULLAPOOL**

Site inspection

1. I have to report that between 1000 and 1200 on 11 August 2005 I carried out an inspection of the application site, accompanied by:

Mr G Bradley	ABM/WRS
Mr H Richards	ABM/WRS
Mr J Bromham	HC
Mr B Jones	MCA
Mr E Scobie	Rhidorroch, Ullapool
Ms A Novak	Achmore, Scoraig

2. The inspection took the form of a trip in an RIB operated by Seascope Expeditions from Ullapool pier. The RIB travelled to the site of the proposed fish farm, allowing it to be viewed from east, south east and north east. It also landed in the ruined monastery at Tullaich na h-Annait, allowing the proposed fish farm and land based features to be viewed from the Scoraig peninsula to the south and west.

3. The fish farm would comprise 2 similar-sized rectangular sites to be located in Annat Bay off the north east coast of the Scoraig peninsula, to north and south of a recognised anchorage at Feith an Fheoir. The northern site is at grid reference NH019985 and measures 350m x 570m; and the southern site is at grid reference NH021978 and measures 400m x 900m [see fig.1.1 of the ES]. The northern part of the Scoraig peninsula is relatively wild and undeveloped, but there are one or two old inhabited buildings (including one at Achmore belonging to Ms Novak) as well as the ruins of the monastery near the proposed sites. Photographic viewpoints (existing and proposed) are included in the ES (figs.V2, 7.17-.19 & V6), while fig.5.10 illustrates where the proposed fish farm would be visible from.

4. As a matter of fact, the proposed sites in Annat Bay and the Scoraig peninsula are not at present within either the Assynt-Coigach NSA (which lies to the north) or the Wester Ross NSA (which lies to the south). In terms of SEERAD's revised

Locational Guidelines for the Authorisation of Marine Fish Farms in Scottish Waters (Jan 2003), 3 categories of areas of coastal waters have been identified, based on the level of nutrient loading and associated benthic impact within each area arising from existing fish farm developments. Although Inner Loch Broom is placed in category 3 (where it is stated that there appear to be better prospects of satisfying these requirements), Annat Bay is not included in any category. NPPG 13: Coastal Planning recommends *inter alia* that structure plans should distinguish between ‘developed’, undeveloped’ and ‘isolated’ coast’, and that new or expanded fish farms may be inappropriate in the last of these. As far as I am aware, HC has not yet carried out such an exercise (at least not for this area), but HC has expressed the view that – based on guidance contained in PAN 53: Classifying the Coast for Planning Purposes - Annat Bay falls between the ‘undeveloped’ and ‘isolated’ categories.

5. From the submissions, I understand that HC no longer intends to prepare an Aquaculture Framework Plan for Loch Broom, but that a Coastal Zone Management Plan for the Ullapool area has been prepared as part of its Atlantic Coast Project. However, I also understand that this has not yet been made available to the general public, and I have not seen it. Two wrecks - the ‘Fairweather’ and the ‘Innisjura’ - are located to the north west of the proposed sites. According to WRS, outer Loch Broom (including Annat Bay) remains one of very few officially designated transshipping harbours in the UK. Other fish farms in the vicinity are identified on fig.5.7 of the ES. Several salmon fishing rivers feed Loch Broom, Little Loch Broom and the surrounding area. To the south west of Little Loch Broom is Gruinard Bay, into which flows the Little Gruinard River which has been designated as a cSAC for Atlantic Salmon.

Proposals

6. Each site would be used alternately so as to allow an extended fallow period for the sea bed beneath the cages. Within each site there would be 20 circular plastic pens, each of 70m circumference [see fig.4.1 of the ES]. These would be built at WRS shore bases at Loch Kanaird and Corry in Loch Broom. After one or more salmon cycles, the intention would be to phase in cod production, but this would be dependent on the availability of cod juveniles. The equipment and mooring area would be 53,200m² (380m x 140m), and the farm would be serviced from Ullapool pier. The maximum intended production would be 1,500 tonnes per annum, and the maximum biomass during the production cycle would be 1,950 tonnes. Equipment would include associated vessel moorings, underwater lighting and, during the salmon phase, a concrete automated feeding barge and pipes to transfer feed to the pens. The future production of cod could involve either daily feeding direct from an all-weather boat or the use of a number of smaller storage silos (either 10 x 5 tonne hoppers or 5 x 14 tonne hoppers) alongside or between the cages. A barge housing a generator and navigational markers would also be required. Acoustic seal scarers would be used if necessary. Further details are contained in the application form, the ES (section 4 and para 5.11.6) and other submitted documents.

