Planning Inspectorate

The Town and Country Planning (Crown Development Applications) (Hearings and Inquiries) Rules 2025

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The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025

Statement of matters

(Issued under Rule 14)

Application Reference No: CROWN/2025/0000002

Applicants: Department for Transport (DfT), DEFRA, and HMRC

Proposal description: *'Buildings, Goods Vehicle parking spaces, entry lanes, refrigerated semi-trailers, staff car parking spaces, access, site infrastructure, utilities, hardstanding, landscaping and ancillary facilities and associated works; and ongoing use of the site for an Inland Border Facility and Border Control Post, operating 24 hours per day, seven days per week.'*

Site address: Sevington Inland Border Facility, Mersham, Ashford TN25 6GE

Statement by: Mr C Parker, BA(Hons) PGCert MA FRGS MRTPI IHBC

Consultation periods:

Between 28 July and 12 September 2025 for most parties.

Between 28 July and 26 September 2025 for Ashford Borough Council

(The 26 September forming the last representation period for the purposes of the Order)

Issue date: 21 October 2025

Proposal and background

1. The planning file can be found here: CROWN/2025/0000002 - Application information – Find a Crown Development Application

2. It can also be found using a search engine, and entering Sevington inland border facility CROWN/2025/0000002.

3. This application was made under Section 293D of the *Town and Country Planning Act 1990*, as amended, (TCPA), which allows for applications to the Planning Inspectorate, where the Secretary of State has determined it of *'national importance'.*

4. The Secretary of State has, under s293I TCPA, appointed myself, Mr C Parker, to determine the crown development application.

5. As the appointed person, I have determined, under s319a TCPA, and on the basis of the information before me at this time, that an Inquiry is appropriate in this case[1].

6. This is because there is a clearly explained need for the evidence to be tested through formal questioning by an advocate; that the issues are complex (given the planning history of the site); and the application has generated substantial local interest to warrant an inquiry[2].

7. Should it be deemed apposite to change the procedure under the same section of the TCPA, then all parties will be notified of such changes and the reason(s) for doing so, as soon as is practicable.

8. The Inquiry itself will be conducted in accordance with *The Town and Country Planning (Crown Development Applications)(Hearings and Inquiries) Rules 2025* (herein the Rules).

9. This Statement of matters is issued in accordance with Rule 14 of these Rules.

10. A draft expedited timetable, under Rule 16, is included at Appendix B of this Statement. The final timetable, and programme for the Inquiry, and the date(s) and location of the Inquiry, will be provided in due course under the requirements of the Inquiry Rules, and issued by the Crown Development Team at the Planning Inspectorate on my behalf.

11. The application has been screened under *The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017*, (as amended) by the SoS. This development is considered to be Environmental Impact Assessment (EIA) development as an Environmental Statement (ES) has been voluntarily submitted by the Applicants.

[1] Procedural guidance for Section 293D Crown Development applications - GOV.UK
[2] Criteria for determining the procedure for planning, enforcement, advertisement and discontinuance notice appeals - GOV.UK

12. Whilst there is already development on the application site, this was granted for a temporary period whereby the use granted must cease by 31 December 2025, with the site reinstated to its original form by 31 December 2026. This is what *The Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020* (herein the SDO) enabled the SoS MHCLG to grant temporary planning permission for.

13. Therefore, the crown development application seeks a **new planning permission** – it is not a retention, nor is it an extension of any of the four temporary planning permissions granted by the SoS MHCLG under the SDO. In effect, the Applicants are seeking permanent planning permission; and this is a new planning permission.

14. The application seeks permission for *'Buildings, Goods Vehicle parking spaces, entry lanes, refrigerated semi-trailers, staff car parking spaces, access, site infrastructure, utilities, hardstanding, landscaping and ancillary facilities and associated works; and ongoing use of the site for an Inland Border Facility and Border Control Post, operating 24 hours per day, seven days per week.'*

15. It is also noted that there are elements shown on the drawings – such as the car park provided for Sevington St Mary's Church as part of the earlier temporary planning permission(s) – which are not listed within the description of development.

16. The site:

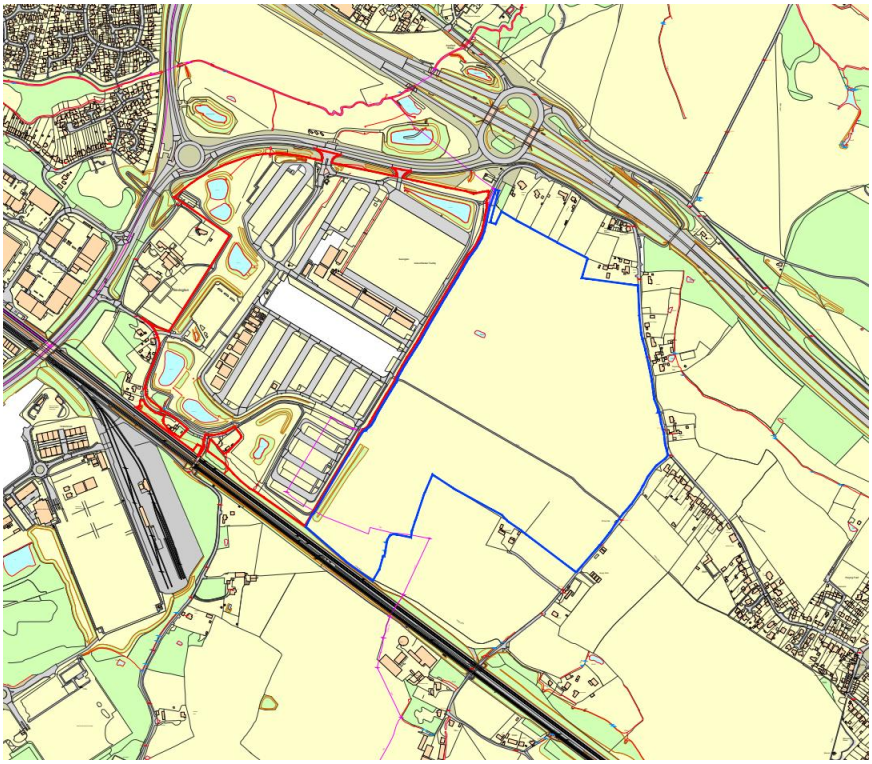

Figure 1: Excerpt of the Site Location Plan[3]

[3] A0

17. Top of the plan above is North. M20 motorway shown in light grey, with the light grey coloured oval shape Junction 10A of the M20. Site outline in Red Line (Sevington West). Blue outline area is suggested are for Biodiversity Net Gain (Sevington East). To the bottom right hand of the plan above, is the settlement of Mersham.

Policy Background

18. The following adopted development plan(s) and frameworks provide the policy context by which the application falls to be determined against. It should be noted that whilst specific policies are referenced here, this is as a guide to assist the reader, and each document, as a whole, is what the application is considered against.

i) The *Ashford Borough Local Plan 2030* (ALP2030)

Policy Number	Policy title
SP1	Strategic Objectives
SP3	Strategic Approach to Economic Development
SP6	Promoting High Quality Design
SP7	Separation of Settlements
EMP1	New employment uses
EMP6	Fibre to the Premises
TRA4	Promoting the local bus network
TRA5	Planning for pedestrians
TRA6	Provision for cycling
TRA7	The road network and development
TRA8	Travel Plans, Assessments and Statements
TRA9	Planning for HGV movements
ENV1	Biodiversity
ENV3a	Landscape
ENV4	Light pollution and promoting dark skies
ENV5	Protecting important rural features
ENV6	Flood risk
ENV8	Water Quality, Supply and Treatment

ENV11	Sustainable Design and Construction – non-residential
ENV12	Air Quality
ENV13	Conservation and Enhancement of Heritage Assets
ENV15	Archaeology
COM1	Meeting the Community's Needs
IMP1	Infrastructure Provision

ii) The *Kent Minerals and Waste Local Plan 2024-39* (adopted 2025) and the Kent Minerals Sites Plan (2020)

Policy Number	**Policy title**
DM7	Safeguarding Mineral Resources

iii) Supplementary Planning Documents (SPDs)

Landscape Character Assessment SPD 2011
Sustainable Drainage SPD 2010
Dark Skies SPD 2014

iv) The National Planning Policy Framework (the Framework)

Section Number	**Policy matter**
2	Sustainable development
4	Decision-making
6	Building a strong, competitive economy
8	Promoting healthy and safe communities
9	Promoting sustainable transport
10	Supporting high quality communications
11	Making effective use of land
12	Achieving well-designed places
14	Meeting the challenge of climate change, flooding and coastal change
15	Conserving and enhancing the natural environment
16	Conserving and enhancing the historic environment

v) The national Planning Practice Guidance (PPG)

19. It is also noted that on the 31 July 2025, the Council's Cabinet approved a consultation version of the draft Ashford Local Plan 2042 (Regulation 18). According to the Officer's Report to Committee, a consultation on the draft Ashford Local Plan will take place on 18 August – 13 October 2025. At present, the policies in this emerging Local Plan are recommended by the Council's professional officers to be afforded 'limited weight'.

20. Reference is made to the Kent Downs AONB Management Plan, and specifically policies SD3, SD7, SD8, SD10, SD11 and SD12. This would appear to be material to any decision. Please could the LPA and/or Applicant's provide a copy of these and the Management Plan document?

Planning Obligation(s) / Legal Agreement

21. It is noted that whilst a legal agreement under s106 in the form of a unilateral undertaking should be submitted at the application stage, the Applicants chose to only submit a draft heads of terms.

22. On 7th October 2025, after the last representation period, a unilateral undertaking was submitted by post to the Planning Inspectorate's Offices. No notice that this was to be the case was given by the Applicants.

23. As detailed in the Planning Inspectorate's *Procedural guidance for Section 293D Crown Development applications*, at Appendix 1[4], indicates that:

Can a Unilateral Undertaking be submitted?

