

Variation Notice of a Permit

In exercise of its powers under Regulation 22 and 25 of the Environmental Authorisations (Scotland) Regulations 2018 (the “Regulations”), the Scottish Environment Protection Agency (“SEPA”) grants the following variation to the permit specified below (the “permit”), with effect from the effective date of variation outlined in Table 1. This notice is issued in accordance with Schedule 1, paragraphs 9 and 13 of the Regulations.

Terms used in this notice, unless otherwise specified (including in the permit), have the same meaning as in the Regulations.

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Table 1: Permit and variation details

| Field | Details |
|-----------------------------|--|
| Permit reference | EAS/P/XX (former authorisation reference: PPC/A/1079002) |
| Authorised person | Firm of HA Blackwood Auldhouseburn Farm, Muirkirk, Cumnock, Ayrshire KA18 3RZ |
| Details of variation | The permit is varied as specified in the Schedule attached to and forming part of this notice. |
| Variation reference | VAR03 |
| Effective date of variation | <<DD/MM/YYYY>> |
| Date of this notice | <<DD/MM/YYYY>> |

Appeals

Under Regulation 55(1)(d)(ii) of the Regulations, you may appeal in writing to the Scottish Ministers if you are aggrieved by the conditions attached to the permit as a result of this notice (including the specification of any standard conditions, but not the standard conditions themselves) before the expiry of the period of 2 months beginning with the date of this notice. Please note that you may not appeal against a condition if the condition (or an equivalent condition) was attached to the permit immediately prior to this variation. The details on submitting an appeal are set out in Schedule 4 of the Regulations.

Any appeals should be sent to:

Planning and Environmental Appeals Division

Ground Floor

Hadrian House

Callendar Business Park

Callendar Road

Falkirk

FK1 1XR

Telephone No: 0300 244 6668

Email: DPEA@gov.scot

Any appeal documentation required to be sent to SEPA should be submitted to:

serviceonsepa@sepa.org.uk

The bringing of an appeal will not have the effect of suspending this notice.

Enforcement

Please note that Regulation 69 of the Regulations outlines certain criminal offences, including under Regulation 69(1)(e), that it is an offence to fail to comply with or contravene a condition of a permit. SEPA may take enforcement action for any non-compliance in line with its Enforcement Policy and Guidance (copies of which are available on SEPA's website). This includes potential prosecution which is punishable on conviction by a fine or imprisonment, or both.

Please note that, directors, managers, partners and other individuals involved in a body corporate, partnership or other unincorporated association (or an individual purporting to act in any such capacity) may be held personally liable for offences under the Regulations.

If you would like this document in an accessible format, such as large print, audio recording or braille, please contact SEPA by emailing equalities@sepa.org.uk.

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Schedule to Variation Notice of a Permit