Procedural background

7. In accordance with recommended procedures, ABM carried out consultations with 13 different groups and organisations on its proposals for Annat Bay between January 2000 and May 2001. The results of these consultations are contained in the document entitled 'Annat Bay Consultation Meetings', and are succinctly summarised in CEC's undated 'Supplementary Statement'. ABM approached CEC in August 2000 to record its interests in the 2 sites, as a result of which an 'Exclusivity Agreement' was drawn up. ABM formally submitted its application to CEC on 31 May 2002.

8. The following month CEC consulted a number of interested parties in the course of carrying out a screening exercise to determine whether an ES should accompany the application in terms of the Environmental Impact Assessment (Fish Farming in Marine Waters) Regulations 1999, and on 22 July 2002 ABM was advised that – in the light of advice received from those parties – an ES would be required. An ES was duly prepared by BMT Cordah Ltd and submitted to CEC in June 2003. CEC then formally consulted a number of interested parties on the application and accompanying ES, and placed an advertisement in the local press. A very large number of adverse representations were received; these are contained in a CD Rom and summarised on page 2 of, and in Appendix 1 to, the Report prepared by the Director of Planning & Development for the meeting of the Ross & Cromarty Area Planning Committee of HC on 19 April 2004.

9. Thereafter, CEC formally consulted HC on the application in terms of the Interim Scheme for the Authorisation of Marine Fish Farms in Scottish Waters. At the end of 2003, HC's Aquaculture Officer (Mr Bromham) met representatives of ABM to discuss issues that had arisen from the consultation process, and an Addendum to the ES covering these issues was subsequently made available to HC (attached to committee report for meeting of 19 February 2004). The Ross & Cromarty Area Planning Committee of HC met on 2 March 2004 and considered a report by the Director of Planning & Development, which concluded that an unfavourable view be submitted to CEC for 2 specified reasons. However, the committee decided to visit the site before reaching a conclusion, and did so on 19 April - followed by a hearing at which representatives of ABM and several objectors addressed the committee. The committee thereafter agreed to submit an unfavourable view to CEC for the following 3 reasons, as recommended by the Director:

1. the development would detract from the valued sense of remoteness of Annat Bay by introducing man-made features into an area that is currently undeveloped and unspoilt, thereby reducing the amenity value of the bay to residents of the peninsula.
2. the production of salmon on the site may have adverse impacts on the Atlantic Salmon cSAC on the Little Gruinard River.
3. the development of the site would have a significant adverse impact on the landscape setting and visual amenity of Annat Bay.

10. By letter of 21 April 2004, this unfavourable view was conveyed by HC to CEC, which in turn advised ABM by letter of 5 May 2004. At the end of September 2004 ABM intimated its wish to have the application re-examined by SEIRU in terms of the Interim Scheme, but requested that that be delayed pending an attempt to agree mutually satisfactory modifications to the project. Eventually, by letter of 9 March

2005 ABM confirmed its wish to have the application re-examined by SEIRU on the basis of written submissions, and by letter of 25 April HC also agreed to that procedure. The application and related documents were then forwarded by CEC to SEIRU which arranged for the matter to be allocated to a Reporter and for an accompanied site inspection to take place on 11 August.

Determining issues

11. I do not consider it appropriate to summarise all the numerous consultation responses, objections and submissions by the parties here. As indicated in para 8 above, the first two are well summarised in HC's committee report of April 2004. HC's position is fully set out in that committee report and the earlier report of the previous month, in the minute of the committee meeting on 19 April 2004 and in its formal comments on the 'appeal' submission by ABM of 30 March 2005. ABM's position is set out in that submission, in its subsequent addendum of 11 July 2005, in the original application and in the ES.