'Where an applicant is already aware of the need for a planning obligation, or where an applicant considers a particular obligation to be sufficient to meet the relevant tests then a unilateral undertaking can be submitted. Where this is the case, the Planning Inspectorate will expect the undertaking to be submitted with the planning application…'

24. I cannot be certain, at this stage, that the titles and/or land owners are a party to the legal agreement and the obligations contained therein. This is because there are discrepancies between the named Applicants, the apparent land owners notified on the submitted Application Form, and the fact that the submitted unilateral undertaking is made by the Department for Transport to Ashford Borough Council, and omits DEFRA and HMRC.

25. Furthermore, the Applicants have not provided any reasoning as to why the submitted (and what appears to now be a completed unilateral undertaking) and the obligations it secures, meets the tests set out in the CIL Regulations and/or the Framework. These are:

[4] Procedural guidance for Section 293D Crown Development applications - GOV.UK

'58. Planning obligations must only be sought where they meet all of the following tests:
a) necessary to make the development acceptable in planning terms;
b) directly related to the development; and
c) fairly and reasonably related in scale and kind to the development.'

26. Prior to the Inquiry, and the submission of Proofs of Evidence, the Applicants should provide a detailed account of why the obligations that the submitted unilateral undertaking appear to secure are required, and how they meet the tests above.

27. Following the submission of the reasoning as to the submitted obligations being offered, Ashford Borough Council, as the Local Planning Authority, should submit a document detailing how any monies or other obligations sought in the submitted s106 document meet the tests set out in Paragraph 58 of the Framework and/or the CIL Regulations, as detailed above.

28. This 'planning obligations compliance' or 'CIL Compliance' document should be submitted by the LPA no later than the Statement of Case submission stage. This should demonstrate how any monies sought for infrastructure align with policies of the adopted development plan, and justification for the monies sought and/or contained within any submitted legal agreement under s106 of the TCPA.

Suggested Conditions

29. The Council and some consultees have recommended or suggested conditions if the application were permitted. Without prejudice, these will be discussed at the Inquiry as appropriate. Any discussion of their merits does not indicate that a decision has been made on the application, but only that the conditions suggested are to be assessed as to whether they are necessary, relevant, enforceable, precise and reasonable.

30. It would aid proceedings if, without prejudice to anyone's position, Ashford Borough Council and Applicant provide a final draft of suggested conditions to the appointed person via the Crown Development Team no later than the Statement of Case submission stage. These will be published on the gov.uk website.

Representations

31. The application was accepted on 28 July 2025. The representations period(s) ran for the dates set out on the cover of this statement.

32. The comments received from all consultations have informed the matters identified; as has the information contained within the submitted application.

33. All comments (around 52 in total) have been provided and published on the gov.uk website relating to this case. This can be found at this link: Written representations – Find a Crown Development Application

34. Ashford Borough Council submitted a comprehensive Officer's Committee Report. The Council confirmed on 25 September 2025 that the Local Planning Authority position, as set out in the Officer Report, is:

Although the proposal brings with it some adverse impacts (the perimeter security fence & lighting overspill impacts as a result of a more open site & sub-optimal landscaping) my view is that taking into account the national importance and the employment benefits that arise, the Council should not formally object to the proposal but should, instead, seek to ensure that those matters accepted by the applicant as still needing to be improved are tackled through further submissions as well as the applicant working with others (such as National Highways and KCC) to devise necessary mitigation. I also suggest that a planning condition restricting the use to that applied for would be appropriate.

35. Within Appendix A of this Statement, I have sought to provide a brief summary of the observations, concerns and/or objections raised by interested persons/parties.

Main Issues

36. The following, in my view, are the main issues to be considered in respect of the application at the present time:

i) *the effects of the development on the character and appearance of the area; and,*

ii) *the effect of the development on the local landscape, including on the Wye Downs National Landscape (formerly Area of Outstanding Natural Beauty (AONB)); and,*

iii) *the effects of the development on heritage assets; and,*

iv) *the effect of the development on local biodiversity and/or ecology; and,*

v) *the effect of the development on the local traffic network; and,*

vi) *effects of the development in terms of noise, lighting, and air quality on the living conditions of existing and future occupiers of nearby residential dwellings; and,*

vii) *the effect of the development on agricultural land; and,*

viii) *Whether or not the application makes adequate provision for infrastructure; and,*

ix) The overall planning balance.

Specific questions or queries on main issues

37. This section is provided here in order to provide the Applicant(s), Ashford Borough Council, statutory parties, and interested parties an opportunity to understand some of the questions or matters which require further clarity or addressing; either within the further submitted evidence in writing, or by means of oral evidence.

38. It is not intended to be exhaustive, and there may be matters which require further consideration.

39. It should also be noted that not all matters necessarily fall under one of the main issues identified above. Wherever possible, the question or query has been placed into a logical issue.

40. It would be of assistance if, in the formulation of Statement of Cases, that the question/query number in the first column is referred to within an amended table, with an additional column that specifically responds to each point in the table as appropriate.

41. For clarity, the following documents are important and referred to in this section:

    The Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020 (herein the SDO)
    https://www.legislation.gov.uk/uksi/2020/928/contents/made

    The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025 (herein CDAO25)
    https://www.legislation.gov.uk/uksi/2025/409/made

    The Town and Country Planning (Crown Development Applications) (Hearings and Inquiries) Rules 2025 (herein Crown Inquiry Rules or Rules)
    https://www.legislation.gov.uk/uksi/2025/410/contents/made

	History of the Site / general questions
1	The applicants are DfT, DEFRA and HMRC; however they are not listed as the 'owners of the land' on Box 23 of the submitted Application form. It is unclear as to how the s106 may operate in terms of other parties owning it, but it not being clear in terms of the realistic provision of biodiversity for example on the blue line area. Indeed, who owns this?
2	Copies of the previous four (4) temporary planning permissions under the Special Development Order 2020 do not appear to have been provided – could these be supplied? This should include a site layout of what was approved under each permission.
3	In relation to these four temporary planning permissions, what s106 TCPA and/or legal agreements, and related obligations, do these earlier permission(s) secure/require?

4	Are these planning permissions all extant and/or built out, or is it the most recent temporary planning permission which is the scheme as it appears today?
5	The CDAO25 sets out in Article 1, that *'this Order applies to all land in England, but where land is the subject of a special development order this Order applies to that land only to such extent and subject to such modifications as may be specified in the special development order.'* The SDO remains extant. Therefore, any planning permission granted under the Crown Development Application route, (as under s293 TCPA, CDAO25), must be within the extent of the SDO as it has not been rescinded or revoked. The SDO provides the ability of the SoS to grant temporary planning permission for specified development (Article 3(1)), that these permissions are subject to conditions set out in schedule 2 of the SDO (Article 3 (2)), that a border department may carry out reinstatement works specified in a reinstatement plan approved by the SoS until **31 December 2026**; and in respect of all other development, the planning permission granted ceases on **31 December 2025**. The SDO also sets out the conditions in Schedule 2, which include that 'development…must cease by the dates specified' (as above), and that 'the site operator must submit a reinstatement plan to the SoS on or before 30 June 2025…' and 'the reinstatement works must not be commenced until the SoS has approved the reinstatement plan' and 'the reinstatement works must be carried out and completed in accordance with the approved reinstatement plan'. Therefore, it is clear that any permission granted before 31 December 2025 (subject to the application being acceptable), could only be granted to cease on 31 December 2025. That is a specific condition (or extent) imposed by the SDO. As such, in order to provide the Applicants with the permanent permission sought (subject to the application being acceptable in all other respects), 'permanent' planning permission could only be granted after 31 December 2025 under the Crown Development Application route. With regard to the reinstatement element and SDO imposed condition, it is unclear as to how this would operate within the extent set out in the SDO and its applicability with regard to the Crown Development Application route. Clarity on this from the Applicants would be helpful. In particular, does the requirement for reinstatement as set out in the SDO – and by 31 December 2026; which is the extent to which planning permission could be granted under the Crown Development Application route – still apply after the 31 December 2025. Put another way, if planning permission was

	granted on 1 January 2026 for example, would this be required to contain a condition requiring the reinstatement of the site by 31 December 2026? Consideration has been given to factors such as changing conditions attached to planning permissions under s73 TCPA. However, as the conditions in this case are set out in the SDO, it is not possible to amend the conditions set out in legislation as set out in the SDO.
6	Can the Applicants provide an update on the status of the discharge/approval of the reinstatement condition set out in Schedule 2, Part 4 of the SDO?
7	What is the planning status of the St Marys church, Sevington, car park? This is shown on the submitted drawings, and on the legal agreement for the s106 2017 – is this where it obtained planning permission?
8	The Environmental Statement indicates that '*Should the full planning application for the permanent continued use and operation of the Sevington IBF not be granted, then the operation of the IBF would cease, and the Application Site would be reinstated. In this case, the reinstatement would not encompass the complete reinstatement of the Application Site to its former use. The reinstatement would involve the removal of all built infrastructure on the Application Site as permitted under Article 3(1) of the SDO, including all buildings, cabins, fencing (including acoustic and security fencing) and lighting. The only elements that would be retained on the Application Site would be the development hardstanding plot areas, the drainage system, including all SuDs ponds, and the landscaping, including all bunds and the habitats created within the Eastern Land offsite.*'[5] Can the Applicants please provide a copy of the reinstatement plan, as required by the Special Development Order 2020, and by the various temporary planning permissions related to this?
9	In terms of the number of HGV spaces sought by this application; which is for a new planning permission – what is the correct figure? The submitted Planning Statement, at page 14 of 57, indicates **855** goods vehicles spaces and capacity for 260 goods vehicles in 42 entry lanes. However, at page 22 of 57, at paragraph 5.2, it indicates **984** goods vehicle spaces and 240 goods vehicles in 42 entry lanes.
10	What capacity is being used on the site? What is this in terms of per year and percentage terms?

