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

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 of Case : Kent County Council

1. Introduction

1.1 Kent County Council ("KCC") makes these representations in its role as the County Council for the area in which the Site is situated, and as the statutory authority for Highways, Public Rights of Way and Drainage.

1.2 KCC has engaged in discussions with the Applicant in respect of the above matters and has made substantial progress towards agreeing Statements of Common Ground with the Applicant. KCC anticipates that Statements of Common Ground will be entered into before the Inquiry opens and will update the Inspector accordingly.

2. Highways

2.1 KCC's position on the transport and highway implications of the proposal is set out below. It identifies the mitigation measures required at M20 Junction 10A to make the development acceptable in planning and highway capacity terms.

Background

2.2 The application proposes buildings, goods vehicle parking spaces, entry lanes, refrigerated semi-trailers, staff car parking spaces, access, site infrastructure, utilities, hardstanding, landscaping, and ancillary facilities, with the site operating 24/7. The Transport Assessment (TA) submitted with the application was scoped with KCC as part of pre-application discussions. This Statement of Case reflects KCC's review of the TA and associated modelling.

Summary of Position

2.3 KCC does not object in principle to the continued operation of the IBF; however, the submitted TA demonstrates a severe impact at M20 Junction 10A, specifically on the A20 Hythe Road arms, in all assessment years (2024, 2026, and 2036) which need to be mitigated as a result of the proposed development.

2.4 Since the County Council produced its representation on the 12th September 2025 on the application, the applicant has produced a document titled *'M20 Junction 10a Mitigation – Preliminary Option Assessment - 20982117-WAT-XX-XX-RP-N-800004_P03'* and this has been submitted in Appendix 11 of Applicant's Initial Draft Response to Inspector's Matters. The document contains a mitigation scheme for M20 Junction 10A.

2.5 This mitigation scheme ensures that there will not be a severe impact on the local highway network as a result of the proposals. This mitigation scheme will

need to be fully funded by the applicant with the required contribution secured through the legal agreement process. The mitigation scheme together with the associated junction modelling results will be discussed in further detail below.

2.6 Without mitigation, the development would result in severe highway impacts on the A20 arms of M20 Junction 10A contrary to the National Planning Policy Framework (NPPF) and Local Plan policies below in Section 2.7 and the extent of these severe impacts is detailed in Section 2.8 below.

Policy Context

2.7 This position is supported by:

• NPPF (2024) – Paragraph 115 and 116 requires developments to ensure safe and suitable access and avoid severe residual impacts following mitigation.

• Ashford Local Plan (2019) Policy TRA7 requires applicants to demonstrate that traffic movements to and from the development can be accommodated, resolved, or mitigated to avoid severe cumulative residual impacts.

• Kent Local Transport Plan 5 (2025) requires M20 Junction 10A enhancements to improve access onto the junction for local traffic.

Junction Modelling

2.8 As outlined in the KCC Consultation response to the application dated 12th September 2025, the key issue is the severe impact of the proposals on the A20 Hythe Road eastbound and westbound arms.

2.9 For a traffic signal roundabout, junction capacity assessments (LinSig) are undertaken using Degree of Saturation (DoS) as the key output. A DoS of less than 90% means the junction is operating within practical capacity. A DoS of between 90% and 100% means the junction is operating between practical and theoretical and again this means that the operation of a junction could be variable with queues building at the junction resulting in increased vehicle delay moving through the junction. A DoS of more than 100% means the junction is operating in excess of theoretical capacity. When a DoS exceeds 100% queuing and delay goes up exponentially when additional demand is added to the junction approach.

2.10 Additional modelling work also has been undertaken in the *M20 Junction 10a Mitigation – Preliminary Option Assessment* document and this demonstrates the following with and without the proposed development:

2024 Base AM Peak

A20 Westbound – Queue increases from 7 to 18 vehicles; DoS rises from 84% to 99%.

A20 Eastbound – Queue increases from 7 to 18 vehicles; DoS rises from 86% to 99%.

2024 Base PM Peak

A20 Westbound – This arm will continue to operate within capacity.

A20 Eastbound - Queue increases from 7 to 34 vehicles; DoS rises from 88% to 104%.

2036 Future Year AM Peak with Sevington 4

A20 Westbound – Queue increases from 49 vehicles to 97 vehicles; DoS rises from 106% to 127%. The delay increases from 139 seconds to 405 seconds, an increase of 266 seconds or almost 4 and a half minutes.

A20 Eastbound **–** Queue increases from 107 vehicles to 153 vehicles; DoS rises from 130% to 151%. The delay increases from 454 seconds to 692 seconds, an increase of 238 seconds or 4 minutes.

