

## 4 General Policies

### SOM G1 DEVELOPMENT AND ACTIVITY

#### PART A – EFFECTS ON OTHER INTERESTS

Developments<sup>1</sup> and activities<sup>2</sup> should be encouraged and considered favourably where it can be demonstrated they will not have any significant adverse effects on the following features of interest and:

- are located where a soft constraint(s)<sup>3</sup> is identified for the appropriate sector but satisfactory negotiation and mitigation in conjunction with relevant interests<sup>4</sup> can be demonstrated;
- they have considered **Potential Negative Interactions** for the appropriate sector and demonstrated satisfactory negotiation and mitigation in conjunction with relevant interests<sup>4</sup>.

In addition, developments and activities should be discouraged in locations where a hard constraint(s)<sup>21</sup> is identified for the appropriate sector.

#### *Features of Interest*

##### Natural and Historic Environment

- Designated sites (**Special Protected Area, Special Area of Conservation, Site of Special Scientific Interest**, and mechanisms under the forthcoming Scottish Marine Bill)
- Species and habitats that have statutory protection
- UK, Argyll and Bute and Highland Local Biodiversity Action Plan species and habitats
- Other sensitive sites, habitats and species specified in Natural and Historic Environment (section 5.6)
- Wider impacts on ecosystem function<sup>5</sup>
- Landscape/seascape character, scenic quality and visual amenity
- Water quality
- Designated Historic Assets (scheduled ancient monuments, listed buildings, designated wreck sites, and mechanisms under the forthcoming Scottish Marine Bill)

<sup>1</sup> Developments defined as use that **does** require a statutory consent to utilise a defined area from a competent authority to proceed. This can include new developments or alterations, extensions or changes in material use to existing developments that require a statutory consent.

<sup>2</sup> Activities defined as existing or future use that is covered by a public right of use (e.g. navigation) and/or **does not** require a statutory consent to utilise a defined area from a competent authority to proceed (e.g. Crown Estate Lease, Planning Permission, CAR Authorisation)

<sup>3</sup> Hard and soft constraints were informed by the Sectoral Interactions Report (2009) and factors considered by regulators for development applications. Hard constraints are identified as being as incompatible interactions with another interest, i.e. where the two interests cannot coexist and this it is not manageable and soft constraints were identified as being competitive interactions with another sector for a resource e.g. space. These are listed for each of the Sectors and their location is given in the Sub-areas.

<sup>4</sup> Relevant interests for constraints and interactions are outlined for each Sub-area.

<sup>5</sup> The interactions amongst organisms and their environment e.g. primary production, nutrient cycling

- Historic or archaeological sites of interest

#### Community

- Community settlements and their setting (including noise and disturbance)
- Public health and safety

#### Existing activity

- Tourism and Recreation interests (including anchorages, shore access, dive sites, viewpoints, areas used for tours and current attractions and facilities)
- Aquaculture sites
- Commercial inshore fishing grounds
- Shipping routes and navigational interests

#### Infrastructure

- Cables and pipelines
- Buoys and navigational aides
- Moorings and coastal infrastructure (including piers, slipways, jetties and pontoons) and access to these.

### **Part B – Opportunities and Additional Criteria**

Developments and future activities that help realise the spatial **Opportunities** and/or contribute towards the **Additional Criteria** outlined for each of the sectors should be considered more favourably and encouraged. The opportunities identified are indicative, subject to obtaining the required consents, and do not preclude development applications and activities elsewhere.

In addition, developments should be considered favourably where they have taken account of the following:

- Effects of and effects on climate change (including sea level rise, flooding and increased storm risk);
- Effects on coastal erosion and sediment transport;
- Suitable site restoration proposals.

### **Part C – Codes of Conduct**

Developments and activities should work within applicable codes of conduct as specified in the relevant sector.

### **Part D – Other Development Requirements**

New and modifications to developments need to be consistent with relevant Argyll and Bute and Highland Council Development Plan Policies and obtain the required authorisations from other competent

authorities to proceed.

### **Justification**

Marine spatial plans should provide policies for the existing and future use and development of a defined marine area to assist day-to-day planning decisions and management of interactions within the area. Policy SOM G1 provides an overarching framework of guidance for all sectoral 'Development and Activity' policies within the plan to ensure that use of the area by any sector meets the following to enable sustainable development:

- Developments and existing/future activities have considered other existing uses, natural and historic environment interests, infrastructure and the community; and
- Developments and future activities are of satisfactory quality and make the best use of resources.

All future marine development and future activity decisions should consider as a minimum, the criteria in Policy SOM G1, which is supportive of development and future activity use in the SOM other than where sensitivities and potential conflicts are identified. The 'Features of Interest' were identified because they are either statutorily considered by regulators and/or agreed as being important by the SOM Working Group and sectoral subgroups.

In addition to this Policy SOM G1 expresses that development and future activities that fulfil particular Opportunities identified or contribute towards the Additional Criteria outlined under the sectoral policies for 'Development and Activity' should be considered more favourably because these were identified by the SOM Working Group, Sectoral Subgroups and/or Liaison Network as being of value, integrating also with Policy SOM G2.

Policy SOM G1 also recognises that wider impacts from climate change, sea level rise, flooding and increased storminess may affect the location and type of development in the future and developers should take this into account.

Policy SOM G1 recognises that existing interests within the SOM currently operate with minimum competition or incompatibility. Developments and activities are encouraged to take account of the interests of other sectors, applicable codes of conduct to ensure that these low levels of competition and incompatibility within the Sound of Mull are maintained to enable sustainable growth.

### **Complies with Relevant Policies/Plans/Strategies**

Argyll and Bute Development Plan Policies – Appendix xx

Highland Council Development Plan Policies – Appendix xx

NPPG 5, 13, 14 and 18 [to check for equivalent SPPG and change over to one guidance document]

Local Biodiversity Action Plans – Argyll and Bute and Lochaber

SEPA River Basin Plan

National Planning Framework

## **SOM G2 COMMUNITY**

Encouragement should be given to developments, activities and facilities that are located, designed and work towards the following, where this does not contradict with Policy SOM G1:

- assist in achieving sustainable development aspirations for the area and its communities;
- encourage a culture of enterprise and provide conditions for sustainable businesses growth; and
- promote and utilise the natural and cultural assets of the area and its communities which make it distinct.

Competent authorities and developers should seek to involve communities in the planning process to make more informed decisions based on the views of the community.

### **Justification**

The SoMMSP was developed in conjunction with two stakeholder groups (Sound of Mull Working Group and Liaison Network) and sectoral subgroup workshops, to integrate the requirements of stakeholders, the community and marine businesses into the plan. It is recognised that many of the commercial sectors and activities occurring within the area that are of benefit to local businesses and communities are marine or coastal related and therefore play an important role in the sustainable development of the area. The aim of this policy is to assist these activities in the Sound of Mull area to achieve their full potential through sustainable growth in line with the needs and aspirations of the communities in the area.

### **Complies with Relevant Policies/Plans/Strategies**

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[To be completed]