[5] Page 28 of 30. Link: Microsoft Word - 11_Ecology and Biodiversity P03.04_FINAL vw 16.04.2025

	Is this the same for both parts of the site (i.e. IBF and BCP)?
11	How has any need for the IBF and BCF, and associated facilities, in this location rather than any other, been demonstrated? Within the *ES, Volume 1, Chapter 5, Alternatives*[6], it indicates that: *Inland border facilities were built in the UK, all under the SDO granting temporary consent* (sic). *Two facilities were built in Kent: one at Waterbrook and the other at Sevington…The Sevington IBF currently serves the Port of Dover and Eurostar Hub* (sic) *(short straits portals). Owing to confidentiality, specific details regarding site selection cannot be provided…* *Whilst other temporary inland border facility sites were provided at other locations across the UK, no alternative sites have been pursued as a permanent IBF, which would serve the South-East, given the Application Site's strategic and efficient location.'*[7] Observations have been made by a number of interested parties in terms of the need for the IBF and BCP in this location. Given this, it would appear to be material that the details of site selection is provided in this case, given that it is for a scheme which has been identified as of national importance. Could the Applicants please provide these 'confidential' details? If it is not possible to provide this and for it to be published, full reasons should be given as to why it is not in the public interest to provide such information and recognition that the decision maker would have to determine the application in the absence of this information.
12	How does the site operate in practical terms, given that it is about 15 – 22 miles from the entry/exit point to the UK?
13	How would the site be used as part of Operation Brock/TAP and/or any other similar situation or emergency? What would be the frequency and length of 'emergency' use? What facilities would be provided on site to accommodate Kent Resilience operations and/or emergency situations? (for example toilets and other amenity facilities). How has this use been demonstrated?

[6] ES, Volume 1, Chapter 5, Alternatives
[7] Ibid. Page 3 of 4, Paragraphs 5.20 and 5.21.

	How does this use relate to the scheme as a whole being determined as of 'national importance' by the SoS MHCLG?
14	In terms of the maintenance of the Public Right of Way (PRoW), and concerns raised over it washing away and the provision of litter/dog waste bins; could the Applicants provide clarity on this? Have all the necessary extinguishments referred to in the temporary planning permissions now occurred?
15	There is reference to a 'pledge' to hand land over to ABC at Land east of Highfield Lane by the 'government' from interested parties. Could the Applicants provide clarity on this?
16	Where is the power infrastructure referred to by UK Power Networks, located in relation to the application site – is it on/near to the site? How might it be affected by the application scheme?
17	A holding objection has been submitted by Kent County Council (KCC) in its capacity as the Lead Local Flooding Authority (LLFA). This raises concerns that it has not been demonstrated that the current drainage network complies with the latest required standards. What observations are there from the Applicants on this point?
	Character and appearance (some matters also relate to other issues, such as landscape)
18	How has the scheme, which was originally granted permission under a temporary planning permission, designed to integrate with the area? How does this accord with Paragraph 88 of the Framework, where planning decisions should enable the sustainable growth of all types of business in rural areas…through…well-designed, new buildings? How does the scheme accord with Paragraph 96 of the Framework which sets out that *'Planning policies and decisions should aim to achieve healthy, inclusive and safe places…'*? Paragraph 102 of the Framework, sets out that '*the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications…'* How has this been achieved in the scheme here?

	Paragraph 135 of the Framework sets out that: *Planning policies and decisions should ensure that developments:* *a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;* *b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;* *c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);* *d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;* *e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and* *f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.* How has the scheme addressed the requirements of this national policy?
19	What certainty is there that the landscaping proposed (both hard and soft) can be secured and delivered, given that there are examples of failed landscaping arising from the temporary planning permission schemes?
20	What certainty is there that the town of Ashford would not coalesce with hamlet/villages such as Sevington, Mersham, etc?
21	How does the soft and hard landscaping help integrate what would be a permanent facility, into the surrounding landscape?
22	What consideration has been given to the colour of the buildings so that their visual impact within the immediate and wider area (including the National Landscape) is minimised?
23	With regard to the site fencing, which includes palisade fencing with razor tops, how was this designed so as to integrate with the wider rural setting? Why is it required to appear as it does; with razor fencing tops? Is this to keep something within the site (and if so what), or prevent access to the site

	(in which case why does it require razor style fencing, why would people being trying to get into the site unlawfully or incorrectly)?
24	What commitment and certainty is there that the land East of Highfield Lane would be preserved and maintained as a green buffer to ensure that there is no further coalescence of the settlements of Ashford, Sevington, Finberry, and / or Mersham?
25	How does the application scheme comply with Policy SP7 of the Ashford Local Plan 2030? This sets out: **Policy SP7 - Separation of Settlements** **Proposals for built development on non-allocated sites outside the built up confines of settlements shall be permitted only where its impact, individually or cumulatively, would not result in the coalescence or merging of two (or more) separate settlements, or the significant erosion of a gap between settlements resulting in the loss of individual identity or character.** **Proposals for outdoor sports and recreational uses will be permitted subject to there being no overriding conflict with other policies and the wider objectives of the Plan. Any related built development should be kept to the minimum necessary to enable the functioning of the associated use, be sensitively located and of a high quality design.**
	Local landscape, including on the Wye Downs National Landscape (formerly Area of Outstanding Natural Beauty (AONB))
26	How does the application consider the duty under s245 of the *Levelling-Up and Regeneration Act 2023* (LURA) and the 'Duty' in respect of Areas of Outstanding Natural Beauty (AONB) / National Landscape? This sets out that: *'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*[8]*'*
27	What mitigation has been proposed to specifically mitigate the impact of users of the Kent Downs National Landscape (KDNL)? This includes night-time views when the site is illuminated.
28	The LVIA, page 21/28, Fig 32 Light pollution, and Para 7.20 Planning statement indicates that associated lighting impacts on the AONB are in the external lighting assessment – where can these be found?

[8] https://www.legislation.gov.uk/ukpga/2023/55/section/245

29	Is the LVIA accurate in terms of its assessment of the impacts on the KDNL/AONB? The Kent Downs National Landscape Team have set out that, in their view; '*The assessment of the LVIA, as set out at Table 41 that "Due to the distance of this viewpoint to the Development and the dense tree and hedge coverage within the wider landscape the recreational users of North Downs Way will experience no views of the Development" is factually incorrect and therefore the assessed Magnitude of Change and Likely Significance of Effect for Viewpoint 12 is also strongly contested by the KDNL team.'* What observations are there from the Applicants on this point?
30	Kent Downs National Landscape Team go on to indicate that: *'Our contention is that the findings of the Assessment in respect of impacts to the KDNL should either be disregarded or the LVIA corrected, including with the substitution of photographs that should be taken in conditions of clear visibility.'* What observations are there from the Applicants on this point?
31	How does the application accord with Paragraph 189 of the Framework? This sets out that: *'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'* How does the application accord with Policy ENV3b of the Ashford Local Plan? This sets out:

	Policy ENV3b – Landscape Character and Design in the AONBs **The Council shall have regard to the purpose of conserving and enhancing the natural beauty of the Kent Downs and High Weald AONBs.** **Major development proposals within the AONBs will only be permitted in exceptional circumstances and where it is demonstrated they are in the public interest.** **All proposals within or affecting the setting of AONBs will also only be permitted under the following circumstances:** • **The location, form, scale, materials and design would conserve and where appropriate enhance or restore the character of the landscape.** • **The development would enhance the special qualities, distinctive character and tranquility of the AONB.** • **The development has regard to the relevant AONB management plan and any associated guidance.** • **The development demonstrates particular regard to those characteristics outlined in Policy ENV3a, proportionate to the high landscape significance of the AONB.**
32	With regard to the Kent Downs AONB Management Plan, and specifically policies SD3, SD7, SD8, SD10, SD11 and SD12, as identified by the Kent Downs National Landscape Team, what observations do the Applicants have on these and this plan?
33	What observations do the Applicants have in respect of the following comments from the Kent Downs National Landscape Team? These are: *'It is recommended that appropriate mitigation is incorporated into the development. In addition, all measures to reduce the impacts of the lighting scheme should be implemented. Additional planting is unlikely to be effective in assisting in ameliorating impacts in views from the KDNL, as the buildings would remain visible above any planting along the north boundary of the site, due to the higher topography of the views from the KDNL. It is therefore recommended that the existing roofing materials and external cladding to the north face of the buildings is changed to a much darker tone, which should be informed by reference to the Kent Downs Guidance on the Selection and use of colour in development. This would result in a significant reduction in the impact of the built facility in views from the KDNL. Such a requirement would also help demonstrate compliance, for both the Applicant and Planning Inspectorate, with the new Protected Landscapes Duty.'*
34	Is the E04 (town centre urban nighttime economy) standard, which has been used in respect of lighting, appropriate? If so, why is this an appropriate standard?

35	How does the proposal integrate with the Policy ENV4 of the Ashford Local Plan 2030 and the locally adopted Dark Skies Supplementary Planning Document (2014)? Policy ENV4 sets out: **Policy ENV4 – Light Pollution and Promoting Dark Skies** **Proposals will be permitted provided that the lighting proposed is: the minimum appropriate for its purpose; is designed such that lighting is directed downwards, with a beam angle below 70 degrees and; that no significant adverse effects individually or cumulatively will result to the character of the area, the residential amenity of local residents, the safety of vehicle users and pedestrians or the diurnal/seasonal rhythms of the Borough's biodiversity assets.** **The correlated colour temperature (CCT) of outdoor lighting should not exceed 3000 Kelvins in order to limit the effects of known environmental hazards associated with short-wavelength visible light.** **Proposals where external lighting is required should include a full lighting scheme that provides information about layout and beam orientation, a schedule of the light equipment proposed including luminaire type, mounting height, aiming angles and lumen unit levels. Schemes will be expected to comply with ILP technical guidance in relation to the Environmental Zone in which an application is proposed.** **Within the area proposed to be designated as a 'dark sky zone', proposals will only be permitted where they adhere to the above requirements and where they can demonstrate that there will be no significant adverse effects on the visibility of the night sky or its intrinsically dark landscapes.** **All proposals will be expected to demonstrate clear regard to the guidance and requirements set out in the Council's Dark Skies SPD (2014).**
36	What consideration been given to how the landscape has been affected from being an arable field to now essentially, a lorry stationing area with associated buildings and infrastructure?
37	What evidence is there that the Miyawaki method for indigenous woodland is required and/or workable?
38	What landscaping has or will be placed within the viewing corridor between Mersham and Sevington Churches?
	Heritage assets (including archaeology)
39	Could the Applicants provide a map showing the location of all heritage assets on or near to the site? This should include the approximate location of all known above and below ground archaeological remains, with a brief description of their nature.