12. In that the Interim Scheme is intended to be replaced in due course by the extension of planning controls to cover marine fish farming, it is appropriate to treat ABM's request for further examination as though it were a planning appeal. It is therefore also appropriate for the proposals to be assessed against the provisions of the development plan, as was done by HC. The relevant policies of HC's 2001 structure plan are G1 (which states that, having regard to the plan's sustainable objectives, developments which promote and enhance the social, economic and environmental wellbeing of the people of Highland will be supported); G2 (which states that developments which are judged to be significantly detrimental in terms of listed criteria shall not accord with the structure plan. Of these criteria, the most relevant are the impact on individual and community residential amenity; the impact - including pollution and discharges particularly within designated areas - on habitat, species, landscape, scenery, freshwater systems, marine systems, cultural heritage and air quality); G6 (which states that the council will seek to conserve and promote all sites and areas of Highland identified as being of high quality in terms of nature conservation, landscape, archaeology or built environment); FA6 (which states that fish farming proposals which comply with policy G2 will be supported); and L4 (which states that the council will have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals - including offshore developments).

13. In terms of the Loch Broom Local Plan, one objective is to broaden the area's economic base and increase local or 'community-based' employment, to reduce the environmental impact of economic activities, and to protect and manage the natural and cultural heritage. Pare 3.14 states that the council will presume in favour of resource-based activities, e.g. the expansion of aquaculture.

14. The benefits of the proposed development in terms of employment and the contribution to the highland economy have been emphasised in the ES and other submissions by ABM, which has sought comfort in supportive statements in the government publication 'The Strategic Framework for Scottish Aquaculture', the structure plan and HC's report 'Fisheries & Aquaculture in the Highlands 1998-

2003'. Despite the reservations of HC and some other parties particularly as to the level of additional employment that would be created, these are factors in favour of the proposed development. Nonetheless, the support in all these documents and reports is subject to the caveat that fish farming developments should be sustainable and not have adverse effects on the natural environment. From my reading of all the submitted documents and my inspection of the application site and its surroundings, it seems clear that **the determining issues are the implications for visual amenity, for the inhabitants of and visitors to the Scoraig peninsula, and for wild fish stocks.**

15. Dealing first with the question of visual amenity, it seems to me that there are 2 distinct considerations. The first is the visual impact of the fish farm on views of Annat Bay and the Scoraig peninsula from the northwest, north and northeast, e.g. 8 (the 'Fairweather' wreck – see fig.V2 of the ES), 6 (the Ullapool-Stornoway Ferry – see fig.V6), & 4 (Rhue Lighthouse – see also fig.V6). In the ES, the visual impact on those 3 views is comprehensively analysed in paras 2.86, .70 & 57 respectively of part 2 of Appendix 10 and summarised in Table 23. These impacts are described as 'minor adverse' in relation to viewpoints 4 & 6 and 'moderate adverse' in relation to viewpoint 8. My site inspection leads me to agree that the implications for views of Annat Bay and the peninsula primarily from passing boat traffic do not justify rejection of the proposed fish farm. In coming to this conclusion, I have taken account of the existence of the ruined monastery at Talladh na h-Annait, and the facts that – while its setting would be adversely affected (as is recognised in para 2.78) – little of it remains, it is of no more than local importance, and views would normally be from some considerable distance away. I accept that the visual impact from the 'Fairweather' wreck would be more substantial, but I do not believe that it would be appropriate to seek to protect the views of divers and other visitors to the wreck.

