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**By email**

Direct tel	██████████	Date	31 October 2025
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Dear Planning Inspectorate

**Town and Country Planning Act 1990 (Section 293D Applications)  
The Town and Country Planning (Crown Development Applications) (Hearings and  
Inquiries) Rules 2025  
Proposed development at Sevington Inland Border Facility, Mersham, Ashford, TN25  
6GE**

We act on behalf of the Department for Transport, Department for Environment, Food and Rural Affairs and His Majesty's Revenue and Customs (together, **the applicants**) in this application. We are writing further to your meeting with JLL for the applicants on 28 October and to the Inspector's proposed agenda for the pre-inquiry meeting, issued on 30 October. This letter is being copied to Ashford Borough Council.

We recognise that this is the first Crown Development application under section 293D of the TCPA to be considered, and that there is a tight timescale for a decision. We are therefore writing ahead of the Pre-Inquiry Meeting that is scheduled for 11 November, to set out the applicants' proposals for dealing with the matters before the inquiry effectively in the time available.

We understand that only two rule 13 parties have so far requested permission to participate in the inquiry. We would be grateful if the Inspectorate could confirm whether any other parties have indicated an intention to appear.

Given that the parties which have indicated their intention to appear do not appear to be formally opposed in principle, it seems to us that while there are a number of matters to be considered, there is not likely to be much – if any – detailed cross-examination. Further, unlike most planning inquiries, there has been no refusal notice nor any reasons given, and so a traditional statement of case addressing those reasons is not possible.

In the circumstances therefore we were not sure that it would be beneficial to prepared detailed proofs of evidence alongside a statement of case, particularly as the parties will not have the opportunity to respond to each other's statements of case. As such, it is likely that any formal proofs may not be much more detailed than signposting documents.

If on receipt of the statements of case, the Inspector is broadly satisfied with the responses to the Statement of Matters, the applicants would endorse a change in procedure to a hearing.



If the Inspector considers that an inquiry would still be appropriate, we thought that it might be beneficial to structure the sessions of the inquiry in a similar fashion to the examination of an application for a development consent order under the Planning Act 2008. This would enable the evidence before the inquiry to be fully tested by the Inspector and parties, and the issues to be considered in depth, but without the need for formal cross-examination or the preparation of detailed proofs of evidence in advance of the inquiry.

The DCO examination process is of course a predominantly written process, and so as part of this process we would propose to include detailed responses to each of the questions set out in the Statement of Matters as part of the applicants' Statement of Case. This would therefore be in a form similar to a hearing statement. We would also seek to use this opportunity to resolve as many of the issues that were outstanding with the other parties and set out agreed positions in the Statement of Case where possible. Instead of formal proofs, the Statement of Case could append any additional information that the applicants sought to rely on (whether requested in the Statement of Matters or otherwise).

The inquiry itself could then focus on any follow-up questions that the Inspector may have, together with any residual issues that were still outstanding following submission of the Statements of Case. These could be dealt with potentially by topic-based round table sessions with all parties interested in a particular topic able to contribute.

We do not think that proceeding in this way would require the full 8 days to be used. However, it may be useful for the Inspector to use the time saved to set out any further outstanding questions following the round-table sessions, to which the applicants could respond in writing by the final day, as part of a written closing submission.

So, for instance, the inquiry may be structured as follows:

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|---------------|---|
| In advance:   | Submission of Statements of Case/Hearing Statements including written responses to Statement of Matters                 |
| Day 1 (am):   | Opening from applicants, including responses to statements of case  |
| Day 1 (pm):   | Representations from LPA and rule 13 parties, including responses to Statements of Case, applicants' responses to these |
| Days 2 and 3: | Round table sessions on any issues that remain outstanding following submissions of statements of case                  |
| Day 4:        | Conditions and planning obligations, overall planning balance.<br>Inspector issues any further questions                |
| Day 8:        | Responses in writing to further questions and closings  |

We should be grateful if the Inspector could take this proposal into account ahead of the Pre-Inquiry meeting.

Yours sincerely

**Nick Evans**  
**Partner and Parliamentary Agent**  
for TLT LLP