40	In terms of the Royal Observatory Corps (ROC) structure, it is indicated that this has been retained on site. This is defined as a Non-Designated Heritage Asset (NDHA)[9]. Where exactly is this on the site? Where have any impacts on its setting arising from the submitted scheme been considered? What measures are in place to protect it for future generations? When are the information boards relating to the ROC due to be provided? How will these be secured?
41	Chapter 10 (Cultural heritage) of the ES[10] does not appear to include a chapter or section on archaeology, as noted by the KCC, Senior Archaeological Officer, Heritage Conservation Team. Is there a reason for its omission given the references to Bronze Age barrows, Anglo-Saxon cemetery, the ROC, and other potential archaeological artifacts and/or remains?
42	The post excavation programme for Sevington referred to in earlier decision(s) does not appear to be complete and/or submitted – where is this?
43	Are there any interpretation boards along the footpath, and especially in relation to a proposed replication of the Bronze Age burrow? Where are these and/or where would these be placed? How would their provision be secured and maintained? How is the proposed replication of the Bronze Age barrow, as noted by KCC Senior Archaeological Officer, Heritage Conservation Team, to be secured?
44	Put simply, Historic England (HE), the government's statutory adviser on the historic environment, indicate that whilst they agree with the assessment that the proposal would result in less that substantial harm to the Grade I listed St Marys Church, Sevington, they consider this to be towards the upper end of that degree of harm when articulated further.

[9] Page 31 of 72, paragraph 7.2.1. Sevington ES Vol 2 Chapter 10 Appendices Part 1
[10] Sevington ES Vol 1 Chapter 10 Cultural Heritage . Though it is noted that there is an *Archaeological Statement*, dated January 2025 (updated June 2025) which can be found Sevington ES Vol 2 Chapter 10 Appendices Part 2

	The Applicant's indicate that: *Taken overall, the Development results in permanent operation phase impacts of less than substantial harm within the middle of the scale.*[11] In either scenario, what are the public benefits which outweigh this identified harm to this asset (notwithstanding other assets whose setting may also be harmed by the application scheme)? What measures are being proposed in order to mitigate this harm?
45	How do the monies offered as 'mitigation' to the harm to the Grade I listed building in the form of the Church of St Marys Sevington, comply with the CIL Regulations and / or Paragraph 58 of the Framework? These are: *Planning obligations must only be sought where they meet all of the following tests*[12]*:* *a) necessary to make the development acceptable in planning terms;* *b) directly related to the development; and* *c) fairly and reasonably related in scale and kind to the development.* If these are demonstrated, when would these mitigation measures be delivered/enacted? What permission and/or consents are necessary to ensure that these can be delivered in a timely manner?
46	In terms of the impact of the application scheme on the setting of other Grade II listed buildings within the hamlet/small village of Sevington, has it been demonstrated that there would be no loss or harm to their setting which previously comprised arable agricultural land? How has any such harm, if present, been mitigated?
47	Are the areas of planting going to occur, when would this occur, and how would this be secured? Would this consist of wildflower meadow?

[11] Page 52 of 72, paragraph 8.4.7. Sevington ES Vol 2 Chapter 10 Appendices Part 1
[12] Set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

	How does this help mitigate the identified harm to listed building(s) arising from the loss of its rural setting?
	Biodiversity and/or ecology (including Biodiversity Net Gain (BNG))
48	Schedule 7A to the *Town and Country Planning Act 1990*, as amended, indicates that '*This Schedule makes provision for grants of planning permission in England to be subject to a condition to secure that the biodiversity gain objective is met.*'[13] MHCLG guidance indicates that '*Biodiversity net gain has only been commenced for planning permissions granted in respect to an application made on or after 12 February 2024. Permissions granted for applications made before this date are not subject to biodiversity net gain.*'[14] The application here was made after the 12 February 2024. Accordingly, it should be subject to the Biodiversity Net Gain (BNG) deemed condition. The MHCLG guidance sets out that this condition requires that the biodiversity gain objective of at least a 10% gain, which is measured against the pre-development biodiversity value of the onsite habitat for the development. As indicated under Article 4(2) of the CDAO25, the Applicants consider that the application benefits from the *de minimis* exemption, and therefore it should not be subject to the BNG condition. Both DEFRA and MHCLG guidance indicates that de minimis typically applies, in the case of DEFRA: *A development that does not impact a priority habitat and impacts less than:* *25 square metres (5m by 5m) of on-site habitat* *5 metres of on-site linear habitats such as hedgerows* *A development 'impacts' a habitat if it decreases the biodiversity value*[15]*.* And in respect of MHCLG: *What development does the de minimis exemption apply to? And how should it be assessed?* *The de minimis exemption only applies to development if the following two conditions are met:* • *the development must not impact on any onsite priority habitat; and*

[13] https://www.legislation.gov.uk/ukpga/1990/8/schedule/7A
[14] Paragraph: 003 Reference ID: 74-003-20240214 https://www.gov.uk/guidance/biodiversity-net-gain
[15] https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments

- *if there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5m by 5m square) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow)*

Onsite habitat is impacted by the development if it is lost or degraded such that there is a decrease in the biodiversity value of that habitat (as determined by the statutory biodiversity metric). A decrease in biodiversity value occurs where there is a change in habitat type, extent, or condition which results in a negative unit score. A priority habitat is a habitat listed by the Secretary of State for Environment, Food and Rural Affairs under section 41 of the Natural Environment and Rural Communities Act 2006.[16]

The Applicants submitted *Biodiversity Net Gain Report March 2025*[17] indicates that '*With the retention of the IBF as a permanent facility, the Application Site has an overall prediction of -16.66% net change for habitats, and +58.49% net gain for hedgerows*'[18]

In light of the above, with a minus 16.66% net change for habitats, as based upon the pre-developed value of the site, it is unclear why the planning application here benefits from a 'de minimis' exemption as indicated by the Applicants.

This exemption from the deemed BNG condition needs to be adequately explained.

The BNG Report goes on to summarise as: '*The total net gain from both the Application Site and Sevington East would be a positive net change of +65.35.% for habitats, and +58.49% net change for hedgerows. This net gain is based on the overall habitat unit uplift, when compared to the on-site habitat unit baseline.*'[19]

If the 'deemed condition' is not to be used, there appears to be a discrepancy between the BNG Report and the requirement for a '*detailed within a Habitat Management and Monitoring Plan (HMMP) to be agreed by the Local Planning Authority. All offsite improvements to address the BNG shortfall on site would need to be subject to a 30 years HMMP.*'[20]

[16] Paragraph: 005 Reference ID: 74-005-20240214 https://www.gov.uk/guidance/biodiversity-net-gain
[17] Biodiversity Net Gain Report March 2025
[18] Ibid. Page 14 of 30.
[19] Ibid. Page 15 of 30.
[20] Ibid. page 15 of 30.

	In particular, the draft and incomplete legal agreement submitted does not refer to a HMMP. Clarity on this matter is necessary.
49	See also section on agricultural land in relation to land east of Highfield Lane.
50	Reference has been made to the to the Landscape and Environmental Management Plan (LEMP). However, it is unclear as to how this relates to the Habitat enhancement works. Clarity on this would be helpful.
51	In terms of biodiversity, there is reference to the loss of Roadside Nature Reserve AS07 alongside Highfield Lane by interested parties. What does this relate to?
52	The lighting for the scheme, which includes external lighting across the site, appears to be used for a majority of the night time – especially in autumn and winter months - in order to ensure the site's usage everyday of the year over a 24 hour period. What measures have been put in place to minimise the effect of this lighting on the areas protected for biodiversity values from earlier temporary permissions?
53	In terms of the species of dormice/dormouse, which are a European protected species and protected under the Wildlife and Countryside Act 1981, as amended, what is the habitat for dormice, which would be retained as part of the permanent operational phase of the development and how would the proposal (including aspects such as the lighting) ensure that impacts on this species are minimised?[21] For example, whilst paragraph 11.106 of the ES[22] refers to increased habitat to benefit target species such as dormice, how does the lighting strategy ensure that this is achieved? On page 23 of 30, paragraphs 11.125, indicates that there is historic evidence of dormouse within the site; however it goes onto to indicate that this ceased by 2022 and 2023. How is this loss accounted for?
54	With regard to bats, the ES refers to: including common pipistrelle Pipistrellus pipistrellus, soprano pipistrelle Pipistrellus pygmaeus, Noctule Nyctalus noctula, Brown long-eared Plecotus auratus, Serotine Eptesicus serotinus and Daubenton's Myotis daubentonii, within 2km of the Application Site. The closet record was of a brown long-eared species approximately 80m west of the Application Site.

[21] Link: Microsoft Word - 11_ Ecology and Biodiversity P03.04_FINAL vw 16.04.2025
[22] Ibid. Page 20 of 30.