16. The second consideration is the visual impact on views from the Scoraig peninsula itself. 6 such views are dealt with in the ES: viewpoints 1, 2, 3, 7 & 10. The impact on the view from 1 (south east spur of Carn Dearg) is analysed in para 2.33 of part 2 of Appendix 10 of the ES and summarised as 'moderate adverse'; in Table 23 it is acknowledged that the scenic attractiveness of the view would be reduced (see also fig.7.17). However, this is not a view that is available to more than a very few people infrequently, and I do not believe that refusal would be justified because of this impact. The impact on the view from 2 (footpath at Achmore) is analysed in para 2.41 and summarised as 'minor adverse'; in Table 23 it is acknowledged that the scenic attractiveness of the view would be slightly reduced, but fig.7.18 leads me to conclude that this impact would also be small-scale and acceptable. The impact on the high-level view from 3 (north west summit ridge of Beinn Ghobhlach) is analysed in para 2.49 and summarised as 'minor adverse'; however, in Table 23 it is pointed out that the fish farm would be 4km distant and that it is unlikely that it would become a new visual focus of the view, with the expansive nature and scale of the view remaining the dominant element (see fig.7.19). I agree with this assessment, particularly as this is also not a viewpoint that is likely to be visited frequently.

17. The 2 remaining viewpoints are 7 (the former monastery at Talladh na h-Annait) and 10 (2 occupied properties and a bothy used as a holiday let at Achmore),

from which the proposed fish farm is assessed to have a ‘major adverse’ visual impact. This is analysed for 7 in para 2.86 (see also fig.V6) and for 10 in para 2.100. For 7 it is stated that the proposed development would become a new visual focus of the view as it would form a major foreground feature; for 10 it is stated that the current sense of remoteness of these properties would be reduced. My inspection confirmed the accuracy of these assessments, particularly as the fish farm would appear in the foreground of impressive views across Annat Bay and outer Loch Broom towards the brooding hills in the Assynt-Coigach NSA. I should say at this point that I do not consider the fact that Annat Bay does not appear to lie at present within either NSA to be particularly significant. I agree with SNH that views north from the Scoraig peninsula across outer Loch Broom to the Assynt-Coigach NSA would be impaired, and this is recognised in the ES and confirmed by my inspection. It seems that – although some relatively minor repositioning of the cages has been agreed - the repositioning originally suggested by SNH cannot be accommodated for practical reasons relating to navigational issues. Nonetheless, their visual impact would be reduced by the use of the proposed dark matt colour scheme, and I also find it significant that in landscape terms SNH would have been prepared to accept a repositioning of the cages in the bay; it is not opposed to a fish farm here *per se*.

18. I have already commented on the lack of formal status accorded to the ruined monastery, and my reading of the submitted documents leads me to conclude that it is unlikely to be visited by more than a handful of people in any one year. This is not an important architectural, archaeological or historic feature whose setting must be preserved. Although the impact on it would be ‘major adverse’, it does not seem to me that refusal on this ground can be justified. As regards the properties at Achmore, the seaward views of their few inhabitants would undoubtedly be spoilt, but I am not convinced that this is a factor of sufficient importance on its own to justify refusal. I have also considered the impact on the views of people walking over the hills and approaching Achmore from the south. Having crossed a ridge, they suddenly have a splendid view north over Achmore and Annat Bay towards the Assynt-Coigach NSA. Nonetheless, again relatively few people are involved and I am not convinced that this is a factor of sufficient importance to justify refusal. I say more on the situation at the peninsula in paras 20-22 below.

19. As well as looking at each viewpoint individually, I have also considered the cumulative impact of the several individual ‘moderate adverse’ and ‘major adverse’ impacts that have been identified. I have reached the conclusion that even in combination these adverse impacts are neither of sufficient magnitude nor overall importance to justify rejection of the proposed fish farm. In reaching this conclusion, I have taken into account the guidance contained in SNH’s document ‘Marine Aquaculture & the Landscape’ (2000), many of whose suggestions seem to me to be relevant to the situation at Annat Bay. Overall, I conclude that HC’s third reason for refusal cannot be supported.