A. The conditions that apply to the permit are varied as follows:

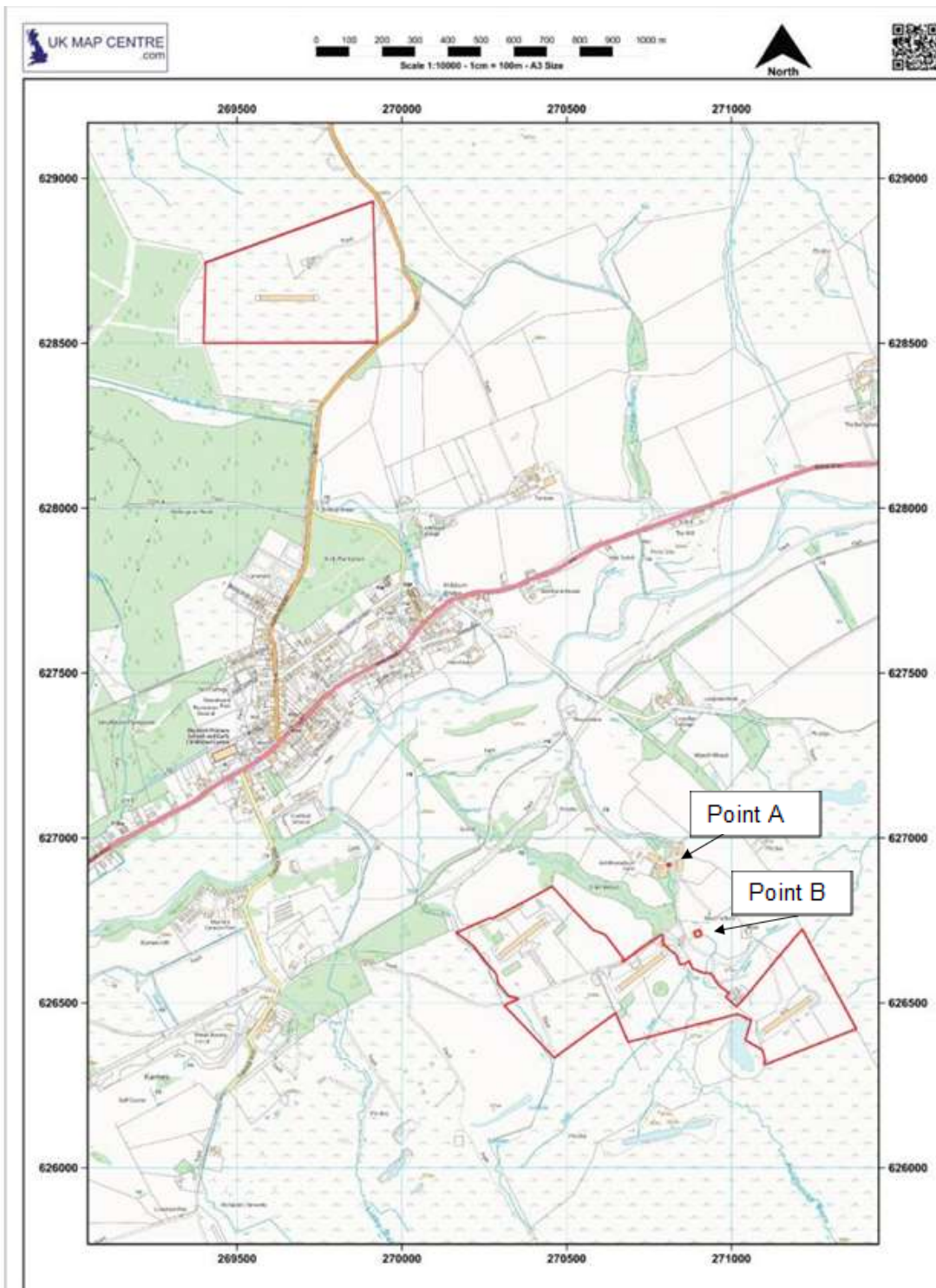
1. Condition 1.1.4.1 of Schedule 1 is deleted and replaced with the following:

1.1.4.1 Four poultry housing units with a capacity more particularly described below

a) 128,000 places for free range hens

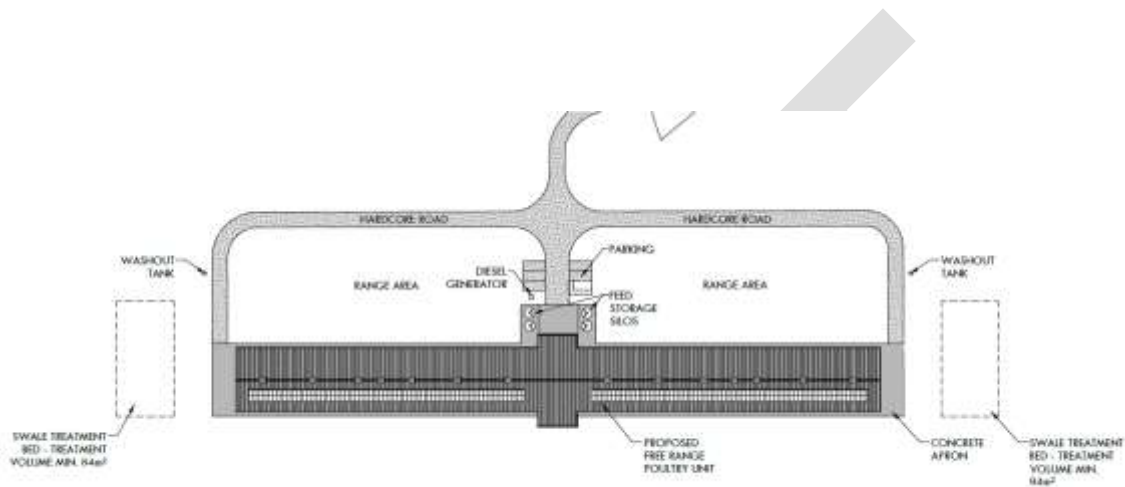
2. Condition 1.2 of Schedule 1 is deleted and replaced with the following:

1.2 Site Plan



3. The following new condition is added in Schedule 1:

1.2.5 Detailed layout plan of Greenside



4. Condition 1.3 of Schedule 1 is deleted and replaced with the following:

1.3 Location Plan



5. In Schedule 2, Condition 2.3.2 is added as follows:

2.3.2 Forced air drying of manure on the belts must be continually operational whilst the poultry house is stocked.

6. The following lines in the Table 2.1– Reporting and Notification Requirements are to be deleted:

Table 2.1– Reporting and Notification Requirements

| Summary of Information to be Reported or Notified | Condition | Date/Within period/Frequency to be Reported |
|--|-----------|---|
| Systematic assessment of site drainage within the Permitted Installation | 3.5.1 | Within two weeks of the assessment being completed. |

