

Delegated or Committee Planning Application Report and Report of Handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

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Reference No:	23/01758/MFF
Planning Hierarchy:	Local Application
Applicant:	Bakkafrost Scotland Ltd.
Proposal:	Formation of fish farm (Atlantic Salmon) incorporating 8x 160m circumference circular cages and siting of feed barge
Site Address:	West of Isle of Gigha

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## SUPPLEMENTARY REPORT NO. 1

### 1.0 INTRODUCTION

The purpose of this supplementary report is to advise Members of an error in paragraph 4.12 of the report of handling (ROH) and also of late representations which have been received.

### 2.0 REPORT OF HANDLING ERROR

The report mistakenly refers to measurements within in the original Seascape Landscape and Visual Impact Assessment rather than the corrected measurements within that EIAR Addendum “West Gigha Salmon Farm: Western Link Visual Appraisal” dated 3 June 2024. The Report should read as below with the correct measurements in bold.

*“4.12 Having visited the site, officers are of the view that there would be a negative visual impact to the proposed fish farm when viewed from a section of the Western Link Footpath. It is particularly the section which runs from Ardailly to Ardlamey, a section of footpath which extends to a distance **4.50km** (4.80km in ROH). The SLVIA has determined that visual impacts would be of a large magnitude over a section of footpath extending to **0.98km** (1.20km in ROH) where the path is within 650m of the site. There are, however no designated landscapes in this area which would support the refusal of this application on these grounds. Taking account of the above, on balance, it is not considered that this would constitute a sustainable reason for the refusal of this application due to the short stretch of footpath involved, the low number of walkers that will use it and the lack of landscape designations.”*

### 3.0 LATE REPRESENTATIONS

Further letters of objection have been received from:  
Professor Gabriel Waksman, The Mill, Isle of Gigha (dated 11/9/24)  
JP Waksman, The Mill, Isle of Gigha (dated 11/9/24);  
John Aitchison by email dated (dated 14/9/24)

The points of objection include a link to an article on Salmon Farming in the Economist magazine. The full article is not available without subscribing, however, the objector has summarised as follows:

There it clearly says that global warming is the cause of higher mortality in fish farms in Scotland. It is clear that the salmon farm industry is doomed, facing extremely challenging and worsening climate conditions that will considerably weaken the industry, probably terminally.

There is therefore no point approving the plan from Bakkafrost. We have now at least 4 reasons to reject the farm on Gigha:

1. The inhabitants on Gigha do not want it in their vast majority.
2. Poor conditions raise serious questions about animal welfare.
3. The industry is a serial polluter, using various environment-damaging chemicals such as anti-lice medication or antibiotics, and using animal feed that leads to environmental imbalances.

It is an industry that will not survive global warming.

Instead of authorising this plan, it is time to invest in fostering industries and activities that have long-termed predictable survival such as tourism, agroforestry, and energy generation.

A further representation includes a link to an STV News article from 20/10/21 which relates to salmon mortalities at Gigha fish farms caused by micro-jellyfish.

The objector believes this is particularly relevant given the recent conversations around the impacts of climate change and warming seas on the proposed site. There is concern that these disasters will only become more frequent over the coming years.

*Comment: These objections do not raise any new issues and are covered in the Report of Handling.*

Within the planning report there are several times where the Comments state that fish welfare is a matter for the Fish Health Inspectorate. This is incorrect.

The FHI webpage

<https://www.gov.scot/policies/fish-health-inspectorate/> is clear that the FHI is responsible for preventing the introduction and spread of listed and emerging fish and shellfish diseases. Its Director, Charles Allan, confirmed recently to the RAI Committee that FHI is not responsible for farmed fish welfare.

The Animal and Plant Health Agency and Local Authorities are responsible for farmed animal welfare, under the Animal Health and Welfare Act (Scotland) 2006.

Unless you have consulted APHA and the Council's Animal Health Service about these issues, it will not be possible for the Planning Committee to judge whether the same factors that have caused the very poor animal welfare conditions and very high mortality levels at Bakkafrost's existing farms at Gigha, will have the same result in the nearby location of this proposed farm.

Please could you confirm that you have consulted APHA and the Council's Animal Health Service?

Please provide their replies, including their responses to the point that the warming water in south and west Scotland is exacerbating the causes of poor fish welfare and high mortality.

As you know, this effect was clearly demonstrated by the peer-reviewed research paper by Scottish Government scientists (Moriarty et al) referred to in the Friends of the Sound of Jura's submission. This will only get worse as the climate warms further.

Thank you for consulting MDSG about the impact of climate change, however, it is not adequate for MDSG to dismiss this factor from fish farm consenting by saying that its analysis was not regionally specific.

The Government's own published regional salmon farm mortality figures (Fish Farm Production Survey 2023) show that mortality is much higher in warmer water areas (Argyll and the Western Isles) than in the colder waters further north.

It is also not adequate for MDSG to say only that fish farms are expected to manage farmed salmon mortality to the lowest possible level.

Mortality in both of Bakka Frost's existing farms at Gigha has been above 80% three times.

That is clearly as low as the company could manage at this location but it is just as clear that this is not acceptable.

The Planning Committee must be fully apprised of this risk when considering whether to consent a new farm in one of Scotland's most southerly fish farming locations, where the water is warmest and the mortality at the two existing farms is the highest in Scotland.

If the likelihood that a company will or will not be able to humanely farm fish is not a material consideration for planning decisions, please could you explain why this is the case?

*Comment: The Fish Health Inspectorate is responsible on behalf of Scottish Ministers for ensuring action to prevent the introduction and spread of listed and emerging fish diseases in Scotland.*

*Consideration of the practices proposed on site will be made to ensure the proposal does not lead to an unacceptable risk of disease spread.*

*The Fish Health Inspectorate operates a general presumption against farming at new sites that would bridge existing disease management areas, based on the potential for this to lead to the unacceptable risk of disease spread. Considerations of other practices that may impact risk of disease spread will also be made e.g. stocking and fallowing strategies, farm management agreements in place with other operators sharing areas, stocking density, species to be stocked and mortality removal and disposal procedures.*

*Where relevant, the location and maintaining access to the site both physically or remotely will also be considered where it is believed this could impact fish health.*

*Aquaculture Production Businesses must be authorised by the Fish Health Inspectorate, on behalf of the Scottish Ministers, to operate an aquaculture site.*

*Before an authorisation is granted, the fish farm developer must confirm that:*

- there is a comprehensive, written biosecurity plan and/or veterinary health plan in place for the site; and*
- suitable records will be maintained of movements of fish into, and out of, the site; fish mortalities; and the results of the site's risk-based fish health surveillance scheme.*

*The legislation does not require consultation with the APHA and the welfare of farmed fish is covered by separate legislation and is not a material planning consideration.*

#### **4.0 RECOMMENDATION**

Members are asked to note these changes.

This does not change the recommendation on the Planning Report ROH namely:

It is recommended that:

1. Members consider holding a pre-determination Hearing; and
2. Planning permission be approved subject to conditions.

**Author of Report:** Sandra Davies

**Date:** 17/9/24

**Reviewing Officer:** Peter Bain

**Date:** 17/9/24

**Fergus Murray**

**Head of Development and Economic Growth**