	How has the application taken into account these protected species, including their habitats?[23]
55	Reference is made to bird surveys from 2008 onwards. This includes identifying 38 bird species within the application site. In 2010 a survey recoded 37 species, including several Red and Amber-listed species such as skylark Alauda arvensis, yellow wagtail Motacilla flava, song thrush Turdus philomelos, starling Sturnus vulgaris, and house sparrow Passer domesticus. In 2012 a further survey recorded 46 species, this included the presence of two Schedule 1 (WCA) species (kingfisher Alcedo atthis and hobby Falco subbuteo) and ten Red-listed species of conservation concern, including swift Apus apus, house sparrow, skylark, and linnet Linaria cannabina.[24] Most recently, surveys undertaken in 2023 recorded a total of 47 bird species within the Application Site, of which four species were confirmed as breeding (dunnock Prunella modularis, mallard Anas platyrhynchos, moorhen Gallinula chloropus and starling), seven were probably breeding (house sparrow, linnet, reed bunting Emberiza schoeniclus, skylark, whitethroat Curruca communis, wood pigeon Columba palumbus and wren Troglodytes troglodytes) and eight were possible breeding (greenfinch Chloris chloris, kestrel Falco tinnunculus, meadow pipit Anthus pratensis, rook Corvus frugilegus, sedge warbler Acrocephalus schoenobaenus, song thrush, stock dove Columba oenas and swift). It is unclear as to what mitigation, if any, has been provided in order to address the loss of this habitat – including the loss of habitats, nesting and/or territories for these birds (and in particular those detailed within Schedule 1 of the Wildlife and Countryside Act 1981. Please can the Applicants provide clarity on this matter?
56	With regard to reptiles[25], including an 'exceptional slow worm population' identified in 2015, and moved in 2020; where are the locations suitable within the site for reptiles, and how do these integrate with the wider site?
57	In terms of water voles, what ecological survey work has been done to identify whether or not they are present within the site?[26]
58	What measures have been put in place to encourage the small number of priority invertebrate Species of Principal Importance, including stag beetle Lucanus cervus, cinnabar Tyria jacobaeae, rosy rustic Hydraecia micacea,

[23] Ibid. Pages 15 / 16 of 30.
[24] Ibid, Page 16 of 30.
[25] Ibid. Pages 17 / 18 of 30.
[26] Ibid. Page 18 of 30.

	white admiral Limenitis camilla, small blue Cupido minimus, and small heath Coenonympha pamphilus identified in 2012?[27] How would these be secured?
59	The Kent County Council, Ecological Advice Service (EAS) highlight that a condition assessment of the existing habitat on site does not appear to have been carried out, so it is unclear as to whether or not the habitats on site have already achieved the anticipated condition detailed in table 6 of the BNG assessment. What observations do the Applicants have on this point?
60	What measures are in place to minimise litter and similar arising from the application scheme entering the local environment?
61	What measures are in place to ensure that potential biosecurity breaches from lorries travelling inland from the points of entry on the coast prior to their checking do not occur?
62	Technical comments have been made by the Environment Agency as part of the consultation process. Could the Applicants provide a substantive response to the points made please?
63	Natural England have raised the flowing points: - *Mitigation should consider continuation of current drainage arrangements whereby trade effluent is discharged outside of the Stour Valley catchment.* - *An adjusted lighting strategy, which allows lighting to be switched off in certain areas and shielded to prevent light spill.* What observations do the Applicants have on these points?
64	Natural England also provide comments in terms of the need for the competent authority to take into account the Habitat Regulations Assessment and undertake an appropriate assessment. What observations do the Applicants have on these points?
65	Natural England also provide comments in terms of nutrient neutrality, including the need to outline why exceptional circumstances exist, which adequately justify the use of mitigation in this case. What observations do the Applicants have on these points?

[27] Ibid. Page 19 of 30.

	Local traffic network and/or highways
66	A holding objection has been raised by KCC in its capacity as the Local Highway Authority. In this, they consider that there is a severe impact from the proposal on the M20 Junction 10A, and specifically on the A20 Hythe Road arms, and a suitable mitigation scheme should be submitted and implemented for these arms in order that the proposals would not have a severe highway impact on the junction. What observations do the Applicants have on this matter?
67	Comments have been made in terms of HGVs on local road network and using laybys etc. Is the traffic/transport assessment correct in terms of taking into account the impacts arising from the application scheme on the local road network? What measures, sought by local Parish Councils / residents to reduce the usage of inappropriate routes into the site by HGVs through the use of signage (in multiple languages and multiple locations to the site) are proposed? How would these be secured?
68	What is the travel plan for the site's employees? Would all parking on site for employees be in the staff car park? Is there Electric Vehicle (EV) parking spaces provided within the staff car park? What about alternate modes of transport – walking, cycling, and public transport?
69	Has the car park for St Marys Church, Sevington, shown on the plans but does not appear to be referenced anywhere in the traffic assessment, been considered within the traffic assessment? If so where can this be found?
70	What measures have been put in place to prevent and/or discourage lorries turning right off the A2070 into the IBF?
71	How are the parking areas referred to as 'Tango' and 'Romeo' used in relation to the IBF and/or BCP? How has the need for these two areas been demonstrated for these aspects of the application scheme?
72	How would the site be used in relation to the Kent Resilience Strategy, and other operational activities such as TAP and Operation Brock, when there are

	pressures on the strategic and local road network arising from disruption to the points of entry/exit into and out of the UK? How would this operate in practice and in practical terms, with the primary purpose of the site focussed on IBF and/or BCP activities rather than as a temporary HGV parking or stationing area?
73	Concerns have been raised in terms of the surfacing of bridleways and/or PRoW are inadequate, with heavy rains causing parts of the paths being washed away. What measures have been put in place to minimise this?
74	What consideration has been given to the local footpaths, including those that formerly crossed parts of the site? Have these now all been given permission for their extinguishment / moving? How has the former footpath and link between Sevington and Mersham churches been reinstated or its loss mitigated?
	Noise, lighting, and air quality on the living conditions of existing and future occupiers of nearby residential dwellings
75	In terms of noise – which is indicated as being discernible from nearby residential dwellings and also users of the PRoW - is the acoustic fencing adequate? Is it in the right place(s)? Is it visually acceptable? Where are the acoustic fences / earth bunds on the site – they do not appear to be clearly shown on the submitted drawings? Both in terms of location and also in terms of type/style/design/nature. Para 7.45 Planning Statement refers to these. Related to their location and form, is it the most appropriate mitigation? How have the concerns reported to ABC's Environmental Protection Team in 2025 by a local resident in terms of noise, been considered and where is it shown that this has been taken into account and/or addressed? Has an independent noise impact assessment been undertaken as suggested by some local parish councils – if not, why not?
76	In terms of the effect of the external lighting, as viewed from the Kent Downs National Landscape / AONB – how can this be mitigated?

	Why would this strategy work, given that the site has been operational for a few years under the temporary planning permissions.
77	In terms of the effect of lighting on occupiers of neighbouring/nearby dwellings – how can this be further mitigated to reduce the impacts on the living conditions of nearby occupiers?
78	Has the 2025 External Lighting Report been implemented as sought by ABC's Environmental Protection Team? If not, why not? If it has, is this in full accordance with the submitted report?
79	What impacts and/or effects will there be in air quality terms from HGVs using, accessing, being stationary and exiting the site? What surveys and/or monitoring have been undertaken in terms of particulate pollutants? Does this assessment consider the site operating at full capacity?
80	With regard to CCTV used and/or operated from within the site, are these only sited so as to observe and monitor the site itself and its immediate boundary?
	Agricultural land
81	It is understood that the site is classified as Grade 2, Best and Most Versatile Agricultural Land (BMVAL). Has the loss of this BMVAL as a result of this application for planning permission, been justified? If so, where can this be found? Is it necessary to impose a condition in terms of reinstatement at the end of the useful life of the proposal? Would this ensure that BMVAL is returned to its former use?
82	In terms of the blue line 'Land east of Highfield Lane' which is indicated to be the area in which BNG would be achieved, what is the current agricultural classification of this land? (In particular given footnote 65 of the Framework, which indicates that *'Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality'* and Written Ministerial Statements, which whilst relating to solar development, indicate that 'Food security is an essential part of national

	security…' and *'For all applicants the highest quality agricultural land is least appropriate for solar development and as the land grade increases, there is a greater onus on developers to show that the use of higher quality land is necessary.'*[28]).
	Adequate provision for infrastructure (planning obligations)[29]
83	Is the submitted legal agreement under s106 of the TCPA, (dated 7 October 2025), made by the Department for Transport (DfT) to Ashford Borough Council, adequate? It is submitted as a unilateral undertaking; however it is unclear as to why it does not involve the other Applicants – DEFRA and HMRC. Why is this? In terms of land ownership is DfT the only landowner / interest in the blue lined land area which is suggested to be set aside as the biodiversity net gain area? Why do the Plans on pages 33 and 42 of 50 of the pdf version of the submitted unilateral undertaking not appear to match the site area submitted on the site plan? What is the relevance of Plans 1, 2, 3, and 4, as defined in the submitted unilateral undertaking, when these are not referred to in the Owner's Obligations set out in Schedule 1 of the unilateral undertaking?
84	The submitted unilateral undertaking refers to four obligations its secures. These are shown on page 8 of 50 of the pdf as: **Schedule 1** **The Owner's Obligations** 1 **Junction 10A Works Contribution** The Owner covenants to pay to the Council the Junction 10A Works Contribution within 14 days of the date of the grant of the Planning Permission 2 **Pedestrian and Cycle Connection Improvement contribution and the Additional Pedestrian and Cycle Connections Improvement Contribution** The Owner covenants to pay the Council the Pedestrian and Cycle Connection Improvements Contribution to the Council prior to completion of this Agreement and the Additional Pedestrian and Cycle Connection Improvements contribution within 14 days of the date of the grant of the Planning Permission 3 **Church Works Contribution (Remainder) and the Additional Church Works Contribution (Remainder)** The Owner covenants to pay to the Council the Church Works Contribution (Remainder) prior to completion of this Unilateral Planning Obligation and the Additional Church Works Contribution (Remainder) within 14 days of the date of the grant of the Planning Permission 4 **Off Site Habitat Enhancement Works** The Owner covenants to carry out the Habitat Enhancement Works to the Off Site BNG Land within 36 months of the date of the grant of Planning Permission and to maintain the Off Site BNG Land for a period of 30 years from the date of completion of the Habitat Enhancement Works