7. The following lines in the Table 2.3– Reporting and Notification Requirements are to be added:

Table 2.3– Reporting and Notification Requirements

| Summary of Information to be Reported or Notified | Condition | Date/Within period/Frequency to be Reported |
|--|-----------|---|
| Systematic assessment of site drainage within the Permitted Installation | 3.5.1 | After construction but prior to operation of permitted activities at the new area known as Greenside and Within two weeks of the assessment being completed. |
| Baseline soil sampling and groundwater sampling | 3.5.3 | After construction but prior to operation of permitted activities at the new area known as Greenside. Within one month of works being completed. |

8. Conditions 3.3, 3.4 and 3.5 are deleted and replaced with the following:

3.3 Emissions

3.3.1 Measures must be taken to prevent, or where that is not practicable, minimise:

- (a) odour;
- (b) noise;
- (c) dust;
- (d) heat emissions;
- (e) litter;
- (f) aerosols; and
- (g) the presence of vermin

from the authorised activities.

3.3.2 Other than condensed water vapour, all releases to the air during normal operation must be free from visible emissions.

3.3.3 Offensive odours from the authorised activities as perceived by a SEPA officer must not be emitted beyond the boundary of the authorised place.

3.3.4 Noise from the authorised activities, which has a significant impact on the environment, people or property, must not be emitted beyond the boundary of the authorised place.

3.3.5 Dust from the authorised activities, which has a significant impact on the environment, people or property, must not be emitted beyond the boundary of the authorised place.

3.3.6 Aerosols from the authorised activities, which have a significant impact on the environment, people or property, must not be emitted beyond the boundary of the authorised place.

3.3.7 The authorised activities must not have a significant impact on the water environment as a result of:

- (a) iridescence/sheen;
- (b) discolouration;
- (c) deposition of solids;
- (d) increased foaming; or
- (e) microbiological growth.

3.3.8 There must be no discharge of any hazardous substance or pollutant to soil or groundwater.

3.3.9 Unless specified elsewhere in this authorisation, there must be no individual source emissions from the authorised place to the water environment, air or land.

3.3.10 Other than as specifically authorised, the authorised activities must not cause environmental harm.

3.4 Emission limit values – Air

3.4.1 Emissions to the air from the installation, must not exceed the emission limit value specified in Table 3.2 of this schedule.

Table 3.2: Emissions: limits - air

| Parameter | Emission limit value (per animal place per year) | Livestock type |
|---|---|-------------------------------------|
| Nitrogen N | 0.8 kg N | Laying hens |
| Available Phosphorus P ₂ O ₅ | 0.45 kg P ₂ O ₅ | Laying hens |
| Ammonia NH ₃ | 0.13 kg NH ₃ | Laying hens in non caged housing |

3.4.2 Monitoring of emissions to air must be undertaken as specified in Table 3.3 of this schedule.

Table 3.3: Emissions: monitoring requirements - air

| Parameter | Monitoring method | Monitoring frequency |
|--|--|----------------------|
| Nitrogen N | Calculation by using a mass balance of nitrogen and phosphorus based on the feed intake, dietary content of crude protein, total phosphorus and animal performance or estimation by using manure analysis for total nitrogen and total phosphorus content. | Annual |
| Available Phosphorus P ₂ O ₅ | Calculation by using a mass balance of nitrogen and phosphorus based on the feed intake, dietary content of crude protein, total phosphorus and animal performance or estimation by using manure analysis for total nitrogen and total phosphorus content. | Annual |
| Ammonia NH ₃ | Estimation using emission factors | Annual |
| Dust PM ₁₀ | Estimation using emission factors | Annual |

3.5 Upgrade Requirements

- 3.5.1 Prior to operation of the permitted activities at the new area known as Greenside, the operator shall undertake a systematic assessment of site drainage. The assessment must identify improvements required to ensure that the system fulfils the requirements of CREW Rural Sustainable Systems: A practical design and build guide for Scotland's farmers and landowners. The assessment must be reported to SEPA within two weeks of being completed.
- 3.5.2 Improvements identified in the assessment carried out in condition 3.5.1 must be completed prior to operations and within nine months from the date of the variation notice.
- 3.5.3 Prior to operation of the permitted activities at the new area known as Greenside, a baseline report, including soil sampling and groundwater sampling must be undertaken. This report must detail the final locations and details of the boreholes constructed in addition to the above sampling. The assessment must be reported to SEPA within one month of being completed.