20. The second issue concerns the implications for the inhabitants of and visitors to the Scoraig peninsula. This reason for refusal (no.1) was not originally recommended by HC’s Director of Planning & Development, but was included in his second committee report. The north western part of this peninsula lies between Annat Bay and outer Loch Broom to the north and Little Loch Broom to the south. It has no

road access beyond Badralloch, a considerable distance to the south east, although use is made of boats between the jetty at Badluarach on the southern shore of Little Loch Broom and the jetty at Scoraig, which is where the majority of the 90 or so residents on the peninsula live. I understand that it was established as an alternative lifestyle community, and some members of the community are involved in 'ecotourism' initiatives. On the north side of the peninsula, there are only 2 occupied dwellings at Achmore, a bothy used for holiday lets and the ruined monastery at Talladh na h-Annait. My inspection confirmed the sense of remoteness surrounding Annat Bay, and the likelihood that this would be adversely affected by what SNH describes as "the introduction of man made structures in the sea where there are currently no such structures." This applies not just to the visual impact of the fish farm (including relatively subdued underwater lighting), but also to the various activities, noises and smells that it would generate there.

21. While appreciating this sense of remoteness and the large number of objections that have been received from local people and others from further afield, I have not been referred to any planning policy which establishes a specific presumption against the introduction of a fish farm in Annat Bay for this reason. For example, in relation to structure plan policy G6 (not referred to in HC's reasons for 'refusal'), I do not know whether the Scoraig peninsula and/or Annat Bay has been "identified as being of high quality in terms of nature conservation, landscape, archaeology or built environment". I am of course aware of the NSA designations, but not of anything which identifies the 'valued sense of remoteness' referred to by HC. It may be that this will be something that is dealt with in the forthcoming Coastal Zone Management Plan for the Ullapool area, but HC acknowledges that Annat Bay is unlikely to fall within the definition of 'isolated coast', where new or expanded fish farms may be inappropriate.

22. There are only 3 properties that would be directly affected, one of which is hidden behind woodland, one of which is used for holiday lets, and one of which is occupied by a resident who is alleged not to object to the fish farm proposal provided that organic production methods are adopted. In addition, despite the attempts made by the former Ross & Cromarty District Council to control the nuisance caused by the Klondykers in 1979, it is not disputed that outer Loch Broom remains designated as a transshipping harbour, with all the implications for the environment that that entails. I am also aware that Ullapool and the Loch Broom communities have until very recently been largely dependent on a fisheries-based economy, and that this could conceivably be the case again in the future.

23. In all the circumstances, and even allowing for HC's point that Annat Bay is the last shallow sloping area of shoreline on the peninsula that does not have a view of a fish farm, I am not convinced that the threat to the peninsula's remoteness is of sufficient weight to justify refusal. Nor do I believe that the fish farm would put 'severe and unnecessary pressure on the remote and economically self-generating community living on the Scoraig peninsula' or that it would be likely to remove 'community-based employment opportunities' there.

24. The third issue concerns the implications for wild fish stocks. ABM states that stocks of salmon and sea trout in the Kanaird/Runie collapsed 10 years before the

salmon fish farm was established at the mouth of the Kanaird River; that a similar situation pertains to Loch Broom; and that a reduction in the supply of feed organisms and changes in commercial fishing practices and the ocean climate are now recognised as the principal factors explaining the decline in stocks of wild salmonids throughout Northern Europe. Nonetheless, the ES recognises a link between increased numbers of sea lice within salmon cages and the possible adverse effect this may have on wild salmonids nearby, and of course there is also the risk of escapees and subsequent interbreeding.

25. There are several salmon fishing rivers feeding Loch Broom, Little Loch Broom and the surrounding area (e.g. Kanaird, Ullapool, Broom, Dundonnell, Gruinard & Little Gruinard), and there was at one time a licensed salmon netting station in Annat Bay. However, my reading of the submitted documents leads me to conclude (as apparently did HC) that the only potentially significant issue is in relation to young salmon heading to sea from the Little Gruinard River, which flows into Gruinard Bay some considerable distance (15km) to the south west from Annat Bay and separated from it by land to the east of Gruinard Island, Little Loch Broom and the Scoraig peninsula – and older salmon returning. This river has been designated as a cSAC for Atlantic Salmon, and SNH has pointed out that Scottish Ministers will have to be notified of any intention to approve the fish farm proposal in Annat Bay against its advice.