[28] https://questions-statements.parliament.uk/written-statements/detail/2024-05-15/hcws466

[29] Link to draft s106 agreement Microsoft Word - DRAFT Unilateral Undertaking (004)

	The Applicants, or the landowner, or the part that has submitted the unilateral undertaking does not appear to have provided a detailed justification for these being voluntarily provided. A short paper detailing why these are being provided by the signatory should be provided within the timeframe set out as part of the Inquiry process. In the interests of openness and fairness this should be provided so that interested parties can be aware of what the submitted unilateral undertaking obligates the signatory to. Moreover, it should be clearly indicated that the signatory has the full ability to ensure that the submitted unilateral undertaking would be enforceable against any future landowner(s) or persons holding an interest in the land, so as to ensure that the obligations that the unilateral undertaking secure can be realistically achieved and secured for their intended purposes throughout the longevity of the period that they are required for.
85	What certainty is there, given that the submitted legal agreement is submitted unilaterally (and therefore suggests that the obligations it secures are only enforceable against the party 'entering' it), that the monies provided for certain activities will occur so as to provide the mitigation required?
86	The sum of £203,578.93 for church works contribution (page 4 of 10) – what is this and how does it relate to the above monies? There is reference to works to the church roof and that this is 'mitigation' provided to the heritage asset due to harm to its setting arising from the development; however it is unclear as to how this provides mitigation and/or complies with the CIL Regulations / Paragraph 58 *National Planning Policy Framework*.
87	What is the 'Original S106 Agreement' (page 3 of 10) and the payment of the Church Works Contribution Remainder being Twenty Three Thousand Nine Hundred and Sixty One Pounds and Two pence (£23,961.02) for the funding of the Church Works that is set out there? How has this been shown to comply with the CIL Regulations / Paragraph 58 National Planning Policy Framework?
88	The circa £4,973,012.83 for Junction 10A of the M20 motorway (page 4 of 10) – how is this justified? Have the works already taken place? How does this comply with the CIL tests – directly related to the development proposed, for example?

89	What is the £38,327.40 pedestrian and cycle connection monies (page 3 of 10) for in practical terms? How is Duckworth Close, Willesborough and / or the use of this pedestrian/cycle connection related to the application site?
90	The definition of 'Crown' (page 4 of 50), refers to s.293 of the Planning Act. However, it is s293 of the Town and Country Planning Act 1990, as amended, which is understood to the relevant Act, and not the Planning Act 2008.
91	Has the Original S106 (dated 13 September 2017) been complied with? Alternatively, does it remain extant and enforceable? Related to this, have all the pre-commencement conditions (or conditions precedent) of the planning permission, and requirements of this legal agreement been approved so as to ensure that the Lawful Development Certificate[30] is correct?
	The overall planning balance
92	What are the economic and employment benefits arising from the application scheme?
93	What are the other public benefits arising from the scheme?
94	Should any weight be afforded in planning terms to the application being deemed of 'national importance' in terms of it being appropriate for the Crown Development Application route? If so, what weight should be afforded to this factor, and what is the policy or other basis for this?
95	How does the proposal accord with the development plan? If there is conflict with the adopted development plan for the area, what material considerations indicate a decision otherwise than in accordance with the adopted development plan?

42. I look forward to working with all parties, and the above matters being addressed at the appropriate stage. I also continue to seek the assistance of all parties in order to ensure an open, fair, impartial, and swift consideration of these matters as appropriate.

C Parker INSPECTOR (Appointed person under s293I TCPA)

[30] Link to Certificate of Lawful Development 19/01099/AS

Appendix A

Summary of comments from interested persons / parties

(originals should be reviewed for full details)

Party	**Summary of comments** (in no particular order)
Local residents	• Lorries on the roads and roundabouts are creating dangerous situations for other road users. • Lorries are sometimes parked in laybys – including emergency bays – and there appears to be little enforcement by the Council. • There needs to be better signage in the local area to direct lorries; including in different languages. • Drivers sometimes leave behind waste; which can include rubbish and also human created waste such as bottles of urine and bags of faeces. • The scale and intensity of light pollution means that Human Rights under Article 8 of the HRA 1998 are infringed. • The facility creates a large amount of light pollution every night – this not only increases its visibility but affects sleep patterns. • The light pollution also has an effect on the North Downs AONB. • The facility creates noise disturbances; this includes from lorries idling, manoeuvring, and doors being opened and closed. • The creation of the IBF never recognised the destruction of the Roadside Nature Reserve AS07 along Highfield Lane as administered by Kent Wildlife Trust. The baseline for any BNG should go back to 2020. • The bushes, trees and shrubs planted around the site are now 95% dead as they were not cared for. • The footpath running alongside the IBF keeps getting washed away. This makes it dangerous and impassable for users, including wheelchair users. • The facility does not appear to be used anywhere near to its apparent capacity. • The development has introduced an eyesore into what was previously a rural landscape. • The facility, which was meant to be temporary, has increased urban sprawl towards Mersham and Smeeth. • The proposal creates air pollution. • It is a waste of good productive farmland. • Impact on property values. • The development results in an adverse impact on sleep, mental health and general well-being. • Concerns that there is no convincing argument for the facility and that it is a waste of taxpayer's money. • The location of the facility, 22 miles from the Port of Dover, is not only inefficient but also dangerous. It creates a legal and biodiversity security risk. • There are much better other locations closer to Dover which would be more appropriate for a facility of this type. • There has not been a proper community consultation, with many residents unaware of the opportunity to comment. • There is also a rep which refers to *'To be used as overflow carpark for the William Harvey Hospital'* but it is unclear as to the context of this.
Ward member	• Ward Member (Borough Councillor) for the Mersham, Sevington South with Finberry; where the site is located. They also live locally. • Met DfT, DEFRA, JLL and Kanda Consulting in October 2024, also attended public consultation events in October 2024, and visited the site in the same month.

	• Assurances over the non-development of Land east of Highfield Lane is required, to ensure that a coalescence of Ashford with its surrounding villages does not occur. This is in line with Policy SP7. • HGVs continue to try and access the area via Kingsford Street and Church road (via the staff entrance). Clearer signage is required. • Lorries regularly take right turns from the A2070 into the IBF. • The landscape management plan for the land east of Highfield Lane is required to be developed and implemented as there is a lack of planting to shield Mersham from the impact of lighting. There is no evidence that the Miyawaki method to introduce indigenous woodland in this area has happened. • Does the pollution monitoring and current use of the site trigger particulate prevention? • There is environmental damage from litter on the roadside – some of which includes litter thrown from HGVs on their approach to the IBF. • Bins should be provided on the bridleway paths to encourage responsible disposal of dog-generated waste. • The bridleway and its surface maintenance is less than ideal. • The lighting columns causes excessive light pollution in Mersham. • Landscaping is required in the viewing corridor. • The frontage onto the A2070 link road is poorer than expected. • The s106 must now be provided to Sevington Church as envisaged. • The information boards explaining the Cold Was Observation bunker have not been provided. • The use of the site for Operation Brock overspill should be excluded. • The acoustic fencing does not appear to be adequate. In some places, no barrier is provided which means noise from the site can disturb local residents.
Ashford Borough Council (the Local Planning Authority)	• Although the proposal brings with it some adverse impacts (the perimeter security fence & lighting overspill impacts as a result of a more open site & sub-optimal landscaping) the Professional Officer's view is that taking into account the national importance and the employment benefits that arise, the Council should not formally object to the proposal but should, instead, seek to ensure that those matters accepted by the applicant as still needing to be improved are tackled through further submissions as well as the applicant working with others (such as National Highways and KCC) to devise necessary mitigation. The Professional Officer also suggested that a planning condition restricting the use to that applied for would be appropriate.
Sevington with Finberry Parish Council	• During the consultation, Parish Council met with other Parish Councils in the area, and also ran a survey for local residents. These have informed its response. • The Parish Council recognises the employment benefits of the proposal and its necessity post-Brexit. However, as this proposal is the only opportunity to effect change necessary improvement of the site, the Parish Council objects. • Site aesthetics – the site does not blend into its surroundings; including the temporary aesthetic which is unfit for retention. The fencing used is poor and at odds with its countryside setting. Views of the site from the A2070 are worse than expected, with the staff entrance located off a country lane in an historic area of Sevington that leads to numerous listed buildings is extremely poor. • Noise – local residents have frequently reported noise issues to the Parish Council; this include general noise, tonal noise such as humming and/or horns, reversing sounders. This was reported and investigated by the LPAs Environmental Health Team who undertook noise monitoring. Some parts of the site do not have acoustic barriers whilst being within proximity to residential dwellings. An independent noise impact assessment should be sought.