2036 Future Year PM peak with Sevington 4

A20 Westbound – Queue increases from 11 vehicles to 63 vehicles; DoS rises from 95% to 123%. The delay increases from 37 seconds to 276 seconds, an increase of 239 seconds or 4 minutes.

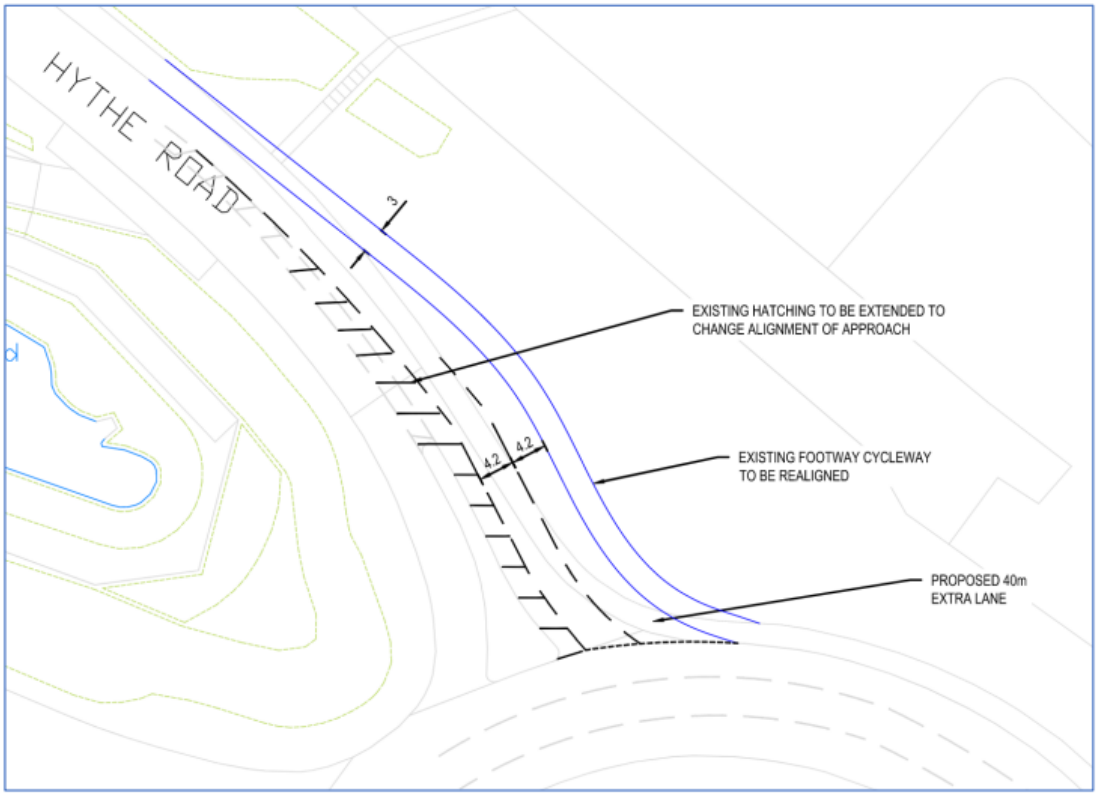
A20 Eastbound – Queue increases from 81 vehicles to 132 vehicles; DoS rises from 124% to 153%. The delay increases from 378 seconds to 669 seconds, an increase of 291 seconds or almost 5 minutes.

Sevington 4 has been used for the purposes of this statement of being the worst-case scenario with the highest levels of traffic flows in and out of the IBF.

2.11 The modelling assessment document states, 'Traffic flows would be expected to exacerbate the congestion on the two A20 approaches, most notably on the A20 westbound approach in both peak hours.' As such the applicant is proposing a mitigation scheme that improves the A20 arms of the junction. This involves the following:

