
Notice of Rule 13 Status

Ref: CROWN/2025/0000002 Sevington Inland Border

Date 28 October 2025

National Highways

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

Town and Country Planning Act 1990 (Section 293D Applications)

1. You should ensure that you read the entirety of this Notice as it contains important information and dates.
2. On 27 October 2025, and within the deadline set by the notification of procedure letter, National Highways sought to be a Rule 13 Party (as detailed in Appendix A). This notification refers to your request for Rule 13(4) status. **We confirm that this status is granted to you.**
3. Please see our Guide to Rule 6 for interested parties involved in an Inquiry – planning appeals and called-in applications - GOV.UK. Although this guidance relates to planning appeals, the same broad principles apply to Rule 13(4) as part of Crown Development Applications procedure.
4. As you are a Rule 13 Party, you should send us a copy of the **Statement of Case** you intend to put forward at the inquiry. You must do this no later than **midday Wednesday 27 November 2025**.
5. In this instance, you will be aware that an expedited timetable has been issued in order that a decision can be issued as soon as possible, and hopefully to coincide with the expiration of the temporary planning permission for the site, and in all instances no later than 9 January 2026.
6. This means that, unusually, in this case the Pre-Inquiry Meeting will take place prior to the Statement of Cases being submitted. Nonetheless, you have already shared written comments previously and this will no doubt assist you and other parties in understanding the comments / observations / concerns you wish to convey to the Inquiry.
7. Your Statement of Case should give full details of the case you will be putting forward at the Inquiry. This should include an indication of whether or not you intend on providing any **Proofs of Evidence** (under Rule 20) to the Inquiry. These are usually documents which have been written by an expert and/or persons who wish to provide issue or matter specific evidence.
8. Should you wish to provide Proofs, the person(s) providing that Proof should ensure that they are available for the dates of the Inquiry. That

person should also be aware that it is likely that advocates for other parties may wish to 'test' the Proof by means of cross-examination and/or questioning.

9. The Applicant and Local Planning Authority – Ashford Borough Council -must send a copy of their Proofs to you.
10. Please contact us at crownapplications@planninginspectorate.gov.uk **as soon as possible** to confirm if you consent to our sharing your contact information with the Applicant and LPA so they may do this. You should also ensure that an electronic copy is sent to the Planning Inspectorate (at the same email address), so that we can ensure it is published on our case website.
11. You must also provide any other documents, maps and plans, you intend to refer to or use in evidence. Seeking to submit these at a later date would be at the Inspector's discretion and you should be aware that you may be subject to an application for costs made by other parties if you submit documents late.
12. Please also include a list of any suggested conditions you would suggest be imposed, if the scheme were to be allowed. These should take into account Paragraph 57 of the *National Planning Policy Framework* which sets out that:
Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
13. You are also encouraged to read our guidance on statements of case in Section 12 of the Procedural Guide: Planning appeals – England - GOV.UK. Whilst the guidance is written for statements of case submitted as part of planning appeals, the same broad principles apply to statements of case submitted as part of Crown Development Applications.

The Inspector and Inquiry date

14. The Inspector appointed to decide the application is Mr C Parker BA(Hons), PGCert, MA, FRGS, MRTPI, IHBC.
15. The **Inquiry is due to open at 10:00 on Tuesday 2 December 2025** and is likely to run for 8 'Sitting' days – though you should be aware that the Inquiry may close earlier.
16. We will write to you shortly to confirm the venue.
17. All parties are reminded that witnesses to the Inquiry – those who are submitted Proofs and/or advocating - should be available for its duration.

Pre-Inquiry Meeting (PIM)

18. The Inspector will hold a Pre Inquiry Meeting (PIM) with the main parties on Microsoft Teams (Inspectorate hosted).
19. This is due to take place at **9:30 on 11 November 2025**.

20. More details will follow including an agenda and details of how to join. Each party should have a single spokesperson nominated to speak; the intended advocates should participate, if possible.
21. **Please provide the name and email address of your spokesperson seven days before the case conference**, along with the names/email addresses of any other participants.
22. In advance of the PIM, parties are requested to focus only on the matters that are in dispute. This will assist the Inquiry process, by allowing the appointed person to focus on areas of dispute between parties and / or matters that require further clarification.
23. The PIM is **not** an opportunity to discuss the planning merits of the proposal. Its primary focus is to enable the appointed Inspector to arrange administrative matters so as to ensure that the Inquiry can run smoothly and that valuable Inquiry time is used as effectively as possible.

Costs

23. In some circumstances, costs can be applied for, and awarded for Crown Development Applications. Further details of this can be found at www.planningportal.gov.uk/planning/appeals/guidance. Whilst this refers to appeals, similar principles apply to Crown Development Applications. Therefore, you are advised to read this guidance carefully as it contains important information about how one party might have to pay another party's costs.
24. Such situations may arise where one party considers another party has acted **unreasonably** in the lead up to or during the Inquiry, and in acting unreasonably this has **caused unnecessary or wasted expense** on the party making the application for costs. It is not an opportunity to recover general costs on the basis that you support or oppose the scheme, and / or the costs that you have incurred in supporting your case at the Inquiry. The general expectation is that parties will cover their own costs in participating in the process.
25. Additionally, you should be aware that the appointed Inspector may, on their own initiative, make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary application expense.

Yours sincerely,
Crown Development Case Team

Appendix – request for Rule 13 status

FAO	Crown Development Case Team Planning & Environmental Applications Service Planning Inspectorate
Your Ref	CROWN/2025/0000002
Site	Sevington Inland Border Facility, Mersham, Ashford, TN25 6GE
Proposal	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
National Highways' Reference	Case Ref NH/25/12357 Task Ref #25923

Dear Sir /Madam

Thank you for you email of 20 October 2025 regarding the above case inviting those that wish to, to submit no later than 27 October 2025, their desire to participate in the forthcoming Inquiry.

National Highways made representations via an email dated 12 September 2025. A copy of the representation is attached.

It explains our roles and responsibilities as the strategic highway authority in England. It then explains our interest in the proposals. They centre on:

- 1) Site Accesses. The final design needs to be agreed and implemented
- 2) Network Signage. The final signage strategy and design of roadside signage connected to the operation of the IBF need to be agreed and implemented.
- 3) Operational Management Plan. The OMP needs to be updated to reflect experience to-date and any matters arising from (1) to (3)

Finally, it sets out that we have No Objection to the proposals subject to the imposition of recommended conditions on any consent that cover Site Accesses, Network Signage and the OMP.

National Highways remains committed to working closely with all parties to facilitate this development commensurate with our obligations with regards the safety, reliability and operational efficiency of the SRN. We would be pleased to work with the applicant seeking to address all outstanding matters. Subject to progress, we recognise we may need to participate Inquiry stage of the application.

Consequently, in order to safeguard our position, allow for progress to be made if the applicant so wishes or facilitate our participation if the Inquiry Inspector so requires, we request Rule 13 status. The status can always be changed in due course if appropriate.

I hope I have provided all you need and that our request will be accepted. I look forward to hearing from you in due course.

If you have any queries regarding our request, please contact me, copying in

[REDACTED]

Regards

Kevin Bown BSc(Hons) MPhil CMS MRTPI Spatial Planner

Spatial Planning Team, South East Region Operations Directorate

National Highways | Bridge House | 1 Walnut Tree Close | Guildford | GU1 4LZ

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For information about our engagement with the planning system please visit

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