	• Landscaping - Whilst the landscaping to the site was implemented and retained areas of landscaping, the planting, layout and accessibility is fundamentally altered and has left an extremely underwhelming aesthetic. Poor maintenance has resulted in the death of planting which should now be established. Consideration should be given to increasing planting to more effectively screen the site. • Lighting – The lighting design results in significant sideways and upward spread of light that travels well beyond the site boundaries. Areas protected for biodiversity value are now flooded with light 24/7. • Footpaths – Footpaths have been adapted significantly from the original planning approved in 2019. The reinstatement of the path and link between Sevington Church and Mersham Church should be considered. The maintenance of the footpaths has been poor; including water that enters Church Road and entering the footpath, washing away the surface material – a permanent solution to drainage issues is required. • Archaeology - More information boards should be provided the proposed to reflect finds within the Sevington area of the site. A formal paper on local archaeology would be recommended. • Traffic and litter - The temporary proposal has increased HGV traffic movements in the area, which has also increased in litter and congestion. The functioning of Junction 10a (of the M20) must be scrutinised. There have been a regular complaint to the Parish Council of significant litter along the A2070, and discarded bottles of urine around the site entrance; which suggests insufficient facilities at the site. The site operator should take responsibility for the litter their operation creates. There also continues to be wrong turns with HGVs becoming stuck along and around Church Road and Cheesman's Green lane. Width restrictions and signage has done little to resolve this. • Sevington Church – funds for Sevington Church should be concluded. • CCTV cameras are intrusive and residents should be compensated for lack of consultation and significant disturbance during construction. In summary, the Parish Council state: • We recognise that the facility provides employment benefit to the area and provides essential services and hope that the site will continue to provide such benefits to Ashford for the long term. • The proposals submitted appear to seek to justify the retention of a poorly designed facility with aesthetics that would not be acceptable of any fresh application for a green field site when originally built, or today. • As this application seeks to retain a site that was to be returned to its original state at the end of the SDO period, the application must be considered as if it were not built, to ensure that the site forms a long term benefit to Sevington, Ashford and the wider towns and villages. • We cannot therefore support this application on the basis of the documentation as submitted and this opportunity must be used to secure the necessary upgrades to bring this site into line with the minimum that would be expected of any other development in Ashford and the surrounding towns. • The Parish Council invites any discussion in relation to how the above issues can be mitigated as effectively and economically as possible.
Mersham Parish Council	• Concerned about light pollution, increase in litter, the future of High Field, maintenance of footpaths, traffic conditions. • Supports the submission made by the other Parish Councils in the area.

Smeeth Parish Council	• Wishes to raise concerns about light pollution and traffic issues with J10a making Hythe Road difficult to negotiate. • Supports the submission made by the other Parish Councils in the area.
The Village Alliance	• Need a commitment from DfT for the long term protection of the land East of Highfield Lane up to Blind Lane to be preserved as a green buffer between Mersham and the IBF. This is land which is designated as a buffer under the current Ashford Borough Local Plan to 2030, Policy SP7. • We need assurances that the land will be managed to prevent the spread of obnoxious weeds. There are areas of hedgerows which have been damaged by original earth works and not reinstated. There are also a number of trees which were planted but have since died. • Errant HGVs continue to travel into Mersham village and into Kingsford Street. This is very dangerous along a narrow lane with no pavement: the signage is still not working. • The light pollution from 12 metre high lights is very significant and intrusive and we have lost the night sky. • We have received complaints from residents in Kingsford Street of a low humming sound present 24 hours a day.
Kent Downs National Landscape Team	• The Border Facility lies within the setting of the KDNL. • The NPPG on natural environment specifically recognises that 'Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary' (my emphasis), as is the case in the Kent Downs, where views from the escarpment were a fundamental reason behind the designation of the landscape as an AONB and where such views are still recognised today as one of the Kent Downs special qualities. • The Border Facility is visible from an extensive tract of the North Downs escarpment, within Kent Downs National Landscape, where it appears as an incongruous and industrial intrusion into the landscape, and has resulted in a deterioration of the views, from one of the most visited parts of the KDNL, where there are several promoted viewpoints and including for users of the North Downs Way National Trail, acknowledged to be highly sensitive receptors, given that their attention is focused on views out from the escarpment. The Facility also results in night time impacts to the KDNL from the extensive lighting scheme associated, that extends across a significant area and is highly visible from the KDNL. • Do not consider the proposal has been sensitively located or designed. The siting of the main buildings, so they are located face-on or on a horizontal alignment to the main views from the KDNL exacerbates impacts. • The assessment of the LVIA, as set out at Table 41 that "Due to the distance of this viewpoint to the Development and the dense tree and hedge coverage within the wider landscape the recreational users of North Downs Way will experience no views of the Development" is factually incorrect and therefore the assessed Magnitude of Change and Likely Significance of Effect for Viewpoint 12 is also strongly contested by the KDNL team. • Our contention is that the findings of the Assessment in respect of impacts to the KDNL should either be disregarded or the LVIA corrected, including with the substitution of photographs that should be taken in conditions of clear visibility. Given the impacts to the KDNL identified above, it is our conclusion that the proposal neither conserves nor enhances the natural beauty of the Kent Downs National Landscape, and is in conflict with paragraph 189 of the NPPF. It is also

	our assessment that the proposal fails to comply with Policies ENV3b of Ashford's Local Plan. • The proposal is also in conflict with the aims and objectives of the Kent Downs AONB Management Plan and in particular principles SD3, SD7, SD8, SD10, SD11 and SD12. It also fails to take account of the guidance provided in the KDNL Position Statement on Setting. • It is recommended that appropriate mitigation is incorporated into the development. In addition, all measures to reduce the impacts of the lighting scheme should be implemented. Additional planting is unlikely to be effective in assisting in ameliorating impacts in views from the KDNL, as the buildings would remain visible above any planting along the north boundary of the site, due to the higher topography of the views from the KDNL. It is therefore recommended that the existing roofing materials and external cladding to the north face of the buildings is changed to a much darker tone, which should be informed by reference to the Kent Downs Guidance on the Selection and use of colour in development. This would result in a significant reduction in the impact of the built facility in views from the KDNL. Such a requirement would also help demonstrate compliance, for both the Applicant and Planning Inspectorate, with the new Protected Landscapes Duty.
CPRE Ashford	• The structures and installations at Sevington IBF were built with great haste and with scant regard for good planning practice during 2020 under the present statutory development order. • CPRE does not object in principle to changing the planning status from temporary to permanent, provided that this is combined with a thorough discussion on how it can now be made compliant with planning policy and good practice. • The application papers do not accurately describe the site, which is on elevated ground that was previously in arable rotation. • The site is clearly within the setting of the Kent Downs National Landscape and CPRE agrees with the detailed explanation and analysis submitted by the Kent Downs unit. • The landscape impacts on lighting are on the basis of the environmental standard E04 (town centre urban night time economy). This is inadequate as it fails to acknowledge the urban/ rural edge of the site and fails to recognise that the site is in the setting of a designated landscape. • The lighting does not appear to be switched off when not in use as has been suggested in the application documents. • The transport assessment is inadequate.
Kent County Council – Ecological Advice Service	• The ecological impacts associated with the construction have already occurred when the development was implemented. • Surveys carried out between 2012 and 2020 confirmed the following species on the site or the wider area: Great Crested Newts, at least five species of foraging bats, with a number of bat roosts within the wider area, outlier badger sett in 2020, at least 47 species of birds recorded during the breeding bird survey, dormouse within the boundary, three species of reptiles, water voles within the stream 125m to the north of the site, and suitable habitats for invertebrates within the site and wider area – including two nationally scarce species were recorded. • Ongoing monitoring and updated surveys in 2024 detailed that there was no evidence of badgers or dormouse being present within the site. • As no construction works are proposed, EAS is satisfied that no ecological mitigation is required. However, the ongoing surveys have demonstrated that there has been a decline in nocturnal species which is likely due to the lighting within the site. EAS advise that should planning permission be granted, a

	lighting plan must be submitted as a condition of planning permission to confirm the lighting regime. • EAS have reviewed the submitted LMMP or LEMP and advise that they are satisfied. • Note that habitat enhancement is proposed of the land within the blue line habitat to allow the proposal to achieve a BNG. • Highlight that a condition assessment of the existing habitat on site has not been carried out, so it is not clear if the habitats on site have already achieved the anticipated condition detailed in table 6 of the BNG assessment. Therefore the currently proposed BNG has not been achieved. • However EAS are satisfied that if the habitat creation and habitat management is implemented within the site the proposal can achieve a BNG of over 10%.
Kent County Council and Ashford Borough Council - Senior Archaeological Officer Heritage Conservation	• Site lies within an area of multi-period activity ranging from prehistoric through to modern archaeology. • Archaeological investigations revealed important archaeology, most of it of significance, and in view of the limited information on the Kent HER prior to this scheme, the discoveries are a substantial contribution to the understanding of the prehistoric, Roman and Early Medieval activity of the Ashford area but also of the wider South East regional area. • Investigations, undertaken by AOC Archaeology, included evidence of Bronze Age activity, an Iron Age trackway which crosses over Highfield Lane and then continues along the line of an existing public right of way, which follows a ridgeline east to west, linking the communities of Sevington, Mersham and on to Sellindge. At the crossroads of this track with Highfield Lane there seems to have developed a Romano-British settlement, industrial and cemetery site. The ridgeline topographical location seems to have made this area a focal point for multi-period burials, including Iron Age and Romano-British cremations and also an Anglo-Saxon cemetery. Towards the south west area of the site was evidence for later Medieval industrial activity associated with a mill and small community. • In view of the earthworks needed for Sevington IBF and associated landscape area, the adjacent fields, other side of Highfield Lane, were also subject to archaeological investigations. Associated multi-period archaeology was revealed including a large Bronze Age barrow and continuation of the Roman and Medieval activity and the Anglo-Saxon cemetery. Only key areas of this Stour Park landscape area was investigated and significant archaeological remains survive in this part of the wider scheme. Adjacent and in the nearby area are several historic buildings, the most significant of which is Sevington Church and manorial complex of Church Farm, both designated heritage assets. There are expectations of a medieval settlement being at this location, but so far archaeological investigation has not revealed any settlement remains. However the Sevington IBF application site is surrounded by a variety of medieval and post medieval farm houses and historic residential properties, many of which are designated. Also at the crossroads of the ridgeline trackway and Highfield Lane are the remains of a WWII ROC structure. • Given the significance of the archaeological discoveries here on the high ground above Sevington, there is a need to consider archaeology as a vulnerable and sensitive resource. • Disappointed that the main chapter 10 covering Cultural Heritage does not consider archaeology. However I do welcome Appendix 10.2 which provides an Archaeological Statement. • the ROC unit survives at the crossroads of Highfield Lane and the east-west footpath which crosses the landscape site. It is in a vulnerable location with an access point off Highfield Lane into the Sevington IBF site. Impact from the use of this easterly access needs to be assessed but it seems possible that the ROC structure will not be directly impacted. However, as evidence of the country's