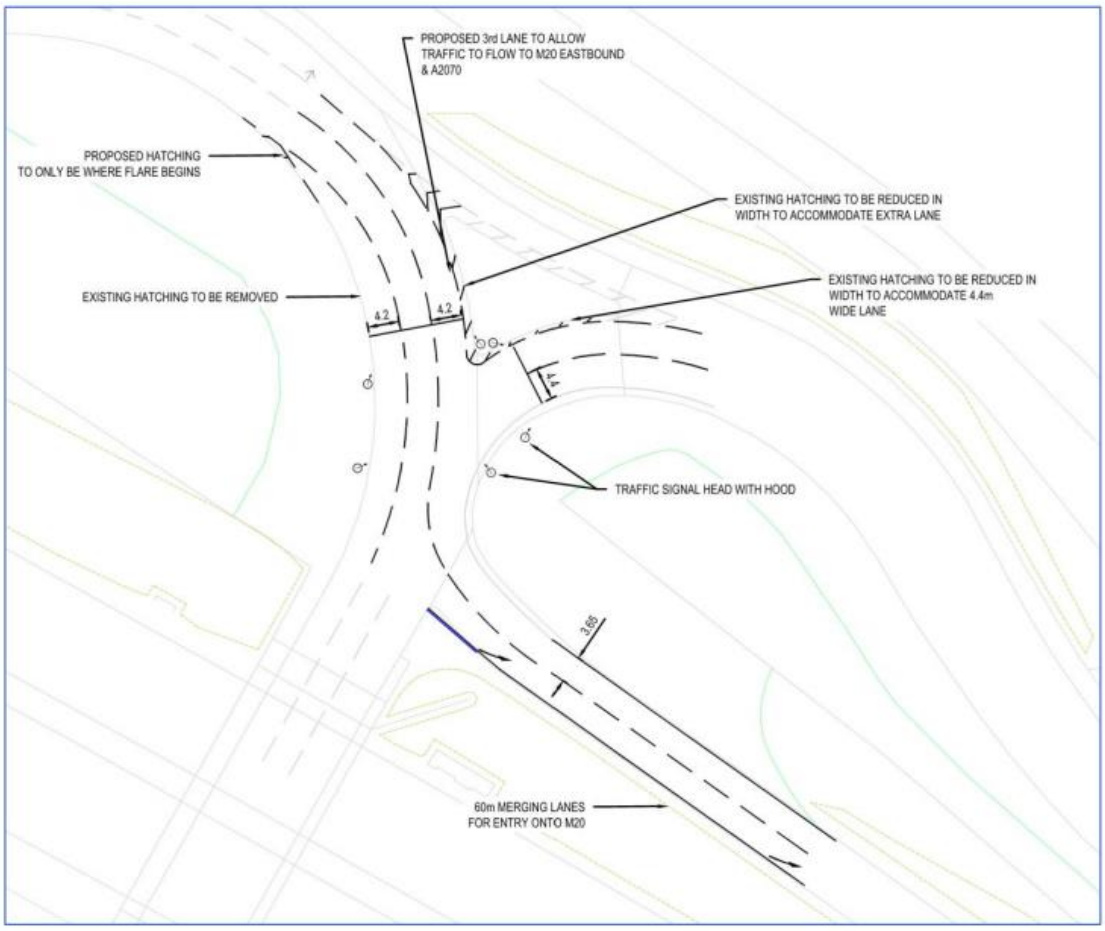
- Widening Hythe Road Eastbound approach to the roundabout entry to provide 2 lane queuing. Two 4.2 metre wide lanes are proposed. The existing footway / cycleway will be re-located further north into the highway verge to provide the 2-lane queuing.

Figure 1: Widening of the A20 Eastbound Arm



- Signalising the Hythe Road Westbound approach to the roundabout together with the circulatory.
- Changes to white lining on the roundabout to provide some additional capacity on the circulatory.
- Slight widening of the M20 J10a coastbound on-slip to allow an extra merge lane on the on-slip.

Figure 2: Signalisation of the A20 Westbound arms, widened circulatory and improved M20 Coast-bound on Slip



- Vehicle tracking has been undertaken for all movements with a 16.5-metre-long articulated vehicle and is acceptable.

2.12 The mitigation measures can be found in Appendix A of the assessment document. Updated junction modelling has been undertaken based on a 2036 future year scenario. Through the updated modelling it has been established that 50 seconds is the optimal cycle time for all scenarios, apart from in the 2036 Base + Sevington 4 IBF PM peak scenario where 60 seconds is optimal. The updated modelling results demonstrate that once the mitigation measures are completed the junction will operate less than a theoretical capacity of 100%. This demonstrates the following:

2036 AM Peak with Sevington 4

A20 Westbound - Queue of 11 vehicles, DoS of 89% and delay of 32 seconds.

A20 Eastbound – Queue of 5 vehicles, DoS of 84% and delay of 12 seconds.

2036 PM Peak with Sevington 4

A20 Westbound – Queue of 14 vehicles, DoS of 94% and delay of 53 seconds.

A20 Eastbound – Queue of 18 vehicles, DoS of 99% and delay of 73 seconds.

2.13 The proposed mitigation measures provide significant improvements to the A20 Eastbound and A20 Westbound approaches in the main. These would fully mitigate the impact of the modelled 'worst-case' sensitivity test Sevington 4 IBF traffic in the 2036 AM peak and in the 2036 PM peak, fully mitigate the impact on the A20 eastbound approach and limit the residual impact to a negligible amount on the A20 westbound approach.

