

## Application Overview

A Section 73 application seeks to vary Conditions 3, 21, 25 and 27 of planning permission SH/08/124 to:

1. amend the site layout (office, weighbridge, cycle parking);
2. increase internal HGV parking;
3. replace three fire-water tanks with one 500m<sup>3</sup> tank; and
4. introduce up to 25,000 tonnes per annum of household (“black bag”) waste within the existing 75,000 tpa MRF cap. No increase is proposed to permitted HGV movements (capped at 168 two-way movements/day) or hours of operation.

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## Sellindge Parish Council – Key Objections

### 1. Material Change in Operational Character

Although overall tonnage remains capped, SPC argues the nature of the waste materially changes.

Household black bag waste differs from C&I waste in odour potential, bioaerosols, vermin attraction, dwell times and fire risk.

SPC’s position: planning impact is not determined by tonnage alone.

### 2. Odour and Public Health

Applicant accepts an increase in odour, described as “minor”, yet no updated odour modelling specific to black bag waste was submitted.

SPC challenges reliance on Environmental Permitting alone and rejects claims that nearby receptors are “desensitised”.

Increased sensitivity is expected given recreational uses and the planned Otterpool Park settlement.

### 3. Highway Safety and HGV Queuing (A20)

SPC raises serious concern about peak-time clustering of refuse vehicles, particularly mornings.

HGV parking provision is limited relative to potential arrival peaks.

No enforceable HGV queue management or overflow strategy is proposed.

Any queuing on the A20 is considered a significant safety risk on a fast strategic route.

#### 4. Failure to Assess Cumulative Impacts with Otterpool Park

Original permission pre-dates Otterpool Park; SPC argues assessments are now out of date.

The A20 will function as a primary residential route for a future settlement of up to 8,500 homes.

SPC considers it unsound to assess the variation in isolation.

#### 5. Fire Suppression and Environmental Risk

Replacement of three tanks with a single 500m<sup>3</sup> fire-water tank raises concerns over:

- contaminated fire-water runoff;
- failure scenarios; and
- visual impact close to the A20.

No site-specific Fire Prevention Plan was submitted for planning scrutiny.

#### 6. Ecology

Badger surveys confirm an active main sett; access limitations mean parts of the site were not fully surveyed.

SPC warns that incremental operational changes risk erosion of ecological buffers over time.

#### SPC Conclusion

SPC requested refusal, or alternatively deferral pending:

1. a robust odour assessment specific to black bag waste;
2. cumulative traffic and amenity assessment including Otterpool Park;
3. enforceable HGV queue management measures; and
4. clearer fire-prevention and environmental safeguards.

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#### Planning Officer KCC – Main Arguments for Approval

##### Principle and Policy Context

The site benefits from an extant waste permission and is a safeguarded waste facility.

National and Kent waste policy strongly supports maintaining and enhancing waste capacity.

Additional black bag capacity is identified as necessary to support housing growth, including Otterpool Park.

## No Increase in Quantified Impacts

No increase in permitted waste throughput, HGV movements, site access arrangements or operating hours.

The proposal aligns planning permission with an updated Environment Agency Environmental Permit.

## Odour and Amenity

Black bag waste would be handled entirely within an enclosed MRF with fast-acting doors and controlled storage times.

An updated Odour Management Plan, approved under the EA permit, is considered adequate.

Planning should assume the environmental permitting regime operates effectively.

No objections from the EA or Environmental Health.

## Highway Impacts

HGV movements remain capped at 168/day.

Internal HGV parking increases by five spaces (14 total).

KCC Highways raises no objection and concludes there would be no material impact on the highway network.

Refusal on highway grounds would not meet the NPPF “severe impact” test.

## Otterpool Park Relationship

Otterpool Park does not yet have a final consent or detailed layout.

A 250m buffer between the waste site and future development is consistent with Kent policy and would apply regardless of this variation.

The onus is placed on the District Council to design future residential layouts to coexist with the safeguarded waste site.

## Fire Safety and Ecology

The single fire-water tank provides the same capacity as three tanks and accords with EA requirements.

Ecological consultees raise no objection, subject to landscaping controls and supervision.

## Officer Recommendation

1. The officer concludes there are no overriding planning harms.
2. Existing conditions would be re-imposed with updates where necessary.
3. Recommendation: GRANT permission, subject to conditions.