	civil and military defence network, the ROC unit merits preservation and interpretation. • Remain concerned about the lack of assessment of the impact on the setting and significance of the nearby heritage assets, particularly of the Bronze Age barrow, Anglo-Saxon cemetery and the ROC unit. • The post excavation programme for the Sevington IBF is not yet complete. This post excavation assessment programme needs to be completed and then used to contribute to a publication. • The Sevington IBF scheme was established extremely quickly in this area of Ashford and it has had a major impact on the Sevington area. The archaeological discoveries have been outstanding but the dissemination of this information is not completed. I welcome the proposed replication of the Bronze Age barrow, adjacent to the public right of way, but it would be extremely beneficial to also consider archaeological interpretation boards along the footpath and accessible public outreach. This would be a good way to demonstrate the positive outcomes of the development and provide heritage information to the local community.
Kent County Council – Local Highways Authority / Lead Local Flood Authority (LLFA)	• Holding objection. • Considers that there is a severe impact from the proposals on M20 Junction 10A, specifically on the A20 Hythe Road arms and a suitable mitigation scheme should be submitted and implemented for these arms in order that the proposals will not have a severe highway impact on the junction. • The County Council, as LLFA, considers that it has not been demonstrated that the current drainage network complies with the latest required standards.
Ashford Borough Council - Environmental Protection Team (EPT)	• Air quality – monitoring carried out by Ashford Borough Council continues to indicate there is, in general, 'good' air quality within the borough. The air quality report submitted assesses the likely air quality effects of the development. The modelled data is satisfactory and a negligible impact on the annual mean NO2 concentrations at existing receptors. • Noise – The Council carried out a noise investigation in 2021. The conclusions were that noise levels from fixed plant and building services were not significant. Noise from standby generators negligible except for one location R5 which was negligible/minor adverse nighttime period and very occasional therefore no further mitigation proposed. Operational noise is noted as the most dominant noise from the site, an additional +3db penalty has been added to the assessment for tonality at some locations. • Note that the emergency overflow parking area to the south of the site does not have any acoustic mitigation, but do not consider this to be problematic so long as usage is infrequent. • Noise complaints were made in 2021, 2023 and in 2025. In particular, it is noted that there is no reference in the submitted report to the concerns raised by a local resident, even though these issues were logged with the site previously. • The EPT request that further consideration is given to the us of the perimeter road to the south of the site used by HGVs to exit the site. The applicant will need to consider alternative routes out of the site; particularly during the nighttime period. They also request that information is provided sowing the number of days the emergency parking area has been used each year since the site opened. • Lighting – The EPT note the concerns raised by local residents and the conclusion of the 2025 External Light Survey. They also note that the FM team have advised they are in the process of preparing an implementation plan to reduce lighting at night by switching off a selection of the lighting circuits and

	dimming other lighting circuits, where operationally feasible. The EPT request that the applicant implements the results of the 2025 site survey immediately.
Historic England	• The Inland Border Facility (IBF) causes a high level of harm to the significance of the Grade I listed Church of St Mary by greatly compromising the church's remaining rural setting. • The harmful impacts of the IBF could be reduced by deepening areas of planting shown on drawing Landscape Masterplan Sheet 1 and by considering options to soften the planting in the viewing corridor (e.g. with a wildflower meadow in keeping with its historic rural character). • HE also recommend that steps are taken to ensure that a capital contribution for the Church of St Mary, proposed as mitigation for development on the site of the IBF, can be secured and delivered. • The view, that the IBF results in less than substantial harm and towards the upper end of that measure expressed in 2020, remains.
Canterbury Diocesan Board of Finance Limited	• The development of the IBF has already caused substantial harm to the setting of the Grade I listed building of St Mary's Church, Sevington. • The impact was meant to be mitigated in three ways: i) protected views through the commercial site, ii) a 30 bay church car park, and iii) a circa £200'000 contribution to church works before development commences (which has not been forthcoming).
Environment Agency	• No objection. • Provide technical comments, which require further clarification.
National Highways	• Recommend that conditions should be attached to any planning permission that may be granted. • No objection to the principle of the development, recognising the history of the site and its ongoing national importance. • Note The unilateral undertaking includes reference to Junction 10A works contribution; meaning the sum of four million, nine hundred and seventy-three thousand and twelve pounds and eighty-three pence (£4,973,012.83).
Active Travel England	• Active Travel England is content with the development proposed.
UK Power Networks	• The proposed development is in close proximity to substations owned/managed by UK Power Networks. • The Applicant should liaise with UK Power Networks to ensure that appropriate protective measures and mitigation solutions are agreed.
The Ramblers	• Unfortunate that the IBF led to a substantial diversion of the public footpath through the site – however that footpath has now been extinguished. • It is vitally important that the new planning permission should retain and protect the new, longer footpath around the site. The government should honour its pledge to hand the land at Highfield East over to Ashford Brough Council in order to create a biodiversity resource, nature reserve and public open space in perpetuity.

Natural England	• No objections, subject to mitigation being secured. - Mitigation should consider continuation of current drainage arrangements whereby trade effluent is discharged outside of the Stour Valley catchment. - An adjusted lighting strategy, which allows lighting to be switched off in certain areas and shielded to prevent light spill. • Comments provided in terms of the need for the competent authority to take into account the Habitat Regulations Assessment and undertake an appropriate assessment. • Comments in terms of nutrient neutrality, including the need to outline why exceptional circumstances exist, which adequately justify the use of mitigation in this case. • Comments in terms of there is unlikely to be an adverse effect on the integrity of the Folkestone to Etchinghill Escarpment SAC in relation to air quality. • NE is satisfied that the complete and operational development will not be visible from the Kent Downs National Landscape during the day, however concerns exist in terms of the light spill causing significant glare visible at night.
Southern Water	• Comments provided in respect of; - The Environment Agency should be consulted directly by the applicant regarding the use of a septic tank drainage which disposes of effluent to sub-soil irrigation. - If it is the internation of the developer for Southern Water to adopt the proposed SuDS, the system shall be designed in line with Design and Construction Guidance at water.org. No soakaways should be connected to the public surface water sewer. Further details are provided in respect of details to be submitted to the local planning authority where a SuDS is to be implemented.

END OF SECTION

Appendix B

Inquiry Timetable (Rule 16)

The Inquiry Timetable is subject to change. The 'expedited approach' is considered appropriate in this instance

Expedited Approach

Week	**Date** (w/c)	**Activity**
1	20 October 2025	Notify Applicants and Interested Parties of procedure under s319A TCPA (Art 44 CDAO25). Inspector's discretionary Statement of Matters (Rule 14 CDAR25) to be issued Tuesday 21 October.
2	27 October 2025	By Monday 27 October – Rule 13 Parties requests to be submitted and approved/declined by PINs. Notification of Pre-Inquiry Meeting
3	3 Nov 2025	4 weeks notice of notification of Inquiry venue etc (Rule 18) for entitled to attend parties [Note in this case all parties notified at this stage]
4	10 Nov 2025	Pre-Inquiry Meeting may be held (Rule 15). [Two weeks prior notice required.]
5	17 Nov 2025	
6	24 Nov 2025	Statement of Cases to be submitted before the end of five weeks from starting date of Inquiry being set (Rule 13) by App and LPA by Monday 24 November. Other persons Statement of Case(s) (Rule 13 Party) to be submitted within four weeks of request approved (Rule 13(4)) by Monday 24 November. Proofs of Evidence to be submitted (Rule 20)(4)(b)
7	1 Dec 2025	Inquiry Opens?
8	8 Dec 2025	Inquiry resumes?
9	15 Dec 2025	
10	22 Dec 2025	Christmas week
11	29 Dec 2025	31 December 2025 – SDO date when use should cease.
12	5 Jan 2026	Post-Inquiry, Decision Notice anticipated to be issued no later than 9 January 2026

Standard Approach (not suggested in this instance)

Week	**Date** (w/c)	**Activity**
1	20 October 2025	Notify Applicants and Interested Parties of procedure under s319A TCPA (Art 44 CDAO25). Inspector's discretionary Statement of Matters (Rule 14 CDAR25) to be issued Tuesday 21 October.
2	27 October 2025	By Monday 27 October – Rule 13 Parties requests to be submitted and approved/declined by PINs.
3	3 Nov 2025	~~~~
4	10 Nov 2025	~~~~
5	17 Nov 2025	~~~~
6	24 November 2025	Statement of Cases to be submitted before the end of five weeks from starting date of Inquiry being set (Rule 13) by App and LPA by Monday 24 November. Other persons Statement of Case(s) (Rule 13 Party) to be submitted within four weeks of request approved (Rule 13(4)) by Monday 24 November.
7	1 December 2025	Pre-Inquiry Meeting may be held (Rule 15). [Two weeks prior notice required.]
8	8 December 2025	Pre-Inquiry Meeting may be held (Rule 15). [Two weeks prior notice required.]
9	15 Dec 2025	~~~~
10	22 Dec 2025	Christmas week
11	29 Dec 2025	31 December 2025 – SDO date when use should cease.
12	5 January 2026	PROOFS should be submitted no later than 4 weeks before Inquiry opens (Rule 20) by TUES 6 Jan 2026
13	12 January 2026	~~~~
14	19 January 2026	~~~~
15	2 February 2026	Inquiry Opens?
16	9 February 2026	Inquiry resumes?
17	16 February 2026	~~~~
18	23 February 2026	~~~~
19	2 March 2026	Post-Inquiry, Decision Notice

***** END OF STATEMENT *****