26. ABM has pointed out that – if outward migrating smolts do follow the coast northwards – they would have to pass the large operational salmon farm at Static Point and then follow the shore of Little Loch Broom – in and out – before reaching Annat Bay. Although the former existence of licensed netting stations in Annat Bay and at Camas na Ruthaig to the north west suggests that this might be a migration route, there appears to be specific evidence, and ABM has pointed to research carried out elsewhere that shows that smolts move away from estuarine waters very quickly. An exercise to plot migration routes was apparently abandoned when FRS concluded that the implications for salmon associated with the Little Gruinard River were small, but SNH has continued to object on the basis of the precautionary principle because the routes are not known.

27. While the ES highlights the management practices (including regular monitoring) that would be adopted to minimise the potential adverse environmental effects, and while the discharge consent of SEPA has already been obtained, it seems that the main concern of SEERAD, WRFT, AST, ASFB & SNH on this topic relates to a lack of confidence that the proposed mitigation measures would be effective, particularly in the absence of an AMA; the question of fallowing and the possibility of salmon continuing to be farmed after year 1 remains unclear. If the proposed fish farm switched to producing cod after only one production cycle and therefore production only impinged on one year class of salmon, FRS has advised that on balance the risks to the wild populations may be regarded as small and the fish farm is thus unlikely to have a significant effect on the cSAC. As I understand it, ABM intends to switch to cod after one year but only if enough cod juveniles are available to make this a commercially attractive proposition. The Addendum to the ES states:

“...if further salmon cycles are necessary for whatever reason, these will be synchronised with the total loch fallow agreement, with cod following the same regime.”

This could of course be covered by condition. I understand that publication of the AMA has been stalled by the fact that at present WRS's fish farm at Ardmair is the only site in the area where fallowing is not synchronised with others so as to manage sea lice rather than merely control the problem.

28. It is instructive to compare the reasons for 'refusal' on this issue recommended in the first and second HC committee reports – the latter being the final position of HC. In the first, the reason reads:

“the development would be likely to have adverse impacts on the Atlantic Salmon cSAC in the Little Gruinard River and the existing level of fish farm development in close proximity to the Scoraig peninsula means that development of this site will be difficult to mitigate.”

whereas the second reads:

“the production of salmon on the site may have adverse impacts on the Atlantic Salmon cSAC on the Little Gruinard River.”

29. It is not entirely clear to me what was meant by the second part of the first version of this reason, but in any event this has now been abandoned, and HC's position has changed from one of believing that the proposed fish farm 'would be likely to' have adverse effects on the cSAC to now merely believing that it 'may' have such effects. I do not know whether this change was deliberate, but my reading of all the relevant documents leads me to conclude that there is little evidence to support its earlier position, that its final position is more realistic, but that even that does not justify refusal of the application – particularly if the switch to cod can be confirmed.

30. It is also relevant to read the comments of SEPA's Area Manager in an e-mail to ABM in June this year:

“SEPA has a duty... to have regard to the social and economic needs of any area... and in particular to such needs of rural areas. SEPA acknowledges the importance of the industry to the fragile economies of remote rural communities and has developed a methodology to permit marine fish farming to proceed where possible, taking account of the fact that cage-rearing techniques do not permit the treatment of wastes before discharge and the capacity of the environment to assimilate these pollutants is assessed to ensure that safe environmental concentrations are not exceeded and that the environment – including any sensitive habitats and species – is adequately protected.”

Overall on this issue, I conclude that adopting the precautionary principle does not require the application to be refused. The matters of concern can be adequately covered by conditions and good working practices. Although some objectors have referred to a 'Wester Ross Marine Reserve', I have been provided with little information on this or its status, and am unable to place any weight on it.