2.14 As set out in the summarized modelling results above, the mitigation scheme is required to ensure that the proposals will not have a severe impact on the local highway network.

Other Matters

2.15 The County Council also made representations on a couple of other matters associated with the proposals which are summarised below. After discussions with the Applicant, it has been informally agreed that these points can be dealt with as planning conditions requiring further information to be submitted and then approved in writing by both KCC and National Highways.

• Signage strategy – There needs to be further signage at both M20 Junction 10 and M20 Junction 10A advising drivers of the route to the IBF to prevent any vehicles accessing the site from other routes such as Church Road.

• Travel Plan – The existing Travel Plan (2022) is outdated being over 3 years old and requires updating based on current staff travel patterns and updated measures to promote sustainable travel.

Required Mitigation Measures

2.16 To make the development acceptable in planning and highway capacity terms, the following measures are required:

1. Full funding towards the proposed M20 Junction 10A mitigation scheme. Initial discussions have taken place with the applicant regarding delivery of the mitigation scheme, and KCC have stated that the authority is able to deliver the works on behalf of the applicant. The scheme has been costed by KCC's cost consultants based on the current information supplied by the applicant. The cost of the scheme is £1,436,122.68 based on delivery in 2026. The full cost plan can be found attached to this document at Appendix 1. The funding should be provided to KCC within 2 weeks of the grant of any planning permission on the site. A costs over-run agreement is also required so that once built, if the costs of the scheme are greater than currently estimated, the Applicant will provide the shortfall in funding to KCC.

2. Signage Improvements

- Planning condition requiring provision of clear directional signage at:

• M20 Junction 10 (for drivers exiting incorrectly to use the A2070 and not the A20).

• M20 Junction 10A (A20 eastbound entry, A20 eastbound exit, and A2070 approach).

3. Travel Plan Update

- Planning condition requiring submission of an updated Travel Plan and staff travel survey within 3 months of planning permission.

• Include measures to reduce single-occupancy car trips and promote sustainable modes.

Conclusion on Highways matters

2.17 Without the above mitigation scheme at M20 Junction 10A, the development would result in severe residual impacts on the highway network, contrary to NPPF and Local Plan policies. Planning permission should therefore be refused unless these measures are secured via appropriate planning conditions and / or obligations.

3. Public Rights of Way

3.1 KCC's position on the public rights of way implications of the proposal is set out below and identifies the mitigation measures required to make the development acceptable in planning terms.

Reinstatement of PRoW through the IBF site.

3.2 It remains KCC's position that should the operation of the site as an inland border facility cease the original, direct alignment Sevington – Mersham , should be reinstated.

3.3 Historically the alignment directly linked the two churches and the loss of what was a historic alignment was cited as an adverse impact by respondents. It is understood that the site layout was amended to preserve the direct line of site.

3.4 Provisions to reflect the above should be included in the s106 Agreement / UU.

Upgrading the PRoW from Blind Lane to Mersham corner stores

3.5 KCC would support the upgrade of footpath AE363 to Public Bridleway AE363 through to Mersham corner. This would be in alignment with NPPF paragraph 105 and also defined policies within the County Council's adopted Rights of Way Improvement Plan that seek greater provision of multi-user routes and cycling / equestrian facilities.

3.6 It is understood that the land required for the upgrade sits outside of the Applicant's control and therefore the upgrade could only be achieved through agreement with the owner of the land or the making of a creation order which if successful would trigger compensation requirements. KCC requests that provisions are included in a UU and that the costs involved in making the order, the likely compensation should the order be confirmed and the construction costs are covered by the Applicant.

4. Drainage

4.1 KCC Drainage maintains its objection to the scheme which was made on the basis that it has not been demonstrated that the current drainage network complies with the latest required standards or that as a minimum it does not but manages any flooding experienced safely and within the confines of the redline boundary, we object to the proposal.

4.2 KCC has engaged in discussions with the Applicant and is awaiting further information and as built surveys in relation to the existing drainage networks on

site and which, once complete, shall be hydraulically modelled using the latest required technical standards in order to demonstrate its operational characteristics.

4.3 Should the modelling conclude that no incidents of unacceptable flood volumes are demonstrated KCC will be in a position to withdraw its objection without requiring drainage related planning conditions.

4.4 If the modelling work cannot be completed and any required design alterations/additions be agreed prior to the Inquiry concluding KCC requests that a condition is imposed to require that the details of the drainage proposals and design are submitted within 3 months and that any required mitigation is implemented in accordance with the approved details.

Appendix 1 – Highways Costs Plan