31. I have also considered the various other matters raised, but agree with HC that these have now been adequately covered either in the ES or its Addendum or that they do not justify refusal in any event. I appreciate that there would be some loss of sheltered fishing grounds in Annat Bay that are used at present for trawling, scallop diving and creeling by local fishermen, but I do not accept that there would be a significant adverse impact on the sea bed and e.g. locally important seaweed; SEPA

has granted discharge consent. Considerable concern has been expressed at the implications for divers to the 'Fairweather' and 'Innisjura', but this has been dispelled by the ES and HC did not include it as a reason for 'refusal'. The Addendum to the ES shows that discomfort to divers because of seal scrammers can be mitigated, and it seems that solid waste from northern pen group would not be desposited on or near the wrecks and that the potential impact on the flora and fauna of them would be negligible. ABM's offer to undertake a monitoring programme consisting of the 4 items specified in the Addendum to the ES seems to me to be a reasonable response. In general terms, HC acknowledges that some of the negative impacts of the proposed fish farm were subject to effective mitigation measures that were eventually included in the ES.

32. Within the area enclosed by a line from Greenstone Point to Rubh Coigach, there are currently 6 sea bed leases involving 4 operators. According to HC, the maximum stocked mass of fish within these farms has increased from 4,300 tonnes to 6,100 tonnes through the expansion of production at Ardesie in Little Loch Broom and the activation of the Marine Harvest site at Stattic Point at the mouth of Loch Broom which had previously lain undeveloped for 13 years. If the proposed fish farm at Annat Bay becomes operational, there would be an additional 1,900 tonnes of salmon (or 1,300 tonnes of cod), which could bring production in the area to 8,000 tonnes – almost doubling the figure before 2003. This sounds quite dramatic, but I have not been made aware of any specific number of sites or amount of tonnage that could reasonably be said to represent 'overproduction'. ABM makes the point that discharge consents for the existing and proposed fish farms have been issued by SEPA after detailed examination by FRS, and – in the context of SEPA's remarks (para 30 above) - I suspect that ABM is correct to conclude that the cumulative impact of fish farms here is not an issue in the context of the marine environment.

33. After visiting the site of the proposed fish farm, I made an unaccompanied inspection of another WRS fish farm in Loch Kanaird north west of Ardmair. According to ABM, a caravan site was first set up at Ardmair before the fish farm was established in 1978, since when the former has expanded significantly in accordance with planning permissions issued by HC and its predecessor. I agree with ABM that these developments illustrate that there is no reason to believe that the establishment of a fish farm at Annat Bay would have an adverse effect on tourism in the area.. Moreover, I understand that pleasure boats from Ullapool to the Summer Isles pass close to the Ardmair fish farm specifically to allow it to be seen by tourists. I have referred to the implications for 'eco-tourism' on the peninsula in para 23 above.

34. From what I have read, navigational issues can be adequately covered by conditions, and I am satisfied that ABM has adequately considered the possibility of locating the fish farm at alternative locations and that its reasons for not pursuing these (navigation and exposure) are valid.

35. I have also taken account of the volume of opposition to the proposal, which HC describes as 'unprecedented'. There is no doubt that the proposal has generated strong views, and this is a consideration. The fact that many of the objections come from people living abroad does not lessen their significance, but rather illustrates the depth of feeling by people who derive pleasure from visiting the area as it is.

Nonetheless, it may be that some were solicited, HC acknowledges that some may have been based on a misunderstanding or unfounded fears, and I note that ABM's straw poll in Ullapool showed considerable support for the proposal.

36. Taking all matters into account, I accept that the proposal is in conflict with development plan policies relating to sustainability, the environment and landscape character, but it is my considered opinion that the conflict is of a relatively minor nature, that much of it can be mitigated, and that therefore the proposed fish farm is acceptable.

Recommendation

37. I therefore recommend that the application be approved. However, if this recommendation is accepted, I should point out that an intention to approve requires to be advised to Scottish Ministers because of the possible implications for the Little Gruinard River cSAC.

38. It is clear that any approval should be subject to conditions requiring adherence to best practice and the adoption of several mitigation measures. I have not attempted to prepare a schedule of such conditions, and recommend instead that ABM, HC and other relevant parties should be invited to agree such a schedule, which can be attached to the consent when eventually issued.

JOHN H HENDERSON
Reporter